

REGULAR CITY COUNCIL MEETING – AGENDA #10

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Para asistencia, 763-424-8000; Yog xav tau kev pab, 763-424-8000.

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

Our Brooklyn Park 2025 Goals:

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

I. ORGANIZATIONAL BUSINESS

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

2. PUBLIC COMMENT AND RESPONSE 6:00 p.m. Provides an opportunity for the public to address the Council on items which are not on the agenda. Public Comment will be limited to 15 minutes (*if no one is in attendance for Public Comment, the regular meeting may begin*), and it may not be used to make personal attacks, to air personality grievances, to make political endorsements or for political campaign purposes. Individuals should limit their comments to three minutes. Council Members will not enter into a dialogue with residents. Questions from the Council will be for clarification only. Public Comment will not be used as a time for problem solving or reacting to the comments made, but rather for hearing the residents for informational purposes only.

2A. RESPONSE TO PRIOR PUBLIC COMMENT

2B. PUBLIC COMMENT

3A. APPROVAL OF AGENDA (Items specifically identified may be removed from Consent or added elsewhere on the agenda by request of any Council Member.)

3B. PUBLIC PRESENTATIONS/PROCLAMATIONS/RECEIPT OF GENERAL COMMUNICATIONS

3B.1 Mayor's Proclamation Declaring May 4, 2024 as "Arbor Day" and the Month of May as "Arbor Month" in the City of Brooklyn Park

A. PROCLAMATION

3B.2 Planning Commission Annual Report and 2024 Work Plan Planning Commission Annual Verbal Report

A. 2023 PLANNING COMMISSION ANNUAL REPORT

B. WORK PLAN

3B.3 Budget Advisory Commission 2024 Workplan

A. BUDGET ADVISORY COMMISSION 2024 WORKPLAN

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 Removal of Commissioner from the Human Rights Commission

4.2 Approve Revocation and Designation of Selected Municipal State Aid Streets

A. RESOLUTION

B. LOCATION MAP

- 4.3 Approve the Bid Award for the Recommended Short -Term Improvements to The City of Brooklyn Park city owned Signal Light Systems to Killmer Electric Company Inc.
 - A. RESOLUTION
- 4.4 Approve an Agreement with InControl, Inc. for SCADA Operational Improvements at the Water Treatment Plant
 - A. RESOLUTION
 - B. INCONTROL PROPOSAL
- 4.5 Appointments to the Suburban Rate Authority
 - A. RESOLUTION
- 4.6 Approve the Bid Award for the 2024 Street Traffic Centerline Striping Project on City Streets To: Warning Lites
 - A. RESOLUTION
- 4.7 Approve a Temporary On-Sale Liquor License for Brooklyn Park Lions for their Smelt Fry to be Held April 24-26, 2024 at the Armory Gymnasium, 5500 85th Avenue North
- 4.8 Appointing Tara Vandevort as Deputy Registrar
 - A. RESOLUTION
- 4.9 Approve Professional Services Agreement with Design by Melo for Construction Document Development in the amount of \$287,910 for Zanewood Recreation Center
 - A. RESOLUTION
 - B. DESIGN BY MELO SERVICES PROPOSAL
- 4.10 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. PLAT OPINION
 - E. FINAL PLAT
- 4.11 Accept Bid and Award Contract for the Wellhouse #10 Rehabilitation Project to American Liberty Construction
 - A. RESOLUTION
 - B. ENGINEERS RECOMMENDATION *(to be available Monday)*
- 4.12 Approve the Bid Award for the Recommended Short -Term Improvements to the City of Brooklyn Park City Owned Signal Light Systems to Premier Electric Corporation
 - A. RESOLUTION
- 4.13 Accept a Community Crime Intervention and Prevention Program Grant from the Minnesota Department of Public Safety
 - A. RESOLUTION
 - B. BUDGET AMENDMENT
- 4.14 Approve Resolution Supporting the Establishment of a Biotech Innovation District and Value Capture and Tax Increment Finance Districts
 - A. RESOLUTION
 - B. BIOTECH INNOVATION DISTRICT BILL
 - C. TIF BILL

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

5. PUBLIC HEARINGS

None.

6. LAND USE ACTIONS

None.

7. GENERAL ACTION ITEMS

- 7.1 Appointments to the Human Rights Commission

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

- 8. **DISCUSSION ITEMS**
None.

IV. VERBAL REPORTS AND ANNOUNCEMENTS

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

V. ADJOURNMENT

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

City of Brooklyn Park Request for Council Action

Agenda Item:	3B.1	Meeting Date:	March 25, 2024
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Administration Operations and Maintenance
Resolution:	N/A	Prepared By:	Devin Montero, City Clerk Greg Hoag, Manager Park and Building Maintenance Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Hollies Winston, Mayor
Item:	Mayor's Proclamation Declaring May 4, 2024 as "Arbor Day" and the Month of May as "Arbor Month" in the City of Brooklyn Park		

City Manager's Proposed Action:

The Mayor shall proclaim May 4, 2024 as "Arbor Day" and the Month of May as "Arbor Month" in the City of Brooklyn Park by one of the following:

1. "I, Hollies Winston, Mayor of the City of Brooklyn Park, Minnesota, do hereby proclaim May 4, 2024 as "Arbor Day" and the Month of May as "Arbor Month" in the City of Brooklyn Park."

OR

2. By reading the proclamation.

Overview:

In April and May, communities throughout the United States will celebrate the importance of trees to our landscape, community aesthetics and environmental health by hosting Arbor Day Celebrations. This year's national celebration is on Friday April 26.

In 2005, and again in 2013, many trees in Brooklyn Park were lost to storms and disease which led the city to promote replanting and re-growth through the annual sale of bare-root trees at a reduced cost. Currently Emerald Ash Borer will take many ash trees from the landscape. This year's sale will take place on May 4. Our residents and the entire community benefit from buying and planting these trees in their own yards.

A formal Arbor Day observance and proclamation is one of the requirements for designating the City of Brooklyn Park as a Tree City USA by the National Arbor Day Foundation.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.1A PROCLAMATION

PROCLAMATION

DECLARING MAY 4, 2024 AS "ARBOR DAY" AND THE MONTH OF MAY AS "ARBOR MONTH" IN THE CITY OF BROOKLYN PARK

WHEREAS, In 2024 in the United States, Arbor Day will be celebrated on April 26; and

WHEREAS, Brooklyn Park will be celebrating Arbor Day by having its annual tree sale on May 4; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, the health and longevity of Minnesota's trees are being affected by changing temperatures and precipitation, more extreme weather events, and increasing pressure from pests, diseases, and invasive species; and

WHEREAS, Minnesota is at risk to lose over one billion ash trees due to emerald ash borer, potentially increasing CO2 emissions and causing flooding; and

WHEREAS, a healthy tree canopy decreases temperatures along streets providing cooler spaces in the summertime for recreation and commerce; and

WHEREAS, communities worldwide are facing issues with air quality, water resources, personal health and well-being, energy use and protection from extreme heat and flooding; and

WHEREAS, careful management of our trees and forests protects drinking water and reduces the cost of water treatment; and

WHEREAS, planting and maintaining trees is a natural and easy way to keep our water clean.

NOW, THEREFORE, I, Hollies Winston, Mayor of the City of Brooklyn Park, Minnesota, do hereby proclaim May 4, 2024, as "Arbor Day" and the month of May as "Arbor Month" in Brooklyn Park.

BE IT FURTHER RESOLVED that the Mayor and Council Members urge residents to become more aware of the importance of trees to the well-being of their neighborhoods.

Hollies Winston, Mayor



5200 85th Avenue North
Brooklyn Park, MN 55443

City of Brooklyn Park Request for Council Action

Agenda Item:	3B.2	Meeting Date:	March 25, 2024
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Community Development
Resolution:	N/A	Prepared By:	Paul Mogush, Planning Director; Matt Hayes-Regan, Planning Assistant
Ordinance:	N/A		
Attachments:	2	Presented By:	Liam Cavin Planning Commission Chair
Item:	Planning Commission Annual Report and 2024 Work Plan		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO ACCEPT THE PLANNING COMMISSION 2024 WORK PLAN.

Overview:

Planning Commission Commissioner Chair, Liam Cavin, will present the 2023 Planning Commission Annual Report and the 2024 Work Plan.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.2A 2023 PLANNING COMMISSION ANNUAL REPORT
3B.2B WORK PLAN



Planning Commission

2023 Annual Report

Brooklyn Park 

City of Brooklyn Park

Brooklyn Park, Minnesota

www.brooklynpark.org (763 424-8000)

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Planning Commission 2023 Annual Report

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Si usted necesita esta información en español: 763-424-8000

Yog xav tau kev pab, thov hu rau 763-424-8000 lawv mam li nrhiav ib tus neeg txhais lus rau koj

Letter from the Chair



*Planning Commission Chair
Liam Cavin*

Dear Mayor Winston and Council Members,

I am pleased to present the 2023 Planning Commission Annual report. It was another busy year of reviewing development proposals, considering requests for variances and conditional use permits, and working on policy and ordinance changes to advance City goals. In the past year, the Commission held three work sessions, ten regular meetings, and one special meeting.

The Planning Commission recommended approval of new developments that will bring new businesses, jobs, and homes to Brooklyn Park. These projects were all subsequently approved by the City Council and have the potential to result in the construction of 465 units of housing and 324,430 square feet of light industrial office/warehouse space.

In March 2023 the City Council enacted a development moratorium in the northwest part of the city with the intent of studying methods for increasing the city's tax base through new development. This gave the Planning Commission the opportunity to work closely with the Mayor and City Council on raising expectations for the intensity and quality of new buildings in the 610-Zane area. The Planning Commission weighed in on development concepts, amendments to the Comprehensive Plan, and a new Mixed Use zoning district that requires new development to be designed with pedestrians in mind and to meet a minimum threshold for floor area.

Looking forward to 2024, the Planning Commission will continue its work on development review and move forward with additional changes to the zoning code intended to implement the 2040 Comprehensive Plan and the Brooklyn Park 2025 goals

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Sincerely,

Liam Cavin

Planning Commission Chair



2023 Snapshot

In 2023, The Planning Commission reviewed and approved:

- **465 Units** of housing
- **324,430 square feet** of employment space

610 Development Study

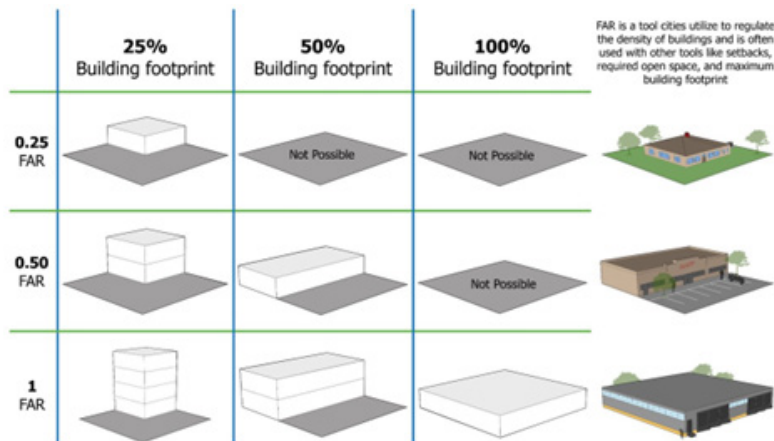


This model shows the maximum allowed densities, and is not a real development plan for the area.

On March 27, 2023, the Brooklyn Park City Council adopted an interim ordinance establishing a development moratorium in the northwest portion of the city. The purpose of the moratorium was to conduct a study to consider the types of developments and land uses that would maximize the City’s tax base. On April 10, 2023, the City Council approved a scope of work for the study that includes a focus on the 610-Zane area.

Planning and development consultants NEOO Partners created a series of hypothetical development models using 43 acres of vacant land in the vicinity of Zane Avenue and Oak Grove Parkway to test the viability of various development densities. NEOO and City staff engaged the City Council, Planning Commission, and the Brooklyn Park community on the tradeoffs associated with these models and found that there is support for guiding the remaining developable land in the 610-Zane area for walkable, high-density, mixed-use development.

The result of this work was an amendment to the 2040 Comprehensive Plan and a new Mixed Use zoning district in the 610-Zane area that implements this new vision and includes a minimum threshold for new development in the form of a minimum floor area ratio (FAR) of 0.75.



Zoning Code Changes

In addition to the code changes related to the 610 Corridor Development Study, the Planning Commission reviewed two zoning code text amendments.

Permitted uses in the Transit Oriented Development (TOD) districts

The Planning Commission recommended amending the allowed uses in the TOD districts, which are applied in areas near planned METRO Blue Line Extension LRT stations, to clarify that certain auto-oriented uses such as car washes and auto repair are prohibited to promote a pedestrian-friendly environment. The City Council voted to approve this amendment.



Outdoor storage and accessory structures

The Planning Commission recommended amending the code to make outdoor storage a permitted use in business districts rather than a conditional use, allowing businesses to go through a quicker process of administrative review to ensure that new outdoor storage meets the requirements of the zoning code. This amendment also included new language allowing accessory structures on commercially-zoned property to allow businesses to build well-designed secondary buildings for storage and other uses. The City Council voted to approve this amendment.

Featured Projects

610 Speculative Industrial Buildings



Ryan Companies proposed two speculative office/warehouse facilities at the southeast quadrant of Hampshire Avenue North and 94th Avenue North. The western building is 151,750 square feet and the eastern building is 172,680 square feet. The buildings will be used as offices, warehousing and other uses allowed in the Business Park zoning district. Each building is designed to accommodate as many as four tenants.

Decatur North and South Apartments

Real Estate Equities submitted four land use applications for the Decatur North and South Apartments projects at the intersection of Jefferson Highway and Decatur Drive. The applications include: a zoning ordinance text and map amendment (rezoning), a conditional use permit, a preliminary plat, and a site plan review. The project consists of two buildings with 175 units each. Each building will be composed of an underground and first floor garages with community space at ground level, making up the podium. Above that will be five floors of wood framed construction containing the apartment units for each building. There will be a large dog-run centered between the buildings and each will have their own tot lot and community patio. Both buildings will have flat roofs and a variety of high-quality exterior materials such as masonry, metal panel, and concrete fiber board lap and panel siding.



Pickle in the Middle



Pickle in the Middle is a new business that is planning to occupy a vacant tenant space in an existing building north of Highway 694 at 7700 68th Ave N. The application was for a Conditional Use Permit (CUP) for a commercial indoor recreational facility over 2,450 square feet. The applicant proposed 5 pickleball courts that operate between 7am and 10pm and are open to the public by reservation.

Pickleball is a combination of tennis, badminton, and ping-pong, and is played with a paddle and a hard plastic ball with holes in it. Standard pickleball courts measure 20 by 44 feet. Pickleball can be played by singles or teams of two.

610 West Building 5

The Doran Group proposed a 115-unit multifamily dwelling at 6501 96th Lane North. Three land use applications were included with this application, a preliminary plat, site plan, and conditional use permit (CUP). The Brooklyn Park City Council granted a waiver from the development moratorium for the property located at 6501 96th Lane North on May 22, 2023. This building will be a new phase of the existing 610 West apartments



Attendance Record

2023 Planning Commission Attendance

2023 MEETING DATE AND TYPE		1/12 RM	1/25 WS	2/8 RM	2/22 WS	3/8 RM	3/22 WS	4/12 RM	4/26 WS	5/10 RM	5/24 WS	5/24 RM	6/20 SM	7/12 RM	7/24 WS	8/9 RM	8/23 WS	9/13 RM	9/27 WS	10/11 RM	10/25 WS	11/8 RM	11/22 WS	12/13 RM	12/27 WS	
Commissioner	Residing District																									
Cavin, Liam	Central Rep. At Large	P	X	E	X	P	X	P	X	X	P	P	P	E	P	P	P	P	X	P	X	P	X	X	X	
Husain, Syed	Central Rep. At Large	P	X	P	X	P	X																			
Wako, Teshite	Central Rep. At Large							P	X	X	P	P	P	P	E	P	P	P	X	P	X	P	X	X	X	
Borer, Maggie	Central Rep. At Large							E	X	X	P	P	P	P	P	A	P	P	X	P	X	P	X	X	X	
Reindorf, Roberta	West Rep. At-Large	A	X	A	X	A	X																			
Kiekow, John	Central	P	X	P	X	E	X	P	X	X	P	P	P	P	P	P	P	P	X	P	X	P	X	X	X	
Fraser, Kathy	Central	P	X	P	X	P	X	P	X	X	P	P	P	P	E	P	P	P	X	P	X	P	X	X	X	
Turnham, James	West	P	X	P	X	P	X																			
Udomah, Christopher	West	P	X	P	X	P	X	P	X	X	P	P	P	P	P	E	P	P	X	P	X	E	X	X	X	
Yu, Jerry													P	P	P	P	P	E	X							
Gaye-Bai, Philip	East	A	X	A	X	P	X	P	X	X	P	P	P	P	P	A	A	P	X	P	X	P	X	X	X	
Xiong, Rich	East	P	X	P	X	P	X																			
Turner, Shereese	East												P	P	P	P	A	L	X	P	X	P	X	X	X	
COUNCIL LIAISON																										
Winston, Hollies	City Council	P	X	A	X	P	X	E	X	X	E	E	P	E	E	E	E									
McGarvey, Tony	City Council																	P	X	L	X	P	X	X	X	
CITY STAFF																										
Mogush, Paul	Planning Director	P	X	P	X	P	X	P	X	X	P	P	P	P	P	P	P	P	P	P	X	P	X	X	X	
Turnquest, Amber	Principal Planner	P	X	P	X	P	X	P	X	X	P	P	P	P	P	P	P	P	P	E	X	P	X	X	X	
McDermott, Erin	Associate Planner	P	X	E	X	P	X	P	X	X	E	E	P	E	P	P	P	P	P	P	X	P	X	X	X	

Case Summary Snapshot

2023 Planning Case Summary

Type of Cases	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Board of Appeals	0	0	0	0	0	0	0	0	0	0	0	0	0
Comprehensive Plan	0	0	3	2	2	2	1	1	0	1	0	1	1
Concept Plans	1	0	0	0	0	0	1	0	0	0	0	0	0
Conditional Use Permit	16	7	19	7	16	10	25	14	12	15	14	8	10
General Planning	0	0	0	0	0	0	3	1	0	0	0	0	0
House Moving	0	0	0	0	0	0	0	0	0	0	0	0	0
Interim Use Permits	1	0	0	0	0	2	1	0	0	0	0	1	1
Moratoria	0	0	0	0	0	0	1	0	0	0	0	0	1
Plat (preliminary)	8	2	6	8	10	10	13	7	7	7	4	9	3
Plats (Final)	7	2	6	8	10	10	13	7	7	7	9	8	1
PUD/Planned Development Overlay/Neighborhood Development Plans	1	1	1	0	1	0	4	0	0	3	1	1	1
Rezoning	2	0	0	0	0	2	4	2	2	4	0	3	3
Site Plan Review	1	1	3	7	5	6	5	2	3	4	13	10	5
Time Extensions	0	0	0	0	0	0	2	3	2	3	3	3	3
Variances (Zoning and Sign)	6	2	6	7	9	3	4	3	3	3	7	4	2
Waivers of Platting (General)	1	1	0	0	0	0	0	0	0	1	0	0	0
Waivers of Platting (Twinhome Splits)	0	0	0	0	0	0	0	0	2	0	0	0	0
Waiver (Other)	0	0	0	0	0	0	0	0	0	0	0	0	1
Zoning, Sign, and Subdivision Code Amendments	5	6	3	5	6	4	1	3	4	1	1	2	4
Total	49	22	47	44	59	49	78	43	42	49	52	50	28

Planning Case Directory 2023

Case #	Project	Applicant / Property Owner	Planning Commission Date	City Council Date	Planner
23-101	610 Zane Speculative Industrial Build- ings	<p>Applicant: Zack Johnston Ryan Companies 533 South Third Street, 100 Minneapolis, MN 55415 P: 612-492-4281 zachary.johnston@ryancompanies.com</p> <p>Property Owner: Dan Mueller Ryan Companies 533 South Third Street, Suite 100 Minneapolis, MN 55415 P: 612-492-4867 dan.mueller@ryancompanies.com</p>	02/08/23	02/27/23	Amber Turnquest
		<p>Summary: An application by Ryan Companies for a Final Plat and Site Plan Review for two speculative office/warehouse buildings (151,750 and 172,680 square feet each). The final plat consists of two lots (9.56 and 10.11 acres each). The site is located at the southeast quadrant of Hampshire Avenue North and 94th Avenue North and is zoned Business Park District/Planned Development Overlay.</p>			
23-102	Decatur North and South Apartments	<p>Applicant: Blaine Barker Real Estate Equities 579 Selby Avenue St. Paul, MN 55102 P: 651-389-3852 Bbarker@reeapartments.com</p> <p>Property Owner: Michael Gresser Re-Load Investments, LLC 3 Checkered Flag Shakopee, MN 55379 P: 651-675-3517 mjgresser@gresserco.com</p>	03/08/23	03/27/23	Amber Turnquest
		<p>Summary: An application by Real Estate Equities for a zoning text and map amendment, a preliminary plat, a conditional use permit, and site plan at the northeast quadrant of Jefferson Highway North and Decatur Drive North.</p>			

23-103	Pickle in the Middle	<p>Applicant: Tania Westrum Pickle in the Middle 7700 68th Ave N, Suite 7 Brooklyn Park, MN 55428 P: 763-231-0365 tania@pickleinthemiddlemn.com</p> <p>Property Owner: Laurent Deconinck LLD Real Estate, LLC 3099 Arden Drive Woodbury, MN 55129 P: 763-571-1772 ldeconinck@machining-technology.com</p>	03/08/23	03/27/23	Erin McDermott
	Summary: Conditional Use Permit #23-103 for a commercial indoor recreational facility over 2,450 square feet at 7700 68 th Avenue.				
23-104	Farmers' Market		04/08/23	04/28/23	Erin McDermott
	Summary: Conditional Use Permit #23-104 for a farmers' market at 7411 85 th Ave N				
23-105	TOD Zoning Code Text Amendment		05/24/23	06/12/23	Paul Mogush
	Summary: Zoning Code Text Amendment: TOD Districts				
23-106	610 West Building 5	<p>Applicant: Alexa Deppeler The Doran Group 6423 City West Parkway Eden Prairie, MN 55344 P: 952-641-9400 alexa.deppeler@dorangrp.com</p> <p>Property Owner: Evan Doran The Doran Group 6423 City West Parkway Eden Prairie, MN 55344 P: 952-641-9400 evan.doran@dorangrp.com</p>	07/12/23	07/24/23	Amber Turnquest
	Summary: An application by The Doran Group for a preliminary plat, conditional use permit and site plan at 6501 96 th Lane North for a 115-unit multifamily development.				

23-107	Artura Dental (Waiver Request)	Applicant: Stone Mountain Plaza 9985 Xenia Ave. N. Brooklyn Park, MN 55443	N/A	05/22/23	Erin McDermott
	Summary: A request by Stone Mountain Plaza to grant a waiver from the development moratorium for property located at 9985 Xenia Avenue North.				
23-108	Comcast Brooklyn Park (Paused)	Applicant: Whitney Kinsinger Comcast 6901 Winnetka Ave N Minneapolis, MN 55428 P: 651-493-5000 whitney_kinsinger@comcast.com Property Owner: Comcast Comcast Comcast 10 River Park Plaza St Paul, MN 55107 P: 651-493-5000 whitney_kinsinger@comcast.com			
	Summary: Conditional Use Permit, #23-108 for outdoor storage.				
23-109	Outdoor Storage Text Amendment		08/09/23	08/28/23 and 09/11/23	Erin McDermott
	Summary: Zoning Code Text Amendment: Outdoor Storage and Commercial Accessory Structures				
23-110	MRCCA				Erin McDermott
23-111	6317 Welcome Ave	Applicant/Property Owner: Reshal Malik Caspian/Brait 7401 Bush Lake R Edina, MN 55439 P: 952-797-9999 reshal@braitcapital.com	10/11/23	10/23/23	Erin McDermott
	Summary: Conditional Use Permit, #23-111 for an auto oriented repair service on a property zoned BP – Business Park.				

23-112	610 Corridor Dev. Comp. Plan Amendment		08/09/23 and 10/11/23	08/28/23 and 11/13/23	Erin McDermott
	<p>Summary: 610 Corridor Development Study Comprehensive Plan Amendment – Case #23-112 for a Comprehensive Plan amendment consistent with the goals of Interim Ordinance 2023-1287.</p> <p>Summary: Zoning Code Text Amendment: A Zoning Text and Map Amendment Adopting the Mixed Use (MU) Zoning District and Pedestrian Priority Overlay District (PPOD)</p>				
23-113	First Student	<p>Applicant: Michelle Affronti AMAROK, LLC 550 Assembly Street, 5th Floor Columbia, SC 29201 P: 803-497-8668 maffronti@amarok.com</p> <p>Property Owner: Janet Metzgar C M Gotzian & Son Inc 835 Eagle Lake Road N Big Lake, MN 55309 P: 763-263-2966 pwmetz@charter.net</p>	09/13/23	10/23/23	Erin McDermott
	<p>Summary: Variance, #23-113 for a 10 foot electric fence.</p>				
23-114	Penske	<p>Applicant: Rebecca Lilly Penske Truck Leasing Co., L.P. 2675 Morgantown Road Reading, PA 19607 P: 570-980-3507 rebecca.lilly@penske.com</p> <p>Property Owner: Tom Boda Fivestar Land Holding, LLC 4510 7th Street NE Columbia Heights, MN 55421 P:(612) 201-1720 tboda@q.com</p>	09/13/23	09/25/23	Erin McDermott
	<p>Summary: Conditional Use Permit, #23-114 for an auto oriented repair service on a property zoned I - Industrial.</p>				

23-115	Events on 85th	Applicant/Property Owner: Laquita Brinkley Events on 85th 8568 Edinburgh Centre Dr Brooklyn Park, MN 55443 P: 612-986-7275 lbrinkley0525@gmail.com	09/13/23	09/25/23	Amber Turnquest
	Summary: Conditional Use Permit #23-115 for an assembly, banquet, convention hall, or conference center at 8568 Edinburgh Centre Drive.				
23-116	169 Logistics Center (Withdrawn)	Applicant/Property Owner: Peter Mork Capital Partners Development LLC 5201 Eden Ave, 50 Edina, MN 55436 P:612-431-3000 F:612-431-3000 peter@capitalpartnersmn.com	10/11/23	N/A	Amber Turnquest
	Summary: Variance, #23-116 for two monument signs at Lot 2, Block 1, Northcross Business Park.				
23-117	Chansomary Estates	Applicant/Property Owner: Chansomary Ya 3317 94th Ave. N Brooklyn Park, MN 55443 P:6513289387 hueydu3@gmail.com	11/08/23	11/27/23	Erin McDermott
	Summary: Plat #23-117 for the subdivision of property into two single family lots at 7016 Dutton Ave.				
23-118	PLUSH, LLC	Applicant/Property Owner: Peggy Larkin PLUSH LLC c/o Carson, Clelland & Schreder 6300 Shingle Creek Parkway, 305 Brooklyn Center, MN 55443 P:763-231-6191 peggy.larkin@carsoncs.net	11/08/23	11/27/23	Amber Turnquest
	Summary: Conditional Use Permit #23-118 for a Class II restaurant at 8578 Edinburgh Center Drive North.				

23-119	Takeda Addition (Admin Review)	<p>Applicant: Matthew Lysne HCM Architects 4201 Cedar Ave. S. Minneapolis, MN 55407 P: 612-904-1332 lysne@hcmarchitects.com</p> <p>Owner: Shanti Johnson Takeda Pharmaceuticals 9450 Winnetka Ave N Minneapolis, MN 55445 P: 763-255-5001 shanti.johnson@takeda.com</p>	N/A	N/A	Erin McDermott
	<p>Summary: Takeda Pharmaceuticals campus is currently building a new parking lot on their site; which was previously approved by the city. In this approval a warehouse expansion was also detailed and now needs further approval. This expansion increases Takeda's warehouse storage capacity and introduces a new Employee Lobby.</p>				
23-120	JJ's Fish & Chicken	<p>Applicant: John Anderson JDA Design Architects Inc 901 4TH ST N Hopkins, MN 55343 P: 612-817-0050 john@jdadesign.com</p> <p>Property Owner: Mohammad Hussain 904 Broadway Avenue N Minneapolis, MN 55401 P: 651-815-9548 mws.hussain@gmail.com</p>	TBD	TBD	Erin McDermott
	<p>Summary: Additions & Alterations to the existing restaurant. Adding a cooking like and additional seating.</p>				
23-121	NorthPark AUAR Update		N/A	TBD	Amber Turnquest
	<p>Summary: NorthPark Business Center Alternative Urban Areawide Review (AUAR) Update</p>				

Planning Staff



Back left to right: Teshite Wako, John Kiekow, Jerry Yu (not a current commissioner), Christopher Udomah, Planning Director Paul Mogush
Front left to right: Philip Gaye-Bai, Kathy Fraser, Sherese Turner, Maggie Borer, Principal Planner Amber Turnquest, Associate Planner Erin McDermott
Not pictured: Chair Liam Cavin

Workplan | Planning Commission

Time frame	Project or Task(s)	BP2025	Purpose (see next page for info)	Outcome (fill in after completed)
On-going	Process land use applications and provide recommendations to the City Council	<input checked="" type="checkbox"/> 1 <input checked="" type="checkbox"/> 3 <input checked="" type="checkbox"/> 5	<input checked="" type="checkbox"/> 2 <input checked="" type="checkbox"/> 4 <input checked="" type="checkbox"/> 6 Initiated by: <input checked="" type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	<input type="checkbox"/> Report/Comment <input checked="" type="checkbox"/> Recommend <input type="checkbox"/> Act
Q1 and Q2	Zoning code update	<input checked="" type="checkbox"/> 1 <input checked="" type="checkbox"/> 3 <input checked="" type="checkbox"/> 5	<input checked="" type="checkbox"/> 2 <input checked="" type="checkbox"/> 4 <input checked="" type="checkbox"/> 6 Initiated by: <input checked="" type="checkbox"/> Commission <input type="checkbox"/> Council <input checked="" type="checkbox"/> City Manager	<input type="checkbox"/> Report/Comment <input checked="" type="checkbox"/> Recommend <input checked="" type="checkbox"/> Act
Beginning in Q3	Planning for development northwest of 169 and 610	<input checked="" type="checkbox"/> 1 <input checked="" type="checkbox"/> 3 <input checked="" type="checkbox"/> 5	<input checked="" type="checkbox"/> 2 <input checked="" type="checkbox"/> 4 <input checked="" type="checkbox"/> 6 Initiated by: <input checked="" type="checkbox"/> Commission <input checked="" type="checkbox"/> Council <input checked="" type="checkbox"/> City Manager	<input type="checkbox"/> Report/Comment <input checked="" type="checkbox"/> Recommend <input type="checkbox"/> Act

1: United Community 2: Beautiful Places 3. Thriving Economy 4. Healthy & Safe People 5. Increased Equity 6. Effective & Engaging Gov't

Workplan Projects: What's the purpose?

Commissions can either initiate a project themselves OR be asked by the Council or City Manager to do one of the following:

Report/Comment

- Commission studies a specific issue or topic and **reports its findings or comments to the Council**, either in writing or in a Council meeting.
- Commission does not vote.
- No direct action is taken.

Example: Charter Commissioner provided a memo on the topic of Council Members being employed by the City part-time, at the Council's request.

Recommend

- Commission reviews a specific policy issue and **makes a formal recommendation** to City Council on what action to take.
- A recommendation requires a majority of the Commissioners' support.
- Individual member comments are not included.

Examples: Planning Commission recommends approval on land use actions; RPAC made a recommendation on amplified sound policy.

Act

- Commission **initiates or takes on a project**, approved by Council through their workplan.

Example: HRC partnered with a community organization on an event; City Manager requests that HRC coordinate the "All Are Welcome" sign contest.

Brooklyn Park 2025 Community Goals

Working together to make Brooklyn Park a thriving community inspiring pride where opportunities exist for all.

We asked and you answered! Our community wants to accomplish these goals by the year 2025:

Unified Community

A united and welcoming community, strengthened by our diversity.

- We have connected neighbors who understand and celebrate our unique cultures.
- Brooklyn Park is unified with a strong positive identity and image.
- Our community's activities, events and services are inclusive, multi-cultural, and accessible.
- We have places and spaces for diverse communities to gather.
- Residents of every age contribute to our community.

Healthy and Safe People

People of all ages have what they need to feel healthy and safe.

- Neighborhoods are empowered and supported by strengthened positive relationships with police.
- Youth are engaged in positive and quality experiences.
- Aging adults have services and amenities to thrive and age in place.
- Everyone has access to quality healthy food options.
- People have access to quality medical and emergency care.

Beautiful Places

Beautiful spaces and quality infrastructure make Brooklyn Park a unique destination.

- Modern transportation options (drive, ride, walk, bike) connect people to education, jobs, and recreation.
- Quality recreation and park amenities inspire activity for all ages and interests.
- Our rich diversity is showcased through our vibrant music, art, food, entertainment, and cultural scene.
- Attractive key corridors, corners, and city centers create destinations that meet community needs.
- Neighborhoods are well-maintained with quality housing for all ages and incomes integrated throughout the community.

Increased Equity

Partnerships that increase racial and economic equity empower residents and neighborhoods to prosper.

- Each resident has access to the training and support needed to get and keep a living wage job.
- Each student graduates high school with a pathway to college or career.
- Aging neighborhoods and commercial centers are revitalized through continuous investment.
- The community provides necessary supports and services for community members to overcome life challenges such as hunger, mental illness, and homelessness.

Thriving Economy

A balanced economic environment that empowers businesses and people to thrive.

- People of all ages and backgrounds enjoy financial stability.
- Residents and visitors support an abundance of retail stores, restaurants, and entertainment venues.
- Our business environment inspires private investment and job growth.
- Business and organizations of all types, sizes and specialties start, stay and grow here.
- We are a leader in environmental sustainability, benefiting our economy and community.

Effective, Engaging Government

Effective and engaging government recognized as a leader.

- The City provides quality services at a reasonable cost.
- Elected officials, commissions, and City staff reflect the diversity of the community and are culturally competent.
- City information is clear, accessible, and delivered in ways that meet the community's needs.
- City laws are understandable, equitably enforced, and relevant to the community.
- The City is well-managed and recognized as a great place to work.

City of Brooklyn Park Request for Council Action

Agenda Item:	3B.3	Meeting Date:	March 25, 2024
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Finance
Resolution:	N/A	Prepared By:	Dolly Lee, Assistant Finance Director
Ordinance:	N/A		
Attachments:	1	Presented By:	Teshite Wako, Budget Advisory Commission Chair Akeem Adeniji, Budget Advisory Commission Vice Chair
Item:	Budget Advisory Commission 2024 Workplan		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO ACCEPT THE BUDGET ADVISORY COMMISSION 2024 WORKPLAN.

Overview:

Chair Teshite Wako, and Vice Chair Akeem Adeniji of the Budget Advisory Commission will present the 2024 Budget Advisory Commission workplan.

The Budget Advisory Commission is required to submit and have accepted by Council written and verbal reports consisting of the review of work from the previous year and the proposed workplan for current year.

The Commission consists of the following members as of April 1, 2024: Chair Akeem Adeniji, Vice Chair Ang Thach, Theresa Ojiboye, Nathania Amenuvor, Henry Blake, Terri Merrill, Nahashon Mobisa, Nancy Omondi, William Petty, and Will Forrest.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.3A BUDGET ADVISORY COMMISSION 2024 WORKPLAN

2024 Workplan | Budget Advisory Commission (BAC)

March 2024 - February 2025

Time frame	Project or Task(s)	BP2025	Purpose (see next page for info)	Outcome (fill in after completed)
March 3/26/24	Complete Bylaw Review and Update for 2024 Identify who will be on committees (task force) Determine what topics committees (task force) will cover. Develop template for departments to use for presentations. Develop Department questions (three metrics per department)	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
April 4/23/24	Finalize Department Budget Template Economic Development Authority Present City Manager to submit information to the BAC	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
May 5/28/24	Receive Quarterly Financial Reports for current year Task Force Scope/Plan of Action	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
June 6/25/24	Revenue meeting - Guiding principles and assumptions Task Force Committee Check-in Audit Findings (Brief Review)	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
August 8/27/24	All Department submit presentation Receive Quarterly Financial Reports for current year Task Force Committee Report	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input checked="" type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
September Meeting #1 9/3/24	Review Recreation and Park Budget Review Fire and Police Budget	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	
September CLIC 9/12/24	Joint meetings with Capital Long Range Improvement Commission (CLIC)	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager	

March 2024 - February 2025

2024 Workplan | Budget Advisory Commission (BAC)

September Meeting #2 9/24/24	Operations & Maintenance Budget Review Administrative and Finance Budgets Review Community Development Budget Review Other Department Budgets	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager
October 10/22/24	Review City Manager's council presentation and budget recommendations for levy maximum Committee reports Draft Council presentation	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager
October Meeting #2 (Date TBD)	Finalize Council presentation Draft Emailed to Council. Receive and answer questions for Final Report to Council	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager
November 11/25/24	Report to Council Debrief Council presentation	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	<input type="checkbox"/> Report/Comment <input type="checkbox"/> Recommend <input type="checkbox"/> Act Initiated by: <input type="checkbox"/> Commission <input type="checkbox"/> Council <input type="checkbox"/> City Manager

City of Brooklyn Park Request for Council Action

Agenda Item:	4.1	Meeting Date:	March 25, 2024
Agenda Section:	Consent	Originating Department:	Finance
Resolution:	N/A	Prepared By:	Dr. Marcellus Davis, REDI Manager
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Dr. Marcellus Davis, REDI Manager
Item:	Removal of Commissioner from the Human Rights Commission		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO REMOVE OMOSOLA OLALEYE FROM THE HUMAN RIGHTS COMMISSION.

Overview:

A request is being made to remove Omosola Olayeye as a Commissioner on the Human Rights Commission due to lack of attendance. Commissioner Olayeye was appointed to the commission for a term starting in April 2023. Commissioner Olayeye has missed all of the HRC meetings since being appointed. All absences are recorded as unexcused due to the Commissioner not informing staff of the absence. Dr. Davis reached out to Commissioner Olayeye with no response.

Once removed, the seats will be filled with candidates that applied by January 31, 2024 and participated in the interviews on February 26, 2024.

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:	4.2	Meeting Date:	March 25, 2024
Agenda Section:	Consent	Originating Department:	Operations and Maintenance – Engineering Division
Resolution:	X	Prepared By:	Jeff Holstein, City Transportation Engineer
Ordinance:	N/A		
Attachments:	2	Presented By:	Jesse Struve, City Engineer
Item:	Approve Revocation and Designation of Selected Municipal State Aid Streets		

City Manager’s Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2024-____ APPROVING THE REVOCATIONS AND DESIGNATIONS OF MUNICIPAL STATE AID STREETS IN THE CITY OF BROOKLYN PARK.

Overview:

The City of Brooklyn Park receives annual funding (over \$3,000,000 in 2023) from the Minnesota State Aid Program for roadway construction and maintenance. The city is allowed to designate up to 20% of our municipal mileage for state aid needs. The more needs mileage you designate, the more State Aid funding you receive. The annual allotment is based on the population of the city and the amount of traffic on the designated state aid roadways. Cities with higher population and higher traffic demands on their designated mileage receive more state aid funds.

The city currently has the segments of Prestwick Parkway (Regent Parkway to Noble Parkway) and France Avenue (83rd Avenue to Brookdale Drive) designated as MSAS roadways. The city expects to receive additional state aid funding if we revoke these designations and instead designate Oxbow Creek Drive (Winnetka Avenue to Xylon Avenue) and Xylon Avenue (101st to 109th Avenues) as state aid roadways. This is due to the expected larger traffic demand on the latter roadway segments.

The continued development of the city and growth of the city street system currently allows the city to designate another 0.53 miles of additional municipal roadway for State Aid funding. The combined effects of utilizing the city’s current balance and revoking (0.95 miles) and designating (1.47 miles) the segments noted above would result in an acceptable +0.01 mile balance. City engineering staff recommend these state aid changes be approved to maximize the city’s state aid funding.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

The proposed action would result in the city receiving slightly more MSA funding in 2024 and beyond.

Attachments:

- 4.2A RESOLUTION
- 4.2B LOCATION MAP

RESOLUTION #2024-

RESOLUTION APPROVING THE REVOCATIONS AND DESIGNATIONS OF MUNICIPAL
STATE AID STREETS
IN THE CITY OF BROOKLYN PARK

WHEREAS, it appears to the City Council of the City of Brooklyn Park that the streets described hereinafter should be revoked and others designated as Municipal State Aid Streets under the provisions of Minnesota Law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park, Hennepin County, Minnesota, that the streets described as follows, to-wit:

- Prestwick Parkway between Regent Parkway and Noble Parkway
- France Avenue between 83rd Avenue and Brookdale Drive

be, and hereby are revoked as Municipal State Aid Streets of the City of Brooklyn Park, Hennepin County, subject to the approval of the Commissioner of Transportation of the State of Minnesota, AND

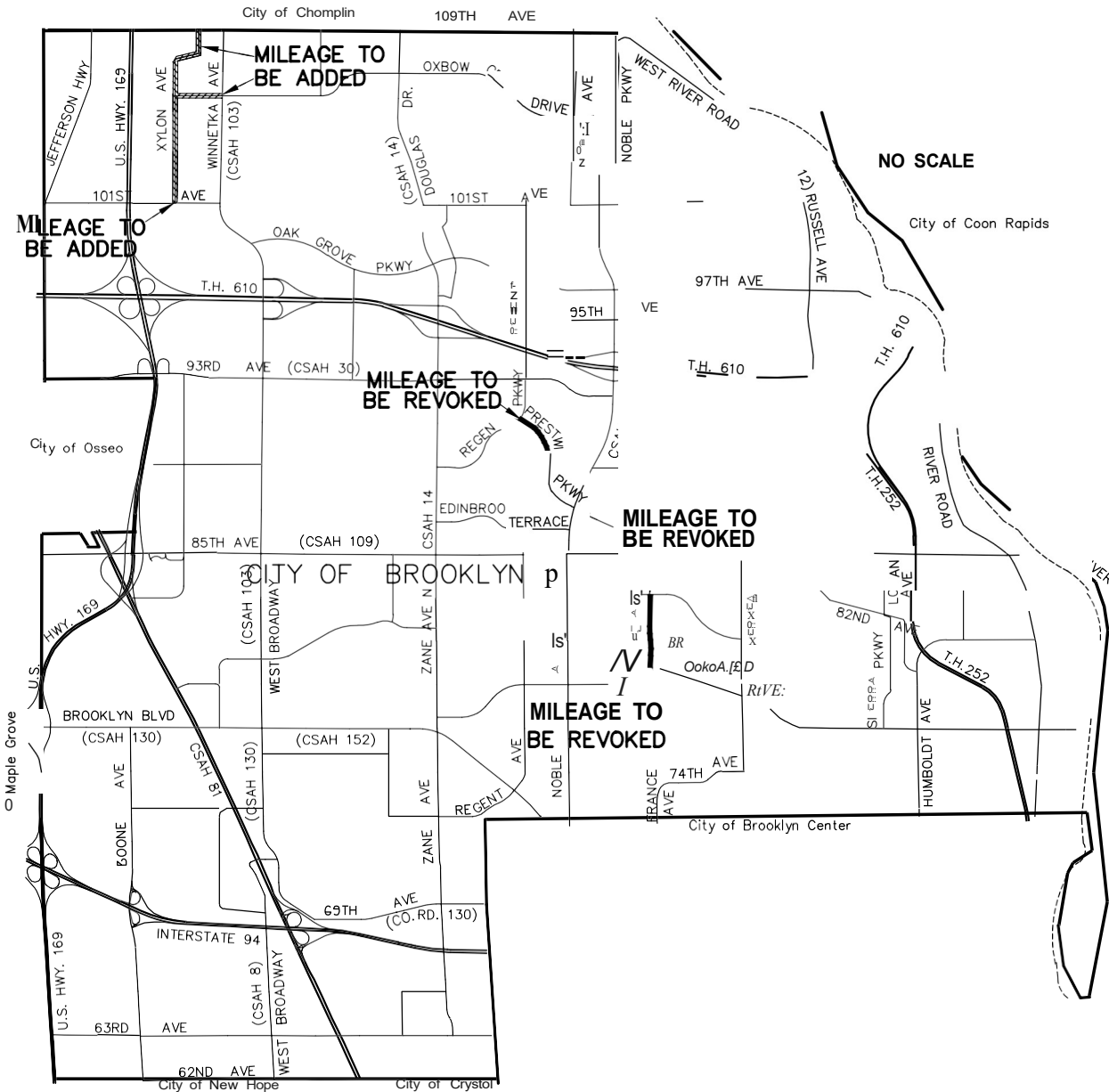
- Oxbow Creek Drive between Xylon Avenue and Winnetka Avenue
- Xylon Avenue between 101st Avenue and 109th Avenue

be, and hereby are established, located and designated Municipal State Aid Streets of the City of Brooklyn Park, Hennepin County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FURTHER RESOLVED by the City Council of the City of Brooklyn Park that the City Clerk is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his/her consideration and that upon his/her approval of the revocation and designation of said roadway segments or portion thereof, that same designations be constructed, improved and maintained as Municipal State Aid Streets of the City of Brooklyn Park to be numbered and known as Municipal State Aid Streets as indicated.

LOCATION MAP

PROPOSED MUNICIPAL STATE AID REVOCATIONS AND DESIGNATIONS



Brooklyn Park

City of Brooklyn Park Request for Council Action

Agenda Item:	4.3	Meeting Date:	March 25, 2024
Agenda Section:	Consent	Originating Department:	Operations & Maintenance
Resolution:	X	Prepared By:	Mark Becker, Street/Fleet Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Dan Ruiz, Director of Operations & Maintenance
Item:	Approve the Bid Award for the Recommended Short -Term Improvements to The City of Brooklyn Park city owned Signal Light Systems to Killmer Electric Company Inc.		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2024-_____ APPROVING THE BID AWARD FOR THE 2024 SHORT-TERM IMPROVEMENTS TO THE CITY OF BROOKLYN PARK SIGNAL LIGHT SYSTEMS TO KILLMER ELECTRIC COMPANY INC.

Overview:

This request is to approve the bid and award the contract for the 2024 Short-Term Improvements to three (3) of the City owned Signal Light Systems. The benefits of these improvements are to upgrade existing signals systems with emergency vehicle signal pre-emption (EVP), LED indications, ADA compliant push buttons, battery backup, and re-paint signals.

On January 22, 2024 four (4) bids were received. The lowest responsible bid meeting specifications for 3 of the signal systems is from Killmer Electric Company Inc. Killmer has worked for the City of Brooklyn Park in the past and the work has been satisfactory.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

The recommended bid proposal for Boone/63rd Ave. of \$42,755.00; Boone/73rd Ave. of \$46,975.00; Oak Grove/Target Pkwy of \$72,725.00 = a total of \$162,455.00 is within the 2024 Capital Improvement Plan expenditure budget in the Street/Signal Utility Fund.

Attachments:

4.3A RESOLUTION

RESOLUTION #2024-

RESOLUTION APPROVING THE BID AWARD FOR THE SHORT-TERM IMPROVEMENTS TO THE CITY OF BROOKLYN PARK CITY OWNED SIGNAL LIGHT SYSTEMS TO KILLMER ELECTRIC COMPANY INC.

WHEREAS, The short-term repairs are needed to the existing signal systems to continue correct operation to meet traffic signal warrants for reduced congestion and/or safety problems; and

WHEREAS, On January 22nd, 2024 four (4) bid were received as follows:

CONTRACTOR:

Killmer Electric Company Inc.....Boone/63 rd Ave.	\$42,755.00.	Premier Electric	\$61,649.00.
Killmer Electric Company Inc.....Boone/73 rd Ave.	\$46,975.00.	Premier Electric...	\$66,577.00.
Killmer Electric Company Inc.....Oak Grove/Target.	\$72,725.00.	Premier Electric	\$102,042.00.
Premier Electrical Corporation...Brookdale/Humboldt.	\$92,698.00.	Killmer Electric Co.	\$96,270.00

WHEREAS, the 2024 City owned Short-Term Signal Light System Improvement Project O&M-CIP 4005-24 is recommended to be awarded to the lowest bidder meeting specification for 3 of the 4 Signal locations to Killmer Electric Company Inc.; and

WHEREAS, the recommended bid proposal for 3 Signal Systems in the amount of \$162,455.00. is within the 2024 Capital Improvement Plan expenditures estimated budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to approve the bid award for the Short-Term Signal Light System Improvements at 3 of the above locations to Killmer Electric Company Inc.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.4	Meeting Date:	March 25, 2024
Agenda Section:	Consent	Originating Department:	Operations & Maintenance
Resolution:	X	Prepared By:	Richard Luckow, Public Utilities Superintendent
Ordinance:	N/A		
Attachments:	2	Presented By:	Dan Ruiz, Director
Item:	Approve an Agreement with InControl, Inc. for SCADA Operational Improvements at the Water Treatment Plant		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2024-_____ TO APPROVE AN AGREEMENT WITH INCONTROL FOR SCADA OPERATIONAL IMPROVEMENTS AT THE WATER TREATMENT PLANT.

Overview:

The replacement of major equipment at the water treatment plant was included in the 2024-2028 Capital Improvement Plan as CIP Project 3004. This request is to approve an agreement with InControl in the amount of \$ 136,434.00 for the engineering, furnishing, installation and configuring of upgrades to the SCADA system located within the Brooklyn Park water treatment plant. SCADA is the integrated system of hardware and software which controls the operational systems of the treatment plant. The control systems of the treatment plant are integral to the safe and efficient production of quality potable water.

The accepted service life of the equipment included in this proposal is 10-15 years. Much of the equipment being replaced on this project has been in service since 1997. The manufacturer no longer produces stocks or supports the existing equipment.

InControl is the current Systems Integrator for the City of Brooklyn Park Utilities Division. They have written, programmed, and maintained the SCADA operation network and devices for the Utilities Division including water plant operations, water distribution monitoring and sanitary sewer lift station operations. With increased awareness and federal oversight concerning cyber security they have worked with Brooklyn Park Utilities to continue to harden cyber defenses and to limit cyber threats to the SCADA system.

Primary Issues/Alternatives to Consider:

The Operations and Maintenance staff recommend approval as presented.

Budgetary/Fiscal Issues:

The recommended bid proposal of \$136,434.00 is within the approved 2024 Public Utilities Water Fund expenditures program budget and capital improvement plan.

Attachments:

- 4.4A RESOLUTION
- 4.4B INCONTROL PROPOSAL

RESOLUTION #2024-

RESOLUTION TO APPROVE AN AGREEMENT WITH INCONTROL FOR SCADA OPERATIONAL IMPROVEMENTS AT THE WATER TREATMENT PLANT

WHEREAS, safe and abundant potable water is necessary for domestic and industrial consumption, and

WHEREAS, safe and abundant water is necessary for fire suppression, and

WHEREAS, safe, efficient, and reliable operation of the water treatment plant is necessary to produce water for consumption and fire suppression, and

WHEREAS, water treatment plant control systems have a predictable life span, and

WHEREAS, the equipment recommended to be upgraded in this project has been in service beyond its expected lifespan, and

WHEREAS, failure of this SCADA equipment would cause severe operational and supply challenges to potable water production, and

WHEREAS, cyber security is a real and present threat to Utility operations, and

WHEREAS, Brooklyn Park Utilities has a duty to provide potable water without interruption, and

WHEREAS, On February 28, 2024, a proposal was received from InControl Incorporated, Fridley MN, in the amount of \$136,434.00, and

WHEREAS, the project is funded with Public Utility Water Supply Funds

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Brooklyn Park to approve an agreement with InControl for SCADA operational improvements at the water treatment plant in the amount of \$136,434.00.



In Control, Inc.
5301 E River Rd, Suite 108
Fridley, MN 55421

PROPOSAL # QS24022801-01

To: City of Brooklyn Park Water Treatment Plant
5100 Edinbrook Terrace
Brooklyn Park, MN 55443

Date: February 28, 2024

From: Bob Dietrich

Valid: 30 days

Page: 1 of 6

Attn: Rick Luckow

Re: Water Treatment Plant Controls Upgrade Phase II

In Control, Inc. is pleased to provide our proposal for materials and services as part of the project referenced above.

In Control, Inc. is providing this proposal to upgrade the existing City of Brooklyn Park Water Treatment Plant control system. The existing control system has surpassed its lifecycle and certain components have been discontinued and/or are not supported by their manufacturers. Consequently, some replacement parts are no longer available, and failure of a critical component could adversely affect operations for an extended period. Additionally, there exist limited current drawings or schematics of the system to assist in servicing or act as a basis for future improvements. In Control proposes to provide a modern, fully documented, and supportable control system to replace the existing outdated controls.

The proposed scope of work is the second phase of the project to upgrade controls in the WTP.



Materials and Services Proposed

1. Professional Engineering

- a. A project manager will be assigned as a primary point of contact through project completion.
- b. A project team consisting of up to (3) engineers will be assigned to the project.
- c. An Engineer will perform a pre-design (preliminary engineering) visit to the WTP to thoroughly document existing system specifics, including field connections, panel dimensions, PLC and SCADA program copies where possible, existing manual operations and Plant operating procedures.
- d. Engineering planning and review meetings will be conducted on a timely basis as required.
- e. Industry best practices, proven control approaches and standardized objects will be implemented in the design, configuration, and development of the system.
- f. Existing logic will be functionally retained to ensure that all existing Plant functions are retained in the new programming
- g. All hardware and software will be fully configured and tested at In Control prior to installation at the Water Treatment plant.
- h. A complete design and documentation package for the new system will be provided, including panel mechanical drawing, schematics, recommended spare parts list and computer software backups.
- i. Field Services include:
 - i. Pre-engineering field visits to document current Panel conditions, wiring circuits, dimensions
 - ii. Demo of existing and installation / wiring of new components within the Panels
 - iii. Identification of unused circuits (may require occasional assistance), cap and coil wires in Panel
 - iv. Checkout and Startup services

2. Control Room Panel 215

Control Panel 215 consists of a 2-door free-standing enclosure located in the main computer room, installed in 1997. We propose retaining the existing enclosure shell and backpanel, along with all conduit penetrations and associated field wiring and replacing the PLC in-situ.

In Control shall furnish, install, and configure the following PLC hardware:

1. An Allen-Bradley CompactLogix PLC system will replace the existing controller:
 - a. (1) Compact5380 - L320 Processor, 2MB memory, with SD card program backup
 - b. (1) CompactLogix Power Supply, AC Input
 - c. (1) CompactLogix IO, Ethernet IO Adapter
 - d. (1) Discrete Input Module, 16-channel, 24vDC
 - e. (1) Discrete Output Module, 16-channel, Relay

3. Lab Room Panel 142

Control Panel 142 consists of a 2-door free-standing enclosure located in the main computer room, installed in 1997. We propose retaining the existing enclosure shell and backpanel, along with all conduit penetrations and associated field wiring and replacing the PLC in-situ.

In Control shall furnish, install, and configure the following PLC hardware:

1. An Allen-Bradley CompactLogix PLC system will replace the existing controller:
 - a. (1) Compact5380 - L320 Processor, 2MB memory, with SD card program backup
 - b. (1) CompactLogix Power Supply, AC Input
 - c. (1) CompactLogix IO, Ethernet IO Adapter
 - d. (3) Discrete Input Module, 16-channel, 120vAC
 - e. (1) Discrete Output Module, 16-channel, Relay
 - f. (2) Analog Input Modules, 8-channel, 4-20mA
 - g. (1) Analog Output Module, 4-channel, 4-20mA

4. CP5001 - 1998 Filter Console

The CP5001 1998 Filter Console consists of a console operator enclosure located in the Filter room, updated by In Control in 2009. We propose retaining the existing enclosure shell and backpanel, along with all conduit penetrations and associated field wiring and replacing the PLC in-situ.

In Control shall furnish, install, and configure the following PLC and Operator Interface Terminal (OIT) hardware:

1. An Allen-Bradley CompactLogix PLC system will replace the existing controller:
 - a. (1) Compact5380 - L320 Processor, 2MB memory, with SD card program backup
 - b. (2) CompactLogix Power Supplies, AC Input
 - c. (1) CompactLogix IO, Ethernet IO Adapter
 - d. (6) Discrete Input Modules, 16-channel, 120vAC
 - e. (2) Discrete Output Modules, 16-channel, Relay
 - f. (4) Discrete Isolated Output Modules, 8-channel, Relay
 - g. (2) Analog Input Modules, 8-channel, 4-20mA
 - h. (1) Analog Output Module, 4-channel, 4-20mA
 - i. (1) PanelView Plus 7 Color Touchscreen Operator Interface Terminal, with custom adapter plate

Proposal Summary

The following prices apply to the proposed materials and services:

(Items 1-4) \$ 136,434.00

Sales and Use Taxes: Excluded
Freight: Included, FOB shipping point

TERMS: 30% upon order, 10% upon drawings submittal, 50% upon new equipment installation and startup.

EXCLUSIONS:

Our proposal does not include the following:

- Bonding, Permits, Licenses, or Fees of any kind
- Removal, demolition, or disposal of existing equipment other than what is required within the control panels
- Electrical Studies, Tests, or Inspections that are not detailed in this proposal
- Network Media or Testing that are not defined in the scope of work detailed in this proposal
- Any equipment or services that are not defined in the scope of work detailed in this proposal
- Shipping costs to locations other than the primary project site

Thank you in advance for the consideration of our offer and for the opportunity to work together. Should you have any questions regarding this proposal, please contact me directly at your convenience. I look forward to hearing from you soon to secure and coordinate this project.

Best Regards,

Bob Dietrich
 Technical Sales Engineer
 Mobile: 715.607.0099
 Office: 763.783.9500 x2004
 E-Mail: bob.dietrich@incontrol.net

Butch Schneider
 Senior Estimator
 Mobile: 612.799.9017
 Office: 763.783.9500 x2003
 E-Mail: butch.schneider@incontrol.net

ACCEPTANCE: To accept this proposal please return a signed copy with purchase order. Thank you!

Signature: _____	Purchase Order: _____
Print Name: _____	Date: _____
Title: _____	Proposal Number: QS24022801-01

Standard Terms and Conditions of Sale

These terms and conditions are in effect between the party ("Purchaser") issuing the purchase order ("Order") and In Control, Inc. ("In Control").

1. **ACCEPTANCE** – Acceptance of this Order will be in writing within 30 days of Order receipt, subject to approval of the Purchaser's credit by In Control and compliance with the acceptance criteria set forth herein. Upon acceptance, this Order will constitute the entire agreement between In Control and Purchaser, supersede all prior negotiations and discussions, and may not be modified or terminated except in writing signed by both Purchaser and In Control.
2. **TERMINATION** – Notification of termination of this Order shall be made in writing with 14 days notice. If Purchaser terminates this Order at no fault of In Control, Purchaser shall pay for services rendered at In Control's published rates, reimbursable expenses, and equipment ordered through the date of termination. This payment will also include a fee of 10% of the Order value to cover the expense of terminating the contract.
3. **ATTORNEY FEES** - If either party commences or is made a party to an action or proceeding to enforce or interpret this Order, the prevailing party in such action or proceeding will be entitled to recover from the other party all reasonable attorneys' fees, costs and expenses incurred in connection with such action or proceeding or any appeal or enforcement of any judgment.
4. **INDEMNIFICATION** - Purchaser will indemnify and hold harmless In Control from and against any and all claims, actions, proceedings, costs, expenses, losses and liability, including all reasonable attorneys' fees, costs and expenses, arising out of or in connection with or relating to any goods or services not furnished by In Control pursuant to this Order, including without limitation all product liability claims and any claims involving personal injury, death or property damage. The obligations set forth in this Section will survive the termination or fulfillment of this Order.
5. **LIMITATIONS OF LIABILITY** - In no event will In Control be liable in contract, tort, strict liability, warranty or otherwise, for any special, incidental or consequential damages, such as delay, disruption, loss of product, loss of anticipated profits or revenue, loss of use of the equipment or system, non-operation or increased expense of operation of other equipment or systems, cost of capital, or cost of purchase or replacement equipment systems or power. In particular, unless otherwise agreed to in writing between the Purchaser and In Control, In Control will not accept liquidated damages.
6. **FORCE MAJEURE** – In no event shall In Control be responsible or liable for any failure or delay in the performance of its obligations hereunder arising out of or caused by, directly or indirectly, forces beyond its control, including, without limitation, strikes, work stoppages, supply chain disruptions, accidents, acts of war or terrorism, civil or military disturbances, health crises, nuclear or natural catastrophes or acts of God, and interruptions of utilities, communications or computer services. It being understood that In Control shall use all commercially reasonable efforts to resume performance as soon as practicable under the circumstances.
7. **WARRANTY** - In Control warrants that the goods and services furnished will be of good quality, free from defects in material, design and workmanship will conform to the specifications and drawings and be suitable for their intended purpose. This warranty will be in force for eighteen (18) months after shipment or twelve (12) months from startup, whichever is shorter. Any remaining allotments for Purchaser or end owner/engineer-initiated changes and call-back expire with the warranty period and are not refundable. In Control reserves the right to terminate warranty should the Purchaser's account be in arrears.
8. **TRANSPORTATION** - Unless otherwise specified, all deliveries from In Control will be F.O.B. factory, freight prepaid.
9. **ESCALATION** – This Order is conditioned upon the ability of In Control to complete the work at present prices for material and at the existing scale of wages for labor. If In Control is, at any time during the term of the Order, unable to complete the work at the present prices and wages, then the Order sum shall be equitably adjusted by change order to compensate In Control for significant price increases, where a significant price increase is defined as a change of 10% or more between the date of quote and the date of applicable work.
10. **PAYMENT TERMS** - The payment terms are due upon invoice receipt. Any balance remaining over 31 days beyond the invoice date will be subject to a 2.0% monthly service fee until paid. Debit or credit card payment is accepted and subject to a 3.0% surcharge of the payment amount. Should a payment default occur In Control reserves the right to stop all work, including but not limited to startup of equipment. All reasonable attempts will be made between both parties to resolve the disputed portions of any invoice within the payment terms.

Order value will be invoiced in full upon shipment unless specific terms are described in the proposal. No retainage is allowed.
11. **NONWAIVER** - The failure by In Control to enforce at any time, or for any period of time, any of the provisions hereof will not be a waiver of such provisions nor the right of In Control thereafter to enforce each and every such provision.
12. **REMEDIES** - Remedies herein reserved to In Control will be cumulative and in addition to any other or further remedies provided in law or equity.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.5	Meeting Date:	March 25, 2024
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	X	Prepared By:	Dan Ruiz, Operations and Maintenance Director
Ordinance:	N/A		
Attachments:	1	Presented By:	Jay Stroebel, City Manager
Item:	Appointments to the Suburban Rate Authority		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2024-____ APPOINTING CRAIG RUNNAKKO AS DIRECTOR AND KEEPING LATONIA GREEN AS ALTERNATE DIRECTOR OF THE SUBURBAN RATE AUTHORITY FOR 2024.

Overview:

The Brooklyn Park City Council has authorized the active participation in the Suburban Rate Authority (SRA) since 1974. The Joint Powers Agreement requires that the appointment of the city's representatives to the SRA be accomplished by passage of a resolution each year.

The City Council approved Jesse Struve as the Director to the SRA on January 8, 2024. As of March 29, Jesse Struve will no longer be working for the city and we need to appoint a new Director. The City Manager recommends appointing Utility Engineer Craig Runnakko as Director and keeping Finance Director LaTonia Green as Alternate Director.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

4.5A RESOLUTION

RESOLUTION #2024-

RESOLUTION APPOINTING CRAIG RUNNAKKO AS DIRECTOR AND KEEPING LATONIA GREEN AS
ALTERNATE DIRECTOR OF THE SUBURBAN RATE AUTHORITY FOR 2024

WHEREAS, the City of Brooklyn Park is a participating member in the Suburban Rate Authority organization; and

WHEREAS, the Joint Powers Agreement between the City and the Suburban Rate Authority requires the City to appoint representatives to the Suburban Rate Authority by the approval of a resolution so designating.

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

Craig Runnakko is hereby designated as the Director and LaTonia Green as the Alternate Director to the Suburban Rate Authority for the year 2024 and until their successors are appointed.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.6	Meeting Date:	March 25, 2024
Agenda Section:	Consent	Originating Department:	Operations & Maintenance
Resolution:	X	Prepared By:	Mark Becker, Street/Fleet Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Dan Ruiz, Director of Operations & Maintenance
Item:	Approve the Bid Award for the 2024 Street Traffic Centerline Striping Project on City Streets To: Warning Lites		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2024-_____ TO APPROVE THE BID AWARD FOR THE 2024 STREET TRAFFIC CENTERLINE STRIPING PROJECT ON CITY STREETS TO WARNING LITES.

Overview:

This request is to approve the bid and award the contract for the 2024 Street Traffic Centerline Striping Project on city streets. The benefits of this annual project include increased vehicle and pedestrian safety. This allows the city to adhere to guidelines in the Minnesota Manual on Traffic Control to avoid liability issues.

On April 12, 2024 two (2) bids were received. The lowest responsible bid meeting specifications is from Warning Lites, who has worked for the City of Brooklyn Park in the past and the work has been satisfactory.

Primary issues/alternatives to consider:

- Should the Council award the bid as recommended?
Operations & Maintenance staff recommends approval as presented.

Budgetary/Fiscal Issues:

The recommended bid proposal of \$59,745.53. is within the 2024 Street Signs and Markings Project expenditure budget in the General Fund. The project preliminary estimated cost was \$65,000.00.

Attachments:

4.6A RESOLUTION

RESOLUTION #2024-

RESOLUTION TO APPROVE THE BID AWARD FOR THE 2024 STREET TRAFFIC CENTERLINE STRIPING PROJECT ON CITY STREETS TO WARNING LITES

WHEREAS, the annual city street traffic centerline striping project is necessary to provide increased vehicle and pedestrian safety and adhere to guidelines in the MN Manual on Traffic Control; and

WHEREAS, on April 12th, 2024. two (2) bids were received as follows:

<u>Contractor</u>	<u>Total</u>
Warning Lites	\$ 59,745.53
Sir Lines-A-Lot	\$ 67,534.58

WHEREAS, the 2024 Street Traffic Centerline Striping Project O&M-SM-24-04 is recommended to be awarded to the lowest responsible bidder meeting specifications, Warning Lites, for the amount of \$59,745.53 and

WHEREAS, the recommended bid proposal of \$59,745.53 is within the 2024 Street Maintenance Signs and Markings program expenditures estimated budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to approve the bid and award the contract for the 2024 Street Traffic Centerline Striping Project on city streets to Warning Lites, in the amount of \$59,745.53.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.7	Meeting Date:	March 25, 2024
Agenda Section:	Consent	Originating Department:	Community Development, Rental and Business Licensing
Resolution:	N/A	Prepared By:	Megan Bookey, Program Assistant III
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Keith Jullie, Rental and Business Licensing Manager
Item:	Approve a Temporary On-Sale Liquor License for Brooklyn Park Lions for their Smelt Fry to be Held April 24-26, 2024 at the Armory Gymnasium, 5500 85 th Avenue North		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE A TEMPORARY ON-SALE LIQUOR LICENSE FOR BROOKLYN PARK LIONS FOR THEIR SMELT FRY TO BE HELD APRIL 24-26, 2024, AT THE ARMORY GYMNASIUM, 5500 85TH AVENUE NORTH.

Overview:

The annual Smelt Fry put on the BP Lions is scheduled for April 24-26, 5:00-8:00 p.m., at the Armory at 5500 85th Avenue North. The Smelt Fry started back in 1962 as a unique way to raise funds for the Lions. Their tradition continues as their most successful fundraiser and is promoted as the World's Largest Smelt Fry. More information can be found at www.brooklynparklions.org

The background investigation of the applicant has been completed and the application has been approved. There are no current code violations at the property and staff recommends approval of this temporary liquor license. The license must be approved by the State of Minnesota, Alcohol and Gambling Enforcement Division once the City of Brooklyn Park has approved the license.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park Request for Council Action

Agenda Item:	4.8	Meeting Date:	March 25, 2024
Agenda Section:	Consent	Originating Department:	Finance Department
Resolution:	X	Prepared By:	LaTonia Green, Finance Director
Ordinance:	N/A		
Attachments:	1	Presented By:	LaTonia Green, Finance Director
Item:	Appointing Tara Vandevort as Deputy Registrar		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2024-_____ APPOINTING TARA VANDEVORT AS DEPUTY REGISTRAR FOR THE CITY OF BROOKLYN PARK.

Overview:

The City is required by the State of Minnesota to appoint a city representative as the "deputy registrar". Linda Mozis, who has been the deputy registrar, has recently announced her retirement from the City. Tara Vandevort has been a full-time staff person in the Brooklyn Park Department of Motor Vehicles area for over 15 years and is certainly qualified to assume the duties of deputy registrar.

Primary Issues/Alternatives to Consider:

The City is required by the state to take formal action appointing a deputy registrar for the deputy registrar operations.

Budgetary/Fiscal Issues:

No budgetary impact is expected.

Attachments:

4.8A RESOLUTION

RESOLUTION #2024-

RESOLUTION APPOINTING TARA VANDEVORT
AS DEPUTY REGISTRAR
FOR THE CITY OF BROOKLYN PARK

WHEREAS, the current deputy registrar appointee has retired from the City of Brooklyn Park; and

WHEREAS, the City of Brooklyn Park desires to replace the appointee for the deputy registrar operations; and

WHEREAS, the City has determined that Tara Vandevort shall be the deputy registrar appointee as of April 1, 2024;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that Tara Vandevort shall be the appointee for the Deputy Registrar operations for the City of Brooklyn Park effective April 1, 2024.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.9	Meeting Date:	March 25, 2024
Agenda Section:	Consent	Originating Department:	Recreation and Parks
Resolution:	X	Prepared By:	Brad Tullberg, Director of Recreation and Parks
Ordinance:	N/A		
Attachments:	2	Presented By:	Brad Tullberg
Item:	Approve Professional Services Agreement with Design by Melo for Construction Document Development in the amount of \$287,910 for Zanewood Recreation Center		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2024-_____ TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH DESIGN BY MELO FOR CONSTRUCTION DOCUMENT DEVELOPMENT IN THE AMOUNT OF \$287,910 FOR ZANEWOOD RECREATION CENTER.

Overview:

As part of the 2018 Park Bond Referendum, funding was allocated for an additional teen recreation center. In evaluating the current service needs in the area of Zanewood Recreation Center, the financial implications of staffing and operating another facility, and the concentration of young people in the area, staff is developing plans for the construction of additional space at Zanewood in addition to renovating the existing space.

On March 27, 2023, City Council approved a professional services agreement with Design by Melo in the amount of \$165,000 to provide community engagement and preliminary design development for a youth and teen recreation center. After the award of the agreement, staff has submitted a request for Minnesota State Bonding funds to assist in the construction of the full vision for the Youth and Teen Center. On January 8, 2024, City Council approved a change order in the amount of \$48,280 to incorporate the expanded scope of the project, additional time and resources needed to complete the design development phase.

Now that the Design Development phase is complete, it is necessary to continue with the development of the construction documents in order to allow for the project to be ready to bid as soon as final funding is identified.

Primary Issues/Alternatives to Consider:

Recreation & Parks staff recommend approval of this agreement as presented.

Budgetary/Fiscal Issues:

- Funding for the planning and construction of the Youth and Teen Recreation Center is included in the \$26,000,000 Park Bond Referendum passed in November 2018.
- \$184,179 in CDBG Funding was allocated to pay for a portion of the construction document development. The balance will be paid by the Park Bond Referendum funds.
- It is anticipated that Design by Melo will also provide construction administration for this project once a construction bid is awarded. An additional agreement will be brought forward to City Council for consideration at a later date.

Attachments:

4.9A RESOLUTION

4.9B DESIGN BY MELO SERVICES PROPOSAL

RESOLUTION #2024-

RESOLUTION TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH DESIGN BY MELO FOR CONSTRUCTION DOCUMENT DEVELOPMENT IN THE AMOUNT OF \$287,910 FOR ZANEWOOD RECREATION CENTER.

WHEREAS, a Youth and Teen Recreation Center project was part of the proposed 2018 Park Bond Referendum; and

WHEREAS, on March 27, 2023, City Council approved a professional services agreement with Design by Melo in the amount of \$165,000 to provide community engagement and preliminary design development for a youth and teen recreation center; and

WHEREAS, staff has submitted a request for Minnesota State Bonding funds to assist in the construction of the full vision for the Youth and Teen Center; and

WHEREAS, on January 8, 2024, City Council approved a change order professional services agreement with Design by Melo in the amount of \$48,280 to reflect the expanded scope of design development associated with the state bonding request; and

WHEREAS, development of construction documents is the next step in the process for the Zanewood Recreation Center expansion and renovation project to be prepared for bidding once project funding is finalized; and

WHEREAS, the Design by Melo proposal for the development of construction documents is \$287,910.

WHEREAS, \$184,179 in CDBG Funding was allocated to pay for a portion of the construction document development. The balance will be paid by the Park Bond Referendum funds; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to Approve Professional Services Agreement with Design By Melo for Construction Document Development in the Amount of \$287,910 for Zanewood Recreation Center.

SERVICES PROPOSAL

Brooklyn Park Teen & Youth Center

Phase 3 and Phase 4

COVER LETTER

Brad Tullberg
City of Brooklyn Park
Recreation & Parks – Director

Via email at: Brad.Tullberg@BrooklynPark.Org

Re: Brooklyn Park Teen & Youth Center
Proposal for Phases 3 and Phase 4 | Construction Documentation, Bidding, Permitting, &
Construction Administration

Dear Brad Tullberg:

This proposal identifies our professional services & compensation for Civil Engineering, Landscape Architecture, Building Architecture, Structural Engineering, Mechanical/Electrical/Plumbing Engineering and Interior Design for the remaining phases of the Teen & Youth Center project.

We are splitting this proposal into two phases as follow:

PHASE 3:

Entitlement & Construction Documentation

PHASE 4:

Construction Administration

On the following pages you will see the planned scope broken up into phases, compensation per discipline and per phase and estimated time line.

This letter represents our understanding of the proposed scope of services. If this proposal is found acceptable, we will prepare a contract for the work described here. If you have any questions about this proposal, please feel free to contact:

Damaris Hollingsworth | 612-280-8419 | email at damaris@designbymelo.com

We appreciate the opportunity of being considered for this project and we look forward to working with you.

Sincerely,

Design by Melo



Damaris Hollingsworth
Principal Architect

Attachments to this Document: Detailed Scope of Services

PROJECT PHASES

We have divided the scope into the four phases described below. Each of these phases represent significant milestones in a real estate development project. An evaluation of the project potential at each phase is important to limit risks and increase the chances of a successful project. At the end of each phase, we will review the project with you to share our evaluation and seek your approval before moving to the next phase.

PHASE 3

ENTITLEMENT & CONSTRUCTION DOCUMENTATION

ENTITLEMENT:

- Submission for Land Use Review by City Planners
- Revisions of Drawings as Needed for Approvals
- Attendance of Public Hearings
- Presentation to Council and/or EDA as needed

CONSTRUCTION DOCUMENTATION

- Refinement of drawings per Design Development and Construction
- Cost Estimate feedback
- Construction Drawings
- 100% CD Level Specifications
- Bidding
- Value Engineering Reviews and Revisions as Needed
- Permitting

PHASE 4

CONSTRUCTION ADMINISTRATION

- RFIs
- ASIs
- OAC regular meetings
- Shop drawings and Submittal reviews
- Review of proposed substitutions
- Field Verification
- Site coordination as requested by GC
- Pay Application review and approval

COMPENSATION PER DISCIPLINE

The table below summarizes our compensation for the project per discipline and per phase. If the scope does not change and services are performed within 18 months of the date of contract, we will honor the compensation presented below. If the project changes or lasts more than 18 months, we reserve the option to renegotiate compensation for any phases not yet complete.

	PHASE 3	PHASE 4		
Discipline	Entitlement + CD + Bidding + Permitting	CA	Total per Discipline	GRAND TOTAL
Architecture	\$96,000	\$32,000	\$128,000	
MEP	\$89,000	\$28,000	\$117,000	
Structural	\$52,000	\$18,500	\$70,500	
Civil	\$10,520	\$5,600	\$16,120	
Landscape	\$35,600	\$23,460	\$59,060	
Interior Design	\$28,500	\$9,500	\$38,000	
Total Per Phase	\$287,910	\$93,600		

Our lump sum tasks will be billed monthly as a percent complete. Costs associated with vehicle mileage, word processing, cell phones, reproduction of common correspondence and mailing are included in the lump sum compensation.

Reimbursable expenses include costs associated with plan, specification and report reproduction, permit fee, and delivery cost, etc. Reimbursable expenses will be compensated at cost (upon documentation). Design by Melo will subcontract all sub-consultants listed. Sub-consultant compensation is included in the total above.

GLOSSARY:

CD: Construction Documentation

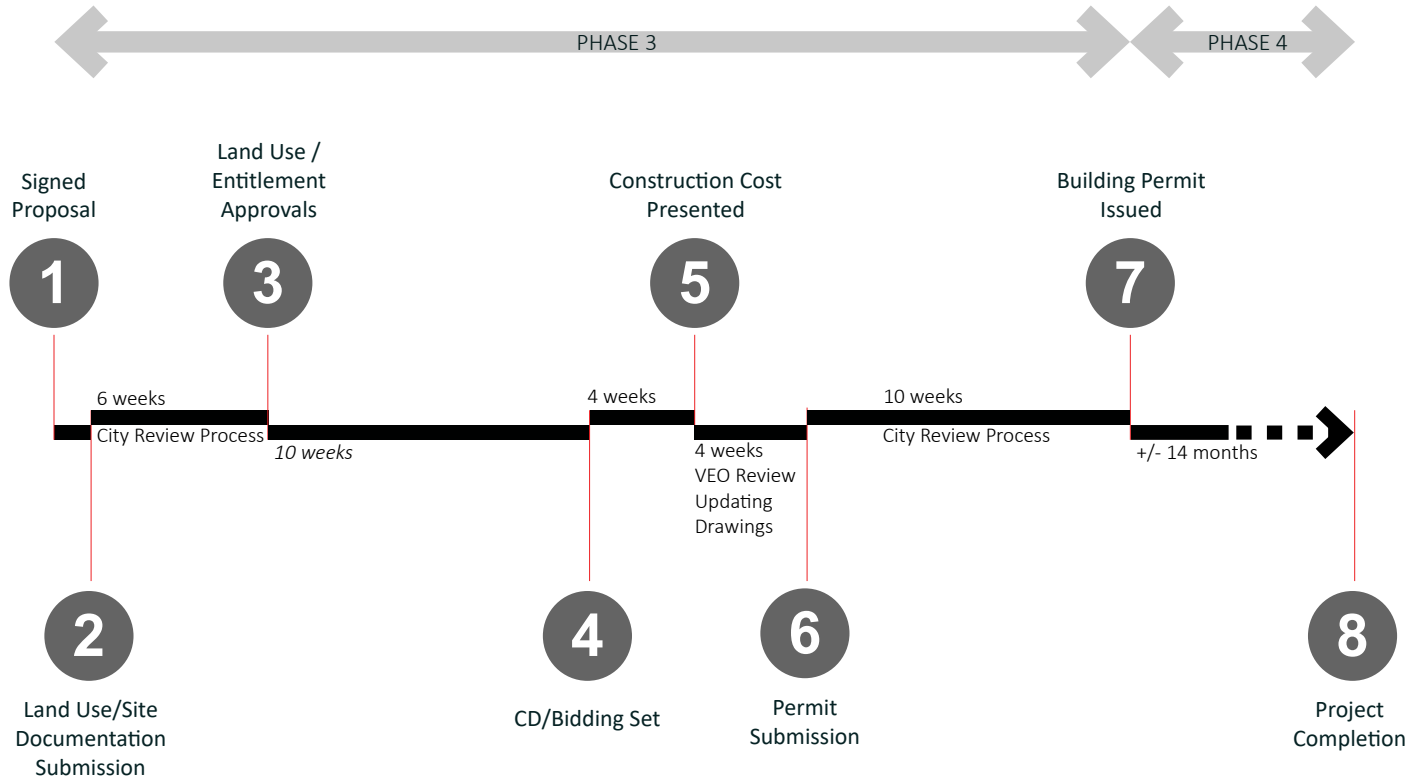
CA: Construction Administration

MEP: Mechanical Electrical Plumbing Engineering

ID: Interior Design

PROJECT TIMELINE

The visual below represents a typical timeline for a project such as yours. Work on the project will start upon acceptance of this proposal and execution of a contract. We will discuss and refine the schedule with you during our contract preparation and execution.



APPROVALS PER PHASE

This proposal is valid for 90 days from the creation date. We may reissue a revised proposal upon request if the indicated period has lapsed.

To approve to start work, please sign appropriate signature block and send copy of signed page.

PHASE 2: Entitlement & Construction Documentation

Includes Bidding & Permitting

Approved,



Brad Tullberg
City of Brooklyn Park
Recreation & Parks – Director

Date: __ / __ / 2024

PHASE 3: Construction Administration

Approved,



Brad Tullberg
City of Brooklyn Park
Recreation & Parks – Director

Date: __ / __ / 2024

DETAILED SCOPE OF SERVICES

Based on our understanding, we propose the following scope of services:

1. Architecture
 - a. Phase 1: Feasibility
 - i. Preliminary Zoning Analysis
 - ii. Determine realistic site coverage, building height, uses
 - iii. Establishment of project objectives including project schedule and budget
 - iv. Site fit Plan / Site Capacity
 - v. Fit Plans For All Floors / Full Building Capacity
 - vi. Line diagrams with program identified / color diagram
 - vii. Assist with Phase 1 cost estimate and proforma
 - b. Phase 2: Entitlement
 - i. Pre Application Meeting with City Planners
 - ii. Design Development level Architectural Floor Plans
 - iii. Design Development level Architectural Building Elevations
 - iv. Schematic Design level Structural Drawings
 - v. Updated Cost Estimate
 - vi. Exterior Material Calculations
 - vii. Shadow Studies
 - viii. LUA Forms
 - ix. Project Description
 - x. High Resolution Renderings
 - xi. Findings for All Variances If Applicable
 - xii. Findings for Rezoning If Applicable
 - xiii. Letters to neighborhood groups and Council Member Offices
 - xiv. Application Submission
 - xv. Attend/Present at Public Hearing
 - xvi. Implement Conditions of Approval into Drawings
 - xvii. Re-submit Final Set of Drawings for Final Approval Stamp
 - c. Phase 3: Construction Documentation and Permitting
 - i. Architectural Scope
 1. Plans
 2. Elevations
 3. Building Sections
 4. Wall Sections
 5. Details
 6. Specifications
 7. Schedules
 8. Finishes
 9. Code Summary and Code Plans
 - ii. Structural Scope
 1. Plans
 2. Building Sections
 3. Wall Sections
 4. Details
 5. Specifications

- iii. MEP
 - 1. Plans
 - 2. Line Diagrams
 - 3. Building Sections
 - 4. Details
 - 5. Specifications
 - 6. Schedules
- iv. Permit Submission Package to G.C.
- v. Update drawings per City's Comments
- d. Phase 4: Construction Administration
 - i. Bi-weekly construction observation & field reports
 - ii. RFIs
 - iii. Submittals review and approvals
 - iv. Shop drawings review and approvals
 - v. Punch
 - vi. Pay Application Review and Approvals

2. Owners Representation

Phase 1 Feasibility

- i. Assist the Client with and lead (subject to Client's input and final approval) the process of identifying, soliciting proposals from, selecting, and negotiating contracts with the Project Team for the completion of the Project. Consultant shall advise Client and make recommendations concerning (a) scope of services to be provided by the Project Team; (b) fees; and (c) administration of contracts with the Project Team at Client's direction.
- ii. Lead the Project Team on all matters relating to the planning, design, governmental approvals, construction, and other activities necessary to complete the Project.
- iii. Consult with and advise Client concerning appropriate construction delivery methods, including advantages and disadvantages of design- bid-build, construction management, separate prime contractors, sequenced bid packages, fast-track and design-build for some or all components of the Project.
- iv. Prepare and submit to Client a preliminary estimated schedule for completion of the design and construction of the Project, including, without limitation, the various major activities to be undertaken in connection with the Project and the approximate timing of the commencement and completion of such activities. Identify funding sources including TIFF, grants, guaranteed loans etc. and submit funding requests in consultation with Client that do not require entitlement phase project development.
- v. Coordinate the preparation by the Architect of a written and graphic description of the program for the Project, including room uses, sizes and adjacency requirements, in accordance with Client's goals and objectives (the "Fit Plan"). Assist Client in establishing preliminary pricing of the Fit Plan based on a preliminary estimate of Project costs.
- vi. Develop a proforma (Sources and Uses and 5-year Cash Flow).
- vii. Coordinate with the Contractor and provide recommendations to the Client and Architect regarding construction feasibility, value engineering, availability of materials and labor, time requirements for installation and construction, and factors relating to costs, including costs of alternative designs or materials in a manner consistent with the Project, budget and schedule, and possible cost reductions and

economies if and when necessary to reconcile the project budget, program, and schedule.

viii. Coordinate with Client in identifying any governmental, quasi-governmental, neighborhood and other entities having jurisdiction and influence over the Project. Advise Client on each entity's needs, requirements, and preferences and how these may affect the Project.

ix. Preliminary meetings with municipal jurisdiction to assist Client in determining Project feasibility, zoning compliance and other planning related issues.

x. Schedule, attend, provide agenda for and prepare meeting minutes for meetings with the Project Team and stakeholders. Prepare and submit to Client a preliminary estimated schedule for completion of the design and construction of the Project, including, without limitation, the various major activities to be undertaken in connection with the Project and the approximate timing of the commencement and completion of such activities, which Consultant shall monitor and revise from time to time throughout the Term (the "Project Schedule");

a. Phase 2 Entitlement

i. Consult with Client regarding the Client's requirements and responsibilities relating to and coordinate predevelopment site evaluation activities, including but not limited to:

1. Private utility locates
2. Title Commitment
3. ALTA Survey and/or Boundary and Topographic Survey
4. Preliminary geotechnical investigation and report
5. Phase 1 Environmental Site Assessment
6. Phase 2 Environmental Site Assessment (if needed)
7. MPCA Brownfields enrollment, Response Action Plan or Construction Contingency Plan (if needed)

ii. Review preliminary investigations with Client and advise Client on property encroachments, wetlands, underground utilities, and other development encroachments and constraints disclosed in the preliminary investigations.

iii. Coordinate preparation of 90% Construction Documentation level drawings

iv. Coordinate preparation by Architect of 30% Architectural Documentation level drawings.

v. Schedule, attend, provide agenda for and prepare meeting minutes for meetings with Project Team and stakeholders.

vi. Review and advise client on Architectural, Civil Engineering, and Landscape Architecture drawings prepared for the Entitlement Phase submittal to the governmental entity having jurisdiction over the Project.

vii. Coordinate review of the design by the governmental entity having jurisdiction over the Project.

viii. Update proforma and financial model (Sources and Uses and 5-year Cash Flow) based on the Entitlement phase drawings.

ix. Prepare grants and funding requests that require entitlement phase project development in consultation with Client.

b. Phase 3: Design Development, Construction Documentation and Permitting

i. Supervise Architect, Civil Engineer, Landscape Architect and other design professionals in preparing a bidding document for Contractors.

- ii. Advise Owner on Contractors to receive bidding documents.
- iii. Review Contractor bids and advise owner on selection of a Contractor. Owner will execute Contract with Contractor designating Owner's Representative as contact for notifications and authorizations.
- iv. Coordinate Architect's design development and construction documentation activities on a schedule consistent with the project schedule.
- v. Update proforma and financial model with design development information.
- vi. Prepare grant and funding requests.
- vii. Coordinate negotiations among Project Team and applicable utilities, municipalities, and others concerning installation of electric, sewer, water, gas and telephone facilities for the Project.
- viii. Update project schedule and cost estimates.

c. Phase 4: Construction Administration

- i. Review pay application from the contractor and make written recommendations to Owner regarding payment.
- ii. Direct Contractor to prepare a critical path schedule for the Project.
- iii. Attend on-site construction meetings to confirm substantial and final completion.
- iv. Coordinate with Architect review of construction work complete and at substantial completion prepare a punch list specifying items which require Contractor completion, installation, correction or repair.
- v. Assist Owner with purchase and installation of furniture, fixtures, and equipment.
- vi. Coordinate and monitor (with Architect) start-up of utilities, systems, and equipment for the Project.

d. ALTA Survey – Phase 2

- a. ALTA/NSPS Land Title Survey including Table A Items: 1, 2, 3, 4, 5, 7(a), 8, 9, 11, 13, 16, 17, 18 and 19.
- b. The above items to include topographic data, depiction of any Special Flood Hazard Area, and possible encroachments to the property.
- c. Survey will locate all adjacent visible utilities and supplement with as-built plan data as available from the City of Minneapolis.

e. Phase I Environmental Site Assessment – Phase 2

- a. Data Collection: Obtain federal and state regulatory database information for the Property from a commercial regulatory vendor to evaluate for potential environmental conditions. The following historical records will be reviewed:
 - i. Sanborn Fire Insurance Maps
 - ii. Historical Aerial Photographs
 - iii. City Directories
 - iv. Historical Topographic Maps
 - v. Federal EPA-listed sites including NPL, CERCLIS, RCRA, and ERNS
 - vi. State MPCA-listed sites including UST, LUST, MERLA, VIC, spills, landfills, and others
 - vii. Regulatory file review will be conducted per ASTM E 1527-13

- b. Interviews: Conduct interviews with Property representatives (via phone or in person) regarding past and current Property use activities. Any entity relying on the Phase I ESA will complete a User Questionnaire provided by WSB. The following representatives will be contacted and interviewed (if available):
 - i. Current or past Property owners
 - ii. Current Property management or maintenance staff
 - iii. City building and inspection department
 - iv. City fire department
- c. Site Reconnaissance: Complete a site reconnaissance of the Property and adjoining sites. All Property areas, including buildings and storage structures, will be accessed as part of the site reconnaissance. The adjoining properties will be viewed from the public right-of-way areas. The site reconnaissance will include observation and documentation of the following:
 - i. Location of visible aboveground or underground storage tanks
 - ii. Location of chemical or hazardous material storage
 - iii. Location of water bodies (if present)
 - iv. Condition of vegetation and exposed soils
 - v. General parcel topography
 - vi. Photographic documentation
 - vii. Evidence of Methamphetamine manufacturing labs
- d. Report: Summarize the results of the Phase I ESA in a final documentation report. The report will be completed in accordance with the ASTM E1527-13 standard and shall include the following:
 - i. Supporting documentation upon which the findings and opinions are based
 - ii. Scope of services performed
 - iii. A “findings” section which will detail any RECs identified by the assessment
 - iv. The opinion of the environmental professional
 - v. Any conclusions drawn from the assessment
- f. Geotechnical Investigation – Phase 2
 - a. Six total standard penetration borings to a depth of 35 feet below grade.
 - b. WSB completes Gopher State One Call utility clearance to have public utilities marked.
 - c. WSB will prepare soil boring logs, perform laboratory testing, and provide a geotechnical report with our recommendations for building foundations, slabs, and pavement sections.
 - d. If borings are extended due to unsuitable soils at termination depths (organics, fills, etc), an additional charge of \$30 per lineal foot will be charged.
 - e. Client will contract with outside entity to mark private utilities on-site.
 - f. WSB will fill out required well sealing forms.
 - g. Payments for environmental well sealing permit will be owner’s responsibility, billed as a reimbursable expense.
- g. Civil Engineering and Landscape Architecture
 - a. Phase 1: Feasibility
 - i. Assist pricing of fit plan and cost estimating for utility and landscape project components

- ii. Assist with preliminary zoning analysis
- b. Phase 2: Entitlement
 - i. 90% construction documentation level civil and landscape drawings. Documents include:
 - 1. Civil Cover Sheet
 - 2. Existing Conditions, Tree Inventory, and Demolition Plan based on the survey
 - 3. Civil Site Plan with keynotes
 - 4. Grading Plan
 - 5. Erosion Control Plan and SWPPP
 - 6. Utility Plan
 - 7. Construction Details
 - 8. General Specifications
 - 9. Performance Specifications for Design/Build irrigation, if needed
 - 10. Stormwater Management Plan including storm sewer sizing calculations, stormwater management water quality analysis, and stormwater models.
 - 11. Landscape Planting Plan
 - 12. Hardscape Plan and Landscape Details
 - 13. Vendor supplied information: underground stormwater system, playground equipment, furniture etc., as needed
 - ii. Attendance at two meetings
- c. Phase 3: Design Development, Construction Documentation and Permitting
 - i. Coordinate permit package submittal
 - ii. Respond to City comments
 - iii. Make revisions to our documents as required.
 - iv. Apply for water extension, stormwater, and sewer connection permits.
 - v. Respond to bidder questions regarding civil and landscape plans.
- d. Phase 4: Construction Administration
 - i. Attend preconstruction meeting
 - ii. Shop drawing review and approval
 - iii. Six site visits on a biweekly basis, field reports prepared for site visits
 - iv. Respond to RFI regarding construction documents
 - v. Review pay applications
 - vi. Punchlist

ASSUMPTIONS

- a. Existing utility services are at the property line or within the property and are sized to handle the proposed development including water, sanitary sewer, storm sewer, gas, electric, and telephone.
- b. The entire civil engineering and landscape architecture will be designed, documented, and bid as one set of construction documents.
- c. Storm water analysis requested by government agencies that extends beyond the project site will require additional compensation.

EXCLUSIONS

- a. Record drawings are not included
- b. Public engagement services are not included

EXCLUSIONS (POTENTIAL SERVICES)

The following items are excluded from this fee proposal; however, WSB can provide these professional services for an additional fee, if requested:

- 1. Photometrics (we can provide if needed)
- 2. Applications to HUD for project financing are not included in this scope of services.
- 3. We have not included time to assist in preparing a maintenance agreement for the stormwater system.
- 4. Cost estimating is not included.
- 5. Record drawings are not included.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.10	Meeting Date:	March 25, 2024
Agenda Section:	Consent	Originating Department:	Community Development
Resolution:	X	Prepared By:	Erin McDermott, Associate Planner
Ordinance:	N/A		
Attachments:	5	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 #2024-_____ APPROVING THE FINAL PLAT “CHANSOMARY ESTATES” AT 7016 DUTTON AVENUE.

Overview:

City Council:

At the November 27, 2023, City Council meeting, the Council unanimously approved the Preliminary Plat for “Chansomary Estates.”

Planning Commission:

At the November 8, 2023 Planning Commission meeting, the commission unanimously (7-0) recommended approval of the proposed preliminary plat. One member of the public was present to speak on this request.

Summary:

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.

Park Land Dedication:

Park dedication determinations are made at the time of preliminary plat. In every plat allowing development, a portion of such land and/or cash must be set aside as open space for park and playground purposes, public open space for park and playground purposes, public open space or public ponds, except where adjustment to lot lines do not create additional lots. The final plat creates two new, buildable lots for a residential use.

The current rate is \$4,000.00 per new lot, this subdivision will result in the creation of one new lot. 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. The nearest neighborhood park is Brooklyn Acres Park.

Primary Issues/Alternatives to Consider:

1. Approval of the plat as presented.
2. Approval of the plat with modifications.
3. Denial of the plat based on certain findings.

Budgetary/Fiscal Issues:

There are no budgetary or fiscal impacts anticipated by this application.

Attachments:

- 4.10A RESOLUTION
- 4.10B LOCATION MAP
- 4.10C PLANNING COMMISSION MINUTES
- 4.10D PLAT OPINION
- 4.10E FINAL PLAT

RESOLUTION #2024-

RESOLUTION APPROVING THE FINAL PLAT "CHANSOMARY ESTATES" AT 7016 DUTTON AVENUE.

Planning Commission File #23-119

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

WHEREAS, said plat is in all respects consistent with the City 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.

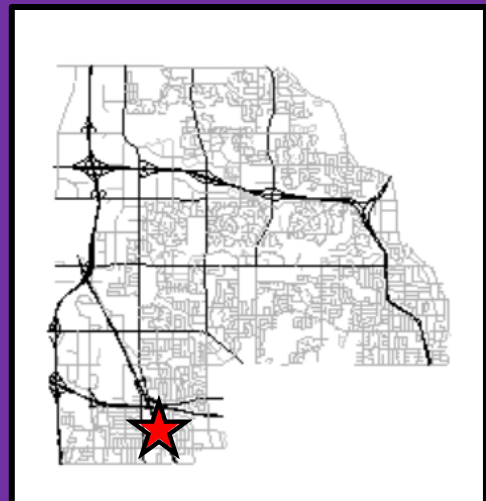
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park, Preliminary Plat Request #23-119 "Chansomary Estates" shall be approved subject to the following conditions:

- A. Adequate drainage and utility easements shall be provided with review and acceptance by the City Engineer.
- B. Payment of park dedication is required in the amount of \$4,000.00.
- C. Submission of a CAD copy of the plat.

BE IT FURTHER RESOLVED that such execution of the certificate upon said plat by the Mayor and City Manager shall be conclusive showing of proper compliance therewith by the subdivider and City officials and shall entitle such plat to be placed on record forthwith without further formality, all in compliance with M.S.A. 462 and the Ordinance of the City.



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.

4.10C – PLANNING COMMISSION REGULAR MEETING MINUTES

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.



Fifth Street Towers
 150 South Fifth Street, Suite 700
 Minneapolis MN 55402
 (612) 337-9300 telephone
 (612) 337-9310 fax
<http://www.kennedy-graven.com>
 Affirmative Action, Equal Opportunity Employer

SAMANTHA C. ZUEHLKE
 Attorney at Law
 Direct Dial (612) 337-9205
 Email: szuehlke@kennedy-graven.com

December 19, 2023

VIA E-MAIL ONLY

Ms. Amber Turnquest
 Principal Planner
 City of Brooklyn Park
 5200 85th Avenue North
 Brooklyn Park, MN 55443
amber.turnquest@brooklynpark.org

RE: *Plat Opinion for CHANSOMARY ESTATES*

Amber:

I have reviewed the title commitment issued by Land Title, Inc., as issuing agent for First American Title Insurance Company, their file number 687900, with an effective date of November 10, 2023 (the "Commitment"). I have also reviewed a final plat prepared by Demarc Land Surveying & Engineering, which is titled **CHANSOMARY ESTATES** (the "Plat").

The Commitment purports to cover the following legal description:

Lot 11, Bursch's First Addition, Hennepin County, Minnesota.

Abstract Property

(the "Property").

Based on my review of the Commitment and the Plat, I have the following comments relative to the proposed Plat:

1. **Plat Execution.** The names and signatures of the following parties in interest must appear on the Plat:
 - a. The fee owners as identified by the Commitment: Chansomary Ya and Kimdrick Lim, spouses married to each other.
 - b. The Commitment indicates that there is no mortgage on the Property. *If the Property is to be encumbered by a mortgage prior to the recording of the Plat,*

either a consent to plat must be executed by the mortgagee or the mortgagee must sign the Plat. I require review of any consents to plat.

2. **Plat Corrections.** The following revisions must be made to the Plat.

- a. The depiction of the Property on the plat includes the text “BURCH’S FIRST ADDITION”, and “BURCH’S SECOND ADDITION” which must be revised to “BURSCH’S FIRST ADDITION” and “BURSCH’S SECOND ADDITION”, respectively. *I require review of these revisions.*
- b. The fee owner’s name should be revised throughout the Plat from “Kimdrick Kim” to “Kimdrick Lim”. *I require revise of this revision.*
- c. The notification of interest must be revised from “Chansomary Ya and Kimdrick Kim, joint tenants of the following” to “Chansomary Ya and Kimdrick Lim, spouses married to each other, fee owners of the following”. *I require review of this revision.*
- d. The notification of interest must be revised from “said Chansomary Ya and Kimdrick Kim, joint tenants,” to “said Chansomary Ya and Kimdrick Lim, spouses married to each other”. *I require review of this revision.*
- e. The fee owners’ acknowledgement should be revised from “by , Chansomary Ya” to “by Chansomary Ya”. *I require view of this revision.*
- f. The legal description of the Property on the Plat should exactly match that of the Commitment. The legal description of the Property should be revised to “Lot 11, Bursch’s First Addition, Hennepin County, Minnesota.”. *I require review of this revision.*
- g. The notary blocks throughout the Plat should be revised from “(Nortary’s Printed Name)” to “(Notary’s Printed Name)”. *I require review of this revision.*
- h. The second signatory for the City should be revised from “Clerk” to “Manager”. *I require revise of this revision.*

3. **Title Commitment Exceptions.** The Plat is subject to the following exceptions, as set forth in the Commitment:

- a. Drainage and utility easements over the subject property as shown on the recorded plat. There are no drainage and utility easements dedicated on the plat of Bursch’s First Addition. *No further action is required.*
- b. Subject to easements in Quit Claim Deed dated November 4, 2015, filed December 8, 2015, as Document No. A10264793. The Quit Claim Deed conveys roadway

Ms. Amber Turnquest
December 19, 2023
Page 3

and utility, drainage and utility, and temporary construction easements to Hennepin County. The temporary construction easement expired in 2017 and does not need to be depicted on the Plat. The drainage and utility easement is depicted on the Plat along the south line of Lot 11. The roadway and utility easement appears to be depicted in the northwest corner of the Plat. The roadway and utility easement should be depicted with reference to Document No. 10264793. *I require review of this revision.*

c. Subject to road(s) as shown on available maps. The roadways abutting the Property—Kentucky Ave. N., Dutton Ave. N., and Lakeland Ave. N a/k/a County Road 81—are all depicted on the Plat. *No further action is required.*

4. **Property Taxes and Assessments.** All real estate taxes payable in the year the Plat is recorded (including delinquent taxes plus penalties and interest, if applicable, and any deferred Green Acres taxes) must be paid prior to recording the Plat. Any special assessments against any part of the Property can be reapportioned among the new lots as provided in Minnesota Statutes Section 429.071(3).

Tax parcel number: 32-119-21-13-0021

Real estate taxes payable in 2023 are \$2,098.50 and are paid.

There are no prior year taxes due on the property.

5. **Compliance with Minnesota Statutes Section 505.03.** According to the Plat, the Property abuts County Road 81 and, as such, the Plat should be submitted to the County Engineer for review and an opportunity to provide written comments and recommendations, if it has not already been submitted. *Upon recording, the City will be required to also submit a certificate or other evidence showing submission of the preliminary plat to the County Engineer.*

This letter does not purport to set forth every matter relevant to a determination of whether title to the Property is marketable, and no one should rely upon it for that purpose. The sole purpose of this letter is to identify required signatories to the Plat and related issues of interest to the City in connection with platting, as evidenced by the Commitment and the Plat.

This opinion is conditioned upon the issuance of a title policy in favor of the City of Brooklyn Park in an amount acceptable to the City, insuring the City's interests as they appear in the plat of CHANSOMARY ESTATES.

Please contact me if you have any questions regarding this information. Thank you.

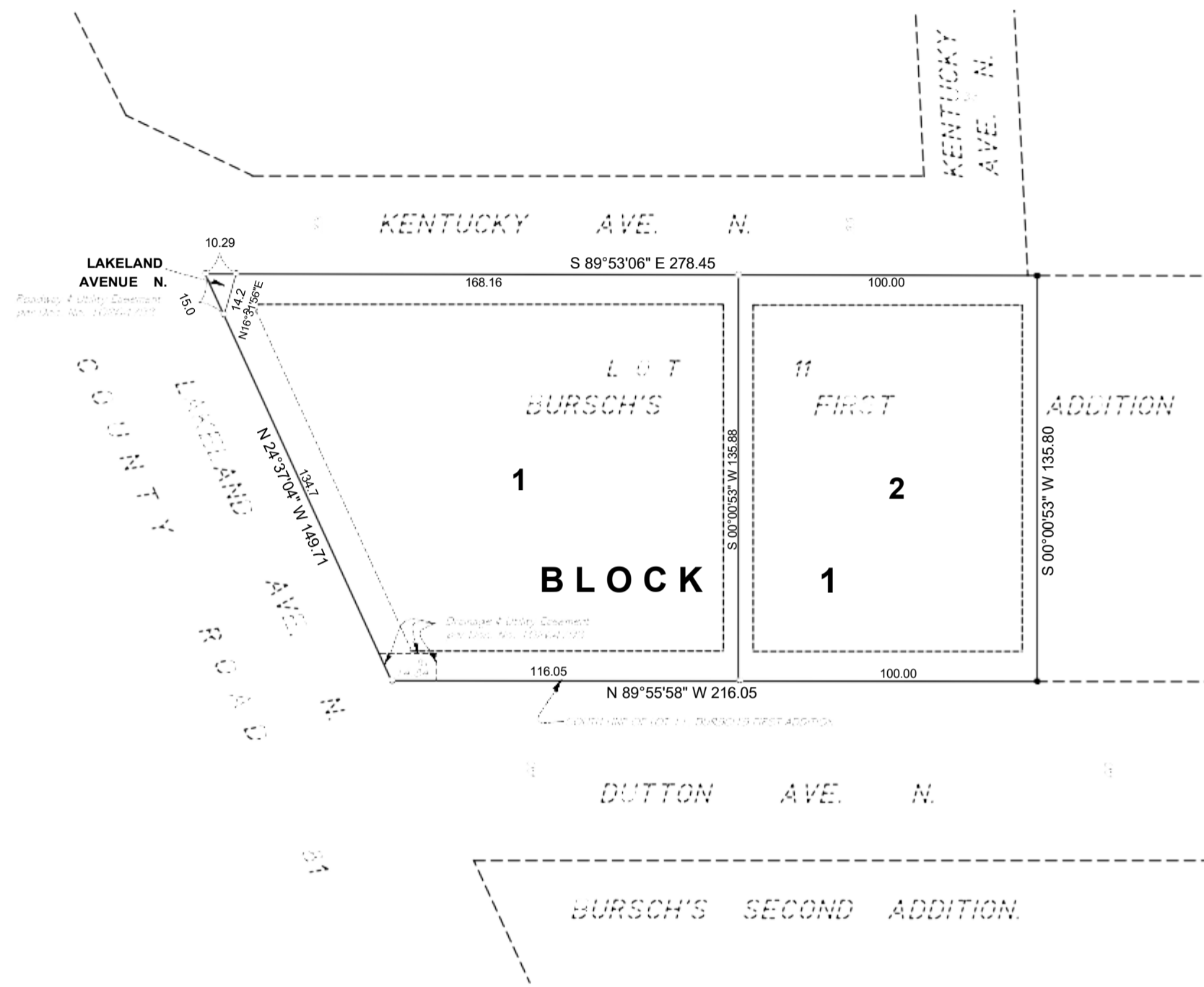
Sincerely,

Samantha C. Zuehlke

Samantha C. Zuehlke
SCZ

C. R. DOC. No. _____

CHANSOMARY ESTATES



KNOW ALL PERSONS BY THESE PRESENTS: That Chansomary Ya and Kimdrick Lim, spouses married to each other, fee owners of the following described property situate in the County of Hennepin, State of Minnesota, to wit:

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

Have caused the same to be surveyed and platted as CHANSOMARY ESTATES and do hereby dedicate to the public for public use the public ways and easements for utility and drainage purposes as created by this plat.

In witness whereof said Chansomary Ya and Kimdrick Lim, spouses married to each other have hereunto set their hands this _____ day of _____, 20____.

Chansomary Ya

Kimdrick Lim

STATE OF MINNESOTA

COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 20____, by Chansomary Ya and Kimdrick Lim.

Signature of Notary _____ (Notary's Printed Name) _____

Notary Public _____, County, Minnesota. My commission expires _____.

I Gregory R. Prasch do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____.

Gregory R. Prasch, Land Surveyor
Minnesota License No. 24992

STATE OF MINNESOTA

COUNTY OF HENNEPIN

This instrument was acknowledged before me on this _____ day of _____, 20____, by Gregory R. Prasch.

Signature of Notary _____ (Notary's Printed Name) _____

Notary Public _____, County, Minnesota. My commission expires _____.

CITY COUNCIL, CITY OF BROOKLYN PARK, MINNESOTA

This plat of CHANSOMARY ESTATES was approved and accepted by the City Council of the City of Brooklyn Park, Minnesota, at a regular meeting thereof held this _____ day of _____, 20____, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subdivision 2.

City Council, City of Brooklyn Park, Minnesota

By _____
Mayor

By _____
Manager

RESIDENT AND REAL ESTATE SERVICES, Hennepin County, Minnesota

I hereby certify that taxes payable in 20____ and prior years have been paid for land described on this plat, dated this _____ day of _____, 20____.

Daniel Rogan, County Auditor

By _____ Deputy

SURVEY DIVISION, Hennepin County, Minnesota

Pursuant to Minnesota Statutes, Sec. 383B.565 (1969) this plat has been approved this _____ day of _____, 20____.

Chris F. Mavis, County Surveyor

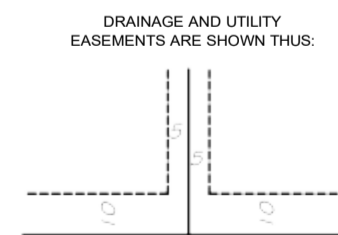
By _____

COUNTY RECORDER, Hennepin County, Minnesota

I hereby certify that the within plat of CHANSOMARY ESTATES was recorded in this office this _____ day of _____, 20____, at _____ o'clock _____ M.

Amber Bougie, County Recorder

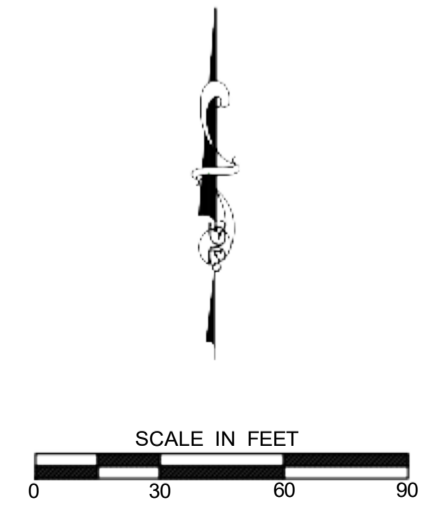
By _____ Deputy



- DENOTES 1/2 INCH BY 14 INCH IRON MONUMENT SET AND MARKED BY LICENSE NUMBER 52706, UNLESS OTHERWISE NOTED.
- DENOTES FOUND OPEN END 1/2 INCH IRON PIPE MONUMENT

BEING 10 FEET IN WIDTH AND ADJOINING RIGHT OF WAY LINES AND REAR LOT LINES AND 5 FEET IN WIDTH AND ADJOINING SIDE LOT LINES, UNLESS OTHERWISE INDICATED ON THIS PLAT.

BEARING REFERENCE:
FOR THE PURPOSES OF THIS PLAT THE SOUTH LINE OF LOT 11, BURSCH'S FIRST ADDITION IS ASSUMED TO BEAR NORTH 89°55'58" WEST.



City of Brooklyn Park Request for Council Action

Agenda Item:	4.11	Meeting Date:	March 25, 2024
Agenda Section:	Consent	Originating Department:	Operations & Maintenance
Resolution:	X	Prepared By:	Richard Luckow, Public Utilities Superintendent
Ordinance:	N/A		
Attachments:	2	Presented By:	Dan Ruiz, Director
Item:	Accept Bid and Award Contract for the Wellhouse #10 Rehabilitation Project to American Liberty Construction		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2024-_____ TO ACCEPT BIDS AND AWARD A CONTRACT FOR THE CONSTRUCTION AND REFURBISHING OF WELLHOUSE #10 BUILDING, PIPING AND RELATED EQUIPMENT TO AMERICAN LIBERTY CONSTRUCTION

Overview:

This request is for the approval to award a contract for the construction and refurbishing of Brooklyn Park Wellhouse #10. This project will consist of improvements to the physical building, electrical, HVAC and process systems. The project was advertised in the Sun-Post and in Finance and Commerce on February 29, 2024, and on the electronic bulletin board (Quest CDN). On March 14, 2024 (3) three bids were received: the lowest responsible bid being from American Liberty Construction in the amount of \$379,900.00. American Liberty Construction is an experienced contractor who has completed many projects for municipalities and industrial customers.

Primary Issues/Alternatives to Consider:

This project will commence this spring and be substantially completed by 11/29/2024.

Should the Council award the bid as recommended?

The Operations & Maintenance staff recommends approval as presented.

Budgetary/Fiscal Issues:

The recommended bid proposal of \$379,900.00 is within the approved 2024 Public Utilities Water Fund expenditures program budget and capital improvement plan.

Attachments:

4.11A RESOLUTION

4.11B ENGINEERS RECOMMENDATION

RESOLUTION #2024-

RESOLUTION TO ACCEPT BIDS AND AWARD A CONTRACT FOR THE CONSTRUCTION AND REFURBISHING OF WELLHOUSE #10 BUILDING, PIPING AND RELATED EQUIPMENT TO AMERICAN LIBERTY CONSTRUCTION

WHEREAS, it is important to keep the Utility Infrastructure at a high level of service; and

WHEREAS, Well #10 is a primary well for our water supply; and

WHEREAS, the project is in the 2024 Capital Improvement Plan as Project #3002-24; and

WHEREAS, plans and specifications were produced by WSB; and

WHEREAS, the project was advertised in the Sun-Post on February 29, and on Quest/CDN; and

WHEREAS, on March 14, 2024, three bids were received as follows:

Contractor	Total Bid
Municipal Builders Inc, Nowthen, MN	\$458,000.00
Minnesota Mechanical Solutions, Waite Park, MN	\$396,632.00
American Liberty Construction, Rockford, MN	\$379,900.00

WHEREAS, the Wellhouse #10 Rehabilitation Project is recommended to be awarded to the lowest responsible bidder meeting specifications, American Liberty Construction for an amount of \$379,900.00: and

WHEREAS, the project can be accommodated in the 2024 Public Utilities Water Supply Expenditure Budget.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Brooklyn Park to award the Wellhouse #10 Rehabilitation Project to American Liberty Construction in the amount of \$379,900.00

BE IT FURTHER RESOLVED to authorize the Mayor and City Manager to authorize minor contract changes and obtain approval from the Council at the conclusion of this project.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.12	Meeting Date:	March 25, 2024
Agenda Section:	Consent	Originating Department:	Operations & Maintenance
Resolution:	X	Prepared By:	Mark Becker, Street/Fleet Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Dan Ruiz, Director of Operations & Maintenance
Item:	Approve the Bid Award for the Recommended Short -Term Improvements to the City of Brooklyn Park City Owned Signal Light Systems to Premier Electrical Corporation		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2024-_____ APPROVING THE BID AWARD FOR THE SHORT-TERM IMPROVEMENTS TO THE CITY OF BROOKLYN PARK CITY OWNED SIGNAL LIGHT SYSTEMS TO PREMIER ELECTRICAL CORPORATION.

Overview:

This request is to approve the bid and award the contract for the 2024 Short-Term Improvements to one (1) of the City owned Signal Light Systems. The benefits of these improvements are to upgrade existing signals systems with emergency vehicle signal pre-emption (EVP), LED indications, ADA compliant push buttons, battery backup, and re-paint signals.

On January 22, 2024 four (4) bids were received. The lowest responsible bid meeting specifications for 1 of the 4 signal systems is from Premier Electrical Corporation. Premier Electrical has worked for the City of Brooklyn Park in the past and the work has been satisfactory.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

The recommended bid proposal for Brookdale/Humboldt Ave. Signal System in the amount of \$92,698.00. is within the 2024 Capital Improvement Plan expenditure budget in the Street/Signal Utility Fund.

Attachments:

4.12A RESOLUTION

RESOLUTION #2024-

RESOLUTION APPROVING THE BID AWARD FOR THE SHORT-TERM IMPROVEMENTS TO THE CITY OF BROOKLYN PARK CITY OWNED SIGNAL LIGHT SYSTEMS TO PREMIER ELECTRICAL CORPORATION.

WHEREAS, The short-term repairs are needed to the existing signal systems to continue correct operation to meet traffic signal warrants for reduced congestion and/or safety problems; and

WHEREAS, On January 22nd, 2024 four (4) bid were received as follows:

CONTRACTOR:

Killmer Electric Company Inc.....Boone/63 rd Ave.	\$42,755.00.	Premier Electric	\$61,649.00.
Killmer Electric Company Inc.....Boone/73 rd Ave.	\$46,975.00.	Premier Electric...	\$66,577.00.
Killmer Electric Company Inc.....Oak Grove/Target.	\$72,725.00.	Premier Electric	\$102,042.00.
Premier Electrical Corporation...Brookdale/Humboldt.	\$92,698.00.	Killmer Electric Co.	\$96,270.00

and;

WHEREAS, the 2024 City owned Short-Term Signal Light System Improvement Project O&M-CIP 4005-24 is recommended to be awarded to the lowest bidder meeting specification for 1 of the 4 Signal locations to Premier Electrical Corporation.; and

WHEREAS, the recommended bid proposal for one (1) Signal Systems in the amount of \$92,698.00. is within the 2024 Capital Improvement Plan expenditures estimated budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to approve the bid award for the Short-Term Signal Light System Improvements at one (1) of the above locations to Premier Electrical Corporation.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.13	Meeting Date:	March 25, 2024
Agenda Section:	Consent	Originating Department:	Police
Resolution:	X	Prepared By:	Stephanie Heiberger, Police
Ordinance:	N/A		
Attachments:	2	Presented By:	Chief Mark Bruley, Police
Item:	Accept a Community Crime Intervention and Prevention Program Grant from the Minnesota Department of Public Safety		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2024-____ TO ACCEPT A COMMUNITY CRIME INTERVENTION AND PREVENTION PROGRAM GRANT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY AND AMEND THE 2024 GRANT FUND.

Overview:

The city applied for a Community Crime Intervention and Prevention Program grant from the Minnesota Department of Public Safety (DPS) Office of Justice Programs. The city was awarded partial funding for the proposed project, providing \$350,000 over two years.

These funds will be used to implement the street outreach component of Youth Group Violence Initiative (YGVI). The Youth Street Intervention Team will make connections with young people to identify issues early through street intervention and develop trust, preventing risk and trauma. Their goal is to develop trusting relationships within the community which allows them to prevent and intervene at the early signs of delinquent or harmful behavior by young people in the community. The intervention team will proactively engage high-risk youth and those on the fringe to intervene through "focused deterrence" efforts by providing a pathway away from the criminal justice system.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

Amend the 2024 grant fund budget as outlined in Attachment 4.13B.

Attachments:

- 4.13A RESOLUTION
- 4.13B BUDGET AMENDMENT

RESOLUTION #2024-

TO ACCEPT A COMMUNITY CRIME INTERVENTION AND PREVENTION PROGRAM GRANT FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY AND AMEND THE 2024 GRANT FUND

WHEREAS, the city applied for a grant from the Minnesota Department of Public Safety for a Community Crime Intervention and Prevention Program; and

WHEREAS, the grant award was in the amount of \$350,000 over two years; and

WHEREAS, the 2024 grant fund will need to be amended for this grant; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to accept a Community Crime Intervention and Prevention Program Grant from the Minnesota Department of Public Safety and amend the 2024 grant fund.

Changes to the GENERAL LEDGER Budget						
Financing Changes						
Fund	Revenue Classification	Description	Current Budget	Changes	Amended Budget	
203	State Grants	MN DPS CCIP Grant	\$ -	\$ 5,000.00	\$ 5,000.00	
			\$ -	\$ -	\$ -	
					\$ -	
Total			\$ -	\$ 5,000.00	\$ 5,000.00	
Spending Changes						
Fund	Expense Classification	Description	Current Budget	Changes	Amended Budget	
203	Supplies	IT equipment	\$ -	\$ 5,000.00	\$ 5,000.00	
			\$ -	\$ -	\$ -	
					\$ -	
Total			\$ -	\$ 5,000.00	\$ 5,000.00	

Changes to the GENERAL LEDGER Budget						
Financing Changes						
Fund	Revenue Classification	Description	Current Budget	Changes	Amended Budget	
203	State Grants	MN DPS CCIP Grant	\$ -	\$ 5,000.00	\$ 5,000.00	
			\$ -	\$ -	\$ -	
					\$ -	
Total			\$ -	\$ 5,000.00	\$ 5,000.00	
Spending Changes						
Fund	Expense Classification	Description	Current Budget	Changes	Amended Budget	
203	Supplies	IT equipment	\$ -	\$ 5,000.00	\$ 5,000.00	
			\$ -	\$ -	\$ -	
					\$ -	
Total			\$ -	\$ 5,000.00	\$ 5,000.00	

Changes to the PROJECT Budget <i>(Only complete this section if this is a CIP/CEP/Grant)</i>						
Financing Changes						
Project Number	Funding Source	Description	Current Budget	Changes	Amended Budget	
GRS-TBD	State Grants	MN DPS CCIP Grant	\$ -	\$ 350,000.00	\$ 350,000.00	
					\$ -	
Total			\$ -	\$ 350,000.00	\$ 350,000.00	
Spending Changes						
Project Number	Expense Category	Description	Current Budget	Changes	Amended Budget	
203	Supplies	Pens, paper, misc. office supplies	\$ -	\$ 342.00	\$ 342.00	
203	Conferences and Schools	Training for outreach workers	\$ -	\$ 3,000.00	\$ 3,000.00	
203	Contractual Services	Outreach workers		\$ 307,840.00	\$ 307,840.00	
203	Supplies	Uniforms		\$ 2,000.00	\$ 2,000.00	
203	Supplies	IT equipment		\$ 5,000.00	\$ 5,000.00	
203	Other Charges	Indirect cost rate		\$ 31,818.00	\$ 31,818.00	
					\$ -	
Total			\$ -	\$ 350,000.00	\$ 350,000.00	

City of Brooklyn Park Request for Council Action

Agenda Item:	4.14	Meeting Date:	March 25, 2024
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	X	Prepared By:	Katrina Doshier, Program Assistant
Ordinance:	N/A		
Attachments:	3	Presented By:	Jay Stroebel, City Manager
Item:	Approve Resolution Supporting Legislation to Establish a Biotech Innovation District, as well as Value Capture and Tax Increment Finance Districts		

City Manager's Proposed Actions:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2024-____ SUPPORTING PROPOSED LEGISLATION THAT ESTABLISHES A BIOTECH INNOVATION DISTRICT AND VALUE CAPTURE AND TAX INCREMENT FINANCE DISTRICTS.

Overview:

The Minnesota Legislature has requested the City pass a resolution of support for two bills being proposed at the current Minnesota Legislative Session:

- 1) The Brooklyn Park Biotech Innovation District bill would allow special authority to the City of Brooklyn Park to establish a biotech innovation district and secure additional funding to support the district and related workforce development initiatives. Attachment 4.14B details the specific legislative proposal.
- 2) The Tax Increment Financing (TIF) and Value Capture bill would allow the City of Brooklyn Park EDA and/or city of Brooklyn Park to make modifications to new and existing TIF districts as well as a value capture district aligned with the expected Metro Blue Line light rail project. The bill would also provide sales tax exemption for construction materials for certain projects in the city of Brooklyn Park. Attachment 4.14C details the specific legislative proposal.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

There is no budget implication to this action.

Attachments:

- 4.14A RESOLUTION
- 4.14B BIOTECH INNOVATION DISTRICT BILL
- 4.14C TIF BILL

RESOLUTION #2024-

RESOLUTION SUPPORTING PROPOSED LEGISLATION THAT ESTABLISHES A BIOTECH INNOVATION DISTRICT AND VALUE CAPTURE AND TAX INCREMENT FINANCE DISTRICTS.

WHEREAS, the City of Brooklyn Park seeks to secure resources and economic development tools to create jobs, grow our tax base, increase wealth building opportunities for residents, and expand workforce development efforts.

WHEREAS, the Brooklyn Park Biotech Innovation District bill would allow special authority to the City of Brooklyn Park to establish a biotech innovation district and secure additional funding to support the district and related workforce development initiatives; and

WHEREAS, the Tax Increment Financing (TIF) and Value Capture bill would allow the City of Brooklyn Park EDA and/or city of Brooklyn Park to make modifications to new and existing TIF districts as well as a value capture district aligned with the expected Blue Line light rail project. The bill would also provide sales tax exemption for construction materials for certain projects in the city of Brooklyn Park; and

WHEREAS, the City of Brooklyn Park has been requested to provide a resolution of support for bills being introduced at the 2023-24 Legislative Session.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to support the proposed legislation before the Minnesota Legislature to establish a Biotech Innovation District and Tax Increment Finance and Value Capture Districts in the City of Brooklyn Park.

1.1 A bill for an act

1.2 relating to economic development; providing special authority to the city of

1.3 Brooklyn Park to allow for the establishment of a biotech innovation district;

1.4 authorizing the city of Brooklyn Park to establish a value capture district; requiring

1.5 reports; appropriating money; amending Laws 2023, chapter 37, article 1, section

1.6 2, subdivision 17.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Laws 2023, chapter 37, article 1, section 2, subdivision 17, is amended to read:

1.9	Subd. 17. Housing Infrastructure	100,000,000	100,000,000
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1.10 This appropriation is for the housing

1.11 infrastructure program for the eligible

1.12 purposes under Minnesota Statutes, section

1.13 462A.37, subdivision 2. This is a onetime

1.14 appropriation. Of the 2025 appropriation,

1.15 \$10,000,000 is for awards to the city of

1.16 Brooklyn Park, to be awarded after the city of

1.17 Brooklyn Park submits documentation of a

1.18 project or projects eligible for housing

1.19 infrastructure bond funding.

1.20 Sec. 2. **BROOKLYN PARK BIOTECH INNOVATION DISTRICT.**

1.21 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have

1.22 the meanings given.

1.23 (b) "Authority" means the Brooklyn Park Economic Development Authority.

2.1 (c) "Biotech innovation district" means a geographic area in the city identified in the
 2.2 development plan.

2.3 (d) "City" means the city of Brooklyn Park.

2.4 (e) "Development plan" means the plan adopted under subdivision 2.

2.5 (f) "Project" means a project to implement the development plan.

2.6 (g) "Public infrastructure project" means a project financed at least partially with public
 2.7 money to:

2.8 (1) acquire or remediate real property, including site improvement;

2.9 (2) demolish, repair, or rehabilitate buildings;

2.10 (3) install, construct, or reconstruct public infrastructure necessary for the biotech
 2.11 innovation district;

2.12 (4) acquire, construct, reconstruct, develop, or equip parking facilities and other
 2.13 transit-related facilities; and

2.14 (5) acquire, install, construct, reconstruct, develop, or equip recreational, social, cultural,
 2.15 or tourism facilities.

2.16 Subd. 2. **Development plan.** (a) The authority must prepare a plan for the development
 2.17 of a biotech innovation district within the city. At least 60 days prior to a hearing on adopting
 2.18 the proposed development plan, the economic development authority must provide copies
 2.19 of the proposed development plan to the city, which the city must make available to the
 2.20 public in its offices and on the city's website. At least ten days before the hearing, the
 2.21 authority must publish notice of the hearing in a newspaper selected by the city for
 2.22 publication of the notice. At the hearing, the authority may only adopt the plan if it finds
 2.23 that:

2.24 (1) the plan provides an outline for the development of the city as a site of biotech
 2.25 innovation;

2.26 (2) the plan identifies the location of the proposed biotech innovation district;

2.27 (3) the plan is sufficiently complete, including the identification of planned and
 2.28 anticipated projects, to indicate its relationship to definite state and local objectives;

2.29 (4) the proposed development affords maximum opportunity, consistent with the needs
 2.30 of the city, county, and state, for the development of the city by private enterprise as a
 2.31 biotech innovation district;

3.1 (5) the plan conforms to the general plan for the development of the city and is consistent
3.2 with the city comprehensive plan;

3.3 (6) the city has approved the plan; and

3.4 (7) the plan includes:

3.5 (i) strategic planning consistent with a biotech innovation district;

3.6 (ii) a framework to identify and prioritize short- and long-term public investment and
3.7 public infrastructure project development and to facilitate private investment and
3.8 development;

3.9 (iii) land use planning;

3.10 (iv) multimodal transportation planning;

3.11 (v) goals, objectives, and strategies to increase racial equity and to create community
3.12 wealth for city residents, local businesses, and businesses owned by women and people of
3.13 color, guided by the city's racial equity principles; and

3.14 (vi) ongoing market research plans.

3.15 (b) In identifying planned and anticipated projects under paragraph (a), clause (2), the
3.16 authority must prioritize projects that will pay a wage covering the cost of living for Hennepin
3.17 County, calculated using the most recent report completed pursuant to Minnesota Statutes,
3.18 section 116J.013.

3.19 (c) The city must adopt the development plan within 60 days following its adoption by
3.20 the authority and may incorporate the development plan into the city's comprehensive plan.
3.21 Minnesota Statutes, section 15.99 does not apply to review and approval of the development
3.22 plan.

3.23 (d) The authority may modify the development plan at any time and must modify the
3.24 plan at least once every five years. To modify the development plan, the authority must
3.25 follow the same procedures set out in paragraph (a) for the development plan.

3.26 (e) When preparing the proposed development plan, the authority must seek input from
3.27 the community and other partners such as biotech trade associations, the City of Brooklyn
3.28 Park Planning Commission, the City of Brooklyn Park Community Long-Range Improvement
3.29 Committee, skilled trades, and other regional partners.

3.30 Subd. 3. **Special powers; requirements; limitations.** (a) In implementing the
3.31 development plan, the city may exercise the powers of a port authority under Minnesota
3.32 Statutes, section 469.048 to 469.068.

4.1 (b) The city must provide financial and administrative support to the authority and may
 4.2 appropriate city funds to the authority for its work in developing and implementing the
 4.3 development plan.

4.4 (c) The city may issue general obligation bonds, revenue bonds, or other obligations to
 4.5 finance the development and implementation of the development project. Debt undertaken
 4.6 pursuant to this paragraph is not subject to the net debt limit in Minnesota Statutes, section
 4.7 475.53. Approval of the electors is not necessary to issue bonds or other obligations under
 4.8 this paragraph. The city may pledge any of its revenues, including property taxes and state
 4.9 aid issued pursuant to Minnesota Statutes, section 469.47 to the obligations issued pursuant
 4.10 to this paragraph. The city must not issue obligations that are only payable from or secured
 4.11 by state aid issued pursuant to Minnesota Statutes, section 469.47.

4.12 (d) Notwithstanding Minnesota Statutes, section 469.068, the city and its authority need
 4.13 not require competitive bidding on a parking facility or other public improvement constructed
 4.14 to implement the development plan.

4.15 (e) Except as otherwise specified, all activities to develop and implement the development
 4.16 plan must comply with applicable state law and regulations and city ordinances, zoning,
 4.17 and planning requirements.

4.18 Subd. 4. **Report.** Beginning in 2025, by February 15 of each year, the city and authority
 4.19 must submit a joint report to the chairs and ranking minority members of the legislative
 4.20 committees and divisions with jurisdiction over jobs and economic development. The report
 4.21 must include:

4.22 (1) the development plan and any proposed changes to the development plan;

4.23 (2) information on the progress of projects identified in the development plan;

4.24 (3) costs and financing sources for the costs, including the amount paid with state aid
 4.25 and local contributions of projects completed in the previous two years;

4.26 (4) estimated costs and financing sources for projects anticipated to start in the next two
 4.27 years; and

4.28 (5) debt service schedules for all outstanding obligations of the city and authority for
 4.29 debt issued for projects identified in the plan.

4.30 Sec. 3. **APPROPRIATION; DRIVE FOR FIVE GRANT FOR BROOKLYN PARK.**

4.31 Of the amount appropriated in Minnesota Laws 2023, chapter 53, article 20, section 2,
 4.32 subdivision 2, paragraph (d), \$500,000 must be awarded to the city of Brooklyn Park to

5.1 support MetroNorth and the North Metro Manufacturers Consortium to connect Brooklyn
 5.2 Park students and job seekers with in-demand careers and local manufacturers.

5.3 **Sec. 4. BROOKLYN PARK WATER INFRASTRUCTURE.**

5.4 Subdivision 1. **Appropriation.** \$12,000,000 is appropriated from the bond proceeds
 5.5 fund to the Public Facilities Authority for a grant to the city of Brooklyn Park for a new
 5.6 water tower and three water main crossings under Highway 610 and Highway 169.

5.7 Subd. 2. **Bond sale.** To provide the money appropriated in this section from the bond
 5.8 proceeds fund, the commissioner of management and budget shall sell and issue bonds of
 5.9 the state in an amount up to \$12,000,000 in the manner, upon the terms, and with the effect
 5.10 prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota
 5.11 Constitution, article XI, sections 4 to 7.

5.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

5.13 **Sec. 5. APPROPRIATION; BROOKLYN PARK AND BROOKLYN CENTER**
 5.14 **WORKFORCE DEVELOPMENT.**

5.15 \$3,000,000 in fiscal year 2025 is appropriated from the workforce development fund to
 5.16 the commissioner of employment and economic development for a grant to the city of
 5.17 Brooklyn Park for the city to expand the workforce development programming of Brooklyn
 5.18 Park and Brooklyn Center through workforce development programs serving primarily
 5.19 underrepresented populations, including such programs as Brooklynk, Career Pathways,
 5.20 Youth Entrepreneurship, and Community Partnership. This appropriation is onetime and
 5.21 available until spent.

5.22 **Sec. 6. APPROPRIATION; BROOKLYN PARK SMALL BUSINESS CENTER.**

5.23 \$1,000,000 in fiscal year 2025 is appropriated from the workforce development fund to
 5.24 the commissioner of employment and economic development for a grant to the city of
 5.25 Brooklyn Park for the Brooklyn Park Small Business Center. This appropriation is onetime
 5.26 and available until spent.

5.27 **Sec. 7. ALLOCATION; MINNESOTA INVESTMENT FUND.**

5.28 Of the amount in the Minnesota investment fund, \$1,000,000 shall be granted from the
 5.29 commissioner of employment and economic development to the city of Brooklyn Park for
 5.30 its biotech innovation district under section 2 of this act. The term of this grant contract
 5.31 shall make the funds available to the city until June 30, 2035.

1.1 A bill for an act

1.2 relating to taxation; property taxes; tax increment financing; sales and use tax;

1.3 providing special tax increment financing authority; providing special property

1.4 tax abatement authority; authorizing establishment of a value capture district;

1.5 providing a sales tax exemption for construction materials for certain projects in

1.6 the city of Brooklyn Park.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. **CITY OF BROOKLYN PARK; TIF AUTHORITY; VILLAGE CREEK**

1.9 **AREA.**

1.10 Subdivision 1. Establishment of districts. Upon the termination of Tax Increment

1.11 Financing District No. 20 within the city of Brooklyn Park, under the special rules established

1.12 in subdivision 2, the economic development authority of the city of Brooklyn Park and or

1.13 city of Brooklyn Park may establish one or more redevelopment tax increment financing

1.14 districts located wholly within the area of the city of Brooklyn Park, comprised of the

1.15 following parcels identified by their current parcel identification numbers:

- 1.16 2011921430101 2011921440088 2011921430092 2011921430099 2111921330104
- 1.17 2111921340003 2111921340005 2111921340006 2111921340019 2111921340021
- 1.18 2111921330066 2111921330068 2111921340017 2111921340018 2811921130004
- 1.19 2811921130005 2811921140007 2811921210003 2811921220002 2811921220007
- 1.20 2811921240004 2811921240009 2811921240010 2811921240107 2811921310001
- 1.21 2811921340010 2911921120032 2811921130014 2811921130015 2811921130024
- 1.22 2811921140012 2811921210014 2811921210020 2811921210023 2811921210103
- 1.23 2811921220001 2811921220003 2811921220005 2811921240007 2811921340006
- 1.24 2911921120001 2911921120004 2011921440089 2111921330067 2111921340002
- 1.25 2111921340004 2111921340027 2111921340113 2811921120001 2811921130001

2.1 2811921130017 2811921130023 2811921210001 2811921210016 2811921210033
2.2 2811921210060 2811921210101 2811921240006 2811921240017 2911921110004
2.3 2911921120005 2011921430093 2011921430100 2011921430102 2011921430103
2.4 2111921330102 2111921330103 2111921340001 2111921340007 2111921340020
2.5 2111921340022 2811921120002 2811921120104 2811921130002 2811921130020
2.6 2811921130021 2811921210022 2811921210034 2811921210099 2811921210102
2.7 2811921220006 2811921240003 2811921240012 2811921340005 2811921340009
2.8 2911921110118 2911921120006 2911921120043 3311921210001

2.9 together with adjacent and internal roads and rights of way, and the following roadways
2.10 within the city of Brooklyn Park: Zane Avenue North (from and including the intersection
2.11 at 78th Avenue North to and including the intersection at Highway 94), Brooklyn Boulevard
2.12 (from and including the intersection at Highway 169 to and including the intersection at
2.13 Kentucky Avenue North), Brookdale Drive North (from and including the intersection at
2.14 Zane Avenue North to and including the intersection at Welcome Avenue North), Village
2.15 Creek Parkway North, Welcome Avenue North (from and including the intersection at
2.16 Village Creek Parkway North to and including the intersection at Brookdale Drive North),
2.17 73rd Avenue North (from and including the intersection at Zane Avenue North to and
2.18 including the intersection at Brooklyn Boulevard).

2.19 Subd. 2. **Special rules.** If the city or the authority establishes any tax increment financing
2.20 district under subdivision 1, the following special rules apply:

2.21 (1) the districts are deemed to meet all the requirements of Minnesota Statutes, section
2.22 469.174, subdivision 10;

2.23 (2) expenditures incurred in connection with the development of the property described
2.24 in subdivision 1 of this section, are deemed to meet the requirements of Minnesota Statutes,
2.25 section 469.176, subdivision 4j; and

2.26 (3) in addition to any expenditure authorized to be financed with increment under
2.27 Minnesota Statutes, section 469.176, subdivision 4, increments from such districts may be
2.28 spent within the areas described in subdivision 1 of this section on any of the following
2.29 expenditures:

2.30 (i) acquiring and improving public streets and public spaces including public art and
2.31 landscaping; and

2.32 (ii) commercial and residential building rehabilitation and/or facade improvements; and

3.1 (4) the requirements, limitations, or restrictions in the following statutes do not apply:
3.2 Minnesota Statutes, section 469.174, subdivision 25, clause (2); section 469.176, subdivision
3.3 4l and 5; and section 469.1763, subdivisions 2, 3 and 4.

3.4 Subd. 3. Expiration. The authority to request certification of any district under this
3.5 section expires on December 31, 2044.

3.6 EFFECTIVE DATE. This section is effective upon approval by the governing body
3.7 of the city of Brooklyn Park and compliance with the requirements of Minnesota Statutes,
3.8 section 645.021.

3.9 Sec. 2. CITY OF BROOKLYN PARK; TIF AUTHORITY; 610/ZANE AREA.

3.10 Subdivision 1. Establishment of districts. Under the special rules established in
3.11 subdivision 2, the economic development authority of the city of Brooklyn Park or the city
3.12 of Brooklyn Park may establish one or more redevelopment districts located wholly within
3.13 the area of the city of Brooklyn Park, comprised of the following parcels identified by their
3.14 current parcel identification numbers together with adjacent and internal roads and rights
3.15 of way:

- 3.16 0811921410009 0811921140050 0811921140051 0911921120005 0911921210007
- 3.17 0911921230008 0911921230049 0911921240006 0911921240009 0911921310004
- 3.18 0911921320018 0911921330009 0911921430006 0911921430014 0911921430015
- 3.19 0911921430019 0911921430020 0911921430028 0911921430030 0911921430033
- 3.20 0911921430037 0911921430038 0911921430040 0911921430048 0911921430054
- 3.21 0911921430055 0911921430059 0911921430069 0911921430071 0911921430072
- 3.22 0911921430076 0911921430080 0911921430081 0911921430082 0911921430083
- 3.23 0911921430086 0911921430087 0911921430088 0911921430094 0911921430095
- 3.24 0911921430099 0911921430104 0911921430114 0911921210005 0911921210095
- 3.25 0911921220070 0911921220071 0911921230009 0911921230010 0911921230011
- 3.26 0911921230012 0911921230013 0911921240005 0911921240008 0911921310007
- 3.27 0911921310009 0911921320023 0911921330008 0911921330011 0911921340008
- 3.28 0911921340014 0911921340017 0911921430018 0911921430024 0911921430025
- 3.29 0911921430029 0911921430034 0911921430035 0911921430039 0911921430044
- 3.30 0911921430045 0911921430049 0911921430058 0911921430060 0911921430061
- 3.31 0911921430062 0911921430063 0911921430067 0911921430068 0911921430090
- 3.32 0911921430093 0911921430097 0911921430098 0911921430102 0911921430103
- 3.33 0911921430112 0911921430113 0911921430120 0811921440008 0911921210006
- 3.34 0911921210096 0911921210100 0911921210101 0911921220008 0911921220017
- 3.35 0911921230014 0911921230015 0911921240004 0911921240007 0911921310010

4.1 0911921310011 0911921310012 0911921330010 0911921330012 0911921340009
4.2 0911921430013 0911921430017 0911921430021 0911921430022 0911921430026
4.3 0911921430031 0911921430032 0911921430036 0911921430041 0911921430042
4.4 0911921430046 0911921430053 0911921430057 0911921430064 0911921430065
4.5 0911921430073 0911921430077 0911921430078 0911921430100 0911921430105
4.6 0911921430107 0911921430108 0911921430110 0911921430115 0911921430117
4.7 0911921430118 0911921210097 0911921210099 0911921220014 0911921220015
4.8 0911921220068 0911921230005 0911921320016 0911921320021 0911921320024
4.9 0911921330006 0911921340015 0911921340016 0911921430009 0911921430010
4.10 0911921430011 0911921430012 0911921430016 0911921430023 0911921430027
4.11 0911921430043 0911921430047 0911921430050 0911921430051 0911921430052
4.12 0911921430056 0911921430066 0911921430070 0911921430074 0911921430075
4.13 0911921430079 0911921430084 0911921430085 0911921430089 0911921430091
4.14 0911921430092 0911921430096 0911921430101 0911921430106 0911921430109
4.15 0911921430111 0911921430116 0911921430119

4.16 Subd. 2. **Special rules.** If the city or the authority establishes any tax increment financing
4.17 district under subdivision 1, the following special rules apply:

4.18 (1) the districts are deemed to meet all the requirements of Minnesota Statutes, section
4.19 469.174, subdivision 10;

4.20 (2) expenditures incurred in connection with the development of the property described
4.21 in subdivision 1 of this section, are deemed to meet the requirements of Minnesota Statutes,
4.22 section 469.176, subdivision 4j; and

4.23 (3) in addition to any expenditure authorized to be financed with increment under
4.24 Minnesota Statutes, section 469.176, subdivision 4, increments from such districts may be
4.25 spent within the areas described in subdivision 1 of this section on any of the following
4.26 expenditures:

4.27 (i) building or property improvements that enhance environmental sustainability;

4.28 (ii) commercial and residential building rehabilitation and/or facade improvements;

4.29 (iii) increased costs of building materials resulting from higher quality building materials
4.30 approved by the city or the authority; and

4.31 (iv) purchase of right-of-way, easements, and the construction of new infrastructure
4.32 including roadways, trails, sidewalks, storm sewer infrastructure and management, sanitary
4.33 sewer infrastructure, water main infrastructure, installation of a new water tower, street and

5.1 pedestrian lighting, private utility burial, public plazas, bike facilities, landscaping and
5.2 irrigation, and public art; and

5.3 (4) the requirements, limitations, or restrictions in the following statutes do not apply:
5.4 Minnesota Statutes, section 469.174, subdivision 25, clause (2); section 469.176, subdivision
5.5 4l and 5; and section 469.1763, subdivisions 2, 3 and 4.

5.6 Subd. 3. **Expiration.** The authority to request certification of any district under this
5.7 section expires on December 31, 2044.

5.8 **EFFECTIVE DATE.** This section is effective upon approval by the governing body
5.9 of the city of Brooklyn Park and compliance with the requirements of Minnesota Statutes,
5.10 section 645.021.

5.11 Sec. 3. **CITY OF BROOKLYN PARK; TIF AUTHORITY; BIOTECH AREA.**

5.12 Subdivision 1. **Establishment.** Under the special rules established in subdivision 2, the
5.13 economic development authority of the city of Brooklyn Park or the city of Brooklyn Park
5.14 may establish one or more redevelopment districts located wholly within the area of the
5.15 city of Brooklyn Park, comprised of the following parcels identified by their current parcel
5.16 identification numbers together with adjacent and internal roads and rights of way:

- 5.17 0711921110007 0711921140001 0711921140002 0711921140007 0711921240002
- 5.18 0711921240004 0711921110005 0711921120009 0711921220003 0711921230001
- 5.19 0711921230002 0811921230004 0711921110004 0711921110006 0711921110008
- 5.20 0711921120005 0711921130005 0711921140005 0711921140006 0711921210003
- 5.21 0711921110003 0711921120006 0811921230002

5.22 Subd. 2. **Special rules.** If the city or the authority establishes any tax increment financing
5.23 district under subdivision 5, the following special rules apply:

5.24 (1) the districts are deemed to meet all the requirements of Minnesota Statutes, section
5.25 469.174, subdivision 10;

5.26 (2) expenditures incurred in connection with the development of the property described
5.27 in subdivision 1 of this section, are deemed to meet the requirements of Minnesota Statutes,
5.28 section 469.176, subdivision 4j; and

5.29 (3) in addition to any expenditure authorized to be financed with increment under
5.30 Minnesota Statutes, section 469.176, subdivision 4, increments from such districts may be
5.31 spent within the areas described in subdivision 1 of this section on any of the following
5.32 expenditures:

- 6.1 (i) building or property improvements that enhance environmental sustainability;
- 6.2 (ii) commercial and residential building rehabilitation and/or facade improvements;
- 6.3 (iii) increased costs of building materials resulting from higher quality building materials
- 6.4 approved by the city or the authority; and
- 6.5 (iv) purchase of right-of-way, easements, and the construction of new infrastructure
- 6.6 including roadways, trails, sidewalks, storm sewer infrastructure and management, sanitary
- 6.7 sewer infrastructure, water main infrastructure, installation of a new water tower, street and
- 6.8 pedestrian lighting, private utility burial, public plazas, bike facilities, landscaping and
- 6.9 irrigation, and public art; and
- 6.10 (4) the requirements, limitations, or restrictions in the following statutes do not apply:
- 6.11 Minnesota Statutes, section 469.174, subdivision 25, clause (2); section 469.176, subdivision
- 6.12 4l and 5; and section 469.1763, subdivisions 2, 3 and 4.

6.13 Subd. 3. **Expiration.** The authority to request certification of any district under this

6.14 section expires on December 31, 2044.

6.15 **EFFECTIVE DATE.** This section is effective upon approval by the governing body

6.16 of the city of Brooklyn Park and compliance with the requirements of Minnesota Statutes,

6.17 section 645.021.

6.18 Sec. 4. **CITY OF BROOKLYN PARK; TIF AUTHORITY; DISTRICT NOS. 18**

6.19 **AND 20.**

6.20 Notwithstanding Minnesota Statutes, sections 469.174 to 469.1794, increment from Tax

6.21 Increment Financing Districts Nos. 18 and 20 may be collected for 25 years after the date

6.22 of receipt by the economic development authority of the city of Brooklyn Park of the first

6.23 increment there from and any increment received by the economic development authority

6.24 of the city of Brooklyn Park from Tax Increment Financing Districts Nos. 18 and 20 is not

6.25 required to be returned to Hennepin County for redistribution and may be transferred to the

6.26 account held by the economic development authority of the city of Brooklyn Park or the

6.27 city of Brooklyn Park for Tax Increment Financing District No. 3 and spent in accordance

6.28 with the requirements for expenditures of increment received from Tax Increment Financing

6.29 District No. 3 and the budget for expenditures under the tax increment financing plan is

6.30 deemed increased by the amount so transferred without any further action by the city or the

6.31 authority.

7.1 **EFFECTIVE DATE.** This section is effective upon approval by the governing body
7.2 of the city of Brooklyn Park and compliance with the requirements of Minnesota Statutes,
7.3 section 645.021.

7.4 Sec. 5. **CITY OF BROOKLYN PARK; TIF AUTHORITY; DISTRICT NO. 3.**

7.5 Any increment received as a transfer from Tax Increment Financing District Nos. 18
7.6 and 20 that is spent in accordance with the tax increment financing plan is deemed to meet
7.7 the requirements of Minnesota Statutes, section 469.1763, subdivision 2.

7.8 **EFFECTIVE DATE.** This section is effective upon approval by the governing body
7.9 of the city of Brooklyn Park and compliance with the requirements of Minnesota Statutes,
7.10 section 645.021.

7.11 Sec. 6. **CITY OF BROOKLYN PARK; VALUE CAPTURE DISTRICT**
7.12 **AUTHORIZATION.**

7.13 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
7.14 the meanings given.

7.15 (b) "City" means the city of Brooklyn Park.

7.16 (c) "County" means Hennepin County.

7.17 (d) "District" means the areas certified by the city under subdivision 2 for collection of
7.18 value capture taxes.

7.19 (e) "Project area" means the parcels all or a portion of which are within one-half mile
7.20 on each side of the METRO Blue Line Light Rail to be built in the city, as further described
7.21 in the resolution adopted under subdivision 2 and as determined in the city's sole discretion.

7.22 (f) "TIF law" means Minnesota Statutes, sections 469.174 to 469.1794, inclusive, as
7.23 amended.

7.24 Subd. 2. **Authority to establish and modify district.** (a) The city council may, by
7.25 resolution, establish a value capture district consisting of some or all of the taxable parcels
7.26 all or a portion of which are within a one-quarter mile radius of any station on the METRO
7.27 Blue Line Light Rail to be built in the city, as further described in the resolution.

7.28 (b) The city may establish the district and the project area only after holding a public
7.29 hearing on its proposed creation after publishing notice of the hearing and the proposal at
7.30 least once, not less than ten days or more than 30 days before the date of the hearing.

8.1 (c) The city may at any time, by resolution, remove parcels from the district. If the city
8.2 removes parcels from the district, the city shall notify the county auditor under subdivision
8.3 3, paragraph (a), for recalculation of the district's original net tax capacity for future years.

8.4 Subd. 3. **Calculation of value capture district; administrative provisions.** (a) If the
8.5 city establishes a value capture district under subdivision 2, the city shall request that the
8.6 county auditor certify the original net tax capacity of the district in accordance with
8.7 Minnesota Statutes, section 469.177, subdivision 1, for calculation of the district's tax
8.8 revenues.

8.9 (b) For purposes of calculating the tax revenues of the district, the county auditor shall
8.10 treat the district as if it were a tax increment financing district under the provisions of
8.11 Minnesota Statutes, section 469.177, subdivision 1, and shall calculate the tax revenues of
8.12 the district for each year of its duration under subdivision 5 as equaling the amount of tax
8.13 increment that would be computed by applying the provisions of Minnesota Statutes, section
8.14 469.177, subdivisions 1, 1b, and 3, to determine captured tax capacity and multiplying by
8.15 the current tax rate, excluding the state general tax rate, disregarding any reference to the
8.16 original local tax rate, and assuming the city may retain the full captured net tax capacity
8.17 under Minnesota Statutes, section 469.177, subdivision 2. The city shall provide the county
8.18 auditor with the necessary information to calculate the tax revenues, including the city's
8.19 option for calculating revenues derived from the areawide tax rate under Minnesota Statutes,
8.20 chapter 473F.

8.21 (c) The county auditor shall pay the tax revenues of the district to the city at the same
8.22 times provided for settlement of taxes and payment of tax increments. The city must use
8.23 the tax revenues as provided under subdivision 4.

8.24 Subd. 4. **Permitted uses of district tax revenue.** (a) In addition to paying the
8.25 administrative costs of the district, the city may spend tax revenues within the project area
8.26 on any expenditure authorized to be financed with increment under the TIF law and on any
8.27 of the following expenditures:

8.28 (1) acquiring and improving public streets and public spaces including sidewalks, trails,
8.29 lighting, pedestrian and bike features, plantings, stormwater management, public and private
8.30 utility burial, public plazas, and public art;

8.31 (2) acquiring property, site preparation, and providing public financing for transit-oriented
8.32 development and antidisplacement programs, projects, or strategies;

8.33 (3) improving, creating, or supporting arts and/or cultural facilities;

9.1 (4) commercial and residential building rehabilitation and/or facade improvements;
9.2 (5) assistance in any form to support antidisplacement programs, projects, or strategies;
9.3 and
9.4 (6) planning, design, community engagement, maintenance, and professional service
9.5 costs related to the above.

9.6 (b) The city may issue general obligation or revenue bonds or other obligations under
9.7 Minnesota Statutes, chapter 475, without an election, to finance all or a portion of the costs
9.8 authorized by subdivision 4, paragraph (a), hereof, including any costs of issuance of said
9.9 bonds, to be paid from or secured by any funds available to the city, including without
9.10 limitation the tax revenues and the full faith and credit and taxing powers of the city. The
9.11 bonds are not included in computing any debt limitation applicable to the city and any levy
9.12 of taxes under Minnesota Statutes, section 475.61, to pay principal and interest on the bonds
9.13 is not subject to any levy limitation. The city may also issue bonds or other obligations to
9.14 refund those bonds or obligations. Payment of principal and interest on the bonds or other
9.15 obligations issued under this paragraph is a permitted use of the tax revenues.

9.16 Subd. 5. **Duration of the district.** The duration of the district established under this
9.17 section is limited to the lesser of (1) 25 years of tax revenues, or (2) the time that the city
9.18 council determines is necessary to collect tax revenues sufficient to pay for the costs
9.19 authorized under subdivision 4, including without limitation an amount sufficient to pay or
9.20 defease any bonds or other obligations issued under subdivision 4, paragraph (b), including
9.21 interest thereon and the costs related to issuance thereof.

9.22 **EFFECTIVE DATE.** This section is effective upon approval by the governing body
9.23 of the city of Brooklyn Park and compliance with the requirements of Minnesota Statutes,
9.24 section 645.021.

9.25 Sec. 7. **CITY OF BROOKLYN PARK; SPECIAL PROPERTY TAX ABATEMENT**
9.26 **SPECIAL RULES.**

9.27 (a) If the city elects to use property tax abatements under Minnesota Statutes, sections
9.28 469.1812 to 469.1815 to finance costs of public infrastructure projects, including all financing
9.29 costs, the special rules under this subdivision apply. Taxes abated for public infrastructure
9.30 projects must be used only for obligations or other infrastructure projects approved by the
9.31 authority.

9.32 (b) The limitations under Minnesota Statutes, section 469.1813, subdivision 6, do not
9.33 apply to the city.

10.1 (c) The limitations under Minnesota Statutes, section 469.1813, subdivision 8, do not
10.2 apply and property taxes abated by the city to finance costs of public infrastructure projects
10.3 are not included for purposes of applying Minnesota Statutes, section 469.1813, subdivision
10.4 8, to the use of tax abatement for other purposes of the city or the county.

10.5 **EFFECTIVE DATE.** This section is effective upon approval by the governing body
10.6 of the city of Brooklyn Park and compliance with the requirements of Minnesota Statutes,
10.7 section 645.021.

10.8 Sec. 8. **CITY OF BROOKLYN PARK; SALES TAX EXEMPTION FOR**
10.9 **CONSTRUCTION MATERIALS.**

10.10 Subdivision 1. **Exemption; refund.** (a) Materials and supplies used or consumed in and
10.11 equipment incorporated into the following projects in the city of Brooklyn Park are exempt
10.12 from sales and use tax under Minnesota Statutes, chapter 297A, provided that the materials,
10.13 supplies, and equipment are purchased after February 28, 2023, and before April 1, 2030:

10.14 (1) improvements to the Brooklyn Park Senior Center;

10.15 (2) renovation and expansion of the Zanewood Recreation Center;

10.16 (3) improvements to the community activity center;

10.17 (4) construction of a PFAS treatment facility;

10.18 (5) construction of a water softening facility;

10.19 (6) replacement of roofs and HVAC systems in city hall and public works buildings;

10.20 (7) construction and rehabilitation of trails, underpass projects, and wayfinding projects;

10.21 (8) projects within the BioTech Innovation District as identified in the city's development
10.22 plan;

10.23 (9) construction and rehabilitation of the Central Fire Station, including related facilities;

10.24 (10) construction and rehabilitation of the North Fire Station, including related facilities;

10.25 (11) construction and rehabilitation of the West Fire Station, including related facilities;

10.26 and

10.27 (12) construction and rehabilitation of the East Fire Station, including related facilities.

10.28 (b) The tax must be imposed and collected as if the rate under Minnesota Statutes, section
10.29 297A.62, subdivision 1, applied and then refunded in the same manner provided for projects

11.1 under Minnesota Statutes, section 297A.75, subdivision 1, clause (17). Refunds for eligible
11.2 purchases must not be issued until after June 30, 2024.

11.3 Subd. 2. **Appropriation.** The amount required to pay the refunds under subdivision 1
11.4 is appropriated from the general fund to the commissioner of revenue.

11.5 **EFFECTIVE DATE.** This section is effective retroactively for sales and purchases
11.6 made after February 28, 2023, and before April 1, 2030.

City of Brooklyn Park Request for Council Action

Agenda Item:	7.1	Meeting Date:	March 25, 2024
Agenda Section:	General Action Items	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Katrina Doshier, Program Assistant
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Mayor Hollies Winston
Item:	Appointments to the Human Rights Commission		

City Manager's Proposed Action:

Appoint commissioners to serve on the Human Rights Commission.

Human Rights Commission (HRC)

City At-large (One Appointment)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE HUMAN RIGHTS COMMISSION REPRESENTING THE CITY AT-LARGE EFFECTIVE IMMEDIATELY, FOR THE BALANCE OF A THREE-YEAR TERM TO EXPIRE APRIL 1, 2025. (REPLACING AJA KING)

East District (One Appointment)

MOTION _____, SECOND _____, TO APPOINT _____ TO THE HUMAN RIGHTS COMMISSION REPRESENTING THE EAST DISTRICT EFFECTIVE IMMEDIATELY, FOR THE BALANCE OF A THREE-YEAR TERM TO EXPIRE APRIL 1, 2026. (REPLACING OMOSOLA OLALEYE)

Overview:

On March 12, 2024, the HRC Staff Liaison reported there were two open seats on the Commission as the result of one resignation and one to be removed due to lack of attendance. A request for council action to remove the Commissioner for lack of attendance will be part of the Consent Agenda on March 25, 2024. The two open seats will be filled by council action on March 25.

Since the Council has held interviews within the last 90 days, these seats can be filled by the candidates that received the next highest vote tallies from the last interviews (held on February 26, 2024). The candidates with the next highest votes are interested in being appointed.

Primary Issues/Alternatives to Consider:

Selection and appointment of commissioners.

Budgetary/Fiscal Issues: N/A

Attachments: N/A