

REGULAR CITY COUNCIL MEETING – AGENDA #1

Si usted necesita esta información en español: 763-424-8000. Yog xav tau kev pab, thov hu rau 763-424-8000 lawv mam li nrhiav ib tus neeg txhais lus rau koj. If you need this information in another language or alternative format, email access@brooklynpark.org or call 763-424-8000.

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

– SWEARING IN CEREMONY –

Council Member Amanda Cheng Xiong
Council Member Tony McGarvey
Council Member Shelle Page

I. ORGANIZATIONAL BUSINESS

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

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

2A. RESPONSE TO PRIOR PUBLIC COMMENT

2B. PUBLIC COMMENT

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

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

3B.1 Introduction of New Employees

3B.2 Acknowledge and Accept a \$100,000 Donation from the Thielen Foundation for the Zanewood Recreation Center Project

II. STATUTORY BUSINESS AND/OR POLICY IMPLEMENTATION

4. CONSENT (All items listed under Consent, unless removed from Consent in agenda item 3A, shall be approved by one council motion.) Consent Agenda consists of items delegated to city management or a commission but requires council action by State law, City Charter or city code. These items must conform to a council approved policy, plan, capital improvement project, ordinance or contract. In addition, meeting minutes shall be included.

4.1 Appointment of Assistant Weed Inspectors

4.2 Appointment of Tree Inspectors

4.3 Appointments to the Suburban Rate Authority

A. RESOLUTION

4.4 Appointment of Health Officer

4.5 Designation of Official Newspaper

A. LETTER FROM SUN-POST NEWSPAPER

B. MN STATUTE 331A.02 – REQUIREMENTS FOR A QUALIFIED NEWSPAPER

4.6 Appointment of Acting City Manager

4.7 Accept Minnesota Department of Public Safety ARMER Grant

A. RESOLUTION

B. FINANCIAL ANALYSIS/BUDGET AMENDMENT

4.8 CAC Task Force Appointments

A. RESOLUTION

- 4.9** Approval of Elected Officials Rules of Procedures and Code of Conduct Manual
 - A.** CITY OF BROOKLYN PARK ELECTED OFFICIALS RULES OF PROCEDURES AND CODE OF CONDUCT
- 4.10** Resolution Relating to Council/Staff Responsibilities
 - A.** RESOLUTION
- 4.11** Resolution Authorizing Supplemental Compensation for Mayor and Council Members Who Attend Approved Municipal Functions
 - A.** RESOLUTION
- 4.12** Resolution Relating to Business Expenses of the City Council
 - A.** RESOLUTION
- 4.13** Review and Approval of the Policy Pertaining to the Application and Appointment Procedure for Filling a Vacancy in the Office of Mayor or City Council Member
 - A.** POLICY
- 4.14** Set Local Board of Appeal and Equalization Date and Time for April 7, 2025, at 6:00 p.m.
- 4.15** Resolution Designating Real Property Appraisers for 2025
 - A.** RESOLUTION

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

5. PUBLIC HEARINGS

None.

6. LAND USE ACTIONS

None.

7. GENERAL ACTION ITEMS

- 7.1** Appointment of Council Liaisons to Commissions and Committees
 - A.** 2024 COUNCIL LIAISON FORM
 - B.** 2025 COUNCIL LIAISON FORM
- 7.2** Appointment of Mayor Pro Tem
- 7.3** Public Purpose Expenditures Policy Approval
 - A.** RESOLUTION
 - B.** POLICY
- 7.4** Request by Mayor Winston to Travel to and Attend the Mississippi Rivers and Towns Initiatives Special Mayoral Reception from January 17-18, 2025
 - A.** TRAVEL POLICY

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

8. DISCUSSION ITEMS

None.

IV. VERBAL REPORTS AND ANNOUNCEMENTS

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

V. ADJOURNMENT

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

City of Brooklyn Park Request for Council Action

Agenda Item:	Prior to Council Meeting	Meeting Date:	January 6, 2025
Agenda Section:	Prior to Council Meeting	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Devin Montero, City Clerk
Ordinance:	N/A		
Attachments:	N/A		
Item:	Swearing-in Ceremony for Council Members Elect Tony McGarvey, Shelle Page and Amanda Cheng Xiong		Presented By: Mayor Hollies Winston

City Manager's Proposed Action:

- MAYOR ROSLYN HARMON, CITY OF GOLDEN VALLEY, WILL SWEAR IN SHELE PAGE AS CENTRAL DISTRICT COUNCIL MEMBER FOR A FOUR-YEAR TERM TO EXPIRE DECEMBER 31, 2028.
- MAYOR HOLLIES WINSTON WILL SWEAR IN AMANDA CHENG XIONG AS EAST DISTRICT COUNCIL MEMBER FOR A FOUR-YEAR TERM TO EXPIRE DECEMBER 31, 2028.
- MAYOR HOLLIES WINSTON WILL SWEAR TONY MCGARVEY AS WEST DISTRICT COUNCIL MEMBER FOR A FOUR-YEAR TERM TO EXPIRE DECEMBER 31, 2028.

Overview:

Section 4.09 of the City Charter requires:

(1) The City Clerk shall forthwith notify all persons to the fact of their election; and

(2) The City Clerk shall forthwith notify all persons elected to the fact of their election, and the persons elected shall take office at the time provided by Section 3.01 upon taking, subscribing and filing with the City Clerk the required oath of office and a "Statement of Economic Interest" form as prescribed in Sections I4.02 and I4.03.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park Request for Council Action

Agenda Item:	3B.1	Meeting Date:	January 6, 2025
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Katrina Doshier Program Assistant
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Department Directors/Managers
Item:	Introduction of New Employees		

City Manager's Proposed Action:

Introduction of the City of Brooklyn Park's new employees.

Overview:

Employee

Start Date

Title

Administration

Cindy Devonish

December 9, 2024

Community Engagement and Experience Manager

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park Request for Council Action

Agenda Item:	3B.2	Meeting Date:	January 6, 2025
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Recreation and Parks
Resolution:	N/A	Prepared By:	Brad Tullberg, Recreation & Park Director Marcus Hill, Parks a& Facilities Manager
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Brad Tullberg, Recreation & Park Director
Item:	Acknowledge and Accept a \$100,000 Donation from the Thielen Foundation for the Zanewood Recreation Center Project		

City Manager's Proposed Action:

Acknowledge and accept a \$100,000 donation made by the Thielen Foundation to the City of Brooklyn Park.

Overview:

Adam Thielen is a National Football League wide receiver who played for the Minnesota Vikings and currently plays for the Carolina Panthers. Adam and his wife, Caitlin Thielen, founded the Thielen Foundation in the fall of 2018 to help serve, educate and inspire those in need.

Whether on the field or in the local community, the Thielens have been overwhelmed by the love and support they have received from the Minnesota community both growing up and during Adam's playing career. Because of this, Adam and Caitlin have felt compelled to give back to the community that has given both of them so much over the years. As a result, the Thielen Foundation was formed.

With an overarching theme on youth development, the Thielen Foundation aims to create programs that will equip and empower kids to reach their full potential in life. The motto, "achieve your full potential", is a guiding principle lived out by Adam every day and is meant to inspire and motivate individuals to overcome challenges and adversity, so they can tackle some of life's biggest goals.

Brooklyn Park staff would like to acknowledge and thank the Thielen Foundation for their donation of \$100,000 to support the construction and furnishing of the Zanewood Recreation Center gym.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park Request for Council Action

Agenda Item:	4.1	Meeting Date:	January 6, 2025
Agenda Section:	Consent	Originating Department:	Operations and Maintenance
Resolution:	N/A	Prepared By:	Greg Hoag, Park and Building Maintenance Manager
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Jay Stroebel, City Manager
Item:	Appointment of Assistant Weed Inspectors		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO CONFIRM THE MAYOR'S APPOINTMENT OF AKIHITO JACOBS, CHRIS SULLIVAN AND JASON NEWBY AS ASSISTANT WEED INSPECTORS FOR THE YEAR 2025.

Overview:

Minnesota Statutes, Chapter 18.80 Subd. 2 and Subd. 3, establishes the appointment for the city's weed inspector as follows:

Subd. 2 Local Weed Inspectors. The supervisors of each town board and the mayor of each city shall act as local weed inspectors within their respective municipalities.

Subd. 3 Assistant Weed Inspectors. A municipality may appoint one or more assistants to act on behalf of the appointing authority as a weed inspector for the municipality. The appointed assistant or assistants have the power, authority, and responsibility of the town board member or the city mayor in the capacity of weed inspector.

Akihito Jacobs and Chris Sullivan will represent the Operations and Maintenance Department; Jason Newby will represent the Environmental Health Division.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park Request for Council Action

Agenda Item:	4.2	Meeting Date:	January 6, 2025
Agenda Section:	Consent	Originating Department:	Operations and Maintenance
Resolution:	N/A	Prepared By:	Greg Hoag, Park and Building Maintenance Manager
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Jay Stroebel, City Manager
Item:	Appointment of City Tree Inspectors		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO CONFIRM THE CITY COUNCIL APPOINTMENT OF AKIHITO JACOBS AND ALTERNATE'S CHRIS SULLIVAN AND MIKE CARHILL AS CITY TREE INSPECTORS FOR THE YEAR 2025.

Overview:

City of Brooklyn Park City Code, Chapter 97, establishes the appointment for the City Tree Inspector as: 97.02 Definitions "City Tree Inspector means a person or persons appointed by the City Council who is certified by the MN Commission of Agriculture to plan, direct and supervise all requirements for controlling shade tree diseases throughout the designated control area."

The City Tree Inspector duties are defined in City Code 97.30 (A) Duties. The City Tree Inspector shall administer the shade tree disease control program for the City in accordance with City code. Official duties include inspections, diagnosis, and the supervision of the removal of diseased or hazard trees.

The Brooklyn Park City Code Chapter 97 was amended in May 2014 and became effective in July 2014.

Akihito Jacobs, Chris Sullivan and Mike Carhill maintain all certifications required by the Minnesota Commissioner of Agriculture for city tree inspectors.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park Request for Council Action

Agenda Item:	4.3	Meeting Date:	January 6, 2025
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	X	Prepared By:	Greg Hoag, Park & Building Maintenance Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Jay Stroebel, City Manager
Item:	Appointments to the Suburban Rate Authority		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-____ APPOINTING MARCUS CULVER AND MITCHELL ROBINSON AS DIRECTOR'S AND LATONIA GREEN AS ALTERNATE DIRECTOR OF THE SUBURBAN RATE AUTHORITY FOR 2025.

Overview:

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

The City Manager recommends appointing City Engineer Marcus Culver and Water Resources Engineer Mitchell Robinson as Director's and Finance Director LaTonia Green as Alternate Director.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

4.3A RESOLUTION

RESOLUTION #2025-

RESOLUTION APPOINTING MARCUS CULVER AND MITCHELL ROBINSON AS DIRECTOR'S AND
LATONIA GREEN AS ALTERNATE DIRECTOR OF THE SUBURBAN RATE AUTHORITY FOR 2025

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

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

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

Marcus Culver and Mitchell Robinson are hereby designated as the Director's and LaTonia Green as the Alternate Director to the Suburban Rate Authority for the year 2025 and until their successors are appointed.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.4	Meeting Date:	January 6, 2025
Agenda Section:	Consent	Originating Department:	Community Development
Resolution:	N/A	Prepared By:	Jason Newby, Inspections and Environmental Health Manager
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Jay Stroebel, City Manager
Item:	Appointment of Health Officer		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO CONFIRM THE CITY MANAGER'S APPOINTMENT OF DR. MATTHEW HOCKETT AS BROOKLYN PARK'S HEALTH OFFICER FOR A TERM OF ONE YEAR TO EXPIRE DECEMBER 31, 2025.

Overview:

Chapter 31.30 of the City Code establishes the appointment for the City's Health Officer. Dr. Hockett, who was previously at the Fairview Clinic in Brooklyn Park, and now is at the Fairview Clinic Bass Lake in Maple Grove, is willing to accept the appointment for 2025.

31.30 HEALTH OFFICER; APPOINTMENT AND DUTIES.

(A) The Health Officer is appointed by the City Manager, with the approval of the Council.

(B) The Health Officer serves in an advisory capacity to the Council and the Board of Health. The Health Officer must see that all health laws and regulations are obeyed. The Health Officer must take such legal steps as are necessary to control communicable disease and must advise the City Council and the Board of Health of any health regulations or directions of the State Board of Health that are not being carried out. The Health Officer must advise the Council and Board of Health in a medical way as to diagnosis for the purpose of quarantine, release of quarantine, details of necessary control methods, and other technical preventive measures. The Health Officer is responsible for the duties placed upon local health officers by the statutes of the State of Minnesota.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park Request for Council Action

Agenda Item:	4.5	Meeting Date:	January 6, 2025
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Devin Montero, City Clerk
Ordinance:	N/A		
Attachments:	2	Presented By:	Jay Stroebel, City Manager
Item:	Designation of Official Newspaper		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO DESIGNATE THE BROOKLYN PARK SUN-POST AS THE OFFICIAL NEWSPAPER FOR THE CITY OF BROOKLYN PARK FOR THE YEAR 2025.

Overview:

Minnesota Statutes 331A.02 has established requirements for a qualified official/legal newspaper. Currently the official newspaper for the City of Brooklyn Park is the Brooklyn Park Sun-Post. The Sun-Post would like to continue as the city's official newspaper for 2025 as stated in their attached letter.

2024	2025
<i>\$11.50 per inch for first insertion</i>	<i>\$11.50 per inch for first insertion</i>
<i>\$7.25 per inch for subsequent insertions</i>	<i>\$7.25 per inch for subsequent insertions</i>
<i>Lines per inch: 9</i>	<i>Lines per inch: 9</i>
<i>Characters per inch: 320</i>	<i>Characters per inch: 320</i>

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

- 4.5A LETTER FROM SUN-POST NEWSPAPER
- 4.5B MN STATUTE 331A.02 – REQUIREMENTS FOR A QUALIFIED NEWSPAPER



November 13, 2024

RECEIVED NOV 21 2024

City of Brooklyn Park
City Council
5200 - 85th Avenue North
Brooklyn Park, MN 55443

Dear City Council Members:

Please accept the following bid from the **Brooklyn Park Sun Post** for legal newspaper designation for the City of Brooklyn Park. This newspaper is qualified by the State of Minnesota as a legal newspaper under Minnesota Statutes Section 331A.02, Subd. 1.

The following rate structure for legals is effective January 1, 2025:

First insertion:	\$11.50 per column inch
Characters per inch:	320
Lines per inch:	9

A notarized affidavit will be provided for each notice published. A \$20 charge will be assessed on legal notices that require typing. All published legal notices are posted on the **Sun Post** website at no additional charge and available to be viewed at no cost.

The **Sun Post** is published weekly on Thursdays. The deadline is 2:00 p.m. on Thursday for publication the following Thursday. Early deadlines apply during a holiday week. Please email legal notices to publicnotice@apgecm.com.

Thank you for considering the **Sun Post** as the official newspaper for the City of Brooklyn Park for the upcoming year. We appreciate the opportunity to serve the needs of your community.

Sincerely,



Tonya Orbeck
Legal Notice Department Manager
763-691-6001

331A.02 REQUIREMENTS FOR A QUALIFIED NEWSPAPER.

Subdivision 1. **Qualification.** No newspaper in this state shall be entitled to any compensation or fee for publishing any public notice unless it is a qualified newspaper. A newspaper that is not qualified must inform a public body that presents a public notice for publication that it is not qualified. To be qualified, a newspaper shall:

(a) be printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 800 square inches;

(b) if a daily, be published and distributed at least five days each week. If not a daily, the newspaper may be published and distributed at least twice a month with respect to the publishing of government public notices. In any week in which a legal holiday is included, not more than four issues of a daily paper are necessary;

(c) in at least half of its issues each year, have no more than 75 percent of its printed space comprised of advertising material and paid public notices. In all of its issues each year, have 25 percent, if published more often than weekly, or 50 percent, if weekly, of its news columns devoted to news of local interest. Not more than 25 percent of its total nonadvertising column inches in any issue may wholly duplicate any other publication unless the duplicated material is from recognized general news services;

(d) be of general circulation in the area to which a public notice is directed, or where there is a reasonable likelihood that the person to whom it is directed will become aware of the notice;

(e) have its known office of issue located in either:

(1) the county in which lies, in whole or in part, the political subdivision that is publishing the public notice; or

(2) an adjoining county;

(f) file a copy of each issue promptly with the State Historical Society;

(g) be made available at single or subscription prices to any person or entity requesting the newspaper and making the applicable payment, or be distributed without charge to local residents;

(h) have complied with all the foregoing conditions of this subdivision for at least one year immediately preceding the date of the notice publication;

(i) between September 1 and December 31 of each year publish a sworn United States Post Office periodicals-class statement of ownership and circulation or a statement of ownership and circulation verified by a recognized independent circulation auditing agency covering a period of at least one year ending no earlier than the June 30 preceding the publication deadline. When publication occurs after December 31 and before July 1, qualification shall be effective from January 1 through December 31 of that year; and

(j) after publication of the statement described in paragraph (i), submit to the secretary of state by December 31 a filing containing the newspaper's name, address of its known office of issue, telephone number, and a statement that it has complied with all of the requirements of this section. The filing must be accompanied by a fee of \$25. The secretary of state shall make available for public inspection a list of newspapers that have filed. Acceptance of a filing does not constitute a guarantee by the state that any other qualification has been met.

Subd. 2. MS 2002 [Repealed, 2004 c 182 s 33]

Subd. 3. Publication; suspension; changes. The following circumstances shall not affect the qualification of a newspaper, invalidate an otherwise valid publication, or invalidate a designation as official newspaper.

(a) Suspension of publication for a period of not more than three consecutive months resulting from the destruction of its known office of issue, equipment, or other facility by the elements, unforeseen accident, or acts of God or by reason of a labor dispute.

(b) The consolidation of one newspaper with another published in the same county or in an adjoining county, or a change in its name or ownership, or a temporary change in its known office of issue.

(c) Change of the day of publication, the frequency of publication, or the change of the known office of issue from one place to another within the same county or in an adjoining county. Except as provided in this subdivision, suspension of publication, or a change of known office of issue, or failure to maintain its known office of issue in the county or in an adjoining county, shall deprive a newspaper of its standing as a qualified newspaper until it again becomes qualified pursuant to subdivision 1.

Subd. 4. Declaratory judgment of legality. A person interested in a newspaper's qualification under this section may petition the district court in the county in which the newspaper has its known office of issue for a declaratory judgment to determine whether the newspaper is qualified. Unless filed by the publisher, the petition and summons shall be served on the publisher as in other civil actions. Service in other cases shall be made by publication of the petition and summons once each week for three successive weeks in the newspaper or newspapers the court may order and upon the persons as the court may direct. Publications made in a newspaper after a judgment that it is qualified but before the judgment is vacated or set aside shall be valid. Except as provided in this subdivision, the Uniform Declaratory Judgments Act and the Rules of Civil Procedure shall apply to the action.

Subd. 5. Posting notices on website. If, in the normal course of its business, a qualified newspaper maintains a website, then as a condition of accepting and publishing public notices, the newspaper must agree to post all the notices on its website and on the Minnesota Newspaper Association's statewide public notice website, at no additional cost to the advertiser. The newspaper's website must include a link to its online public notices section, the contents of which must be accessible at no cost to the public. Each notice must remain on the website during the notice's full publication period. Failure to post or maintain a public notice on the newspaper's website or to post a public notice on the statewide public notice website does not affect the validity of the public notice.

History: 1984 c 543 s 21; 1985 c 174 s 1; 1Sp1985 c 13 s 315; 1987 c 30 s 1; 1987 c 286 s 1; 1988 c 682 s 42; 1990 c 395 s 1; 1991 c 205 s 17; 1997 c 137 s 13; 2001 c 38 s 1; 2004 c 182 s 8-11; 2009 c 152 s 5; 2022 c 61 s 5-7

City of Brooklyn Park Request for Council Action

Agenda Item:	4.6	Meeting Date:	January 6, 2025
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Jay Stroebel, City Manager
Ordinance:	N/A		
Attachments:	N/A		
Item:	Appointment of Acting City Manager		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO AUTHORIZE THE CITY MANAGER TO DESIGNATE A DEPARTMENT DIRECTOR, FIRE CHIEF, POLICE CHIEF OR THE ASSISTANT CITY MANAGER TO SERVE, IF NEEDED, AS ACTING CITY MANAGER THROUGH DECEMBER 31, 2025.

Overview:

City Charter Section 7.01, THE CITY MANAGER, states, in part, "...During any absence or disability of the City Manager, the City Council shall appoint an Acting Manager, properly qualified and capable to perform the duties of City Manager."

It is my recommendation that the City Manager shall designate a department director, Fire Chief, Police Chief or the Assistant City Manager as Acting City Manager in the absence of the City Manager, if needed, through December 31, 2025.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park Request for Council Action

Agenda Item:	4.7	Meeting Date:	January 6, 2025
Agenda Section:	Consent	Originating Department:	Police
Resolution:	X	Prepared By:	Stephanie Heiberger, Police
Ordinance:	N/A		
Attachments:	2	Presented By:	Chief Mark Bruley
Item:	Accept Minnesota Department of Public Safety ARMER Grant		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-____ TO ACCEPT A MINNESOTA DEPARTMENT OF PUBLIC SAFETY ARMER GRANT FOR THE PURCHASE OF POLICE RADIOS.

Overview:

The Police Department applied for and received an ARMER (Allied Radio Matrix for Emergency Response) grant from the Minnesota Department of Public Safety. This award provides \$40,000 toward the purchase of police radios and requires a match of \$2,105.26. The match will come from the existing 2025 Capital Equipment Plan.

We have traditionally used our radio equipment past its life expectancy. This grant will allow us to phase out failing equipment and replace it with new technology.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

Amend the grant fund budget as follows as shown in attachment 4.7B

Attachments:

- 4.7A RESOLUTION
- 4.7B FINANCIAL ANALYSIS/BUDGET AMENDMENT

RESOLUTION #2025-

TO ACCEPT A MINNESOTA DEPARTMENT OF PUBLIC SAFETY ARMER GRANT
FOR THE PURCHASE OF POLICE RADIOS

WHEREAS, the police department applied for a grant from the Minnesota Department of Public Safety for the purchase of police radios; and

WHEREAS, the grant award was in the amount of \$40,000; and

WHEREAS, the grant award requires a \$2,105.26 match that will come from the city's Capital Equipment Plan; and

WHEREAS, the 2025 grant fund will need to be amended for this grant; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to accept a Minnesota Department of Public Safety ARMER grant for the purchase of police radios.

City of Brooklyn Park Financial Analysis



City Council Meeting Date: 1/6/2025

RFCA Title: MN Department of Public Safety ARMER Grant Acceptance

Agenda Section/Number: 4.7

Fiscal Analysis/Explanation for Budget Amendment:

The Police Department applied for and received an ARMER grant from the Minnesota Department of Public Safety for the purchase of police radios.

Changes to the GENERAL LEDGER Budget						
Financing Changes						
Fund	Revenue Classification	Description	Current Budget	Changes	Amended Budget	
203	State Grants	MN DPS ARMER Grant	\$ -	\$ 40,000.00	\$ 40,000.00	
Total			\$ -	\$ 40,000.00	\$ 40,000.00	
Spending Changes						
Fund	Expense Classification	Description	Current Budget	Changes	Amended Budget	
203	Capital Outlay	Police Radios	\$ -	\$ 40,000.00	\$ 40,000.00	
Total			\$ -	\$ 40,000.00	\$ 40,000.00	

Changes to the PROJECT Budget <i>(Only complete this section if this is a CIP/CEP/Grant)</i>						
Financing Changes						
Project Number	Funding Source	Description	Current Budget	Changes	Amended Budget	
GRSDPS-TBD	G.R. - Grants	MN DPS ARMER Grant	\$ -	\$ 40,000.00	\$ 40,000.00	
Total			\$ -	\$ 40,000.00	\$ 40,000.00	
Spending Changes						
Project Number	Expense Category	Description	Current Budget	Changes	Amended Budget	
GRSDPS-TBD	Capital Equipment	Police Radios	\$ -	\$ 40,000.00	\$ 40,000.00	
Total			\$ -	\$ 40,000.00	\$ 40,000.00	

City of Brooklyn Park Request for Council Action

Agenda Item:	4.8	Meeting Date:	January 6, 2025
Agenda Section:	Consent	Originating Department:	Recreation & Parks
Resolution:	X	Prepared By:	Brad Tullberg, Recreation & Parks Director
Ordinance:	N/A		
Attachments:	1	Presented By:	Brad Tullberg, Recreation & Parks Director
Item:	Community Activity Center Improvements Task Force Member Recommendations		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-____ TO APPROVE AND APPOINT RECOMMENDED COMMUNITY ACTIVITY CENTER IMPROVEMENTS TASK FORCE MEMBERS.

Overview:

The purpose of the Brooklyn Park Community Activity Center Improvements Task Force is to build political will with Brooklyn Park residents and the state legislature and additionally provide public input on the design for the planned entrance improvements, addition of multi-court gymnasium and exterior site improvements.

Project:

The 2018 Park Bond Referendum identified Community Activity Center entrance and corridor improvements as a priority. While discussing the potential design options for these improvements, the community raised concern related to the availability and accessibility of gym space to support existing youth athletic programs, establish new programs and provide opportunities for drop-in activities.

In 2023, Brooklyn Park secured \$5M for the conversion of an ice rink to gym space. After further community engagement and discussion, Brooklyn Park secured flexibility to use the \$5M allocation for the addition of gym space without the conversion of one ice arena during the 2024 legislative session. The City of Brooklyn Park will be requesting \$9.5M in state bonding during the 2025 legislature to build out a regional sports athletic facility.

The City Council directed staff to proceed with developing a task force to assist with the community engagement and to further develop the concept designs to create a multi-court gymnasium space to support basketball, volleyball, pickleball and other activities. The improvements to the entrances and corridors, as well as exterior site improvements to support community events will also be included in this work.

In October, staff advertised the opportunity to be part of the CAC improvements Task Force and accepted online applications from interested residents. A total of 19 applications were received for the six Community At-Large positions. Staff reviewed the applications and are recommending the following to be appointed to the Community Activity Center Improvements Task Force:

- **City Council Representatives**
To be appointed during January 6 2025 City Council Meeting
- **Recreation and Parks Advisory Commission Members**
Terry Parks
- **Court Sports Representatives**
Brooklyn Park Athletic Association Representative – Courtney Cassem

Park Center Traveling Basketball Representative - Syreeta Major

- **Ice Sports Representatives**

Figure Skating Representative – Sarah Fercho
Hockey Representative – To Be Determined

- **Community At-Large Members**

Taylor Murray
Cindy Hill
Deb Forsell
Randy Fordice
Rachel Jide
Patrina Green

The first meeting of the Task Force is planned for Tuesday, January 14, 2025.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

4.8A RESOLUTION

RESOLUTION #2025-

RESOLUTION TO APPROVE AND APPOINT RECOMMENDED COMMUNITY ACTIVITY CENTER IMPROVEMENTS TASK FORCE MEMBERS.

WHEREAS, the Community Activity Center Improvements were part of the 2018 Park Bond Referendum; and

WHEREAS, the community raised concern related to the availability and accessibility of gym space to support existing youth athletic programs, establish new programs and provide opportunities for drop-in activities; and

WHEREAS, the City Council directed staff to proceed with developing a task force to assist with the community engagement and to further develop the concept designs to create multi-court gymnasium space to support basketball, volleyball, pickleball and other activities; and

WHEREAS, staff advertised the opportunity to be part of the CAC improvements Task Force and accepted online applications from interested residents; and

WHEREAS, a total of 19 applications were received for the six Community At-Large positions and staff are recommending the following to be appointed to the Community Activity Center Improvements Task Force:

- City Council Representatives (To be appointed during January 6, 2025 City Council Meeting)
- Recreation and Parks Advisory Commission Member (Terry Parks)
- Court Sports Representatives
 - Brooklyn Park Athletic Association Representative – Courtney Cassem
 - Park Center Traveling Basketball Representative - Syreeta Major
- Ice Sports Representatives
 - Figure Skating Representative – Sarah Fercho
 - Hockey Representative – To Be Determined
- Community At-Large Members
 - Taylor Murray
 - Cindy Hill
 - Deb Forsell
 - Randy Fordice
 - Rachel Jide
 - Patrina Green

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to Approve and Appoint Recommended Community Activity Center Improvements Task Force Members.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.9	Meeting Date:	January 6, 2025
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Katrina Doshier, Program Assistant
Ordinance:	N/A		
Attachments:	1	Presented By:	Jay Stroebel
Item:	Approval of Elected Officials Rules of Procedures and Code of Conduct Manual		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE THE ELECTED OFFICIALS RULES OF PROCEDURES AND CODE OF CONDUCT MANUAL.

Overview:

The City Council has long had an Elected Officials Rules of Procedure and Code of Conduct manual. A significant revision of the manual took place in 2017 when a community work group, comprised of the City Manager, City Attorney, City Clerk, Mayor, two members of the City Council and four residents, was convened to review and make recommendations regarding revisions to the document. The group held four meetings to develop draft recommendations that were presented to Council on October 9, 2017. Based on Council's feedback, the work group reconvened on October 16, 2017 to finalize the manual and presented the manual to the Council at its October 23, 2017 Council meeting and was approved.

With a few additional revisions, this document was approved at the October 24, 2022 Council meeting.

The Elected Officials Rules of Procedures and Code of Conduct Manual comes before the City Council annually for review.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

4.9A CITY OF BROOKLYN PARK ELECTED OFFICIALS RULES OF PROCEDURES AND CODE OF CONDUCT

Brooklyn Park

Elected Officials

Rules of Procedures and Code of Conduct

June 2002

Revised and Approved December 11, 2024

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**CITY OF BROOKLYN PARK
ELECTED OFFICIALS
RULES OF PROCEDURES AND CODE OF CONDUCT**

**(Adopted at City Council Meeting of June 10, 2002)
Revised and Approved by City Council on October 24, 2022**

Preamble:

The Brooklyn Park community is entitled to have fair, ethical and accountable local government, which has earned the public's full confidence for integrity. The effective functioning of democratic government requires that:

- *Public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;*
- *Public officials be independent, impartial and fair in their judgment and actions;*
- *Public office be used for the public good, not for personal gain; and*
- *Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.*

It is essential to the proper administration and operation of the City of Brooklyn Park that the City Council be independent and impartial, that elective office with the City of Brooklyn Park not be used for personal benefit, and that the public have confidence in the integrity of the City. In recognition of these goals, the City has adopted this Code of Conduct and Rules of Procedures, which is applicable to all members of the City Council, including when acting in the capacity of EDA Commission Members.

The purpose of this Code is to establish standards of ethical conduct applicable to the City Council Members, including the Mayor, in the discharge of their duties. It prescribes essential restrictions against conflict of interest and other conduct not consistent with good practices while not creating unnecessary barriers to public service.

It is required that all Council Members comply with the law and all other applicable rules and regulations governing the conduct of public officials. The standards in this Code shall not preclude other standards required by law.

The Council’s Statement of Values:

- *Honesty and Integrity:* Honesty and integrity are the cornerstones for building trust, mutual respect and teamwork. Honesty and integrity include maintaining the highest ethical standards, communicating with complete candor and openness, listening and really hearing each other, and a willingness to change our position on an issue if the facts warrant.
- *Respect:* Each person is an individual. Despite differences we may have on issues, we will strive to demonstrate respect and a caring attitude toward each other.
- *Teamwork:* We believe that teamwork is important to our success as an organization. Teamwork requires participation by all to reach consensus on issues, whenever possible. We will work together to achieve win/win solutions that serve the entire community.
- *Information:* We value information that is correct, complete and timely. This is essential for making decisions that are sound and wise. The Council expects staff to be diligent in assuring that its information needs are reasonably met.
- *It’s Okay to Disagree:* While we will strive to reach consensus on issues, we also recognize that we operate in a political environment. At times, our disagreements will only be resolved by voting. To disagree on an issue does not imply dislike for the individual. We believe in being tough on issues, but not on people. Once an issue is resolved, we will move on without grudges or malice.
- *Best for the City:* Ultimately, the interest of each Council and staff member is to do what is best for the City of Brooklyn Park and to uphold the City Charter. This includes assuring open accessible government, fiscal responsibility, a spirit of professionalism, excellence in service, and visionary community leadership. We each take pride in our community.
- *Trust:* The Council and staff of the City of Brooklyn Park are committed to working together within the context of these values. To assure they become a real force in guiding our behavior, we will prominently display them and regularly remind ourselves and each other of their existence. We believe this will be a powerful factor in building the bonds of trust among us.

Behaviors we need to model to ensure we are an effective and efficient governing body				
<i>Listening to understand and being openminded</i>	<i>Respecting, appreciating, and valuing each other</i>	<i>Being prepared and accountable</i>	<i>Being transparent and honest</i>	<i>Willingness to work with others</i>
<ul style="list-style-type: none"> • Listen more, talk less • Seek to gain 	<ul style="list-style-type: none"> • Respect each other and differences 	<ul style="list-style-type: none"> • Be prepared for meetings • Be 	<ul style="list-style-type: none"> • Tell the truth • Be honest and transparent 	<ul style="list-style-type: none"> • Be willing to work with others

understanding •Be openminded for change •Listen to understand •Flexible and open to others	•Respect and value each other •Always show appreciation •Respect each other	accountable to our constituents and each other •Be aware of your strengths and weaknesses		
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1. OVERVIEW OF ROLES AND RESPONSIBILITIES

Other resources that are helpful in defining the roles and responsibilities of elected officials can be found in state law, Brooklyn Park City Charter, and City Code.

1.1 Mayor

- Elected “at-large” for a 4-year term
- Recognized as head of the City Government for all ceremonial purposes
- Presides over meetings of the City Council
- Has the same speaking and voting rights as any other member
- Executes and authenticates legal instruments requiring signature
- Strives to lead the Council into an effective, cohesive working team

1.2 Mayor Pro Tem

- Appointed by the City Council at the first meeting of the year
- Performs the duties of the Mayor if the Mayor is absent, disabled, or otherwise unable to participate in a matter or is the subject of a complaint under this code

1.3 All Council Members

All members of the City Council, including the Mayor and Mayor Pro Tem, have equal votes. No Council Member has more power than any other Council Member, and all should be treated with equal respect.

1.4 The Mayor and All Council Members

- Refer to one another formally during public meetings as “Mayor (last name)”/ “Council Member (last name)”
- Wait to speak until acknowledged by the Mayor
- Honor efforts by the Mayor to efficiently manage the meeting and to focus discussion on current agenda items
- Treat all staff as professionals
- Treat members of the public politely and respectfully

- When a conflict of interest arises, the Council member shall abstain from the vote and be available for comment from the podium only
- Council Members are encouraged to give support for the majority position once votes have been taken
- Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others
- Prepare in advance of meetings, including contacting staff with any questions in order to be familiar with issues on the agenda
- Represent the City at ceremonial functions
- Be respectful of people's time; stay focused and act efficiently during public meetings
- Serve as a model of leadership and civility to the community
- Inspire public confidence in Brooklyn Park government
- Demonstrate honesty and integrity in every action and statement
- Participate in scheduled activities

2. RULES OF PROCEDURES

- 2.1 **Regular Meetings:** Shall be held at 6:00 p.m. on the first, second and fourth Mondays of each month in the Council Chambers of City Hall, 5200 85th Ave. N., Brooklyn Park, Minnesota. No meeting shall be held on a legal holiday, but shall be held at the same hour on the next succeeding day that is not a holiday.

Open Forum will begin at 6:00 p.m. at all regular meetings with the exception of the work sessions. Members of the public should be advised of the guidelines of the Open Forum. The Open Forum will provide members of the public an opportunity to comment, ask questions or present a problem relating to city business that is not already a part of the agenda. Each speaker will be asked to limit his/her comments to three (3) minutes and can only address the Council one time during the Open Forum. No action will be taken. Staff will follow up with a response regarding the status of the concern. Open Forum will be held no longer than 15 minutes. If no one is in attendance for the Open Forum or if 15 minutes is not needed for this purpose, the regular meeting shall begin immediately or after Open Forum business has been conducted.

- 2.2 **Special Meetings:** The Mayor or any three (3) members of the Council may call Special meetings. Three days written notice is required. Notice shall include specific purpose of the meeting in addition to the time, date and location of meeting.
- 2.3 **Emergency Meetings:** Emergency meetings may be called by the Mayor or any three (3) members of the Council due to circumstances that, in the judgment of the public body, require immediate consideration. At least four (4) hours' notice (either in writing or by telephone) is required.

- 2.4 **Executive Sessions:** Executive Sessions are closed meetings and may be called only for those reasons specified in state law. State Statute requires that the Council pass a motion at a public meeting announcing their intention to go into a closed meeting, the subject matter to be discussed and the time and place of the executive session. Executive sessions will be taped when required by State law. When the executive session is complete, the Council shall return to the public meeting and summarize the action taken at the executive session. Council Members are to maintain confidentiality relating to any non-public discussion items.
- 2.5 **Cancellation of Meetings:** Meetings may be cancelled by the Mayor or, in the Mayor's absence, by the Mayor Pro Tem due to insufficient agenda items, lack of a quorum, inclement weather and/or other similar reasons. Council Members must be notified in writing or by telephone at least four (4) hours in advance whenever possible.
- 2.6 **Meeting Minutes:** Minutes of all meetings (except Executive Sessions) shall be kept by the City Clerk and shall represent an official record of the Council proceedings. Minutes shall be submitted to the Council for approval and to the Mayor for signature. Lack of such approval or signature shall not invalidate the minutes as official records.
- 2.7 **Cablecast/Webcast Meetings:** To the extent possible, all regular meetings and special Council meetings shall be cablecast/webcast. Video will be retained by the City Clerk for one year and be available to the public for viewing.
- 2.8 **Audio-taped Meetings:** Executive Sessions dealing with labor negotiation discussions will be audio taped; those tapes will be retained for two years after the contracts are signed.
- 2.9 **Meeting Attendance:** Council Members are expected to attend all meetings. However, when unable to attend a meeting, Council Members should notify either the Mayor or the City Clerk. The Mayor shall announce the Council Member's absence.
- 2.10 **Attendance by Interactive Technology:** A Councilmember seeking to attend a Council meeting using interactive technology must submit a request to do so in writing to the City Manager or City Clerk no later than noon on the Friday prior to the meeting. The request must contain the location and address from which the Councilmember will be attending the meeting.

The Councilmember's location must be open and accessible to the public.

The Councilmember attending through interactive technology must be plainly visible via video.

Members of the public present at the regular meeting location of the City Council must be able to hear and see all discussion, testimony and votes from remote participants.

All votes are conducted by roll call so each member's vote can be identified and recorded.

Each Councilmember may attend Council meetings by interactive technology means no more than three times per calendar quarter and no more than six times per calendar year. This limitation does not apply if:

1. A Councilmember is serving in the military and is attending a required drill, deployment, or is on active duty;
2. A Councilmember has been advised by a health care professional against being in a public place for personal or family medical reasons; or
3. A Councilmember is unable to personally attend a Council meeting in order to care for a family member.
4. The Council determines that a Councilmember should meet remotely for the safety of an individual Councilmember or while considering the safety of the Council Chambers as a whole.
5. The City Council may grant exceptions to this policy when a council member demonstrates a valid reason for not attending council meetings in person.

2.11 **Break:** The Council may recess for a ten-minute break at 9 p.m.

2.12 **Adjournment:** Unless otherwise agreed to by at least a majority of the Council, all meetings of the Council shall be adjourned by 10:00 p.m. The Mayor should manage the meeting to conform to the adjournment time.

3. AGENDAS

The Agenda shall be prepared by the City Clerk and City Manager and shall contain the order of business of each meeting. It shall be delivered to Council Members each Thursday preceding the Monday meeting to which it pertains. Agenda items will be scheduled to meet the differing needs of those in attendance. The agenda and all supporting public material shall also be made

available to the general public by noon on the Friday preceding a Council meeting and at the Council Meetings.

- 3.1 **Deadline for Agenda Items:** Generally, items to be considered should be submitted to the City Manager's office by noon on the Wednesday preceding the meeting. The City Manager may choose not to schedule items for a particular meeting when, in his/her opinion, other business to be considered at that meeting will likely consume the available time. Any two Council Members may request that the city manager place an item on an upcoming meeting agenda.
- 3.2 **Approval of Agenda:** The Mayor, Council Members or staff may propose additions, deletions or changes to the agenda. A majority vote of the Council is required to approve the agenda as proposed/amended. Any changes after the agenda has been formally approved shall require a two-thirds (2/3) vote of the Council.
- 3.3 **Consent Agenda:** Routine and non-controversial items shall be placed on the Consent Agenda which will be approved by one blanket motion. Any Council Member may request that items be withdrawn for separate consideration. If a Council Member has a question on a Consent Agenda item, they are to ask staff ahead of time, rather than having it pulled off for discussion during the meeting.

4. PUBLIC INPUT

Council Members recognize that public input is an essential component in the decision making process. Members further acknowledge the necessity of ensuring that persons who wish to speak be afforded an orderly opportunity to do so. Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Council Members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

- 4.1 **Restrictions:** Questions and comments from the public during a council meeting shall be limited to the subject under consideration. Depending on the length of the agenda and the number of persons wanting to participate, the Mayor may limit the time available for public comment and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers. No persons shall enter into any discussion without being recognized by the Mayor. After a motion has been made or after a public hearing has been closed, no person shall address the Council without first securing permission from the Mayor.
- 4.2 **Public Hearings:** After a presentation by staff, the applicant shall have the right to speak first. Speakers representing either pro or con points of view will be allowed to follow. The Mayor will determine how much time will be allowed for each speaker (generally 3 to 5 minutes) and ask speakers to line up to speak. Council Members will not express opinions during the public hearing portion of

the meeting except to ask pertinent questions of the speaker or staff. Council Members should refrain from arguing or debating with the public and should always show respect for different points of view. The Mayor has the responsibility to run an efficient public meeting and has the discretion to modify the public hearing process in order to make the meeting run smoothly. The Mayor or Council shall notify the speaker when the allotted time has expired to accommodate others wishing to speak.

- 4.3 **Addressing the Council:** Any member of the public desiring to address the Council shall complete an Addressing the Council Form and present it to the Clerk. The Mayor will call on the individual when that agenda item is discussed.

5. COUNCIL PROCEDURES/PROTOCOL

Councils are composed of individuals with a wide variety of backgrounds, personalities, values opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as the Council may “agree to disagree” on contentious issues. It is expected that there will be support for the majority position once votes have been taken. Roberts Rules of Order will be followed. The City Attorney will act as Parliamentarian.

- 5.1 **Motions:** Motions are a formal method of bringing business before the Council and for stating propositions on which the Council will move to make a decision. All motions require a second and a motion shall not be withdrawn by a mover without the consent of the person seconding it. No debate/discussion shall take place without a motion being placed on the floor.
- 5.2 **Voting Procedures:** Unless abstaining, every Council member shall vote. Failure to vote shall be recorded as a yes vote except in situations where a roll call vote has been requested. Tie votes shall be lost motions when all Council Members are present. If a tie vote results at a time when less than all members of the Council are present, the matter shall automatically be continued to the agenda of the next regular meeting unless otherwise ordered by the Council.

6. CODE OF CONDUCT AND ETHICS

6.1 Council Conduct with One Another

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as Council may "agree to disagree" on contentious issues.

6.1.1 In Public Meetings

- A. **Practice civility, professionalism and decorum in discussions and debate.** Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not, however, allow Council Members to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated. Council Members should conduct themselves in a professional manner at all times, including listening actively during Council meetings.
- B. **Honor the role of the Mayor or Mayor Pro Tem in maintaining order.** It is the responsibility of the Mayor to keep the comments of Council Members on track during public meetings. Council Members should honor efforts by the Mayor to focus discussion on current agenda items. If there is disagreement about the agenda or the Mayor's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.
- C. **Avoid comments that personally attack other Council Members.** If a Council Member is personally attacked by the comments of another Council Member, the offended Council Member should make notes of the actual words used and may call for a "point of order" to challenge the other Council Member to justify or apologize for the language used. The Mayor will maintain control of this discussion.
- D. **Demonstrate effective problem-solving approaches.** Council Members have a responsibility to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.
- E. **Be punctual and keep comments relative to topics discussed.** Council Members have made a commitment to attend meetings and partake in discussions. Therefore, it is important that Council Members be punctual and that meetings start on time. It is equally important that discussions on issues be relative to the topic at hand to allow adequate time to fully discuss scheduled issues.

- F. **Endorsement of Candidates.** Council Members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention endorsements during Council meetings or other official City meetings or functions.
- G. **Council Decisions.** Once a majority decision of the governing body has been made, respect that official position and defend it if needed, even if you personally disagreed.

6.1.2 In Private Encounters

- A. **Continue respectful behavior in private.** The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.
- B. **Be aware of the insecurity of written notes, voicemail messages, social media and email.** Technology allows words written or said without much forethought to be distributed wide and far. How would you feel if this voicemail message was played on a speaker phone in a full office? What would happen if this email message was forwarded to others? Written notes, social media postings, voicemail messages and email should be treated as potentially "public" communication.
- C. **Even private conversations can have a public presence.** Elected officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.
- D. **Make no personal comments about other Council Members.** It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Council Members, their opinions and actions.

6.2 Council Conduct with City Staff

Governance of a City relies on the cooperative efforts of elected officials, who set policy and City staff, who implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- A. **Treat all staff as professionals.** Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments toward staff is not acceptable.

- B. **Limit contact to specific City staff.** Questions of City staff and/or requests for additional background information should be directed to the City Manager, City Attorney, or Department Heads, unless otherwise directed by the City Manager. The City Manager should be copied on or informed of any request.
- C. **Council direction to staff.** In accordance with Charter Section 2.10, individual Council Members cannot give direction to city staff either publicly or privately. The Council as a body may provide staff direction on matters that come before the Council.

Requests for follow-up or directions to staff should be made only through the City Manager or the City Attorney when appropriate. When in doubt about what staff contact is appropriate, Council Members should ask the City Manager for direction. Materials supplied to a Council Member in response to a request for information of interest to all Council Members will be made available to the entire Council so that all have equal access to the information.

- D. **Do not disrupt City staff from their jobs.** Except in extraordinary circumstances, Council Members should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions.
- E. **Never publicly criticize an individual employee.** Council should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the City Manager through private correspondence or conversation.
- F. **Do not get involved in administrative functions.** Council Members must not attempt to influence City staff on the making of employment or personnel decisions, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits.
- G. **Do not attend City staff meetings without permission from staff.** Even if the Council Member does not say anything, the Council Member's presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.
- H. **Limit requests for staff support.** Requests for additional staff support – even in high priority or emergency situations – should be made to the City Manager who is responsible for allocating City resources in order to maintain a professional, well-run City government.
- I. **Do not solicit political support from staff.** Council Members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff.

- J. **Council, EDA and Commission agendas.** Staff’s responsibility is to provide Council Members the information needed for informed decision-making. Every effort should be made to ask staff questions regarding Council, EDA and commission agendas before the meeting.
- K. **Don’t speak ill of other Council Members to staff.** Staff has the responsibility to treat all Council Members equally. It puts staff in a compromising position when one Council Member criticizes other Council Members to staff.
- L. **Don’t spring surprises on Council Members or City staff, especially at formal meetings.**

6.3 Council Conduct With The Public

6.3.1 In Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Council Members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

- A. **Be fair and equitable in allocating public hearing time to individual speakers.** The Mayor will determine and announce limits on speakers at the start of the public hearing process and ensuring those with Brooklyn Park addresses have an opportunity to speak. Generally, each speaker will be allocated three minutes with applicants or their designated representatives may be allowed more time. If many speakers are anticipated, the Mayor may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the Council requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless agreed upon by the Council.

- B. **Ask for clarification, but avoid debate and argument with the public.** Only the Mayor – not individual Council Members – can interrupt a speaker during a presentation. However, a Council Member can ask the Mayor for a point of order if the speaker is off the topic or exhibiting behavior or language the Council Member finds disturbing.

If speakers become flustered or defensive by Council questions, it is the responsibility of the Mayor to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Council Members to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Council Members' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

- C. **No personal attacks of any kind, under any circumstance.** Council Members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.
- D. **Follow parliamentary procedure in conducting public meetings.** The City Attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Mayor, subject to the appeal of the full Council.

6.3.2 In Unofficial Settings

- A. **Make no promises on behalf of the Council.** Council Members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise City staff will do something specific (fix a pothole, plow a specific street, plant new flowers in the median, etc.).
- B. **Make no personal comments about other Council Members.** It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Council Members, their opinions and actions.
- C. **Council Members are constantly being observed by the community every day that they serve in office.** Their behaviors and comments serve as models for proper conduct in the City of Brooklyn Park. Honesty and respect for the dignity of each individual should be reflected in every word, communication, (whether in social media or otherwise), and action taken by Council Members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

6.4 Council Conduct with the Media

Council Members may be contacted by the media for background and quotes.

- A. **The Mayor is the official spokesperson for the representative on City position.** The Mayor is the designated representative of the Council to present and speak on the official City position. If an individual Council Member is contacted by the media, the

Council Member should be clear about whether their comments represent the official City position or a personal viewpoint.

- B. **Choose words carefully and cautiously.** Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.
- C. **The best advice for dealing with the media is to never go "off the record."**
- D. **Inform the City Manager or Communications Manager.** If contacted by the media, the City Manager or Communications Manager should be informed. When possible the City Manager or Communications Manager should be consulted before communicating to the media.

6.5 Council Conduct with Other Public Agencies

Be clear about representing the City or personal interests. If a Council Member appears before another governmental agency or organization to give a statement on an issue, the Council Member must clearly state:

- 1) If his or her statement reflects personal opinion or is the official stance of the City;
- 2) Whether this is the majority or minority opinion of the Council. Even if the Council Member is representing his or her own personal opinions, remember that this still may reflect upon the City as an organization.

If the Council Member is representing the City, the Council Member must support and advocate the official City position on an issue, not a personal viewpoint.

6.6 Council Conduct with Boards and Commissions

The City has established several Boards and Commissions as a means of gathering more community input. Residents who serve on Boards and Commissions become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

- A. **If attending a Board or Commission meeting in the role as liaison.** "Liaison" means non-voting member of a commission who shall speak on behalf of the Council (or staff) as a whole, not as an individual, thus providing a communication link between the commission and Council (or staff).
- B. **Limit contact with Board and Commission Members.** It is inappropriate for a Council Member to contact a Board or Commission member to lobby on behalf of an individual, business, or developer. Council Members may contact members of the Commission and staff liaison in order to clarify a position taken by the Board or Commission.

- C. **Remember that Boards and Commissions serve the community, not individual Council Members.** The City Council appoints individuals to serve on Boards and Commissions, and it is the responsibility of Boards and Commissions to follow policy established by the Council. But, Board and Commission members do not report to individual Council Members, nor should Council Members feel they have the power or right to threaten Board and Commission members with removal if they disagree about an issue.
- D. **Be respectful of diverse opinions.** A primary role of Boards and Commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Council Members must be fair and respectful of all residents serving on Boards and Commissions.

7. CODE OF ETHICS

7.1 Open Meeting Law

- A. State law requires that, with certain exceptions, meetings of the City Council be open to the public. A meeting is a gathering of a majority of City Council Members at which City business is discussed. It is not necessary that action be taken for a gathering to constitute a “meeting.”
- B. A meeting does not include chance, social gatherings as long as public business is not discussed.
- C. A majority of Council Members should not communicate with each other by phone, email, in-person, or otherwise, to discuss City business.
- D. Use of social media does not violate the open meeting law as long as the social media use is accessible to all Members of the public.

See Minnesota Statutes, Chapter 13D for further information regarding the Open Meeting Law.

7.2 Gift Law

A City Council Member cannot accept a gift from someone who has an interest in any matter involving the City. A “gift” includes money, property, a services, a loan, forgiveness of a loan, or a promise of future employment. A “gift” does not include:

- A. campaign contributions;
- B. items costing less than \$5;

- C. items given to members of a group, the majority of whose members are not local officials;
- D. gifts given by family members; or
- E. food or beverages given at a reception, meal or meeting at which a Council Member is making a speech or answering questions as part of a program

See Minnesota Statutes, Section 471.895 and City Charter, Section 14.04(A) for further information regarding the Gift Law.

7.3 Conflict of interest

- A. City Council Members cannot have a personal financial interest in a sale, lease, or contract with the City.
- B. City Council Members cannot participate in matters in which the Council Member’s own personal interest, financial or otherwise, is so distinct from the public interest that the Council Member cannot be expected to fairly represent the public’s interest when voting on the matter.

See Minnesota Statutes, Sections 471.87-.88 and City Charter, Section 14.04(A) for further information regarding conflicts of interest.

8. ACCOUNTABILITY/CONSEQUENCES

8.1 A potential action for failing to comply with this code of conduct may include the following:

1. **Admonition.** An admonition shall be verbal or written statement made by the Mayor to the Council Member.

2. **Reprimand.** A reprimand shall be administered to the Council Member by letter. The letter shall be approved by the City Council and shall be signed by the Mayor, or by the Mayor Pro Tem if the Mayor position is vacant, or if the matter involves the Mayor.

3. **Censure.** A censure shall be administered pursuant to a formal resolution adopted by the Council.

8.2 Council Members’ Behavior and Conduct

- A. City Council Members who violate the code of this conduct are subject to admonition, reprimand, or censure. Any violations that potentially constitute criminal conduct shall be handled by the criminal justice system.

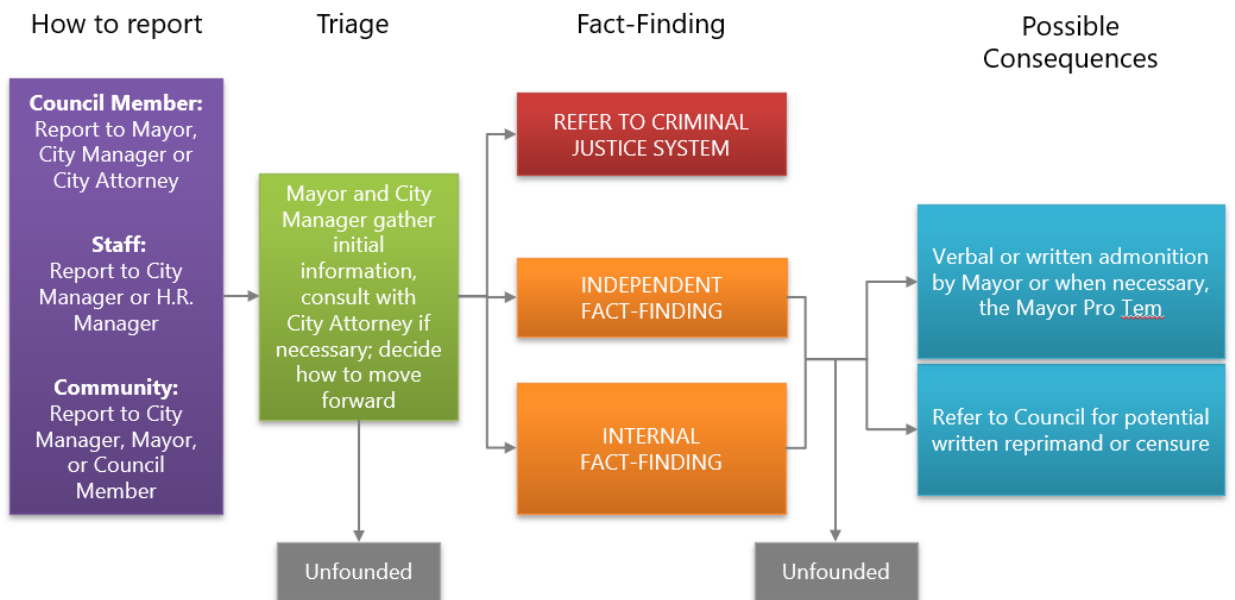
B. Factors that will be considered in determining the appropriate consequence include but are not limited to the following: seriousness of the violation and number of preceding violations.

C. Procedures for reporting:

1. A member of the Brooklyn Park City Council may report a potential code of conduct violation by a member of the City Council by bringing the matter to the attention of the Mayor, City Manager, or City Attorney.
2. A Brooklyn Park staff member may report a potential code of conduct violation by a member of the City Council by bringing the matter to the attention of the City Manager or Human Resources Manager.
3. If the potential violation involves the Mayor, it should be brought to the attention of the Mayor Pro Tem, City Manager or City Attorney.
4. A community member may report potential code of conduct violations by a member of the City Council to the Mayor, City Manager or any member of the City Council.

D. Upon receipt of a complaint, the following diagram highlights the process that will be used:

Reporting and Addressing Possible Code of Conduct Violations



- E. For inappropriate statements or conduct by Council Members occurring during a Council meeting, a verbal correction by the Mayor will normally be the first step to address the matter either during or outside of the Council meeting. Further incidents may be addressed by subsequent verbal corrections accompanied by use of the gavel. Repeated incidents can give rise to the Mayor not recognizing the offending Council Member to speak. A Council Member can request that the Mayor take any of these actions against an offending Council Member if the Mayor has not done so on his/her own.

- F. If the Mayor and/or Mayor Pro Tem are unable to be involved in reviewing the code of conduct complaint for any reason, the matter will be reviewed by the next most senior member of the Council that is not involved in the complaint.

Postlude

It all comes down to respect.

- Respect for one another as individuals.
- Respect for the validity of different opinions.
- Respect for the democratic process.
- Respect for the community that we serve.

9. GLOSSARY OF TERMS

9.1 Glossary

Admonition	An act or action of admonishing; authoritative counsel or warning
Attitude	The manner in which one shows one's dispositions, opinions, and feelings
Behavior	External appearance or action; manner of behaving; carriage of oneself civility Politeness, consideration, courtesy
Censure	Express severe disapproval of (someone or something), typically in a formal statement
Civility	Formal politeness and courtesy in behavior and speech
Conduct	The way one acts; personal behavior
Courtesy	Politeness connected with kindness
Decorum	Suitable; proper; good taste in behavior
Manners	A way of acting; a style, method, or form; the way in which things are done
Point of order	An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration
Point of personal privilege	A challenge to a speaker to defend or apologize for comments that a fellow Council member considers offensive
Propriety	Conforming to acceptable standards of behavior
Protocol	The courtesies that are established as proper and correct
Reprimand	Express sharp disapproval or criticism of (someone) because of their behavior or actions.
Respect	The act of conducting one's behavior in a courteous manner.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.10	Meeting Date:	January 6, 2025
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	X	Prepared By:	Katrina Doshier, Program Assistant
Ordinance:	N/A		
Attachments:	1	Presented By:	Jay Stroebel, City Manager
Item:	Resolution Relating to Council/Staff Responsibilities		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-_____ RELATING TO COUNCIL/STAFF RESPONSIBILITIES.

Overview:

This resolution is reviewed annually by the City Council.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

4.6A RESOLUTION

RESOLUTION #2025-

RESOLUTION RELATING TO
COUNCIL/STAFF RESPONSIBILITIES

WHEREAS, the City Council is composed of seven people whom have other full-time occupations and responsibilities; and

WHEREAS, the people who serve on this Council must depend on the city's staff to provide them with a large amount of background information, data, and expertise to aid the City Council in determining issues, developing policy, and administering the Council's responsibilities in a fair and impartial manner; and

WHEREAS, a revised Elected Officials Rules of Procedure and Code of Conduct Manual was approved by the Council on October 23, 2017 that includes Council conduct with staff; and

WHEREAS, the City attempts to hire and employ people who can and will provide the best advice possible to the Council and who can and will serve the public interest.

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

1. The City Manager and staff are directed to develop and transmit to this Council background information and data based upon their experience and best judgment and are further directed to be honest and candid in developing and transmitting said information, keeping in mind that their sole purpose is to serve the public interest.
2. This Council pledges that no staff member shall suffer recrimination for acting in an honest and candid manner in protecting and promoting the public interest.
3. This Council further states to its staff that the Council will carry out its responsibilities in the decision process as established by federal, state and local statutes, ordinances and the City Charter and will do so in a fair and impartial manner. Any city employee, elected or appointed, who is found to have transmitted to this Council information designed to promote their own financial interest or the financial interest of a friend contrary to the City Charter or other state statutes will be censored and prosecuted in accordance with the laws of this state and this city.
4. The simple intent of this resolution is to remind each of us, Council and staff, that we are here to serve the public interest and not to promote or serve individual interests. In carrying forth this purpose, we, Council and staff, are dependent upon each other and must be in a position to be open, candid and honest with each other in transacting the city's business.
5. This resolution shall be kept on file in the City Clerk's office and shall be returned to the new City Council for consideration at the first official meeting each year.
6. A copy shall be posted on employee bulletin boards for a two-week period following its adoption.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.11	Meeting Date:	January 6, 2025
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	X	Prepared By:	Katrina Doshier, Program Assistant
Ordinance:	N/A		
Attachments:	1	Presented By:	Jay Stroebel, City Manager
Item:	Resolution Authorizing Supplemental Compensation for Mayor and Council Members Who Attend Approved Municipal Functions		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-____ AUTHORIZING SUPPLEMENTAL COMPENSATION FOR MAYOR AND COUNCIL MEMBERS WHO ATTEND APPROVED MUNICIPAL FUNCTIONS.

Overview:

The Council takes action to approve Council Members to attend certain municipal professional development functions during the year. Council Members are eligible for \$50 supplemental compensation per day.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

The 2025 budget for conferences, schools and related travel is \$16733.00 for the City Council.

Funds for this expense would be paid for out of this account.

Attachments:

4.11A RESOLUTION

RESOLUTION #2025-

RESOLUTION AUTHORIZING SUPPLEMENTAL
COMPENSATION FOR MAYOR AND COUNCIL MEMBERS
WHO ATTEND APPROVED MUNICIPAL FUNCTIONS

WHEREAS, Section 30.01 of the City Code states:

The Mayor and/or Council Members are sometimes required to attend municipal functions or to take time from their regular employment to perform services beneficial to the City. Additional compensation may be paid to the Mayor or Council Members in those cases subject to the following conditions:

1. The activity and number of days for which a Council Member is to be engaged must be approved by the City Council prior to member's participation.
2. The Mayor and Council member will be paid \$50 per day as supplemental compensation for each day approved and for which the member is in attendance at the approved activity.

Historically, many Council members have elected to not receive the additional supplemental compensation, and therefore this supplemental compensation payment option will be made known to Council members but will be provided only upon request.

NOW, THEREFORE, BE IT RESOLVED that upon request, the Mayor and Council Members can receive supplemental compensation of \$50 per day, in addition to reimbursement for expenses incurred consistent with the City Travel for Council policy for approved professional development activities. If travel is required outside of Minnesota, an additional two days of supplemental compensation can be requested.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.12	Meeting Date:	January 6, 2025
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	X	Prepared By:	Katrina Doshier, Program Assistant
Ordinance:	N/A		
Attachments:	1	Presented By:	Jay Stroebe, City Manager
Item:	Resolution Relating to Business Expenses of the City Council		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-_____ RELATING TO BUSINESS EXPENSES OF THE CITY COUNCIL.

Overview:

The sole purpose of this resolution is to inform that unreimbursed out-of-pocket expenses incurred by Council members as part of their duties are lawful business expenses for federal and state income tax purposes.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

4.12A RESOLUTION

RESOLUTION #2025-

RESOLUTION RELATING TO BUSINESS
EXPENSES OF THE CITY COUNCIL

WHEREAS, members of the City Council are paid a salary each month in accordance with the terms of the City Charter and City Code; and

WHEREAS, it has been and it is the policy of this Council that other business expenses are not reimbursed unless the activity is specifically directed and approved by the Council as a body; and

WHEREAS, the City of Brooklyn Park is a large, growing suburban community and has numerous challenges, which require Council Members to travel with their personal cars and to use their personal finances to pay these business expenses; and

WHEREAS, members of the City Council are frequently required to meet with persons interested in locating industry, persons who have problems that relate to the City which require attention from the members of the Council, and all of these expenses have been paid for by the individual members of the Council; and

WHEREAS, it is deemed necessary to act as a corporate body to memorialize that these types of unreimbursed out-of-pocket expenses incurred by the Mayor and City Council Members are lawful business expenses for federal and state income tax purposes.

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

1. Out-of-pocket expenses incurred by the Mayor and City Council Members as part of their duties as Mayor and City Council Members are not reimbursed by the City unless so authorized and directed by the Council.
2. The Mayor and members of the City Council are expected, as part of their duties, to travel throughout the community to meet with residents, developers, or persons interested in locating in the community and to meet with members of the staff or officials of other communities or agencies to promote the general welfare of the City of Brooklyn Park. The out-of-pocket expenses incurred by Council Members in carrying out these official duties are lawful business expenses for federal and state income tax purposes.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.13	Meeting Date:	January 6, 2025
Agenda Section:	Consent	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Katrina Doshier, Program Assistant
Ordinance:	N/A		
Attachments:	1	Presented By:	Jay Stroebel, City Manager
Item:	Review and Approval of the Policy Pertaining to the Application and Appointment Procedure for Filling a Vacancy in the Office of Mayor or City Council Member		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE THE APPLICATION AND APPOINTMENT POLICY FOR FILLING A VACANCY IN THE OFFICE OF MAYOR OR COUNCIL MEMBER.

Overview:

Per City Charter Section 2.06, Council Vacancies, "The Council shall adopt an application and appointment procedure, make the procedure available to the public, and periodically review the procedure."

The policy is a guide for the Council and the public to follow for filling a vacancy in the office of Mayor and Council Member with less than 365 days remaining on a term.

The policy was reviewed and approved at the January 3, 2022 Council meeting and is before you tonight for an annual review and approval by the Council.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

4.13A MAYOR/COUNCIL MEMBER APPLICATION AND APPOINTMENT POLICY



MAYOR/CITY COUNCIL MEMBER APPLICATION AND APPOINTMENT POLICY

A. Purpose:

The purpose of this policy is to establish application and appointment procedures to appoint a Mayor or Council Member to fill a Council vacancy declared by the Council and there is less than 365 days remaining on the term as the result of the following:

1. The failure of any person elected to qualify on or before the date of the second regular meeting of the new Council.
2. Death.
3. Resignation.
4. Failure to perform any of the duties of Council Member for a continuous period of ninety (90) days.
5. Conviction of a felony.
6. A judgment of incompetence by a court of competent jurisdiction.
7. Member removed by recall.
8. Council Member is elected Mayor or Mayor is elected to a Council seat.
9. Member no longer resides in the City of Brooklyn Park or, in the case of a Council Member, the district the member represents. If the process of redistricting changes a Council Member's district, that Council Member shall continue to represent the district until the member's term expires.
10. Council Member forfeits office in accordance with Section 14.04 (B) or any reason specified by law.

B. Procedure:

If any of the foregoing is determined to have happened, the Council shall, by resolution at the next regular or special Council meeting declare a vacancy on the Council to exist. Declaration date of vacancy shall be the date of the Council meeting at which the resolution is adopted. Vacancies must be publicly declared by resolution, posted at City Hall, and with notification to be given by any other practical means.

If less than 365 days remain in the term, the Council may appoint an eligible person to fill the office for the balance of the unexpired term using the procedure. The candidate receiving a majority of votes of all members of the Council must be appointed to fill the vacancy. If no candidate receives a majority of votes, additional votes may be taken. If the Council fails to make an appointment within 45 days after the declaration, or if the Council votes three times on the appointment and fails to fill the vacancy, the Mayor must, within 60 days after declaration appoint an eligible person to fill the vacancy.

C. Public Notices

Upon declaration of the vacancy the city clerk will post notices in the local newspaper, city website, social media and at City Hall. (Example attached)

D. Application Process

Applications will be available online at www.brooklynpark.org and at Brooklyn Park City Hall, City Manager's Office, 5200 85th Avenue North, between 8:00 a.m. and 4:30 p.m. Contact the City Clerk at 763-493-8180 for further information. Applications are due no later than 4:30 p.m. on the date specified by the Council. Applications can be returned City Hall by mail, in person, or by email to bpcityclerk@brooklynpark.org.

E. Selection of Finalists

The City Council will review all applications. If there is only one applicant, the recruitment period shall be extended provided that the deadline established in Section 2.06 of the City Charter for making an appointment is not jeopardized. After reviewing all candidate applications, the City Council will announce the finalists and the process for the interviews at a regular or special meeting.

F. Finalist Interviews

The City Council will interview finalists at a regular or special meeting to be held in the Council Chambers at City Hall.

G. Selection

Voting on the selection of a Council Member or Mayor will be scheduled at a regular or special meeting. (See attached selection Instructions.) The selected candidate will be sworn in at a regular or special meeting.

MAYOR/CITY COUNCIL SELECTION INSTRUCTIONS

The City Council will receive applications for Mayor or Council Member until the determined deadline. If there is only one applicant, the recruitment period shall be extended provided that the deadline established in Section 2.06 of the City Charter for making an appointment is not jeopardized.

Council Member Vacancy

1. The City Council will review the applications and select at least two applicants for interviews.
2. The selected applicants will be interviewed by the City Council at a regular or special meeting.
3. After the interviews are completed, at the next Council meeting, a motion to appoint a Council Member shall be made as follows: "Motion to appoint _____ to serve the balance of the unexpired term of [DISTRICT] Council Member [NAME]."
4. If the motion fails, the Council has two more votes to appoint an applicant.
5. If a Council Member applicant is not appointed by the Council within 45 days, the Mayor must within 60 days of the declaration make the appointment from the applicants selected by the Council.
6. At a regular or special meeting the Mayor will state "I Mayor [NAME] appoint _____ to serve the balance of the unexpired term of [DISTRICT] Council Member [NAME]."
7. The applicant appointed will take their Oath of Office as soon as possible to begin their term on the City Council.

Mayor Vacancy

1. The City Council will review the applications and select at least two applicants for interviews.
2. The selected applicants will be interviewed by the City Council and Mayor Pro Tem at a regular or special meeting.
3. After the interviews are completed, at the next Council meeting, a motion to appoint a Mayor shall be made as follows: "Motion to appoint _____ to serve the balance of the unexpired term of Mayor [NAME]."
4. If the motion fails, the Council has two more votes to appoint an applicant.
5. If a Mayor applicant is not appointed by the Council within 45 days, the Mayor Pro Tem must within 60 days of the declaration make the appointment from the applicants selected by the Council.
6. At a regular or special meeting the Mayor Pro Tem will state: "I Mayor Pro Tem [NAME] appoint _____ to serve the balance of the unexpired term of Mayor [NAME]."
7. The applicant appointed will take their Oath of Office as soon as possible to begin their term on the City Council.

(Notice Example)**NOTICE OF COUNCIL VACANCY**

NOTICE IS HEREBY GIVEN that the City of Brooklyn Park is accepting applications from Brooklyn Park residents interested in an appointment to fill the remaining term of a Mayor/Council seat. The term expires on [DATE].

The Council may appoint any individual who is eligible for election to the office of City Council. To be eligible, a person must be a U.S. citizen, a resident of the City and at least 21 years old.

Application forms are available at City Hall, 5200 85th Avenue North, Brooklyn Park, MN 55443, or by contacting the City Clerk at 763-493-8180, or via e-mail at bpcityclerk@brooklynpark.org.

Applications are due by 4:30 p.m. on [DATE]. Applications will be reviewed and interviews conducted with the City Council prior to the Council making an appointment to fill the position.

Devin Montero, City Clerk

To be published in the Sun Post on [DATE]

Other Suggested Postings:

- *Brooklyn Park City Hall*
- *Cable Access Channel*
- *City of Brooklyn Park website*
- *Twitter*
- *Facebook*
- *Minority Newspapers*

(Example Letter)

TO: Mayor/Council Member Applicants

RE: City Council Appointment

Thank you for your interest in being appointed to the Brooklyn Park City Council.

The position involves three regular Council meetings each month which are held on the first, second and fourth Mondays at 7:00 p.m. in the City Hall Council Chambers and an Economic Development Authority meeting which is held on the third Monday of each month at 7:00 p.m. at City Hall.

Special meetings may be called as the need arises. The Mayor/Council Member will be appointed to serve on other boards, committees, or task forces.

Enclosed is an application and questionnaire to be completed and returned to City Hall. The forms returned will be given to the Council for their review. The Council will then interview all interested applicants prior to their [DATE], City Council Meeting beginning at 7:00 p.m. in the City Hall Council Chambers.

If you have any further questions, please feel free to contact City Hall. The application and questionnaire should be returned to City Hall no later than [DATE], at 4:30 p.m.

Sincerely,

Jay Stroebel
City Manager

APPOINTMENT SCHEDULE:

[DATE], [TIME]	Deadline for Applications
[DATE], [TIME]	Council Reviews Applications and selects Finalist
[DATE], [TIME]	Council conducts interviews at a regular or special meeting
[DATE], [TIME]	Council makes the appointment to fill the remaining term at a regular or special meeting

(Example Application)

**CITY OF BROOKLYN PARK
5200 85TH AVENUE NORTH
BROOKLYN PARK, MN 55443**

APPLICATION FOR POSITION OF MAYOR/COUNCIL MEMBER

The City prohibits discrimination on the basis of race, color, creed, religion, national origin, sex, sexual orientation, marital status, status with regard to public assistance, membership, or activity in a local commission, disability, or age in all aspects of our personnel policies, practices, and operations.

The position involves three regular meetings each month, held on the first, second and fourth Mondays at 7:00 p.m. at City Hall, and an Economic Development Authority meeting on the third Monday of each month at 7:00 p.m. at City Hall. Special meetings are called as needed. A Council Member will be appointed to serve on other boards, committees, and task forces.

NAME: _____

HOME ADDRESS: _____ City _____ State _____

Email: _____ Home Phone: _____

Work Phone: _____ Cell Phone: _____

(Example Questions)

1. How long have you lived in Brooklyn Park?
2. What is your current occupation and where do you work?
3. Being part of the City Council requires attendance at nighttime meetings and functions. Does your work schedule allow you to attend those occasional meetings?
4. Briefly describe your involvement in the Brooklyn Park Community including the organizations to which you currently belong as well as organizations in which you've been active in the past.
5. What aspects of your current or past occupation(s) will help you as a Mayor/Council Member?
6. Have you ever participated as a citizen on any advisory committee? Explain your experience.
7. What do you think are the major issues currently facing the City?
8. Why does the appointment to this elective office interest you? Why should the City Council appoint you to this vacancy?

Qualifications for Office:

- I will be 21 years of age.
- I will have been a resident of the City of Brooklyn Park for 30 days prior to [Date/Month].
- I have not been convicted of a felony, or if convicted, I have had my civil rights restored.

I have read and understand the above qualifications of office and they are true. I also attest that the answers on this application are true and correct.

Signed: _____ Date: _____

City of Brooklyn Park Request for Council Action

Agenda Item:	4.14	Meeting Date:	January 6, 2025
Agenda Section:	Consent	Originating Department:	Finance
Resolution:	N/A	Prepared By:	Tracy Bauer-Anderson, City Assessor
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Tracy Bauer-Anderson
Item:	Set Local Board of Appeal and Equalization Date and Time for April 14, 2025, at 6:00 p.m.		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO SET THE LOCAL BOARD OF APPEAL AND EQUALIZATION MEETING FOR MONDAY, APRIL 14, 2025, AT 6:00 P.M.

Overview:

The law requires the Board of Appeal and Equalization meeting to be held between April 1 and May 31.

Past practices have dictated that the meeting is for property owners to contest their property values. The meeting is then recessed for a period not to exceed 20 days for the Assessor's office to inspect the properties and present the Board with written recommendations of valuation.

Primary Issues/Alternatives to Consider:

This meeting would take place in conjunction with the regularly scheduled Council Meeting on April 14, 2025.

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park Request for Council Action

Agenda Item:	4.15	Meeting Date:	January 6, 2025
Agenda Section:	Consent	Originating Department:	Finance
Resolution:	X	Prepared By:	Tracy Bauer-Anderson, City Assessor
Ordinance:	N/A		
Attachments:	1	Presented By:	Tracy Bauer-Anderson
Item:	Resolution Designating Real Property Appraisers for 2025		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-_____ DESIGNATING REAL PROPERTY APPRAISERS FOR 2025.

Overview:

City Charter: Section 11.02 Proceedings in Acquiring Property

The necessity for the acquisition of any real property by the City shall be determined by the Council and shall be declared by resolution which shall describe such property as nearly as possible and state its intended use. Before adopting any resolution determining the necessity of the purchase of any real property, the Council shall receive a report as to the estimated market value of such real property from one (1) or more people other than officers or employees of the City, qualified in the appraisal of real property, appointed by the Council. The City shall attempt to negotiate the purchase with the owners of the property under consideration. If negotiations fail and the City exercises the power of eminent domain, the City shall proceed according to the laws of the State.

Primary Issues/Alternatives to Consider:

Section 11.02 of the City Charter requires that the City Council obtain a report (appraisal) as to the estimated market value of real property under consideration for purchase by the City. There are no changes from last year's list.

Budgetary/Fiscal Issues: N/A

Attachments:

4.15A RESOLUTION

RESOLUTION #2025-

RESOLUTION DESIGNATING REAL PROPERTY APPRAISERS FOR 2025

WHEREAS Section 11.02 of the City Charter requires that the City Council obtain a report (appraisal) as to the estimated market value of real property under consideration for purchase of real property under consideration for purchase by the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that the following be designated as authorized appraisers for 2025:

1. Mark A. Oehrlein Appraisals, Inc.
2. Kramer Appraisal & Consulting, LLC
3. Nagell Appraisal & Consulting
4. Shenehon Company
5. Diversified Real Estate Services, Inc.
6. Nicollet Partners, Inc.
7. Minnesota Department of Transportation Right of Way Division
8. Ruppert Appraisal & Consultation, Inc.
9. Integra Realty Resources, (Amundson, Johnson, Mueller)
10. Mardell Partners, Inc.
11. Patchin/Messner & Dodd Appraisals, Inc.
12. The Valuation Group (Bakken, Liedl, Janssen, Day and Reach)

City of Brooklyn Park Request for Council Action

Agenda Item:	7.1	Meeting Date:	January 6, 2025
Agenda Section:	General Action Items	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Katrina Doshier, Program Assistant
Ordinance:	N/A		
Attachments:	2	Presented By:	Hollies Winston, Mayor
Item:	Appointment of Council Liaisons to Commissions and Committees		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO CONFIRM THE MAYOR'S COUNCIL LIAISON APPOINTMENTS TO COMMISSIONS AND COUNCIL OR STAFF LIAISONS TO COMMITTEES FOR THE YEAR 2024.

MAYOR WINSTON TO APPOINT _____, _____ AND _____ AS MEMBERS OF THE AUDIT COMMITTEE.

MAYOR WINSTON TO APPOINT _____ AS LIAISON BETWEEN THE CITY COUNCIL AND THE BUDGET ADVISORY COMMISSION.

MAYOR WINSTON TO APPOINT _____ AS LIAISON BETWEEN THE CITY COUNCIL AND THE CHARTER COMMISSION.

MAYOR WINSTON TO APPOINT _____ AS LIAISON BETWEEN THE CITY COUNCIL AND THE COMMUNITY LONG-RANGE IMPROVEMENT COMMISSION.

MAYOR WINSTON TO APPOINT _____ AS LIAISON BETWEEN THE CITY COUNCIL AND THE HUMAN RIGHTS COMMISSION.

MAYOR WINSTON TO APPOINT _____ AS LIAISON BETWEEN THE CITY COUNCIL AND THE PLANNING COMMISSION.

MAYOR WINSTON TO APPOINT _____ AS LIAISON BETWEEN THE CITY COUNCIL AND THE RECREATION AND PARKS ADVISORY COMMISSION.

MAYOR WINSTON TO APPOINT _____ AS THE COUNCIL LIAISON TO THE BROOKLYN PARK DEVELOPMENT CORPORATION.

MAYOR WINSTON TO APPOINT _____ AS PRIMARY LIAISON AND _____ AS ALTERNATE LIAISON BETWEEN THE CITY COUNCIL AND THE BROOKLYNS YOUTH COUNCIL.

MAYOR WINSTON TO APPOINT _____ AS PRIMARY LIAISON AND _____ AS ALTERNATE LIAISON BETWEEN THE CITY COUNCIL AND THE BROOKLYN BRIDGE ALLIANCE.

MAYOR WINSTON TO APPOINT _____ AS PRIMARY LIAISON BETWEEN THE CITY COUNCIL AND THE MINNEAPOLIS NORTHWEST TOURISM BOARD WITH TIM GLADHILL SERVING AS PRIMARY STAFF LIAISON AND THE ECONOMIC DEVELOPMENT AND HOUSING DIRECTOR OR _____ SERVING AS ALTERNATE.

MAYOR WINSTON TO APPOINT _____ AS LIAISON BETWEEN THE CITY COUNCIL AND THE PROPERTY MANAGER'S COALITION.

MAYOR WINSTON TO APPOINT _____ AS THE LIAISON TO THE COMMUNITY ACTIVITY CENTER IMPROVEMENT TASKFORCE.

MAYOR WINSTON TO APPOINT _____ AS THE LIAISON AND _____ AS ALTERNATE LIAISON TO THE 252 TASKFORCE.

MAYOR WINSTON TO APPOINT _____ AS PRIMARY LIAISON AND _____ AS THE ALTERNATE LIAISON TO THE BOTTINEAU COMMUNITY WORKS STEERING COMMITTEE.

MAYOR WINSTON TO APPOINT _____ AS PRIMARY LIAISON AND _____ AS THE ALTERNATE LIAISON TO THE METRO BLUE LINE CORRIDOR MANAGEMENT COMMITTEE.

MAYOR WINSTON TO APPOINT _____ AS PRIMARY LIAISON AND _____ AS THE ALTERNATE LIAISON TO THE CITY COUNCIL LEADS ON LEGISLATIVE AFFAIRS.

Overview:

Council Liaisons need to be appointed to be in compliance with Resolution #2019-46 Establishing Standards for City Boards and Commission, Section 11d. Liaisons. "The Mayor must annually appoint one Council member as an ex-officio member without voting rights to each advisory commission who shall serve as liaison between the Council and the Commission."

On occasion, Council liaisons are assigned to temporary task forces/committees by the Mayor as needed. Current examples include the 252 Task Force and Community Activity Center Task Force.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

- 7.1A 2024 COUNCIL/STAFF LIAISON FORM
- 7.1B 2025 COUNCIL/STAFF LIAISON FORM

2024 COUNCIL LIAISONS/DELEGATES TO CITY COMMITTEES/COMMISSIONS

	Mayor Hollies Winston	Christian Eriksen	Nichole Klonowski	Xp Lee	Boyd Morson	Maria Tran	Tony McGarvey
Audit Committee (need three), 2 to 3 mtgs a year	X		X				X
Budget Advisory Commission 4 th Tues., 7:00 p.m. (no meetings in July or December)						X	
Charter Commission 2 nd Wed., 7:00 p.m.			X				
Community Long-range Improvement Commission (CLIC) 2 nd Thurs., 6:00 p.m.				X			
Human Rights Commission 3 rd Thurs., 6:00 p.m.		X					
Planning Commission 2 nd and 4 th Wed., 7:00 p.m.							X
Recreation and Parks Advisory Commission 3 rd Wed., 6:00 p.m.					X		
Brooklyn Park Development Corporation (Council and EDA representative) Quarterly, 8 a.m.	Xp Lee appointed as Council Representative (term expires Dec. 31, 2026) Boyd Morson appointed as the EDA Representative (term expires Dec. 31, 2026)						
Brooklyn Youth Council (primary and alternate) Tuesdays, 3:30 – 5:00 p.m. (1 mtg. per month requested)				X (Primary)		X (Alternate)	
Brooklyn Bridge Alliance (primary and alternate) Quarterly 3:00 – 5:00 p.m.		X (Primary)				X (Alternate)	
Minneapolis Northwest Tourism Board (primary liaisons) Quarterly at noon	X (Primary)				X (Alternate)		
	Blake Siel, GM of Marriott NW (Hotelier) Kim Berggren (Staff Primary)						
North Metro Mayors Assn. 6 times per year	Mayor and Mayor Pro Tem serve						
Northwest Suburbs Cable Communications Commission 3 rd Thurs., 7:30 a.m. Qtrly (primary and alternate)	Risikat Adesaogun, Communications Manager, Primary (Official City Representative) Jay Stroebel, Alternate						
Property Mgr's. Coalition Quarterly – time varies							X
Crystal Airport Joint Airport Zoning Board (JAZB) (not set - typically on a Wed. at 3 p.m.)	Maria Tran (Council Primary) and Paul Mogush (Primary) Tony McGarvey (Council Alternate) and Amber Turnquest (Alternate)						

	Mayor Hollies Winston	Christian Eriksen	Nichole Klonowski	Xp Lee	Boyd Morson	Maria Tran	Tony McGarvey
Bottineau Community Works Steering Committee Bi-monthly on Monday, 10:30 a.m. (primary and alternate)	X (Primary)		X (Alternate)				
METRO Blue Line Corridor Management Committee Quarterly, Wednesdays, 1:30 – 3:00 p.m. (primary and alternate)	X (Primary)			X (Alternate)			
City Council Leads on Legislative Affairs (primary and alternate)	X (Primary)		X (Alternate)				
Suburban Rate Authority (staff) (director and alternate director)	Jesse Struve, Director; LaTonia Green, Alternate Director						

Please note that we also currently have the following temporary Task Forces / Committees (assigned by Mayor):

1. 252 Task Force
2. Connect Blue Line Now! multi-community committee

2025 COUNCIL LIAISONS/DELEGATES TO CITY COMMITTEES/COMMISSIONS

	Mayor Hollies Winston	Christian Eriksen	Nichole Klonowski	Tony McGarvey	Shelle Page	Maria Tran	Amanda Xiong
Audit Committee (need three), 2 to 3 mtgs a year							
Budget Advisory Commission 4 th Tues., 7:00 p.m. (no meetings in July or December)							
Charter Commission 2 nd Wed., 7:00 p.m.							
Community Long-range Improvement Commission (CLIC) 2 nd Thurs., 6:00 p.m.							
Human Rights Commission 3 rd Thurs., 6:00 p.m.							
Planning Commission 2 nd and 4 th Wed., 7:00 p.m.							
Recreation and Parks Advisory Commission 3 rd Wed., 6:00 p.m.							
Brooklyn Park Development Corporation (Council and EDA representative) Quarterly, 8 a.m.	_____ Council Representative (term expires Dec. 31, 2026) EDA Representative (term expires Dec. 31, 2026) <i>Appointed at January EDA Meeting</i>						
Brooklyn Youth Council (primary and alternate) Tuesdays, 3:30 – 5:00 p.m. (1 mtg. per month requested)							
Brooklyn Bridge Alliance (primary and alternate) Quarterly 3:00 – 5:00 p.m.							
Minneapolis Northwest Tourism Board (primary and alternate) Quarterly at noon	Tim Gladhill (Staff Primary)						
North Metro Mayors Assn. 6 times per year	Mayor and Mayor Pro Tem serve						
Northwest Suburbs Cable Communications Commission 3 rd Thurs., 7:30 a.m. Qtrly (primary and alternate)	Risikat Adesaogun, Communications Manager, Primary (Official City Representative) Jay Stroebel, Alternate						
Property Mgr's. Coalition Quarterly – time varies (need one)							
CAC Taskforce (need one)							
252 Taskforce (primary and alternate)							

	Mayor Hollies Winston	Christian Eriksen	Nichole Klonowski	Tony McGarvey	Shelle Page	Maria Tran	Amanda Xiong
Bottineau Community Works Steering Committee Bi-monthly on Monday, 10:30 a.m. (primary and alternate)							
METRO Blue Line Corridor Management Committee Quarterly, Wednesdays, 1:30 – 3:00 p.m. (primary and alternate)							
City Council Leads on Legislative Affairs (primary and alternate)							
Suburban Rate Authority (staff) (director and alternate director)	Marcus Culver, Director; LaTonia Green, Alternate Director						

City of Brooklyn Park Request for Council Action

Agenda Item:	7.2	Meeting Date:	January 6, 2025
Agenda Section:	General Action Items	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Katrina Doshier, Program Assistant
Ordinance:	N/A		
Attachments:	N/A	Presented By:	Mayor Hollies Winston
Item:	Appointment of Mayor Pro Tem		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPOINT _____ AS MAYOR PRO TEM FOR THE YEAR 2025.

Overview:

City Charter Section 2.07: "The Council shall choose from its members a Mayor Pro Tem who shall hold office at the will of the Council and shall serve as Mayor in case of the Mayor's disability or absence from the city, or in case of a vacancy in the office of Mayor until a qualified successor has been elected or appointed."

On January 8, 2024, Council Member Xp Lee was appointed as Mayor Pro Tem for 2024 by the City Council.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments: N/A

City of Brooklyn Park Request for Council Action

Agenda Item:	7.3	Meeting Date:	January 6, 2025
Agenda Section:	General Action Items	Originating Department:	Finance Department
Resolution:	X		
Ordinance:	N/A		Cheryl Keene; Finance Assistant
Attachments:	2	Presented By:	LaTonia Green, Finance Director
Item:	Public Purpose Expenditures Policy Approval		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-_____ ACCEPTING THE CURRENT PUBLIC PURPOSE EXPENDITURES POLICY.

Overview:

The Public Purpose Expenditures Policy is required to be reviewed and approved annually by the City Council. No change is being proposed for 2025.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

Attachments:

- 7.3A RESOLUTION
- 7.3B PUBLIC PURPOSE EXPENDITURES POLICY

RESOLUTION #2025-

RESOLUTION ACCEPTING
THE PUBLIC PURPOSE EXPENDITURES POLICY

WHEREAS, the Public Purpose Expenditures Policy is reviewed annually by the City Council; and

WHEREAS, the City Council elects to accept and implement the current Public Purpose Expenditures Policy as written in the attached policy.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that the attached Public Purpose Expenditures Policy be accepted.

Public Purpose Expenditures Policy

(Pages 9-13 of the Purchasing Manual and Procurement Policy)

Purpose

The City Council (Council) recognizes that public funds may only be spent if the expenditure meets a public purpose, and the expenditure relates to the governmental purpose for which the City of Brooklyn Park (City) was created.

The meaning of “public purpose” is constantly evolving. The Minnesota Supreme Court has followed a broad approach and has generally concluded that “public purpose” means an activity that meets ALL the following standards:

- The activity will primarily benefit the community as a body.
- The activity is directly related to functions of government.
- The activity does not have as its primary objective the benefit of a private interest whether profit or not-for-profit.

This policy is intended to provide guidelines regarding which expenditures are for public purposes and authorized in accordance with the City’s annual budget process, and which expenditures are not considered to fall within the public purpose definition and are therefore not allowed. There is a public benefit in ensuring high employee productivity and morale, recruitment and retention of personnel.

Responsibility

The City Manager is the responsible authority overseeing all City expenditures and as such is the chief purchasing agent for the City. Responsibility for administering this Public Purpose Expenditure Policy has been delegated to the Finance Department. Further, all officers and employees authorized by their Department to make purchases for the benefit of their respective departments are responsible for complying with this policy and corresponding procedures.

Policy

Expenditures of public funds must comply with the public purpose standards defined above. When reviewing an expenditure to verify the standards have been met, the City Manager, or his/her designee, should consider the time of day the event is held, the business purpose of the event, whether the event was intended to attract non-City employees, the frequency of the event, and the reasonableness of the cost. The following guidelines address specific examples of public expenditures, but examples are not meant to be all-inclusive.

The Minnesota Supreme Court further clarified that activities that promote the following objectives for the benefit of all the city’s residents further a public purpose:

- Public health
- Safety
- General welfare
- Security
- Prosperity
- Contentment

These procedures are governed by City Charter, the City Council, and State Statute. See appendix for exact references.

1. Permitted Expenditures for Meals, Refreshments:

Use of City funds in reasonable amounts for meals and/or refreshments for elected and appointed city officials and employees are permitted in the following circumstances, with Department Head approval:

- a. City-sponsored events of a community-wide interest where staff are required to be present (e.g., National Night Out, Citizens Police Academy).
- b. City Council, boards and commissions meetings held during or adjacent to a meal hour
- c. Meetings related to City business at which the attendees include non-city representatives
- d. Professional association meetings, conferences and training when meals are included as part of the registration or program fee, or in accordance with the travel policy.
- e. Departmental staff or training meetings (e.g., annual department level picnic)
- f. Employee recognition and appreciation events (e.g., service awards, food and beverage, employee recognition event, employee clean up breakfast)
- g. Annual recognition events for volunteer and non-employees
- h. City-sponsored training or work-related meetings where employees are required to participate or be available during break periods
- i. Multi-departmental meetings scheduled during or adjacent to a meal hour when no other meeting time is available
- j. Work activities requiring continuous service when it is not possible to break for meals (e.g., election days, Christmas meal, Thanksgiving meal, water main breaks, emergency snow removal, time sensitive public safety responses)
- k. Healthy snacks and incentives of moderate value provided to attendees of safety, health, and wellness programs for City employees
- l. Events recognizing completion of a significant work-related project (City Manager approval required)
- m. Events, meetings, programming, and incentives of moderate value that are supportive of the City's strategic priorities of inclusion and equity (e.g., food for attendees of training programs; attendance at events intended to increase, broaden, and engage the participation of ethnically and racially diverse communities in city matters)
- n. Bottled water and coffee can be provided to officials, members and staff at City association, commission and Council meetings.

2. Other Permitted Expenditures

- a. Retirement and annual service awards recognition (subject to Human Resources guidelines).

Recognition Gift:

Approved up to \$25 per employee, unless part of a Council-approved employee compensation program

Recognition gift purchases over \$25 but less than \$100 per employee, such as caps, pins, rings, watches, statues, plaques, medals, awards, ribbons, and certificates will

be approved by the City Manager or his/her designee for retirement and extraordinary individual or item contributions. Recognition gifts includes giving additional days off to employees at annual employee recognition event.

Employee Recognition Awards:

Years of service awards for regular full and part-time employees of \$10.00 per year of service are recognized at 5-year intervals and will be awarded at the Annual Recognition Event.

Retirement Refreshments in recognition of those retiring with over 10 years of service. This amount will not exceed \$50.00.

Recognition awards will be included in employees' paychecks.

The Council will allow for the annual appropriation of funds within the Administration Department's budget to pay for such expenditures.

- b. Clothing and Other Sundry Items – Employees may receive clothing and other sundry items of nominal value when these items are made available to the general public or if these items are determined by the City Manager to be important to the successful involvement of employees in promoting our operational values, and special city-sponsored or city supported events (i.e. National Night Out, etc.). Employees may be supplied with clothing, boots and other gear necessary for the performance of their job
- c. Staff time and equipment use for city sponsored employee events as approved by City Council and/or City Manager as allowed by state statute and/or city charter/code (e.g., set-up for annual employee lunch)
- d. City expenditures for non-profit organizations allowed by state statute
- e. Refreshments and food for Emergency Response Staff
 - Emergency personnel are often called to perform duties for extended periods of time where refreshments are important to duty performance. Firefighters, police officers, other emergency response personnel, or other staff necessary to maintain continuity of service may be provided refreshments or food when it is deemed appropriate by the City Manager or Department Director to assure the delivery of quality emergency response service
- f. Employee Wellness Program Public funds may be expended to establish, implement, and operate a preventive health and wellness program for city employees. The nature and scope of the programs to include but not limited to: preventive health screening and assessments, health and wellness education and programming (i.e. nutrition, cardiovascular fitness, flexibility and core strengthening, stress management, tobacco cessation, etc.) and program incentives to include but not limited to cash incentives as approved by the City Council. To encourage wellness activities, the cardio fitness room, weight training room, and racquetball courts (during non-prime times) at the Community Activity Center will be available to employees during their non-work hours at no charge. Registration, proper training and signed waiver form are required before use of these facilities.
- g. Community Events

3. Prohibited Expenditures

Use of City funds for meals and/or refreshments for elected and appointed City officials and employees are prohibited:

- a. Food and refreshments for routine work meetings. Bottled water can be provided to officials, members and staff at City associations, Commission, and Council meetings.
- b. Alcoholic beverages
- c. Employee functions or celebrations that are solely social in nature (e.g., birthdays, holiday luncheon)
- d. Fundraisers for non-City related events
- e. Participation in optional activities unless included as part of an overall conference registration fee (e.g., optional golf rounds, sporting events, concerts)
- f. Employee-sponsored fundraising events (e.g., charitable giving campaign)
- g. For funeral flower arrangements upon death of an employee, elected official, or one of their immediate family members. (Sunshine club administered separately covers this expense see appendix)
- h. Employee coffee and supplies, coffee services. Coffee can be provided on a limited basis for strategic in-person meetings.

Community Outreach

Community Events and other events that involve or invite participation by the general public: Representative staff members/Council members may participate in events that directly benefit the marketing of the City. These events and any City expenditures for them require prior specific approval by the City Council and also include City expenditures for participation fees, donated gifts, door prizes, etc.

City of Brooklyn Park Request for Council Action

Agenda Item:	7.4	Meeting Date:	January 6, 2025
Agenda Section:	General Action Items	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Jay Stroebel, City Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Jay Stroebel, City Manager
Item:	Request by Mayor Winston to Travel to and Attend the Mississippi Rivers and Towns Initiatives Special Mayoral Reception from January 17-18, 2025		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE MAYOR WINSTON TO TRAVEL TO AND ATTEND THE MISSISSIPPI RIVERS AND TOWNS INITIATIVES SPECIAL MAYORAL RECEPTION FROM JANUARY 17-18, 2025.

Overview:

Mayor Winston has requested to travel to the Mississippi Rivers and Towns Initiatives Special Mayoral Reception from January 17-18, 2025. While in Washington DC, Mayor Winston is also planning to have additional meetings for city business to advance the city's interests.

Approximate costs as of December 31, 2024:

Registration: Free of charge

Airfare and baggage: ~\$450 (Delta)

Hotel: ~ \$500 x 1 night

Per Diem: \$92 x 1 = \$92

Per Diem (last day): \$60 x 1 = \$60

Supplemental Council Pay: \$50 x 2 = \$100

Total: \$1202.00 plus rideshare/taxi costs

This expenditure would be covered under 2025 budgeted resources in the Mayor and Council travel/lodging and conferences/schools expense lines.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

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

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

Prior Travel in 2025:

There has been no prior travel in 2025.

Other expenses in 2025:

There have been no prior expenses in 2025.

Attachments:

7.4A TRAVEL POLICY

Travel Policy

Purpose and Scope

This Policy shall apply to all business trips by City employees, Mayor and Council, all Commission and Authority members, traveling in an official capacity for City business, the cost of which is borne in part or total by the City. It is the purpose of this policy statement to establish adequate internal controls to satisfy Internal Revenue Service (IRS) regulations, state laws, and to provide a framework to use as a guide to prescribe circumstances for which travel allowances will be authorized and to provide procedures for reimbursement. Reimbursements can only be claimed for accommodations and services utilized and when an expense is incurred. Travelers are expected to utilize the same care when incurring official expenses that a prudent person would utilize if traveling on personal business. The City will pay or reimburse travel costs. All persons conducting official City business are expected to show good judgment in the nature and amount of expenses incurred while conducting City business in accordance with this policy.

Travelers are encouraged to use their City assigned purchasing card for travel expenses other than meals. A City assigned purchasing card may NOT be utilized to pay for meal expenses requiring overnight travel but may be used for eligible meal expenses in the metro area. Per diem allowances based on Federal rates should be used for meals associated with overnight travel.

Responsibility and Travel Authorization:

City Employees

Travelers (employees and non-employees) are responsible to ensure that travel expenses are for valid City business-related purposes; are in accordance with City policies and procedures; and are a prudent use of public and City funds. Individuals traveling on City business are expected to choose the least costly method of transportation that meets the traveler's scheduling and business needs.

Travelers must substantiate and document all travel expenses in accordance with City policy and applicable federal and state laws. In circumstances where the City (via PCard, reimbursement, etc.) and a third party pay for the same travel expenses, the traveler must ensure that the duplicate reimbursement is returned to the City within 60 days of completion of travel.

Travel expenses must be approved by an authorized approver for reimbursement of travel expenses. Approvers are responsible for validating that all expenses: comply with City policy; are a prudent use of public and City funds; are appropriately documented; and are submitted and accounted for in a timely manner.

Budget Approval Departments shall request a training and travel budget that is submitted to the City Manager and included in the final budget that is adopted by the City Council. The City Manager is responsible for including a training and travel budget for elected officials within the final budget that is adopted by the City Council.

All expenses except those made directly by the City Manager will have two different approval signatures, one for first level approval and one for second level approval. All second level approvals must be made by a supervisor. Expense reimbursements to all employees (including directors and the City Manager) must be approved by an employee in a supervisory level above the employee requesting reimbursement. No employee may approve their own expenditures. The Mayor or City Attorney must approve the expense reimbursements for the City Manager.

Advances

Advances are considered an exception and should be submitted to Finance with a reason for the advance and the approval of the supervisor and department director. All advances will require a travel expense form to be completed and approved after the travel has been completed. (The use of a City Purchase Card is encouraged when possible.)

Elected Official Travel

Elected Official Travel

The City recognizes that its elected officials may at times receive value from traveling within the state or out of state for workshops, conferences, events, and other assignments. To manage budget resources and provide equal opportunities for all members of Council to participate in learning opportunities the following statements set forth the conditions for elected official travel.

Out-of-State Travel

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

In-State Travel

Travel for League of Minnesota Cities Newly Elected Official training would be available for all new Council Members. As resources allow, and if approved by Council, the Mayor and Council Members can request to travel to in-state conferences annually.

The statements below set forth the conditions under which travel by elected officials will be reimbursed by the City.

- The event, workshop, conference or assignment must be approved in advance by the City Council at an open meeting and must include an estimate of the cost of travel, description of the public purpose and expected benefit.
- Upon returning from an event, workshop, conference or assignment the elected official will make a public presentation on key learnings within 45 days.
- No reimbursements will be made for attendance at events sponsored by or affiliated with political parties.
- Travel costs will be reimbursed in accordance with the Travel Costs section of this policy.
- Requests for reimbursement must be submitted with appropriate receipts on a signed travel expense form to the Finance Department for review and payment.

- Elected officials appointed to serve on a National League of Cities Policy or Steering Committee will be allowed to attend both the Congressional City Conference and the Congress of Cities.
- When feasible, a city vehicle should be considered for in-state transportation needs.

Extending Business Travel with Personal Travel

When a Traveler combines personal and business travel, reimbursable expenses will cease to accrue as of the expected return date and time. The City will reimburse the Traveler only for the documented expenses that are directly related to the business portion of the trip. Excess travel time and activities not required for the business trip purpose shall be at the Traveler's own expense.

Transportation

The most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements must be used, using the most direct and time-efficient route. Government and group rates must be used when available.

Air Transportation

- The cost of airline tickets will be reimbursed or paid for when traveling on City business. It is expected that city officials will travel by coach or economy class.
- Travel by air is limited to the lowest, non-refundable, coach/economy class fare available at time of booking. Travelers may select their seat to another seat within coach/economy (exit row, aisle seats or "extra leg room") on any flight, when no other coach/economy seats are available, or it better meets the traveler's needs.
- When the total flight time, excluding layovers, from departure to arrival is 8 or more hours (including connecting domestic legs), travelers may, with preapproval from their unit, upgrade from coach to the next most economical class of travel over coach (business class in most cases, first class in cases where business class is not offered).
- Travelers may not travel using a private plane or non-approved air charter unless the City Risk Management Office grants an exception in advance of the travel. If the traveler does not obtain an exception, the City will not reimburse the unapproved transportation expenses.
- Employees are prohibited from piloting personal or leased aircrafts while on City business travel. If they choose to do so, the City will not consider the traveler to be acting in an official capacity of the City nor will the City reimburse the traveler for any related expenses.
- It is recommended that no more than 20 City staff, or Regents fly on the same plane at the same time.

Airport Parking / Baggage

- Long-term parking must be used for travel exceeding 24-hours. The maximum reimbursement rate, regardless of where you park, is the long-term parking lot parking rate at the airport they are flying out of.
- Parking at the destination hotel or business site is reimbursable and limited to the lowest daily rate
- Baggage fees is reimbursable
- Valet parking is not reimbursable

Accrual and Use of Frequent Flyer Miles

- In accordance with Minnesota State Statute, 15.435, frequent flyer miles or any other benefit issued by an airline must accrue to the benefit of the City whenever City funds are used to pay for airline travel, regardless of the origination of those funds (e.g., from state or federal grants, contracts, or appropriations, or private donors.) City employees may not use these miles for their personal travel.
- City employees, rather than departments, are responsible for tracking miles earned with City funds, and providing records of such tracking upon request. When they have accumulated enough frequent flyer miles to earn free travel, employees must use the miles for City travel.

Automobile

Automobile mileage will be reimbursed at Internal Revenue Service rates presently in effect (see www.irs.gov) *These rates are designed to compensate the driver for gasoline, insurance, maintenance and other expenses associated with operating the vehicle. This amount does not include bridge and road tolls, which are reimbursable. Damage to a traveler's personal auto is the responsibility of that individual or his/her insurance company.

- **City Vehicle:** When traveling in a City vehicle, the Traveler should use a City assigned purchasing card for fuel expenses or one's own credit card if a City purchasing card is not available. Due to potential liability considerations, transportation of family members not on official City business is prohibited in City vehicles.
- **Personal Vehicle:** When personal vehicles are used as a mode of transportation for travel within the five-state region (Minnesota, North Dakota, South Dakota, Wisconsin, and Iowa), reimbursement will be made at the mileage or allowance rate in effect at the date of travel. Payment of mileage will be based on the most direct route from the point of departure to the point of destination. Please refer to the City's Mileage Policy. The City is not responsible for damage to one's personal vehicles while on official business, as the Traveler's vehicle is not covered by the City's insurance coverage. The Traveler must maintain appropriate insurance when using personal vehicle for business travel.
- **Car Rental:** The traveler must have approval for a rental car, as described above, in order to be reimbursed for rental car parking. Rental rates that are equal or less than those available through the State shall be considered the most economical and reasonable for purposes of reimbursement under this policy.
 - No personal use of car rental is allowed to be claimed.
 - The City's automobile insurance coverage applies to rental vehicles. Under normal circumstances, should a rental car be damaged while being used for business purposes, the City will defend and indemnify the Traveler against any claims made by the rental company for damage to the rental car.
 - Minnesota law requires one's personal insurance company to provide coverage when the rental car is being used for personal activities in most instances.
 - Car rental insurance will not be reimbursed by the City. If car rental insurance is purchased, it would be at the Employee's personal expense.
 - Fuel for a car is reimbursable, however, fuel pre-payment is not allowed and will not be reimbursed.
- **Taxis/Shuttles.** The cost of taxis, shuttles or rideshares (Uber, Lyft, Micro mobility, etc.) fares may be reimbursed.

Documentation: Itemized receipt from rental agency and payment documentation, if not shown on the receipt. Fuel receipts must be submitted. Receipts for parking and other transportation must be submitted.

Parking Fees

If the traveler uses a vehicle on official city business and is reimbursed for mileage, parking charges may be reimbursed as an incidental expense. Maximum per park with receipt will be the actual expense.

*Travel Reimbursements must be submitted within 60 days of the expense.

Lodging

Hotel or Motel expenses will be reimbursed or paid for when travel on official City business reasonably requires an overnight stay. Lodging fees associated with trips for training or business that are longer than one day and are outside the Twin Cities Metro Area associated with a single occupancy rate. Lodging reimbursement requests must be accompanied by a lodging receipt from the hotel, motel, or other commercial lodging establishment.

- Conferences/Meetings. If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking.
- Other Lodging. An employee will always stay at a facility that is reasonably priced and request government or corporate rates. The employee must stay at a licensed lodging facility and cannot be reimbursed for staying at a non-licensed lodging facility. In situations where a non-conference domestic lodging rate falls outside of the City guidelines, the traveler must obtain pre-approval from the appropriate authorized approver by completing the Request for Lodging Exception form. If the traveler does not obtain prior approval, the supervisor/manager may deduct the overage from the reimbursement request.

Meals and Incidental Expenses

The per diem allowance is a daily payment for meals and related incidental expenses when overnight travel accommodations are necessary, in accordance with published federal per diem rates instead of receipt-based reimbursement. The City intends for its Travelers to pay for meals, tips and service charges using the current per diem schedules as set by the federal government. These schedules can be found at: <https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-lookup> (M&IE column). The Traveler may claim an amount not to exceed the allowable per diem rate in accordance with the Standard Federal Per Diem Rate Schedule in effect at the time of travel as published by the U.S. General Services Administration (GSA). The per diem allowance is separate from lodging, transportation, and other miscellaneous expenses. The per diem allowance covers all charges, including taxes and service charges where applicable for:

1. Meals including expenses for breakfast, lunch, dinner, and related taxes (specifically excluded are alcoholic beverage and entertainment expenses, and any expenses incurred for other persons) and

2. Incidental expenses, including:
 - a. Fees and tips given to wait staff, baggage carriers, maids, and
 - b. Transportation and tips between places of lodging or business and places where meals are taken, if suitable meals can't be obtained at site.

Meals for which the City pays directly, such as meals included in a conference registration fee or as part of airfare, or hotel costs, must be excluded from per diem and will not be further reimbursed. The Traveler must note on the expense claim if a meal is included in the cost of the travel fare, conference fee, or hotel lodging. If a lodging facility provides a hot breakfast, the breakfast allowance is excluded from the per diem amount. This provision does not apply to "continental breakfast". When the Traveler receives a meal at no cost, the Traveler is not eligible to be reimbursed for that meal and that meal allowance must not be included in the combined total. On "travel days", defined as the first and last day of travel (departure and return), per diem amount equals 75% of total M&IE regardless of departure time. Reimbursement may be allowed if the Traveler has special dietary needs that cannot be accommodated by the available meal options included in the conference registration or event programming. The Department Head reviews the circumstances and determines when reimbursement is warranted.

If actual expenses exceed the applicable per diem rate, the excess amount is a personal expense of the Traveler. If actual expenses are less than the per diem rate, the Traveler is not required to refund the difference to the City.

If Traveler travels on a conference day, Traveler is allowed the full per diem regardless of departure time.

Travelers should NOT submit receipts for any meal purchases when requesting overnight travel reimbursements. A City assigned purchasing card may NOT be utilized to pay for meal expenses requiring overnight travel.

Documentation: Receipts are not required for M&IE

Example 1: Traveler travels to Orlando, FL for a 3-day conference and travels the day before and after the conference. Lunch is provided for all 3 days. Below is the per diem breakdown for Orlando based on the GSA schedule:

Primary Destination	County	M&IE Total	Continental Breakfast/ Breakfast	Lunch	Dinner	Incidental Expenses	First & Last Day of Travel
Orlando	Orange	\$59	\$13	\$15	\$26	\$5	\$44.25

Traveler's allowed per diem per day for days 2-4 is \$44:

- \$59 M&IE Total
- \$15 Lunch
- \$44 Allowed per diem per day

Since lunch is provided, lunch allowance is deducted from the total and Traveler is allowed \$44 per day for days 2-4. On travel days, day 1 & day 5, the Traveler is allowed \$44.25 per day as found on the schedule.

Other Expenses

- Conference, seminar or convention registration fees may be pre-paid once approval is received from the Department Head.
- Other expenses such as fees for social events, activities and tour opportunities during the conference are reviewed on a case-by-case basis. The Department Head will determine if reimbursement is warranted.
- In unique instances involving lost luggage, Traveler may need to purchase clothing and toiletries for the duration of their travel. The Department Head will review and determine if additional costs are reimbursable.

International Travel

For domestic travel purposes, the IRS definition of the United States includes the 50 states and the District of Columbia. The purpose of travel outside the United States for City business must be unquestionably professional in content and should only be considered if a similar meeting, conference, or training of similar quality cannot be found within the continental limits of the United States.

The per diem rates when traveling abroad are determined by the US Department of State and can be found at https://aoprals.state.gov/web920/per_diem.asp.

For foreign travel, all reimbursable expenses that were not paid using a credit card or US currency must be converted to US currency before listing them on the travel expense claim.

City Reimbursement of Travel Costs that do not Require Overnight Travel

Travel plans involving expenses that do not require overnight travel accommodations will be reimbursed based on actual cost substantiated by appropriate receipts. This includes training or meetings within the metro area.

Non-Reimbursable Expenses

Examples of non-reimbursable personal expenses include, but are not limited to:

1. The personal portion of any trip;
2. Political fundraising or charitable contributions or events;
3. Family expenses, including partner's expenses when accompanying a city official on City related business, as well as children- or pet-related expenses;
4. Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events, travel gym, massage and/or golf related expenses, other cultural events or personal reading material;
5. Alcohol/personal bar expenses;
6. Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline; and
7. Personal losses incurred while on City business, such as clothing and personal effects.

Documentation

All employees are required to provide the following documentation for all expenditures: (Unless following Per Diem)

- Itemized receipt
- Purpose for the expense
- In addition, if the expense is meeting-related:
 - o Specify attendee and employee or non-employee
 - o Relationship of non-employee to the meeting
 - o Reason that the meeting was not possible during business hours, if applicable

Violation of the Travel Policy

Use of public resources or falsifying expense reports in violation of this policy may result in any or all of the following:

1. Loss of reimbursement privileges,
2. Demand for restitution to the City,
3. Disciplinary action,
4. Civil penalties of up to \$1,000 per day and three times the value of the resources used, and
5. Prosecution for misuse of public resources.