

REGULAR CITY COUNCIL MEETING – AGENDA #44

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

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

Our Brooklyn Park 2025 Goals:

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

I. ORGANIZATIONAL BUSINESS

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

2. PUBLIC COMMENT AND RESPONSE 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 the Shingle Creek Watershed Commission and the Northwest Suburbs Cable Communications Commission

A. ATTENDANCE AND VOTING FORM

3B.2 Budget Advisory Commission Annual Verbal Report

A. BAC BUDGET RECOMMENDATION

3B.3 Proclamation Declaring December 2, 2023 as Hmong New Year in the City of Brooklyn Park

A. PROCLAMATION

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 Chansomary Estates – Plat #23-117 for the Subdivision of Property into Two Single Family Lots at 7016 Dutton Ave

A. RESOLUTION

B. LOCATION MAP

C. PLANNING COMMISSION MINUTES

D. PRELIMINARY PLAT

4.2 PLUSH, LLC - Conditional Use Permit #23-118 for a Class II Restaurant at 8578 Edinburgh Center Drive North

- A. RESOLUTION
- B. PLANNING COMMISSION MEETING
- C. LOCATION MAP
- D. APPLICANT'S SUBMITTAL
- 4.3 Development Bond Reductions/Releases
- 4.4 City Hall Enhancement Task Force Member Recommendations

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

- 5.1 Public Hearing and First Reading of an ordinance to consider the recommendation of the Brooklyn Park Charter Commission to amend Charter Chapter 7, Section 7.07 of the Home Rule City Charter Public Hearing Charter Amend Section 7.07
 - A. ORDINANCE
- 5.2 Public Hearing to Solicit Testimony and Approve the Currency Exchange License for SJB Enterprises Inc. dba Your Exchange, Located at 7646 Brooklyn Boulevard North
 - A. SJB ENTERPRISES RENEWAL LETTER
- 5.3 Approve an On-Sale Intoxicating Liquor License for Plush, LLC Doing Business as Plush, 8578 Edinburgh Centre Drive North, Brooklyn Park, Contingent on Approval and Issuance of a Food License, Conditional Use Permit and Certificate of Occupancy
 - A. LIQUOR LICENSE LIST

6. LAND USE ACTIONS

None.

7. GENERAL ACTION ITEMS

- 7.1 Approve Allocation Plan for Approximately \$395,900 of American Rescue Plan Act Funding for the Community Funding Partnership Opportunity and Capacity Building Initiative
 - A. RESOLUTION
 - B. LIST OF ORGANIZATIONS NOT RECOMMENDED FOR FUNDING (LIMITED DISTRIBUTION – AVAILABLE FOR VIEWING AT THE CITY CLERK'S OFFICE)
- 7.2 Consider Terminating Agreement with Northwest Minneapolis Tourism
 - A. RESOLUTION
 - B. CONTRACT

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 Discuss Options for CAC Improvements
 - A. CAC IMPROVEMENTS PPT 9.5.23
- 8.2 Discuss Legislative Agenda for 2024
 - A. DISCUSS LEGISLATIVE AGENDA FOR 2024

IV. VERBAL REPORTS AND ANNOUNCEMENTS

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

V. ADJOURNMENT

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

City of Brooklyn Park Request for Council Action

Agenda Item:	3B.1	Meeting Date:	November 27, 2023
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Katrina Doshier, Program Assistant
Ordinance:	N/A		
Attachments:	1	Presented By:	Mayor Hollies Winston
Item:	Interview Applicants for the Shingle Creek Watershed Commission and the Northwest Suburbs Cable Communications Commission		

City Manager's Proposed Action:

Interview applicants to fill a vacancy on the Shingle Creek Watershed Management Commission and an upcoming opening on the Northwest Suburbs Cable Communications Commission.

Overview:

The City has advertised to fill three upcoming vacancies on the West Mississippi and Shingle Creek Watershed Management Commission for three-year terms ending January 31, 2024, and an upcoming opening on the Northwest Suburbs Cable Communications Commission due to the term ending December 31, 2023. The NW Suburbs Cable Commission appointment will be for a one-year term from January 1 through December 31, 2024.

A voting form is included in the packet to indicate your choices. At the end of the meeting, please pass your voting form to Mayor Winston with your selections for the commissioners. The appointments will be made during the December 4, 2023 City Council meeting.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.1A ATTENDANCE AND VOTING FORM

Applicant's Name	Confirmed Attendance	First Choice	Residing District
Hasit Parmar	Yes	NW Cable	Central

My choice:

Northwest Suburbs Cable Communications Commission

_____ City At-large – one-year term to expire December 31, 2024
(reappointing or replacing Hasit Harmar)

Applicant's Name	Confirmed Attendance	First Choice	Residing District
Penny Jones	Yes	Shingle Creek Watershed Management Commission	Central
Silas Harris	Yes	West Mississippi Watershed Management Commission	West

My choice:

Shingle Creek Watershed Management Commission

_____ City At-large – three-year term to expire January 31, 2027
(replacing Oluwatosin Ajayi)

West Mississippi Watershed Management Commission

_____ City At-large – three-year term to expire January 31, 2027
(replacing Oluwatosin Ajayi)

City of Brooklyn Park Request for Council Action

Agenda Item:	3B.2	Meeting Date:	November 27, 2023
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Finance
Resolution:	N/A	Prepared By:	Cheryl Keene, Finance Assistant 1
Ordinance:	N/A		
Attachments:	1	Presented By:	Budget Advisory Commission Members
Item:	Budget Advisory Commission Annual Verbal Report		

City Manager's Proposed Action:

Teshite Wako (Chair) and members of the Commission will present the Budget Advisory Commission Annual Verbal Report.

Overview:

The Budget Advisory Commission is required by City Ordinance (City Code Section §31.91G) to present a recommendation for future funding, provide comments on the city's proposed budget, overall trends and provide suggestions for any specific requests made by the Council.

The Commission consists of the following members: Teshite Wako (Chair), Akeem Adeniji (Vice-Chair), Theresa Ajiboye, Nathania Amenuvor, Henry Blake, Terri Merrill, Nahashon Mobisa, Nancy Omondi, William Petty, Ang Thach and Maria Tran (Council Liaison).

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.2A BAC BUDGET RECOMMENDATION

Brooklyn Park 

Budget Advisory Commission

November 27, 2023



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Budget Advisory Commission

The Budget Advisory Commission's mission is to ensure the long-term financial health of the City of Brooklyn Park by providing strategic direction to the Council.

Projections and measurements are used to establish priorities that align with the city's strategic plan, ensuring resources are invested appropriately to meet the vision and mission of the City.

<https://www.brooklynpark.org/volunteer/commissions/budget-advisory-commission/>

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Commissioners and Liaisons

Central District

Teshite Wako, Chair (Term ends 2024)
Ang Thach (Term ends 2026)

East District

William Petty (Term ends 2026)
Akeem Adeniji, Vice Chair (Term ends 2025)

West District

Henry Blake (Term ends 2025)
Terri Merrill (Term ends 2024)

City At-large

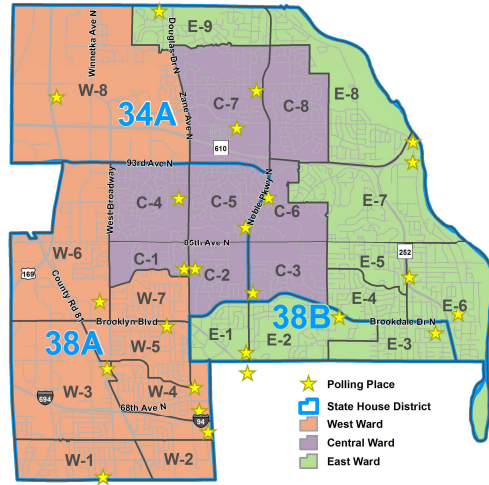
Nathania Amenuvor (Term ends 2024)
Nahashon Mobisa (Term ends 2024)
Theresa Ajiboye (Term ends 2025)
Nancy Omondi (Term ends 2026)

Council Liaison

Maria Tran

Staff Liaison

Dolly Lee



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Task Force Committees

Benefits Fund

Employee Retention

Sales Tax

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Benefits Fund

- Background
 - Funded for current obligations, but a shortfall exists for long-term obligations and other payouts.
 - Continues to show deficit balance
- Recommendation
 - Monitor benefits continually
 - Review actuarial methods
 - Support efforts to continue funding the benefits fund



5

Employee Retention

- Background
 - Encourage employees to stay with City to minimize employee turnover
 - High turnover of BIPOC staff
 - From Q3 2022 to Q2 2023, average employee turnover is 3.4% for all departments and 6.55% are BIPOC
- Recommendation
 - Continue with compensation study
 - Continue efforts to obtain metrics and data to better understand reasons for employee departures
 - Strengthen diversity equity and inclusion (REDI)



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Sales Tax

- Background
 - Identify a new funding source
 - State-imposed moratorium on new local option sales tax until early 2024
- Recommendation
 - Identify products that could be taxed after moratorium
 - Continue researching and studying neighboring and similar sized cities local sales taxes
 - Possible sales tax on cannabis sales



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Challenges and Recommendations

8



9

2022 Recommended Strategies and Outcomes


Recommended Strategy	Outcome
Conducive Work Environment	City enhanced its Alternative Work Arrangement (AWA) to better meet the evolving needs of its workforce
Enhance access to community programs	City removed barriers to Rec & Park program participation through scholarships, tiered pricing, increased Rec on the Go! events, and so much more.
Implement Public Safety Programs	Police department put in place State's first mental health alternative response team partnering with Hennepin County social workers to respond to mental health calls. There are still room to grow in areas of cultural sensitivity and transparency.
Annual property levy tax not to go below 9% and not to exceed 11%	Council approved levy at 9.74%

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2023 Recommended Strategies

- Ongoing compensation study
- Enhance Public Safety Programs supporting youth
- Continue to explore other revenue sources
- Annual property tax levy not to go below 9% and not to exceed 10.5%

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Brooklyn Park 

Questions?

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City of Brooklyn Park Request for Council Action

Agenda Item:	3B.3	Meeting Date:	November 27, 2023
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Xp Lee, Council Member Katrina Doshier, Program Assistant
Ordinance:	N/A		
Attachments:	1	Presented By:	Hollies Winston, Mayor
Item:	Proclamation Declaring December 2, 2023 as Hmong New Year in the City of Brooklyn Park		

City Manager's Proposed Action:

The Mayor shall proclaim December 2, 2023 to be observed as Hmong New Year in the City of Brooklyn Park:

1. I, Hollies Winston, Mayor of the City of Brooklyn Park, Minnesota, do hereby proclaim December 2, 2023, shall be observed as Hmong New Year in the City of Brooklyn Park.

OR

2. By reading the proclamation.

Overview:

Brooklyn Park and Brooklyn Center are now home to the second largest Hmong American population in the state. Hmong New Year marks the end of the harvest season and is a time for renewal and transition to the next cycle of life. Brooklyn Park's Hmong New Year celebration will be held on December 2, 2023 at the Brooklyn Park Community Activities Center. Everyone is encouraged to attend and celebrate Hmong New Year with our Hmong community on that day.

Council Member Lee requested the proclamation to honor the event.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.3A PROCLAMATION

PROCLAMATION

DECLARING DECEMBER 2, 2023 AS HMONG NEW YEAR IN THE CITY OF BROOKLYN PARK

WHEREAS, the tradition of celebrating Hmong New Year dates back to ancient times. It marks the end of the harvest season and is a time for renewal and transition to the next cycle of life. It is a time to celebrate the blessings and accomplishments of the past year while washing away the hardships. It is a time to showcase the beauty and pageantry of the Hmong culture for youth and elders alike. It is a time to honor the ancestors and appreciate all the family and friends in our lives. It is a time to wish for good fortune and prosperity in the coming year; and

WHEREAS, the Hmong in Laos were recruited by the United States CIA to fight alongside U.S. troops in the Vietnam Secret War. Recruited and led by General Vang Pao, an estimated 40,000 Hmong soldiers were killed over the span of 13 years. Another estimated 50,000 Hmong civilians died directly from the fighting or indirectly as casualties of the war. Some estimates say that possibly half of the entire Hmong-Lao population died as a result of the Secret War; and

WHEREAS, starting with the 1975 Indochina Migration and Refugee Assistance Act hundreds of thousands of Hmong fled their homelands and were resettled across the U.S. in the hopes of building new lives in a new country. The first Hmong family in Minnesota arrived in November of 1975 and many Hmong families have called Brooklyn Park home since the early 1980's; and

WHEREAS, Brooklyn Park and Brooklyn Center are now home to the second largest Hmong American population in the state. Minnesota Zeb Zog (MNZZ) is a local nonprofit that focuses on empowering the community by nurturing the Hmong language, and helping the community heal through the arts and through intergenerational education; and

WHEREAS, the City of Brooklyn Park is committed to recognizing and celebrating our diversity as a strength and an asset for our shared growth, development, and success.

NOW, THEREFORE, I, Hollies Winston, Mayor of the City of Brooklyn Park, Minnesota, do hereby proclaim Saturday, December 2, 2023 as Hmong New Year here in our great city and encourage everyone to attend and celebrate Hmong New Year with our Hmong community on that day at our Community Activity Center (CAC) from 5:00-9:00pm. Nyob zoo xyoo tshiab to everyone.



Hollies Winston, Mayor

5200 85th Avenue North

City of Brooklyn Park Request for Council Action

Agenda Item:	4.1	Meeting Date:	November 27, 2023
Agenda Section:	Consent	Originating Department:	Community Development
Resolution:	X	Prepared By:	Erin McDermott, Associate Planner
Ordinance:	N/A		
Attachments:	4	Presented By:	Paul Mogush, Planning Director
Item:	Chansomary Estates – Plat #23-117 for the Subdivision of Property into Two Single Family Lots at 7016 Dutton Ave		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2023-____ APPROVING PRELIMINARY PLAT OF "CHANSOMARY ESTATES" SUBDIVIDING 7016 DUTTON AVENUE INTO TWO SINGLE FAMILY LOTS, SUBJECT TO CONDITIONS IN THE RESOLUTION.

Overview:

The property owner of 7016 Dutton Ave is requesting to subdivide this property into two residential lots for the construction of two residential structures in an existing residential neighborhood. This property has been vacant since 2013. This property is abutted by three city streets, Dutton Avenue to the south, Lakeland Avenue to the west, and Kentucky Avenue to the north. Kentucky Avenue is a gravel road.

Planning Commission:

The Planning Commission held a public hearing at the November 8, 2023 Planning Commission Regular Meeting. One resident was present to speak on this request. The Planning Commission voted unanimously in favor (7-0) of recommending approval of this application to the City Council.

Previous Approvals:

This lot was created with the approval of the plat titled Bursch's First Addition in 1952.

Current Conditions:

The subject property is 0.76 acres. There is no house on this property currently, as the previous residence on this property was demolished in 2013 with assistance from the Brooklyn Park Fire Department. There are two existing sheds that were installed by the previous owner of the property. These sheds are 6 feet 4 inches from the property line according to the survey and meet required setbacks for residential accessory structures.

Future Land Use Plan	Low Density Residential
Current Zoning	R-3 Detached Single Family Residential
Proposed Zoning	R-3 Detached Single Family Residential
Neighborhood	Lakeland Park
Site Area	0.76 acres
Conforms to:	
Land Use Plan	Yes
Zoning Code	Yes

Notification	41 Public Hearing Notices mailed Posted in the Sun Post Neighborhood email sent to Lakeland Park neighborhood
Timeline (MN §15.99) 60-day 120-day	December 1, 2023 January 30, 2024

Lots and Density:

The property is zoned R3 – Detached Single Family Residential District. The proposed plat meets all zoning requirements established for the R3 zoning district (152.221.01) as well as all setback requirements as shown by the setback lines marked on the proposed preliminary plat.

The Comprehensive Plan guides this area for low density residential uses (up to 3 units per acre). The subject property is 0.76 acres, with proposed Lot 1 at 0.45 acres and Lot 2 at 0.31 acres for an average density of 0.38 acres per lot, which exceeds the requirement of 0.33 acres.

Access:

This site is adjacent to Dutton Ave, Lakeland Ave, and Kentucky Ave. The proposed plat indicates the access to both lots will be from Dutton Ave.

Utilities:

Utilities are available to this site, as a house previously existed on this property.

Storm Water Management:

Storm water management will be through storm sewer and swales installed in the rear yards. The storm sewer will be located within the same drainage and utility easement as the sanitary sewer line noted previously.

Pedestrian Connections:

There are no existing sidewalks in this neighborhood. City Code 152.131 outlines required locations for sidewalks, including traffic volumes exceeding 1,000 trips per day, a roadway connecting a neighborhood to a commercial area, park, school, religious institution, or other community-oriented facility, along any street in a business district, or a multi-family, office, commercial or industrial use that is expected to generate pedestrian traffic. While this property is adjacent to a park, in context of the neighborhood it would not make sense to require a partial sidewalk on only two properties in an area unlikely to be redeveloped, leaving a partial sidewalk indefinitely.

Park Dedication:

Land dedication in this instance would not conform to Chapter 7: Parks and Trails of the 2040 Comprehensive Plan, and as such a fee in lieu is requested with this plat. The proposed plat creates two single family lots from one existing lot, the fee in lieu established for residential properties is \$4,600 per newly created lot, for a total of \$4,600 due for this subdivision. The money collected is deposited into the Open Space Land Acquisition and Development (OSLAD) fund which is only used for the purchase of new parkland and the development of the parks. It cannot be used for programming, maintenance, or administration costs by state law. The nearest neighborhood park is Lakeland Park, located northeast of the property.

Final Plat:

The final plat and title commitment will be reviewed by the City Attorney's office in the future as the normal course of review. All necessary revisions to the plat as required by this review must be made prior to the request for Council action on the final plat.

Primary Issues/Alternatives to Consider:

1. Approve the plat as presented.
2. Approve the plat with modifications.
3. Deny the plat based on certain findings.

Budgetary/Fiscal Issues: N/A

Attachments:

- 4.1A RESOLUTION
- 4.1B LOCATION MAP
- 4.1C PLANNING COMMISSION MINUTES
- 4.1D PRELIMINARY PLAT

RESOLUTION #2023-

RESOLUTION APPROVING PRELIMINARY PLAT FOR "CHANSOMARY ESTATES"
SUBDIVIDING 7016 DUTTON AVENUE INTO TWO SINGLE FAMILY LOTS

Planning Commission File #23-117

WHEREAS, the plat of "Chansomary Estates" has been submitted in the manner required for platting of land under the Brooklyn Park Zoning and Subdivision Codes and under Chapter 462 of the Minnesota Statutes and all proceedings have been duly had thereunder on properties currently legally described as:

Lot 11, Block 1, Bursch's First Addition, Hennepin County, Minnesota; and

WHEREAS, said plat is consistent with the Comprehensive Plan and the regulations and requirements of the laws of the State of Minnesota and codes of the City of Brooklyn Park, Chapters 151 and 152; and

WHEREAS, the granting of this plat will not be detrimental to the public welfare nor injurious to the other property in the neighborhood, and

WHEREAS, the granting of this plat will not have an adverse effect upon traffic and traffic safety or pedestrians and pedestrian safety, and

WHEREAS, the proposed subdivision meets the minimum requirements of the Low Density Residential designation of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park, Preliminary Plat Request #23-117 "Chansomary Estates" shall be approved subject to the following conditions:

1.00 DRAWINGS

1.01 Preliminary plans on file in the City Clerk's office dated 08-29-2023 for two lots upon compliance with the following requirements:

2.00 BONDS, ESCROWS AND DIRECT PAYMENTS

2.01 Payment of any special assessments on the property.

2.02 Payment of park dedication in the amount of \$4,600 for new construction shall be paid prior to recording the final plat.

3.00 REQUIRED DOCUMENTS

3.01 Approval of Title by the City Attorney and all conditions therein.

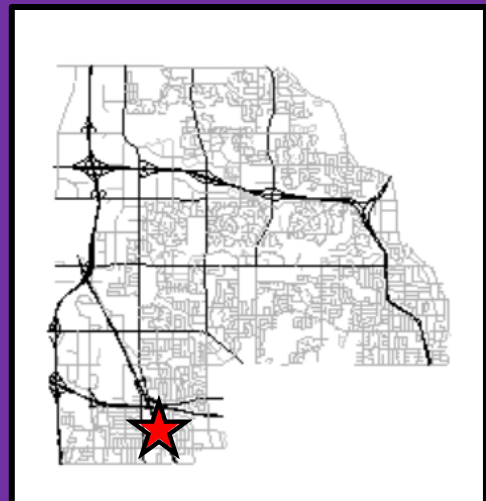
3.02 A final plat showing the correct square footage for each lot area must be submitted prior to recording of the final plat.

4.00 GENERAL CONDITIONS

4.01 Issues regarding the title overlap must be resolved prior to final plat approval.



Preliminary Residential Plot Subdivision
Case #23-119 – 7016 Dutton Avenue North
Area of Request (August 2023 Air Photo)
7016 Dutton Avenue North



MINUTES OF THE BROOKLYN PARK PLANNING COMMISSION
Regular Meeting – November 8, 2023

1. PUBLIC HEARING

A. Chansomary Estates – Preliminary Plat subdividing a residential property into two residential lots at 7016 Dutton Avenue, Brooklyn Park, MN 55428.

Associate Planner McDermott introduced the application for a preliminary plat for Chansomary Estates which would subdivide the property at 7016 Dutton Avenue. She stated that the applicant would create two single-family residential lots out of the one existing residential lot. She reviewed the zoning for the property and adjacent properties. She stated that staff recommends approval subject to the conditions in the draft resolution.

Commission Chair Cavin opened the public hearing.

Sueann McGarvey, 7013 and 7017 Dutton Avenue, commented that her parents have homesteaded the duplex for decades and family members continue to live there. She commented that they do support the lot split but there is already an issue with parking for her family and the others in this neighborhood. She commented that the City has expressed a desire for additional trees in the area, and this large lot has mature trees. She stated that perhaps the driveway could go onto Kentucky rather than Dutton.

Commission Chair Cavin closed the public hearing but reminded the public that comments can be submitted via email to City Staff for consideration in the City Council agenda packet.

Commissioner Kiekow referenced the sheds that exist on the property and asked the condition.

Associate Planner McDermott confirmed that the sheds are in good condition.

Commissioner Kiekow asked if there are plans to pave that stretch of Kentucky Avenue.

Associate Planner McDermott replied that there are no plans at this time. She stated that the City reached out to the residents on that stretch, as paving would occur at their cost, and the residents did not support paving, so it was removed from the list.

Commissioner Kiekow asked the type of buildings proposed for these lots.

Associate Planner McDermott replied that there are no plans for construction as of yet. She stated that the property is zoned for single family residential, noting that the existing duplexes in that area are non-conforming.

Commissioner Borer asked for clarity on the resident input.

Ms. McGarvey provided clarity on her concerns related to parking.

Commissioner Gaye-Bai asked if the resident is opposed to construction on the property.

Ms. McGarvey commented that she would prefer to see one home with one driveway as the street is already crowded. She commented that there is no parking on Lakeland or Kentucky and therefore adding a new driveway onto Dutton would limit the already limited on-street parking.

Commission Chair Cavin referenced the potential blue line, asking if that is proposed for this side of the highway and whether that would impact the setback.

Planning Director Mogush provided details on the proposed station location, noting that while this would be within walking distance, there would not be an impact to this property.

Commission Chair Cavin asked and received confirmation that if this is approved, staff would still review the building plans and proposed driveway location to ensure all the requirements are met.

Planning Director Mogush confirmed that staff would ensure that all dimensional requirements are met.

Associate Planner McDermott replied that the traffic engineer also reviews all driveway requests.

Commissioner Wako commented that this request is to divide the property into two properties and asked if the building plans should also be included.

Associate Planner McDermott commented that this application is solely to divide the lots while the use will come later. She stated that zoning dictates that the only permitted use would be R-3.


MOTION TURNER, SECOND GAYE-BAI TO RECOMMEND APPROVAL OF PRELIMINARY PLAT OF "CHANSOMARY ESTATES" SUBDIVIDING 7016 DUTTON AVENUE INTO TWO SINGLE FAMILY LOTS, SUBJECT TO CONDITIONS IN THE DRAFT RESOLUTION.

MOTION CARRIED UNANIMOUSLY.

Planning Director Mogush stated the public hearing item is scheduled to be reviewed at the City Council meeting on November 27, 2023.

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FIELD BY SR	I certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
DATE 08/01/23	Surveyed this 9th day of August 2023.
CHECKED BY GRP	Signed:  Gregory R. Ptasch Registration No. Z18992

REVISION SUMMARY	

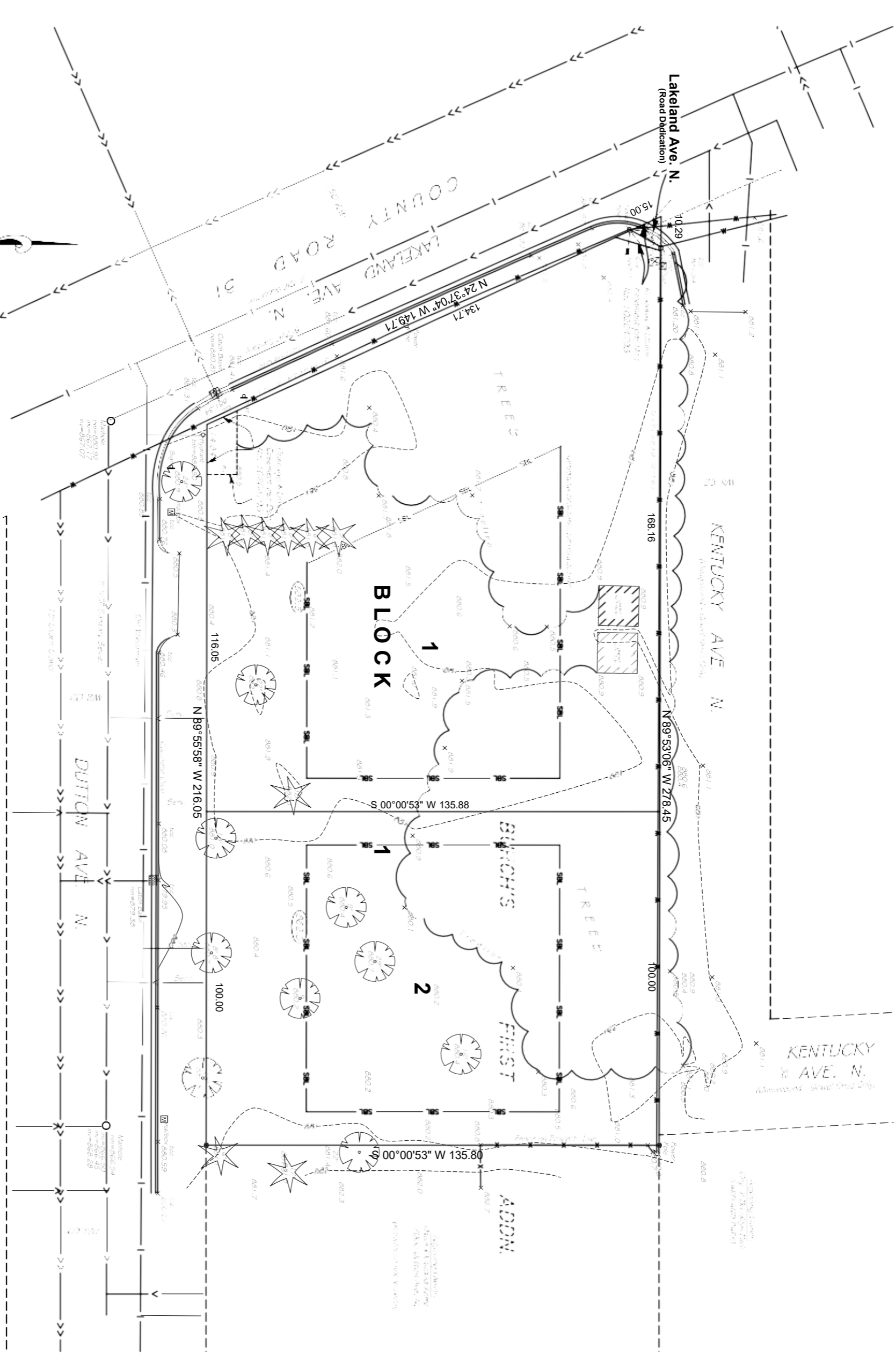
DEMARC
LAND SURVEYING & ENGINEERING
1011 7th Avenue North
Minneapolis, Minnesota 55409
(763) 560-3993
Demarc@demarc.com

SURVEY FOR:
Chansomary Ya
3317 94th Ave. N.
Brooklyn Park, MN 55443

TYPE OF SURVEY:
EXISTING CONDITIONS
SURVEY /
PRELIMINARY PLAT

PRELIMINARY PLAT
CHANSOMARY
ESTATES

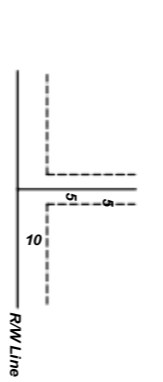
PROJECT: 90454
FB No.: *****
SHEET NO. 1 OF 1



Zoning & Development Information

Property Currently Zoned: -R-3 Detached Single Family Residential District
Proposed Zoning:
Zoning Ordinance Requirements:
Building Setbacks (for living space unless otherwise specified)
Aerial Street - 50 feet
All other Public Streets - 30 feet
Side Yard - 10 feet
Rear Yard - 30 feet
Minimum Lot Size - 10,800 sq ft
Minimum Lot Width - 80 feet
Minimum Lot Depth - not listed
Refer to City code for additional requirements.
Note: Minimum building setback requirements are established by City Ordinance. The setback lines are not drawn on any official map for this site. The location of setback lines are subject to legal interpretation and planning consideration. Specific questions regarding City requirements should be directed to the City Planning Dept.

Proposed Number of Lots = 2
Area of Proposed:
Lot 1, Block 1 = 19,947 sq ft
Lot 2, Block 1 = 13,584 sq ft
Right-of-Way Dedication = 70 sq ft



BEING 10 FEET IN WIDTH AND ADJOINING
RIGHT OF WAY LINES AND 5 FEET IN WIDTH
AND ADJOINING INTERIOR LOT LINES.

Miscellaneous Notes


- Property Address: 7016 Dutton Ave. N., Brooklyn Park, MN 55428
PID No.: 32-119-21-13-0021
- Area of Parcel = 33,602 sq. ft.
- By graphic interpretation only, this property is in Flood Zone "X" (area of minimal flooding) per FEMA panel map number 2705C02030F; effective on 11/4/2016
- Title insurance commitment showing property description and any encumbrances of record not provided, survey subject to change. The only easements shown are from plats of record or information provided by client.
- Property located in Section 32, Township 119, Range 21, Hennepin County, Minnesota.
- Benchmark: Top nut of hydrant located at the southwest corner of property as shown. Elevation = 883.50 feet
- Underground utility information shown from City of Brooklyn Park's records. Locations shown are only approximate and to call Gopher State One Call prior to any digging. (Dial 811)
- Possible wells located on property. None observed on field visit.

Legal Description

Lot 11, BURSCH'S FIRST ADDITION,
Hennepin County, Minnesota.

F:\survey\burschs first addition - hennepin\Lot 1101 Surveying - 90454101 CAD\01 Source\01 Survey Base.dwg

F:\survey\burschs first addition - hennepin\Lot 1101 Surveying - 90454101 CAD\01 Source\01 Survey Base.dwg

FIELD BY SR	Landry, that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
DATE 08/01/2023	Surveyed this 9th day of August 2023.
CHECKED BY GRP	Signed:  Gregory R. Pilsbry, Registration No. Z18992

REVISION SUMMARY	

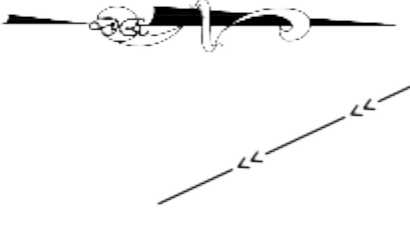
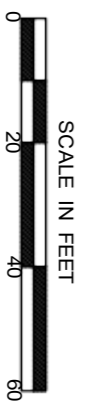
DEMARC
LAND SURVEYING & ENGINEERING
1411 7th Avenue North
Minneapolis, Minnesota 55409
(763) 560-3093
Demarc@demarc.com

SURVEY FOR:
Chansomary Ya
3317 94th Ave. N.
Brooklyn Park, MN 55443

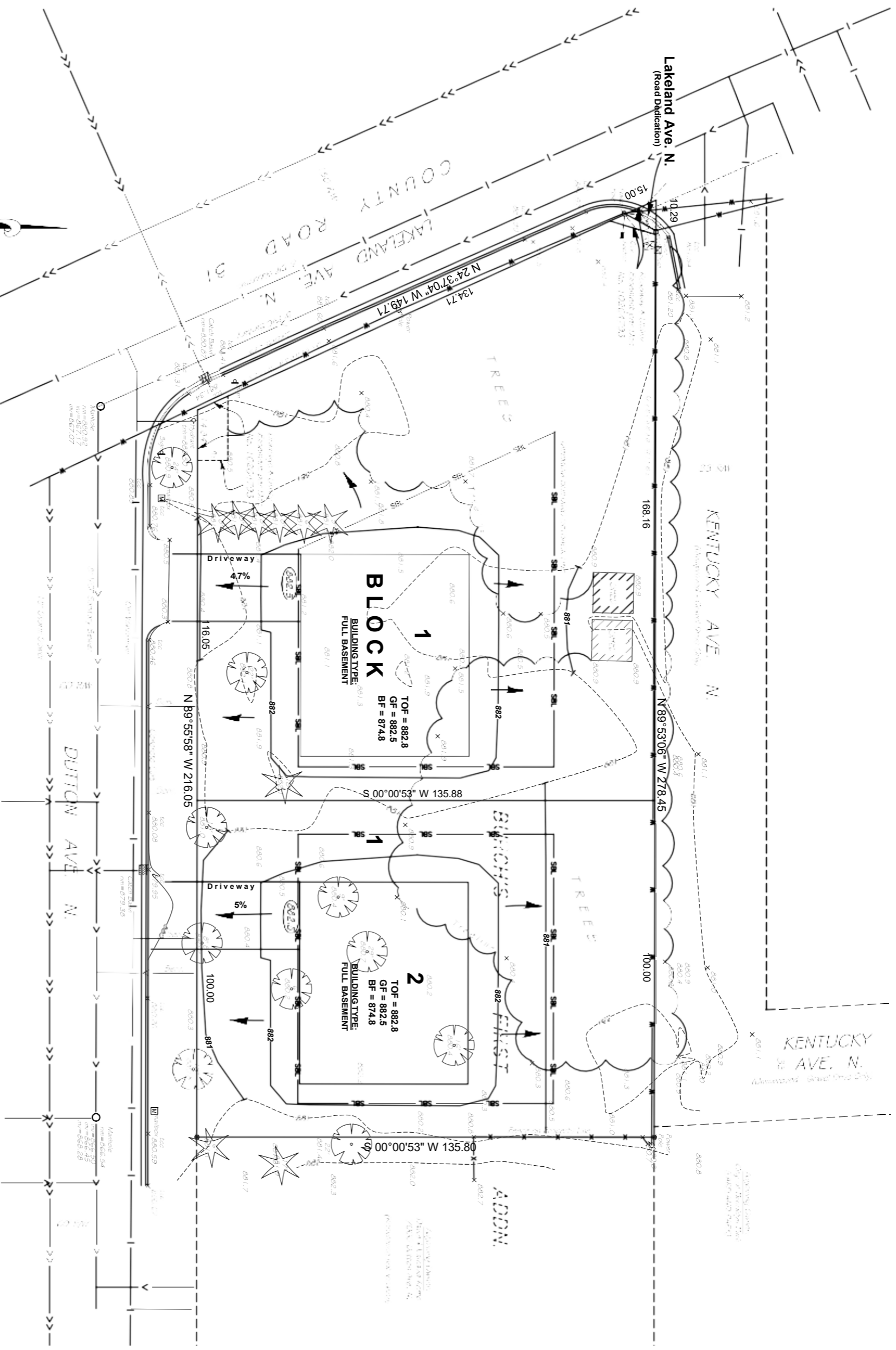
TYPE OF SURVEY:
GRADING PLAN

PRELIMINARY PLAT
CHANSOMARY ESTATES

PROJECT: 90454
FB No.: *****
SHEET NO. 1 OF 1



- Denotes Found Iron Monument
- Denotes Iron Monument
- Denotes Wood Hole Set for excavation only
- Denotes Existing Contours
- Denotes Proposed Contours
- Denotes Existing Elevation
- Denotes Proposed Elevation
- Denotes Surface Drainage

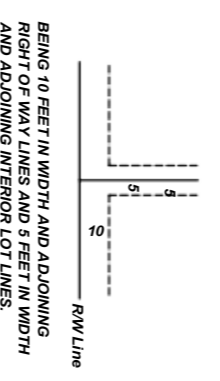


Zoning & Development Information

Property Currently Zoned: -R-3 Detached Single Family Residential District
Proposed Zoning:
Zoning Ordinance Requirements:
Building Setbacks (for living space unless otherwise specified)
Aerial Street - 50 feet
All other Public Streets - 30 feet
Side Yard - 10 feet
Rear Yard - 30 feet
Minimum Lot Size - 10,800 sq ft
Minimum Lot Width - 80 feet
Minimum Lot Depth - not listed
Refer to City code for additional requirements.
Note: Minimum building setback requirements are established by City Ordinance. The setback lines are not drawn on any official map for this site. The location of setback lines are subject to legal interpretation and planning consideration. Specific questions regarding City requirements should be directed to the City Planning Dept.

Proposed Number of Lots = 2
Area of Proposed:
Lot 1, Block 1 = 19,947 sq ft
Lot 2, Block 1 = 13,584 sq ft
Right-of-Way Dedication = 70 sq ft

Proposed Drainage & Utility Easements will be thus:



Miscellaneous Notes

- 1 Property Address: 7016 Dutton Ave. N., Brooklyn Park, MN 55428
PID No.: 32-119-21-13-0021
- 2 Area of Parcel = 33,602 sq. ft.
- 3 By graphic interpretation only, this property is in Flood Zone "X" (area of minimal flooding) per FEMA panel map number 2705C02030F; effective on 11/4/2016
- 4 Title insurance commitment showing property description and any encumbrances of record not provided, survey subject to change. The only easements shown are from plats of record or information provided by client.
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- 8 Possible wells located on property. None observed on field visit.

Legal Description

Lot 11, BURSCH'S FIRST ADDITION,
Hennepin County, Minnesota.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.2	Meeting Date:	November 27, 2023
Agenda Section:	Land Use Actions	Originating Department:	Community Development
Resolution:	X	Prepared By:	Amber Turnquest, Principal Planner
Ordinance:	N/A		
Attachments:	4	Presented By:	Paul Mogush, Planning Director
Item:	PLUSH, LLC - Conditional Use Permit #23-118 for a Class II Restaurant at 8578 Edinburgh Center Drive North		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2023-____ APPROVING A CONDITIONAL USE PERMIT FOR A CLASS II RESTAURANT AT 8578 EDINBURGH CENTER DRIVE NORTH, SUBJECT TO CONDITIONS CONTAINED IN THE RESOLUTION.

Overview:

Planning Commission:

The Planning Commission held a public hearing for this request at the November 8, 2023 Planning Commission Regular Meeting. There were two members of the public present to speak on this matter. The Planning Commission voted unanimously (7-0) to recommend the approval of the resolution as proposed.

Summary:

The subject property is located at 8578 Edinburgh Centre Drive North and is zoned Planned Community Development District (PCDD). The application is for a Conditional Use Permit (CUP) for a Class II Restaurant. Class II restaurants serve food and are eligible for an intoxicating liquor license without a cover charge. A restaurant had previously operated in the same tenant space. Upon receipt of a liquor license application, staff reviewed the requirements of the Brooklyn Park Zoning Code and determined that a Conditional Use Permit is required to operate a Class II restaurant.

Figure 152.342.01 Uses in Business Districts

<i>Figure 152.342.01 Uses in Business Districts</i>						
<i>"P" = Permitted Use "C" = Conditional Use "NP" = Not Permitted</i>						
<i>Principal Use</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>B-4</i>	<i>BP</i>	<i>I</i>
Restaurants, Class II	NP	C	C	C	C	C

The application before the Planning Commission is only for a Conditional Use Permit at this location. An application for and approval of a liquor license is a separate process that is not being considered with this application. The Planning Commission's recommendation will be presented to the City Council for consideration. The intent is for the required public hearing for a liquor license will be held at the same meeting.

Previous Approvals:

The Edinburgh Center II building was constructed in 2004 as a multi-tenant retail building. The property is zoned Planned Community Development District (PCDD), and the use is listed as conditional within Business Districts and is therefore entitled to review under §152.035 (§152.415(C)).

Current Conditions:

The subject property is 2.86 acres and is located north of Edinburgh Centre Drive.

Future Land Use Plan	Community Commercial
Current Zoning	Planned Community Development District (PCDD)
Proposed Zoning	Planned Community Development District (PCDD)
Neighborhood	Edinburgh
Site Area	2.86 Acres
Conforms to:	
Land Use Plan	Yes
Zoning Code	Yes
Notification	Legal notice was published in the Sun Post, Proposed Development Sign placed on the property, A neighborhood email will be sent to the Edinburgh neighborhood, 31 Public Hearing Notices mailed
Timeline (MN §15.99)	
60-day	November 25, 2023
120-day	January 24, 2024

Land Use/ Zoning Overlay:

The site is zoned Planned Community Development District (PCDD) and is within the Edinburgh neighborhood. The future land use for the property is Community Commercial. There is one property to the north zoned Conservancy District and the surrounding properties are zoned PCDD.

Conditional Use Permit:

A Class II restaurant is listed as a conditional use in the General Business “B-3” District (§ 152.342.01), which is the zoning district used to evaluate permitted and conditional uses for properties guided Community Commercial within the PCDD. Conditional uses must be reviewed against the standards of the Zoning Code (§ 152.035). The proposed use is evaluated below:

(D) Review Standards. The request may address the following factors, although the City Council, the Planning Commission, and city staff has the authority to request additional information from the applicant concerning operational factors pertaining to the proposed use or to retain experts with the consent and at the expense of the applicant concerning operational factors, when necessary to establish performance conditions to effect the intent of this chapter.

(1) Comprehensive Plan. Compliance with the Comprehensive Plan, public facilities and capital improvement plans, and all sections of the City Code.

The Future Land Use of the Brooklyn Park 2040 Comprehensive Plan guides the property as Community Commercial. A Class II restaurant is consistent with the Comprehensive Plan.

- (2) **Traffic. The generation and characteristics of the traffic associated with the use and its impact on the traffic volumes of and safety associated with driveway location on adjacent roads, sidewalks, and trail connections.**

Applicant's Submission: PLUSH will operate in a strip mall with ample parking and driveways and the required safety protocols. The previous two businesses were restaurants and PLUSH expects the traffic volume to be similar in nature. Further, the hours of the businesses within the strip mall vary, minimizing negative impacts on traffic volume and parking. The strip mall operates, and available parking stalls were constructed in compliance with Brooklyn Park City Code, specifically § 152.142.

Staff's response: City Transportation staff have reviewed the parking and traffic submittals and has determined that no additional conditions are necessary.

- (3) **Parking. The characteristics of the parking area of the use, including the number and design of parking spaces, landscaping, traffic circulation, drainage, and lighting. The city may require additional parking above that required in §152.140 through 152.146.**

Applicant's Submission: PLUSH will operate in a strip mall with ample parking and driveways and the required safety protocols. The previous two businesses were restaurants and PLUSH expects the traffic volume to be similar in nature. Further, the hours of the businesses within the strip mall vary, minimizing negative impacts on traffic volume and parking. The strip mall operates, and available parking stalls were constructed in compliance with Brooklyn Park City Code, specifically § 152.142.

Staff's response: City Transportation staff have reviewed the parking plan and has determined that no additional conditions are necessary.

- (4) **City services. The provision of adequate public facilities and services to the site where the use is proposed and the ability of the existing infrastructure to absorb the additional demand for city services.**

Applicant's Submission: PLUSH will have restroom facilities and will otherwise operate in compliance with the City's requirements regarding public facilities. Met Council provided a SAC/WAC Determination Letter related to water and sewage use and the existing infrastructure will support demand on city services, similar to the previous two restaurant businesses that operated on the site.

Staff's response: Additional demands on City service are not anticipated. Any Met Council requirements must be met.

- (5) **Screening and landscaping. The ability to screen and buffer incompatible off-site impacts of the proposed use on adjacent property and the surrounding neighborhood. The city may require additional landscaping or screening above that required in the specific zoning district.**

Applicant's Submission: PLUSH does not anticipate additional landscaping or screening. PLUSH will operate in an established strip mall with landscaping and screening as appropriate, and the nature of the business is similar to the previous businesses that operated at the site. However, PLUSH will work with the City should the need for any additional landscaping or screening arise related to the business conducted on site.

PLUSH will be operating within an existing structure and the previous two businesses at the site were similar in nature (restaurants). The existing structure was previously constructed in accordance with the applicable code and PLUSH does not anticipate any additional architectural changes will be necessary. PLUSH will comply with all zoning regulations.

Staff's response: The project is proposed in an existing strip mall which meets the requirements of the Zoning Code. Screening and landscaping standards are not applicable to the CUP application.

- (6) **Architectural standards. The degree that the site or building associated with the proposed use meets or exceed the architectural design and landscaping standards for the district in which it is located. The city may require additional architectural standards above those required in the specific zoning district.**

Applicant's Submission: PLUSH does not anticipate additional landscaping or screening. PLUSH will operate in an established strip mall with landscaping and screening as appropriate, and the nature of the business is similar to the previous businesses that operated at the site. However, PLUSH will work with the City should the need for any additional landscaping or screening arise related to the business conducted on site.

PLUSH will be operating within an existing structure and the previous two businesses at the site were similar in nature (restaurants). The existing structure was previously constructed in accordance with the applicable code and PLUSH does not anticipate any additional architectural changes will be necessary. PLUSH will comply with all zoning regulations.

The applicant submitted architectural plans dated September 12, 2023. Those plans list the total number of occupants, both front and back of house, to 63 persons total.

Staff's response: The project is proposed in an existing strip mall which meets the requirements of the Zoning Code. Architectural standards are not applicable to the CUP application.

- (7) **Other sections of the city code. The applicant may be required to submit additional information demonstrating that the development is able to comply with any other applicable section of this chapter or city code.**

Existing conditions of the site are consistent with City Code requirements.

The required findings of §152.035 have been addressed and Planning Commission recommends approval of the CUP.

Conditions of Approval:

The Planning Commission recommends the adoption of Resolution 2023-___ Approving a Conditional Use Permit for a Class II Restaurant at 8578 Edinburgh Centre Drive with the following conditions:

1. Signage must comply with all requirements of City Code Chapter 150: Signs.
2. This resolution must be recorded with the Hennepin County Recorder's office.
3. Per applicant plans dated September 12, 2023, the occupancy is limited to 63 people, an increase in occupancy will require a new Conditional Use Permit.

4. If the holder of the conditional use permit fails to comply with the terms and conditions of this resolution, the city may impose penalties or discipline for noncompliance, which may include revocation of the permit in accordance with § 152.035(H)(1) of the Municipal Code.

Primary Issues/Alternatives to Consider:

1. Approve the Conditional Use Permit as presented.
2. Approve the Conditional Use Permit with modifications.
3. Deny the Conditional Use Permit based on certain findings.

Budgetary/Fiscal Issues: N/A

Attachments:

- 4.2A RESOLUTION
- 4.2B PLANNING COMMISSION MINUTES
- 4.2C LOCATION MAP
- 4.2D APPLICANT'S SUBMITTAL

RESOLUTION #2023-

RESOLUTION APPROVING A CONDITIONAL USE PERMIT
FOR A CLASS II RESTAURANT AT 8578 EDINBURGH CENTER DRIVE NORTH

Planning Commission File #23-118

WHEREAS, Peggy Larkin on behalf of PLUSH, LLC has made application for a Conditional Use Permit under the provisions of Chapter 152 of the City Code on property legally described as:

Lots 7, 8 and 9, Block 002, Edinburgh Centre, Hennepin County, Minnesota; and

WHEREAS, the proposed development is consistent with the purposes of the Zoning District and the Comprehensive Plan; and

WHEREAS, the matter has been referred to the Planning Commission public hearing and who have given their advice and recommendation to the City Council; and

WHEREAS, the effect of the proposed use upon the health, safety and welfare of surrounding lands, existing and anticipated traffic conditions, and its effect on the neighborhood have been considered.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that a Conditional Use Permit is hereby approved for a Class II restaurant on the above-described parcel, subject to the following:

1. Signage must comply with all requirements of City Code Chapter 150: Signs.
2. This resolution must be recorded with the Hennepin County Recorder's office.
3. Per applicant plans dated September 12, 2023, the occupancy is limited to 63 people, an increase in occupancy will require a new Conditional Use Permit.
4. If the holder of the conditional use permit fails to comply with the terms and conditions of this resolution, the city may impose penalties or discipline for noncompliance, which may include revocation of the permit in accordance with § 152.035(H)(1) of the Municipal Code.

This resolution expires one year from the date of approval unless all conditions are met. This resolution must be recorded with the Hennepin County Recorder's office within one year of the date of approval. The approvals can be revoked if not in compliance with the conditions stated above.

MINUTES OF THE BROOKLYN PARK PLANNING COMMISSION
Regular Meeting – November 8, 2023

1. PUBLIC HEARING

B. PLUSH, LLC – Conditional Use Permit (CUP) for a Class II Restaurant at 8578 Edinburgh Centre Drive N, Brooklyn Park, MN 55443.

Principal Planner Turnquest introduced the application from PLUSH, LLC for a Conditional Use Permit for a Class II restaurant at 8578 Edinburgh Drive. She reviewed the zoning of the site and of adjacent properties. She explained that a CUP is required for a Class II restaurant within this zoning, noting that the liquor license would be a separate request and action that would go before the City Council. She stated that this request has been found to be in compliance with the Code and staff recommends approval with the conditions as listed in the draft resolution.

Commission Chair Cavin opened the public hearing.

Ann and David Rakow, 2425 87th Trail N, asked the hours of operation for the restaurant. She stated that she does not understand what a conditional use restaurant is and was interested in more information related to a liquor license. She asked how close a home could be to a restaurant serving alcohol. She stated that years ago there was going to be a bar/restaurant in that same location, and it was discovered that the residential property was too close for a bar.

Commission Chair Cavin explained that the option to serve liquor would be a separate proposal that would go before the Council. He stated that this request is only for a restaurant.

Principal Planner Turnquest commented that a restaurant that would not serve intoxicating beverages would be allowed in the zoning district without review by the Planning Commission. She explained that a Class II restaurant, which would have the ability to request a liquor license, would require a CUP and therefore comes before the Planning Commission. She reiterated that this request tonight is only for the restaurant portion and if the liquor license is applied for, that would be considered separately by the City Council.

Ms. Rakow explained that her concern is when the kitchen closes in a bar/restaurant which then turns it into a bar and questioned whether this would be the right setting for that type of use.

Commission Chair Cavin encouraged the resident to bring those concerns to the City Council when that portion is considered.

Mr. Rakow commented that there is not much parking in the area and a large portion of the customers will park in front of other businesses or at Festival Foods. He believed that there would not be sufficient parking for this type of use. He wanted to ensure there were proper plans for parking and traffic management.

Commission Chair Cavin closed the public hearing but reminded the public that comments can be submitted via email to City Staff for consideration in the City Council agenda packet.

Commissioner Borer asked and received confirmation of a previous restaurant in this location which possessed a liquor license. She noted that Broadway Pizza also holds a liquor license and is in this area.

Principal Planner Turnquest commented that the owner of the proposed restaurant is also present should the Commission have questions for him.

Anthony Thomas, applicant, commented that the parking for this building has 140 stalls and would accommodate anyone that would want to come to the restaurant as the capacity for the building is 63, including the staff. He stated that they propose hours of operation from 11 a.m. to midnight on weeknights and 1 a.m. on weekends.

Commissioner Fraser asked if there have been concerns with traffic or parking with the previous restaurants that have been in this location.

Principal Planner Turnquest replied that the City Engineer and traffic engineer have reviewed this request and do not have concerns related to traffic or parking.

Commissioner Kiekow asked the type of food that would be served.

Mr. Thomas replied that they would have soul food, comfort food.

Commissioner Kiekow asked if they would plan to have live entertainment.

Mr. Thomas replied that they would have music playing inside the restaurant, but they would not have live music.

Commissioner Kiekow asked if there would be a food truck associated with this business.

Mr. Thomas replied that he does not have a food truck.

Commissioner Gaye-Bai asked if the other restaurants in that area serve alcohol.

Principal Planner Turnquest confirmed that there are other restaurants in that area that serve alcohol.

Mr. Thomas replied that he believes that this would be the only restaurant in the strip mall that would serve alcohol.

Commissioner Wako commented that this will be a great addition to the community.

MOTION WAKO, SECOND FRASER TO RECOMMEND APPROVAL OF A CONDITIONAL USE PERMIT FOR A CLASS II RESTAURANT AT 8578 EDINBURGH CENTRE DRIVE NORTH, SUBJECT TO CONDITIONS IN THE DRAFT RESOLUTION.

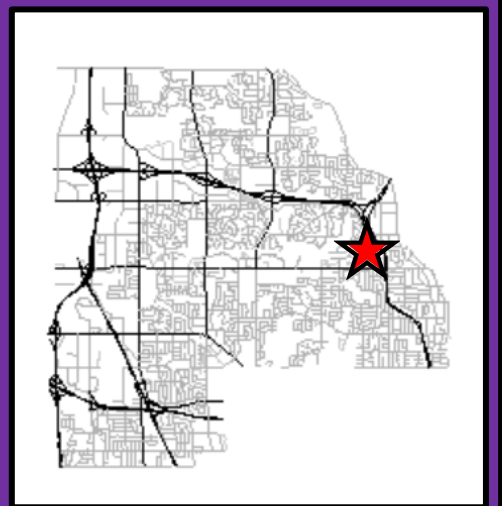
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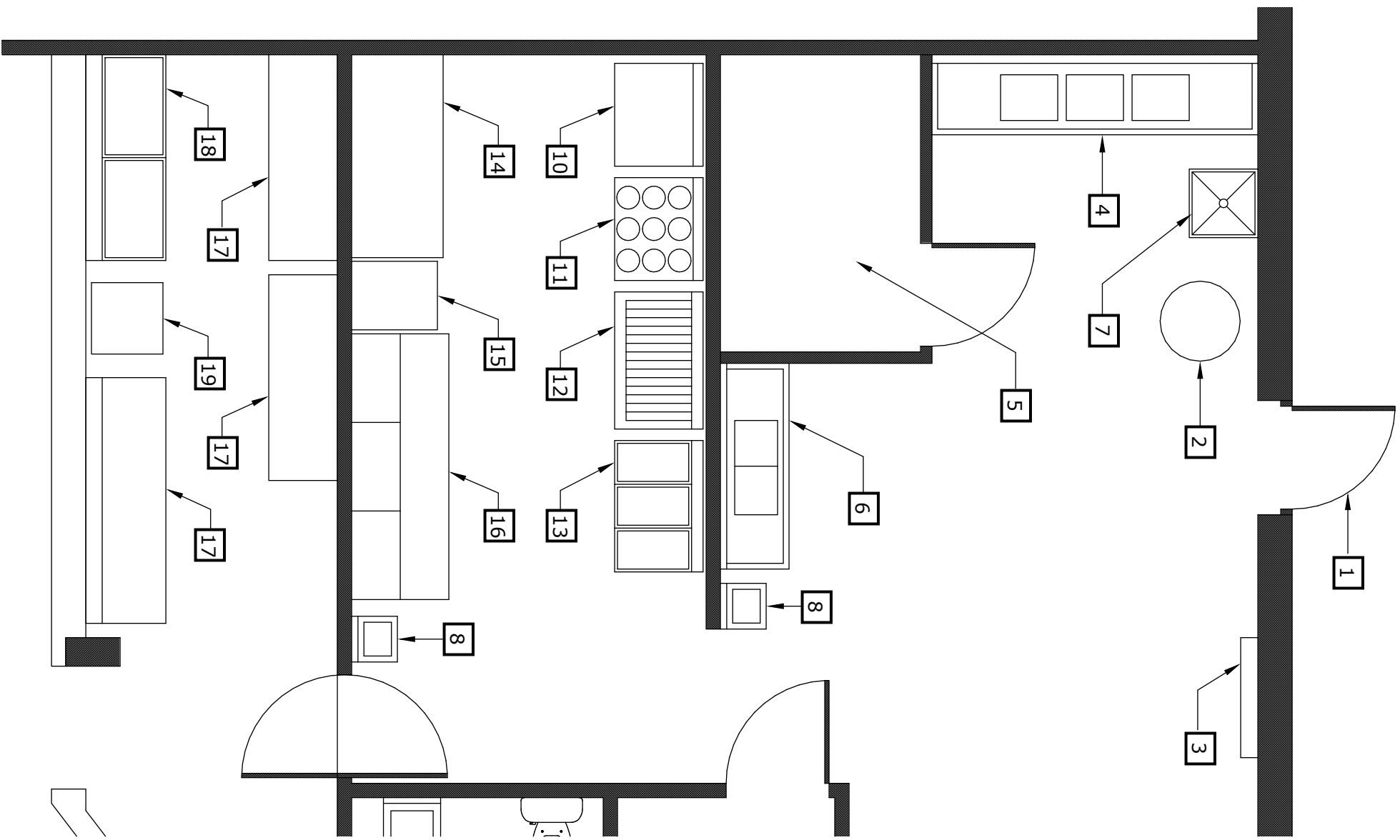
Planning Director Mogush stated the public hearing item is scheduled to be reviewed at the City Council meeting on November 27, 2023.



Conditional Use Permit – Class II Restaurant
Case #23-118 – 8578 Edinburgh Center Dr N
Area of Request (August 2023 Air Photo)
8578 Edinburgh Center Dr N

Brooklyn Park 





FIXTURES AND EQUIPMENT

- 1** Exit Door directly to outside with illuminated Exit Sign above door.
- 2** Existing Hot Water Heater.
- 3** Existing Electrical Panels.
- 4** Existing Three-compartment Sink
- 5** Existing Walk-in Freezer
- 6** Existing Counter with Two-compartment Sink
- 7** Existing Mop Sink and Faucet
- 8** Existing Hand Washing Sink
- 9** Existing Hand Washing Sink
- 10** Existing Hand Washing Sink
- 10** Existing Hand Washing Sink
- 10** 36" Flat Top
- 11** 36" Gas Stove and Range
- 12** 48" Char Broiler
- 13** 46" Triple Fryers
- 14** 72" Counter-height Cooler
- 15** 24" x 30" Prep Table
- 16** 93" Prep Table with Bins
- 17** 72" Counter-height Cooler
- 18** 72" Double Ice Well
- 19** 25" x 25" Dishwasher

Plumbing Fixtures -Chapter 29
- Table 2902.1. One WC per 75, one lav per 200 occupants.
Sprinkler System - Structure is equipped with Automatic Sprinkler System.

1	Enlarged Partial Plan
A2	

1/4" = 1' - 0"



NORTH

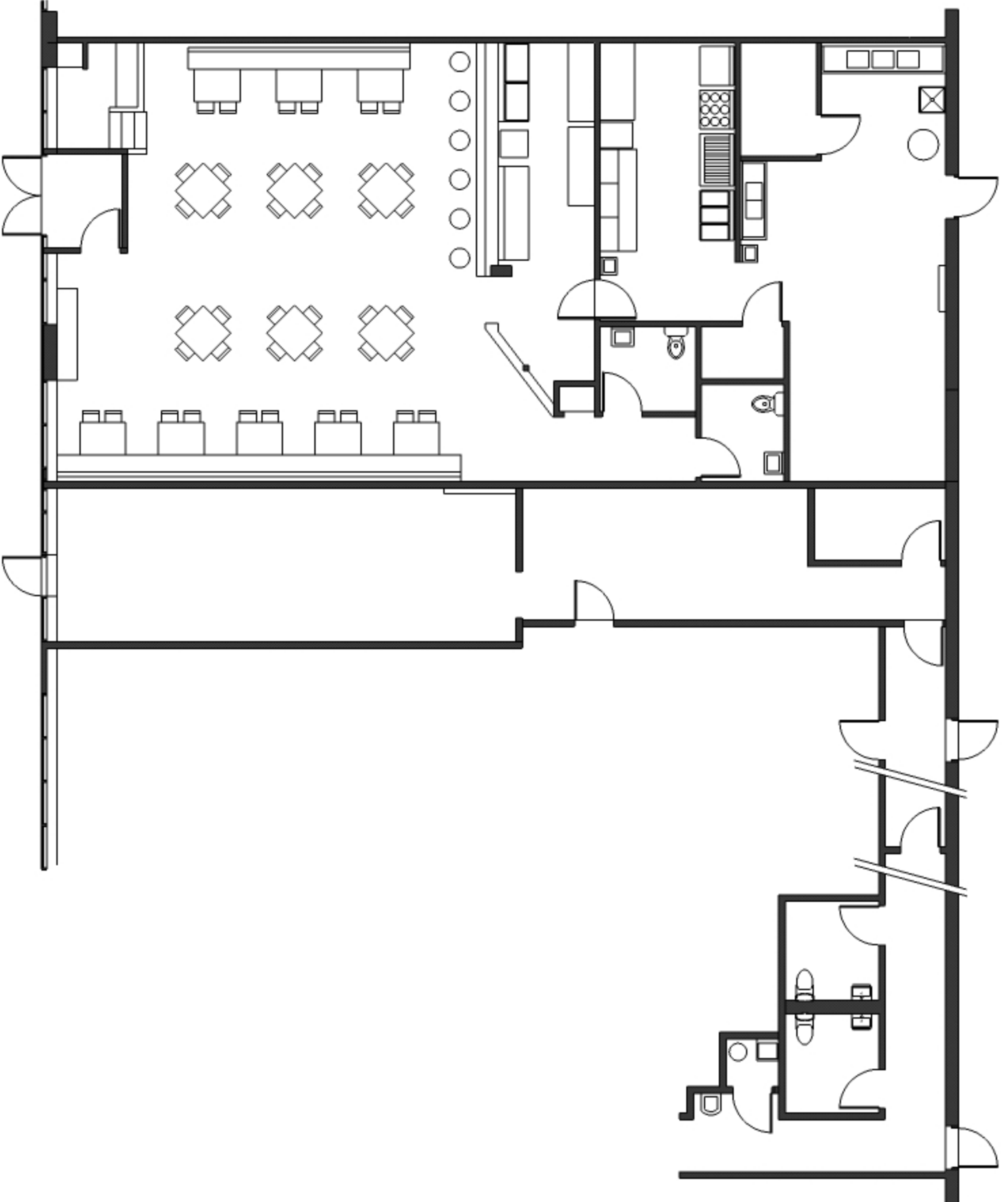
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the state of Minnesota.

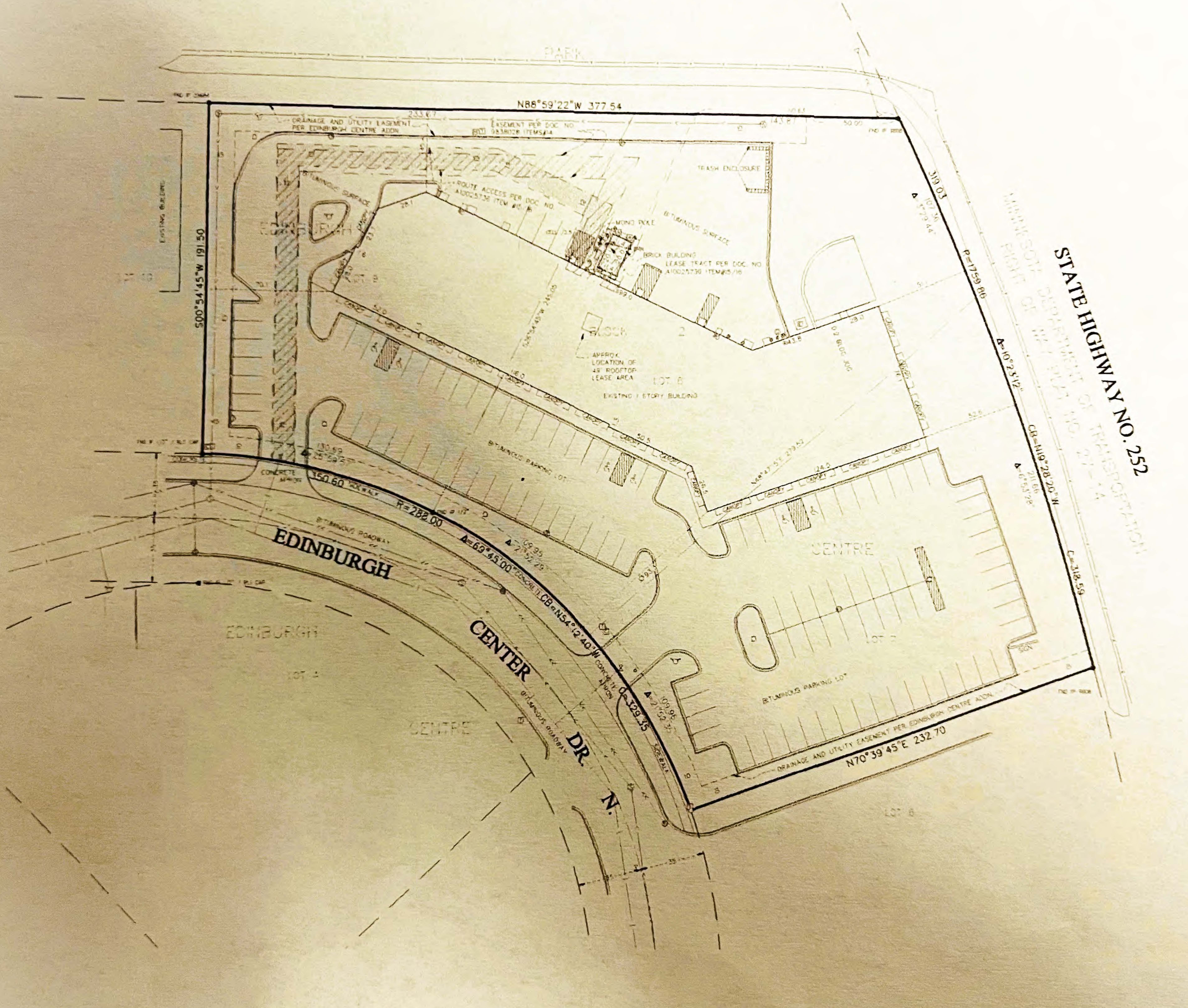
Signature: _____

Name: Andrejs J Cers

Date: September 12, 2023

MN License Number: 18008





STATE HIGHWAY NO. 252
DEPARTMENT OF TRANSPORTATION
PROPERTY NO. 107-217-4
CORNER 19°28'20\"/>

FIELD CHECK	NO.	BY	DATE	REVISION
Lot				
EDINBURGH				
DRP				
CHECKED				
NOI				
DATE				
6/2/2016				

USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY IDENTIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.

For Deeg Properties, LLC, a Minnesota limited liability company, Certain West Builders, LLC or acting upon the Old Republic Mutual Title Insurance Company:
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minnesota Standard Detail Requirements for ALTA and ALTA and MPPS to 2014, and include items 1-4, 6, 7 and 11(a) of Table A General. The field work was completed on February 12, 2016.
Date of Plot or Map: February 22, 2016
David B. Pennington, P.L.S.
Minnesota License No. 40349



SATHRE-BERGQUIST, INC.
190 SOUTH BROADWAY WAYZATA, MN 55391 (952)



PLUSH
RESTAURANT

PLUSH LLC is seeking a Conditional Use Permit to allow the service of liquor on-site in a restaurant setting. The business, a restaurant serving liquor, contributes to the City's Comprehensive Plan as follow.

Brooklyn Park City Code § 152.035(1)

Comprehensive Plan. Compliance with the Comprehensive Plan, public facilities and capital improvement plans, and all sections of the City Code.

The City of Brooklyn Park's Comprehensive Plan addresses community-wide issues and desires. The Plan looks at the entire community with an emphasis on special planning areas. Brooklyn Park 2025 (BP 2025) as the basis for the planning process. PLUSH will contribute to BP 2025, and thus the City's Comprehensive Plan, as indicated below.

BP 2025 Goal #1 is a united and welcoming community, strengthened by the City's diversity. Brooklyn Park defines success, among other factors, as connected neighbors who understand and celebrate the City's unique cultures; services are inclusive, multi-cultural, and accessible; and, spaces for diverse communities to gather.

PLUSH is a Black-owned restaurant that will serve elevated soul food recipes based on traditional African American dishes, drawing in diverse community members, and connecting neighbors. The restaurant will be a gathering place that is inclusive of all backgrounds while highlighting African American cuisine along with other menu offerings. The restaurant will offer televised viewings of sporting events and a creative drink menu, which will further draw in diverse patrons, uniting based on a shared love within the community for sporting events and gathering together socially. PLUSH will be an inclusive, multicultural space for diverse communities to gather, break bread, and become connected.

BP 2025 Goal # 2 calls for beautiful spaces and quality infrastructure that make Brooklyn Park a unique destination. One marked measure of success the City noted is rich diversity showcased through our vibrant music, arts, food, entertainment, and cultural scene. PLUSH is a Black-owned restaurant that will showcase elevated African American cuisine. PLUSH's vibrant menu and modern, sophisticated interior will effectively showcase the City's rich diversity and be a place the City can be proud of for its contributions to food, entertainment, and the cultural scene.

BP 2025 Goal # 3 promulgates a balanced economic environment that empowers businesses and people to thrive. By operating in Brooklyn Park, PLUSH contributes to a thriving business environment that will spur private investment and job growth. PLUSH will employ hosts, servers, managers, bar tenders, chefs, and others. In addition, because PLUSH will contribute to the City's cultural scene, other small business owners will be encouraged to operate in Brooklyn Park and further contribute to thriving business environment. One noted measure if success is "Businesses and organizations of all types, sizes, and specialties start, stay, and grow here." PLUSH intends

to operate a small, Black-owned business in the City and remain a city pillar. Alcohol service in a restaurant setting at PLUSH contributes to a thriving business environment and economic development in that the taxes derived from cocktail, fine wine, or beer generates a surplus of revenue for federal, state, and local government and the ability to offer a drink menu with meals in a restaurant environment allows PLUSH, as a business, to be competitive with similar businesses and thrive. From there, the money can be applied toward various social service programs and public organizations that improve your quality of life. With the support of the City and the community, PLUSH can start, stay, and grow in Brooklyn Park, contributing to an abundance of retail restaurants and entertainment venues within the City.

BP 2025 Goal # 4 denotes that people of all ages have what they need to feel healthy and safe. Measures for success include neighborhoods empowered and supported by strengthened positive relationships with police; access for aging adults to services and amenities to thrive and age in place; and a city where everyone has access to quality healthy food options. PLUSH will offer a diverse menu and choices for preparation, allowing for healthier food choice options. PLUSH will cater to all ages, including a more mature population, providing access to aging adults and all individuals with exposure to Soul Food in a vibrant restaurant atmosphere. PLUSH will maintain a positive relationship with police and has a security plan, ensuring an environment where patrons and staff feel safe.

BP 2025 Goal #5 promotes Partnerships that increase racial and economic equity empower residents and neighborhoods to prosper. PLUSH is a Black-owned business that will provide jobs with livable wages within its restaurant. PLUSH is revitalizing the interior of its restaurant location, the site previously operating as a restaurant, contributing to the continuous improvement and vitalization noted as a benchmark by the City to meet this goal.

Brooklyn Park's Comprehensive Plan notes that industry mix is important for the city's sustained economic health and the Plan notes, as far as land use, that 3.8% of the City is made up of retail and other commercial properties. PLUSH will operate on a site that has been utilized in the past as a restaurant. Thus, there will be no change to land use and PLUSH will continue to contribute to the industry mix within the City and related to economic development.

Brooklyn Park City Code § 152.035(2)

Traffic. The generation and characteristics of the traffic associated with the use and its impact on the traffic volumes of and safety associated with driveway location on adjacent roads, sidewalks and trail connections.

PLUSH will operate in a strip mall with ample parking and driveways and the required safety protocols. The previous two businesses were restaurants and PLUSH expects the traffic volume to be similar in nature. Further, the hours of the businesses within the strip mall vary, minimizing negative impacts on traffic volume and parking. The strip mall operates, and available parking stalls were constructed in

compliance with Brooklyn Park City Code, specifically § 152.142, which optimizes safety related to traffic volumes.

Brooklyn Park City Code § 152.035(3)

Parking. The characteristics of the parking area of the use, including the number and design of parking spaces, landscaping, traffic circulation, drainage, and lighting. The city may require additional parking above that required in §§ 152.140 through 152.146.

PLUSH will operate in a strip mall with ample parking and driveways and the required safety protocols. The previous two businesses were restaurants and PLUSH expects the traffic volume to be similar in nature. Further, the hours of the businesses within the strip mall vary, minimizing negative impacts on traffic volume and parking. The strip mall operates, and available parking stalls were constructed in compliance with Brooklyn Park City Code, specifically § 152.142.

Brooklyn Park City Code § 152.035(4)

City services. The provision of adequate public facilities and services to the site where the use is proposed and the ability of the existing infrastructure to absorb the additional demand for city services.

PLUSH will have restroom facilities and will otherwise operate in compliance with the City's requirements regarding public facilities. Met Council provided a SAC/WAC Determination Letter related to water and sewage use and the existing infrastructure will support demand on city services, similar to the previous two restaurant businesses that operated on the site.

Brooklyn Park City Code § 152.035 (5)

Screening and landscaping. The ability to screen and buffer incompatible off-site impacts of the proposed use on adjacent property and the surrounding neighborhood. The city may require additional landscaping or screening above that required in the specific zoning district.

PLUSH does not anticipate additional landscaping or screening. PLUSH will operate in an established strip mall with landscaping and screening as appropriate, and the nature of the business is similar to the previous businesses that operated at the site. However, PLUSH will work with the City should the need for any additional landscaping or screening arise related to the business conducted on site.

Architectural standards. The degree that the site or building associated with the proposed use meets or exceed the architectural design and landscaping standards for the district in which it is located. The city may require additional architectural standards above those required in the specific zoning district.

PLUSH will be operating within an existing structure and the previous two businesses at the site were similar in nature (restaurants). The existing structure was previously constructed in accordance with the applicable code and PLUSH does not anticipate any additional architectural changes will be necessary. PLUSH will comply with all zoning regulations.

Brooklyn Park City Code § 152.035(1)

Other sections of the city code. The applicant may be required to submit additional information demonstrating that the development is able to comply with any other applicable section of this chapter or the city code.

PLUSH will comply with applicable City Code and will submit additional information to the City as requested.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.3	Meeting Date:	November 27, 2023
Agenda Section:	Consent	Originating Department:	Community Development
Resolution:	N/A	Prepared By:	Matt Hayes-Regan, Planning Program Assistant
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Paul Mogush, Planning Director
Item:	Development Bond Reductions/Releases		

City Manager's Proposed Action:

MOTION _____, SECOND _____, FOR A REDUCTION OF \$459,635.88 FOR A FULL RELEASE OF THE LETTER OF CREDIT #0182332056 (\$443,100.00), A FULL RELEASE OF THE DEVELOPER'S ESCROW (\$13,235.88), AND A PARTIAL RELEASE OF THE PERFORMANCE ESCROW (\$3,300.00), FOR A NEW TOTAL OF APPROXIMATELY \$20,000.00 FOR SUBSTANTIAL COMPLETION OF THE ONSITE IMPROVEMENTS OF THE "RANGE USA" PROJECT #22-127 LOCATED AT 9489 WINNETKA AVE. N. FOR PRIMAX PROPERTIES, LLC.

MOTION _____, SECOND _____, TO RELEASE THE LANDSCAPING ESCROW BY HOMEWARD BOUND INC. (\$12,000) FOR SATISFACTORY COMPLETION OF THE PERMITTED WORK LOCATED AT 1716 SUGARLOAF TR N, 8616 78TH AVE N, AND 505 82ND AVE N.

Overview: N/A

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park Request for Council Action

Agenda Item:	4.4	Meeting Date:	November 27, 2023
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Dr. Angel Smith, Assistant City Manager
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Dr. Angel Smith
Item:	City Hall Enhancement Task Force Member Recommendations		

City Manager's Proposed Action:

MOTION _____, SECOND _____ TO APPROVE AND APPOINT RECOMMENDED CITY HALL ENHANCEMENT TASK FORCE MEMBERS.

Overview:

The Mission of the Brooklyn Park City Hall Enhancement Task Force is to guide and provide recommendations to the City Council and City Staff on key pieces and elements of display to be included within the public areas of City Hall.

Project:

In the summer of 2020, Brooklyn Park initiated a Request for Proposal (RFP) seeking interior design services after the successful renovation of City Hall. An interior designer/firm, TKDA was selected to advise on decorations, artwork, display cases, literature displays, signage, and hanging systems for public and employee spaces. Additionally, the City Council formed the City Hall Enhancement (CHE) Task Force, to work collaboratively with the firm and help guide art and decorative element choices for the remodeled City Hall.

The previous Task Force was directed to lead several art related tasks and report recommendations back to the City Council. The Task Force was instrumental in assisting TKDA create a proposed plan, completed a few tasks, prior to work being placed on hold due to transition of key CHE leadership team and various committee members.

Staff is enthusiastic about concluding the last phase of interior design implementation in City Hall. We want to thank the previous task force members for laying the groundwork toward the next phase of this completion. Their valuable knowledge and input will help with the transition of new task force members.

This next task force appointed by the council will complete the last phase of proposing enhancements in City Hall. We look forward to working with individuals with a background and/or interests in art to engage and offer input, akin to the previous Task Force. The recommended committee has representation from RPAC (Recreation and Parks Advisory Commission), CLIC (Community Long-Range Improvement Commission), Planning Commission, HRC (Human Rights Commission), City Staff and the City Council.

Staff recommends the following are appointed to the City Hall Enhancement Task Force:

- **City Council Representatives**
Councilmember Nichole Klonowski
Councilmember Maria Tran

- **Recreation and Parks Advisory Commission Members**
Mercy Matthews
Dwain Erickson
- **Community Long-range Improvement Commission Members**
John Pharr
Umebe Onyejekwe
- **Human Rights Commission Member**
Valen Ademondi
- **Planning Commission Member**
Kathy Fraser
- **City Staff Representatives**
Tashawna Williams
Dan Ruiz
Zach Kramka
Katrina Doshier
Dr. Angel Smith

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

Funds are being identified. Staff will come back later to request authorization to spend the resources identified.

Attachments: N/A

City of Brooklyn Park Request for Council Action

Agenda Item:	5.1	Meeting Date:	November 27, 2023
Agenda Section:	Public Hearing	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Devin Montero, City Clerk
Ordinance:	FIRST READING		
Attachments:	1	Presented By:	Dennis Secara, Chair, Charter Commission
Item:	Public Hearing and First Reading of an ordinance to consider the recommendation of the Brooklyn Park Charter Commission to amend Charter Chapter 7, Section 7.07 of the Home Rule City Charter		

City Manager's Proposed Action:

MOTION _____, SECOND _____ TO WAIVE THE READING AND ADOPT ON FIRST READING AN ORDINANCE AMENDING CHARTER CHAPTER 7, SECTION 7.07, OF THE HOME RULE CITY CHARTER.

Overview:

At the July 31, 2023 Council Work Session, staff shared with the Council they had seen an increase in participation at one-day, smaller scale community events like concerts, movies in the park, and Brooklyn Park Night Out, and were receiving requests to increase the number of these type of family-oriented events.

Events continued to build upon this direction until the pandemic. Following the pandemic, several events were modified or needed to be recreated from scratch after one or two years without being held.

Staff engaged a Community Events Task Force to help with the 2022 events calendar. The Task Force developed the following parameters they would like to see implemented in events:

- Increase opportunities to gather and create shared sense of community.
- Use performances and food to authentically celebrate different cultures of Brooklyn Park at events.
- Collaborate with community groups in city-wide events.

The vision is to celebrate Brooklyn Park by providing events and opportunities for residents to come together and celebrate our community.

Staff began planning for 2024 and were seeking input from the Council on possible changes for event offerings and discussion about the resources needed to provide expanded events.

The City Attorney's recommendation for the Council was to consider amending the City Charter to include a statement allowing the use of City funds for certain events and believed there could be a benefit to adding a statement with more specificity.

It was the consensus of the Council to forward the issue to the Charter Commission for a recommendation.

At the September 13, 2023 Charter Commission meeting, Chair Secara presented the issue to the Commissioners for discussion. He stated the current wording in the Charter did not authorize the City to use funds for such events. After discussions, it was the consensus of the Commissioners for the City Attorney to provide a proposed amendment to Charter Section 7.07.

At the October 11, 2023 Charter Commission meeting, the Commissioners discussed the City Attorney's proposed language to Charter Section 7.07 related to community events and amended the proposed language. The commissioners felt "community events" in the proposed language would cover the cultural events, festivals, and celebrations.

The Charter Commission voted unanimously to recommend the amendment to Chapter 7, Section 7.07, to the City Council for approval.

Primary Issues/Alternatives to Consider:

The following is a routine timetable:

October 23	Council set the public hearing
November 2	Public Hearing Notice and text of proposed ordinance is published
November 27	Public hearing and First Reading of Ordinance Held
December 11	Second Reading of Ordinance Held
December 21	Ordinance Published in Newspaper
March 19, 2024	Ordinance becomes effective (90 days after passage and publication)

Publication must be the exact language the Council will vote on.

Budgetary/Fiscal Issues: N/A

Attachments:

5.1A ORDINANCE

ORDINANCE #2023-
AN ORDINANCE AMENDING CHARTER CHAPTER 7, SECTION 7.07 OF THE
HOME RULE CITY CHARTER

~~Text with strikeouts is proposed for deletion.~~

Text with underline is proposed for insertion.

The City of Brooklyn Park does ordain:

Section 1. Chapter 7, Section 7.07 of the City Charter is amended to read as follows:

SECTION 7.07 PUBLIC PURPOSE EXPENDITURES

The City Council shall establish a Public Purpose Expenditure Policy, which shall be drafted by the City Manager and reviewed and approved by the City Council annually. In establishing, reviewing, and approving the Policy, the City Council shall consider whether the expenditures to be authorized by the Policy: 1) benefits the community as a whole; 2) are directly related to governmental functions; and, 3) primarily benefit the public interest, not a private interest. In establishing, reviewing, and approving the Policy, the City Council shall consider the opinion of the City Attorney and statewide sources of authority, which may include judicial determinations, state Attorney General opinions, and findings of the Office of the State Auditor.

The City Council may provide in the Public Purpose Expenditure Policy that public funds may be expended to establish, implement, and operate an employee recognition program and an employee preventive health and wellness program for city employees. The nature and scope of any such programs must be set forth in the Public Purpose Expenditure Policy.

The City Council may provide in the Public Purpose Expenditure Policy that public funds may be expended for community events.

City of Brooklyn Park Request for Council Action

Agenda Item:	5.2	Meeting Date:	November 27, 2023
Agenda Section:	Public Hearings	Originating Department:	Community Development
Resolution:	N/A	Prepared By:	Megan Bookey, Program Assistant III
Ordinance:	N/A		
Attachments:	1	Presented By:	Keith Jullie, Rental and Business Licensing Manager
Item:	Public Hearing to Solicit Testimony and Approve the Currency Exchange License renewal for SJB Enterprises Inc. dba Your Exchange, Located at 7646 Brooklyn Boulevard North		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE THE CURRENCY EXCHANGE LICENSE RENEWAL FOR SJB ENTERPRISES INC. DBA YOUR EXCHANGE, LOCATED AT 7646 BROOKLYN BOULEVARD NORTH.

Overview:

This is a Currency Exchange license renewal for SJB Enterprises Inc. dba Your Exchange at 7646 Brooklyn Boulevard North.

As described in the attached license letter, Minnesota Statutes Chapter 53A.04 requires the Department of Commerce to submit an application for licensure as a currency exchange to the city in which the currency exchange business is located, and to hold a public hearing to solicit input on the issuance of the license. The City has 60 days to reply; otherwise, a recommendation for approval is presumed. The City may recommend denial of the license renewal with cause.

Staff recommends approval of this Currency Exchange license renewal. The City's approval would forward the application to the Commissioner of Commerce for the final decision.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

5.2A SJB ENTERPRISES RENEWAL LETTER



October 26, 2023

Sent via e-mail and USPS to:

Devin.Montero@brooklynpark.org

Megan.Bookey@brooklynpark.org

City of Brooklyn Park
Attention: City Clerk – Devin Montero
5200 85th Avenue N
Brooklyn Park, MN 55443

City of Brooklyn Park
Attention: Megan Bookey
5200 85th Avenue N
Brooklyn Park, MN 55443

RE: Currency Exchange License Renewal for 2024

Dear Mr. Montero and Ms. Bookey:

The following currency exchange licensee has applied to renew their currency exchange license to operate at:

SJB Enterprises Inc
d/b/a Your Exchange
7646 Brooklyn Blvd
Brooklyn Park, MN 55443
NMLS Branch #1550663

Pursuant to Minnesota Statutes Chapter 53A.04, we are notifying your office that a complete currency exchange license renewal application has been filed with the Department of Commerce. The renewal application included the names of the officers and owners of the licensee, background checks on each of the owners and officers from the Minnesota Bureau of Criminal Apprehension, a fee schedule of all fees to be charged by the currency exchange office, a \$10,000 surety bond valid through December 31, 2024, and the \$500 renewal fee. If you wish to receive a copy of the complete currency exchange license renewal application form that was filed with this office, please call Gail Groop at 651-539-1593 or email to gail.groop@state.mn.us, and the renewal form will be emailed to you.

Minnesota Statutes Chapter 53A.04 requires the Department of Commerce to submit any application for licensure as a currency exchange to the governing body of the local unit of government in which the currency exchange business is located. The law further requires the governing body to give published notice of its intention to consider the issue and shall solicit testimony from interested persons, including those in the community in which the licensee is located. If the governing body has not approved or disapproved the issue within 60 days of receipt of the application, concurrence is presumed. The governing body shall have the sole responsibility for its decision. The state shall have no responsibility for that decision. Your cooperation in forwarding this information to the proper unit within your organization is appreciated.

Your reply must be received within 60 days of receipt of this letter. If you have any questions, please contact me at the telephone number or email listed below.

Warm regards,

Melissa Knoepfler

Melissa Knoepfler
Financial Institutions Division
651-539-1722
melissa.knoepfler@state.mn.us

City of Brooklyn Park Request for Council Action

Agenda Item:	5.3	Meeting Date:	November 27, 2023
Agenda Section:	Public Hearings	Originating Department:	Rental and Business Licensing Division
Resolution:	N/A	Prepared By:	Megan Bookey, Program Assistant III
Ordinance:	N/A		
Attachments:	1	Presented By:	Keith Jullie, Rental and Business Licensing Manager
Item:	Approve an On-Sale Intoxicating Liquor License for Plush, LLC Doing Business as Plush, 8578 Edinburgh Centre Drive North, Brooklyn Park, Contingent on Approval and Issuance of a Food License, Conditional Use Permit, All Required Building Permits, and all Required Inspections		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE AN ON-SALE INTOXICATING LIQUOR LICENSE FOR PLUSH, LLC DOING BUSINESS AS PLUSH, 8578 EDINBURGH CENTRE DRIVE NORTH, BROOKLYN PARK, CONTINGENT ON APPROVAL AND ISSUANCE OF A FOOD LICENSE, CONDITIONAL USE PERMIT, ALL REQUIRED BUILDING PERMITS, AND ALL REQUIRED INSPECTIONS.

Overview:

This is a public hearing for a new On-Sale Intoxicating Liquor License for Plush, LLC doing business as Plush, located at 8578 Edinburgh Centre Drive North. The previous business at this location, Flava of Soul, held a full on-sale intoxicating liquor license from January 2023 – June 2023.

This restaurant is still being cosmetically renovated prior to opening. Approval of this on-sale liquor license is contingent on approval and issuance of a food license, Conditional Use Permit, all required Building Permits, and all required inspections. Once all the requirements are met the Liquor License will be sent to the State for final issuance.

The Police Department has completed their investigation of the restaurant owner. There are no known code violations and the Community Development Department, Fire Department and Police Department recommend approval of this license.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

5.3A LIQUOR LICENSE LIST

Business Name	Address	Business Type	On / Off Sale	Liquor Type
AMOCO	8050 LAKELAND AVE N	Gas - Food	Off-sale	3.2
FAMILY DOLLAR	7638 BROOKLYN BLVD N	General	Off-sale	3.2
HOLIDAY STATIONSTORE	8500 EDINBURGH CTR DR N	Gas - Food	Off-sale	3.2
KWIK TRIP	9495 NOBLE PKWY N	Gas - Food	Off-sale	3.2
KWIK TRIP	5801 96TH AVE N	Gas - Food	Off-sale	3.2
NOBLE MOBIL	9500 NOBLE PKWY N	Gas - Food	Off-sale	3.2
SPEEDWAY	7601 JOLLY LN N	Gas - Food	Off-sale	3.2
SPEEDWAY	9300 ZANE AVE N	Gas - Food	Off-sale	3.2
SPEEDWAY	7525 BROOKLYN BLVD N	Gas - Food	Off-sale	3.2
CUB FOODS	9655 COLORADO LN N	Grocery	Off-sale	3.2
CUB FOODS	7555 WEST BROADWAY N	Grocery	Off-sale	3.2
FESTIVAL FOODS	8535 EDINBURGH CTR DR N	Grocery	Off-sale	3.2
HY-VEE FOOD STORE	9409 ZANE AVE N	Grocery	Off-sale	3.2
BIG LIQUOR WAREHOUSE	8022 BROOKLYN BLVD N	Liquor Store	Off-sale	Full
BROOKLYN PARK LIQUOR BARREL	8520 EDINBURGH CTR DR N	Liquor Store	Off-sale	Full
CELLARS WINES & SPIRITS - BROOKLYN PARK	7944 BROOKLYN BLVD N	Liquor Store	Off-sale	Full
CITY LIQUOR	5716 BROOKDALE DR N	Liquor Store	Off-sale	Full
CUB DISCOUNT LIQUOR	7555 WEST BROADWAY N	Liquor Store	Off-sale	Full
BROOKLYN LIQUORS	6256 BOONE AVE N	Liquor Store	Off-sale	Full
HY-VEE WINE & SPIRITS	9409 ZANE AVE N SUITE B	Liquor Store	Off-sale	Full
IKE'S WINE & SPIRITS	9682 COLORADO LN N	Liquor Store	Off-sale	Full
KELLY'S LIQUOR	3210 BROOKDALE DR N	Liquor Store	Off-sale	Full
MADDIES LIQUOR	8521 ZANE AVE N	Liquor Store	Off-sale	Full
PARK LIQUOR OUTLET	6315 ZANE AVE N	Liquor Store	Off-sale	Full
PIXIE LIQUOR	1512 BROOKDALE DR N	Liquor Store	Off-sale	Full
TM LIQUORS	9318 ZANE AVE N	Liquor Store	Off-sale	Full
UP NORTH LIQUOR	9570 NOBLE PKWY N	Liquor Store	Off-sale	Full
BOWLERO	7545 BROOKLYN BLVD N	Bowling Alley	On-sale	Full
HEAVY ROTATION BREWING	9801 XENIA AVE N	Brewery	On & Off sale	Brewery
PALMER LAKE VFW	2817 BROOKDALE DR N	Club	On-sale	Full

Business Name	Address	Business Type	On / Off Sale	Liquor Type
SKAALVENN DISTILLERY	8601 73RD AVE N #14	Distillery	On-sale	Distillery
BUASAVANH	7324 LAKELAND AVE N	Event Center	On-sale	Full
LEOPOLD'S MISSISSIPPI GARDENS	9500 WEST RIVER RD N	Event Center	On-sale	Full
BROOKLAND EXECUTIVE NINE GOLF	8232 REGENT AVE N	Golf	On-sale	3.2
HAMPTON INN	9470 WEST BROADWAY N	Hotel	On-sale	3.2
MINNEAPOLIS MARRIOTT NORTHWEST	7025 NORTHLAND DR N	Hotel	On-sale	Full
THE BROOKLYN	8700 EDINBROOK CROSSING N	Restaurant	On-sale	Full
BROADWAY PIZZA	8525 EDINBURGH CTR DR N	Restaurant	On-sale	Full
CAM'S BAR & EATERY	8517 63RD AVE N	Restaurant	On-sale	Full
DOS HERMANOS MEXICAN GRILL AND BAR	1408 85TH AVE N	Restaurant	On-sale	Full
EL LORO MEXICAN RESTAURANT	7901 BROOKLYN BLVD N	Restaurant	On-sale	Full
HY-VEE MARKET GRILLE	9409 ZANE AVE N SUITE A	Restaurant	On-sale	Full
MAD JACKS SPORTS CAFE	8078 BROOKLYN BLVD N	Restaurant	On-sale	Full
MC'S TAP HOUSE	9690 COLORADO LN N	Restaurant	On-sale	Full
ORO BANQUET - BAR & RESTAURANT	2875 BROOKDALE DR N	Restaurant	On-sale	Full
PLUSH	8578 EDINBURGH CENTER DR N	Restaurant	On-sale	Full
SOKE BBQ & HOT POT	8586 EDINBURGH CENTER DR N	Restaurant	On-sale	Wine
MILLIONS CRAB	8000 BROOKLYN BLVD N	Restaurant	On-sale	Wine
TOKYO SUSHI ALL YOU CAN EAT	9750 SCHREIBER TER N	Restaurant	On-sale	Wine

City of Brooklyn Park Request for Council Action

Agenda Item:	7.1	Meeting Date:	November 27, 2023
Agenda Section:	General Action Items	Originating Department:	Community Development
Resolution:	X	Prepared By:	Felicia Jappah, Project Coordinator, Pandemic Response
Ordinance:	N/A		
Attachments:	2	Presented By:	Felicia Jappah
Item:	Approve Allocation Plan for Approximately \$395,900 of American Rescue Plan Act Funding for the Community Funding Partnership Opportunity and Capacity Building Initiative		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2023-____ APPROVING THE ALLOCATION PLAN FOR APPROXIMATELY \$395,900 IN AMERICAN RESCUE PLAN ACT FUNDING FOR THE COMMUNITY PARTNERSHIP FUNDING OPPORTUNITY AND CAPACITY BUILDING INITIATIVE.

Overview:

On June 26, the Council approved the staff recommendation for another round of American Rescue Plan Act (ARPA) funding for community partnership work that included funding to extend the work of ten high-performing partners and a new round of Request for Proposals (RFP). The city awarded \$200,781 of ARPA funds to these high performing organizations on July 24, 2023. Additionally, the Cities of Brooklyn Park and Brooklyn Center entered a joint workforce development partnership to be managed by Brooklyn Park. The joint workforce development initiative and second round of ARPA work were combined into one Request for Proposal (RFP) for effective management and coordination. On September 13, staff released the RFP which solicited proposals from organizations serving residents in Brooklyn Park and/or Brooklyn Center.

The Brooklyn Park Economic Development Authority (EDA) also allocated funding for its Community Partnership Program (CPP) established in September 2021 to advance its efforts for economic development, inclusion, housing stability, job placement and training, and entrepreneurship support. The EDA allocated \$200,000 for CPP programs for 2023 and included a similar allocation in its 2024 proposed budget. The EDA and ARPA funding are combined into the ARPA/CPP initiative. Funding for the RFP is available from the below sources:

- ARPA – Brooklyn Park: \$149,219
- EDA/CPP - \$150,781
- ARPA – Brooklyn Center workforce development programs only: \$95,900

The action before the Council is to approve ten community organizations recommended for funding to implement programs proposed to serve the residents of the city. Staff also requests approval of recommendation to implement a capacity building technical assistance training program for organizations – non-profits and businesses.

Background:

In March 2021, President Biden signed the ARPA (H.R. 1319) into law. The ARPA provided \$1.9 trillion in relief to respond to the coronavirus (COVID-19) and provided 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. Following outreach to residents, Council adopted a strategic approach aimed at stabilizing the city's budget followed by investing in strategic programs and partnerships that respond to the public health emergency in the following categories:

- Violence interrupters and support services
- Mental health services
- Interventions to stabilize community (including partnerships with community organization)
- ARPA administration

In furthering the partnership with community organizations to stabilize the community, the city allocated \$1.2 million in ARPA funds and \$200,500 from the Economic Development Authority (EDA) Community Partnership Program (CPP) Initiative in 2021-2022 to support community-based organizations proposing programs in response to the COVID pandemic. The combined \$1.4M was awarded to 41 community-based organizations to provide services to residents. In 2022, community-partner work impacted approximately 5,797 residents in a variety of service areas.

In June 2023, the Council approved and authorized another round of funding to community partners. For this round of community partnership funding, the city approved an initial extension of the work of 10 high performing organizations and authorized the release of an RFP to solicit a new round of proposals. For the Round 2 RFP, the city sought proposals that would serve residents in areas around basic support – food or emergency support, resource support - help with navigating social services, counseling, and legal aid to prevent eviction or homelessness, economic empowerment programs – technical assistance to organizations, workforce development – job training, especially for unemployed or under employed residents, and financial literacy programs for youths and seniors.

The RFP was released on September 13 and applications were due on October 13, 2023. The RFP was promoted through various channels including city publications, email, website and social media postings, cultural media and CCX TV. Staff received a total of 46 applications totaling over \$2.3 million in requests from local non-profits and businesses proposing programs and activities to serve Brooklyn Park residents.

Primary Issues/Alternatives to Consider:

- **What was the review process?**

The process included the below:

- Eligible organizations that could apply were businesses and nonprofits with active registration and in good standing with the MN Secretary of state and with tax exempt status or other nonprofit tax status or a fiscal agent.
- Organizations must be located in either Brooklyn Park or Brooklyn Center or provide verifiable information of ability to serve residents in the cities.
- RFPs must propose programs to serve residents in either Brooklyn Park and/or Brooklyn Center.
- RFPs must propose programs in three key areas: basic support services, resource support and economic empowerment.
- Eligible uses: youth and senior programs, workforce development and economic improvement programs for organizations and individuals.

Scoring of the proposals was on a 100-point scale in response to question focused on the following criteria in the RFP, which was approved by the Council September 2023:

- The organization is in either Brooklyn Park or Brooklyn Center and/or can demonstrate it is uniquely qualified to serve residents in the cities and prioritize the needs of the residents.
- Composition of the staff and board that reflects the community the organization serves.
- Adequate staffing and financial capacity to implement the work proposed.
- A program work plan that articulates expected impact.

- How the program response to alleviating the negative impact of the COVID Pandemic or supports economic empowerment of residents.

Applications were reviewed in two groups by a diverse group of cross-departmental staff with various backgrounds from both cities. One group focused on workforce development applications and the other on non-workforce related applications.

- Eligible applications were reviewed first by individuals in each group, and scores analyzed using a rubric based on the proposal evaluation criteria.
- Then the groups met to deliberate on how the programs aligned with the city's strategic focus and considered funding recommendations based on the scores, ensuring an equitable distribution of the funds to organizations, program proposed, and the community served.
- The recommendations were then reviewed by another panel of staff that considered the recommendation and determined the final allocation based on the review criteria and city's strategic focus.
- All considerations in the review process were informed by the RFP program eligibility, evaluation criteria, how the proposals aligned with the city's strategic initiatives around the ARPA funding and programs that are eligible under the ARPA.

- **What are the funding recommendations?**

Following the Round 2 RFP application review process, staff recommends ten organizations for funding (Table 1). Four of the organizations will receive funding from Brooklyn Park ARPA, and six will receive funding from both the Brooklyn Center ARPA and Brooklyn Park EDA/ CPP to support the joint workforce development initiative.

Round 2 funding recommendation considers funding fewer organizations with intentional focus on areas of need in the community and the city's strategy for deployment of Round 2 funding based on learnings from Round 1. Round 1 funding allowed a wider spread of the funds to enable funding to reach more community-based organizations and ensured broader outreach to communities in immediate need of relief due to the impact of the pandemic.

Staff recommends investing in capacity building for local organizations and businesses with the balance of the of the funds, which is approximately \$101,462. After working with local nonprofits and small businesses since 2021 in the Community Partnership Program, staff has identified the need for workshops, one on one assistance, and/or group trainings to assist organizational leaders in positioning their organizations for sustainability and/or growth. Staff is researching best practices and existing capacity building programs and will design and implement a program that leverages what already exists in the community, state, and region and coordinates with the services already being designed for small businesses at the Brooklyn Park Small Business Center.

Recommended Allocation Summary:

- \$294,438 for 10 Community Partners ARPA funding (Table 1)
- \$101,462 for Capacity Building

Table 1: Organizations recommended for CPP Funding and funding source:

Org name	Average Score	Proposed Program	Amount Requested	Amount Recommended	Funding Source	
					BP- ARPA	BC-ARPA BP- EDA
Minnesota Africans United (MAU)	81	Economic empowerment – Technical assistance	\$50,000	\$49,200	\$49,200	
Thoj Group	80	Economic Empowerment – Technical assistance	\$50,000	\$24,200	\$24,200	

Push Strategist	79	Economic Empowerment – Technical assistance	\$50,000	\$24,200	\$24,200		
Sierra Leone	79	Basic support – food	\$49,853	\$25,000	\$25,000		
Asian Media Access	91	Economic Empowerment - WFD	\$50,000	\$25,360		\$17,330	\$8,030
CAPI	87	Economic Empowerment - WFD	\$100,000	\$30,360		22,330	\$8,030
Hacer	91	Resource Navigation	\$50,000	\$50,000		\$43,760	\$6,240
HIRED	86	Economic Empowerment	\$50,000	\$25,758			\$25,758
Lifeworks	88	Economic Empowerment -WFD disability	\$46,350	\$18,854			\$18,854
Metro North Chamber of Commerce	81	Economic Empowerment - WFD	\$50,000	\$21,506		\$12,480	\$9,026
Total			\$396,350	294,438	\$122,600	\$95,900	\$75,938

- **What are the next steps?**

If approved by the City Council tonight, staff will announce awards to each organization and work with them to adjust scope and budget as applicable. Organizations will receive support around contracting and program rescoping and reporting. Payments will be on a reimbursement basis.

The financial reporting support that was made available to organizations in Round 1 is also available in Round 2 to assist organizations to remain in compliance with city, state, and federal requirements where needed. Up to \$15,000 in accountant support is available to fund financial consulting work with community partners.

Budgetary/Fiscal Issues:

This action does not impact the City's budget, as the CPP funding sources are ARPA, EDA, and Brooklyn Center ARPA. Staff is recommending a modest advanced payment as was done in Round 1 to assist organizations with cash flow challenges that need upfront cash. We want to note there is a risk that organizations will not report on their use of the funds. However, learnings from Round 1 indicated organizations reported on the advanced payments received. All other payments after the organization have completed the report on the advance payment received will be reimbursement based.

Recipients of funds from the ARPA State and Local Fiscal Recovery Funds programs are required to meet compliance and reporting requirements established in the Final Rule released in January 2022. As outlined in the Final Rule, Treasury may identify funds used in violation through reporting or other sources. We expect the State of Minnesota Management and Budget (MMB) office and the Federal Government to conduct a full audit of the disbursement of these funds. Funds used in violation of the Final Rule are subject to remediation and recoupment.

Attachments:

7.1A RESOLUTION

7.1B LIST OF ORGANIZATIONS NOT RECOMMENDED FOR FUNDING (*Limited Distribution – Available for viewing at the City Clerk's office*)

RESOLUTION #2023-

RESOLUTION APPROVING THE ALLOCATION PLAN FOR APPROXIMATELY \$395,900
IN AMERICAN RESCUE PLAN ACT FUNDING FOR THE COMMUNITY FUNDING OPPORTUNITY

WHEREAS, the City of Brooklyn Park received \$11,052,580 from the federal government through the State Local Fiscal Recovery Funds (SLFRF) program of the American Rescue Plan (ARPA) (H.R. 1319), signed into law by President Joseph Biden in March 2021 for state, local, and Tribal governments across the country to support their response to and recovery from the COVID-19 public health emergency; and

WHEREAS, during 2021 and 2023 the Brooklyn Park City Council allocated \$1.5M of its SLFRF allocation to support community-based organizations proposing programs in response to the COVID-19 pandemic. The Economic Development Authority (EDA) also approved \$402,500 from the EDA general fund to support its Community Partnership Program (CPP) Initiative; and

WHEREAS, on June 24, 2023, staff recommended a strategic approach for a second round ("Round 2") of funding similar to the ARPA/CPP Community Funding Opportunity of 2022 to support community partners through a portion of 2024 and Council directed staff to propose a plan for approval that included two categories – an extension of high performing and highly successful projects and a second competitive RFP; and

WHEREAS, the Cities of Brooklyn Park and Brooklyn Center also entered a joint workforce development partnership to be managed by Brooklyn Park. The joint workforce development initiative and second round of ARPA work were combined into one Request for Proposal (RFP) for effective management and coordination; and

WHEREAS, a Community Funding Opportunity Request for Proposals (RFP) was released in September 2023 which solicited proposals from organizations serving residents in Brooklyn Park and/or Brooklyn Center and staff received a total of 46 eligible applications totaling over \$2 million in requests from local community non-profits and businesses; and

WHEREAS, the City Council and EDA allocated \$550,000 to be used to fund community partnership work in 2023 and desires to approve this Resolution to continue contracting with organizations to provide services, support, and opportunities to members of the Brooklyn Park community and to address the impacts of the COVID-19 pandemic. The Council awarded \$200,781 in Brooklyn Park ARPA funding, and \$49,219 in EDA funding to support extension contract work, leaving \$300,000 for RFP proposals funding. Additionally, the City of Brooklyn Center awarded \$54,100 towards the extension funding leaving \$95,900 for RFP proposal funding as part of the joint workforce initiative.

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

1. The City Council hereby approves the Community Funding Opportunity Round 2 RFP awards as outlined in Exhibit A; and
2. The City Council hereby approves the use of \$101,462 for a capacity building initiative; and
3. The City Council hereby authorizes and directs the City Manager and/or his designees to execute the related agreements with partnering organizations in the spending plan as in their judgment is consistent with the spirit and content thereof. To enable the non-profits and businesses to implement the proposed programs to respond to the identified community needs, the Council finds it necessary to enter into an agreement with each entity proposing work around these critical services and programs.

Exhibit A

Org name	Average Score	Proposed Program	Amount Requested	Amount Recommended	BP-ARPA	Funding Source	
						BC-ARPA	BP- EDA
Minnesota Africans United (MAU)	81	Economic empowerment – Technical assistance	\$50,000	\$49,200	\$49,200		
Thoj Group	80	Economic Empowerment – Technical assistance	\$50,000	\$24,200	\$24,200		
Push Strategist	79	Economic Empowerment – Technical assistance	\$50,000	\$24,200	\$24,200		
Sierra Leone	79	Basic support – food	\$49,853	\$25,000	\$25,000		
Asian Media Access	91	Economic Empowerment - WFD	\$50,000	\$25,360		\$17,330	\$8,030
CAPI	87	Economic Empowerment - WFD	\$100,000	\$30,360		22,330	\$8,030
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Lifeworks	88	Economic Empowerment -WFD disability	\$46,350	\$18,854			\$18,854
Metro North Chamber of Commerce	81	Economic Empowerment - WFD	\$50,000	\$21,506		\$12,480	\$9,026
Total			\$396,350	294,438	\$122,600	\$95,900	\$75,938

City of Brooklyn Park Request for Council Action			
Agenda Item:	7.2	Meeting Date:	November 27, 2023
Agenda Section:	General Action Items	Originating Department:	Community Development
Resolution:	X	Prepared By:	Breanne Rothstein, Economic Development and Housing Director
Ordinance:	N/A		
Attachments:	2	Presented By:	Kim Berggren, Community Development Director
Item:	Consider Terminating Agreement with Northwest Minneapolis Tourism		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2023-_____ TERMINATING AGREEMENT WITH NORTHWEST MINNEAPOLIS TOURISM BOARD.

Overview:

In December of 2022, the Brooklyn Park City Council approved a professional services agreement with the non-profit Minneapolis Northwest Tourism Board to engage its services in the marketing of Brooklyn Park, in partnership with Brooklyn Center, as a tourism destination.

Since entering this agreement, the staff and chair of the Minneapolis Northwest Tourism Board have been acting outside of their powers per the bylaws, which include not involving the Board in decisions required per the bylaws.

Therefore, this resolution would take action to find Minneapolis Tourism in breach of the terms of the professional services agreement (failure to follow bylaws) and request immediate cure. The resolution also provides a nine-month notice of termination, which is allowed by the contract with no required stipulations.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

- 7.2A RESOLUTION
- 7.2B CONTRACT

RESOLUTION #2023-

CITY OF BROOKLYN PARK, HENNEPIN COUNTY, MINNESOTA

RESOLUTION TERMINATING AGREEMENT WITH
MINNEAPOLIS NORTHWEST TOURISM

WHEREAS, the City of Brooklyn Park (“City”) has been a member of the North Metro Convention and Tourism Bureau d/b/a Minneapolis Northwest Tourism (“MNT”) since 1986;

WHEREAS, in May 2021, the City of Maple Grove declared its intent to withdraw from the MNT leaving the City and the City of Brooklyn Center as the only two remaining members of MNT;

WHEREAS, since that time the City has worked with MNT to reorganize operations based on the loss of Maple Grove including entering into a new agreement for professional services between the City and MNT effective April 14, 2023 (the “Agreement”);

WHEREAS, MNT’s Bylaws (“Bylaws”) require that the Board of Directors (“Board”) hire the CEO of MNT. In December 2022, the Board was asked to approve an employment contract with the Interim CEO for a term of three months without being provided a copy of the contract. When directors requested a copy of the employment agreement, the Chair of the Board (“Chair”) failed to provide a copy to directors at the meeting;

WHEREAS, the Interim CEO’s three-month employment agreement that was approved by the Board in December 2022 was extended without Board authorization and the Chair has neglected to consider those objections and objections to the process for extending the contract;

WHEREAS, MNT has also failed to follow its Bylaws when conducting meetings and Board actions are not adequately explained leading to confusion and necessitating calling special meetings to conduct Board business;

WHEREAS, directors’ concerns and suggestions to the Chair about the CEO search process, the contract with the interim CEO, and the contract with the future CEO were not heeded or brought forward to the Board for discussion;

WHEREAS, the Agreement requires that the City provide notice of any breach of the Agreement and requires that MNT have 30 days to cure the identified instances of breach and also allows termination upon nine-months’ written notice for any reason or no reason; and

WHEREAS, the City desires to terminate the Agreement with MNT and provide staff with the authorization to take the next steps to provide notice of this the termination of the Agreement.

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

1. The City elects to terminate the Agreement pursuant to Section 4 (c) of the Agreement. The termination is effective 30 days after notice is given to the Sitting President/CEO and Board Chair if each and every one of the breaches listed below have not been cured by that date.
2. The City further elects to terminate the Agreement pursuant to Section 4(d) of the Agreement. The termination is effective nine months after notice is given to the Sitting

President/CEO and Board Chair.

3. Notice of Termination shall be provided to the Sitting President/CEO and Board Chair in the manner set forth in Section 24 of the Agreement.
4. The Notice of Termination shall articulate the of following instances of breach, as provided for in Agreement section 4 (c), as follows:

Breach 1: MNT has diluted, lessened, and eliminated the City's representation on the Board of Directors by failing to bring items necessary under the Bylaws to a Board vote. This is especially egregious as the City's appointed representatives have repeatedly and expressly requested items, including particularly the process for approving the Interim CEO's employment to the Chair and Interim CEO.

Breach 2: MNT has failed to comply with all applicable laws:

- Failing to adhere to Minnesota Statutes, section 317A.201
- Failure to obtain consent of Directors for actions without meeting as required by Minnesota Statutes, section 317A.239
- Failure to allow Board to consider employment agreement of individual appointed as CEO as required by Minnesota Statutes, section 317A.331

Breach 3: Violations of the MNT Bylaws, including inappropriate approval of Interim CEO extensions, failure to obtain Board consent for actions without a meeting, and not providing for Board Action on the employment terms of the appointed CEO and whether those terms should be included in a contract.

4. The appropriate City officials are authorized to execute all appropriate documents on behalf of the City to facilitate termination of the Agreement and to take all steps and actions necessary or convenient to accomplish the intent of this Resolution.

AGREEMENT FOR PROFESSIONAL SERVICES

BETWEEN: City of Brooklyn Park, Minnesota

AND: North Metro Minneapolis Convention & Visitors Bureau, d/b/a
Minneapolis Northwest Tourism

EFFECTIVE DATE: April 14, 2023

This Agreement, made this 10th day of April, 2023, effective as set forth above, by and between the City of Brooklyn Park, a Minnesota municipal corporation, hereafter referred to as the “City”, and the North Metro Minneapolis Convention & Visitors Bureau, d/b/a Minneapolis Northwest Tourism, a Minnesota nonprofit corporation, hereafter referred to as “the Tourism Bureau”.

RECITALS

- A. Minnesota Statutes, section 469.190 and City Code, section 34.20-34.36 authorizes the imposition of a tax of three percent on gross receipts from the furnishing of lodging within the City to fund a local convention or tourism bureau for the purpose of marketing and promoting the City as a tourist or convention center.
- B. The City desires to engage the Tourism Bureau to provide the marketing and promotion professional services described in this Agreement and the Tourism Bureau is willing to provide such services on the terms and conditions set forth herein as part of an organization that serves multiple cities.

AGREEMENT

1. **Services to be Provided.** The Tourism Bureau agrees to provide the City with marketing and promotion professional services as set forth in this Agreement, and any obligations within this Agreement or supplemental letter agreements entered into between the City and the Tourism Bureau. The Tourism Bureau may also provide services not explicitly stated in this Agreement, as it sees fit; provided, that the additional services fall within its designated scope of work. The Tourism Bureau shall be responsible for providing the following services:
- a. Prepare and execute an annual tourism marketing strategy that utilizes a multi-faceted approach to attract visitors to the destination, which includes multiple cities, including, but not limited to:
- i. Provide marketing support in the form of websites, social media content, fliers, maps, guides, search engine optimization, media coverage, involvement as a sponsor of City festivals and events, and digital marketing;

- ii. Attend trade organization events, and other events that will elevate awareness of the destination and facilitate overnight bookings for the City and other member cities;
 - iii. Assist the City in elevating its brand regionally and nationally; and
 - iv. Market overnight lodging options within the City and other member cities to the Greater Twin Cities regional experience;
- b. Market attractions, venues, special events restaurants, and entertainment opportunities;
 - c. Tell the stories of the businesses, individuals, and history of the City, and other member cities, as a place to visit;
 - d. Work to improve the reputation of the City regionally and nationally; and
 - e. Highlight the assets of the City.

(the “Services”)

2. **Contractor Reporting and Approval Duties.** In addition to the marketing and promotional Services described in Section 1, the Tourism Bureau will also submit the following documents for review:

- a. **Annual Budget and Business Plan.** The Tourism Bureau shall submit a preliminary annual budget and business plan to the City by August 31 of each year detailing the proposed use of City provided lodging tax funds from the next calendar year. A final annual budget and business plan detailing the use of City provided lodging tax funds shall be submitted for review to the City Council by November 30 of the year prior to the year in which Tourism Bureau is requesting funds. The Tourism Bureau shall also provide a presentation to the City Council along with an overview of the annual budget and business plan. The annual business plan should detail the tourism promotion programs tied to the annual budget and metrics for determining the success of the promotion programs.

The annual budget must include the salary of any employee, officer, director or trustee required to be reported on IRS Form 990.

- b. **Annual Report.** The Tourism Bureau shall submit an annual report to the City by August 31 of each year, at the same time as the preliminary budget is submitted. This report must include how the City’s lodging tax dollars were spent during the previous year.
- c. **Quarterly Financials.** The Tourism Bureau shall provide the City’s Finance Director, or designee, with a quarterly financial statement. The financial statement shall show: (a) list of bills/expense report; (b) budget to actual statement; and (c) current fund balance.

3. **Term.** The term of this Agreement shall commence on April 14, 2023 (the “Commencement Date”) and end on December 31, 2026 (the “Term”). After the Term, this Agreement shall automatically renew for additional one-year terms, unless the City and the Tourism Bureau agree otherwise. Throughout the Term and any annual extension beyond the Term, this Agreement shall be subject to termination by either party pursuant to Section 4 below. This Agreement will continue until cessation by mutual agreement of both parties or until termination by one of the parties in accordance with the following provisions.
4. **Termination.** Notwithstanding any other provision hereof to the contrary, this Agreement may be terminated as follows:
 - a. The parties, by mutual written agreement, may terminate this Agreement at any time.
 - b. Tourism Bureau may terminate this Agreement in the event of a breach of the Agreement by the City upon providing nine (9) months’ written notice to the City.
 - c. The City may terminate this Agreement by providing thirty (30) days’ written notice at any time for breach upon written notice to the Tourism Bureau, so long as the Tourism Bureau is given the opportunity to cure the breach within the thirty (30)-day period between the termination notice and effective date of termination.
 - d. The City may terminate this agreement for any reason, or no reason, upon nine (9) months’ written notice to the Tourism Bureau.
 - e. The City may terminate this Agreement immediately upon the Tourism Bureau’s failure to have in force any insurance required by this Agreement.

Except as provided in Section 5 below, in the event of a termination, the City shall pay the Tourism Bureau for Services performed to the date of termination.

5. **Remedies.**
 - a. In the event of a termination of this Agreement by the City because of a breach by the Tourism Bureau, the City may complete the Services either by itself or by contract with other persons or entities, or any combination thereof.
 - b. The foregoing remedies provided to City for breach of this Agreement by Tourism Bureau shall not be exclusive. The City shall be entitled to exercise any one or more other legal or equitable remedies available because of Tourism Bureau’s breach.
6. **Records/Inspection.** This Agreement is subject to the requirements of Minnesota Statutes, section 16C.05, subd. 5. The Tourism Bureau agrees that the City or any authorized representatives of the City may have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, or other materials during normal

business hours and as often as deemed necessary for purposes of auditing revenue and expenditures. The Tourism Bureau agrees to maintain these materials, records, and documents for six years from the date of termination of this Agreement.

7. **Multiple City Participation.** It is contemplated that the Tourism Bureau, in addition to providing services to the city of Brooklyn Park may also provide the services described in this Agreement to other cities. Therefore, it is specifically authorized that funding for such joint promotion will be financed pursuant to this Agreement.
8. **City Representation.** The Board of Directors of the Tourism Bureau shall consist of a majority of members that are appointed by member cities, and each member city shall appoint at least one elected official from the member city, one staff member of the member city, and one representative from a business paying the lodging tax from each member city. The Tourism Bureau shall amend its bylaws by October 1, 2023, to provide that the representatives appointed by member cities will constitute a majority of the Board of Directors and representation by each member city will be equal to any other member city. If the bylaws are not amended to reflect the requirements in this Section 8 by October 1, 2023, this Agreement will terminate on October 2, 2023. The Tourism Bureau hereby agrees that the City's representation on the Tourism Bureau's Board of Directors or Executive Committee will not be diluted, lessened, or eliminated through an amendment to the Tourism Bureau's bylaws, articles of incorporation, or by any other means.
9. **Compensation.** The Services to be provided by the Tourism Bureau for the City pursuant to this Agreement shall be funded from the lodging tax proceeds collected pursuant to Minnesota Statutes, section 469.190 and Sections 34.20-34.36 of the City Code. Any revenues generated by the Tourism Bureau as a result of the contracted Services provided to the City pursuant to this Agreement must be spent by the Tourism Bureau to provide Services in accordance with the terms of this agreement. Funds paid to the City must be provided to the Tourism Bureau by the 15th of the month following collection.
10. **Indemnification.** To the fullest extent permitted by law, the Tourism Bureau, and the Tourism Bureau's successors or assigns, agrees to protect, defend, save, and hold harmless the City, its officials, agents, and employees from all claims, suits or actions of any kind, nature or character, and the costs, disbursements, and expenses of defending the same, including but not limited to, attorney's fees, consulting marketing and promotion services, and other technical, administrative or professional assistance resulting from or arising out of the negligence, breach of contract or willful misconduct of the Tourism Bureau or its subcontractors, agents, or employees under this Agreement. Nothing in this Agreement shall constitute a waiver or limitation of any immunity or limitation on liability to which the City is entitled.
11. **Insurance.** The Tourism Bureau shall maintain a policy of commercial liability insurance with limits of at least \$1,500,000. The Tourism Bureau shall provide the City with a current certificate of liability insurance. Such certificate of insurance shall name the City as an additional insured.

12. **Independent Contractor.** The Tourism Bureau shall be deemed an independent contractor and not an employee of the City for any purpose, including but not limited to: income tax withholding, workers' compensation, unemployment compensation, FICA taxes, liability for torts, and eligibility for employee benefits. The Tourism Bureau has no authority to make any binding commitments or obligations on behalf of the City except to the extent expressly provided herein.
13. **Compliance with Laws.** The Tourism Bureau shall exercise due professional care to comply with applicable federal, state, and local laws, rules, ordinances, and regulations.
14. **Entire Agreement; Amendments.** This Agreement, any attached exhibits and any addenda or amendments signed by the parties shall constitute the entire agreement between the City and the Tourism Bureau and supersedes any other written or oral agreements between the City and the Tourism Bureau. This Agreement can only be modified or amended in writing signed by the City and the Tourism Bureau.
15. **Conflict of Interest.** In the event of a conflict of interest, the Tourism Bureau shall advise the City and either secure a waiver of the conflict or advise the City that it will be unable to provide requested marketing and promotion services.
16. **Choice of Law and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the state of Minnesota. Any disputes, controversies, or claims arising out of this Agreement shall be heard in the state or federal courts of Minnesota, and both parties waive any objection to the jurisdiction of these courts, whether based on convenience or otherwise.
17. **Work Products Ownership.** Upon termination of this Agreement, the City and the Tourism Bureau shall retain ownership of their respective intellectual property such as data bases, client relations software, social media accounts and web pages. Upon termination, the Tourism Bureau agrees to provide copies of any documents produced on the City's behalf.
18. **Data Practices Act Compliance.** Any and all data provided to the Tourism Bureau, received from the Tourism Bureau, created, collected, received, stored, used, maintained, or disseminated by Tourism Bureau pursuant to this Agreement shall be administered in accordance with, and is subject to the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, and specifically Section 13.495. This paragraph does not create a duty on the part of the Tourism Bureau to provide access to public data to the public if the public data are available from the City.
19. **No Discrimination.** The Tourism Bureau agrees not to discriminate in providing Services under this Agreement on the basis of race, color, sex, creed, national origin, disability, age, sexual orientation, status with regard to public assistance, or religion. Violation of any part of this provision may lead to termination of this Agreement.

20. **Waiver.** Any waiver by any party of a breach of any provisions of this Agreement shall not affect in any respect the validity of the remainder of this Agreement.
21. **Survivability.** All covenants, indemnities, guarantees, releases, representations, and warranties of either party or the parties and any undischarged obligations of the parties arising prior to the expiration or termination of this Agreement, shall survive such expiration or termination.
22. **Severability.** The invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of any other provision. Any invalid or unenforceable provision shall be deemed severed from this Agreement to the extent of its invalidity or unenforceability, and this Agreement shall be construed and enforced as if the Agreement did not contain that particular provision to the extent of its invalidity or unenforceability.
23. **Counterparts.** This Agreement may be executed simultaneously in any number of counterparts, all of which shall constitute one and the same instrument.
24. **Notices.** Any notices permitted or required by this Agreement shall be deemed given when personally delivered or upon email to:

Brooklyn Park EDA:
Sitting EDA Executive Director and Economic Development and Housing Director

Tourism Board:
Sitting President/CEO and Board Chair

Or such other address as either party may provide to the other by notice given in accordance with this provision.

25. **Party Communication.** It is contemplated by the parties that there will be ongoing meetings and communication with Tourism Bureau staff members and City departments, including those City departments related to community development, recreation, communications, and event planning.

[The rest of this page was left blank intentionally.]

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement for Professional Services in duplicate on the respective dates indicated below.

CITY OF BROOKLYN PARK

By: Jay Stroebel

Its: Jay Stroebel
City Manager

**NORTH METRO MINNEAPOLIS
CONVENTION & VISITORS BUREAU,
D/B/A MINNEAPOLIS NORTHWEST
TOURISM**

By: *Cyd Haynes*

Its: ch

Signature: *Jay Stroebel*
Jay Stroebel (Apr 10, 2023 18:29 CDT)

Email: jay.stroebel@brooklynpark.org

DOCSOPEN-#858151-v9-Compare Agreement for Prof_ Services (002)

Final Audit Report

2023-04-11

Created:	2023-04-10
By:	Breanne Rothstein (breanne.rothstein@brooklynpark.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAADbvnyVkeGghs2ls21L8POQnTpOQTzTG


"DOCSOPEN-#858151-v9-Compare Agreement for Prof_ Services (002)" History

 Document created by Breanne Rothstein (breanne.rothstein@brooklynpark.org)


2023-04-10 - 5:41:34 PM GMT- IP address: 199.244.223.2

 Document emailed to jay.stroebe@brooklynpark.org for signature

2023-04-10 - 5:45:13 PM GMT

 Email viewed by jay.stroebe@brooklynpark.org

2023-04-10 - 11:28:35 PM GMT- IP address: 199.244.223.2

 Signer jay.stroebe@brooklynpark.org entered name at signing as Jay Stroebel


2023-04-10 - 11:29:17 PM GMT- IP address: 199.244.223.2

 Document e-signed by Jay Stroebel (jay.stroebe@brooklynpark.org)


Signature Date: 2023-04-10 - 11:29:19 PM GMT - Time Source: server- IP address: 199.244.223.2

 Document emailed to c h (cyd.haynes@comcast.net) for signature

2023-04-10 - 11:29:21 PM GMT

 Email viewed by c h (cyd.haynes@comcast.net)

2023-04-11 - 2:37:27 AM GMT- IP address: 98.59.49.199

 Document e-signed by c h (cyd.haynes@comcast.net)

Signature Date: 2023-04-11 - 2:37:56 AM GMT - Time Source: server- IP address: 98.59.49.199

 Agreement completed.

2023-04-11 - 2:37:56 AM GMT

Names and email addresses are entered into the Acrobat Sign service by Acrobat Sign users and are unverified unless otherwise noted.

City of Brooklyn Park Request for Council Action

Agenda Item:	8.1	Meeting Date:	November 27, 2023
Agenda Section:	Discussion Items	Originating Department:	Recreation & Parks
Resolution:	N/A	Prepared By:	Brad Tullberg, Recreation & Parks Director
Ordinance:	N/A		
Attachments:	1	Presented By:	Brad Tullberg
Item:	Discuss Options for CAC Improvements		

City Manager's Proposed Action:

Informational and discussion item on options for Community Activity Center Improvements.

Overview:

At the September 5th City Council work session, the Community Activity Center Improvements project proposing the conversion of ice arena #1 to multi-court gym space was discussed. The City Council asked staff to compile additional information about the ice arena operation, and research the possibility of adding gym space as an alternative to converting ice arena #1.

Staff will provide an overview of the options being considered for the Community Activity Center improvements, project background, usage and operations information, project impacts and funding options.

The presentation from the September 5th City Council work session is included as an attachment for additional background information.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

8.1A CAC IMPROVEMENTS PPT 9.5.23

Community Activity Center Improvements

City Council Work Session

September 5, 2023

Brad Tullberg, Recreation & Parks Director

Project Components & Funding

Total Project Cost estimated to be \$15M and has three components

1. Improvements to the Entrances and Corridors

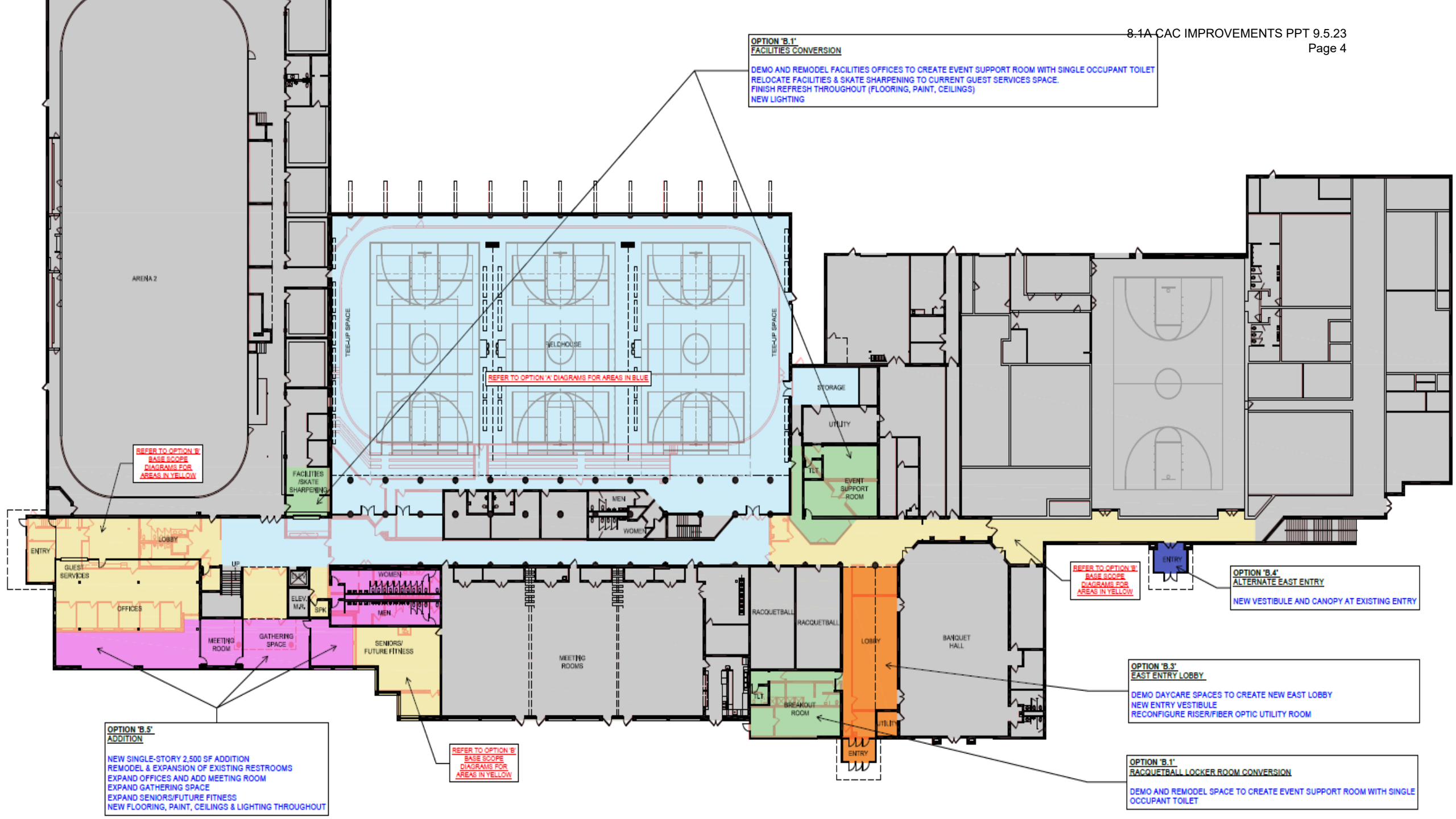
- Estimated Cost \$6.1M
- West facing entrance, relocated offices, east entrance improvements
- \$2M allocated from 2018 Park Bond Referendum

2. Conversion of Arena #1 to multi court gym space

- Estimated Cost \$6.5M
- Convert space to 3 multi use courts (basketball, volleyball, pickleball or event space)
- \$5M State of MN Bonding

3. Exterior Grounds and Parking Improvements

- Estimated Cost \$2M
- Outdoor events space and improved traffic flow. Move 85th Avenue entrance
- Funding to be determined



OPTION 'B.1'
FACILITIES CONVERSION
DEMO AND REMODEL FACILITIES OFFICES TO CREATE EVENT SUPPORT ROOM WITH SINGLE OCCUPANT TOILET
RELOCATE FACILITIES & SKATE SHARPENING TO CURRENT GUEST SERVICES SPACE.
FINISH REFRESH THROUGHOUT (FLOORING, PAINT, CEILINGS)
NEW LIGHTING

REFER TO OPTION 'A' DIAGRAMS FOR AREAS IN BLUE

REFER TO OPTION 'E' BASE SCOPE DIAGRAMS FOR AREAS IN YELLOW

REFER TO OPTION 'E' BASE SCOPE DIAGRAMS FOR AREAS IN YELLOW

OPTION 'B.4'
ALTERNATE EAST ENTRY
NEW VESTIBULE AND CANOPY AT EXISTING ENTRY

OPTION 'B.3'
EAST ENTRY LOBBY
DEMO DAYCARE SPACES TO CREATE NEW EAST LOBBY
NEW ENTRY VESTIBULE
RECONFIGURE RISER/FIBER OPTIC UTILITY ROOM

OPTION 'B.1'
RACQUETBALL LOCKER ROOM CONVERSION
DEMO AND REMODEL SPACE TO CREATE EVENT SUPPORT ROOM WITH SINGLE OCCUPANT TOILET

OPTION 'B.5'
ADDITION
NEW SINGLE-STORY 2,500 SF ADDITION
REMODEL & EXPANSION OF EXISTING RESTROOMS
EXPAND OFFICES AND ADD MEETING ROOM
EXPAND GATHERING SPACE
EXPAND SENIORS/FUTURE FITNESS
NEW FLOORING, PAINT, CEILINGS & LIGHTING THROUGHOUT

REFER TO OPTION 'E' BASE SCOPE DIAGRAMS FOR AREAS IN YELLOW

ENTRY
GUEST SERVICES
LOBBY
OFFICES
MEETING ROOM
GATHERING SPACE
WOMEN
MEN
SENIORS/FUTURE FITNESS
ELEV. M/R
SPK

WOMEN
MEN

MEETING ROOMS

RACQUETBALL
RACQUETBALL

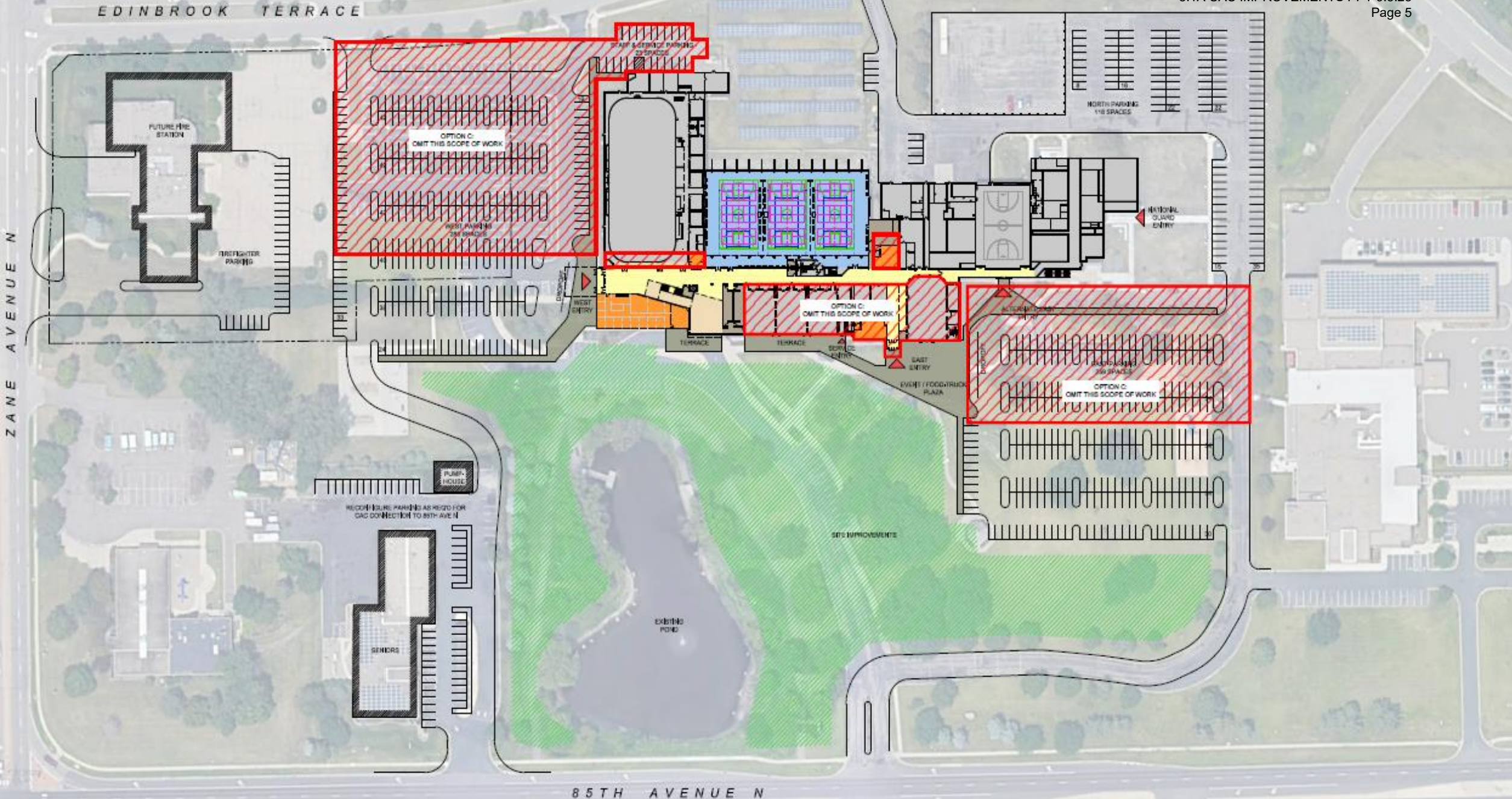
LOBBY
BANQUET HALL
BREAKOUT ROOM
UTILITY
ENTRY

STORAGE
UTILITY
EVENT SUPPORT ROOM

FIELDHOUSE
TEE-UP SPACE
TEE-UP SPACE

FACILITIES
SKATE SHARPENING

ARENA 2



85TH AVENUE N

Engagement

- City Council – July 25, 2022
 - Decision not to proceed with aquatics
- Recreation & Parks Advisory Commission – November 16, 2022
 - Part of RPAC written reports in September and October
- City Council – Legislative Agenda – January 17, 2023
- City Council – Park Project Update – March 6, 2023
- May 2023 – Individual User Group meetings
- August 21, 2023 – TRFSC, OMGHA, and CPYHA Meeting

Delayed due to unknowns with Central Fire Station & funding

Project Background

- Staff evaluated other possible options for gym space
 - North Metro Youth Hockey's dissolution – late 2022
- Since 2018, staff continue to hear concerns about demand for gym space
- Maple Grove Community Center adding an ice rink in 2025
- Renovation of space is the most cost-effective option vs. new construction
- Requests for additional indoor pickleball space
- Creating a community center with ice and courts to support broader usage by Brooklyn Park residents

North Metro Youth Hockey Participation

2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
155	164	158	121	119	96	91	55

- North Metro Youth Hockey served players in Brooklyn Park, Brooklyn Center, Fridley & Columbia Heights
- NMYHA Served the Brooklyn Park players in the Park Center High School boundary
- Players will now be part of the Osseo-Maple Grove Hockey Association
- Players in Osseo High School boundary play for Osseo Maple Grove Hockey Association
- Players in the Champlin Park High School boundary play for Champlin Park Youth Hockey

User Group Participation

ORGANIZATION	TOTAL PARTICIPANTS	BROOKLYN PARK PARTICIPANTS
Three Rivers Figure Skating Club	96	40
Champlin Park Youth Hockey Assn.	320	111
Osseo Maple Grove Hockey Assn	1150	48
BPAA Basketball	536	358
Park Center Traveling Basketball	140	124

- Information provided by user groups from 2022-23 season

2023-24 Ice Season Usage

Organization	Organization Location	Arena #1 Hours	Arena #2 Hours	Total Hours
Three Rivers Figure Skating Club	Brooklyn Park	12	940.5	952.5
Wayzata Youth Hockey Association	Plymouth	406.25	288.5	694.75
Champlin Park Youth Hockey Association	Champlin	147.25	181.75	329
Showcase	Saint Louis Park	141	140	281
Totino Grace HS Boys Hockey	Fridley	213	30	243
Osseo Maple Grove Hockey Association	Maple Grove	114.25	56.75	171
MN Blades	Robbinsdale	49	47	96
Ice Show Ice (TRFSC)	Brooklyn Park	82.75	0	82.75
MN Lakers	Champlin	31	38	69
Midwest Hockey	Mound	28	27	55
Team Minnesota	Burnsville	36.25	18	54.25
Northland Hockey Group	Shoreview	23	23	46
Minnesota Hockey	Saint Paul	15	14	29
WHAM - Lightning	Maple Grove	16	5	21
Meagher-MASH	Plymouth	10	10	20
Delano Youth Hockey Association	Delano	10.25	8.5	18.75
Anderson Goaltending	Brooklyn Park	10.75	0	10.75

- 581 hours of TRFSC ice are morning ice at no cost
- Users with more than 10 hours rented between 8/14/23 and 5/26/24
- Summer ice use is not affected as only rink 2 is used in summer

Ice Usage Notes

- Staff propose a model that allows for TRFSC, CPYHA and OMGHA to get a similar number of hours as 2023-24 season
 - There would not be enough hours to support Totino Grace
 - Skating Lessons would continue on rink 2
- Rink 1 selected because Rink 2 allows for continued year-round use
- Rink 2 would remain available for off-season programs in the Spring, Summer and Fall.
- No impact to Summer ice as Rink 1 does not operate in Summer

Project Impacts

Benefits

- Broadens community use of the Community Activity Center
- Provides community gym space scheduled by city staff
- Provides space to support events indoors and outdoors

Concerns

- TRFSC Competition and Ice Show changes
 - Staff would work with TRFSC to help replace the revenue from competition
 - Ice Show can be accommodated on Rink 2
- Loss of local economic impact of hockey tournaments
- Limits the ability of ice groups to expand programs at CAC

Ice Arena Financials

Ice Arena #1 Revenues

2022	2021	2020	2019	2018
\$288,643	\$314,951	\$211,262	\$300,552	\$298,617

Ice Arena Fund Info

	2023 Budget	2022 Actual	2021 Actual	2020 Actual*	2019 Actual	2018 Actual
REVENUE TOTALS	\$ 879,081	\$ 880,911	\$ 862,075	\$ 621,709	\$ 918,434	\$ 890,757
Transfer In	\$ 92,431	\$ 152,069	\$ 146,200	\$ 143,866	\$ 218,200	\$ 148,000
REVENUE GRAND TOTAL	\$ 786,650	\$ 728,842	\$ 715,875	\$ 477,843	\$ 700,234	\$ 742,757
EXPENSE TOTALS	\$ 879,081	\$ 780,347	\$ 877,871	\$ 770,978	\$ 958,657	\$ 822,818
Transfer Out	\$ 0	\$ 110,000	\$ 146,200	\$ 143,866	\$ 148,000	\$ 148,000
EXPENSE GRAND TOTAL	\$879,081	\$670,347	\$731,671	\$627,112	\$810,657	\$674,818
Net Grand Totals	(\$ 92,431)	\$ 58,495	(\$ 15,796)	(\$ 149,269)	(\$ 110,423)	\$ 67,939

Projected Gym revenues

	Courts	Price / Court	Projected Revenue
Community Group – weekdays	3	\$5	\$ 7,800
Community Group - weekends	3	\$5	\$ 9,360
Private Gym Rental - weekdays	3	\$55	\$ 64,350
Private Gym Rental - weekend	3	\$55	\$ 77,220
Pickleball	9		\$ 31,500
Open Gym			\$ 20,000
Leagues and Non-Prime Rentals			\$ 20,000

- Electric savings estimated to be \$45k, staff savings undetermined
- Additional City savings from Building Supervision fees (Approx. \$30k in 2024)
- Revenues (\$231,550) plus Estimated Savings (\$75,000) equals \$305,230 net
- Private Gym rentals factored at 75% capacity
- Prime hours M-F 6pm -10pm, Weekends 8am – 8pm
- Same fee structure as school gym space

CAC Improvements Funding

- Funding currently identified
 - \$2M for CAC Entrance Improvements from 2018 Park Bond Referendum
 - \$2M for dedicated Senior Center space from 2018 Park Bond Referendum
 - \$5M for CAC Improvements from State of Minnesota
 - Must include conversion of arena to gym space
 - Approximately \$6-8M gap
- Possible Funding Options are:
 - Possible re-allocation of Park Bond Referendum funds
 - Referendum
 - City Council approved bonding
 - OSLAD

CAC Improvement Options

- Entrance improvements as planned in 2018 Park Bond Referendum and continue programming “as-is” (\$2M)
- Allow external groups to pay a premium to rent ice
- Construct a new space for gyms and keep both rinks – \$12.5M in 2018
- CAC Improvement project as proposed and work with users to minimize impacts

CAC Improvements Timeline

POTENTIAL PROJECT TIMELINE FOR CAC IMPROVEMENTS

September/ October 2023 –
Community Engagement

October – Begin Design
Development

February 2024 – Start
Construction documents

June 2024 – Bidding

September 2024 – Construction



Senior Center

- Challenges to the CAC & Senior Center Planning Project
 - \$2M allocated in the 2018 Park Bond Referendum
 - Primary Objectives
 - Dedicated Space for senior programming activities
 - Ease of access to building from parking / less congested entrances
 - Project delayed awaiting Central Fire decision
 - Seniors growing frustrated since 2018 Park Bond Referendum approved
 - Preferred option is to re-purpose Central Fire to Senior Center
 - If not located at former Central Fire, additional space would be designed at CAC

Input needed

- What additional information does City Council need related to the CAC Improvements and Senior Center project?
- Should staff continue planning for conversion of Rink 1 to gym space?

QUESTIONS?

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Thank You!

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Public Comment

Public Comment from impacted organizations

- Three Rivers Figure Skating Club
- Champlin Park Youth Hockey
- Osseo Maple Grove Youth Hockey
- Totino Grace High School
- Brooklyn Park Athletic Association Basketball
- Park Center Traveling Basketball League

City of Brooklyn Park Request for Council Action

Agenda Item:	8.2	Meeting Date:	November 27, 2023
Agenda Section:	Discussion Items	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Devin Montero, City Clerk Jay Stroebe, City Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Jay Stroebe, City Manager
Item:	Discuss Legislative Agenda for 2024		

City Manager's Proposed Action:

Discuss the City's Legislative Priorities.

Overview:

Each year, the City of Brooklyn Park and Brooklyn Park Economic Development Authority adopt legislative priorities for staff and elected officials to focus on with policymakers at the federal, state and county levels. Additionally, these priorities provide staff the direction needed to work with other local units of government, project partners and our legislative partners (e.g., North Metro Mayors Association, Metro Cities and League of Minnesota Cities) to advance key projects and policies.

This discussion will be the first step in updating the City's *2023 Legislative Priorities and Positions* (attached) document adopted by the City Council on January 17, 2023. The City's *2024 Legislative Priorities and Positions* document will be updated and brought back for adoption before the start of the 2024 Minnesota Legislative Session.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

8.2A 2023 LEGISLATIVE POLICIES AND POSITIONS

2023 Federal and State Legislative Priorities and Positions

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2023 State Legislative Priorities and Positions

City of Brooklyn Park

Overview

Brooklyn Park works together with its partners to support proposals for new legislation in Minnesota designed to strengthen the community. The following list of legislative priorities and positions, along with those prepared by the Brooklyn Park Economic Development Authority (EDA), constitute Brooklyn Park's legislative agenda for the 2023 legislative session.

I. Diversity, Equity and Inclusion

The City of Brooklyn Park, with our rich racial, ethnic and demographic diversity, is committed to supporting local, state and federal policies and investments that advance the goals of eliminating racial and economic disparities in areas such as housing, employment, transportation, health care, safety, etc., and works towards a more inclusive economy. Many of the detailed policies advocated for in this document strive to achieve these goals.

II. Transportation Infrastructure

Investments in transportation infrastructure can often result in multiple benefits to a community, a more efficient and safer multi-modal transportation system and a stimulus for economic growth. In addition to state funding to support the municipal state aid road network, two specific projects that have the potential to be impacted by legislative actions include improvements to highway 252 and the Blue Line Light Rail extension project.

- **Trunk Highway 252**

Background

Highway 252 provides a vital high speed / high volume link between Minneapolis and the northern suburban areas. The congestion and safety issues experienced at the at-grade signalized intersections along the four mile corridor rank among the worst in the state under both categories. The City of Brooklyn Park is currently working with the City of Brooklyn Center, Minneapolis, MnDOT and Hennepin County to upgrade highway 252 to a freeway while maintaining or enhancing transit service along the corridor.

Position

In the 2018 Legislative Session, partial funding was granted for conversion of highway 252 to a freeway with construction expected to start in 2025 or shortly thereafter. The City seeks to work with project partners to secure the additional funding necessary for this project to advance. In addition, the local communities along the line may have some shared financial responsibility for the costs to improve the interchanges and any local roads that would be impacted by the project. The City supports expanded access to federal, state, regional and county grant dollars that would alleviate local taxpayer burden for these costs. The City also supports the investment in temporary safety measures until final design and construction is complete.

- **Blue Line Light Rail Transit**

Background

The Blue Line Light Rail Transit (BLRT) Extension Project will extend the existing light rail line from Target Field in Minneapolis through four communities (Minneapolis, Robbinsdale, Crystal and Brooklyn Park) to Oak Grove Parkway, locating five stations in Brooklyn Park. Bringing LRT to the northwest suburbs will improve mobility and access to jobs and will ensure the northwest portion of the region remains competitive.

Position

The City of Brooklyn Park supports policies, laws, and funding (federal, state, regional and local) to finalize planning and move to the construction and operation phases of the BLRT extension project.

- **East – West Busing Connections**

Background

As a community of 86,000 plus residents our public transportation needs have far outpaced the services provided in our city. While some bus services exist within Brooklyn Park, most are oriented to bringing people in and out of the community, mainly running north - south, versus mobility within the community.

Position

The City of Brooklyn Park supports resources and change in service delivery models that provides east – west busing services to our residents without reducing the services that exist today.

- **Increase Municipal State Aid (MSA) to Cities**

Background

The City has 55 miles of MSA streets. Many of these streets have degraded prematurely and are only lasting 15-20 years instead of 30 years before needing overlays (resurfacing). Over the next five years, we have funding needs of over \$21 million on our MSA streets, but we are only scheduled to receive about half of our needs or approximately \$12 million.

Position

The City believes MSA funding should be increased 100% (doubled) to help cities address street repair needs and premature street degradation on MSA streets and local streets. This would require a change of MSA eligibility funding to include reimbursement for local streets.

- **Allow Hennepin County to Access Motor Vehicle Lease Sales Tax Revenues**

Background

Minnesota's general sales tax applies to long-term motor vehicle leases – the motor vehicle lease sales tax (MVLST). Hennepin County residents contribute substantially to the MVLST but the county is excluded by state law from receiving funding from this transportation source. This decision was tied to previous legislation that established the Counties Transportation Improvement Board (CTIB). CTIB was dissolved in 2017. If included, Hennepin County would receive over \$12 million annually for roads, bridges, and pedestrian and bikeway projects.

Position

The City supports Hennepin County's efforts to change the state law and allow communities within Hennepin County to access the \$12 plus million in funding.

II. Sustainable Government Funding

The City of Brooklyn Park's financial position and property tax burden on businesses and residents are greatly influenced by actions taken at the state legislature. Historically, legislative changes to various funding formulas, aids, and imposition of statutory limits have impacted the City's ability to predict state sources of income, created unexpected community-level budget challenges, and resulted in increased tax burden on local taxpayers. Brooklyn Park supports efforts for more stable and predictable revenue sources and the reduction of the local property tax burden.

- **Levy Limits**

Background

Brooklyn Park advocates maintaining reliable, sustainable funding for desired city services and having the ability to control city levies at the local level. Enacting levy limits would remove this control from the City Council and may lead cities to adopt higher than desired tax levies in the short-term to maintain future levy capacity.

Position

Brooklyn Park supports a position that control of local levies remain at the local level.

- **Local Government Aid (LGA)**

Background

Cities apply LGA in their finance structure for various purposes and rely on the receipt of these funds for those purposes. In the past, Local Government Aid has been used by the state legislature as a budget balancing measure by reducing or eliminating this funding in times of economic stress, causing funding shortfalls to local governments. In order to be effective, cities need to have reliable sources of funding. In 2023, the LGA formula is scheduled to reduce the state's allocation to Brooklyn Park from roughly \$1.45M in 2022 to \$0 in 2023.

Position

Brooklyn Park supports a position that state aids to local governments must remain a stable, reliable and sustainable funding source now and into the future. We specifically request that Brooklyn Park's annual LGA allocation be at least preserved at \$1.45M or greater and that the formula be adjusted to better account for communities that have high service needs and lower per capita tax base to pay for those services.

- **Public Safety Benefit Account Reimbursement**

Background

In recent years, there has been an increase in police officers leaving their professions for medical-related reasons. The ongoing liability of contributing toward departing public safety employees' health insurance costs until retirement is a significant burden on our local taxpayers. The state has only been partially reimbursing for these costs to date.

Position

Support fully funding the Public Safety Benefit Account to reimburse employers for providing continued health insurance to police officers and firefighters injured in the line of duty and dependents of those killed.

- **Fiscal Disparities**

Background

Due to infrastructure development (airports, highways, light rail, etc.) and other economic stimuli, certain parts of the Metropolitan Area are at a greater advantage for economic development and tax base growth. The Fiscal Disparities program was designed to distribute a portion of this growth to cities that don't have the same economic advantages. This distribution of value serves to mitigate the property tax disadvantage to those communities.

Position

Brooklyn Park supports the Fiscal Disparities program and would support changes to stabilize the benefits of the program to metropolitan cities.

- **Sales Tax Exemption**

Background

The process for using the sales tax exemption on construction materials is complicated, burdensome and risky to contractors and cities. Because of this, we are not aware of any city that has decided to use this exemption.

Position

Brooklyn Park supports the simplification of the current sales tax exemption for construction materials. An estimated savings of \$150,000 to \$200,000 annually for construction projects would be realized by the city if the sales tax exemption process was simplified.

- **Social Security Disability Insurance (SSDI) and Social Security Taxes**

Background

Rising costs tied to inflation and changes in the economy have been especially hard on residents on fixed incomes. In addition, how social security disability insurance benefits are calculated for individuals with work limitations due to disabilities needs review.

Position

Brooklyn Park supports the removal of state taxes on social security recipients and an improved methodology for how SSDI is calculated that is not punitive for disabled Minnesotans.

III. Youth

- **Out-of-school Time**

Background

High-quality afterschool and summer learning programs provide hands-on learning experiences that narrow the opportunity and achievement gaps, build critical 21st century skills, and support working families by ensuring their children are safe and engaged in learning outside of school. Minnesota needs to ensure a bright future for our young people and our state by investing in afterschool programs to expand access for all young people. Minnesota currently has no state public funding accessible to the broad range of afterschool programs.

Position

Establish new state resources to provide competitive afterschool program grants. These funds would prioritize programs primarily serving youth below 185 percent of the federal poverty line (youth eligible for free and reduced-price lunch).

- **Youth Mental Health**

Background

Our youth and young adults have experienced a pronounced and pro-longed amount of trauma in recent years given issues such as COVID-19, racial tensions, increase in crime, and financial hardship.

Position

Support resources that highlight the current situation and support our youth and young adults to effectively manage the currently challenging times.

IV. Voting Laws

Background

In recent years, the state has changed voting rules that have reduced barriers to voting for residents. This includes the 46 day absentee voting timeline before an election by eliminating the requirement to provide an excuse to vote absentee. Additionally, the state now has in place fixed dates for when an election can take place, a specific day in the following months – February, April, May, August and November. These rules apply to both special and general elections.

Position

Brooklyn Park would like the state to consider changes to the current voting rules that place an undue financial burden on cities with a 46 day absentee voting window and to consider changes that allow for a more expeditious election cycle to replace vacancies on a local board or council.

V. COVID-19

Background

COVID-19 has had a significant economic, social and health impact on all parts of our society, both locally and globally. For communities, the impact to societal well-being, economic and business prosperity, housing stability, youth education progression, and the overall physical and mental health of residents has been dramatic. To address the challenges of COVID, continued investments of federal, state and local resources and coordination are necessary to minimize its short and long-term impacts.

Position

The City of Brooklyn Park supports additional federal, state and local resources and coordination to aid our businesses and residents to navigate the challenges of COVID as best as possible. The Economic Development Authority (EDA) section of this document outlines specific needs to address the challenges of COVID.

VI. Emerald Ash Borer (EAB)

Background

EAB was discovered in Brooklyn Park in August 2017 and is expected to spread through the city as well as all of Minnesota over the next few years. There are more than 4,000 city owned ash trees and thousands more on private property. Removing and replanting these trees would cost more than \$4,000,000. Chemical treatment of ash trees is an option but is expensive (\$200 per tree every two years) and a long-term commitment. Untreated trees will die.

Position

The EAB epidemic is a state-wide problem and a threat to the forest system in Minnesota. The City requests the state legislature provide funding for cities to address the removal and replanting of trees to maintain a healthy and diverse forest system.

VII. Public Safety

▪ **Address Rise in Violent Crimes**

Background

Over the last few years, the country, state, region and Brooklyn Park community have experienced a significant increase in certain types of violent crimes, especially those involving guns and crimes against persons. Repeat offenders of these types of crimes has also been cited as a growing concern. This increase in crimes has led to increased loss of life and injury, decreased livability of neighborhoods, and led some businesses and residents to leave or consider leaving our city.

Position

The City of Brooklyn Park supports legislative efforts and funding strategies that financially supports violence prevention, intervention and interruption work that address this rise in crime, including measures to ensure offenders of violent crimes are held accountable. We also support rehabilitative resources and strategies that support proven alternative approaches for youth and young adults involved in low-level criminal activities that may not be best served by the traditional criminal justice system. Additionally, we support strategies to address the underlying root causes of community violence including economic and housing stability, educational opportunity, health security, etc.

▪ **Capital Support for Fire Facilities**

Background

The rapid decline in volunteerism combined with a significant increase in fire/medical emergency responses led the city to transition from a paid on-call department to a full-time staffed career fire department. The city's four firehouses were never designed for career firefighter accommodations or for a diverse workforce living together for 24+ hours at a time. The current stations also do not provide adequate systems, including building-wide ventilation systems and decontamination showers, to protect firefighters from exposure to carcinogenic particulates because of their job. A third-party study identified that all of Brooklyn

Park's fire stations require significant renovations and, in some cases, need to be completely rebuilt. In addition to serving the 86,000+ residents of Brooklyn Park, the fire department regularly responds to assist neighboring communities through long-established mutual aid agreements.

Position

Other communities have received capital support for fire and other municipal facilities. The City of Brooklyn Park is seeking state bonding to support the construction of a new central firehouse which will also serve as a multi-agency Emergency Operations Center (EOC).

- **Officer Well-Being and Officer Accountability**

Background

During the summer of 2020, the Minnesota Legislature took some initial steps to examine opportunities for improvement in the law enforcement profession. With police officers being asked to do an ever-expanding set of responsibilities its important they have the necessary tools and resources to effectively do their jobs. Some of those supports, including enhanced training opportunities, were included in the actions of the Legislature, but more opportunities exist. Similarly, while some initial steps were taken to improve the arbitration system for police misconduct, it's doubtful those changes will result in long-term change.

Position

Brooklyn Park supports the continued examination of opportunities for improvement in both providing the needed supports for our officers to be successful in their profession and ensuring accountability for when officer misconduct does occur.

- **Health and Welfare Support for First Responders**

Background

In service to their community, front line first responders and public safety professionals handle some of the most difficult calls. One call, or the totality of the calls in one's career, can negatively impact their mental and physical health if not properly addressed. While we continue to normalize the conversations surrounding mental health, we must also provide the necessary resources to public safety staff to live, work, and retire healthy. PTSD related retirements have grown exponentially in the recent years. PTSD is treatable; we need to ensure we are providing prevention, resiliency, and treatment options for public safety staff.

Position

Brooklyn Park supports funding mental health programs and initiatives, including educational and professional treatment programs. This needs to include practitioners that are licensed and experienced with handling post-traumatic events that police officers and firefighters experience.

- **Mental Health Resources to Support Community Need**

Background

Brooklyn Park's Police Department has seen a growing incidence of mental health-related calls in recent years. These calls range from the most serious of violent crime situations to simple requests of coordinating mental health services for residents in need. We are currently piloting out both a co-responder and alternate response model to respond to mental health related calls. A vast majority of the simple requests are coming from employees of group homes that are either insufficiently trained or do not have the resources to deal with their clients needs. We receive hundreds of these 911 calls per year that simply do not belong in the law enforcement arena.

Position

Brooklyn Park encourages the state to not only support local (city and county) law enforcement and social service entities in providing additional mental health resources to meet the need, but additionally to more meaningfully examine how can we rethink the mental health systems that are too often failing our residents. We support stricter licensing of group home providers so that proper training of their staff is completed and sufficient and proper resources are dedicated and available for the needs of their clients and to support better compensation for the professionals providing client services.

VIII. Projects Leading to Regional Assets

- **Innovation and the Arts**

Background

The City, along with North Hennepin Community College and other school districts, municipal and non-profit partners have identified a gap in arts opportunities in the northwest area of the region, including a shortage of locations for fine and performing arts and arts related career exploration.

Position

The City supports funding to North Hennepin Community College and other partners to expand access to arts education and programming and access to creative career opportunities in the northwest area.

- **Three Rivers Park District – Full build out of Mississippi Gateway Park**

Background

The City of Brooklyn Park and Three Rivers Park District have collaboratively planned for the redevelopment of the Mississippi Gateway Regional Park and the Environmental Nature Area to become a single destination park location. As the project is nearing planning completion, recent hyper inflation is making it challenging for the construction project to include all of the desired amenities to meet the vision of the park.

Position

The City of Brooklyn Park supports the Three Rivers Park District request for additional state funding to ensure that the full vision of this regional destination can be completed during the initial construction.

- **Capital Support for Water Quality Improvements**

Background

Brooklyn Park is the 6th largest city in Minnesota with over 86,000 residents. The city's water is sourced through a shallow aquifer that is some of the hardest water in the metro area. This hard water causes significant issues within our community. Hard water requires residents to have home water softening units. Unfortunately, many of our low-income residents cannot afford to install these systems in their homes. By not having water softening units in their homes, the hard water prematurely degrades appliances like water heaters, dish washers, and leads to buildup in the internal piping of homes. Having to replace these appliances causes significant financial strain on our residents. Providing a city-wide softening plant will dramatically improve the water quality going to homes, reduce damage to piping and appliances, and eliminates the need for home water softening equipment.

Position

The state has historically supported water treatment because it directly benefits low-income residents and improves the lives of our community. Brooklyn Park will explore all state and federal funding to support this important development.

- **Community Activity Center Enhancements**

Background

The Brooklyn Park Community Activity Center was originally built in 1983 to serve the northwest suburbs as a hub for hockey and banquet/meeting activities. Over the years, the need for recreation amenities in the area has shifted from hockey to filling the gap in space for indoor court activities like basketball, volleyball and pickleball. The City of Brooklyn Park is considering the possibility of converting one ice arena to a gymnasium with three multi-sport courts. The addition of gymnasium would further diversify the Community Activity Center as a regional destination for sports and meetings.

Position

Other communities have received capital support for renovations and construction of community centers. Brooklyn Park will explore the feasibility of state support for the renovation of the Community Activity Center.

- **Capital Support for Water Quality Improvements**

Background

Brooklyn Park has over 1,000 acres of land ready for development in the northwest part of the city. This area is one of the last green field development sites in the metropolitan area. The development of this area will create thousands of jobs, provide additional housing, and increase the tax base for one of the most

diverse communities in the state of Minnesota. To begin development, the city needs to extend two connections under TH 169, one connection under Highway 610, and install a new water tower. To install all of this infrastructure, it would require significant increases in rates to all of our residents, many of whom are low income. State bonding to help cover some of these expenses will create jobs, reduce the impact to our residents, and increase the tax base in this area. The increased tax base and jobs will directly benefit the State of Minnesota as well.

Position

The state has historically supported infrastructure expansion because it directly benefits the tax base, increases jobs, and benefits the region as a whole. Brooklyn Park will explore all state and federal funding to support this important development.

- **Capital Support for Fencing Consortium**

Background

Over 30 public entities, including Brooklyn Park, have agreed to form a Fencing Consortium Joint Powers Agreement. The intent of the Fencing Consortium is to provide anti-scale fencing within hours, not days, around potentially impacted government building(s) in response to a critical incident. The goal of the anti-scale fencing is to de-escalate the potential tensions and try to reduce/eliminate the non-tangibles associated with civil unrest

Position

State funding to support this multi-agency emergency response and training effort will result in the purchase of anti-scale fencing which will not only considerably reduce the on-going cost to Brooklyn Park and Fencing Consortium members (improving equitable access to this de-escalation tool), but also allow for multiple facilities to have fencing at the same time.

IX. Local Control

- Retail Food Licensing and Inspection – Support continued retail food licensing and inspection delegation to cities and counties from the Minnesota Department of Agriculture (MDA) under a new agreement that builds a better local-state partnership. Related, we encourage the Minnesota Departments of Agriculture and Health to consolidate and simplify retail food establishment licensing to increase efficiency.

X. Other areas of support

- Poverty – Brooklyn Park and a growing number of other suburbs have an expanding share of the metropolitan area's residents living in poverty. Historically, state recognition and resources to address poverty have been focused on Minneapolis and St. Paul. Recognition and resources to combat poverty should be focused on all concentrated areas of poverty, not just in the urban core.

- Active and Engaged Seniors – Brooklyn Park strives to be an age-friendly community for all our residents. We support resources and services that support our aging residents, especially those that are often hard to connect with, supporting their ability to thrive and live healthy and productive lives.
- Affordable access to Broadband Internet Services – Brooklyn Park supports the state and federal efforts that encourages private and public investments making broadband internet accessible and available to all residents.
- Clean Energy and Addressing Climate Change - Locally and globally, we are seeing the negative impacts of climate change on our built and natural systems. Brooklyn Park has been a leader in addressing these impacts through efforts such as the installation of the largest city-led solar installation in the state. Brooklyn Park supports efforts to reduce the impacts of climate change and provide the resources and supports at the state, local and individual levels to continue making strides that will slow and hopefully reduce the impact of climate change.
- Emergency Assistance – The state needs to review the criteria for when resources can be distributed for individuals that are in need of emergency assistance.
- Policy Partners – Brooklyn Park’s partner organizations have advanced several additional legislative proposals that would enhance the livability, economic vitality, and financial condition of the city. While not identified as the city’s top priorities, Brooklyn Park may support these initiatives as well.

Partners

- Metro Cities
- League of Minnesota Cities
- North Metro Mayors Association

2023 Legislative Policy Positions

Brooklyn Park Economic Development Authority

Overview

Brooklyn Park works together with its partners to support proposals for new legislation in Minnesota designed to strengthen the community. The years of 2020 and 2021 brought numerous challenges and eye-opening moments that highlighted the weaknesses in the regional and state economy, housing situation, and workforce development systems.

The Brooklyn Park Economic Development Authority (EDA) supports many of the legislative policies of its partner organizations, including policies that help the City manage through difficult times and improve livability in the community.

For 2023, the Brooklyn Park EDA is focusing on housing funding, small business supports, and shifting economic development and housing efforts towards reducing racial wage, wealth, and employment gaps among black, indigenous, and people of color (BIPOC) populations within the city and the region.

I. Special Section: Budget Surplus Uses

This section is specific to responding to the budget surplus of the biennium. The year 2023/2024 is a special opportunity to invest in community needs as communities are recovering from the pandemic.

Position

- *Support to cities to support and/or incentivize the rehabilitation of older housing to maintain quality housing for lower income households, including at Huntington Place Apartments, which is the second largest apartment community in the State.*
- *Support to cities and non-profit partners in developing small business centers, incubators, and other affordable commercial opportunities for small and BIPOC owned businesses.*
- *Expansion of the Low Income Housing Tax Credit (LITHC) and deferred loan programs/bonding for private developers to develop more housing, especially housing affordable to 30% AMI and mixed income housing.*
- *Broad statewide expansion of down payment assistance programs for BIPOC households.*
- *Financial investment in rent and mortgage assistance and homelessness response strategies to stabilize housing.*
- *Additional financial resources and training for workforce development.*

II. Jobs and Economic Growth Funding

Stable and secure funding sources for economic development are critical to the community's long-term success. The State should support economic development funding and continue to enhance local development tools.

Position

- *Increase resources for the Mainstreet Program and modify the program to include acquisition as an eligible use, remove funding cap and reduce match, and allow cities to participate.*
- *Beyond the Mainstreet Program, we support the addition of other strategies and financial resources to support anti-displacement of small businesses*
- *Continue competitive funding for the Minnesota Investment Fund and the Job Creation Fund, including focus on local hiring and hiring of BIPOC.*
- *No changes that would further restrict the use of Tax Increment Financing (TIF) to accomplish the community's development/redevelopment objectives.*
- *Changes to the TIF statute that treat energy efficient and/or alternate energy technologies, sustainable site design and other "green" development alternatives as qualified development costs.*
- *Continued efforts to clarify the method for calculating available TIF pooling.*
- *The extension, clarification, and broadening of the Opportunity Zone and New Markets Tax Credit programs to further encourage and incentivize investment in these areas.*
- *Change to the TIF statute to allow use for re-habilitation of existing buildings and other displacement prevention initiatives.*
- *Change to the Minnesota Department of Employment and Economic Development (DEED) Workforce Development Fund and associated programs to focus on employer engagement and workforce development strategies that specifically seek to close the wage and employment gap for communities of color.*
- *Change to DEED programs that provides appropriate training for employers to increase their cultural competency and encourages employers to be employers of choice for BIPOC.*

III. Neighborhood Vitality

Aging housing and infrastructure in areas with declining private investment strains local government resources and threatens to destabilize neighborhoods. The State of Minnesota needs to continue to take actions that provide the tools necessary to manage areas of disinvestment. While this problem requires additional resources, the State can take policy actions to alleviate some of the local impacts without stressing the State's budget.

Position

- *Increase flexibility of Tax Increment Financing (TIF) pooling for specialized uses, such as housing rehabilitation.*
- *Eliminate regulatory language that creates barriers to using the funds to reinvest in areas of disinvestment.*
- *Secure state and federal resources and provide financing tools for cities to help pay for costs associated with neighborhood reinvestment.*

IV. Economic Inclusion

The City is committed to advancing policies and programs that specifically advance populations who have historically had unequal access to the economic benefits and opportunities in our community. The State of Minnesota should support efforts to acknowledge this unequal access and reverse it. Specifically, the following policies should be considered:

Position

- *Support for BIPOC and local community members to become developers to keep and grow wealth in the community, preferencing local and BIPOC developers in funding formulas for development subsidy programs*
- *Support for BIPOC and local community members to access financing to purchase and improve residential and commercial investment properties in their community, similar to the NEON Commercial Loan Program in North Minneapolis*
- *Create more protections for tenants within commercial properties, with a focus on small lower-income businesses who are at greater risk of displacement.*
- *Requirements in state economic development subsidy programs for local and BIPOC hiring Increase workforce training funding options for local solutions including state funding for youth and adult workforce development programs with a priority on high unemployment census tracts.*
- *Continue funding for the Job Skills Partnership, DEED youth and adult workforce programs, youth employment programs and other workforce training programs administered by the state that led to jobs that provide a living wage and benefits and help address racial disparity gaps in employment and educational attainment.*
- *Establish innovative workforce programs and partnerships that foster workforce readiness, including state funding for youth and adult programs, the Minnesota State University System, and DEED Workforce Centers and its programs.*
- *Create a payroll tax credit for job training programs that invest in employees.*

IV. Improved Multi-Modal Transportation Access and Mobility

Capturing the full economic development potential of new development and redevelopment in Brooklyn Park requires improved transportation investments in the region. Mobility is a major barrier to access to opportunities for many of our residents.

Position

- *Provide State resources for strategies to complete the local requirements to leverage the federal funding for the METRO Blue Line Extension LRT (BLRT) project, which will bring five LRT stations to Brooklyn Park.*
- *Increase funding and maximum grant award amount for the Transportation Economic Development (TED) Program or similar programs to support strategic infrastructure investments that promote economic development.*
- *Increase the allocation of transit funds for BLRT operations and enhanced east-west bus connections and suburban circulator routes for better transit mobility.*
- *Increase funding for regional and local trail connections, especially in aging neighborhoods that lack connectivity, to improve pedestrian and bike connections*

within and across communities.

V. Support Career Pathways in High Demand, High Wage Professions

Brooklyn Park promotes the growth of the manufacturing, IT, and healthcare sector within the community and throughout the state. These sectors provide an excellent opportunity for future economic growth and employment and should continue to be supported. Brooklyn Park supports programs that provide incentives for business to expand and continue to contribute toward increasing economic competitiveness for the state.

Position

- *Continue and expand investment tax credits and other tax incentives for investing in the life science, medical device, and precision manufacturing, healthcare, and IT industries.*
- *Continue and expand venture capital funding pools for emerging companies.*
- *Modify Tax Increment Financing (TIF) pooling uses to support manufacturing, IT, and healthcare investments in communities with high poverty and/or unemployment*

VII. Affordable Housing

Housing affordability and stability is a growing concern within the community, especially at the 30% Area Median Income (AMI) level. With the rising cost of housing, many of our residents are priced out or housing cost burdened. In addition, efforts need to be focused on reducing racial disparities in homeownership and housing cost burdens. More resources for getting pipelined affordable and attainable housing projects in the suburbs approved is critical in furthering opportunities and access to suburban communities for low and moderately income households.

Position

- *Policy that results in better oversight of Homeowners' Associations.*
- *Reduce barriers to and promote fair housing and equal opportunity.*
- *Increase tax-exempt bond allocation to maximize and expand the development of affordable housing opportunities within the pipelined affordable housing projects in the suburbs.*
- *Increase investment in the preservation of Naturally Occurring Affordable Housing through re-habilitation and long-term affordability programs, including expansion of TIF for this purpose.*
- *Consider a statewide mixed- income housing policy to increase the number and dispersion of affordable housing in the state and provide resources through Minnesota Housing to develop such housing.*
- *Expand the project-based Housing Choice Voucher program regionally to support 30% AMI housing.*
- *Expand TIF to allow use for 30% AMI housing at a smaller percentage than the 20 percent of each project (i.e., 10% affordable at 30% AMI being eligible)*
- *Consider "just cause" eviction changes at state level*

2023 Policy Partners

- Metro Cities
- League of Minnesota Cities
- Economic Development Association of Minnesota
- Urban Land Institute Minnesota
- Minnesota Housing Partnership
- National Association of Housing and Redevelopment Officials
- Minnesota Chapter of the American Planning Association
- Mpls Regional Chamber
- North Metro Mayors
- Connect Blue Line Now Coalition! and Blue Line Coalition
- Center for Economic Inclusion
- Center for Urban and Regional Affairs at the University of Minnesota

2023 Federal Legislative Priorities and Positions

City of Brooklyn Park

Overview

Brooklyn Park works together with its partners to support proposals for new legislation in Washington DC designed to strengthen the community. The following list of federal priorities and positions constitute Brooklyn Park's federal agenda for 2023.

I. Permanent Residency for Liberians in a DED and TPS Status

Background

Many Brooklyn Park residents immigrated from Liberia and were given a temporary protected status (TPS) when they originally moved to the United States. This legal residency status has been extended several times since 2007.

Position

The City supports continued efforts to assist Liberians and other residents on their pathway to citizenship.

II. Blue Line Light Rail Transit

Background

The Blue Line Light Rail Transit (BLRT) Extension Project will extend the existing light rail line from Target Field in Minneapolis through four communities (Minneapolis, Robbinsdale, Crystal and Brooklyn Park) to Oak Grove Parkway, locating five stations in Brooklyn Park. Bringing LRT to the northwest suburbs will improve mobility and access to jobs and will ensure the northwest portion of the region remains competitive.

Position

The City of Brooklyn Park supports policies, laws, and funding (federal, state, regional and local) to finalize planning and move to the construction and operation phases of the BLRT extension project.

III. Housing Policy and Resources

Background

Access to quality affordable housing is a growing problem in the nation impacting the stability of families in Brooklyn Park. Federal housing policies have a huge impact on the availability of affordable housing through programs and funding mechanisms that impact housing construction, housing rehabilitation, and homeowner lending. Data show households of color experience significantly lower homeownership rates and have more difficulties in finding quality affordable rental housing.

Position

The City supports programs and policies that improve the availability of quality affordable homeownership and rental housing, including reducing racial disparities in housing. For example, the Section 8 voucher program needs additional resources.

IV. COVID-19

Background

COVID-19 has had a significant economic, social and health impact on all parts of our society, both locally and globally. For communities, the impact to societal well-being, economic and business prosperity, housing stability, youth education progression, and the overall physical and mental health of residents has been dramatic. To address the challenges of COVID, continued investments of federal, state and local resources and coordination are necessary to minimize its short and long-term impacts.

Position

The City of Brooklyn Park supports additional federal, state and local resources to aid our businesses and residents to navigate the challenges of COVID as best as possible. The Economic Development Authority (EDA) section of this document outlines specific needs to address local economic challenges.