

REGULAR CITY COUNCIL MEETING – AGENDA #2

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.

I. ORGANIZATIONAL BUSINESS

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

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

2A. RESPONSE TO PRIOR PUBLIC COMMENT

2B. PUBLIC COMMENT

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

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

3B.1 Mayor's Proclamation to Recognize January 20, 2025, as Reverend Dr. Martin Luther King Jr. Day in the City of Brooklyn Park

A. PROCLAMATION

II. STATUTORY BUSINESS AND/OR POLICY IMPLEMENTATION

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

4.1 Enter into a Professional Services Agreement with Bolton and Menk Engineering for the Design, Bidding and Construction Administration for the Two Million Gallon Northwest Water Tower Project

A. RESOLUTION

4.2 Consider Easement Vacations for Unplatted Properties (PID 0811921220001 and PID 0811921220002) and Set Public Hearing

A. RESOLUTION

B. EASEMENT AREA – COUNTY DOCUMENT #3559368

C. EASEMENT DOCUMENT #3559368

D. EASEMENT AREA – COUNTY DOCUMENT #3727273

E. EASEMENT DOCUMENT #3727273

4.3 Approve Hearing Officer for City's Administrative Enforcement Program

A. PAUL LELII RESUME & COVER LETTER

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

5. PUBLIC HEARINGS

- 5.1** Public Hearing for Easement Vacation at Lot 2 & 3, Block 1, Brolin's Winnetka Industrial Park
 - A.** RESOLUTION
 - B.** PROPOSED EASEMENT VACATION AREA
- 5.2** Public Hearing for Easement Vacation at Outlot A, Six Ten Zane Second Addition
 - A.** RESOLUTION
 - B.** PROPOSED EASEMENT VACATION AREA

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** 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
- 7.4** Consider Bike Lanes and Parking Restriction on 101st Ave – Zane Ave to Fallgold Pkwy
 - A.** RESOLUTION
 - B.** MAP FROM BROOKLYN PARK PEDESTRIAN AND BICYCLE PLAN
 - C.** PROPOSED BIKE LANES AND PARKING OPTIONS GRAPHICS
 - D.** LETTER TO RESIDENTS

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

8. DISCUSSION ITEMS

- 8.1** Body-Worn Camera Audit Results
 - A.** BODY-WORN CAMERA AUDIT REPORT

IV. VERBAL REPORTS AND ANNOUNCEMENTS

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

V. ADJOURNMENT

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

City of Brooklyn Park Request for Council Action

Agenda Item:	3B.1	Meeting Date:	January 13, 2025
Agenda Section:	Public Presentations/ Proclamations/Receipt of General Communications	Originating Department:	Administration
Resolution:	N/A	Prepared By:	Dr. Marcellus Davis, REDI Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Mayor Hollies Winston
Item:	Mayor's Proclamation to Recognize January 20, 2025, as Reverend Dr. Martin Luther King Jr. Day in the City of Brooklyn Park		

City Manager's Proposed Action:

The mayor shall recognize and proclaim January 20, 2025, as "Martin Luther King Day" by one of the following:

1. "I, Hollies Winston, Mayor of the city Brooklyn Park, Minnesota do hereby recognize and proclaim the day of January 20, 2025, to be "Martin Luther King Day" in the City of Brooklyn Park.

OR

2. By reading the proclamation.

Overview:

Monday January 20, 2025, is the annual federal recognition and celebration of the lifetime achievements of Reverend Dr. Martin Luther King Jr.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

3B.1A PROCLAMATION

PROCLAMATION

DECLARING JANUARY 20th, 2025 AS MARTIN LUTHER KING DAY IN THE CITY OF BROOKLYN PARK

WHEREAS, Reverend Dr. Martin Luther King Jr. Day is celebrated every third Monday of January annually. After a long battle and years of activism to make it a federally recognized holiday, in the year of 1983, the bill was signed by President Ronald Regan to recognize Reverend Dr. Martin Luther King Day. In 1994, President Bill Clinton signed the bill enacting Martin Luther King Jr. Federal Holiday and Service Act. Reverend Dr. Michael Martin Luther King Jr. was born January 15th, 1929, in Atlanta Georgia. Reverend Dr. King changed his name from Michael to his middle name Martin distinguishing himself from his father who he was named after; and

WHEREAS, on this Monday January 20th, 2025, the City of Brooklyn Park and the nation will reflect on the life and legacy of Reverend Dr. King's work. His willingness to collaborate and work with others to create change, and his ability to organize everyday Americans to agitate for change under the fierce urgency of now has helped accelerate progress towards creating a racially just America. His love for America and fellow Americans often called for his honest critique and reflection on whether the espoused principles and tenants that built the country in fact befitted all Americans; and

WHEREAS, arguably, one of the greatest American Leaders that fought injustice with agitation and action towards creating a socially just and equitable community, demanded America live up to the expressions and ideals espoused in the countries founding documents, questioned whether or not America has given the Black community a check with insufficient funds, forced America to reimagine the American Dream to include all Americans, and asked America to examine the deep racial divisions that have created what he titles two Americas or the other America; and

WHEREAS, celebrating the legacy of Reverend Dr. King is a lifetime of commitment to assuring the work he and others began can only conclude due to the chariots of justice prevailing victorious over the realities of racial inequities and all forms of injustice. Whether it be the Human Rights Commission working to eradicate gun violence in our community, Zanewood youth providing educational and healthy youth development for our community youth, educators working in the multiple school districts within Brooklyn Park, public servants that serve the residents of Brooklyn Park, Fire and Police Departments providing public safety, the everyday community member who regularly volunteers, City Council Members creating policies that ensure just living conditions for residents of Brooklyn Park, advocates for justice, first time voters using the ballot to improve the racial inequities that are far too persistent in our communities is an extension of the work Reverend Dr. King and many others worked towards during the civil rights movement; and

WHEREAS, additional information, to get the national holiday approved activist, entertainers, and everyday Americans presented over 6 million signatures to the US House Speaker of Representatives in 1982 in support of the passing of the bill to federally recognize MLK Day (MLK Jr. Research and Education Institute at Stanford University, National Constitution Center). 990+ streets are named in commemoration of Rev. Dr. King (Derek Aldeman, University of Tennessee in Knoxville); Washington D.C. is the site that houses a 30-foot memorial of Rev. Dr. King. Lastly, there is one federal day recognized as a day of service and that's MLK dubbed as a day on, not a day off (AmeriCorps).

NOW, THEREFORE, I, Hollies Winston, on behalf of the City Council, city staff, residents, and the community at-large, do hereby proclaim that we hereby recognize Reverend Dr. Martin Luther King Jr. Day celebration in Brooklyn Park to recognize and celebrate the many contributions he and many other civil rights movement soldiers put forth to holding America to be a country and world community member for all.



5200 85th Avenue North
Brooklyn Park, MN 55443

Hollies Winston, Mayor

City of Brooklyn Park Request for Council Action

Agenda Item:	4.1	Meeting Date:	January 13, 2025
Agenda Section:	Consent	Originating Department:	Operations and Maintenance
Resolution:	X	Prepared By:	Richard Luckow, Public Utilities Superintendent
Ordinance:	N/A		
Attachments:	1	Presented By:	Greg Hoag, Acting Operations and Maintenance Director
Item:	Enter into a Professional Services Agreement with Bolton and Menk Engineering for the Design, Bidding and Construction Administration for the Two Million Gallon Northwest Water Tower Project		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-____ TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR ENGINEERING SERVICES WITH BOLTON AND MENK FOR DESIGN, BIDDING AND CONSTRUCTION ADMINISTRATION OF THE 2025-2027 NORTHWEST WATER TOWER PROJECT

Overview:

Adequate water supply is vital for the continued development of the city. To properly plan for future needs the city has had several water system studies performed. These studies have indicated the need for an additional tower to provide the necessary supply, water pressure and fire protection for full development in the Northwest portion of the city including the proposed Biotech District.

A Request for Proposals were advertised on the electronic bidding forum QuestCDN on October 21, 2024. Submittals were received from five engineering firms on November 20, 2024.

An evaluation team from Engineering and Utilities evaluated the five proposals for staff experience, understanding of the project, completeness of proposal, past performance and fees. Proposals were rated on a 10, 5, and 1 scale with a maximum of 60 points achievable. After reviewing the five proposals the top three were invited to interview. Interviews were conducted on December 9 and 10, 2024.

Fees for each firm and all cumulative scores are shown in the table below.

Firm	Fee	Proposal Score	Interview	Total Score
Bolton & Menk	\$358,746.00	42.5	9.1	51.6
Sambatek	\$327,020.00	38.7	8.4	47.1
SEH	\$456,272.00	45.8	9.0	54.8

Per the City Purchasing policy for Professional Service & Consultant Contracts, a full evaluation of the proposals, interviews and costs are used to determine which firm would be best for the project. For service contracts, as opposed to construction projects, the City is not required to go with the lowest bidder. Based on the scores from the proposals, costs and interviews the evaluation team is recommending Bolton and Menk as the most responsive firm to provide Design, Bidding and Construction Management Services for the Two Million Gallon Northwest water Tower project.

Budgetary/Fiscal Issues:

The proposed fee of \$358,746 can be accommodated in the approved 2025 Public Utilities CIP #3011 budget of \$1,000,000.

Attachments:

4.1A RESOLUTION

RESOLUTION #2025-

RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR
ENGINEERING SERVICES WITH BOLTON AND MENK FOR DESIGN, BIDDING AND CONSTRUCTION
ADMINISTRATION OF THE 2025-2027 NORTHWEST WATER TOWER PROJECT

WHEREAS, On October 21, 2024 on the electronic bidding forum QuestCDN a Request for Proposals was advertised for Engineering Services to provide Design, Bidding and Construction Administration for the Northwest Water Tower Project; and

WHEREAS, on November 20, 2024, the Evaluation Team reviewed and scored five proposals based on firm experience, completeness of proposal, past performance and cost; and

WHEREAS, the Evaluation Team selected three firms to interview; and

WHEREAS, after completing the RFP review and interviews the evaluation team recommends that the Mayor and City Manager enter into a Professional Services Agreement with Bolton and Menk Engineering; and

WHEREAS, The proposed fee of \$358,746.00 can be accommodated in the approved Public Utilities CIP #3011 Budget of \$1,000,000.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park to approve a Professional Service Agreement for a cost not to exceed \$358,746.00 with Bolton and Menk Engineering and to authorize the Mayor and the City Manager to execute the agreement.

City of Brooklyn Park Request for Council Action

Agenda Item:	4.2	Meeting Date:	January 13, 2025
Agenda Section:	Consent	Originating Department:	Operations & Maintenance – Engineering Services Division
Resolution:	X	Prepared By:	Jeff Holstein, City Transportation Engineer
Ordinance:	N/A		
Attachments:	5	Presented By:	Marc Culver, City Engineer
Item:	Consider Easement Vacations for Unplatted Properties (PID 0811921220001 and PID 0811921220002) and Set Public Hearing		

City Manager's Proposed Actions:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-_____ ORDERING A PUBLIC HEARING FOR VACATING THAT PART OF THE STREET EASEMENTS ON THE NORTHERNMOST THIRTY FEET OF PROPERTIES (PID 0811921220001 AND PID 0811921220002), HENNEPIN COUNTY, MINNESOTA

Overview:

The City is currently working with Hennepin County and the Three Rivers Park District to construct an underpass of the Rush Creek Regional Trail (RCRT) under Winnetka Avenue (Hennepin County State Aid Highway 103 – CSAH 103) during the 2025 construction season. The City requires some right of way or permanent roadway easement from the current Target owned parcel at 10225 Winnetka Avenue in order to complete this project.

Engineering staff discussed with Target representatives and reached an agreement to swap the current street easements east of Winnetka Avenue along the 101st Avenue alignment (a rectangular area 30' wide by approximately 1280' long) for the Target owned property at 10225 Winnetka Avenue. These easements were acquired in the 1960's when the City had aspirations of connecting 101st Avenue at Winnetka with 101st Avenue at Zane Avenue / Douglas Drive. This connection is no longer needed and no longer possible. Thus, the City Engineer, City Assessor and City Attorney believe the proposed swap is reasonable and equitable.

As part of the process, the Target Corporation is requesting the vacation of the street easements (Hennepin County Documents #3559368 and #3727273) across the northern 30 feet of their two current properties (PID # 0811921220001 and PID 0811921220002), Hennepin County, Minnesota. The City Attorney and Consultant surveyor indicate these easements will revert to the Target Corporation after the vacation.

A vacation hearing is scheduled to be held on February 10, 2025, for the Council's review of the proposed vacation of the street easements. Prior to the hearing, staff will notify the utility companies to receive input on the proposed vacations.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues:

The proposed action will save the City approximately \$200,000 in acquisition costs.

Attachments:

- 4.2A RESOLUTION
- 4.2B EASEMENT AREA – COUNTY DOCUMENT #3559368
- 4.2C EASEMENT DOCUMENT #3559368
- 4.2D EASEMENT AREA – COUNTY DOCUMENT #3727273
- 4.2E EASEMENT DOCUMENT #3727273

RESOLUTION #2025-

RESOLUTION ORDERING A PUBLIC HEARING FOR VACATING THAT PART OF THE STREET
EASEMENTS ON THE NORTHERNMOST THIRTY FEET OF TWO PROPERTIES (PID 0811921220001 AND
PID 0811921220002), HENNEPIN COUNTY, MINNESOTA

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Park that a public hearing be held on the 10th day of February, 2025 at 6:00 p.m. in the Council Chambers at City Hall located at 5200 85th Avenue North to consider the vacation of the following street easements:

Parcel Descriptions

Unplatted properties. PID 0811921220001 and PID 0811921220002

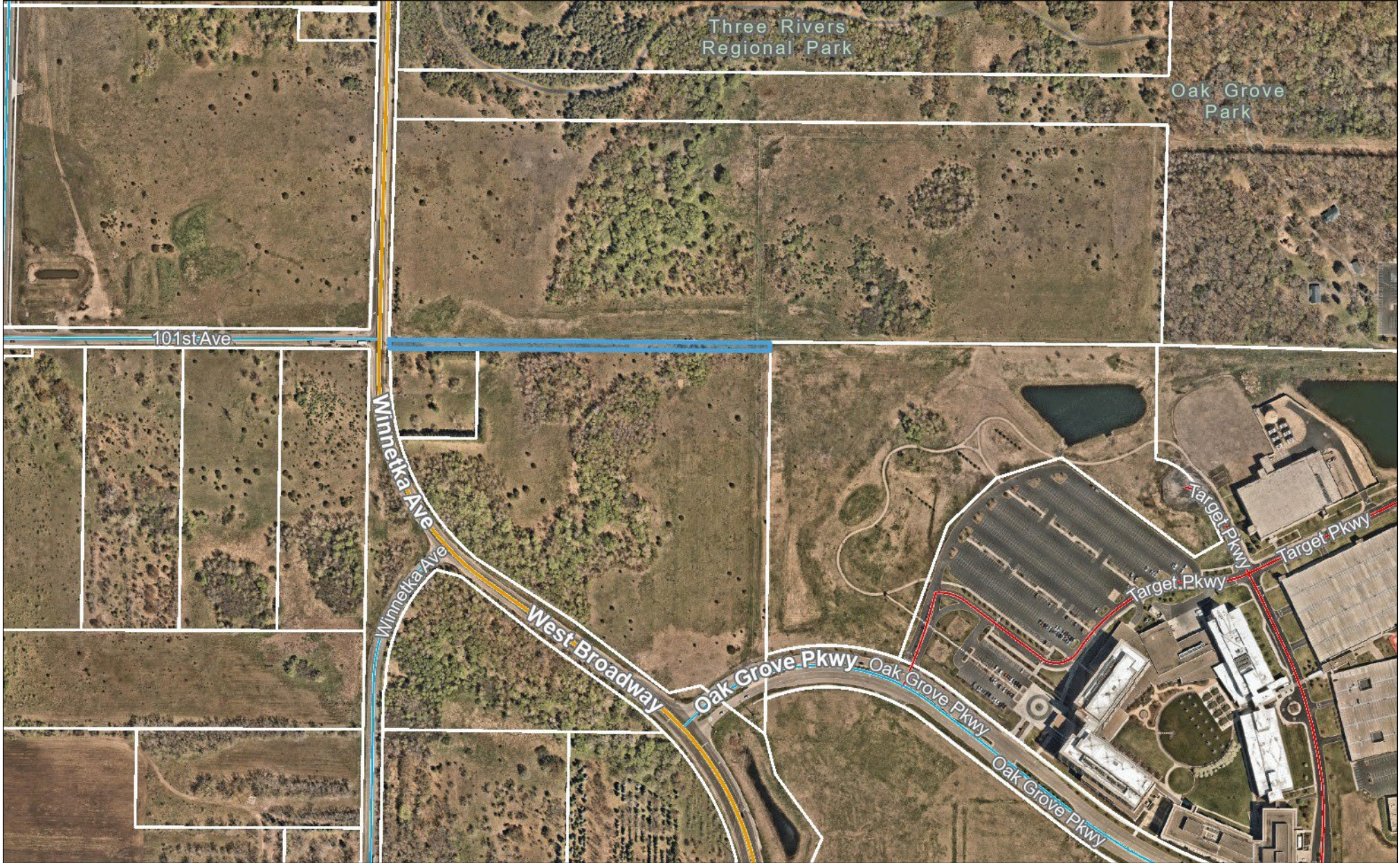
Easement Vacation Description

That part of the easement (Hennepin County Documents #3727273 and #3559368) for street purposes, Hennepin County, Minnesota which lies within the following area:

The North 30 feet of Northwest Quarter (NW $\frac{1}{4}$) of Northwest Quarter (NW $\frac{1}{4}$), Section 8, Township 119, Range 21, West of 5th Principal Meridian, except the Westerly 33 feet thereof.

BE IT FURTHER RESOLVED, that the City Clerk be directed to file the proper legal notice of such hearing in the manner required by law.

Easement Area Document #3559368 (Entire Area in Blue to be Vacated)



Map Scale = 1: 5,343

445 ft  1 in

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

3559368

E A S E M E N T

THIS INDENTURE, made this 7th day of July, 1965, between the under-
signed, being the owners of the property hereinafter described, all of the
County of Hennepin, State of Minnesota, parties of the first part, hereinafter
referred to as the Grantors, and the Village of Brooklyn Park, a municipal
corporation of Hennepin County, Minnesota, party of the second part, hereinafter
referred to as the Grantee, WITNESSETH:

WHEREAS, the Grantors are the owners in fee simple of the property
hereinafter described, the same to be used for public street and highway
purposes and the construction and maintenance of a public street.

NOW, THEREFORE, in consideration of One Dollar and other good and
valuable consideration, the receipt of which is hereby acknowledged, the
Grantors do hereby grant and convey unto the Grantee, its successors and
assigns, full and free right and authority to enter upon and maintain a
public street and highway over the land hereinafter described, together
with any and all further authority necessary to construct and maintain said
land as a public thoroughfare, and for such other and further use as public
streets and highways are ordinarily put to, said tract or parcel of land
lying and being in the County of Hennepin, State of Minnesota, described as
follows:

The North 30 feet of Northwest Quarter (NW $\frac{1}{4}$) of Northwest
Quarter (NW $\frac{1}{4}$), Section 8, Township 119, Range 21, West of
5th Principal Meridian, except the Westerly 33 feet thereof.

IN WITNESS WHEREOF, parties of the first part have hereunto set
their hands the day and year first above written.

Henry J. Hagedorn
George P. Castonguay

Dennis L. Ericson
DENNIS L. ERICSON
Noella (NMT) Ericson
NOELLA (NMT) ERICSON

Henry J. Hagedorn
George P. Castonguay

WIL-CAST INVESTMENTS, INC.
By: Henry J. Hagedorn
Its President
By: _____
Its

Alice M. Johnson
Melvin T. Tiedel

NORTH AMERICAN DEVELOPMENT COMPANY
By: Alice M. Johnson
Its President

(c.c.P.
119)

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss.

On this 7th day of July, 1965, before me a Notary Public within and for said County and State, personally appeared Paul R. Castonguay and _____ to me personally known, who, being ~~asked~~ by me duly sworn ~~they~~ ^{he} did say that ~~they~~ ^{he is} respectively the president and _____ of the corporation named in the foregoing instrument and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and said Paul R. Castonguay and _____ acknowledged said instrument to be the free act and deed of said corporation.

George P. Castonguay
George P. Castonguay
Notary Public, Hennepin County, Minnesota.
My Commission expires March 12th, 1966.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss.

On this 7th day of July, 1965, before me a Notary Public within and for said County and State, personally appeared Albert W. Wilske to me personally known, who, being duly sworn did say he is the President of the corporation named in the foregoing instrument (said corporation having no corporate seal) and that said instrument was signed in behalf of said corporation by authority of its Board of Directors and said Albert W. Wilske acknowledged said instrument to be the free act and deed of said corporation.

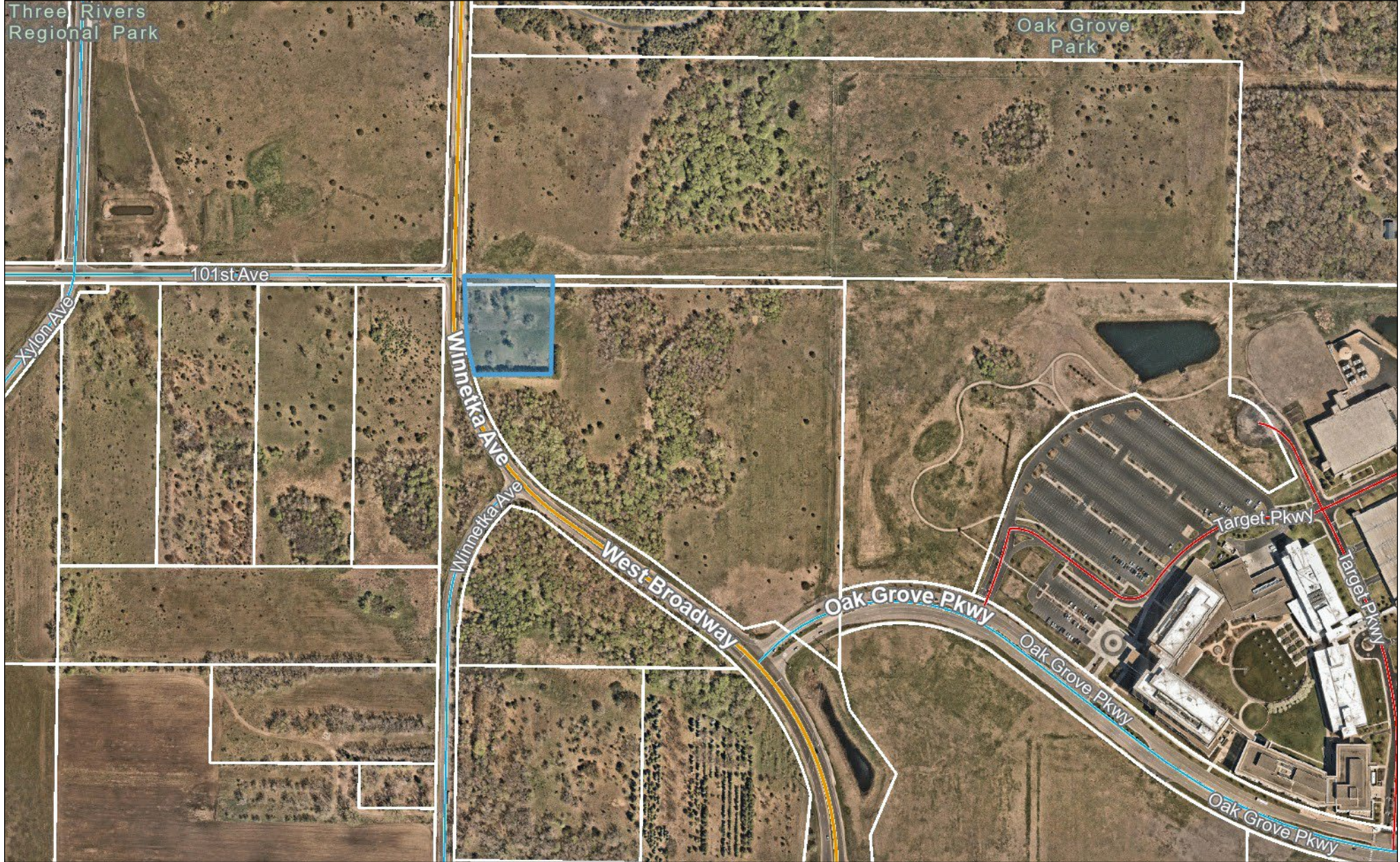
Madonna Treichel
Notary Public, Hennepin County, Minnesota
My Commission expires
MADONNA TREICHEL
Notary Public, Henn. Co., Minn.
My commission Expires Dec. 28, 1968

The foregoing easement was duly presented to and accepted by the Council of the Village of Brooklyn Park, Minnesota, this _____ day of _____, 1965.

Clerk

Filed for record on the 27 day of Aug AD 1965 at 4 o'clock P.M.

Easement Area Document #3727273 (Northernmost 30' of Area in Blue to be Vacated)



Map Scale = 1: 5,343

445 ft  1 in

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

3727273

Quit Claim Deed (Street Easement) Minnesota Uniform Convey-
Corporation to Corporation FORM NO. 31-M ancing Blanks (1931)

THIS INDENTURE, Made this 25th day of April, 1968,
between Wil-Cast Investments, Inc.

a corporation under the laws of the State of Minnesota, party
of the first part, and Village of Brooklyn Park, a municipal
& corporation under the laws of the State of Minnesota
party of the second part,

WITNESSETH, That the said party of the first part, in considera-
tion of the sum of One Dollar and other good and valuable consideration
~~Return~~, to it in hand paid by the said party of the second part, the
receipt whereof is hereby acknowledged, does hereby Grant, Bargain,
Quitclaim and Convey unto the said party of the second part, its
successors and assigns; Forever, all the tract or parcel of land
lying and being in the County of Hennepin and State
of Minnesota, described as follows, to wit:

An easement for public street and utility purposes over that
part of the following described property lying North of a line drawn
parallel to and 33 feet South of the North line of the Northwest $\frac{1}{4}$
of the Northwest $\frac{1}{4}$ of Section 8, Township 119, Range 21, to wit:

The Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 8, Township 119,
Range 21, Hennepin County, Minnesota, except that part of the Northwest $\frac{1}{4}$
of the Northwest $\frac{1}{4}$ of Section 8, Township 119, Range 21, Hennepin County,
Minnesota described as beginning at the Northwest corner of said North-
west $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; thence South along the West line of said North-
west $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, a distance of 330 feet; thence East parallel to
North line of said Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ a distance of 330 feet;
thence North parallel to said West line 330 feet to the said North line of
said Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; thence West along said North line 330
feet to the point of beginning; subject to the West 33 feet thereof for
road purposes.

State deed tax due hereon: \$ none

TO HAVE AND TO HOLD THE SAME, Together with all the heredita-
ments and appurtenances thereunto belonging or in anywise appertain-
ing, to the said party of the second part, its successors and assigns,
Forever.

IN TESTIMONY WHEREOF, The said first
party has caused these presents to be
executed in its corporate name by its
President ~~Robert~~
and its cor-
porate seal to hereunto affixed the day
and year first above written.

In Presence of
Walter D. [Signature]
James Wash [Signature]

WIL-CAST INVESTMENTS, INC.

By Paul R. [Signature]

Its _____ President

Its _____


(Seal)

STATE OF MINNESOTA

COUNTY OF Hennepin

On this 15th day of April, 1968, before me,
 a Notary Public within and for said County,
 personally appeared Paul R. Castonguay
~~not~~ to me
 personally known, who, being ~~sworn~~ by me duly sworn he ~~swore~~ did
 say that ~~that~~ he is ~~the~~ President of the corporation named in
 the foregoing instrument, and that the seal affixed to said instru-
 ment is the corporate seal of said corporation and that said in-
 strument was signed and sealed in behalf of said corporation by
 authority of this Board of Directors and said
Paul R. Castonguay
 acknowledged said instrument to be the free act and deed of said
 corporation.

Robert J. Miller
 Robert J. Miller
 Notary Public, Hennepin
 County, Minnesota
 My Commission expires: 9/28/74



I, the undersigned, being the duly qualified and acting
 Clerk-Treasurer of the Village of Brooklyn Park, Minnesota, hereby certify
 that the Council of said Village has duly accepted the foregoing
 quit claim deed.

Dated this 27 day of MAY, 19 68

Richard G. [Signature]
 Village Clerk-Treasurer

TRANSFER ENTERED
 JUL 30 1968
 GEORGE B. HICKEY, REGISTER
 HENNEPIN COUNTY, MINN.
 BY [Signature] DEWEY

3727273

Minnesota Form No. 31

Doc. No. QUIT CLAIM DEED
 Corporation to Corporation
Village of Brooklyn Park a
Minnesota corporation
 To
Village of Brooklyn Park a
municipal corporation
 Office of Register of Deeds
 STATE OF MINNESOTA
 County of Hennepin
 I hereby certify that the within
 Deed was filed in this office for
 record on the 30 day of JULY
 1968, at 11:20 o'clock A.M.
68 HENNEPIN COUNTY REGISTER'S BOOK
of pages, page 18
 Ben K. Allison,
 Register of Deeds,
 Deputy,
 Taxes for the year 1968 on
 the lands described within, paid
 this 30 day of JULY, 19 68.
 Kenneth E. Pettijohn
 County Treasurer
 Deputy.
 Taxes paid and Transfer entered
 this 30 day of JULY, 19 68.
 George B. Hickey,
 County Auditor
 Deputy.
 Recording Fee \$1.25

Mail to
Council, 1111 1/2 Broadway
JUL 30 1968 3 811 1/2 Broadway
Box 12: 7th Avenue, Room 55472

680061
General Register 1968

City of Brooklyn Park Request for Council Action

Agenda Item:	4.3	Meeting Date:	January 13, 2025
Agenda Section:	Consent	Originating Department:	Community Development
Resolution:	N/A	Prepared By:	Jason Newby, Inspections and Environmental Health Manager
Ordinance:	N/A		
Attachments:	1	Presented By:	Jason Newby
Item:	Approve Hearing Officer for City's Administrative Enforcement Program		

City Manager's Proposed Action:

MOTION _____, SECOND _____, TO APPROVE PAUL LELII AS A HEARING OFFICER FOR THE CITY'S ADMINISTRATIVE ENFORCEMENT PROGRAM.

Overview:

In 1998, the City implemented an Administrative Enforcement Program. The purpose of this program was to provide an alternative method for the enforcement of City ordinances. To date, City staff coordinates appeal hearings for citations issued for license violations, nuisances, and false alarms.

Since the inception of the program, the City has maintained a rotation of four to five hearing officers to accommodate scheduling for appeals. Recently, the number of available hearing officers has decreased to two, and staff is requesting additional hearing officers be added to the pool.

Advertisements were placed in various MN Lawyer periodicals and websites, which resulted in letters of interest. Interviews were held with qualified attorneys who best fit the program's criteria. The attachment includes the name and resume of the attorney selected to serve as Hearing Officer and added to the pool.

The Hearing Officer selected must meet the following criteria:

- Currently licensed as attorneys within the State of Minnesota
- Reside outside the City of Brooklyn Park
- Have experience in mediation, reviewing evidence and examining witnesses in administrative or judicial proceedings

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

4.3A PAUL LELII RESUME & COVER LETTER

Paul Lelii, Esq.
(651) 587-9663
paul@leliilaw.com

Pang Yang
Via Email: Pang.Yang@brooklynpark.org

Re: Application for Position at the Administrative Hearing Office

Pang Yang:

As I mentioned in my email to you, I am excited to apply for the position at the Administrative Hearing Office. With 21 years of legal experience and a solid foundation in legal research and judicial processes, I believe I would be a valuable addition to your team.

My legal career began at the Law Library of William Mitchell College of Law, where I developed a strong understanding of legal principles and research methods.

After earning my JD, I served as a Judicial Law Clerk for the Honorable Lawrence T. Collins, gaining hands-on experience in the judicial system and a deep appreciation for fair hearings.

Throughout my career, I have worked with diverse clients, enhancing my ability to communicate complex legal concepts clearly and effectively. My commitment to advocacy drives me to navigate challenges with a focus on positive outcomes. Notably, I volunteered as a mediator for the Minnesota Department of Human Rights from 2005 to 2013.

I am drawn to the Administrative Hearing Office's commitment to fair resolutions and eager to leverage my skills in research, case analysis, and effective communication to conduct fair hearings. My background and dedication to the law align well with the Hearing Officer position.

Thank you for considering my application. I look forward to the opportunity to discuss how my experience and passion for administrative law can contribute to your important work.

Sincerely,

/s/ Paul Lelii

Paul Lelii, Esq.

Attached: Resume

Paul Lelii, Esq.
(651) 587-9663
leliilawfirm@gmail.com

EXPERIENCE

Paul Lelii Law Office, Saint Paul, Minnesota September 2004 to present.
Sole Practitioner

- Manage a Civil Litigation practice (Defense and Plaintiff's) in the areas of employment discrimination, business law, administrative/agency matters before state and federal courts including trials and motion practice.
- Successfully negotiated with the Khmer Ambassador to the United States for a temporary suspension of a Memorandum of Understanding regarding repatriations between the US and Cambodia in 2017.

Minnesota Department of Human Rights, Saint Paul, Minnesota January 2005 to 2012.
Mediator

Mediated complex discrimination cases for the Minnesota Department of Human Rights.

Honorable Lawrence T. Collins, Minnesota District Court August 2003 - August 2004
State Court Judicial Law Clerk, 3rd Judicial District

- Assisted the judge by drafting jury instructions and trial management, conducting legal research, and drafting orders and opinions on legal issues presented to the Court for resolution in criminal, civil, and juvenile matters.

William Mitchell College of Law, Saint Paul, Minnesota August 1999 to May 2003.
Library Clerk

- Assisted reference and law librarian.
- Assisted law students find primary and secondary sources.

EDUCATION

William Mitchell College of Law, Saint Paul, Minnesota
Juris Doctor, 2003
Rosalia Wahl Moot Court Semi Finalist 2002
Certificate granted in Mediation/Arbitration training as a third-party neutral.

Arizona State University, Tempe, Arizona
Bachelor of Arts, Political Science, 1996
**Served on Residential Dormitory Judicial Board as judge hearing complaints about student violation of the housing rules.

ADMISSIONS

State of Minnesota (2004) and Minnesota Federal Court (8th Circuit) (2004).

HOBBIES Enjoy exploring ethnic cuisines, playing baseball, fishing, reading short stories, and volunteering for non-profit organizations.

City of Brooklyn Park Request for Council Action

Agenda Item:	5.1	Meeting Date:	January 13, 2025
Agenda Section:	Public Hearing	Originating Department:	Operations & Maintenance – Engineering Services Division
Resolution:	X	Prepared By:	Mitch Robinson, Water Resources Engineer
Ordinance:	N/A		
Attachments:	2		
Item:	Public Hearing for Easement Vacation at Lot 2 & 3, Block 1, Brolin's Winnetka Industrial Park		

City Manager's Proposed Actions:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-____ VACATING THAT PART OF THE DRAINAGE AND UTILITY EASEMENTS ON LOT 2 & 3, BLOCK 1, BROLIN'S WINNETKA INDUSTRIAL PARK ACCORDING TO THE RECORDED PLAT THEREOF, HENNEPIN COUNTY, MINNESOTA

Overview:

QT Holdings LLC is requesting the vacation of a portion of the drainage and utility easements as shown on Lot 2 & 3, Block 1, Brolin's Winnetka Industrial Park, According to the Recorded Plat Thereof, Hennepin County, Minnesota. The affected addresses are 6908 Winnetka Circle (PID 3011921440012) and 6909 Winnetka Avenue (PID 3011921440007). The proposed easement vacation is to allow the recently approved QT Addition plat (Planning Case #24-121).

Prior to the hearing staff notified the utility companies of the petitioner's request. No objections to the proposed easement vacation were received.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

- 5.1A RESOLUTION
- 5.1B PROPOSED EASEMENT VACATION AREA

RESOLUTION #2025-

RESOLUTION VACATING THAT PART OF THE DRAINAGE AND UTILITY EASEMENTS ON LOT 2 & 3,
BLOCK 1, BROLIN'S WINNETKA INDUSTRIAL PARK ACCORDING TO THE RECORDED PLAT THEREOF,
HENNEPIN COUNTY, MINNESOTA

WHEREAS, Section 14.07 of the City Charter provides that the City Council may by resolution vacate any street, alley, public grounds, or public way, or any part thereof, when it appears in the interest of the public to do so; and

WHEREAS, the City of Brooklyn Park has drainage and utility easements over the following described land:

Parcel Description

Lot 2 & 3, Block 1, Brolin's Winnetka Industrial Park

Easement Vacation Description

Vacate that part of the 5.00 foot Drainage and Utility Easement along the westerly line of Lot 2, Block 1, as dedicated in the recorded plat of BROLIN'S WINNETKA INDUSTRIAL PARK, Hennepin County, Minnesota lying northerly of the southerly 5.00 feet and lying southerly of the northerly 10.00 feet thereof.

AND

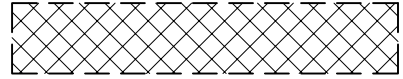
Vacate that part of the 5.00 foot Drainage and Utility Easement along easterly line of Lot 3, Block 1, as dedicated in the recorded plat of BROLIN'S WINNETKA INDUSTRIAL PARK, Hennepin County, Minnesota lying northerly of the southerly 5.00 feet and lying southerly of the northerly 10.00 feet thereof.

WHEREAS, a public hearing was held on January 13, 2025 as required by law; and

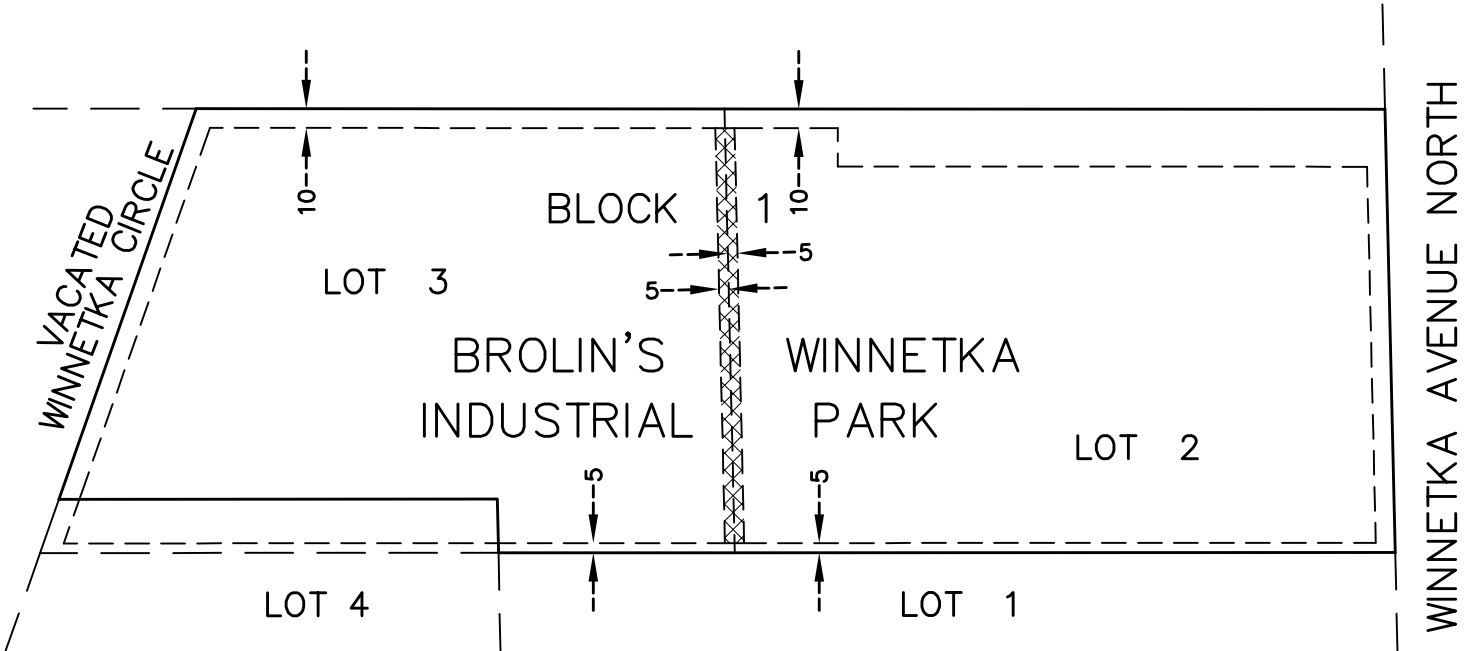
WHEREAS, it has been determined that good area planning requires that these easements be vacated and that it would be in the public interest to do so.

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

1. That the drainage and utility easements over the above described properties be vacated except those portions of these easements as described in of this Resolution.
2. A certified copy of this resolution shall be prepared by the City Clerk and shall be a notice of completion of the proceedings and shall be recorded in accordance with the provisions of Section 14.07 of Brooklyn Park City Charter.



VACATED DRAINAGE & UTILITY EASEMENT



EASEMENT VACATION

Vacate that part of the 5.00 foot Drainage and Utility Easement along the westerly line of Lot 2, Block 1, as dedicated in the recorded plat of BROLIN'S WINNETKA INDUSTRIAL PARK, Hennepin County, Minnesota lying northerly of the southerly 5.00 feet and lying southerly of the northerly 10.00 feet thereof.

AND

Vacate that part of the 5.00 foot Drainage and Utility Easement along easterly line of Lot 3, Block 1, as dedicated in the recorded plat of BROLIN'S WINNETKA INDUSTRIAL PARK, Hennepin County, Minnesota lying northerly of the southerly 5.00 feet and lying southerly of the northerly 10.00 feet thereof.

General Notes:

1. Bearings shown based on the plat of BROLIN'S WINNETKA INDUSTRIAL PARK, Hennepin County, Minnesota.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Date: December 3, 2024

Thomas E. Hodorff
 Thomas E. Hodorff, L.S. MN Reg. No. 23677



SCALE: 1" = 100'

HSJ WO: 202428204.DWG

City of Brooklyn Park Request for Council Action

Agenda Item:	5.2	Meeting Date:	January 13, 2025
Agenda Section:	Public Hearing	Originating Department:	Operations & Maintenance – Engineering Services Division
Resolution:	X	Prepared By:	Mitch Robinson, Water Resources Engineer
Ordinance:	N/A		
Attachments:	2	Presented By:	Mitch Robinson, Water Resources Engineer
Item:	Public Hearing for Easement Vacation at Outlot A, Six Ten Zane Second Addition		

City Manager’s Proposed Actions:

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-____ VACATING THAT PART OF THE UTILITY EASEMENTS ON OUTLOT A, SIX TEN ZANE SECOND ADDITION ACCORDING TO THE RECORDED PLAT THEREOF, HENNEPIN COUNTY, MINNESOTA

Overview:

Ryan Companies US LLC is requesting the vacation of a portion of the utility easements as shown on Outlot A, Six Ten Zane Second Addition, According to the Recorded Plat Thereof, Hennepin County, Minnesota. The property address is 6001 94th Avenue and has a PID number of 0911921330012. The easement vacation is to allow the recently approved The Brook Apartments (Planning Case #24-112).

Prior to the hearing staff notified the utility companies of the petitioner’s request. No objections to the proposed easement vacation were received.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

- 5.2A RESOLUTION
- 5.2B PROPOSED EASEMENT VACATION AREA

RESOLUTION #2025-

RESOLUTION VACATING THAT PART OF THE UTILITY EASEMENTS ON OUTLOT A, SIX TEN ZANE SECOND ADDITION ACCORDING TO THE RECORDED PLAT THEREOF, HENNEPIN COUNTY, MINNESOTA

WHEREAS, Section 14.07 of the City Charter provides that the City Council may by resolution vacate any street, alley, public grounds, or public way, or any part thereof, when it appears in the interest of the public to do so; and

WHEREAS, the City of Brooklyn Park has utility easements over the following described land:

Parcel Description

Outlot A, Six Ten Zane Second Addition

Easement Vacation Description

That part of the utility easement for sanitary sewer and watermain purposes as dedicated in the recorded plat of SIX TEN ZANE SECOND ADDITION, Hennepin County, Minnesota which lies westerly of the following described line:

Commencing at the northeast corner of OUTLOT A, said plat of SIX TEN ZANE SECOND ADDITION; thence on an assumed bearing of South 05 degrees 27 minutes 47 seconds West along the easterly line of said OUTLOT A for 37.18 feet to a corner of said OUTLOT A and the northerly line of said utility easement for sanitary sewer and watermain purposes; thence North 89 degrees 57 minutes 19 seconds West along said northerly line for 18.00 feet to the northwesterly corner of said easement; thence South 00 degrees 03 minutes 22 seconds West along the westerly line of said easement for 197.47 feet to a corner in said easement and the point of beginning of the line to be described; thence continuing South 00 degrees 03 minutes 22 seconds West for 33.00 feet to the southerly line of said easement and said line there terminating.

WHEREAS, a public hearing was held on January 13, 2025 as required by law; and

WHEREAS, it has been determined that good area planning requires that these easements be vacated and that it would be in the public interest to do so.

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

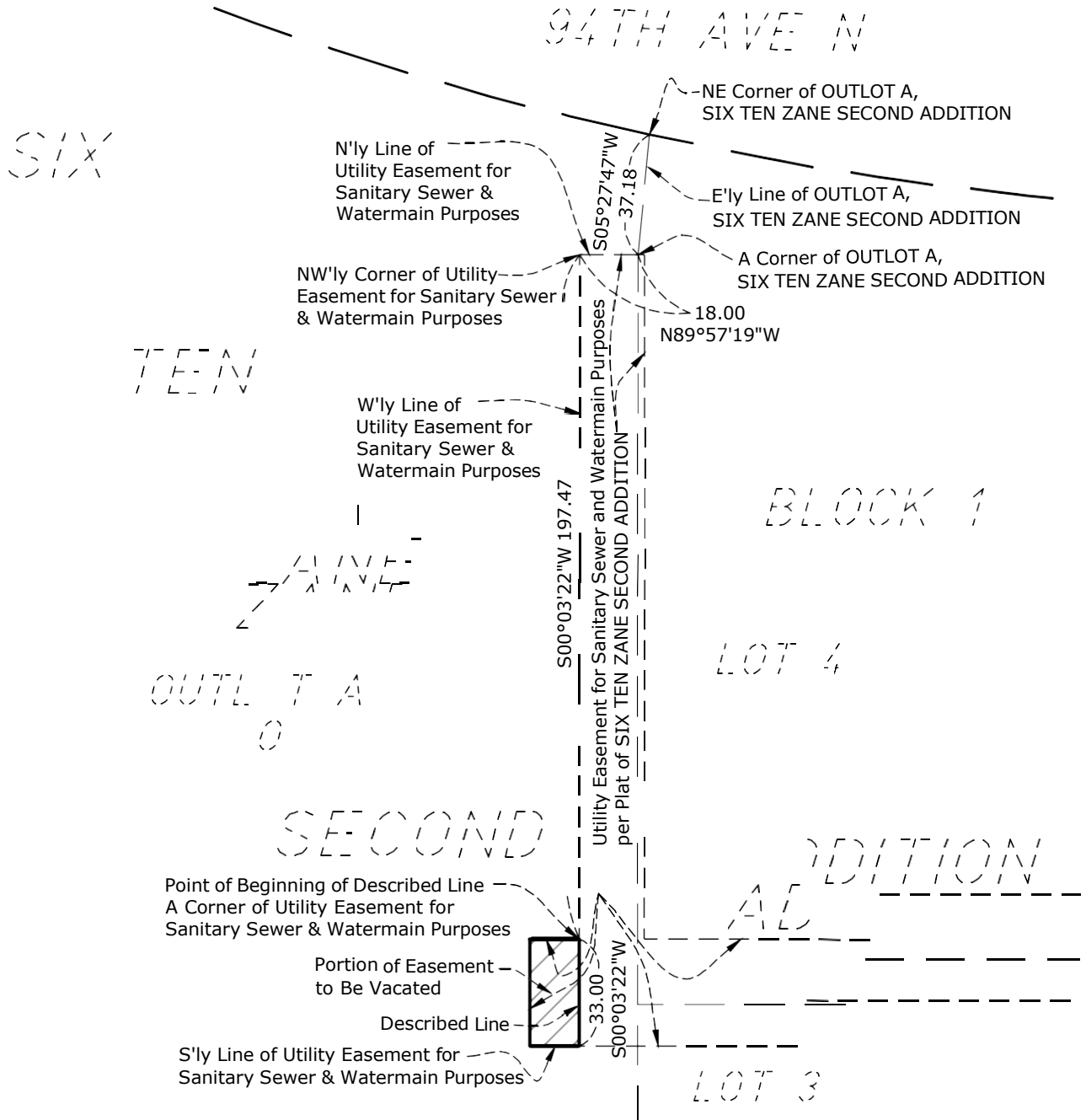
1. That the utility easements over the above described properties be vacated except those portions of these easements as described in of this Resolution.
2. A certified copy of this resolution shall be prepared by the City Clerk and shall be a notice of completion of the proceedings and shall be recorded in accordance with the provisions of Section 14.07 of Brooklyn Park City Charter.

UTILITY EASEMENT VACATION EXHIBIT OUTLOT A, SIX TEN ZANE SECOND ADDITION Brooklyn Park, Hennepin County, Minnesota

DESCRIPTION

That part of the utility easement for sanitary sewer and watermain purposes as dedicated in the recorded plat of SIX TEN ZANE SECOND ADDITION, Hennepin County, Minnesota which lies westerly of the following described line:

Commencing at the northeast corner of OUTLOT A, said plat of SIX TEN ZANE SECOND ADDITION; thence on an assumed bearing of South 05 degrees 27 minutes 47 seconds West along the easterly line of said OUTLOT A for 37.18 feet to a corner of said OUTLOT A and the northerly line of said utility easement for sanitary sewer and watermain purposes; thence North 89 degrees 57 minutes 19 seconds West along said northerly line for 18.00 feet to the northwesterly corner of said easement; thence South 00 degrees 03 minutes 22 seconds West along the westerly line of said easement for 197.47 feet to a corner in said easement and the point of beginning of the line to be described; thence continuing South 00 degrees 03 minutes 22 seconds West for 33.00 feet to the southerly line of said easement and said line there terminating.



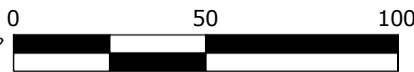
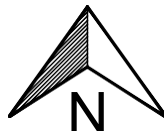
MINNESOTA CERTIFICATION

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 25th day of November, 2024

Rory L. Synstelien

Minnesota License No. 44565



SCALE IN FEET



5000 GLENWOOD AVENUE
GOLDEN VALLEY, MN 55422
CivilSiteGroup.com

Drawn By: CJ

City of Brooklyn Park Request for Council Action

Agenda Item:	7.1	Meeting Date:	January 13, 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 13, 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 13, 2025
Agenda Section:	General Action Items	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:

7.3A 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.

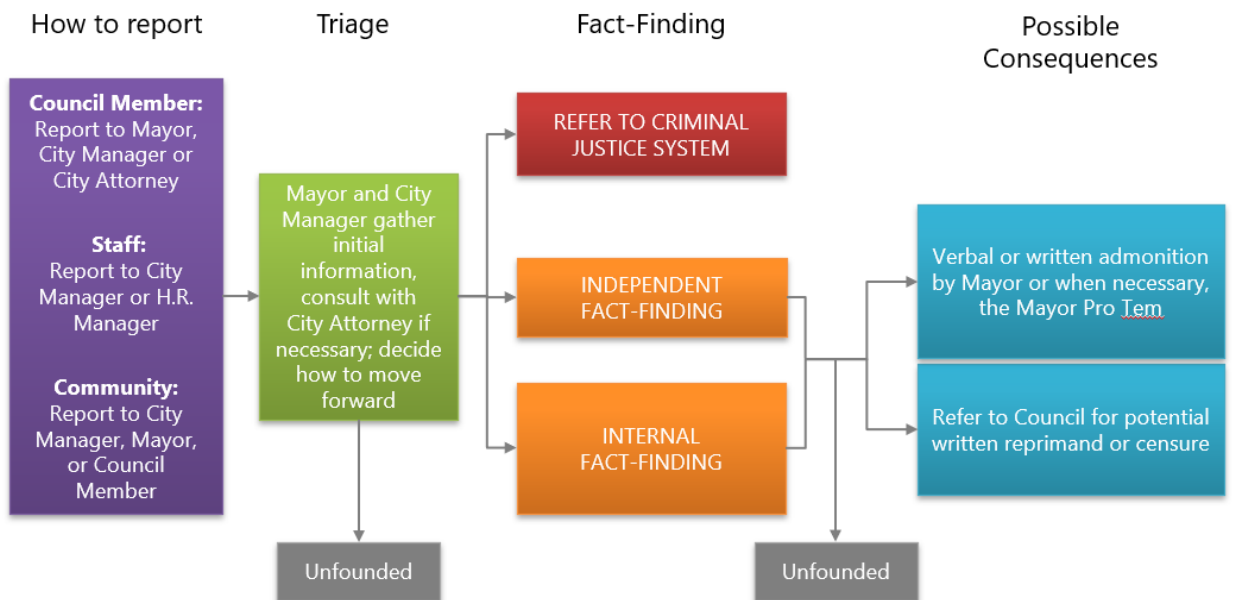
B. Factors that will be considered in determining the appropriate consequence include but are not limited to the following: seriousness of the violation and number of preceding violations.

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:	7.4	Meeting Date:	January 13, 2025
Agenda Section:	General Action Item	Originating Department:	Operations & Maintenance – Engineering Services Division
Resolution:	X	Prepared By:	Marc Culver, City Engineer
Ordinance:	N/A		
Attachments:	4	Presented By:	Marc Culver, City Engineer
Item:	Consider Bike Lanes and Parking Restriction on 101 st Ave – Zane Ave to Fallgold Pkwy		

City Manager’s Proposed Actions:

MOTION _____, SECOND _____, TO APPROVE ON STREET BIKE LANES ON 101st AVE FROM ZANE AVE TO FALLGOLD PKWY

MOTION _____, SECOND _____, TO WAIVE THE READING AND ADOPT RESOLUTION #2025-_____ PROHIBITING PARKING ON THE SOUTH SIDE OF 101st AVE FROM ZANE AVE TO FALLGOLD PKWY

Overview:

As part of the 2025 Pavement Management Program, City staff is designing the rehabilitation of the pavement of 101st Ave from Zane Ave to Butternut Ave. As with all similar projects, City staff takes time to review planned improvements to roadway corridors that could be implemented as part of the pavement rehabilitation project. In this case, the City’s Pedestrian and Bicycle Plan, adopted in October of 2015, identifies an on-street bike path on 101st Ave along this stretch.

The City’s [Pedestrian and Bicycle Plan](#), which can be found on the City’s website, identifies pedestrian and bicycle improvements City wide. The Plan, which details community engagement, goals and desired outcomes, recommends several potential improvements including new sidewalk, new shared-use pathways (trails), conventional bike lanes and buffered bike lanes. To date, most improvements towards the implementation of this plan have been sidewalk and trail additions across the City as well as the addition of on-street bike lanes on Edinbrook Terrace.

For 101st Ave, the plan identifies an on-street bike lane for 101st Ave along its entire length to where it changes to Butternut Ave North. Due to the limited width of 101st Ave past Fallgold, we would not be able to add bike lanes east of Fallgold without moving the curb lines and widening the street. This would add significant cost to the project and we are therefore not recommending this action at this time, limiting the bike lane addition to only the area where this can be done by simply restriping the roadway.

Although the roadway is much wider west of Fallgold (32 feet wide east of Fallgold and 44 feet wide west of Fallgold), the addition of minimum 5 foot bike lanes plus a minimum one foot buffer requires the restriction of parking on at least one side of the roadway. Currently, there are wide shoulders striped on both sides of 101st Ave, and while the shoulders are wide enough to accommodate parking and there are no signs restricting parking, staff has very rarely seen parking along 101st Ave except adjacent to the Eidem Historical Farm and the Athlos School, both located immediately east of Noble Ave along 101st Ave. In this area, on street parking does occur during large events at both the Farm and the School.

Given this staff is presenting two options:

1. No parking on either side of 101st Ave – Seven foot bike lanes and three foot buffer

- Advantages: wider, more comfortable bike lanes with a larger buffer between traffic and bikes
 - Disadvantages: no on street parking along 101st Ave which could be problematic during events at the Eiden Historical Farm and the Athlos School.
2. No parking on south side of 101st Ave – Five foot bike lanes and one foot buffer
- Advantages: parking on north side of 101st Ave provides for overflow parking for the Farm and the school as well as for a few properties that have driveways out to 101st Ave
 - Disadvantages: narrower bike lanes and smaller buffer may not be comfortable for bike users. Potential conflict with parked cars and bikes in the bike lanes

These options are shown in Attachment C with cross section views and overhead views.

The City sent a letter to residents and property owners along 101st Ave in late December informing them of the City's consideration of bike lanes and parking restrictions. As of Wednesday, January 8th, staff had not received any comments from the public on this issue.

Staff is recommending Option 2: No Parking South Side with 5" Bike Lanes & 1' Buffer. The attached resolution restricts parking on the south side of 101st Ave from Zane to Fallgold. If Council supports Option 1: No Street Parking with 7' Bike Lanes & 3' Buffer, staff would bring forth a modified resolution at a future council meeting with this restriction.

Primary Issues/Alternatives to Consider:

- Should the City install bike lanes on 101st Ave between Zane Ave and Fallgold Pkwy as recommended by the Pedestrian and Bicycle Plan?
- If the bike lanes are approved, should parking be restricted on one or both sides of 101st Ave along the same length?

Budgetary/Fiscal Issues: There are no significant cost differences between the options. Additional striping and signing to support the bike lanes and the parking restriction would be less than \$30,000.

Attachments:

- 7.4A RESOLUTION
- 7.4B MAP FROM BROOKLYN PARK PEDESTRIAN AND BICYCLE PLAN
- 7.4C PROPOSED BIKE LANES AND PARKING OPTIONS GRAPHICS
- 7.4D LETTER TO RESIDENTS

RESOLUTION #2025-

RESOLUTION APPROVING PARKING PROHIBITION ALONG THE SOUTH SIDE OF
101ST AVE FROM ZANE AVE TO FALLGOLD PARKWAY

WHEREAS, the City of Brooklyn Park desires to install marked and dedication bike lanes on 101st Ave from Zane Ave to Fallgold Parkway; and

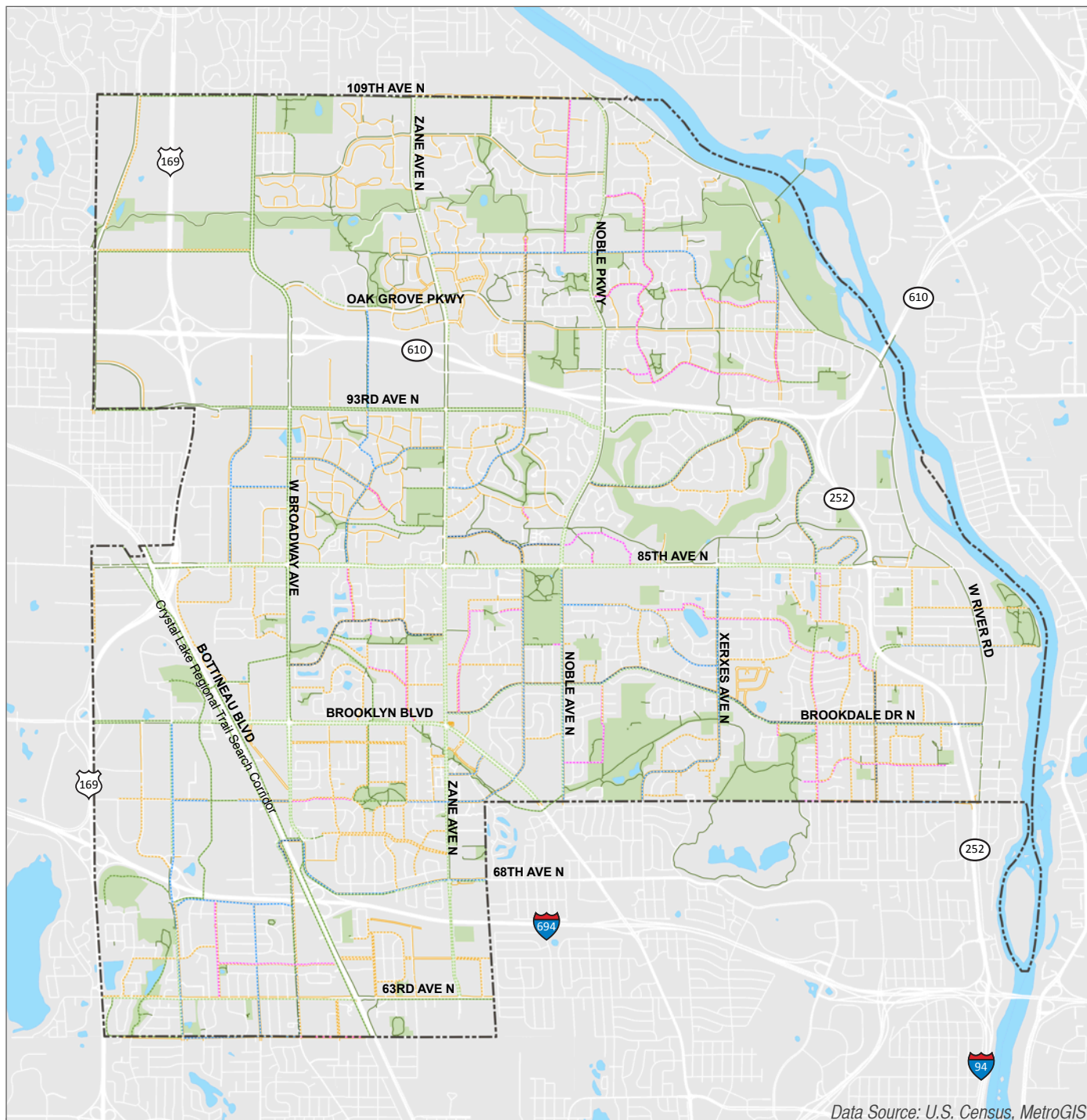
WHEREAS, 101st Ave is 44 feet in width along this length of roadway which does not support the minimum design width for bike lanes and parking areas on both sides of 101st Ave

WHEREAS, the City Engineering Division has reviewed and recommends approval of said prohibition in order to support the on street bike lanes.

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

The City approves the prohibition of on street parking of motor vehicles at all times along the south side of 101st Ave between Zane Ave and Fallgold Parkway and agrees to provide enforcement for the ban of on-street parking.

Network Vision: Pedestrian and Bicycle Recommendations



Data Source: U.S. Census, MetroGIS

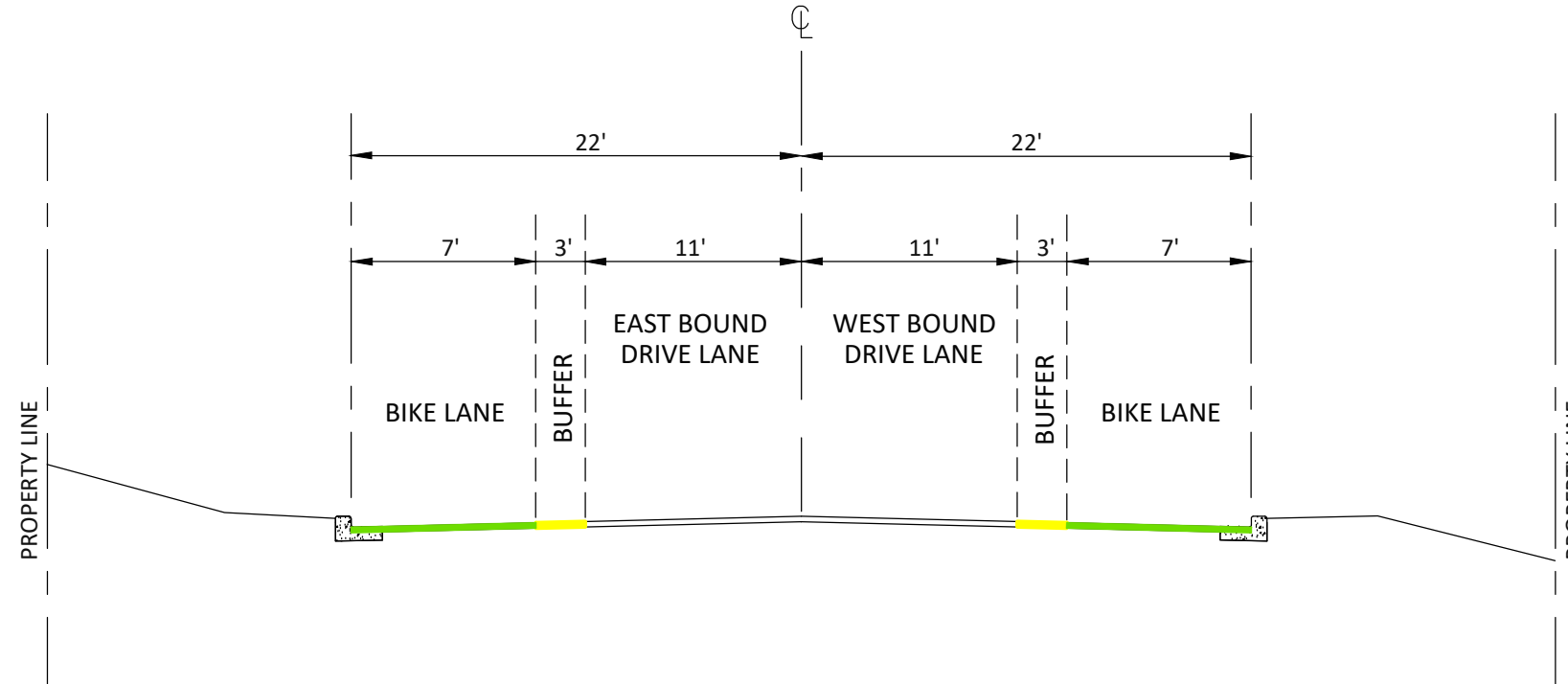
Existing

- Sidewalk
- Shared-use path / park trail

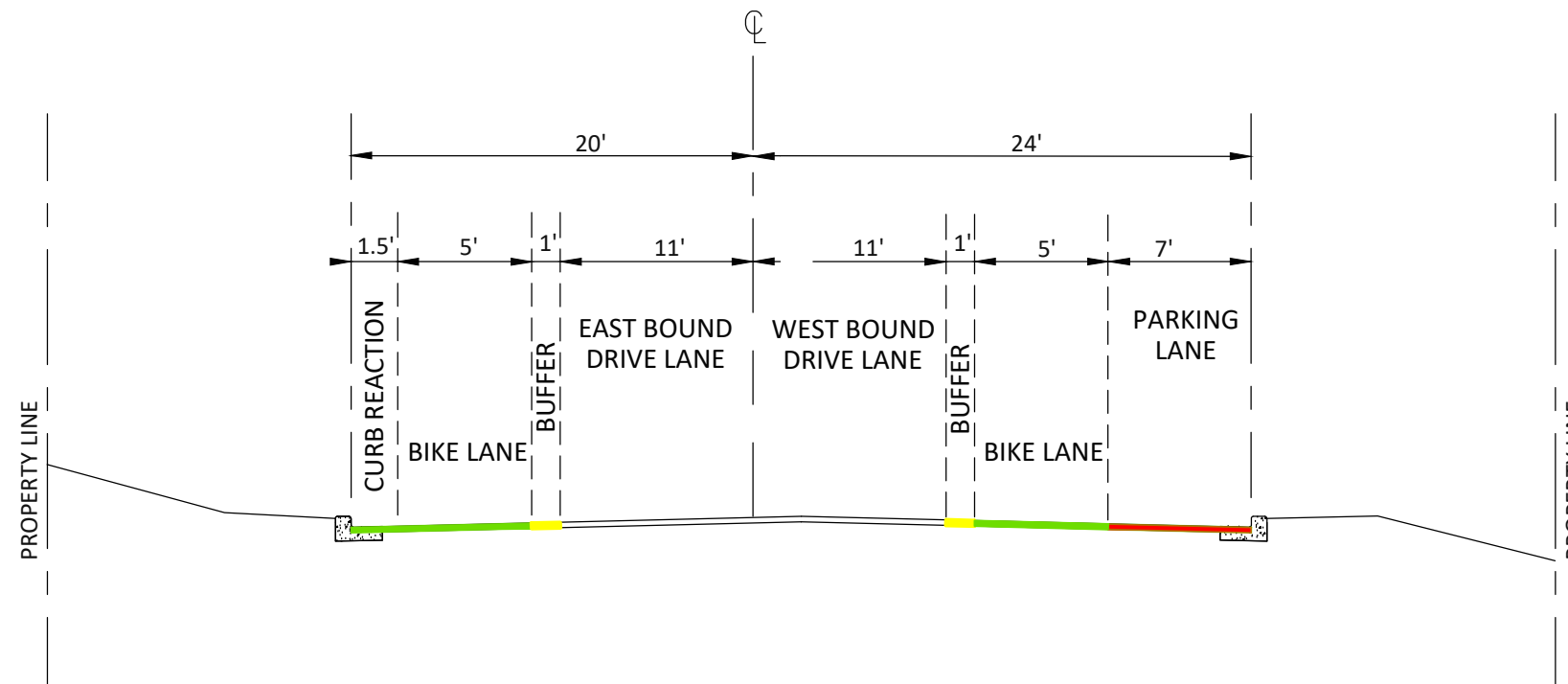
Recommended

- - - New sidewalk
- - - New shared-use path
- - - Upgrade sidewalk to path
- - - Neighborhood slow street
- - - Conventional bike lane
- - - Buffered bike lane

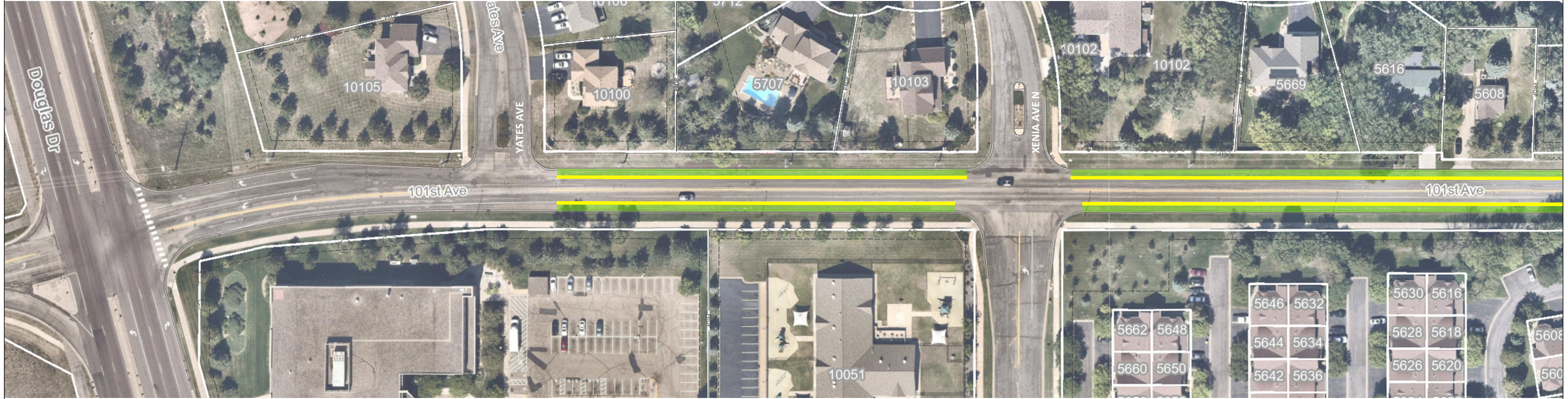
OPTION 1 NO STREET PARKING WITH 7' BIKE LANES & 3' BUFFER



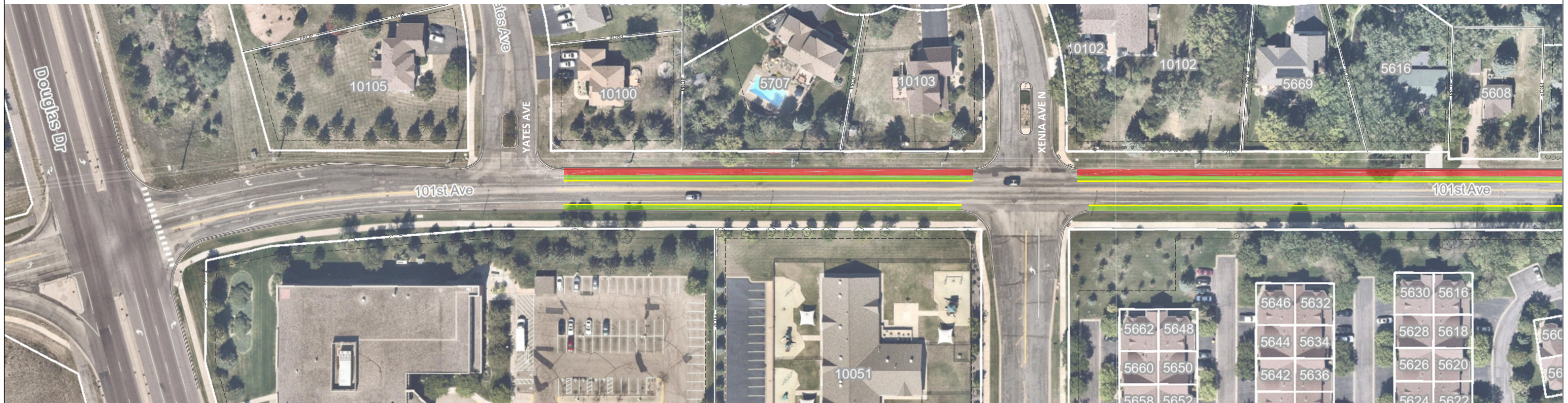
OPTION 2 NO PARKING ON SOUTH SIDE WITH 5' BIKE LANES & 1' BUFFER



OPTION 1 NO STREET PARKING WITH 7' BIKE LANES & 3' BUFFER



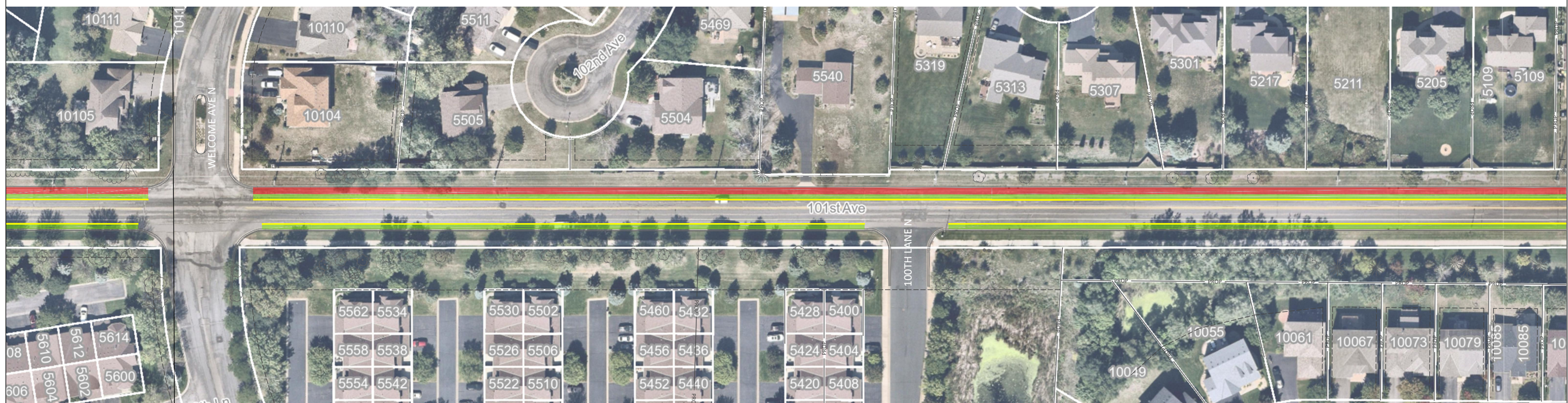
OPTION 2 NO PARKING ON SOUTH SIDE WITH 5' BIKE LANES & 1' BUFFER



OPTION 1 NO STREET PARKING



OPTION 2 NO PARKING ON SOUTH SIDE

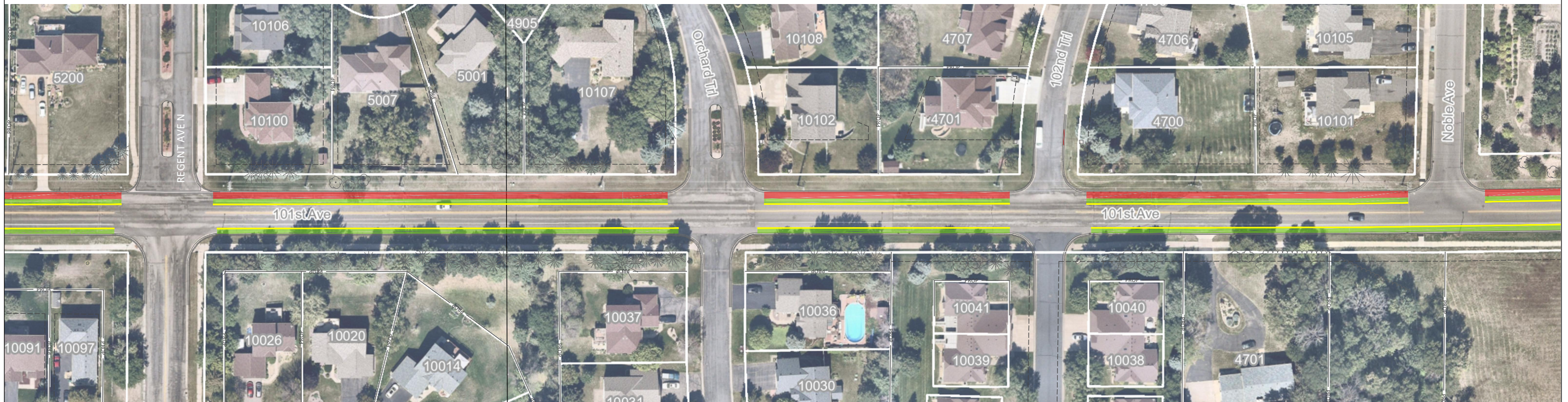


<p>CITY OF BROOKLYN PARK ENGINEERING SERVICES DIVISION</p> <p>Brooklyn Park 5200 85TH AVE. N. BROOKLYN PARK, MN. 55443 PH# 763/493-8100 FAX# 763/493-8391</p> <p><i>Unique. United. Undiscovered.</i></p>	<p>101ST AVE BIKE LANE OPTIONS ZANE AVE - FALLGOLD AVE</p>	<p>COLOR INDEX</p>	<p>■ PROPOSED ON STREET BIKE LANE</p> <p>■ PROPOSED BIKE LANE BUFFER</p>	<p>■ PROPOSED ON STREET PARKING</p>	<p>SHEET 03 OF 06</p>
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OPTION 1 NO STREET PARKING



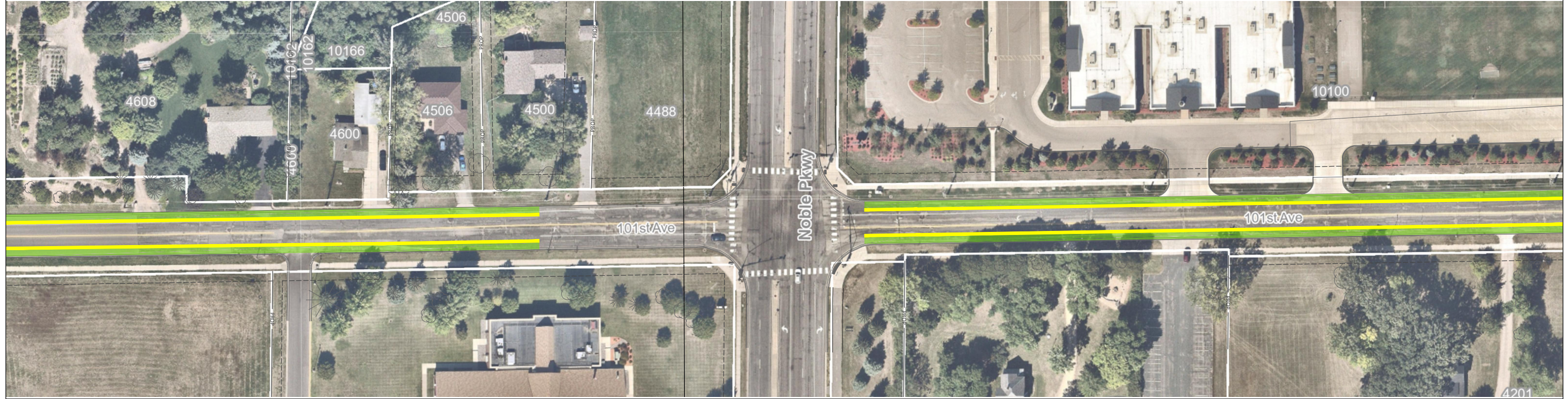
OPTION 2 NO PARKING ON SOUTH SIDE



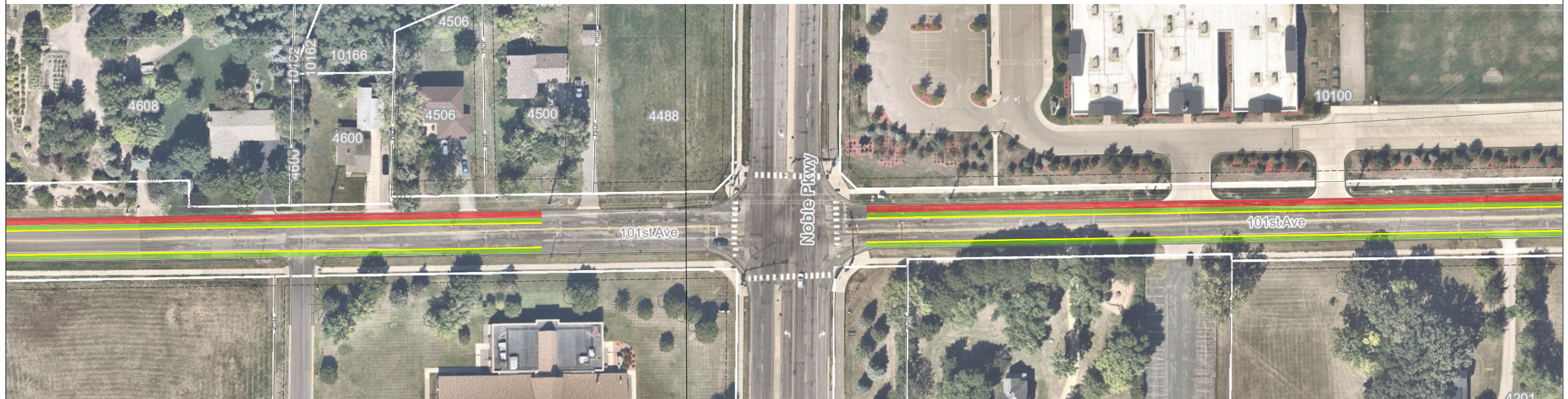
<p>CITY OF BROOKLYN PARK ENGINEERING SERVICES DIVISION</p> <p>Brooklyn Park Unique. United. Undiscovered.</p> <p>5200 85TH AVE. N. BROOKLYN PARK, MN. 55443 PH# 763/493-8100 FAX# 763/493-8391</p>	<p>101ST AVE BIKE LANE OPTIONS ZANE AVE - FALLGOLD AVE</p>	<p>COLOR INDEX</p> <p>■ PROPOSED ON STREET BIKE LANE</p> <p>■ PROPOSED BIKE LANE BUFFER</p>	<p>■ PROPOSED ON STREET PARKING</p>	<p>SHEET 04 OF 06</p>
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OPTION 1 NO STREET PARKING



OPTION 2 NO PARKING ON SOUTH SIDE



CITY OF BROOKLYN PARK
ENGINEERING SERVICES DIVISION

Brooklyn Park
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5200 85TH AVE. N.
BROOKLYN PARK, MN. 55443
PH# 763/493-8100
FAX# 763/493-8391

101ST AVE BIKE LANE OPTIONS
ZANE AVE - FALLGOLD AVE

COLOR
INDEX

- PROPOSED ON STREET BIKE LANE
- PROPOSED BIKE LANE BUFFER

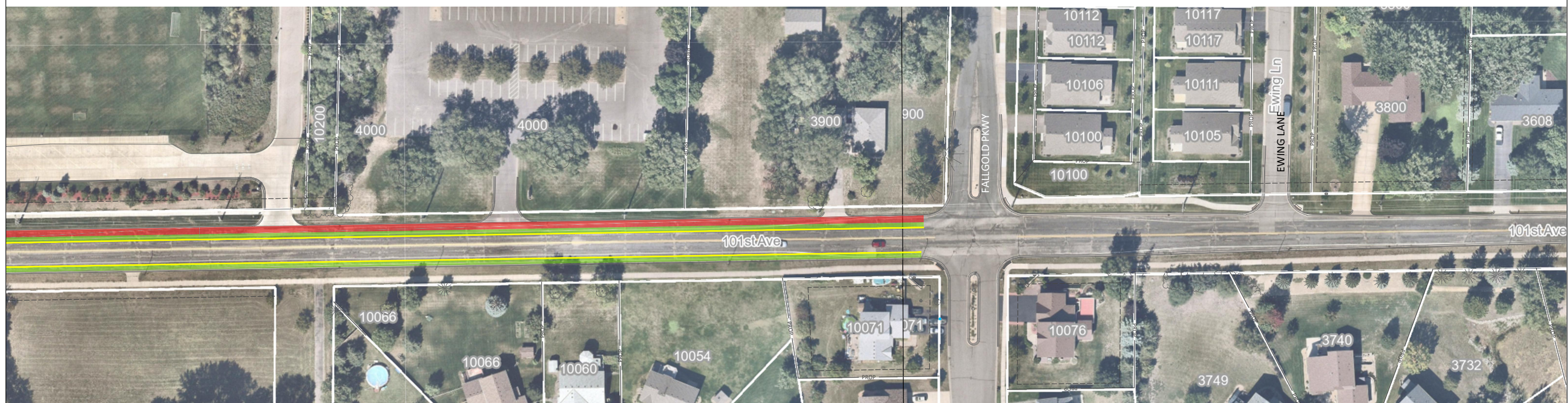
- PROPOSED ON STREET PARKING

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OPTION 1 NO STREET PARKING



OPTION 2 NO PARKING ON SOUTH SIDE



101st Ave Mill and Overlay Project (2025) – Potential No Parking Restriction on one side or both sides of 101st Ave for installation of on-street bike lanes

The City of Brooklyn Park is planning to mill and overlay or reclaim 101st Avenue from Zane Avenue to Butternut Avenue in 2025. The City’s Bike and Pedestrian Plan includes conventional on-street bike lanes along 101st Avenue from Zane Avenue to Fallgold Parkway. These bike lanes will provide connections to additional biking and other recreational opportunities.

Bicycle lanes designate a portion of the roadway for preferential use by people biking. The lanes are defined by painted pavement markings and signage. Bicycle lanes may be located adjacent to curbs or on-street parking. Along 101st Ave, we have adequate existing curb-to-curb width to provide on-street bike lanes, traffic lanes, and either no parking or parking on one side.

City engineering staff will present an action item to the City Council on January 13 to discuss and potentially approve a no-parking restriction on one or both sides of 101st Avenue. The meeting begins at 6:00 p.m. at City Hall. Residents are encouraged to contact their councilmembers before the meeting to share concerns or opinions.

Craig Runnako, the City Construction Engineer and Project Manager for this project, can be reached at 763-493-8109 (office phone/voicemail), 763-238-2685 (text message), or craig.runnako@brooklynpark.org (email).

Please share your opinions about the potential no-parking restriction or on-street bike lane along 101st Avenue between Zane Avenue and Fallgold Parkway with Craig or your councilmembers as soon as possible. To contact your councilmembers, visit www.brooklynpark.org/city-council/.



City of Brooklyn Park Request for Council Action

Agenda Item:	8.1	Meeting Date:	January 13, 2025
Agenda Section:	Discussion Items	Originating Department:	Police
Resolution:	N/A	Prepared By:	Stephanie Heiberger, Administrative Assistant
Ordinance:	N/A		
Attachments:	1	Presented By:	Police Chief Mark Bruley
Item:	Body-Worn Camera Audit Results		

City Manager's Proposed Action:

To present the police department's body-worn camera audit results.

Overview:

An independent audit of the Brooklyn Park Police Department's Portable Recording System (body-worn cameras) was conducted on August 6, 2024. The objective of the audit was to verify the Police Department's compliance with Minnesota Statutes §§13.825 and 626.8473. This audit covers the period of August 1, 2022, through July 31, 2024. No discrepancies were noted in the audit. The purpose of this agenda item is to provide the results of the audit to City Council as required by law.

Primary Issues/Alternatives to Consider: N/A

Budgetary/Fiscal Issues: N/A

Attachments:

8.1A BODY-WORN CAMERA AUDIT REPORT

INDEPENDENT AUDIT REPORT

Chief Mark Bruley
Brooklyn Park Police Department
5400 85th Ave. No.
Brooklyn Park, MN 55443

Dear Chief Bruley:

An independent audit of the Brooklyn Park Police Department's Portable Recording System (body-worn cameras (BWCs)) was conducted on August 6, 2024. The objective of the audit was to verify Brooklyn Park Police Department's compliance with Minnesota Statutes §§13.825 and 626.8473.

Data elements the audit includes:

Minnesota Statute §13.825

- Data Classification
- Retention of Data
- Access by Data Subjects
- Inventory of Portable Recording System Technology
- Use of Agency-Issued Portable Recording Systems
- Authorization to Access Data
- Sharing Among Agencies

Minnesota Statute §626.8473

- Public Comment
- Body-worn Camera Policy

The Brooklyn Park Police Department is located in Hennepin County, Minnesota and employs one hundred seven (107) peace officers. Brooklyn Park Police Department utilized L3 Mobile Vision/Safe Fleet (L3 MVI) BWCs through January, 2023, and Axon BWCs starting January, 2023. L3 MVI BWC data is stored on a local file server and on disk in Property/Evidence. Axon BWC data is stored in Evidence.com. The audit covers the time period August 1, 2022, through July 31, 2024.

Audit Requirement: Data Classification

Determine if the data collected by BWCs are appropriately classified.

Brooklyn Park Police Department BWC data is presumptively private. BWC Data collected during the audit period consisted of both public data and private or nonpublic data. Public BWC data resulted from the discharge of a firearm by a peace officer. Brooklyn Park Police Department had no incidents of use of force that resulted in substantial bodily harm, requests from data subjects for the data to be made accessible to the public, or court orders

directing the agency to release the BWC data to the public.

No discrepancies noted.

Audit Requirement: Retention of Data

Determine if the data collected by BWC's are appropriately retained and destroyed in accordance with statutes.

Brooklyn Park Police Department utilizes the General Records Retention Schedule for Minnesota Cities. L3 MVI BWC data was stored in L3 MVI until burned to disk and placed in Property/Evidence. At the time of audit, no BWC data had reached the agency specified seven-year retention period. At the conclusion of an Axon BWC recording, officers assign meta data, including an Evidence.com category, to the recording. Each Evidence.com category has an associated retention period. Upon reaching its retention date, evidence is systematically deleted. Deletion of the data is captured in the audit trail.

An Evidence Created Report was produced from Evidence.com for all BWC data collected during the audit period. Records from the Evidence Created Report were reviewed, and the date and time the data was created was verified against the deletion date. Each of the records were deleted or maintained in accordance with the record retention schedule. Randomly selected audit trail reports were verified against the Evidence Created Report, and each record was deleted or maintained in accordance with the record retention schedule.

The Brooklyn Park Police Department had received a request from a data subject to retain BWC data beyond the applicable retention period.

The Deputy Chief monitors BWC data for proper categorization to ensure data are appropriately retained and destroyed.

No discrepancies noted.

Audit Requirement: Access by Data Subjects

Determine if individuals who are the subject of collected data have access to the data, and if the data subject requests a copy of the data, other individuals who do not consent to its release must be redacted.

BWC data is available to data subjects and access may be requested by submission of a Brooklyn Park Police Department Body Camera Video Request Form. During the audit period, the Brooklyn Park Police Department had received no requests to view BWC data but did receive and fulfill requests for copies of BWC video from data subjects. Data subjects who had not consented to release of the data were redacted. The request is documented in the records management system Activity Log and the Evidence.com Post Notes. A copy of the request form is maintained in the case file.

No discrepancies noted.

Audit Requirement: Inventory of Portable Recording System Technology

Determine the total number of recording devices owned and maintained by the agency; a daily record of the total number of recording devices actually deployed and used by officers, the policies and procedures for use of portable recording systems by required by section 626.8473; and the total amount of recorded audio and video collected by the portable recording system and maintained by the agency, the agency's retention schedule for the data, the agency's procedures for destruction of the data, and that the data are available to the public.

Brooklyn Park Police Department's BWC inventory consists of one hundred twenty-six (126) devices. An inventory search in Evidence.com detailed the number of recording devices owned and maintained by the agency. The inventory included the device model, serial number, device name, officer assigned to the device, date of last upload, device status, error status, firmware version, warranty date, data last docked, and camera state.

Brooklyn Park Police Department's BWC policy governs the use of portable recording systems by peace officers while in the performance of their duties. The BWC policy requires officers to ensure the BWC is in good working order and operational at the start of their shift. Peace officers noting a malfunction during testing, or at any other time, are required to promptly report the malfunction to their supervisor and obtain a functioning device as soon as reasonably practicable.

Peace officers were trained on the use of BWCs, policy, and statute during implementation. Newly hired officers are trained as part of their field training program.

Officers working on randomly selected dates, and randomly selected calls for service, were verified against the Evidence Created Report and confirmed that BWC's are being deployed and officers are wearing and activating their BWCs. A review of the total number of BWC videos created per quarter and a comparison to calls for service shows a consistent collection of BWC data.

A L3 MVI Media Report, Evidence.com queries, and the Evidence Created Report detail the total amount of BWC data created, stored/maintained, and deleted.

The Brooklyn Park Police Department utilizes the General Records Retention Schedule for Minnesota Cities and agency specified retention periods in Evidence.com. BWC data is fully deleted from the server and Evidence.com upon reaching its scheduled deletion date. Meta data and audit trails are maintained in L3 MVI and Evidence.com after deletion of BWC audio and video. BWC data is available upon request, and access may be requested by submission of a Brooklyn Park Police Department Body Camera Video Request Form.

No discrepancies noted.

Audit Requirement: Use of Agency-Issued Portable Recording Systems

Determine if peace officers are only allowed to use portable recording systems issued and

maintained by the officer's agency.

The Brooklyn Park Police Department's BWC policy states that members are prohibited from using personally owned recording devices while on duty without the express consent of the Patrol Lieutenant.

No discrepancies noted.

Audit Requirement: Authorization to Access Data

Determine if the agency complies with sections 13.05, Subd. 5, and 13.055 in the operation of portable recording systems and in maintaining portable recording system data.

Supervisors conduct monthly random reviews of BWC data to ensure data is being properly categorized and that BWCs are being utilized in compliance with policy.

Nonpublic BWC data is only available to persons whose work assignment reasonably requires access to the data. User access to BWC data is managed by the assignment of roles and permissions in L3 MVI and Evidence.com. Permissions are based on staff work assignments. Roles and Permissions are administered by the Deputy Chief and the Police Technology Specialist. Access to L3 MVI is password protected. Access to Evidence.com is password protected and requires dual authentication.

The agency's BWC policy, BWC Standard Operating Procedures, and Records Maintenance and Release Policy govern the use, access, and release of protected BWC data. Authorized users may access BWC data pursuant to lawful process and in accordance with policy, statute, and the Minnesota Data Practices Act. User access to BWC data is captured in the L3 MVI video log and media chain of custody and in the Evidence.com audit trail. The BWC policy states that any member who accesses or releases recordings without authorization may be subject to discipline.

The Brooklyn Park Police Department has had no security breaches. A BCA CJIS security audit was conducted in November of 2022.

No discrepancies noted.

Audit Requirement: Sharing Among Agencies

Determine if nonpublic BWC data is shared with other law enforcement agencies, government entities, or federal agencies.

The Brooklyn Park Police Department's BWC and Body Worn Camera Standard Operating Procedures Policies allow for the sharing of data pursuant to lawful process and in accordance with policy, statute, and the Minnesota Data Practices Act. Law enforcement agencies seeking access to BWC data submit a written request. Sharing of data is documented in the records management system activity log. A L3 MVI User Activity Report documents access to and downloading of BWC data. An Evidence.com Sharing Audit Report provides documentation of

all electronically shared data.

No discrepancies noted.

Audit Requirement: Biennial Audit

Determine if the agency maintains records showing the date and time the portable recording system data were collected, the applicable classification of the data, how the data are used, and whether data are destroyed as required.

L3 MVI, the L3 MVI Media Report, Evidence.com, and the Evidence Created Report document the date and time portable recording system data were collected and deleted. BWC data collected during the audit period includes both public and private or nonpublic data classifications. The records management system Activity Log, the L3 MVI Video Log and Media Chain of Custody, the User Activity Report, and the Evidence.com audit trail document how the data are used. The Video Log and Media Chain of Custody and audit trails are maintained in both L3 MVI and Evidence.com after deletion of video. The L3 MVI Video Log and Media Chain of Custody and Evidence.com audit trail document each and every action taken from the creation of the recording to its deletion.

No discrepancies noted.

Audit Requirement: Portable Recording System Vendor

Determine if portable recording system data stored in the cloud, is stored in accordance with security requirements of the United States Federal Bureau of Investigation Criminal Justice Information Services Division Security Policy 5.4 or its successor version.

Brooklyn Park Police Department's L3 MVI electronic BWC data is stored on a local file server in a secure location. Access to the server is password protected and requires dual authentication. The server is backed up on optical disk on a continuous basis. BWC data burned to disk is securely stored in Property/Evidence.

Axon BWC data is stored in the cloud. An Axon CJIS Compliance White paper outlines the specific security policies and practices for Evidence.com and how they are compliant with the CJIS Security Policy. Axon has signed the CJIS Security Addendum in all states and has performed statewide CJIS-related vendor requirements in Minnesota. Axon has incorporated the CJIS Security Addendum by reference into the Axon Master Services and Purchase Agreement. Axon maintains signed CJIS Security Addendum certification pages for Axon personnel. Authorized Axon personnel are required to complete Level 4 CJIS Security Training upon assignment and biennially thereafter.

No discrepancies noted.

Audit Requirement: Public Comment

Determine if the law enforcement agency provided an opportunity for public comment before it purchased or implemented a portable recording system and if the governing body with jurisdiction over the budget of the law enforcement agency provided an opportunity for public comment at a regularly scheduled meeting.

The Brooklyn Park Police Department solicited public comment prior to purchase and implementation of the body worn camera program. Public comment was solicited through community meetings on December 15, 2015, and January 5, 2016. The Brooklyn Park City Council held a public hearing at their February 8, 2016, meeting.

No discrepancies noted.

Audit Requirement: Body-worn Camera Policy

Determine if a written policy governing the use of portable recording systems has been established and is enforced.

The Brooklyn Park Police Department has established and enforces BWC policies. The policies were compared to the requirements of Minn. Stat. § 626.8473. The agency's policies include all of the minimum requirements of Minn. Stat. § 626.8473, Subd. 3. The BWC policy is posted on the agency's website.

No discrepancies noted.

This report was prepared exclusively for the City of Brooklyn Park and Brooklyn Park Police Department by Lynn Lembcke Consulting. The findings in this report are impartial and based on information and documentation provided and examined.

Dated: October 7, 2024

Lynn Lembcke Consulting



Lynn Lembcke