

Monday, August 19, 2024

Immediately after the Special City Council Meeting at 6:00 PM

## **REGULAR EDA MEETING – AGENDA #10**

President Hollies Winston, Vice President Nichole Klonowski, Treasurer Christian Eriksen,  
Commissioners Boyd Morson, Xp Lee, Maria Tran, and Tony McGarvey  
Assistant Executive Director Jay Stroebel and Secretary Seng Moua.

If you need these materials in an alternative format or reasonable accommodations for an EDA meeting, please provide a 72-hours' notice to Seng Moua by calling 763-493-8059 or emailing [Seng.Moua@brooklynpark.org](mailto:Seng.Moua@brooklynpark.org).

Si usted necesita esta información en español, llame al 763-424-8000 y solicite un intérprete.

Yog xav tau kev pab, hu 763-493-8059.

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***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**

##### **2. APPROVAL OF AGENDA**

#### **II. PUBLIC INVOLVEMENT**

##### **3. PUBLIC COMMENT AND RESPONSE**

Provides an opportunity for the public to address the EDA 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. Commissioners will not enter into a dialogue with members of the public. Questions from the EDA 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 from members of the public for informational purposes only.

##### **3A. RESPONSE TO PRIOR PUBLIC COMMENT**

##### **3B. PUBLIC COMMENT**

##### **3C. PUBLIC PRESENTATIONS**

##### **3D. PUBLIC ANNOUNCEMENTS**

#### **III. STATUTORY BUSINESS AND/OR POLICY IMPLEMENTATION**

##### **4. CONSENT**

**4.1** Consider Approving the July 15, 2024, EDA Regular Meeting Minutes

**A.** JULY 15, 2024, DRAFT REGULAR MEETING MINUTES

**4.2** Consider Amending the 2024 EDA Budget to Modify Revenue and Expenses for Workforce Development

**A.** RESOLUTION

**B.** WFD BUDGET AMENDMENT

- 4.3 Consider Authorizing the Purchase of Property at 4120 85th Ave North from the EDA TIF 3 Fund
  - A. RESOLUTION
  - B. LOCATION MAP
- 4.4 Consider Approving a First Amendment to Purchase and Development Contract with Christina's Day Care
  - A. RESOLUTION
  - B. LOCATION MAP
  - C. AMENDMENT
- 4.5 Consider Authorizing the Executive Director to Extend the Current Contracts with Ehlers and Associates for Financial Advisory Services and with Kennedy & Graven for Legal Services
  - A. RESOLUTION
  - B. KENNEDY AND GRAVEN CONTRACT AND FEES
  - C. EHLERS CONTRACT
  - D. EHLERS 2024 FEE SCHEDULE

The following items relate to the EDA'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 Secretary. Staff will present each item, following in which audience input is invited. Discussion will then be closed to the public and directed to the EDA table for action.)

5. PUBLIC HEARINGS

6. GENERAL ACTION ITEMS

- 6.1 Consider Approving and Authorizing the Executive Director to Issue the Request for Qualifications (RFQ) for Oxbow and Former Park & Rides Sites
  - A. RESOLUTION
  - B. LOCATION MAP – OXBOW SITES
  - C. LOCATION MAP – FORMER PARK & RIDE
  - D. COMMUNITY COMMENTS ON DRAFT RFQ
  - E. DRAFT RFQ

IV. DISCUSSION – These items will be discussion items, but the EDA may act upon them during the meeting.

7. DISCUSSION ITEMS

- 7.1 EDA Status Updates
- 7.2 Verbal Commissioner 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 EDA on each agenda item in advance from city staff; and decisions are based on this information and past experiences. Items requiring excessive time may be continued to another meeting.

# City of Brooklyn Park Request for EDA Action

<b>Agenda Item:</b>	4.1	<b>Meeting Date:</b>	August 19th, 2024
<b>Agenda Section:</b>	Consent	<b>Prepared By:</b>	Seng Moua, EDA Secretary
<b>Resolution:</b>	N/A	<b>Presented By:</b>	Jay Stroebel, Assistant Executive Director
<b>Attachments:</b>	1		
<b>Item:</b>	Consider Approving the July 15, 2024, EDA Regular Meeting Minutes		

**Executive Director's Proposed Action:**

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO APPROVE THE JULY 15, 2024, EDA REGULAR MEETING MINUTES.

**Overview:** N/A

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

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

**Attachments:**

4.1A JULY 15, 2024, DRAFT EDA REGULAR MEETING MINUTES



Monday, July 15, 2024  
6:00 PM

## SPECIAL EDA REGULAR MEETING MINUTES – #9

President Hollies Winston, Vice President Nichole Klonowski, Treasurer Christian Eriksen,  
Commissioners Boyd Morson, Xp Lee, Tony McGarvey, and Maria Tran,  
Assistant Executive Director Jay Stroebel and Secretary Seng Moua.

### I. ORGANIZATIONAL BUSINESS

#### 1. CALL TO ORDER/ROLL CALL at 7:56 P.M.

**PRESENT:** Commissioners' Lee, McGarvey, Morson, Tran, Eriksen, Klonowski, and President Winston  
**ABSENT:** None

#### 2. APPROVAL OF AGENDA

**MOTION:** KLONOWSKI **SECOND:** LEE

**AYES:** MORSON, TRAN, ERIKSEN, MCGARVEY, AND WINSTON

**NAYS:** NONE

### II. PUBLIC INVOLVEMENT

#### 3. PUBLIC COMMENT AND RESPONSE

**3A. RESPONSE TO PRIOR PUBLIC COMMENT - NONE**

**3B. PUBLIC COMMENT**

COLLETTE GUYOTT-HEMPEL MADE A PUBLIC COMMENT ABOUT AFFORDABLE HOUSING ORDINANCE CHANGES.

**3C. PUBLIC PRESENTATIONS - NONE**

**3D. PUBLIC ANNOUCEMENTS - NONE**

### III. STATUTORY BUSINESS AND/OR POLICY IMPLEMENTATION

#### 4. CONSENT

**4.1** Consider Approving the June 17, 2024, EDA Regular Meeting Minutes

**A.** JUNE 17, 2024, DRAFT REGULAR MEETING MINUTES

The following items relate to the EDA'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 Secretary. Staff will present each item, following in which audience input is invited. Discussion will then be closed to the public and directed to the EDA table for action.)

**5. PUBLIC HEARINGS - NONE**

#### 6. GENERAL ACTION ITEMS

**6.1** Consider Establishing Programs and Guidelines for the Local Housing Trust Fund and Amending the Guidelines to the Existing Naturally Occurring Affordable Housing Program

**A.** RESOLUTION

**B.** NOAH PROGRAM GUIDELINES

**C.** HOME IMPROVEMENT LOAN PROGRAMS GUIDELINES

The purpose of this discussion is for the Brooklyn Park Economic Development Authority (EDA) to consider establishing programs and specific guidelines for the Local Housing Trust Fund (LHTF) that was adopted during the Council meeting of April 8, 2024. Specifically, this proposal is to allocate the funds in the LHTF equally into the EDA's Naturally Occurring Affordable Housing

(NOAH) and Home Improvement Loan programs. Staff also recommended a change to the NOAH guidelines to prioritize projects that incorporate 30% AMI units as requested by the EDA at the May 20 work session.

**MOTION:** TRAN **SECOND:** KLONOWSKI

**AYES:** LEE, MORSON, MCGARVEY, ERIKSEN, AND WINSTON

**NAYS:** NONE

**6.2** Consider Authorizing the Interim Executive Director to Issue an RFP for Consultant Services Related to Brooklyn Park Biotech Innovation District

**A.** OVERVIEW HANDOUT ON BROOKLYN PARK BIOTECH INNOVATION DISTRICT

**B.** 2024 LEGISLATIVE ESTABLISHING BROOKLYN PARK BIOTECH INNOVATION DISTRICT

At the January 8, 2024 City Council meeting, the 2024 Federal and State Legislative Priorities and Positions plan was approved which included the formation of the Brooklyn Park Biotech Innovation District (the District). The District was established by legislative action in May 2024.

The geography of the District is envisioned to be north of HWY 610, south of 101st Ave, west of West Broadway and East of Jefferson Highway. The initial concept is that the 245 acre District would be home to 10,000 jobs, 3,000 housing units and be a mixed-use development leveraging the current biotech/medtech presence in Brooklyn Park as well as the existing and expected infrastructure of HWY 610, HWY 169, HWY 169/101st Ave and HWY 610/West Broadway interchanges, and proposed Blue Line LRT project. This project builds on Brooklyn Park’s vision to be a hub for businesses large and small and create employment opportunities for the region while addressing the significant racial workforce disparities.

**MOTION:** MORSON **SECOND:** LEE

**AYES:** MCGARVEY, TRAN, ERIKSEN, KLONOWSKI, AND WINSTON

**NAYS:** NONE

**6.3** Consider Authorizing the Interim Executive Director to Lift Certain Restrictive Covenants Requiring Owner Occupancy (Revised)

**A.** RESOLUTION

The purpose of this report is to request that the Economic Development Authority (EDA) Commissioners modify the resolution previously adopted at the May 2024 EDA meeting with an additional exception and new requirements.

At the May 2024 EDA meeting, the EDA added an allowable reason for requesting an exception to the Rental Restriction Covenant, financial hardship. The Interim EDA Executive Director requests that the EDA adopt an amended resolution reflecting this added basis for an exception to the rental restriction covenant.

**MOTION:** ERIKSEN **SECOND:** KLONOWSKI

**AYES:** LEE, MCGARVEY, AND WINSTON

**NAYS:** MORSON

**IV. DISCUSSION – These items will be discussion items, but the EDA may act upon them during the meeting.**

**7. DISCUSSION ITEMS**

**7.1** EDA Status Updates – Staff presented verbal updates based on the information provided in the staff report and answered questions.

**A.** CEO START FLYER

**7.2** Verbal Commissioner Reports and Announcements

**V. ADJOURNMENT at 9:43 P.M.**

The Brooklyn Park Economic Development Authority's Agenda Packet is posted on the City's website.

To access the agenda packet, go to [www.brooklynpark.org](http://www.brooklynpark.org)

**The Next Scheduled EDA Meeting is Monday, July 15, 2024.**

# City of Brooklyn Park Request for EDA Action

<b>Agenda Item:</b>	4.2	<b>Meeting Date:</b>	August 19th, 2024
<b>Agenda Section:</b>	Consent	<b>Prepared By:</b>	Catrice O'Neal, Workforce Development Program Director
<b>Resolution:</b>	X	<b>Presented By:</b>	Catrice O'Neal, Workforce Development Program Director
<b>Attachments:</b>	2		
<b>Item:</b>	Consider Amending the 2024 EDA Budget to Modify Revenue and Expenses for Workforce Development		

## Executive Director's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2024-\_\_\_\_\_ AMENDING THE 2024 EDA BUDGET TO ALLOW ADJUSTMENTS BETWEEN REVENUE AND EXPENSES FOR WORK FORCE DEVELOPMENT.

## Overview:

This action is to request EDA approval to modify the Workforce development budget to include expenses for the Community Partnership Program and to adjust the revenue for Brooklyn Center ARPA funding. The Community Partnership Program expenses will be added to the Miscellaneous expense line, CARES and Other COVID Related Federal Grants line will be adjusted, and the Full Time Salaries line item will be reduced to accurately reflect personnel costs. This budget adjustment allows for revenue and expenses already in the budget to accurately reflect personnel and program costs– no new funds are requested.

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

## Budgetary/Fiscal Issues:

The budget amendment is necessary to adjust the CARES and Other COVID Related Federal Grants line item in the 2024 Workforce development budget and to adjust the expenses by adding the Community Partnership Program and adjusting personnel costs. This modification will improve the accuracy of the 2024 Workforce Development budget and delivery of core programs.

The 2024 funding for the Community Partnership Program was approved in the budget. This request allows for this program expense to be added to the Miscellaneous line-item and to adjust revenue and salaries to balance the budget.

Changes to the GENERAL LEDGER Budget					
<b>Financing Changes</b>					
Fund	Revenue Classification	Description	Current Budget	Changes	Amended Budget
Work Force Development	Federal Grants	Reduction for current Brooklyn Center JPA	\$ 400,000.00	\$ (95,334.00)	\$ 304,666.00
		Total	\$ 400,000.00	\$ (95,334.00)	\$ 304,666.00
<b>Spending Changes</b>					
Fund	Expense Classification	Description	Current Budget	Changes	Amended Budget
Work Force Development	Salaries	Reduce Salaries for expense included in ARPA fund 206	\$ 582,013.00	\$ (37,000.00)	\$ 545,013.00
Work Force Development	Other Charges	Community partner subgrants	\$ -	\$ 150,000.00	\$ 150,000.00
		Total	\$ 582,013.00	\$ 113,000.00	\$ 695,013.00

**Attachments:**

- 4.2A RESOLUTION
- 4.2B WFD BUDGET AMENDMENT

RESOLUTION #2024-\_\_\_\_\_

RESOLUTION TO AMENDING THE 2024 EDA BUDGET TO ALLOW A MODIFICATION OF REVENUE AND EXPENSES FOR WORKFORCE DEVELOPMENT

WHEREAS, the 2024 the Adopted Budget included \$400,000 for Brooklyn Center ARPA funds under the CARES and Other COVID Related Federal grants line item and will be reduced to \$304,666 to accurately reflect remaining 2024 funds for BrookLynk; and

WHEREAS, \$150,000 for the Community Partnership Program expenses will be an added expense to the Miscellaneous line item in the 2024 Workforce Development budget, and

WHEREAS, \$37,000 will decrease the Salaries Full-Time line item to accurately reflect current personnel costs, and

WHEREAS, it is necessary to modify the revenue and expenses in the budget to accurately reflect personnel and program costs, and

WHEREAS, this amendment will increase the fund balance by \$84,510 and decrease the CARES and Other COVID Related Federal grants by \$95,334

NOW, THEREFORE, BE IT RESOLVED by the Brooklyn Park EDA to amend the 2024 budget as stated below and for the Finance Director to manage the budget within these funds.

Changes to the GENERAL LEDGER Budget					
<b>Financing Changes</b>					
Fund	Revenue Classification	Description	Current Budget	Changes	Amended Budget
Work Force Development	Federal Grants	Reduction for current Brooklyn Center JPA	\$ 400,000.00	\$ (95,334.00)	\$ 304,666.00
		Total	\$ 400,000.00	\$ (95,334.00)	\$ 304,666.00
<b>Spending Changes</b>					
Fund	Expense Classification	Description	Current Budget	Changes	Amended Budget
Work Force Development	Salaries	Reduce Salaries for expense included in ARPA fund 206	\$ 582,013.00	\$ (37,000.00)	\$ 545,013.00
Work Force Development	Other Charges	Community partner subgrants	\$ -	\$ 150,000.00	\$ 150,000.00
		Total	\$ 582,013.00	\$ 113,000.00	\$ 695,013.00

# City of Brooklyn Park Financial Analysis



City Council Meeting Date: August 19th, 2024

RFCA Title: Consider Amending the 2024 EDA Budget to modify revenue and expenses for Workforce Development

Agenda Section/Number: 4.2

**Fiscal Analysis/Explanation for Budget Amendment:**

The budget amendment is necessary to adjust the CARES and Other COVID Related Federal Grants line item in the 2024 Workforce development budget and to adjust the expenses by adding the Community Partnership Program and adjusting personnel costs. This modification will improve the accuracy of the 2024 Workforce Development budget and delivery of core programs.

The 2024 funding for the Community Partnership Program was approved in the budget. This request allows for this program expense to be added to the Miscellaneous line-item and to adjust revenue and salaries to balance the budget.

Changes to the GENERAL LEDGER Budget					
<b>Financing Changes</b>					
Fund	Revenue Classification	Description	Current Budget	Changes	Amended Budget
Work Force Development	Federal Grants	Reduction for current Brooklyn Center JPA	\$ 400,000.00	\$ (95,334.00)	\$ 304,666.00
Total			\$ 400,000.00	\$ (95,334.00)	\$ 304,666.00
<b>Spending Changes</b>					
Fund	Expense Classification	Description	Current Budget	Changes	Amended Budget
Work Force Development	Salaries	Reduce Salaries for expense included in ARPA fund 206	\$ 582,013.00	\$ (37,000.00)	\$ 545,013.00
Work Force Development	Other Charges	Community partner subgrants	\$ -	\$ 150,000.00	\$ 150,000.00
Total			\$ 582,013.00	\$ 113,000.00	\$ 695,013.00

# City of Brooklyn Park Request for EDA Action

<b>Agenda Item:</b>	4.3	<b>Meeting Date:</b>	August 19th, 2024
<b>Agenda Section:</b>	Consent	<b>Prepared By:</b>	Sarah Abe, Senior Project Manager
<b>Resolution:</b>	X	<b>Presented By:</b>	Sarah Abe, Senior Project Manager
<b>Attachments:</b>	2		
<b>Item:</b>	Resolution Authorizing the Purchase of Property At 4120 85th Avenue North from the EDA's TIF 3 Fund		

## Executive Director's Proposed Action:

MOTION BY \_\_\_\_\_, SECOND BY \_\_\_\_\_, TO WAIVE THE READING AND APPROVE RESOLUTION #2024-\_\_\_\_\_, AUTHORIZING THE PURCHASE OF PROPERTY AT 4120 85th AVENUE NORTH FROM THE EDA'S TIF3 FUND.

## Overview:

In August 2023, the owners of the parcel at 4120 85th Avenue North, Stewart Brothers Partnership, reached out to the Brooklyn Park Economic Development Authority (EDA) to gauge EDA interest in purchasing the property. The EDA was interested in pursuing the site for redevelopment, so EDA staff conducted several preliminary site assessments and negotiated a Purchase Agreement for the property. The agreement was approved at the EDA meeting on April 15, 2024. Currently the EDA is drafting closing documents with closing anticipated in September of 2024.

## Budgetary/Fiscal Issues:

The Purchase Agreement authorizes \$1.8M for purchase of the property and the EDA is responsible for half the closing costs. The resolution authorizes up to \$1.9M total spending to accommodate both the purchase price and closing costs.

## Recommendation:

The Executive Director of the EDA recommends approval.

## Attachments:

- 4.3A RESOLUTION
- 4.3B LOCATION MAP

THE BROOKLYN PARK ECONOMIC DEVELOPMENT AUTHORITY  
OF THE CITY OF BROOKLYN PARK

RESOLUTION #2024-\_\_\_\_\_

RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY AT 4120 85TH AVENUE  
NORTH FROM THE EDA's TIF3 FUND

WHEREAS, Stewart Brothers Partnership, a Minnesota general partnership, (the "Seller") owns approximately 6.4 acres of land located at 4120 85th Avenue North (the "Site") in the City of Brooklyn Park, Minnesota (the "City") and approached the City in August, 2023 regarding the Brooklyn Park Economic Development Authority's ("EDA's") interest to purchase the Site; and

WHEREAS, the EDA determined that the Site is a strategic acquisition that furthers the redevelopment goals of the City; and

WHEREAS, the EDA and the Seller have negotiated that certain Purchase Agreement between the EDA and the Seller (the "Purchase Agreement") for the acquisition of the Site; and

WHEREAS, the Purchase Price is \$1,800,000 and the EDA is responsible for half the closing costs; and

WHEREAS, the EDA has determined that it is necessary to authorize the expenditure from the TIF 3 fund to provide for the acquisition of the Site;

NOW, THEREFORE, BE IT RESOLVED by the Brooklyn Park Economic Development Authority Board of Commissioners (the "Board") as follows:

The EDA hereby authorizes the expenditure from the TIF 3 budget consistent with the expenditure authorized in this Resolution for the acquisition of the Site and for administrative costs.



Map Scale = 1: 7,238

603 ft  1 in

# City of Brooklyn Park Request for EDA Action

<b>Agenda Item:</b>	4.4	<b>Meeting Date:</b>	August 19th, 2024
<b>Agenda Section:</b>	Consent	<b>Prepared By:</b>	Sarah Abe, Senior Project Manager
<b>Resolution:</b>	X	<b>Presented By:</b>	Sarah Abe, Senior Project Manager
<b>Attachments:</b>	4		
<b>Item:</b>	Consider Approving a First Amendment to Purchase and Development Contract with Christina's Day Care		

## Executive Director's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_, TO WAIVE THE READING AND ADOPT RESOLUTION #2024-\_\_\_\_\_, APPROVING A FIRST AMENDMENT TO PURCHASE AND DEVELOPMENT CONTRACT WITH CHRISTINA'S DAY CARE.

## Overview:

Christina's Child Care Center (Christina's) has been working with the Brooklyn Park Economic Development Authority (EDA) since 2019 on a new daycare facility planned for EDA-owned land at 7516 Brooklyn Blvd. The center is a for-profit business that would provide a vital community service in a neighborhood with a high percentage of young people. The project has been delayed several times due to unexpected financing challenges. However, Christina's has now received preliminary approval for a loan from two interested financial institutions. The project is seeking an extension to the end of 2024 which would align with its planning approvals and allow time to close on a loan.

The agreement included a land write down in which the EDA supported the sale of the property for \$200,000 rather than the \$300,000 it was appraised for in the spring of 2019. Christina's has also received a \$750,000 grant through the through the Minnesota Department of Employment and Economic Development (DEED)'s Mainstreet Grant Program managed through the Minneapolis Foundation and a preliminary funding approval from the United States Small Business Association (SBA).

## Background:

The team at Christina's approached the city staff in early 2019 to discuss the possibility of putting a daycare on the EDA owned land located a 7516 Brooklyn Blvd N. That land was purchased by the EDA in 2006 for \$343,000. Previously, the land was home to a vacant Burger King restaurant. The EDA used Community Development Block Grant (CDBG) funds to purchase the property with the goal of removing blight from the area. The goal was considered met when the Burger King building was removed from the site.

Christina's is owned and operated by Brooklyn Park residents Stephen and Ophelia Zoegar and currently operates in Crystal, MN where they serve 80 families, 90% of whom use Hennepin County's Child Care Assistance Program (CCAP) dollars to help pay their childcare costs. The Brooklyn Park facility would be an expansion of the Crystal facility and plans to continue accepting CCAP funds in order to cater to low- and moderate-income families.

Previous actions include approving the sale of the land to Christina's, approving a purchase and development contract for the project, and approving a business subsidy in the amount of \$100,000 to Christina's in the form of a land write down. A business subsidy must serve a public purpose which is often the creation of new, high paying jobs. In this case, the wage and jobs goals will be set at zero as the public purpose for this project is not to create new jobs but rather provide a neighborhood level amenity in the form of new quality, affordable childcare to the surrounding community.

This project has already received its land use approvals from the Planning Commission and City Council which expire at the end of 2024.

### **Primary Issues/Alternatives to Consider:**

- **What is the amendment being considered?**

The agreement was approved and signed at the end of 2022 with a deadline of November 1, 2023 to begin construction. This amendment would give the project until December 31, 2024. Additional funding approvals that have been received by this project since last year include:

- Interested Banks. One has issued a preliminary intent to lend; another is exploring terms and also expressed a preliminary intent to lend.
- Mainstreet Grant award through DEED and administered by the Minneapolis Foundation. Minneapolis Foundation has submitted a recommendation to DEED for \$750,000 and will confirm that approval when received.
- SBA: The SBA lender on this project has been a lender for over 32 years and has approved loans for ground-up construction of daycare facilities in the cities of Hugo, Andover, Ham Lake, Forest Lake, Lake Elmo, Stillwater, Lino Lakes, Shakopee, Minneapolis, and Prior Lake. The SBA is waiting on additional documentation but has indicated a high likelihood that the loan will be approved.

- **Is there are financial gap on the project?**

Staff reviewed the project with the EDA's financial advisors from Ehlers and Associates. This project is unique in that the owners of the building will also occupy the building making the typical method for calculating a development gap difficult to apply to this project. If the project were built by a third-party developer and leased back to a business, the business would need to pay at least \$29 per square foot in rent to get a 10% return on the project. A similarly sized leased space currently operating in the city would likely only get \$15-\$20 per square foot. If this space were leased, a developer would have to charge higher than market rate rents making a project infeasible without outside assistance. EDA assistance is important to this project because it will reduce the owner's initial equity contribution to the project and allows them additional funds that will be available for long-term investment into the site and operational investments.

- **What is the purchase price of the land?**

Christina's has offered to pay \$200,000 for the land. The land was appraised for \$300,000 in the spring of 2019.

- **How can the sale proceeds be used?**

The proceeds from the sale are unrestricted EDA funds. The property was purchased in 2006 using CDBG dollars with the goal of removing blight in the area. The goal was considered met when the Burger King was demolished. Therefore the \$200,000 in expected revenue can be used for other EDA projects.

- **What are the development plans for the property?**

Christina's plans to construct a 13,000 square foot day care facility on the property. Once complete, the facility will have 10 staff members and 180 daycare slots available for children ages six weeks to 12 years old. Christina's plans on continuing to operate its Crystal facility which has been licensed and in good standing with the State since 2013. Plans for the property we reviewed and approved by the Planning Commission and City Council in October 2022.

- **What are the key elements of the agreement?**

The land will be sold to Christina's Child Care Center for \$100,000 less than the appraised value of \$300,000. According to the Business Subsidy Act, the \$100,000 write down of the land is effectively a subsidy awarded to

a business. After analysis by Ehlers and Associates it was determined the \$100,000 land write down is important to the success of this project. A project receiving subsidy must provide a public purpose. In this case, the overarching goal of the project is not to meet a specific wage and jobs creation goal but rather to remove blight from the area, develop an underutilized property, increase the City's tax base, provide neighborhood level business and amenities that are consistent with the Village Creek Master Redevelopment Plan, and to provide childcare services accessible to low-income residents and families with non-traditional work schedules.

- **What are the public benefits of the project?**

*Need for quality care*

There is a large need for quality childcare options throughout the State. Christina's adds 180 childcare slots to an area of Brooklyn Park where there are large number of children. According to the 2015 American Community Survey, 7,741 of the 22,768 residents living in the two census tracts closest to the future daycare location are six years old or younger.

*Affordable care option*

Christina's is eligible to accept Hennepin County's Child Care Assistance Program (CCAP) dollars as a form of payment for care. At their current location in Crystal, 90% of their families use CCAP to off-set the costs of childcare. Christina's has indicated they are going to continue accepting CCAP money at its new location.

*Early drop-off and late pick up times*

Christina's offers a different type of care than other daycares. Families with children at Christina's can drop off as early as 5:30 a.m. and pick up as late at 11:30 p.m. These hours allow families that do not work a traditional 9-5 schedule to find reliable and convenient care.

*Tax base increase*

Building a daycare on the site would put a property that hasn't collected taxes for more than 15 years back on the tax rolls. This change increases the city's tax base and decreases maintenance costs associated with maintaining the site. The city assessor estimates that a building this size would generate about \$58,000 in total taxes annually.

*Revenue from land sale*

The \$200,000 offered would be revenue for the EDA to use on future projects.

**Next Steps:**

If the EDA approves the purchase and development contract, the buyers will then begin the process of closing on the land including receiving a title for the property.

**Budgetary/Fiscal Issues:**

The EDA will receive \$200,000 of unrestricted EDA funds as a result of the sale.

**Recommendation:**

The Executive Director of the EDA recommends approval.

**Attachments:**

- 4.4A RESOLUTION
- 4.4B LOCATION MAP
- 4.4C AMENDMENT

THE BROOKLYN PARK ECONOMIC DEVELOPMENT AUTHORITY  
OF THE CITY OF BROOKLYN PARK

RESOLUTION #2024-\_\_\_\_\_

RESOLUTION TO APPROVE A FIRST AMENDMENT TO  
PURCHASE AND DEVELOPMENT CONTRACT WITH CHRISTINA'S DAY CARE

WHEREAS, the EDA and the Developer entered into a Purchase and Development Contract dated November 21, 2022 (the "Contract") wherein the EDA agreed to convey certain property to Developer for construction and equipping of an approximately 13,000 square foot child care facility (the "Minimum Improvements"); and

WHEREAS, the Contract was executed by both parties, but Developer was unable to commence construction due to delays securing committed financing; and

WHEREAS, Parties now wish to extend the time to commence construction in order to promote workforce development by increasing availability of quality commercial child care in an underserved area; and

NOW, THEREFORE, BE IT RESOLVED by the Brooklyn Park Economic Development Authority Board of Commissioners (the "Board") that:

1. The Authority approves the First Amendment to Agreement (the "Amendment") in substantially the form presented to the Board on the date of this Resolution and hereby authorizes the Executive Director to execute the Amendment on behalf of the EDA and to carry out, on behalf of the EDA, the EDA's obligations thereunder when all conditions precedent thereto have been satisfied.
2. The approval hereby given to the Amendment includes approval of such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by legal counsel to the EDA and by the officers authorized herein to execute said document prior to its execution; and said officers are hereby authorized to approve said changes on behalf of the EDA. The execution of any instrument by the appropriate officers of the EDA herein authorized shall be conclusive evidence of the approval of such document in accordance with the terms hereof. This Resolution shall not constitute an offer and the Amendment shall not be effective until the date of execution by all parties. In the event of absence or disability of the authorized officers, any document authorized by this Resolution to be executed may be executed without further act or authorization of the Board by any duly designated acting official, or by such other officer or officers of the Board as, in the opinion of legal counsel to the EDA, may act in their behalf.



Map Scale = 1:3,619

302 ft  1 in

## FIRST AMENDMENT TO PURCHASE AND DEVELOPMENT CONTRACT

This FIRST AMENDMENT (the “First Amendment”) made on or as of the \_\_\_ day of August 2024, by and between the BROOKLYN PARK ECONOMIC DEVELOPMENT AUTHORITY, a public body corporate and politic (the “EDA”), established pursuant to Minnesota Statutes, Sections 469.090 to 469.1082 (the “Act”) and CHRISTINA’S CHILD CARE CENTER, INC., a Minnesota corporation (“Developer”).

WHEREAS, the EDA and the Developer entered into a Purchase and Development Contract dated November 21, 2022 (the “Contract”) wherein the EDA agreed to convey certain property to Developer for construction and equipping of an approximately 13,000 square foot child care facility (the “Minimum Improvements”); and

WHEREAS, the Contract was executed by both parties, but Developer was unable to commence construction due to delays securing committed financing; and

WHEREAS, Parties now wish to extend the time to commence construction in order to promote workforce development by increasing availability of quality commercial child care in an underserved area; and

NOW, THEREFOR, in consideration of the promises and mutual obligations of the parties hereto, each of them does hereby covenant and agree as follows:

The following Sections of the Contract are amended to delete text in ~~strikeout~~ form, and to add text in underline form.

1. Section 4.3 (a) is hereby amended as follows:

Subject to Unavoidable Delays, the Developer must commence construction of the Minimum Improvements not later than ~~November 1, 2023~~ December 31, 2024. The construction of the Minimum Improvements shall be deemed to be commenced when physical improvements have been made to the Property, including grading, excavation, or other physical site preparation work (in accordance with a permit issued by the City).

2. Section 4.3 (b) is hereby amended as follows:

Subject to Unavoidable Delays, the Developer must substantially complete construction by ~~July 31, 2024~~ December 31, 2025. The construction of the Minimum Improvements will be considered substantially complete on the date when (i) the Minimum Improvements, as applicable, are sufficiently complete for the Developer to operate as a licensed child care facility, (ii) the Developer has received a certificate of occupancy issued by the City for the Improvements, as applicable and (iii) the EDA has determined the Minimum Improvements have been constructed in accordance with the approved Construction Plans as provided in Section 4.4. Completion shall be evidenced by a Certificate of Completion as described in Section 4.4.

3. The remainder of the terms of the Contract are unchanged.





# City of Brooklyn Park Request for EDA Action

<b>Agenda Item No:</b>	4.5	<b>Meeting Date:</b>	August 19th, 2024
<b>Agenda Section:</b>	Consent	<b>Prepared By:</b>	Sarah Abe, Senior Project Manager
<b>Resolution:</b>	X	<b>Presented By:</b>	Sarah Abe, Senior Project Manager
<b>No. of Attachments:</b>	4		
<b>Item:</b>	Consider Authorizing the Executive Director to Extend the Current Contracts with Ehlers and Associates for Financial Advisory Services and with Kennedy & Graven for Legal Services		

## Executive Director's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_ TO WAIVE THE READING AND ADOPT RESOLUTION #2024-\_\_\_\_\_, AUTHORIZING THE EXECUTIVE DIRECTOR TO EXTEND THE CURRENT CONTRACTS WITH EHLERS AND ASSOCIATES FOR FINANCIAL ADVISORY SERVICES AND WITH KENNEDY & GRAVEN FOR LEGAL SERVICES.

## Overview:

In 2019, the EDA completed an open Request for Proposals (RFP) process for legal and financial services contracts. The selected firms, Kennedy and Graven (legal) and Ehlers (financial) both have an excellent track record of their respective services and were selected based on qualifications. Both firms have also held contracts with the EDA for many years and maintain a high level of familiarity and historical knowledge of the EDA. The contract with Kennedy and Graven expired on December 31, 2023, and the contract with Ehlers is set to expire on December 31, 2024. Due to various factors outlined below, EDA staff are recommending an administrative extension for both contracts to December 31, 2025.

## Primary Issues/Alternatives to Consider:

- **What is required by the procurement policy?**

The City's current policy on professional service contracts requires that a Request for Proposals (RFP) be initiated every fourth year and the current service provider may not be precluded from submitting a proposal. It also lists legal and financial service providers as common exceptions to public bidding requirements. An open RFP process was also completed in 2010 which resulted in the selection of both firms. A similar administrative extension to what is being recommended now was granted to both contracts from 2014-2018.

- **Why is staff recommending this extension?**

Staff discussed soliciting responses to an RFP as required under the policy. However, due to staff turnover at the EDA and both firms' expertise in development and tax increment financing, excellent track record of services, and high level of institutional knowledge of EDA finances, EDA staff are recommending an administrative extension to December 31, 2025 with the expectation of completing a full RFP process in 2025.

- **What factors influenced the selections in 2019?**

Ehlers has been the EDA's Financial Advisor since the inception of the Brooklyn Park EDA and continues to be a leader in the region in supporting EDA/HRA work. It maintains a high institutional knowledge level of the EDA's development agreements, tax increment reports and reporting needs. Ehlers currently has some of the best financial advisors on staff in the Minnesota market, especially in the development and tax increment financing area. Additionally, it offers a competitive price and excellent customer service.

Kennedy & Graven attorneys provide quality service and also continue to be leaders in supporting EDA/HRA work. It is one of the few firms in the region that provides a staff complement with substantial experience advising on EDA matters and have delivered quality review, analysis and counsel on a wide variety of topics and contracts over the years. Kennedy & Graven offers real estate, bond, city attorney, and EDA attorney services and currently act as the city attorney for Brooklyn Park, which provides the added benefit of having the same firm provide services for both the City and the EDA. Finally, Kennedy & Graven is well known as a quality municipal service provider with reasonable and competitive rates.

**Budgetary/Fiscal Issues:**

Fees are budgeted accordingly during the annual EDA budgeting process.

**Recommendation**

The Interim Executive Director of the Economic Development Authority recommends approval.

**Attachments:**

- 4.5A RESOLUTION
- 4.5B KENNEDY AND GRAVEN CONTRACT AND FEES
- 4.5C EHLERS CONTRACT
- 4.5D EHLERS 2024 FEE SCHEDULE

THE BROOKLYN PARK ECONOMIC DEVELOPMENT AUTHORITY

RESOLUTION #2024-\_\_\_\_\_

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXTEND THE CURRENT  
CONTRACT WITH EHLERS AND ASSOCIATES FOR FINANCIAL ADVISORY  
SERVICES AND WITH KENNEDY & GRAVEN FOR LEGAL SERVICES

WHEREAS, both Ehlers and Associates and Kennedy & Graven were selected by the Brooklyn Park Economic Development Authority (the "EDA") via a competitive Request for Proposal process in both 2010 and 2019; and

WHEREAS, both firms are leaders in their respective industries and have provided a high quality of service to the EDA for many years; and

WHEREAS, both firms maintain a high level of institutional knowledge specific to Brooklyn Park; and

WHEREAS, due to the firms' exceptional qualifications and EDA staffing turnover concerns, EDA staff are recommending an extension to the current contracts;

NOW, THEREFORE, BE IT RESOLVED by the Brooklyn Park Economic Development Authority of the City of Brooklyn Park that the Executive Director is hereby directed and authorized to extend the current contract with Ehlers and Associates for financial advisory services and with Kennedy & Graven for legal services until December 31, 2025.

## AGREEMENT FOR LEGAL SERVICES

This Agreement for Legal Services (the “Agreement”) is entered into this 20<sup>th</sup> day of December, 2019 by the BROOKLYN PARK ECONOMIC DEVELOPMENT AUTHORITY, a public body corporate and politic under the laws of Minnesota (the “EDA”), and the law firm of KENNEDY & GRAVEN, CHARTERED (the “EDA Attorney”).

### SECTION 1. Background; Findings.

1.01. *Authority.* The appointment and removal of the EDA Attorney is made by the EDA’s Board of Commissioners. At a duly called regular meeting of the Board of Commissioners held on October 21, 2019, the Board of Commissioners determined that the law firm of Kennedy & Graven, Chartered be engaged as Attorney, with Jenny Boulton and Jim Thomson of that firm serving as primary legal counsel for the EDA.

### SECTION 2. Terms and Conditions.

2.01. *Consideration.* In consideration of the mutual promises and conditions contained in this Agreement, the EDA and the EDA Attorney agree to the terms and conditions set forth herein.

2.02. *EDA Attorney Appointment.* The EDA appoints the firm of Kennedy & Graven, Chartered as Attorney, with Jenny Boulton and Jim Thomson as primary legal counsel for the EDA.

2.03. *Usual and Customary Legal Services.* The EDA Attorney agrees to perform all usual and customary civil legal services for the EDA in accordance with the terms of this Agreement and the EDA’s request for proposals, dated July 26, 2019.

2.04. *Compensation for Legal Services.* For all legal services, the EDA agrees to compensate the EDA Attorney at the following hourly rates:

- a. For work not reimbursed by private parties: attorneys \$260/hour (shareholders) and \$210/hour (associates), paralegals \$145/hour, and law clerks \$120/hour.
- b. For work reimbursed by private parties: attorneys \$300/hour (shareholders) and \$250/hour (associates), paralegals \$160/hour, and law clerks \$130/hour.
- e. Bond counsel shall be billed at rates customarily charged by the firm.

2.05. *Compensation for Expenses.* The EDA will compensate the EDA Attorney for the following actual and necessary expenses incurred by the EDA Attorney on behalf of the EDA:

The EDA Attorney will bill its out-of-pocket costs for such things as postage for large projects, mileage, photocopying for large projects, filing fees, recording fees, and similar items.

Photocopying:	\$ .05 per page (only for large projects)
Mileage:	IRS-approved reimbursement rate
Westlaw fees:	\$3.00 per minute (only when unique)
Other charges such as:	
Messenger service	
Express mail	Actual cost charged
Filing/recording fees	
Postage	

The EDA Attorney's billing statements will provide an itemized detail for all fees and costs included. Time is billed in six-minute increments and hourly rates apply to meeting attendance and travel. Invoices shall be submitted to the EDA within 30 days of the last day of service of each month.

2.06. *Billing Statements.* The billing statements shall be of sufficient detail to adequately inform the EDA concerning the tasks performed, the attorney or staff performing them, the time spent on each task and the nature and extent of costs and disbursements. The statement shall also contain a summary that shows the total time spent for each category and the total fees, charges and disbursements for each category.

2.07. *Term of Agreement.* The term of this Agreement shall be through December 31, 2023 and the hourly rates specified in this Agreement will remain in effect for the entire term, unless otherwise mutually agreed upon by both parties.

2.08. *Entire Agreement.* This Agreement shall constitute the entire agreement between the EDA and the EDA Attorney, and supersedes any other written or oral agreements between the EDA and the EDA Attorney. This Agreement can only be modified in writing signed by both the EDA and the EDA Attorney.

2.09. *Termination.* This Agreement may be terminated by the EDA at any time or by the EDA Attorney upon 60 days' written notice.

2.10. *Conflict of Interest.* The EDA Attorney shall use best efforts to meet all professional obligations to avoid conflicts of interest and appearances of impropriety in representation of the EDA. In the event of a conflict, the EDA Attorney, with the consent of the EDA, shall arrange for suitable alternative legal representation. It is the intent of the EDA Attorney to refrain from handling legal matters for any other person or entity that may pose a conflict of interest.

2.11. *Agreement Not Assignable.* Except as provided in Paragraph 2.10 of this Agreement relating to conflicts of interest, the rights and obligations created by this Agreement may not be assigned by either party.

2.12. *Independent Contractor Status.* All services provided by the EDA Attorney pursuant to this Agreement shall be provided by the EDA Attorney as an independent contractor and not as an employee of the EDA for any purpose, including but not limited to: income tax withholding, workers' compensation, unemployment compensation, FICA taxes, liability for torts and eligibility for employee benefits.

2.13. *Work Products.* All records, information, materials and other work products prepared and developed in connection with the provision of services pursuant to this Agreement shall become the property of the EDA.

2.14. *Insurance.* The EDA Attorney agrees to maintain a valid policy of Professional Liability Insurance for the duration of this Agreement. The value of the policy shall not be less than the cap for municipal tort liability as established by Minnesota Statutes.

2.15. *Data Practices Act Compliance.* Data provided to or generated from the EDA Attorney under this Agreement shall be administered in accordance with the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13.

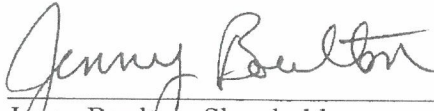
2.16. *Choices of Law and Venue.* This Agreement shall be governed by and construed in accordance with the laws of the State of Minnesota. Any disputes, controversies, or claims arising out of this Agreement shall be heard in the state or federal courts of Minnesota, and all parties to this Agreement waive any objection to the jurisdiction of these courts, whether based on convenience or otherwise.

IN WITNESS WHEREOF, the parties have caused this agreement to be duly executed by their proper officers and representatives as of the day and year first above written.

BROOKLYN PARK EDA

By:   
Its: Executive Director

KENNEDY & GRAVEN, CHARTERED

By:   
Jenny Boulton, Shareholder

## AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT entered into as of this 26 day of December, 2019 between EHLERS AND ASSOCIATES, INC. (herein called the "Firm") and the CITY OF BROOKLYN PARK and THE BROOKLYN PARK ECONOMIC DEVELOPMENT AUTHORITY (collectively herein called the "City").

WITNESSETH, that the City desires to engage the Firm to render certain professional services and both parties agree as follows:

1. Scope of Services. The Firm shall provide the following professional services:
  - A. Financial Planning and Debt Management.
  - B. Capital Budget Programming.
  - C. Debt Issue Development and Oversight.
  - D. Investment Program/Arbitrage-Rebate Management/Continuing Disclosure.
  - E. Economic Development Financial Analysis, Program Development and Management, Tax Increment Financing Administration, and Financial Reporting for Brooklyn Park EDA.
  - F. Other general consulting services as requested by the City's Finance Director and/or the Community Development Director.

2. Delivery of Service. Mr. Jason Aarsvold of the Firm shall assume primary responsibility for delivering the professional services required by this Agreement together with Stacie Kvilvang, Keith Dahl, Jessica Cook, Elizabeth Diaz, and other Ehlers team members as necessary. Services requested by the City pursuant to this Agreement shall be communicated to Mr. Aarsvold by the City's Finance Director and/or the Community Development Director or her/his designee.

3. Time of Performance. The services of the Firm shall be provided upon request of the City and shall continue until services are completed.

4. Compensation: Method of Payment. For the tax increment and development services provided for hereunder, it is agreed that the Firm shall be paid at the hourly rate approved by the Finance Director and/or the Community Development Director and as described in Exhibit A. In addition, the Firm shall be entitled to reimbursement for out-of-pocket expenses incurred in the performance of its services hereunder including, but not limited to, delivery services, out-of-state travel and required meals. For municipal advisory services related to the issuance of bonds, arbitrage monitoring, continuing disclosure or other debt instruments, the compensation shall be based upon Exhibit A and as approved by the Finance Director.

All bills for services performed or for reimbursement of expenses shall be submitted no more frequently than monthly to the City. Such billings shall be accompanied by documentation as

shall be reasonably requested by the City. Upon approval of billings and supporting documentation, Firm's bills shall be promptly paid.


5. Additional Services and Compensation. The services enumerated in Paragraph 1 above can be expanded by mutual agreement between the Firm and City.

6. Assignability. The Firm shall not in any way assign or transfer any of its rights or interests under this Agreement in any way whatsoever without the prior consent of the City. Further, the Firm shall not assign any other person as being primarily responsible for the delivery of services hereunder, other than as provided for in paragraph 2 above, without the prior written consent of the City representatives referred to in that paragraph.

7. Term of Contract and Termination of Services. The term of the contract is for four (4) years from the date of the contract. This Agreement may be terminated by the City at any time or by the Firm upon 60 days' written notice. In the event of termination, all property and finished or unfinished documents and other writings prepared by the Firm under this Agreement shall become the property of City, and The Firm shall promptly deliver the same to the City as set forth above. The Firm shall be entitled to compensation for time expended by it pursuant to the termination of this Agreement.

IN WITNESS WHEREOF, the City and the Firm have executed this Agreement as of the date written above.

CITY OF BROOKLYN PARK

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

Date: 12-26-19 \_\_\_\_\_

EHLERS AND ASSOCIATES, INC.

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

Date: 12-23-1019 \_\_\_\_\_

THE BROOKLYN PARK ECONOMIC  
DEVELOPMENT AUTHORITY

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

Date: 12/27/19 \_\_\_\_\_



## Schedule of Professional Fees

### *Fiscal 2024*

*(as of January 1, 2024)*

### Debt Issuance Fees

Ehlers' debt issuance fees are based on the amount issued. The below schedule applies to both competitive and negotiated transactions:

Par Value	Fee/\$1,000
First \$500,000	\$21.00
Next \$500,000	\$11.25
Next \$1,000,000	\$6.50
Next \$3,000,000	\$3.25
Next \$5,000,000	\$2.75
Next \$5,000,000	\$1.50
Next \$5,000,000	\$1.25
Next \$5,000,000	\$1.10
Greater than \$25,000,000	\$0.50

- » All tax-exempt debt issues for which an official statement is prepared are subject to disclosure and tax-related diligence fee of \$2,750, which is added to the above schedule.
- » Multi-purpose issues are charged at 75% of fee schedule by statutory purpose or distinct repayment source, but in no case greater than 150% of the applicable fee based on issuepar amount.
- » Contemporaneously sold issues with the same security are charged with the largest issue at full fee and all other issues at 85% of the fee schedule.
- » Advance refunding issues require an additional \$2,500 for added technical support per issue.
- » Use of open market securities within a defeasance escrow requires an additional \$1,000 per escrow.
- » Revenue-secured obligations and those subject to appropriation will carry fees of 125% - 150%, depending on the security and complexity of the issue.
- » Debt issues not requiring an official statement will carry fees at 80% of the applicable fee for general or revenue-secured obligations that require an official statement, but in no case less than \$7,500.

- » Ehlers will charge flat fees of \$1,500 - \$7,500 in addition to the standard bond fee for authoring of or consultation on planning documents or reports required for authorization of debt issuance, which fee shall include meeting attendance (i.e. Capital Improvement Plans, Street Reconstruction Plans, Tax Abatement, etc.). Such fee and scope of work will be agreed upon between Client and Ehlers in advance.
- » A minimum fee of \$5,000 will apply to soliciting proposals for investment banking services associated with a negotiated underwriting or placement agent engagement.

The Client will be responsible for credit rating fees, legal services, publication of notices (if any), paying agent fees (if any), escrow agent fees (if any), verification agent (if any), and any fees charged by third parties for information required for the official statement.

## Non-Bond Related Fees

Most non-bond related advisory services requested by Clients will be billed on an hourly basis, according to the following rates:

Position	Hourly Rate
Senior Municipal Advisor	\$300 - \$350
Municipal Advisor	\$275 - \$300
Financial Analyst	\$275
Senior Fiscal Consultant	\$285 - \$300
Fiscal Consultant	\$255 - \$285
General Staff	\$150
Developer-Funded Pro Forma Review	\$400

Estimated ranges for specific scopes of non-bond related work are detailed below:

Project	Fee Range
Long-Term Financial Management Plan	\$10,000 - \$75,000
Utility Rate Study	\$10,000 - \$50,000
Renovation & Renewal TIF District Creation	\$12,500 - \$18,000
Housing TIF District Creation	\$10,500 - \$12,500
Economic Development TIF District Creation	\$10,500 - \$12,500
Other TIF District Creation	\$10,500 - \$18,000
Tax Abatement	\$3,500 - \$5,000

## Continuing Disclosure Fees

Ehlers will assess Continuing Disclosure fees as follows:

Continuing Disclosure Undertakings (CDUs)	Annual Fee
1-3 CDUs	\$3,150
4-6 CDUs	\$3,700
7+ CDUs	\$4,250
Limited Disclosures	\$850
Periodic Filings	\$500

## Arbitrage Consulting Fees

Ehlers will assess fixed fees for the following analyses:

Fee	Analysis	Services
\$1,000	<i>Spending Exceptions</i>	
\$3,750	<i>Arbitrage Reporting</i>	<ul style="list-style-type: none"> <li>» Per 5-year analysis period</li> <li>» Prorated for interim reports</li> </ul>
\$1,000	<i>Arbitrage Review</i>	<ul style="list-style-type: none"> <li>» Per analysis</li> <li>» Up to 5 years</li> </ul>

Ehlers will charge \$300 per hour for Arbitrage Consulting services outside of the fixed-fee analysis schedule.

## Paying Agent Service Fees

Ehlers will assess paying agent fees annually on a per-issue basis:

Fee	Item	Services
\$450	<b>Initial Set-up (one-time fee)</b>	<ul style="list-style-type: none"> <li>» Review final bond documents</li> <li>» Communicate with bond counsel &amp; municipal advisor</li> <li>» Coordinate delivery of bonds for closing</li> <li>» Establish necessary accounts &amp; records</li> </ul>

Fee	Item	Services
\$475	<b>Annual Administration</b> <i>(per issue)</i>	<ul style="list-style-type: none"> <li>» Invoice &amp; collect debt service payments from issuer</li> <li>» Document &amp; transmit bond payments per schedule</li> <li>» Coordinate with the Depository Trust Company</li> <li>» Maintain issuer's account</li> <li>» Process optional redemption notices, as needed</li> </ul>
\$100	<b>Additional Services</b> <i>(per notice)</i>	<ul style="list-style-type: none"> <li>» Process mandatory sinking fund notices</li> </ul>

# City of Brooklyn Park Request for EDA Action

<b>Agenda Item No:</b>	6.1	<b>Meeting Date:</b>	August 19th, 2024
<b>Agenda Section:</b>	General Action Items	<b>Prepared By:</b>	Sarah Abe, Senior Project Manager
<b>Resolution:</b>	X	<b>Presented By:</b>	Sarah Abe, Senior Project Manager
<b>No. of Attachments:</b>	5		
<b>Item:</b>	Consider Approving and Authorizing the Executive Director to Issue the Request for Qualifications (RFQ) for Oxbow and Former Park & Ride Sites		

## Executive Director's Proposed Action:

MOTION \_\_\_\_\_, SECOND \_\_\_\_\_ TO WAIVE THE READING AND ADOPT RESOLUTION #2024-\_\_\_\_\_, AUTHORIZING THE EXECUTIVE DIRECTOR TO ISSUE THE REQUEST FOR QUALIFICATIONS (RFQ) FOR OXBOW AND FORMER PARK & RIDE SITES.

## Overview:

The purpose of this item is to consider approving the draft Request for Qualifications (RFQ) for the former Park & Ride located at 4201 95<sup>th</sup> Avenue N and the Oxbow Commons sites, a name which refers to a collection of four EDA-owned sites at the intersection of Oak Grove Parkway and Regent Ave. Given the proximity, similarity, and interest in developing both these locations, staff proposed one RFQ for all sites. The EDA discussed the draft RFQ at a work session on May 20 and are now considering the final draft for approval.

## Background:

In 2018 the EDA purchased the old Metro Transit Park and Ride site for \$1,255,800 to ensure its use as an asset for the community. The 6.85-acre parcel located at Noble Parkway and Highway 610 is a prime redevelopment site with great connectivity, visibility, and embedded in a strong residential area with commercial uses and a school nearby. The property is currently designated as Institutional in the Comprehensive Plan and zoned as Public Institution. The Comprehensive Plan will need to be amended and the zoning designation changed to guide the property in a manner consistent with the development goals.

The EDA acquired all four of the parcels in the Oxbow Commons development in 2014. Three were purchased in May 2014 through Hennepin County's auction of tax forfeiture property. The purchase of the fourth parcel (PID 0911921210006) in August 2014 completed the project area. The total acquisition cost of the four parcels was \$1,084,900. All four of these properties were rezoned and re-guided in the Comprehensive Plan as part of the Hwy 610 corridor study completed in 2023. Two of these parcels, Oxbow 1 and 2, are zoned as High Density Residential; Oxbow 3 and 4 are designated as Mixed Use.

## Primary Issues/Alternatives to Consider:

- **What is the vision for the sites?**

The vision in the RFQ was developed based on the 610 Corridor Development Study and sets the goals for all properties. Although the former Park & Ride site is not in the Hwy 610 study area, the overall principles and development goals are applied to all sites in the RFQ.

- **What changes have been made since the EDA discussion in May?**

Based on the EDA's comments at the May work session, staff made the following additions:

- An introduction seeking a partner that is willing to push the boundaries of the current market and be a creative partner that thinks outside the box in order to positively engage and transform communities.
- Information about BP 2025 goals.
- Encouragement in the introduction for small, BIPOC, women, and veteran owned business to respond as project partners, prime contractors, or subcontractors.
- Suggested ideas for positively engaging the community, including but not limited to community benefits agreements, local hiring initiatives, and innovative development projects.
- Increased the points available for developers who have demonstrated commitment to contracting and workforce equity in team and approach, as measured by:
  - Emerging developers on the team with financial ownership in the project.
  - Written evidence that the Developer has successfully completed or is participating in training or educational programs designed for emerging real estate developers.
  - Demonstrated success working with business development agencies that focus on serving NMSDC Members, Central Certification Program (CERT)-certified, Targeted Group Business (TGB), and/or Disadvantaged Business Enterprise (DBE) contractors.
  - Examples of successful community benefits agreements or local hiring initiatives on previous projects.

• **What is the recommended developer selection process and how is the community being engaged?**

The proposed review and developer selection process for this RFQ/RFP includes four stages, three of which involve opportunity for community members to engage directly in the process.

- 1) RFQ review: After this work session with the EDA, staff made changes to the draft RFQ and posted it for community review along with a series of questions from July 18 to August 5. It was posted on the project webpage on the Brooklyn Park website and emailed to subscribers of business, development, and EDA updates via the City's mailing list. There were three responses received, all from residents of the immediately adjacent neighborhood, which are attached as item 6.2D. The comments included, among other topics, the recommendation that the height of any buildings on the former Park & Ride site not exceed three stories and expressed concerns of traffic, congestion, and increased density at that site. Because this feedback is counter to the goals of the EDA and the broader community engagement conducted as part of the Hwy 610 Corridor Development Study, staff have not recommended any changes to the RFQ in response to these comments.
- 2) Financial feasibility/developer evaluation. This will be conducted by a panel of staff and could include an EDA member or potential external consultant/s. This is where the submissions will be scored based on the criteria in the RFQ, which includes developer experience and an assessment of the financial feasibility of the project. This stage will likely also include interviews with the development teams.
- 3) Open House. Top scoring proposals will attend an Open House. Developers will present on their project and community members will be able to provide feedback on the proposals and development teams.
- 4) Developer selection. Following the Open House, staff will review the feedback and make a recommendation for developer selection to the EDA. The EDA will make the final decision on developer selection. The EDA meetings are public meetings and community members will also have the opportunity to publicly comment on the recommendation before the EDA vote.

**Budgetary/Fiscal Considerations:** N/A

**Next Steps:**

A preliminary timeline of next steps is below.

- July: Community RFQ review (completed)
- August 19: EDA RFQ approval
- August-September: RFQ posted
- October-December: Developer selection process (includes financial feasibility/developer evaluation and Open House)
- January 2025: EDA selects developer

**Attachments:**

- 6.1A RESOLUTION
- 6.1B LOCATION MAP – OXBOW SITES
- 6.1C LOCATION MAP – FORMER PARK & RIDE
- 6.1D COMMUNITY COMMENTS ON DRAFT RFQ
- 6.1E DRAFT RFQ

THE BROOKLYN PARK ECONOMIC DEVELOPMENT AUTHORITY  
OF THE CITY OF BROOKLYN PARK

RESOLUTION #2024-\_\_\_\_\_

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR  
TO ISSUE THE REQUEST FOR QUALIFICATIONS (RFQ)  
FOR OXBOW AND FORMER PARK & RIDE SITES

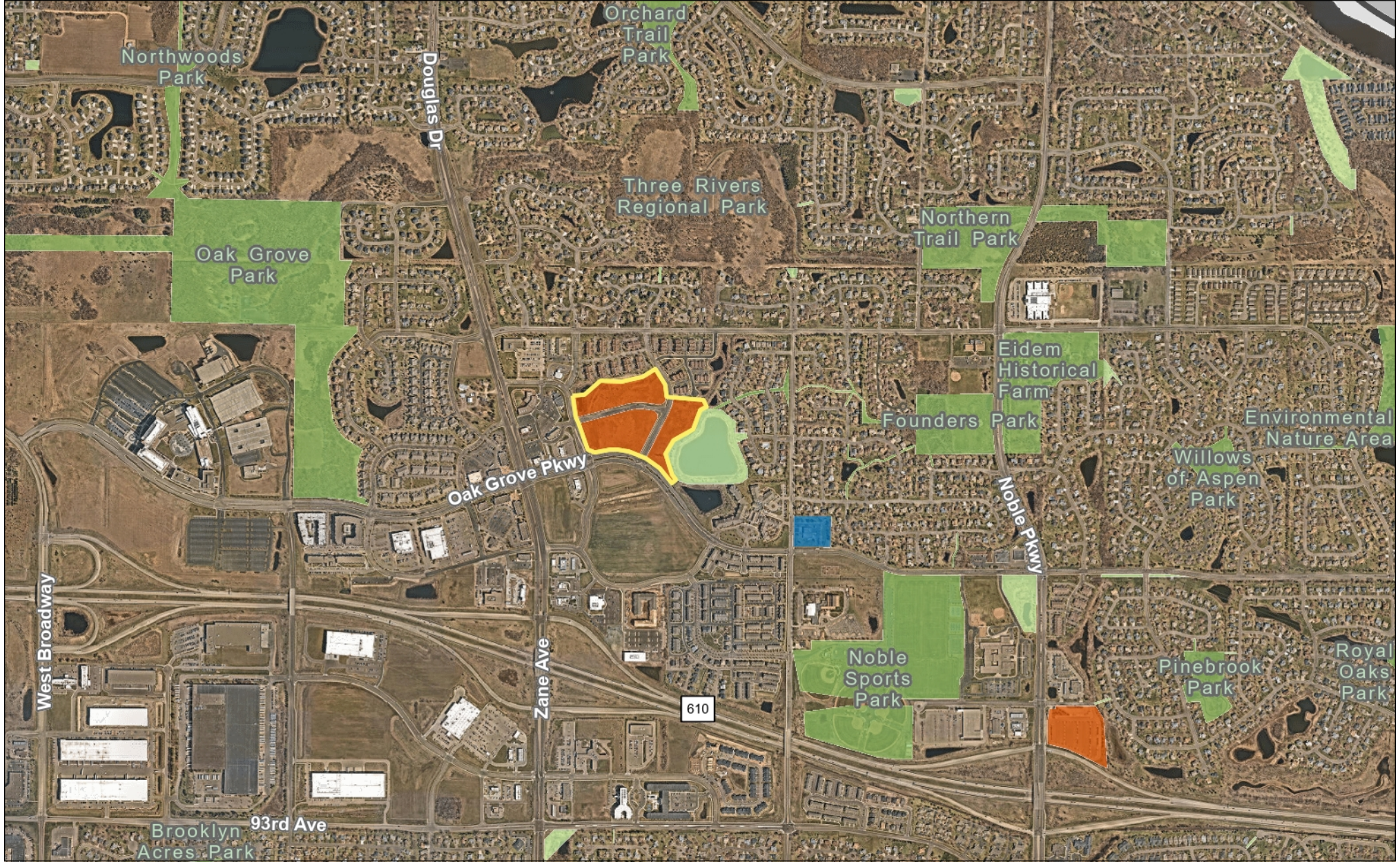
WHEREAS, the Brooklyn Park Economic Development Authority (the “EDA”) holds various properties around the City of Brooklyn Park for redevelopment purposes; and

WHEREAS, the EDA owns several properties in the northern region of Brooklyn Park which are similarly situated, ready for development, and have similar development goals; and

WHEREAS, these sites are commonly referred to as the former Park & Ride site located at 4201 95<sup>th</sup> Avenue North and Oxbow Commons, a collection of four adjacent sites located at the intersection of Oak Grove Parkway and Welcome Ave; and

WHEREAS, the EDA directed staff to draft a new Request for Qualifications (“RFQ”) to solicit development proposals for these EDA-owned properties based on its goal of tax base growth and high value development.

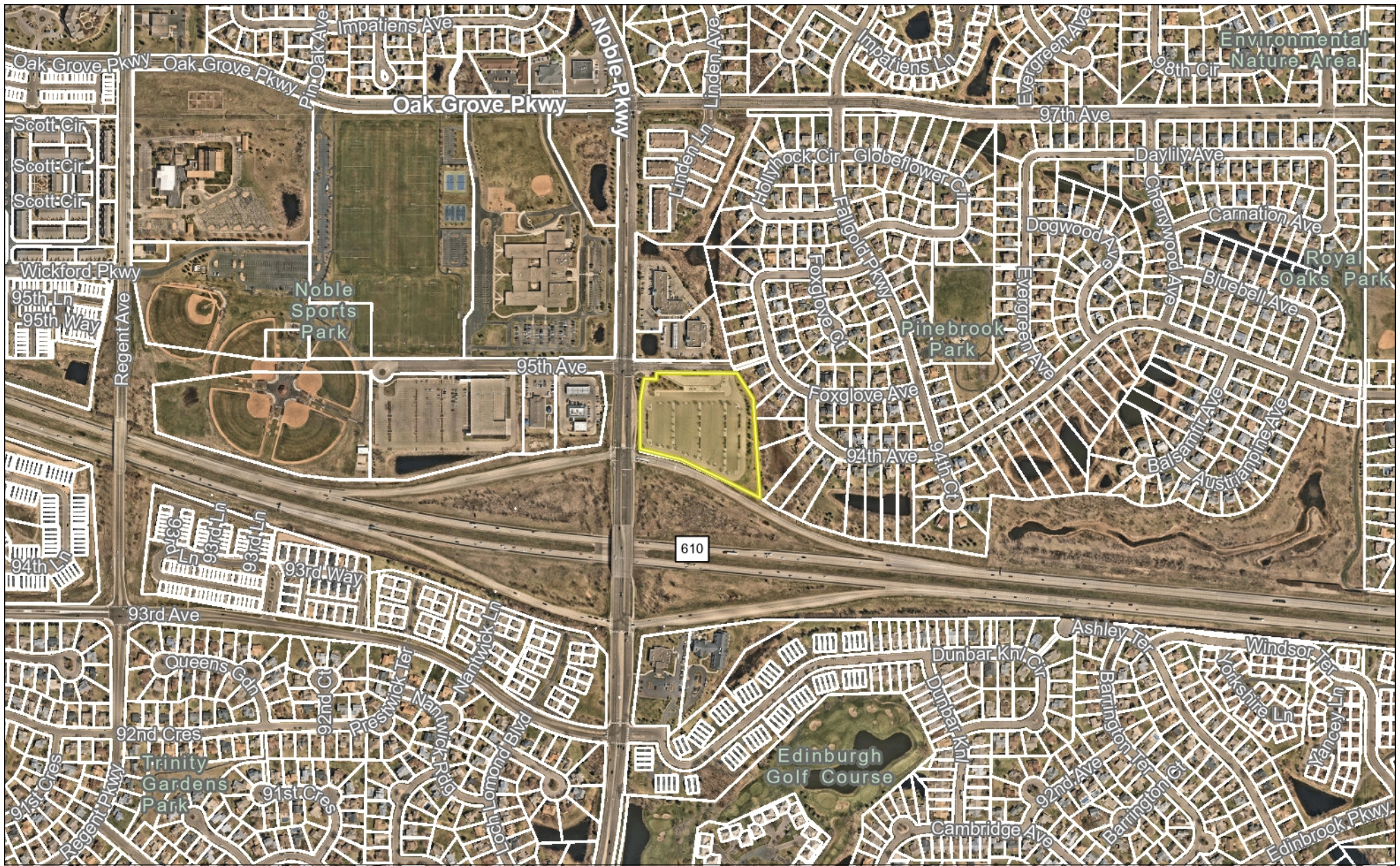
NOW, THEREFORE, BE IT RESOLVED by the EDA that staff are authorized to release the RFQ and solicit development proposals for these locations.



Map Scale = 1: 16,762

1,397 ft 1 in

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



Map Scale = 1: 8,381

698 ft  1 in

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

### **Comments on the Draft Request for Qualification (RFQ) for Oxbow/Park & Ride sites**

*Comments were open from July 18 to August 5. All comments received are residents of the adjacent neighborhood.*

#### **Does this RFQ advance the EDA goals of tax base growth and density?**

Possibly

In regards to 4201 95th Avenue North (former park & ride site), a maximum 3-story development should only be considered. A 3-story development aligns with the EDA's goals of growing a tax base and density by promoting development that maximizes the use of available land and increases the property tax base.

Increasing the levels/stories from 4-7 to generate the tax base while blocking the view of residents who have been there and have been loyal tax-paying residents for several years is dismissive. Especially after the several discussions that have taken place with the City, EDA, Council, consultants, and residents. Both can co-exist: fulfill the need for higher-density development without necessitating taller structures beyond 3-story. This strategy should seriously be considered because it will meet the EDA goals without compromising the quality of life for existing residents.

The Oxbows Commons sites are more appropriate for these taller developments.

The RFQ would advance these goals since these properties are currently just empty land. It is absolutely questionable what these high(er) density housing developments will do to the surrounding neighborhood home values - and quality of life for current residents, which could impact the tax base as well.

#### **Does it also advance BP 2025 goals?**

No

This question is difficult to answer without having real RFQs to review. From a financial perspective, the project may meet the EDA goal, but there's no guarantee it will align with the BP2025 goals. The City and staff have one opportunity to select the right developer, and it must be a developer with experience, a strong financial feasibility study, and a proven track record. Until we see the proposed developments I have to say, "No" it does not fulfill the BP2025 goals.

I believe these 2025 goals are all important and could be met if these projects are completed with intention, and not just to increase the tax base and create a dense area.

#### **What are some ways it could better support those goals?**

To me, adding high density housing does not contribute to any of these goals. 1. Apartments typically house individuals who are temporary residents and have little interest in the livelihood of the community. They take less care of a property they do not own and plan to grow out of. This opinion was given by a police officer who visited our neighborhood in 2023 for National Night Out. 2. I have yet to visit a place because it has a beautiful apartment complex. Even if incorporating green space and landscaping, this area would be for use of the apartment leasees and not the community. 3. While it is true the city probably benefits the most from housing in a tax scenario, apartments do nothing to keep these new residents in the area to spend money and time. 4. Large density housing brings crime. Since the Kipling apartments were built there have been at least 3 gun related incidents in close proximity. Many people chose homes in the area north of 610 for a better reputation and safer community. More people living in the area means more cars and traffic. The current intersection is not built to handle this increased traffic/residents. Weekly, the intersection by the former park and ride is riddled with accidents. Does the city have the police/fire

capacity to handle an increase in traffic related incidents and crime? Finally, can the current school district and area schools handle a large increase in students from multiple housing projects? I think the EDA is on the right track with stating the desire for a "destination" and looking for ways to think outside the box for these properties. I am unclear about how adding more apartments is providing a destination to anything other than trouble. I would love to see an arts or sports complex, small grocery store (aldi, trader joes, fresh thyme), destination playground or children's play space of some kind.

Consider a developer or project that would meet the following conditions:

- Prioritize Mixed-Use Development: Encourage proposals that integrate residential, commercial, and recreational spaces to create vibrant, multi-functional neighborhoods.
- Incentivize Sustainable Practices: Require or incentivize green building practices and renewable energy use to align with long-term environmental sustainability goals.
- Include Community Engagement: Requirements for developers to actively engage with the community throughout the planning and development process to ensure the project meets local needs and preferences.
- Ensure Financial Feasibility: Select developers with strong financial backgrounds and solid feasibility studies to guarantee the project's success and longevity.

For the City of Brooklyn Park to be intentional with centering the 2025 goals in these projects. Ensuring the city and developers keep these goals as priorities - the last developer's RFQ substantially increased housing units, while reduced resident parking spaces. Keep in mind and be considerate of the existing neighborhoods surrounding these sites.

### Do you have any other comments?

Please allow homeowners that are closest to these sites be a part of the scoring panel.

I am of the opinion, along with many others, that employing a combined RFQ for these sites was not the most prudent decision. Each site presents unique challenges that warrant individual consideration and a standardized approach is not conducive to effectively addressing these differences.

Developers must thoroughly assess the impact of their projects on peak-time traffic, road congestion, rainwater management, and overall safety considerations.

I believe the Oxbow properties can better accommodate higher density housing simply because of location. The traffic lights on each off-ramp (both for 610E & W) already have cars backed up during weekday, peak afternoon/evening times. Also the very short 1/2 block between the 610W off-ramp and 95th Ave N has another traffic light (on 95th) that will cause more backups as 200+ residents are trying to get to their apartments.

The resident parking space puzzle is a continued concern for the Former Park & Ride site. I see underground parking is suggested, which could be a solution, however the building height would be impacted. A four+ story apartment building is undesirable (to neighborhood residents). The majority of residents (even a couple in a 1 bedroom) will likely have 2 cars. The idea of families solely using public transportation (instead of cars) will not be the majority on this site. I have observed a large reduction in use of the new Park & Ride ramp.

Finally, the resistance to the Former Park & Ride has not been to cause difficulty for the city plans, but to really advocate for our homes, neighborhood and quality of life. We have lived in Brooklyn Park for 22 years and have alot of love for this city. Thank you!



## Request for Qualifications

### Development of 4201 95<sup>th</sup> Avenue North and Oxbow Commons (Oak Grove Parkway/Welcome Ave) properties in Brooklyn Park

**REQUESTING AGENCY:**

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

**ISSUE DATE:**

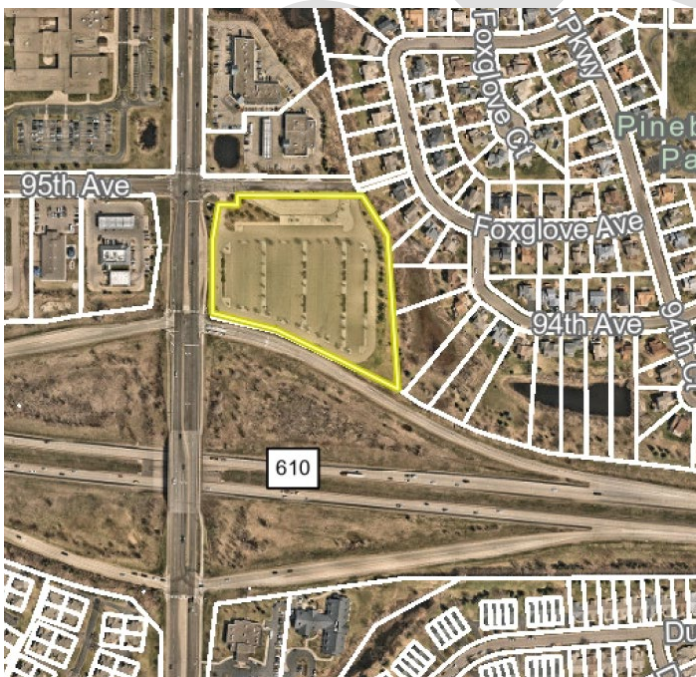
Monday, August 26, 2024

**SUBMISSION DEADLINE:**

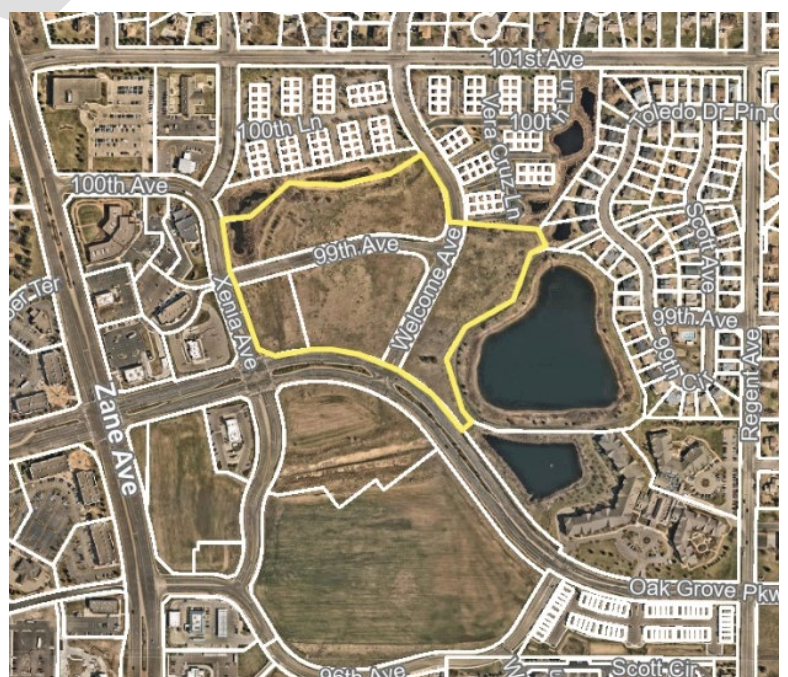
Friday, September 27, 2024

**CONTACT:**

Sarah Abe  
612-749-0904  
[Sarah.Abe@BrooklynPark.org](mailto:Sarah.Abe@BrooklynPark.org)



Former Park & Ride site, 4201 95<sup>th</sup> Ave N



Oxbow Commons (Oak Grove Parkway/Welcome Ave) properties

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## Overview

The Brooklyn Park Economic Development Authority (EDA) is seeking proposals for the redevelopment of multiple parcels of EDA-owned land in Brooklyn Park. The EDA is interested in uses that maximize the tax base with a particular focus on creating dense, urban, walkable environments. There are a total of five properties available in the Request for Qualifications (RFQ) which are summarized below. Developers are encouraged to propose on one or more parcels and indicate a preference ranking with their submission.

The EDA is seeking a partner/s to develop these sites who is/are willing to push the boundaries on the current market and be a creative partner that thinks outside the box in order to positively engage and transform communities. Some ideas for positively engaging the community include community benefits agreements, local hiring initiatives, and innovative development projects. Developers who can incorporate some of these ideas into their submission will score higher during the evaluation process.

Additionally, the EDA is committed to workforce equity and inclusion. Small, BIPOC, women, and veteran owned business are encouraged to respond to this RFP or subsequent bidding opportunities as project partners, prime contractors, or subcontractors.

One site, the former Metro Transit Park & Ride site, is located at 4201 95<sup>th</sup> Ave N at the intersection of Hwy 610 and Noble Parkway. The other 4 sites are adjacent to each other and collectively referred to as the Oxbow sites. They are located at the intersection of Oak Grove Parkway and Welcome Ave.

Property address	Name	PID	Future Land Use	Acres
4201 95 <sup>th</sup> Ave N	Former Park & Ride	1011921340024	Public Institution (to be re-guided and rezoned)	6.85
Address unassigned	Oxbow 1	0911921210005	High Density Housing	5.87
Address unassigned	Oxbow 2	0911921120005	High Density Housing	4.64
Address unassigned	Oxbow 3	0911921210006	Mixed Use	1.71
Address unassigned	Oxbow 4	0911921210007	Mixed Use	4.66

## Community background

Brooklyn Park is a vibrant, thriving community in the Twin Cities northwest area. It is the 6th largest city in Minnesota and the 4th largest in the seven-county Twin Cities Metro Area. The population, currently estimated at around 86,000, is expected to grow to over 95,000 with 40,000 jobs by 2040. The city is proud of its diverse community with more than half the current residents being people of color and 28 percent speaking a language other than English at home. Brooklyn Park is also home to over 1,500 businesses and continues to grow, boasting strong sectors in medical technology, high-tech manufacturing, and precision manufacturing. The proposed METRO Blue Line Extension project, traveling 13 miles northwest of downtown Minneapolis, will bring five light rail stations to Brooklyn Park.

### Brooklyn Park 2025

In 2017, city staff worked with residents to establish six goals they would like to see Brooklyn Park accomplish by 2025. Since then, the city has been working to accomplish these goals.

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

More information is available at <https://www.brooklynpark.org/brooklyn-park-2025/>.

## Project objectives/goals

### The project

The ideal projects on these sites satisfy the EDA's goals of increasing the tax base and promoting dense, walkable environments referenced throughout this RFQ. They will incorporate a requested minimum Floor Area Ratio (FAR) of 0.75 as consistent with the Planning guidance. Proposals are anticipated to include some 4-7 story buildings, but could also incorporate a mix of housing types including compact single-family units or townhomes with market rate and/or luxury opportunities to increase the tax base. These should incorporate commercial and residential uses where possible and amenities that make the project attractive to both current and future residents.

*Former Park & Ride site:* Ideally the EDA would like to see entertainment or community-oriented uses on this site. The EDA would also support retail and/or restaurants integrated or along-side a multi-family development project.

*Oxbow properties:* The EDA would like to see more restaurants in this area along with multifamily housing. The southwest corner of the Oxbow sites is a prime location to integrate a sit-down restaurant into a proposed development.

### Development Guidelines

These guidelines apply to all sites listed in this RFQ.

- Development should be primarily residential, with retail in priority locations as indicated below. Vertical mixed use is encouraged, but standalone retail buildings may be acceptable as part of a larger development if zoning regulations can be met.
  - Priority retail location, former Park & Ride site: Northwest corner, on intersection of Noble Pkwy and 95<sup>th</sup> Avenue N
  - Priority retail location, Oxbow 3: Southwest corner, on intersection of Oak Grove Pkwy and Xenia Ave
- All development should front a street with typical pedestrian amenities, including sidewalks, trees, landscaping, and pedestrian-level lighting consistent with the street design standards of the Mixed Use zoning district.
- Parking should be primarily structured (below and/or behind the building), with minimal surface parking.
- New streets may be required in order to provide frontage for buildings, to provide access for all modes, and to break up superblocks.
- Green space and urban plazas should be integrated into the development to provide gathering space for residents and patrons.
- Buildings should be designed to engage with pedestrians, including ample windows, high-

quality building materials, and building articulation to add visual interest and break up long exterior walls.

- Site plans should identify places for commercial loading, trash, and snow storage.

### Land Use Goals and Policy Statements in the Comprehensive Plan

The Future Land Use map in the Comprehensive Plan is designed to make sure that the city can accommodate forecasted growth in both population and jobs through 2040. The Metropolitan Council forecasts that Brooklyn Park's population will be 97,900 people in 2040, an increase of more than 13,000 from the 2020 population of 86,478. Employment is expected to grow by about 16,000 jobs during the same period, and the city hopes to drive this number higher. The recent Comprehensive Plan amendments increased the land available for medium-high-density housing development and employment opportunities.

### Comprehensive Plan Future Land Use designations

<b>PI</b>	<b>Public Institution</b>		The former Park & Ride site is currently zoned PI. This site will be rezoned and re-guided as part of the development process. The goals for the site are consistent with what is stated above and the zoning and Comprehensive Plan guidance can be amended to be consistent with the proposed project.
<b>MU</b>	<b>Mixed Use</b>	<p><u>Density:</u> 12-100 units/acre</p> <p><u>Uses:</u> Medium-high-density residential, retail, service, office, restaurants</p> <p><u>Residential Requirement:</u> 30% minimum</p> <p><u>Scale/intensity:</u> Up to 8 stories (12 stories in LRT Overlay)</p> <p>Link to TOD/Mixed Use Zoning Code:  <a href="https://codelibrary.amlegal.com/codes/brooklynpark/latest/brooklynpark_mn/0-0-0-38653">https://codelibrary.amlegal.com/codes/brooklynpark/latest/brooklynpark_mn/0-0-0-38653</a></p> <p>Link to Mixed Use Zoning Code:  <a href="https://codelibrary.amlegal.com/codes/brooklynpark/latest/brooklyn">https://codelibrary.amlegal.com/codes/brooklyn</a></p>	<p>The Mixed Use District is intended to provide for pedestrian-oriented mixed-use development with a mixture of office, commercial, retail and residential uses. Development in these areas shall follow a traditional neighborhood design where buildings are within a close proximity to the street and pedestrian connections are abundant. The City encourages both horizontal and vertical mixed use, with residential densities between twelve and 100 units per acre. Housing must be an integral component of the overall development and will encompass at least 30% of the land mass of the district.</p> <p>The City will establish minimum development intensity standards to ensure efficient use of land and street design and require block dimension standards to promote walkability. Retail uses are required on properties fronting Pedestrian Priority Streets as designated on the Future Land Use map.</p> <p>The mix of uses may be in a common site, development area, or building. Individual developments may consist of a mix of two or more complementary uses that are compatible and connected to the surrounding area. To ensure that the desired development intensities and</p>

		<a href="#">park mn/0-0-0-40127</a>	connections are achieved, a regulating plan may be required to guide phased development projects as governed by the Zoning Code.
<b>H</b>	<b>High Density Residential</b>	<p><u>Density:</u> 12-50 units/acre</p> <p><u>Uses:</u> Apartments, lofts, stacked Townhomes</p> <p><u>Scale/intensity:</u> Medium to large scale and medium to high intensity</p>	The high-density residential district accommodates the highest density residential development in the city and includes multi-family owner and renter-occupied housing. Housing types may include (but are not limited to) townhomes, apartments, lofts, flats, and stacked townhouses. This district has densities that would also accommodate innovative housing arrangements such as tiny houses, cohousing, and others. Development densities are expected to be between 12 and 50 units per acre.

## Prior planning

In early 2023, the City of Brooklyn Park conducted a 610 Corridor Development Study to consider the types of developments and land uses that would maximize the tax base as this had become a City Council priority. The study, which was focused on the northwest portion of Brooklyn Park, resulted in various Comprehensive Plan and zoning code updates to encourage more dense, urban, walkable development in that area. More information about the study is available at <https://www.brooklynpark.org/city-projects/610-corridor-development-study/>.

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 (included at link above). 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 substantial support for guiding the remaining developable land in the 610-Zane area for walkable, high-density, mixed-use development.

The Oxbow Commons sites were used to develop various models for this study. Though the former Park & Ride site was not included in the study area, the principles still apply to this site due to its proximity and prime location in Brooklyn Park.

## Background and description of sites

### 4201 96th Avenue North (former Park & Ride)

In 2018 the Brooklyn Park Economic Development Authority (EDA) purchased the old Metro Transit Park and Ride site for \$1,255,800 to ensure its use as an asset for the community. The 6.85-acre parcel located at Noble Parkway and Highway 610 is a prime redevelopment site with great connectivity, visibility, and embedded in a strong residential area with a variety of housing, institutional and commercial uses, and a school nearby.

This parcel is flat and ready for redevelopment. Situated along Hwy 610 at the Noble Parkway

exit, it has excellent visibility to over 50,000 cars passing by daily. In addition, a new Metro Transit Park and Ride hub is a block away. Woodland Elementary School is kitty-corner from the site, with commercial uses to the north and west. Single-family homes are immediately east of the site and an array of offices and commercial areas are within reach along Highway 610. The immediate area is comprised primarily of single family, small to mid-scale multifamily housing, and neighborhood scale businesses.

The property is currently designated as Institutional in the Comprehensive Plan and zoned as Public Institution. The Comprehensive Plan will need to be amended and the zoning designation changed to guide the property in a manner consistent with the development goals.

### Oxbow properties (Oak Grove Pkwy/Welcome Ave)

The EDA acquired all 4 of these parcels in the Oxbow Commons development in 2014. Three were purchased in May 2014 through Hennepin County's auction of tax forfeiture property. The purchase of the fourth parcel (PID 0911921210006) in August 2014 completed the project area. The total acquisition cost of the four parcels was \$1,084,900.

This site is ideally situated near various residential and commercial uses. Directly to the north is a townhome community and to the east are single family homes. Oxbow Lake serves as a buffer between the Oxbow Commons development sites and the single-family homes to the east. On the south and west of the site are a hub of commercial uses and community amenities, including various commercial businesses at Park Place Promenade. Noble Sports Park and Three Rivers Regional Park are two major park systems within easy walking distance. The properties are also minutes away from Hwy 610, which offers convenient access to much of the Twin Cities Region, and from the Park and Ride on Noble which is a significant transit hub.

All four of these properties were rezoned and re-guided in the Comprehensive Plan as part of the Hwy 610 Corridor Study completed in 2023. Two of these parcels, Oxbow 1 and 2, are guided as High Density Residential; Oxbow 3 and 4 are designated as Mixed Use.

### Potential EDA assistance

The EDA will consider providing development assistance for a desired project based on a demonstrated development gap. Examples of support might include:

- Direct financial assistance
- Tax Abatement
- Tax Increment Financing
- Application for or support of state, county, and regional grants (including LCA grants)

## Desired qualifications and scoring criteria

A scoring committee will review and rank applications according to these scoring criteria:

SCORING CRITERIA	POINTS
<b>RELEVANT DEVELOPMENT EXPERIENCE</b>	
Demonstrated success with similar developments, including experienced key project team members	20
Demonstrated ability to maximize private capital and secure financing for a project with similar financing sources	15
<b>DEVELOPMENT TEAM</b>	
Reputation/references	10
A team that demonstrates knowledge and understanding of and willingness to engage with the local community	10
Demonstrated commitment to contracting and workforce equity in team and approach	10
<b>VISION</b>	
Vision including proposed uses and alignment with EDA vision	15
Viability of financial proposal and likelihood of successful financing (project readiness)	20
<b>TOTAL</b>	<b>100</b>

## Submission requirements

The qualifications must include the information below. The EDA reserves the right to seek clarification of responses and waive minor irregularities and informalities. Developers are encouraged to propose on one or more sites.

- Developer name, contact information, and partners
- Company ownership information including:
  - Name of owners/officers
  - Number of years in operation
  - Scope of business (development, design, property management, consulting, etc.)
  - Location of primary and subsidiary offices
- Key project members' information, including:
  - Names and contact information
  - Primary team contact throughout the development process
  - Qualifications, experience, and references of key team members including the architect and civil team
  - Specific knowledge and experience with the local Brooklyn Park community
- Description of at least two projects in the past 5 years, including:
  - Location and approximate size
  - Cost and financing overview (include if there was any public involvement)
  - Any local or community partnerships and/or engagement in the development process
  - Sources/uses sheet or proforma
  - Examples of how this project positively impacted the local community

- Contact info for a reference from each project example
- A narrative of the vision for the site, including which site is proposed for development, a priority ranking of preferred sites, a summary of how the vision aligns with the EDA goals outlined above, and a statement of creativity/risk tolerance on development projects.
- A summary of demonstrated commitment to contracting and workforce equity in team and approach. Examples include:
  - Emerging developers on the project team and with financial ownership in the project. An emerging real estate developer is an individual or group who has led the coordination of site acquisition and planning, financing, construction, and contract negotiation for fewer than five (5) real estate development projects and who faces challenges accessing real estate development loan products from mainstream financial institutions.
  - Written evidence that the Developer has successfully completed or is participating in training or educational programs designed for emerging real estate developers. Programs may include, but are not limited to, the City of Saint Paul's Emerging and BIPOC Developer Training Initiative, LISC Twin Cities' Developers of Color initiative, and the City of Minneapolis's Developer Technical Assistance Program.
  - Demonstrated success working with business development agencies that focus on serving NMSDC Members, Central Certification Program (CERT)-certified, Targeted Group Business (TGB), and/or Disadvantaged Business Enterprise (DBE) contractors.
  - Examples of successful community benefits agreements or local hiring initiatives on previous projects.
- Proposed/envisioned sources and uses, in a chart.
- Preferred timeline for development, considering pursued and anticipated funding sources.

Email a PDF with the above information by 5 pm on Friday, September 27, to Sarah Abe, Senior Project Manager, [sarah.abe@brooklynpark.org](mailto:sarah.abe@brooklynpark.org). Questions may also be directed to Sarah at (612) 749-0904 or via email.

## Selection and approval process

Qualifications will be reviewed by a committee based on the criteria above. Staff may follow up with questions, clarifications or interview requests. This process will also include public feedback on the top-scoring proposals that will be considered in the staff recommendation to the EDA. The EDA will make the final developer selection decision.

After selection, EDA staff will then work with the developer to develop a more complete project scope, a financing options, and contractual agreement.

The EDA may accept or reject any proposal or portion thereof and is not obligated to award any contracts.

## Preliminary selection schedule (subject to change)

ACTIVITY	DATE
RFQ approved by the EDA	Monday, August 19
RFQ posted	Monday, August 26
Recommended deadline for questions	Friday, September 13

Response to questions posted online	Friday, September 20
Application due date	Friday, September 27
Developer Q&A/interviews	Week of October 14
Public feedback on top-scoring proposals	Open House on Tuesday, October 29
EDA Developer selection	Monday, November 18

## Appendices

- A. Location map – Park & Ride
- B. Location map – Oxbow sites

DRAFT



## MEMORANDUM

**DATE:** August 15th, 2024

**TO:** EDA Commissioners

**FROM:** Jay Stroebel, Interim EDA Executive Director  
Michelle Basham, Economic Development and Housing Director

**SUBJECT:** EDA Status Update

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### Overview

This memo provides an update to the Brooklyn Park Economic Development Authority (EDA) and serves to keep interested community members informed.

### **MINNEAPOLIS NORTHWEST TOURISM BOARD (MNWTB):**

Search Wide Global launched its search in the late Spring of 2024 with a search committee chaired by Michelle Basham. In June, five strong candidates were identified to move forward and after the first round of interviews, two candidates are moving forward as finalists. The search committee chose Leslie Wright and we are pleased that she has accepted. Ms. Wright brings to the position more than 20 years of leadership experience at Meet Minneapolis, Greater Twin Cities United Way and Mitchell Hamline School of Law. Ms. Wright began her new role August 12th.

In addition, due to improvements in the governance structure and progress towards identifying the new President/CEO, we will be bringing a resolution to rescind our notice to withdraw from the MNWTB and to accept the proposed 2025 budget for the MNWTB to the August 19th Brooklyn Park Council meeting.

## **BUSINESS DEVELOPMENT:**

### **Minnesota Black Chamber of Commerce**

On Saturday August 3, 2024, the Minnesota Black Chamber of Commerce celebrated 20 years of its commitment to serving Black-owned businesses and their communities through access to education, advocacy, and economic development. Over the years their goal has been to maximize the potential of every Black-owned business, large or small, by providing equitable opportunities for growth at every stage. In partnership with the MBCC, Brooklyn Park has sponsored the organizations 20th Anniversary Gala. The evening began with comments from MBCC BOARD members, Minneapolis Mayor, Jacob Fry, St Paul Mayor, Melvin Carter, Senior Vice President of Well Fargo, Drinal Foster, and many more.



### **Brooklyn Park International Marketing Campaign**

Brooklyn Park is wrapping up filming for its international marketing Campaign focused on attracting Japanese companies to the Brooklyn Park Community. Filming took place at Kurita Water, MGK, and Olympus, featuring various executives discussing what it means to live and work within Brooklyn Park while having a supportive network that includes access to a strong work force, government incentives and programing, trusted community partners, and industry clusters that continue to aid in their growth.





### **Small Business Center (SBC)**

The Small Business Center in Brooklyn Park continues to grow as it prepares to support and host one of Brooklyn Parks Youth Entrepreneur Program Interns. Continued partnership with Brooklynk, YEP and other community organizations ensures the SBC remains focused on the growth of Brooklyn Parks Business Community from ideation stage to execution. Currently the Center has a total membership of 82 individuals and businesses.

### **WORKFORCE DEVELOPMENT:**

#### **BrookLynk**

SAVE THE DATE! Join us on August 22nd from 5:00pm-7:00pm at Brooklyn Park Central Park 8440 Regent Ave N. for BrookLynk's 9th annual Summer Celebration. Celebration is a fun filled event where we recognize the accomplishments of summer interns and supervisors and reflect on all they have accomplished over the summer and beyond.



## Youth Entrepreneurship Program (YEP)

BrookLynk's Youth Entrepreneurship Program has partnered with three local employer partners to provide paid internships to youth that have successfully completed the 2024 YEP training cohort and who participated in Shark Tank. This year we are pleased to share that the Brooklyn Park Small Business Center, The Linden Group, and Paadio will be hosting YEP interns. YEP interns are selected through a competitive application process and matched with a local business owner based on their interests. This year's small business employer partners will work closely with youth and BrookLynk staff to design and provide a paid work experience that offers each intern small business mentorship and on the job training.



## OTHER GENERAL NEWS AND UPDATES:

### **BioTechnology District**

On Monday, August 12, the EDA issued a Request for Proposals (RFP) for the BioTechnology District. Based on the presentation and EDA approval in July, it aims to solicit a consultant to guide the work necessary to create the district. This work will include developing project goals, a project scope and timeline for key deliverables, building a revenue plan for the district and select members and guide the formation of steering committee(s) to provide critical oversight and visioning for the project. The RFP will close on October 4.

## HOMEOWNERS' ASSOCIATIONS – HOAS:

### **Resources For HOAs**

During the October 2nd City Council work session, staff presented information regarding how the city currently interacts with Homeowners Associations (HOAs) in Brooklyn Park. At the meeting Council Members heard from staff and an HOA attorney about the challenges that exist within HOA communities. Council Members directed staff to explore various ways of working with HOAs in the community to create a sense of accountability and access to needed resources for homeowners. Based on the feedback received at the HOA meetings and the Council work session, staff developed a plan that included creating a webpage for resident to access resources located here:

<https://www.brooklynpark.org/housing/homeowner-resources/homeowners-associations/>

**OTHER HOUSING NEWS AND UPDATES:****Staff Participation in Housing Groups**

Staff participates regularly in various regional groups on the topic of housing, including:

- Anti-displacement Working Group created by the Metro Blue Line Light Rail Transit Extension (BLRT) project office and Hennepin County.
- Housing Collaborative hosted by Twin Cities Local Initiatives Support Corporation (LISC) and focused on education, info sharing, and collaboration among city staff on housing programs and policies.
- Regional Housing Policy Work Group hosted by Urban Land Institute (ULI) Minnesota.
- Government Equitable Development Community of Practice hosted by the Metropolitan Council.

**Other Housing Policy Work Currently Underway**

- Apartment Action Plan 2.0 (2018-present)
- CURA Housing Stability study implementation
- Fair Housing Training
- Establishment of a Local Housing Trust Fund (LHTF)

**Attachments:** N/A