Council Study Session
City Hall Council Chambers
September 23, 2019

AGENDA

The City Council requests that attendees turn off cell phones and pagers during the meeting. A copy of the full City Council packet is available to the public. The packet ring binder is located at the entrance of the council chambers.

1. **City Council Discussion of Agenda Items and Questions - 6:15 p.m.**
2. **Miscellaneous**
   a. Schedule Opportunity Site Master Plan Special Work Session
      - Provide feedback to staff regarding dates to meeting to discuss the overall Opportunity Site Master planning process.
3. **Discussion of Work Session Agenda Item as Time Permits**
4. **Adjourn**

Council Study Session

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Meg Beekman, Community Devleopment Director

SUBJECT: Schedule Opportunity Site Master Plan Special Work Session

Background:

Staff is seeking to schedule a special work session with the City Council to discuss the Opportunity Site master planning process and next steps, as well as provide an update on community engagement activities.

Staff is requesting to meet with the City Council to discuss the overall master planning process, the timing and decision points in the process, and vision for the development.

Staff will suggest a number of times and dates for the City Council to consider.

Budget Issues:

Strategic Priorities and Values:

Targeted Redevelopment

CITY COUNCIL MEETING
City Hall Council Chambers
September 23, 2019

AGENDA

1. Informal Open Forum with City Council - 6:45 p.m.

Provides an opportunity for the public to address the Council on items which are not on the agenda. Open Forum will be limited to 15 minutes, it is not televised, and it may not be used to make personal attacks, to air personality grievances, to make political endorsements, or for political campaign purposes. Council Members will not enter into a dialogue with presenter. Questions from the Council will be for clarification only. Open Forum will not be used as a time for problem solving or reacting to the comments made but, rather, for hearing the presenter for informational purposes only.

2. Invocation - 7 p.m.

3. Call to Order Regular Business Meeting

The City Council requests that attendees turn off cell phones and pagers during the meeting. A copy of the full City Council packet is available to the public. The packet ring binder is located at the entrance of the council chambers.

4. Roll Call

5. Pledge of Allegiance

6. Approval of Agenda and Consent Agenda

The following items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the consent agenda and considered at the end of Council Consideration Items.

a. Approval of Minutes

- Motion to approve the following minutes:

- *August 7, 2019 Joint Work Session CC and FC*
- *August 19, 2019 Joint Work Session CC and FC*
- *September 9, 2019 Study Session*
- *September 9, 2019 Regular Session*
- *September 9, 2019 Work Session*

b. Approval of Licenses

- Motion to approve licenses as presented.

c. Resolution Approving Local Water Supply Plan

- Motion to approve the resolution approving the Local Water Supply Plan.

d. Resolution Establishing an Office for the Mayor

- Motion to approve a resolution to establish an office for the mayor.

e. Resolution to Approve an Application to the Metropolitan Council for the Water Efficiency Grant Program

- Motion to approve the attached application to the Metropolitan Council for the water efficiency grant program.

f. Resolution Accepting Feasibility Report and Calling for an Improvement Public Hearing for Improvement Project Nos. 2020-01, 02, 03 and 04, Grandview North Area Street, Storm Drainage and Utility Improvements

- Motion to approve a resolution accepting feasibility report and calling for an improvement public hearing for Improvement Project Nos. 2020-01, 02, 03 and 04, Grandview North Area Street, Storm Drainage and Utility Improvements.

g. Exemption of Sister Cities Commission from City Council Policy (Resolution 96-132)

- Affirm Exemption of the Sister Cities Commission from City Council Policy (Resolution 96-132)

7. Presentations/Proclamations/Recognitions/Donations

a. Resolution Acknowledging Service of Sergeant Corinne Becker

-Motion to approve the resolution recognizing the service of Sergeant Corinne Becker

b. Proclamation Observing Nigeria Independence Day

- Accept a proclamation observing Nigeria's Independence Day

c. Presentation from Mr. Frank Gatlin, Shingle Creek Crossing

- Consider a presentation from Mr. Frank Gatlin, owner and developer of Shingle Creek Crossing, LLC.

8. Public Hearings

a. Resolutions Approving Proposed Modifications to Utility Fee Schedules Related to Delinquent Utility Charges

- Motion to:
- Open the public hearing
- Take public input
- Close the public hearing

- Consider approval of the following resolutions:
- *Resolution adopting 2019 Water Utility rates, fees and charges*
- *Resolution adopting 2019 Sewer Utility rates, fees and charges*
- *Resolution adopting 2019 Storm Sewer Utility rates, fees and charges*
- *Resolution adopting 2019 Street Light Utility rates, fees and charges*
- *Resolution adopting 2019 Recycling Utility rates, fees and charges*

b. Ordinance Adopting a Zoning Amendment Regarding the CC Central Commerce Overlay District - Planning Commission Application No. 2019-014 (Second Reading)

- Motion to:
- Open the public hearing
- Take public input
- Close the public hearing

- Motion to approve a second reading and adopt an ordinance amending Chapter 35 of the City Code of Ordinances regarding uses allowed in the CC Central Commerce Overlay District.

(iii) Motion to approve the resolution for a Summary Publication in the Brooklyn Center Sun Post.

9. Planning Commission Items

a. Recommended Disposition of Planning Commission Application No. 2019-015 for Adoption of a Zoning Amendment Regarding Uses Allowed in the General Industry (I-2) District - First Reading

- Motion to approve a first reading of an ordinance amending Chapter 35 of the City Code of Ordinances regarding uses allowed in the General Industry (I-2) District, and set the second reading and public hearing for October 14, 2019.

10. Council Consideration Items

a. Preliminary 2020 Property Tax Levy and Budget

- It is recommended that the City Council consider approval of two resolutions setting the 2020 preliminary property tax levy and budget:

- *Resolution approving a preliminary tax capacity levy for the General Fund and Debt Service Funds and a market value tax levy for the Housing and Redevelopment Authority for property taxes payable in 2020.*

- *Resolution adopting a preliminary budget for the 2020 fiscal year.*

11. Council Report

12. Adjournment

COUNCIL ITEM MEMORANDUM

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: Approval of Minutes

Requested Council Action:

- *Motion to approve the following minutes:*
  - *August 7, 2019 Joint Work Session CC and FC*
  - *August 19, 2019 Joint Work Session CC and FC*
  - *September 9, 2019 Study Session*
  - *September 9, 2019 Regular Session*
  - *September 9, 2019 Work Session*

Background:

In accordance with MN Statute 15.17 and MN Statute 412.151, subd.1, attached for your approval are the minutes from the study session, regular session and work session.

Budget Issues:

None

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
August 7 Joint Worksession	9/17/2019	Backup Material
August 19 Joint Worksession	9/17/2019	Backup Material
September 9 Study Session	9/18/2019	Backup Material
September 9 Regular	9/17/2019	Backup Material
September 9 Worksession	9/17/2019	Backup Material

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL/FINANCIAL COMMISSION
OF THE
CITY OF BROOKLYN CENTER IN THE
COUNTY OF HENNEPIN AND STATE OF MINNESOTA

JOINT WORK SESSION
AUGUST 7, 2019
CITY HALL – CITY COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council/Financial Commission Joint Work Session was called to order by Mayor Elliott at 6:30 p.m.

ROLL CALL

Mayor Mike Elliott and Councilmembers April Graves, Kris Lawrence-Anderson and Dan Ryan. Also present were Financial Commissioners David Dwapu, Tia Hedenland, Abate Terefe, and Dean Van Der Werf. Also present were City Manager Curt Boganey, Deputy City Manager Dr. Reggie Edwards and Director of Fiscal & Support Services Nate Reinhardt, Director of Community Activities, Recreation and Services Jim Glasoe, and City Clerk Barb Suciu.

APPROVAL OF AGENDA

There was a motion by Councilmember Ryan and seconded by Councilmember Lawrence-Anderson to approve the agenda as submitted. The motion passed.

DEPARTMENT REVIEWS

Mayor Elliott stated this evening's meeting would include a review of two City departments: Community Activity, Recreation, and Services (CARS) and Administration.

City Manager Curt Boganey stated the Administration budget has historically included funding for the Mayor and City Council, but for this discussion, those budgets are not included. He added Mayor Elliott had expressed an interest in providing additional information regarding the Mayor's Office budget. He noted department level requests would be reviewed, which may not be reflected in the final budget.

COMMUNITY ACTIVITIES, RECREATION AND SERVICES (CARS)

Director of Community Activities, Recreation and Services (CARS) Jim Glasoe reviewed the mission and goals of this department, including recreation and community center programming, and creation of a sense of community and quality of life for the City's residents and employees. This includes maintenance of government buildings and provision of quality, efficient services.

Mr. Glasoe stated no changes in full-time staffing or budget requirements is anticipated. CARS initiatives are inclusive community engagement and equitable support for Brooklyn Center's youth, including the BrookLynk program internships, expansion of "Rec on the Go" and low and no-cost programs.

Councilmember Lawrence-Anderson asked whether maintenance of the newly approved liquor store facility will be included in the CARS budget. Mr. Glasoe stated that would be included in the Liquor budget and included in the capital forecast for building repair and replacement as well as custodial maintenance.

Mr. Glasoe stated a programming survey is planned for next year, to track data related to several households participating in programs, whether programs meet residents' needs and customer satisfaction ratings. Another survey component tracks maintenance work orders that are processed within 15 days, which was 82% in 2019.

Mayor Elliott asked whether there is data regarding several times a participant takes part in a program, to determine the percentage of repeat customers. Mr. Glasoe stated the survey software offers many different reporting capabilities. He added, for instance, how many participants registered for classes and how many they attended.

Mayor Elliott requested a report that tracks participation rates of community recreation programs.

Councilmember Graves asked whether only Brooklyn Center households that participate in programs can be tracked. She added she would like to see data regarding people from communities other than Brooklyn Center. She noted most cities charge a higher programming fee for non-residents. Mr. Glasoe stated there is some capability to pull that type of information, except for general admission users. He added data is captured whenever someone registers for a program.

Mr. Glasoe stated the community center is shut down each year for maintenance and replacement of equipment and furnishings. He added one of two pool vacuums is replaced each year.

Mr. Glasoe stated CARS is moving toward expanding equitable access by offering additional low and no-cost programs. He added a 4.2% increase in requests is attributable to the expansion of the "Rec on the Go" program for the entire school year.

Mr. Boganey asked where "Rec on the Go" will be held, and whether participation and registrations are being tracked. Mr. Glasoe stated the program would be held in the fall on Tuesdays at Lions Park from 2:30-4:00 p.m. and Garden City from 4:30 – 6:00 p.m.; and on Thursdays at the Firehouse from 2:30 – 4:00 p.m. and North Port from 4:30 – 6:00 p.m. He added daily counts are taken to keep track of youths who participate, and most of them come regularly.

Deputy City Manager Reggie Edwards asked how many youths are served at the parks on any given day, and which park has the greatest use. Mr. Glasoe stated it depends upon the weather and if other things are going on in the community. He added there are typically 12-30 youths participating in each session.

Mr. Glasoe stated there is some continued allocation for limited free exercise programming for adults, that is always well-attended and appreciated. He added adult leagues are planned for softball, volleyball, and basketball.

Councilmember Graves asked whether there is youth soccer programming. Mr. Glasoe confirmed this, adding soccer is one of the most popular and requested youth programs.

Mr. Glasoe stated it is hoped that the teen open gym activities will be expanded to two nights per week, in cooperation with the Police Department and the high school.

Mr. Glasoe stated community center memberships at different levels are being considered, that would include additional programming for a higher membership fee. Councilmember Graves stated she would support an option like that.

Mr. Boganey asked whether there is an adult soccer league, as that is something that should be explored. Mr. Glasoe stated that has been explored and can be reviewed again. He added groups of adults who want to play soccer generally don't want to pay a registration fee to get organized.

Mr. Boganey stated there might be a way the City can play a role in supporting the process of setting up a league that is a departure from the traditional registration model.

Mr. Glasoe stated the City had received annual funding of approximately $5,000 from the U.S. Swimming Association to provide free swimming lessons. He added that the organization has indicated they will increase their funding allocation to provide free lessons for more youths.

Councilmember Graves stated she understood there was a problem with hiring qualified instructors. Mr. Glasoe confirmed this, adding it there has been a decrease in swim revenues as due to insufficient staffing. He noted free lifeguard training certification classes are being considered.

Commissioner Terefe asked whether there are programs for senior citizens as well as youths. Mr. Glasoe stated programs for senior citizens are very popular, including luncheons, card groups, seminars, and day trips. He added some activities are in connection with other neighboring communities.

Mayor Elliott stated senior yoga is very popular. Mr. Glasoe agreed, adding there is a very active senior exercise contingent at the community center. He added the facility is certified by Silver Sneakers, Silver 'n' Fit, and Medicare as well as other insurance reimbursement programs.

Mr. Boganey stated additional feedback and information could be provided by City Staff to indicate which programs are self-supporting and which are not, how much of a gap exists, and what portion of costs are paid for by taxes and fees respectively.

Mr. Glasoe stated three culturally specific Open Houses were held in 2018 in connection with Hennepin County to improve communication with cultural communities. The Open Houses were focused on the City's West African, Latino, and Southeast Asian populations. He added one of the roles of the Community Liaisons is to provide additional information on programs and services, including the registration process and scholarship opportunities. This information is communicated in the newspaper, on the radio, and social media.

Councilmember Graves asked how many people came to the open houses. Mr. Glasoe stated each open house had between 12-30 families.

Councilmember Graves asked whether the community engagement staff come together to collaborate on their outreach efforts. She added there is a need for a more comprehensive approach to community engagement. Mr. Glasoe stated community liaisons had been hired in the past for this type of work, but now City Staff is doing outreach.

Councilmember Graves stated she uses the community center sauna, and it needs to be better maintained and cleaned. Mr. Glasoe stated a contractor cleans the facility regularly. He added the feedback is helpful.

Mayor Elliott requested clarification regarding budget items for teen programs. Mr. Glasoe stated that is related to open gym activities at the high school, which the City hopes to expand from 1 night a week to 2 nights a week, in partnership with the Police Department and School District.

Councilmember Ryan stated he supports the expansion of youth programming to whatever extent possible. He added City Staff should be aware of funding and grants.

Mr. Glasoe stated it is difficult to do programming for teens, as many programs are not considered acceptable to them. He added it is hoped that this will be an area of growth, although it is difficult to get information out to teens except by word of mouth. He noted some youth programming could be done with neighboring communities, including "sports sampler" programs that will be offered to encourage youths to try new sports.

Councilmember Ryan stated basketball is good for teens, and leagues and tournaments are easy to plan and fill as teams are small. He added a partnership with the high school might be a possibility. He asked whether the Timberwolves organization is planning a visit this year. Mr. Glasoe confirmed this, adding they do their community outreach during the NBA off-season.

Mr. Glasoe stated youth sports registration process would be streamlined, which will assist in gathering information. City Staff is working with Brooklyn Bridge Alliance on that effort.

Mayor Elliott stated the City Council could work with the Parks and Recreation Commission to identify capital improvement projects moving forward.

Mayor Elliott asked whether the skating rinks are used. Mr. Glasoe stated they are not used as much as they were in the past. He added some residents play hockey and do indoor winter training. He noted CARS is looking at ways to change the dynamic to appeal to a different audience.

Mr. Glasoe stated transportation and cost are barriers to participation. He added there had been many requests for more family-inclusive activities.

Mayor Elliott stated the City is fragmented into sections by major roadways. He added a centralized service model might be helpful. Mr. Glasoe stated there were programs in every park 30 years ago, using a mobile van. He added City Staff is considering options related to recreation programs that can be offered throughout the City, and not just at the community center.

Councilmember Graves asked whether City Staff is tracking attendance at the Entertainment in the Park events, to see which acts have the best turnout and how many people attend. She added she was pleased to see some performers that she had never seen before and the excellent turnout. Mr. Glasoe stated attendance numbers for each event are tracked by staff. He added a committee of residents identifies potential performers and acts, to provide a good cross-section of musical styles and genres. He noted Salsa Del Soul would be performing on August 20, 2019, and hopefully, a food truck will be there.

ADMINISTRATION

Deputy City Manager Reggie Edwards stated he serves as Director of the Administration Department, providing organization, efficiency, and structure to City operations. He added there are four units within this Department: Communication and Engagement, IT, Human Resources, and the Office of the City Clerk. The office of the City Manager also falls under this Department. The Communication and Engagement division was founded within the past two years to focus on the City Council's directive of inclusive engagement and improved communication.

Dr. Edwards stated the priorities for Administration are the build-out and pursuit of engagement and building capacity in these areas. He added three part-time positions are being proposed as well as a full-time Engagement staff member. He noted a part-time Human Resources staff person is proposed. The IT Department has three staff members, and the Clerk's office has three staff members.

Councilmember Ryan asked whether the addition of a full-time employee would be reflected as two half-time staff in two different departments. Dr. Edwards stated that it had been done in the past. He added the communication capacity must be fully implemented so that the full-time employee would be in the Communications area.

Commissioner Dwapu asked whether IT operations is anticipated to increase. Dr. Edwards stated a half-time position is proposed for IT for building capacity to support Brooklyn Center's growing community and increases in technology. He added City Staff works with LOGIS and City Staff is very knowledgeable.

Councilmember Graves stated there was confusion recently when National Night Out was canceled, and this was not communicated to various neighborhood groups, although it was on the Facebook page. She added Angel Smith and the Police Department took care of it, but another staff member should have been more proactive about getting that information to residents.

Mr. Boganey stated policies and procedures would be more readily shared between the Communications and Community Engagement divisions so that there will not be misunderstandings or miscommunication in certain circumstances.

Dr. Edwards stated the City Clerk's office is focused on providing customer service as part of the Strategic Plan. The City Clerk's office ensures that operations run smoothly and consistently, as well as ensure accurate retention of records, policies, and laws.

Dr. Edwards stated the Human Resources Department is focused on improving productivity and staff retention. He added there are currently three staff members: the HR Director, a payroll specialist, and a recruitment and hiring staff member. The Human Resources Department is responsible for negotiations with the four labor units within Brooklyn Center.

Dr. Edwards stated the Communication and Community Engagement Division, in its 2nd year, has a staff of four Community Liaisons who work approximately 9 hours per week. He added it is difficult for these staff members to plan and also engage residents with such few hours. He noted the focus is on providing resources for them, as well as a fund for each neighborhood for events and functions.

Mr. Boganey stressed the importance of consistency in empowering residents to become engaged in the community, and empowering staff by assuring there is a value around engagement throughout the organization. He added the goal is to ensure that every department is focused on community engagement and providing tools, technology, philosophy, and values.

Councilmember Graves agreed that when people are engaged, they bring their ideas and inspirations, and they feel valued, and their ideas matter and will be put into action. She added they would feel more willing to be connected to other engagement opportunities.

Dr. Edwards stressed the importance of providing training and development in the areas of community engagement and multi-cultural experiences. He added communication with various communities, how they get their information, sources, gatherings, are all areas for involvement by City Staff.

Dr. Edwards stated a staff management team had visited businesses and organizations, including the global market and CEAP, to gather information. He added learning about their customers, who shop there, why they shop there, and what this can mean for Brooklyn Center, is effective in building connections. People have said it was the first time they had felt that they mattered, and they were heard.

Councilmember Ryan stated he is pleased to hear about community engagement efforts, and he appreciates Mr. Edward's enthusiasm.

Councilmember Ryan stated he has heard from many residents that there should be a visible and obvious place on the City website where official notices can be placed, so residents can easily access information somewhere other than the newspaper.

Dr. Edwards stated there is an RFP for redesigning the website, making it simpler and including content that residents want to see.

Councilmember Ryan stated efficiency and accessibility are important, but he has heard residents say the website is good. He added the content is there, and there are ways to search for information.

Commissioner Terefe stated most companies are moving to cloud-based IT, which is more cost-efficient but requires additional staff for maintenance. He added it is something to consider.

Dr. Edwards stated cloud-based technology is a goal but there is concern regarding security and risk.

Dr. Edwards stated three elections are coming up, and funding is set aside for election judges. He added that it is not an annual item, and the increase is due to elections.

Dr. Edwards stated a full-time Community Engagement Specialist is recommended to coordinate and manage this process. He added many Liaisons have quit because of the lack of hours.

Dr. Edwards stated a half-time IT Technician is recommended to provide more effective customer service.

Councilmember Lawrence-Anderson stated she participated at a recent CEAP event, and the Director expressed an interest in having the City Council get involved. She added that it would be a good way to engage with the public.

Councilmember Graves stated she had had experience with CEAP that was not positive. She asked whether they have changed their format.

Mr. Boganey stated the Executive Director is new, having been there for not more than four years. He added there might have been some changes.

Mayor Elliott confirmed there had been changes, including a focus on customer service and easy access.

Councilmember Lawrence-Anderson stated she would support finding some dates that would work for a community engagement event at CEAP.

ONLINE SURVEY

Mr. Boganey stated City Staff are considering using POLCO, the City's online survey tool, to obtain public input on the budget process. He asked for feedback and direction on whether the questions are acceptable, or if there are any that should be removed or added.

Dr. Edwards stated there are 437 people already registered in the POLCO pool. Mr. Boganey stated POLCO does not provide demographic information other than precinct, age, gender, resident or non-resident, a registered or non-registered voter.

Councilmember Ryan stated demographic information is helpful. He added there could be an age bias as many older folks may not use the survey's online format. He noted it is important to know if

people are residents and if they are non-residents, whether or not they are stakeholders, like business owners, managers, or employees.

Mr. Boganey stated it is possible to sort the data into residents, non-residents, and which City they are registered to vote in.

Councilmember Graves asked whether people could select more than one option. Mr. Boganey stated the survey had not been set up yet, but there is the capability to do that.

Councilmember Graves stated, for "Born and Raised in the US," there could be two different answers.

Councilmember Graves stated, under "Gender," there should be a third option or the option for "Other" or "Neither."

Councilmember Graves stated she likes that there is an option for "other," so people can enter their own answer.

Mr. Boganey stated the degree of variance is statistically valid once a certain threshold of participants is reached.

Councilmember Ryan stated it is up to the City Council as to how they want to use the data. Mr. Boganey agreed the data should not be used for decision-making. Mayor Elliott stated this is a self-selective group.

Councilmember Graves asked whether the officers that are listed are CSO's. Mr. Boganey started they are licensed, Police Officers. Councilmember Graves stated it would be good to see some diversity in the Police Department leadership. Mr. Boganey stated that is something they are trying to achieve.

ADJOURNMENT

There was a motion by Councilmember Ryan and seconded by Councilmember Lawrence-Anderson to adjourn the meeting. The motion passed. The Brooklyn Center City Council/Financial Commission adjourned at 8:48 p.m.

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL/FINANCIAL COMMISSION
OF THE
CITY OF BROOKLYN CENTER IN THE
COUNTY OF HENNEPIN AND STATE OF MINNESOTA

JOINT WORK SESSION
AUGUST 19, 2019
CITY HALL – CITY COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council/Financial Commission Joint Work Session was called to order by Mayor Elliott at 6:30 p.m.

Mayor Elliott stated tonight's meeting would include budget presentations from three City Departments: Community Development, Public Works and Finance.

ROLL CALL

Mayor Mike Elliott and Councilmembers April Graves and Dan Ryan. Also present were Financial Commissioners David Dwapu, Tia Hedenland, Taneshia Kragness, and Abate Terefe. Also present were City Manager Curt Boganey, City Planner Meg Beekman, Director of Fiscal & Support Services Nate Reinhardt, and Public Works Director Doran Cote.

APPROVAL OF AGENDA

There was a motion by Councilmember Ryan and seconded by Councilmember Graves to approve the agenda as submitted. The motion passed.

COMMUNITY DEVELOPMENT DEPARTMENT

Community Development Director Meg Beekman reviewed strategic priorities and highlights in 2019 and the requested budget for 2020. She added the mission of the Community Development Department is to preserve and enhance the quality of life for residents and businesses. The Department guides the development of the city and balances issues related to planning, designing, and providing business assistance. Strategic priorities include targeted redevelopment, as well as the importance of a safe, secure and stable community and resident economic stability.

Ms. Beekman stated the Department has 16 staff members, in a mix of part-time and full-time staff, including seasonal summer interns that assist with Code enforcement as well as Brooklynk Program interns. The Department's primary functions include a building and construction regulatory program; permitting and inspections; administration of the rental licensing program; property maintenance; vacant buildings; ownership services and homeownership programs. Also included in Community Development are planning and zoning services, Economic Development Authority programs, business retention, and workforce development.

Councilmember Graves asked whether if there is staff designated for specific roles. Ms. Beekman stated Business and Workforce Development Specialist Brett Angell focuses on business retention and supports EDA activities and strategic acquisitions. City Planner and Zoning Administrator Ginny McIntosh focus on day-to-day planning activities. Deputy Director Jesse Anderson manages all issues related to the HRA, housing program, Department administration and activities related to rental programs and permits.

Ms. Beekman stated Housing and Community Standards Supervisor Xiong Thao oversees licensing and Code Enforcement programs. Dan Grinnsteiner is the City's Building Official.

Ms. Beekman stated the Planning and Building areas have been extremely busy over the last 12-18 months. The City had just over $77 million in building permit activity in 2018, and permit activity revenue in 2019 is going in the same direction, with $44 million years to date in project valuation.

Ms. Beekman stated the City's rental program is a performance-based licensing program, with inspections performance and coordination of Association of Responsible Managers meetings, held every other month for all apartment managers. She added this is an effective way to receive and resolve tenant complaints regarding Code violations and investigate unlicensed rental properties. She noted the rental licensing program is nationally recognized for its innovation and efficiency.

Councilmember Graves asked whether there is an informational review with details regarding Type 4 rental licenses. Ms. Beekman stated the program was adjusted last year to change provisional licenses to 6 months, but it is too soon to find a pattern or provide helpful data. She added the goal is to reduce the number of Type 4 licenses.

Ms. Beekman stated City Staff undertakes a few different Code Enforcement programs – both complaint-based and weekly "sweeps." She added an abatement program is used with guidelines for regulations for non-compliance.

Mr. Boganey stated abatements are a last resort as they require immediate resolution by the City. Ms. Beekman agreed, adding the City's inspectors do a great job of assessing Code Enforcement situations.

Ms. Beekman reviewed the "knock and talk" Code Enforcement engagement program, which gives residents time and resources to address Code violations before a citation is issued. She added the average number of days that property is out of compliance had dropped significantly, from 46 days in 2014 to 9 days in 2019.

Councilmember Ryan stated he appreciates hearing about this engagement program. He added many residents had expressed their appreciation of City Staff's handling of Code violations.

Mayor Elliott asked whether there is a cost-saving associated with this program. Ms. Beekman stated City Staff had not calculated a dollar amount, but there is a significant reduction in the amount of Staff time spent on this issue is a qualitative cost-saving, as well as community image improvement. She added she could calculate estimated cost savings for the City Council's review.

Mr. Boganey stated this approach to customer service has a profound effect on the way residents perceive the City and its employees.

Councilmember Ryan asked whether it is possible to figure out an annual cost for a curbside clean-up. He added many residents would like to see an annual clean-up. Mayor Elliott agreed with that suggestion.

Ms. Beekman stated the vacant building program was started in 2009 when there was a high number of foreclosures due to the recession. She added approximately 20% of the single-family housing stock experienced foreclosure. She noted maintenance of vacant properties is addressed by this program, including regular inspection by a Code Enforcement Officer and stringent compliance with regulations.

Ms. Beekman stated the former Sears and Earle Brown Bowl sites both take up a lot of Staff time and energy, as well as the former Target and Norwood Inn sites. They have all experienced water main breaks, flooding, vandalism, and break-ins, except Target. She noted the vast number of properties are single-family homes that are brought up to Code because of this program.

Ms. Beekman reviewed Community Development Department activities and achievements to date: 14 planning applications received so far in 2019; the 2040 Comprehensive Plan was adopted; Opportunity Site agreement with Alatus Developers; continued work on master planning for the Opportunity Site; redevelopment is underway at the former Jerry's Foods site; Centra Homes 30-lot subdivision planned at Eastbrook Estates; approval of a preliminary plat for a single-family home at 5355 Emerson Avenue; and preliminary agreements for commercial development at 1601 James Circle and Brooklyn Boulevard at 61st Avenue.

Ms. Beekman stated, concerning economic development, many events and opportunities have been or are being planned: the Saturday Market had its second year with 137 vendors and approximately 1,000 attendees at four events. The City has an option agreement on the Target property, and due diligence is being completed. A joint Financial/Planning Commissions meeting is scheduled for August 29 to review the draft master plan for the Opportunity Site. The Economic Development Authority (EDA) acquired a variety of properties and received over $900,000 in grant funding to support planning activities. Staf has prepared information for distribution to local businesses.

Ms. Beekman stated other development activities include: adoption of a backyard chicken ordinance, a beekeeping Ordinance; an amended rental licensing ordinance, which will hopefully result in a reduction of Type 4 licenses; adoption of a tenant protection ordinance that has been used since it was adopted; development of a rental housing brochure and tenant resources packet; and the commercial "Eat and Meet" brochure was updated; hired a new Building Inspector; and implemented Bluebeam software, which is an electronic plan review process.

Ms. Beekman stated the Community Development Department requested increase is related to staffing. She added there were reductions in the supplies budget, and professional services maintained at the same level. She added a 14.75% increase, or $231,000, is requested.

Ms. Beekman stated a request for a software purchase for 2020 that will increase the Department's ability to provide improved customer service. This software would replace the current licensing and permits software and is a fully integrated system that would be more user-friendly and allow customer interface. The permit software would be integrated with Bluebeam planning software so contractors and residents will be able to submit building plans electronically. The one-time fee for the new software would be $61,000 to initiate the new system, and the recurring annual fee would be the same as the current software.

Mayor Elliott asked whether residents can still submit permit applications on paper. Ms. Beekman confirmed that it will be an option for residential permits.

Ms. Beekman stated tenant protection would be built into the rental program starting in fall 2019. She added this would help improve communication with renters. She noted mailing costs would increase the annual printing budget to accommodate that.

Ms. Beekman stated the International Property Maintenance Code (IPMC) is being reviewed for adoption by the Housing Commission, and the goal is to adopt it before the end of 2019 for use in place of the property maintenance code currently used by the City.

Ms. Beekman stated the Zoning Code is being re-written to ensure implementation of the 2040 Comprehensive Plan. She added this would also enable development strategies and visioning processes for development projects including the Sears site.

Ms. Beekman stated, concerning HRA and housing, CDBG allocations are being reviewed, and a down payment assistance program has been created. She added the intention is that the program will be expanded along with the City's relationship with Center for Energy and Environment. She noted the new permit software would help streamline the entire process.

PUBLIC WORKS DEPARTMENT

Public Works Director Doran Cote stated the Public Works Department is responsible for the maintenance and operations of the City's infrastructure, including 100 miles of streets, 5,000 traffic signs, over 500 acres of natural spaces, and 62 miles of trails and sidewalks. He added no change in staffing levels is proposed. He noted the Department's strategic function is the administration and budgeting of CIP work, infrastructure planning, and responsibility for the State Aid street system.

Mr. Cote stated the City's streets are repaired and patched, and maintenance crews sweep the streets year-round. He added the sweepers could cover every mile of the city in approximately five days, and there is always one sweeper out on the City's streets. Maintenance staff is responsible for snow and ice control operations, boulevard tree trimming; tree removals, city streetscape, traffic control signs and signals, and pavement markings.

Councilmember Graves asked whether Public Works staff communicate with Hennepin County staff when tree trimming is necessary on County roads. Mr. Cote stated City Staff try to communicate with County staff as necessary, but it is not often the case that they are available.

Mr. Cote stated Maintenance staff is also responsible for parks facilities, ball fields, tennis courts, and ice rinks, as well as tree trimming and parks reforestation.

Mayor Elliott asked whether the use of ice rinks have decreased, and how much funding goes into maintaining the ice rinks. Mr. Cote stated the ice rinks have declined in popularity, and City Staff is reviewing this issue with the new Parks supervisor to see if this is a viable use, or if it should be reduced.

Mr. Cote stated the Emerald Ash Borer remediation program would begin during the Winter of 2019-20. Mayor Elliott asked whether the only solution is to remove infested trees. Mr. Cote stated treatment would only delay an infested tree's inevitable decline.

Mr. Cote stated, concerning streets performance, the City's street rating average is 7 out of 10. He added the target value is 8, which is attainable through the CIP.

Mayor Elliott asked what type of streets fell into the "poor" category. Mr. Cote stated some streets were borderline last time they were rated, and this time they dropped a few points. He added these streets are in next year's reconstruction area, for the most part. Noted streets in the "poor" category are more difficult and expensive to maintain. He noted that technology has improved, and streets last longer, so it is not necessary to change the 30 years.

Mr. Cote stated the Public Works Department is requesting an 8% increase over last year's budget. He added a new Engineering Technician was hired with City Council approval. He noted the budget included a vehicle which was removed from the budget and added to the 2020 budget.

Mr. Cote stated Parks Maintenance would like to acquire a more powerful vehicle for a total of about $7,000.

Mr. Cote stated a Maintenance position would be carried forward to the 2021 budget to augment existing staff in waste removal, streetscape and parks maintenance, and mowing.

Mr. Boganey stated Maintenance staff have experienced a significant workload, and it is unrealistic to try to maintain streetscapes and facilities maintenance at current staff levels.

Commissioner Kragness asked what the cost will be for the Parks position. Mr. Reinhardt stated that position is budgeted for approximately $90,000.

Commissioner Terefe asked whether vacant commercial properties like the Target store could be used for an interim purpose, like a school program or local start-up.

Ms. Beekman confirmed the vacant building program applies to residential and commercial properties, which must be registered and monitored. She added the Sears site is the most prominent such property, which requires a significant amount of attention and maintenance from City Staff. She noted the vacant building program requires onsite management, and the City Staff they have indicated they want to work with the City.

Ms. Beekman stated the EDA had discussed the possibility of purchasing the Target site. She added the School District is leasing the Brown College space for temporary classrooms while the high school is under construction. She added the City amended the Ordinance to allow the School District to use the site temporarily. She noted City Staff are discussing the best use for that site, which is a great spot for redevelopment.

Mr. Boganey asked for an update on the old Wells Fargo building on Brooklyn Boulevard. Ms. Beekman stated Development staff have met with representatives of Old National Bank, who have plans to purchase the Wells Fargo building. She added this bank has a "minority-majority" program that uses census tracking to determine areas where the majority population has minority status and may require additional assistance to purchase a home.

Ms. Beekman stated the new owner had expressed an interest in the city's CDBG home buyer program. She added they would like to discuss these and other programs with the City.

FINANCE DEPARTMENT

Finance Director Nate Reinhardt reviewed the existing functions of the Finance Department, which currently has six staff members: financial reporting and coordination of the City audit; utility billing; and property insurance. He added there are no proposed staffing changes for 2020.

Mr. Reinhardt stated key initiatives for 2020 include the development of a financial plan for the Opportunity Site; continued community development and improved customer relationships; and increased process efficiency in utility billing.

Mr. Reinhardt stated the City's bond rating of Double-A or better is an excellent rating for Brooklyn Center.

Mr. Reinhardt stated the implementation and encouraged the use of the new utility billing software has improved returns and provides data on other cities that use the same software. He added Brooklyn Center is on the high end for utilization, and the software saves staff time and makes it easier for customers to pay their utility bills. He noted residents could receive text notifications with billing options, including how to pay and when their bill is due.

Mr. Boganey stated the data is impressive, and the financial situation is extremely competitive. He added the bond rating of Double-A is excellent. He commended Mr. Reinhardt and his staff for their hard work.

Mayor Elliott requested clarification regarding payroll percentages. Mr. Reinhardt stated that the figure is not available as payroll goes through a separate Auto-Pay system processed by the bank.

Mr. Reinhardt stated additional funding for programs is allocated to Brooklyn Bridge Alliance, Brooklynk, Vocational Restoration Services, Cornerstone Domestic Violence Resource Program, and Immersion programs.

Mayor Elliott stated he attended Brooklynk annual gala event and learned some statistics about the program. He added 100% of the student participants graduate from high school, and 80% go on to graduate from college. He added statistics are proof that funding these partnerships is important. He noted the City Council should receive this type of information on an annual basis.

Mr. Boganey agreed to contact these organizations and invite them to give a presentation at an upcoming City Council meeting. He added the Convention and Visitor's Bureau should be included in that list as they have not provided an update to the City Council for several years.

Commissioner Kregness stated it would be helpful for Commissioners and Councilmembers to know ways that they can support these organizations, through volunteerism and involvement, and to get more information about their programs.

Councilmember Ryan stated the Convention and Visitor's Bureau receives annual statutory funding of $554,000 that does not affect the levy, and City Staff attends their Board meetings. He added the City Council should be aware of what the Bureau is doing for the City of Brooklyn Center. He noted a Councilmember could attend their Board meetings as well. Mayor Elliott agreed.

Ms. Beekman stated one of the focuses of Community Development's Business Retention and Expansion Program is to go out and meet with businesses, hotels, and tourism outlets. She added hotels and tourism are considered a City export, as the City produces more lodging than the residents of Brooklyn Center can consume.

Councilmember Graves stated she would support having presentations for the City Council scheduled at Regular Meetings from Northern Star and Cornerstone. She added these organizations could potentially have a big impact on the community.

Mr. Reinhardt stated the City received a Double-A rating from Standard & Poor, which is a high rating. He added they review policies and procedures, effective program management, and strength of the local economy.

Commissioner Abate asked for clarification regarding the Brooklynk Program.

Mr. Boganey stated several City Staff and the Mayor serve on the Executive Board, as well as committees, and Brooklynk administration is located in the City of Brooklyn Park. He added, however, Brooklyn Center and Brooklyn Park both run the programs. He noted he and Ms. Beekman serve on the Brooklynk Steering Committee.

Mr. Boganey stated the youth of Brooklyn Center are served by the Cornerstone program, as well as Northern Star Juvenile Diversion Program.

Councilmember Ryan asked whether the Northern Star Program is operated jointly with Hennepin County. He added Northern Star is a program that diverts youth away from the juvenile detention system.

Mr. Boganey stated Hennepin County has its juvenile diversion program.

Mr. Boganey stated, concerning Mr. Reinhardt's report, a Double-A rating is an excellent result. He expressed his appreciation to the Financial Commissioners and City Council for the policies and guidance they have adopted which ensure that the City stays within budget.

ADJOURNMENT

There was a motion by Councilmember Ryan and seconded by Commissioner Graves to adjourn the meeting. The motion passed. The Brooklyn Center City Council/Financial Commission adjourned at 8:52 p.m.

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF BROOKLYN CENTER IN THE COUNTY
OF HENNEPIN AND THE STATE OF MINNESOTA

STUDY SESSION
SEPTEMBER 9, 2019
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council met in Study Session called to order by Mayor Mike Elliott at 6:00 p.m.

ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Director of Fiscal & Support Services Nate Reinhardt, Director of Public Works Doran Cote, Business and Workforce Development Coordinator Brett Angell, Police Chief Tim Gannon, Deputy Director of Building and Community Standards Jesse Anderson, City Attorney Troy Gilchrist, and Mary Mullen, TimeSaver Off Site Secretarial, Inc.

CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

City Manager Curt Boganey requested that Agenda Item 7a, Recognition for Retiring Sergeant Corinne Becker, be removed from the agenda and added to the City Council's next Regular Meeting Agenda. The City Council agreed.

MISCELLANEOUS

Walgreen's Parking Lot at 6930 Brooklyn Boulevard

Councilmember Lawrence-Anderson stated she received a call from a resident with complaints about garbage in the Walgreen's parking lot at 6930 Brooklyn Boulevard. She added the resident indicated that she spoke with the Walgreen's manager who was dismissive. She noted the manager said a cleaning crew comes in the evening.

Mr. Boganey agreed to alert the Code Enforcement staff and have them look into this situation.

Metro Cities General Government and Transportation Committee Update

Councilmember Ryan stated he attended Metro Cities General Government and Transportation Committee meeting in St. Paul that morning. He added he plans to attend the last of 3 Policy Committee meetings on Wednesday, related to housing and economic development. He agreed to provide additional information to the City Council.

Introduction of Student
Councilmember Butler introduced her niece, Avianna, who was in the audience for a school assignment.

BP Gas Station Sign at 6044 Brooklyn Boulevard
Councilmember Graves stated the owner of the BP Gas Station at 6044 Brooklyn Boulevard had requested a copy of the City's Sign Ordinance. She added BP Corporation is penalizing local BP gas station for not having the company logo on their awning, which is prohibited in the Sign Ordinance. Mr. Boganey agreed to provide a copy of the Sign Ordinance and deliver it to BP directly.

Mental Health Services
Mr. Boganey stated he has not had an opportunity to provide information to the general public regarding mental health services in the community.

Deputy City Manager Reggie Edwards stated he reached out to a local mental health organization about resources and services available to local residents.

Councilmember Graves stated mental health information should be included in the Health Fair.

Joint Meeting with School Board
Mr. Boganey stated the last City Council meeting was attended by School Board Member John Solomon, who spoke at the Public Open Forum and expressed an interest in a joint meeting between the School Board and the City Council. He added City Staff have a potential date for this meeting of Monday November 4, 2019. He noted it is suggested that the School Board Chair, School Superintendent and City Manager meet in advance to develop an agenda. He requested the City Council's feedback and comments.

It was the majority Consensus of the City Council to hold a joint School Board/City Council meeting on November 4, 2019 at 6:00 p.m.

DISCUSSION OF WORK SESSION AGENDA ITEMS AS TIME PERMITS

Mr. Boganey stated the Work Session Agenda Item 1 related to 1601 James Circle Development Update will be tabled to the next Work Session.

MAYOR AND CITY COUNCIL OFFICE DISCUSSION

Mayor Elliott stated an office at City Hall for use by the Mayor and City Council was established in February 2019. He added he has discussed with Mr. Boganey that he needs to have space that he can use as a working office. He noted Mr. Boganey agreed to make the Palmer Lake Room available for the City Council to use as necessary. He requested the City Council's comments and feedback.

Councilmember Lawrence-Anderson stated she does not think it is necessary for the Mayor to have a private office. She added the approval in February 2019 was for an office to be shared by the Mayor and City Council.

Councilmember Butler stated she does not see a problem as long as it is not a budgetary issue, there is space available, and does not interfere with the operations of City Staff.

Councilmember Lawrence-Anderson stated there is limited space available for City Staff at City Hall, and the City Council has already taken over a room for private session. She added an additional office space would be a budgetary issue as expenses would be incurred related to desks, supplies, and computers. She noted there is currently a conference table in the Palmer Lake Room.

Mr. Boganey stated the original conversation was based on the idea that City Councilmembers would use the office when they need to schedule meetings with people. He added the Palmer Lake Room would be suitable for that purpose, but it would continue to be used as a conference room and would not be converted to an office.

Councilmember Ryan stated a resolution was passed by the City Council on February 25, 2019 establishing a City Council joint office. He added he considered using the office a few times a week, and Councilmembers could share the space and coordinate hours around each other.

Mayor Elliott stated he has found that his role demands that he spend more time at City Hall, and he does not have a private office at home. He added this is a necessary request.

Councilmember Graves asked for clarification regarding Mayor Elliott's specific request. Mayor Elliott stated his request is that he would like to use the City Council office exclusively and the City Council can use the Palmer Lake Room. He added the City Council does not use the office, and he uses it regularly as a working office. He noted he reviews and signs documents, maintains files, and makes phone calls to residents who have phoned him.

Councilmember Graves asked if Mayor Elliott stores information and files in the office. She added she can see the helpfulness of having a more organized system. She expressed concern that the City Council should be meeting with residents out in the community. She noted, however, she does not have a problem with the request.

Councilmember Graves stated she would be interested in storing files in the City Council office if there is extra storage space and the City Council is amenable.

Councilmember Lawrence-Anderson stated Mayor Elliott stated that he uses the office to make phone calls to residents. She added the City Council approved the purchase of a cell phone for the Mayor. She asked why the Mayor needs a private office if he has a cell phone, purchased by the City.

Councilmember Lawrence-Anderson stated no other previous Mayor had made this request. She added any community engagement should be done out in the community, supporting local restaurants, and meeting people where they are. She expressed her opposition to the request.

Councilmember Ryan stated it would be unfortunate, given space limitations at City Hall, to take over a conference space. He added the number of people working in City Hall had increased dramatically. He noted the Mayor can still use the office space allocated to the Mayor and City Council, and the Councilmembers can have a schedule for sharing the office, rather than setting aside more space.

Mayor Elliott asked whether a filing system could be added to the Palmer Lake Room.

Mayor Elliott stated the consensus seems to designate the current office for the Mayor's use, but Councilmembers Ryan and Graves would use it.

Councilmember Ryan stated the City Council voted on February 25, 2019, to designate an office at City Hall for City Council use. He added Mayor Elliott feels that he will use the office more than the rest of the City Council. He added he feels that this is fine, and if a City Councilmembers needs to share the space, they can contact Mayor Elliott and request a date and time.

Mr. Boganey stated there seems to be a consensus that the City Council office at City Hall should be designated as the Mayor's Office with the understanding that other City Councilmembers may use it as requested.

Mayor Elliott stated his original intent was for the City Council to use the Palmer Lake Room, without disrupting City Staff.

Councilmember Lawrence-Anderson stated files that stored in the Palmer Lake Room would not be secure. Councilmember Graves stated she would like to have a filing cabinet, and it could be locked.

Mr. Boganey stated all the rooms and offices at City Hall have the same level of security. He added locks could be added to a filing cabinet in a conference room.

Councilmember Ryan stated it is not necessary to store files in the Palmer Lake Room, as there is a City Council office where they can be stored. He added Mayor Elliott uses the office more than the other City Councilmembers. He noted there are other spaces where the City Staff can arrange meetings. He reiterated that additional space does not need to be dedicated, and the City Council office can be shared.

Councilmember Butler stated if there is no burden to City Staff, and this is not a financial or budgetary issue. She added what has been done in the past is irrelevant.

Mr. Boganey stated it would not be a burden to City Staff if a City Councilmember should occasionally schedule the Palmer Lake Room for use. He added it would be a concern if the

Palmer Lake Room were to be turned into an office. He noted the All-American Room might be a better fit as long as it remains a conference room.

It was the majority Consensus of the City Council to designate the City Council Office as the Mayor's Office and use the Palmer Lake Conference Room to store files and for additional use by the City Council as needed.

ADJOURN STUDY SESSION TO INFORMAL OPEN FORUM WITH CITY COUNCIL

Mayor Elliott closed the Study Session at 6:42 p.m.

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF BROOKLYN CENTER IN THE COUNTY
OF HENNEPIN AND THE STATE OF MINNESOTA

REGULAR SESSION
SEPTEMBER 9, 2019
CITY HALL – COUNCIL CHAMBERS

1. INFORMAL OPEN FORUM WITH CITY COUNCIL

CALL TO ORDER INFORMAL OPEN FORUM

The Brooklyn Center City Council met in Informal Open Forum called to order by Mayor Mike Elliott at 6:45 p.m.

ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Director of Fiscal & Support Services Nate Reinhardt, Director of Public Works Doran Cote, Business and Workforce Development Coordinator Brett Angell, Police Chief Tim Gannon, Deputy Director of Building and Community Standards Jesse Anderson, City Attorney Troy Gilchrist, and Mary Mullen, TimeSaver Off Site Secretarial, Inc.

Mayor Mike Elliott opened the meeting for Informal Open Forum.

Harlan Daudt, 6000 York Avenue, stated he has lived in Brooklyn Center for 40 years and was a Minneapolis city bus driver for 37 years. He expressed concern that the proposed apartments in Brooklyn Center would become run down and then have to be remodeled. He added he does not support putting more apartments in Brooklyn Center. He noted the City wants to be vibrant and attractive, but what is needed is more retail stores. He asked whether there are any plans for a big store.

Mr. Daudt stated he lives near the transit center, and on summer nights there are people at the transit center and a lot of trash and garbage, despite "no littering" signs.

Councilmember Graves asked whether Mr. Daudt believes that the people at the transit center live in apartments in Brooklyn Center. Mr. Daudt stated he does not know.

Mr. Daudt stated he would like to see single-family homes in the Overlay District, that are affordable, that families can own.

Councilmember Lawrence-Anderson stated she hopes Mr. Daudt will attend the Opportunity Site development review meeting on September 19, 2019, at the library. Mr. Daudt stated he attended 3 of the workshops.

Reverend Richard Zeck, Pastor at Brooklyn United Methodist Church, expressed his support of the autistic community in Brooklyn Center after the recent shooting involving an autistic person. He added he is a parent of an autistic child. He noted the incident had caused fear in the local autistic community.

Pastor Zeck stated he has been in contact with Police Chief Tim Gannon regarding police response to potential mental health crises. He added Chief Gannon has been very helpful and accommodating. He urged the City Council to consider ways to help officers by providing mental health education and resources, including a vitals app that provides valuable information about autistic individuals to police officers. He noted families of people with autism and police officers should work together to recognize and understand autism.

Pastor Zeck stated he has also received return phone calls from the City Manager and Mayor of Brooklyn Center.

Councilmember Ryan thanked Pastor Zeck for educating and informing the City Council. He added the City of Brooklyn Center is dedicated to ensuring the safety of people with autism.

City Manager Curt Boganey thanked Pastor Zeck for coming to the meeting and addressing the City Council on this issue. He asked whether there are statistics regarding the size of Brooklyn Center's autistic community. Pastor Zeck stated there are at least 15 autistic students at each school in Brooklyn Center.

Mr. Boganey stated City Staff is investigating the potential use of the vitals app. Mayor Elliott agreed, adding the vitals app has a training component that comes with it.

Councilmember Butler stated an autism center recently was approved by the City Council. She asked whether they are involved in this discussion. She thanked Pastor Zeck for providing information and educating the City Council. Mr. Boganey confirmed that the autism center is open.

Councilmember Graves moved, and Councilmember Ryan seconded to close the Informal Open Forum at 7:06 p.m.

Motion passed unanimously.

2. INVOCATION

Mayor Elliott gave an invocation related to a tragic incident on August 31, 2019, that took the life of Kobe Edgar Dimock-Heisler, a Brooklyn Center resident. He expressed the sincere sadness felt by the entire community at Kobe's death, as well as support and sympathy for Kobe's family and friends.

Mayor Elliott stated the City is committed to ensuring a complete and thorough investigation by Minnesota Department of Justice Bureau of Criminal Apprehension (BCA) investigation. He added the four police officers that were involved are on standard administrative leave.

Mayor Elliott stated he attended Kobe's funeral with Councilmember Ryan, which was held in Minneapolis. He added it was a beautiful event attended by many Brooklyn Center residents. He noted City Staff and the City Council would continue to update the community and move forward, staying connected with Kobe's family and friends.

Mayor Elliott stated the City Council holds Kobe's family and friends, as well as the officers involved, ensuring a space for the community to come together as one in grief and sympathy.

3. CALL TO ORDER REGULAR BUSINESS MEETING

The Brooklyn Center City Council met in Regular Session called to order by Mayor Mike Elliott at 7:10 p.m.

4. ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Director of Fiscal & Support Services Nate Reinhardt, Director of Public Works Doran Cote, Business and Workforce Development Coordinator Brett Angell, Police Chief Tim Gannon, Deputy Director of Building and Community Standards Jesse Anderson, City Attorney Troy Gilchrist, and Mary Mullen, TimeSaver Off Site Secretarial, Inc.

5. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Councilmember Ryan moved, and Councilmember Lawrence-Anderson seconded to approve the Agenda and Consent Agenda, as amended, and the following consent items were approved:

6a. APPROVAL OF MINUTES

1. August 26, 2019 – Study Session
2. August 26, 2019 – Regular Session
3. August 26, 2019 – Work Session

6b. LICENSES

MECHANICAL

Airtech Thermax	4918 W. 35th Street St. Louis Park MN 55416
Larson Plumbing, Inc.	3095 162nd Lane NW Andover MN 55304
Murray Plumbing	18120 Zane St NW Elk River 55330

RightMark LLC	2534 Eastwood Ave SE Buffalo MN 55313

SIGN HANGERS LICENSE

Boo Doo Signs	29021 Feldspar St NW Princeton 5537

RENTAL

INITIAL (TYPE IV – one-year license)

6029 Bryant Avenue N	Stephen Yeboah
4207 Lakeside Avenue #234	Cynthia Patrick

RENEWAL (TYPE IV – one-year license)

3601 47th Avenue N	Halverson & Blaiser Group LTD
Ryan Creek Manor	(met mitigation plan)
6614 Bryant Avenue N	Yi Kin/Khai Hong Lim Properties
5432 Dupont Avenue N	Xiangming Guan
5025 Ewing Avenue N	Julie Kazmierkoski
6812 Zenith Avenue N	Elizabeth Parades Rosario (did not meet Mitigation plan missing CPTED)

RENEWAL (TYPE III – one-year license)

5313 62nd Avenue N	Chao Vang & Doua Vang
2824 67th Lane	Molly Collins Stuhr (did not meet mitigation Plan missing CPTED)
1308 68th Lane N	Wagner Properties Rentals LLC – (did not Meet mitigation plan missing CPTED)
5550 France Avenue N	Belinda Gonzalez
5618 Hillview Road	Nita Morlock
7243 Riverdale Road	IH2 Property

RENEWAL (TYPE II – two-year license)

2841 67th Lane	Brooke Berner
6018 Admiral Place	Lutheran Social Services of MN
5707 Emerson Avenue N	Lois Frost/The Recovery Home
2325 Ericon Drive	Ross Herman

RENEWAL (TYPE I – three-year license)

6331 Indiana Avenue N	IH2 Property (met mitigation plan)
4201 Lakeside Avenue #215	Donna Kabanuk
3318 Mumford Road	William W. Coleman
5655 Northport Drive	Cindy & Raymond Scherbing
5842 Washburn Avenue N	Daniel Pryde

6c. RESOLUTION NO. 2019-115 APPROVING CHANGE ORDER NOS. 9-18, IMPROVEMENT PROJECT NO. 2018-05, BROOKLYN BOULEVARD CORRIDOR PROJECT PHASE 1

6d. RESOLUTION NO. 2019-116 AMENDING THE CITY OF BROOKLYN CENTER FEE SCHEDULE RELATING TO LIQUOR LICENSE VIOLATIONS

Motion passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

7a. RESOLUTION ACKNOWLEDGING SERVICE OF SERGEANT CORRINE BECKER (TABLED)

Before the meeting, this item was removed from the agenda and added to the City Council's next Regular Meeting Agenda.

8. PUBLIC HEARINGS

8a. ORDINANCE NO. 2019-08 AMENDING CHAPTER 7 SECTION 7.10 OF CITY CHARTER

Deputy City Manager Reggie Edwards reviewed an Ordinance amendment related to the types of methods of payment that can be used for City transactions. He added the Ordinance currently refers to "checks." City Staff is requesting that definition be broadened since there are many other methods of payment that are used. He requested that "checks" be replaced with "disbursement or payment." He noted that the resolution in the packet is incorrect and provided amended copies for the City Council's review.

Councilmember Butler moved, and Councilmember Ryan seconded to open the Public Hearing.

Motion passed unanimously.

No one appeared to address this item.

Councilmember Graves moved, and Councilmember Butler seconded to close the Public Hearing.

Motion passed unanimously.

City Attorney Troy Gilchrist stated as a reminder, an Ordinance amending the City Charter requires a unanimous City Council vote.

Councilmember Ryan moved, and Councilmember Butler seconded to adopt ORDINANCE NO. 2019-08 Amending Chapter 7 Section 7.10 of the Brooklyn Center City Charter.

Motion passed unanimously.

Councilmember Graves moved and Councilmember Butler seconded to adopt RESOLUTION NO. 2019-118 Allowing for a Summary Publication of Ordinance No. 2019-08.

Motion passed unanimously.

8b. RESOLUTION NO. 2019-118 CERTIFYING SPECIAL ASSESSMENTS FOR DELINQUENT PUBLIC UTILITY SERVICE ACCOUNTS TO THE HENNEPIN COUNTY PROPERTY TAX ROLLS

Finance Director Nate Reinhardt reviewed Special Assessments for delinquent public utility payments, for which a Public Hearing is required. He stated a letter is sent to residents who have not paid their utility bill, notifying them that the account is past due, and the amount will be certified against property taxes if not paid. He added no formal appeals had been made to City Staff related to current Special Assessments. He noted City Staff would review individual cases and present a report for the City Council's review.

Councilmember Graves moved, and Councilmember Ryan seconded to open the Public Hearing.

Motion passed unanimously.

No one appeared to address this item.

Councilmember Graves moved, and Councilmember Butler seconded to close the Public Hearing.

Motion passed unanimously.

Councilmember Graves asked whether the percentage of delinquent accounts is consistent with other cities. Mr. Reinhardt stated Brooklyn Center certifies approximately 7% annually, which is a little higher than most cities.

Councilmember Graves asked whether there has been a further discussion related to thresholds. Mr. Reinhardt stated the City's current policy is to certify anything over $30, and there has been discussion about making changes to that policy. He added the plan is to wait until after this process is complete and then raise the household threshold to $150 and pushing the action to the end of the year.

Councilmember Butler moved, and Councilmember Lawrence-Anderson seconded to adopt RESOLUTION NO. 2019-118 Certifying Special Assessments for Delinquent Public Utility Service Accounts to the Hennepin County Property Tax Rolls.

Motion passed unanimously.

9. PLANNING COMMISSION ITEMS

-None.

10. COUNCIL CONSIDERATION ITEMS

10a. ORDINANCE NO. 2019-10 AMENDING CHAPTER 12 OF THE CITY CODE ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE

Deputy Community Development Director Jesse Anderson reviewed a proposed Ordinance amendment adopting the International Property Maintenance Code (IPMC). He added this issue was reviewed by the Housing Commission, who have recommended City Council approval. He noted the City of Brooklyn Center currently uses an in-house, self-written policy, and the IPMC, adopted by many other cities, is a uniform standardized code for maintenance.

Mr. Anderson stated some sections in Chapter 12 would be replaced with IPMC sections, but no changes are proposed to what is currently being enforced. He added City Staff recommends City Council approval of the 1st Reading of Amendments to Chapter 12, adopting the International Property Maintenance Code (IPMC), and setting a date for the second reading and public hearing.

Mayor Elliott asked whether there are any concerns about using the IPMC. Mr. Anderson stated there are no changes to what is currently used, except to provide more specific and thorough language regarding what is enforced.

Mr. Boganey stated adoption of the IPMC makes enforcement easier as the language is more detailed and leaves little room for misinterpretation. He added Brooklyn Center was one of the first metro area cities to adopt its Property Maintenance Code, which was very forward-thinking.

Mayor Elliott asked whether Section 4, Unsafe Structures and Equipment, would apply to a single-family home. Mr. Anderson stated that section is related to accessory buildings that have not been approved for occupancy. He added, for an owner-occupied home, the Code is not restrictive in terms of occupancy.

Leo Polowski stated he had been a resident of Brooklyn Center since 1953. He asked whether the IPMC is used world-wide since it is called the "International" code. Mr. Anderson stated the Code is written to be adopted worldwide, but individual municipalities can call it whatever they want. He added the International Code Council, who publishes the document, is an agency, and the Code is not an international code.

Councilmember Graves moved, and Councilmember Ryan seconded to adopt ORDINANCE NO. 2019-10 Amending Chapter 12 of the City Code Adopting the International Property Maintenance Code and Setting a Public Hearing and Second Reading for October 14, 2019.

Motion passed unanimously.

Mr. Gilchrist stated the City Clerk has indicated that the certain section numbers are duplicated and will be amended.

Councilmember Lawrence-Anderson requested the resident's name and address for the record. Mr. Polowski stated he lives at 7136 Logan Avenue N.

10b. ORDINANCE NO. 2019-11 AMENDING CHAPTER 11 OF CITY CODE OF ORDINANCE RELATED TO LIQUOR PENALTIES

Mr. Edwards reviewed an Ordinance amending Chapter 11 of the City Code related to liquor penalties. He added the amendment, drafted by the City Attorney, establishes a uniform method of imposing penalties for sales of liquor to people under 21 years of age. He noted the Ordinance amendment permits the fee schedule to be applied.

Councilmember Graves moved, and Councilmember Lawrence-Anderson seconded to adopt ORDINANCE NO. 2019-11 Amending Chapter 11 of the City Code of Ordinances Relating to Liquor Penalties and Approve the First Reading and set the Second Reading and Public Hearing for October 14, 2019.

Motion passed unanimously.

11. COUNCIL REPORT

Councilmember Ryan reported on his attendance at the following and provided information on the following upcoming events:

- August 29, 2019 – attended an Opportunity Site Planning Session involving the Planning Commission, City Council, volunteer organizations and the developer
- September 4, 2019 – Joint City Council/Finance Commission Budget Work Session
- September 7, 2019 – participated 3rd session of City Council retreat
- September 8, 2019 – attended memorial service for Kobe Heisler. He added his thoughts and prayers go out to Kobe's family.
- September 9, 2019 – meeting with Metro Cities regarding legislative policies related to general government, local government, and transportation
- September 11, 2019 – will attend a Metro Cities meeting regarding economic development and housing

Councilmember Lawrence-Anderson reported on her attendance at the following and provided information on the following upcoming events:

- August 29, 2019 – attended an Opportunity Site Planning Session involving the Planning Commission, City Council, volunteer organizations and the developer
- September 7, 2019 – participated in 3rd session of City Council retreat
- September 9, 2019 – meeting with Senator Chris Eaton regarding an upcoming legislative bill related to eye and tissue donation
- September 19, 2019 – will attend Opportunity Site meeting at the library at 6:00 p.m. with the developer to get citizen input and comments

Councilmember Lawrence-Anderson stated she might not be able to attend the next City Council meeting due to a family medical situation in Alaska.

Councilmember Graves reported on her attendance at the following and provided information on the following upcoming events:

- Last week of August 2019 – attended a series of events with Representative Ilhan Omar hosted by the Minneapolis Urban League, including a panel discussion regarding ICE; a panel discussion related to black businesses and black entrepreneurship; a tour of the Hennepin County Juvenile Detention Center; and a panel discussion on juvenile diversion. Members of the Congressional Black Caucus were in town that week. She stated the rate of incarcerated youth had decreased significantly, but there are still disparities. She added she appreciated the diversity of the subject matter and the emphasis on access to arts and ways of expression.
- August 31, 2019 – attended Keith Ellison's annual barbecue at Minnehaha Falls
- September 4, 2019 – Joint City Council/Finance Commission Budget Work Session
- September 5-6, 2019 – attended Kente Circle Training Institute's "Embracing Racial Consciousness" conference at Earle Brown Heritage Center. Panelists included local elected officials, including Minneapolis City Councilmember Andrea Jenkins and Hennepin County Commissioner Angela Conley.
- September 7, 2019 – participated in 3rd session of City Council retreat

Councilmember Butler reported on her attendance at the following and provided information on the following upcoming events:

- September 4, 2019 – Joint City Council/Finance Commission Budget Work Session
- September 6, 2019 – met with a resident, Mr. Parker, regarding an idea that he would like to present to the City Council
- September 7, 2019 – participated in 3rd session of City Council retreat

Mayor Elliott reported on his attendance at the following and provided information on the following upcoming events:

- August 10, 2019 – attended Evo Fest.
- Ongoing – attendance at Highway 252 community meetings, as well as meetings on the Blue Line Light Rail
- September 8, 2019 – attended memorial service for Kobe Heisler

12. ADJOURNMENT

Councilmember Graves moved, and Councilmember Ryan seconded adjournment of the City Council meeting at 8:08 p.m.

Motion passed unanimously.

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL/ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF BROOKLYN CENTER IN THE COUNTY OF HENNEPIN AND THE STATE OF MINNESOTA

WORK SESSION
SEPTEMBER 9, 2019
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council/Economic Development Authority (EDA) met in Work Session called to order by Mayor/President Mike Elliott at 8:30 p.m.

ROLL CALL

Mayor/President Mike Elliott and Councilmembers/Commissioners Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Director of Public Works Doran Cote, City Attorney Troy Gilchrist, and Mary Mullen, TimeSaver Off Site Secretarial, Inc.

LOCAL WATER SUPPLY PLAN

Public Works Director Doran Cote reviewed changes and updates to the City's water supply plan. He added there had been a downward trend in water use, and the base is being well managed as a community.

Mr. Cote stated the Minnesota Department of Natural Resources has been looking at demand, supply, and treatment capacity. He added Brooklyn Center has its treatment facility, three elevated towers, and one reservoir, as well as nine 300-foot deep wells, and can produce up to 10 million gallons per day.

Mayor/President Elliott stated, concerning water chemistry, Brooklyn Center's water chlorine level was 22 million grains per gallon. He added he did a test at home and came up with 20-25 million grains per gallon. Mr. Cote stated Brooklyn Center's water chemistry is estimated at 20-24 million grains per gallon. He added many residents want to ensure that their water softener is set appropriately.

Mayor/President Elliott asked how many wells Brooklyn Park has and whether we are drawing from the same source. Mr. Cote stated he thinks Brooklyn Park has 15 wells. He confirmed that both cities use the Jordan aquafer, which is replenished naturally through groundwater.

Mr. Cote stated Brooklyn Center's wells are placed far enough apart that they do not impact each other or cause problems when they are running. Mr. Cote stated the City's emergency preparedness procedures include an emergency contact list, water systems GIS mapping, and emergency water interconnect with Brooklyn Park.

Mr. Cote stated the goal of the City's water conservation plan is to document and address the amount of water that is unaccounted for. He added this number had significantly reduced in recent years. He noted an ongoing educational component of the City's newsletter is directed at continued water waste reduction.

Councilmember/Commissioner Graves stated she serves on the Metropolitan Council's Land Use Advisory Committee. She added these issues would be reviewed at an upcoming joint meeting with the Water Supply Committee. She noted the top water users are consuming 6.97% of the total amount of water usage.

Councilmember/Commissioner Graves stated one waste component that both residents and commercial uses can address is automatic sprinkler systems that turn on when it is raining. She added a City Ordinance addresses water bans. She asked if that is enforced.

Mr. Cote confirmed that City Staff enforces the water bans and residents can report violations to the Public Works Department. He added City facilities have controlled irrigation systems and comply with the City's water bans.

Councilmember/Commissioner Graves stated she would provide a report for the City Council regarding the Metropolitan Council's water supply meeting.

Councilmember/Commissioner Ryan stated many nearby communities buy their water supply from the City of Minneapolis. He added the City of Brooklyn Center has the second-lowest water costs compared to peer group cities, and infrastructure repair and replacement have been completed as streets are reconstructed. He noted the right decision was made not to purchase water from Minneapolis.

ADJOURNMENT

Councilmember/Commissioner Lawrence-Anderson moved, and Councilmember/Commissioner Ryan seconded adjournment of the City Council/Economic Development Authority Work Session at 8:55 p.m.

Motion passed unanimously.

COUNCIL ITEM MEMORANDUM

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Alix Bentrud, Deputy City Clerk

SUBJECT: Approval of Licenses

Requested Council Action:

- *Motion to approve licenses as presented.*

Background:

The following businesses/persons have applied for City licenses as noted. Each business/person has fulfilled the requirements of the City Ordinance governing respective licenses, submitted appropriate applications, and paid proper fees. Applicants for rental dwelling licenses are in compliance with Chapter 12 of the City Code of Ordinances, unless comments are noted below the property address on the attached rental report.

OFF-SALE 3.2 BEER LICENSE

Casey' General Store #3823	2101 Freeway Blvd

MECHANICAL LICENSES

Air Comfort Htg & A/C	19170 Jasper St NW Anoka, 55303
Appliance Connections Inc.	12850 Chestnut Blvd. Shakopee, 55379
Bettin Inc. dba Ecowater	3208 First Street S Waite Park, 56387
Neil Heating & A/C Inc.	PO Box 29292 Brooklyn Center 55429
WJW Company dba Twin City Heating & Air	10600 University Ave NW Coon Rapids, 55448

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Rental Criteria	5/22/2019	Backup Material
9-23-19 Rentals	9/18/2019	Backup Material

Property Code and Nuisance Violations Criteria		
License Category (Based on Property Code Only)	**Number of Units**	**Property Code Violations per Inspected Unit**
Type I – 3 Year	1-2 units	0-2
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than 2 but not more than 5
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than 5 but not more than 9
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than 9
	3+ units	Greater than 3

b. Police Service Calls.

Police call rates will be based on the average number of valid police calls per unit per year. Police incidences for purposes of determining licensing categories shall include disorderly activities and nuisances as defined in Section 12-911, and events categorized as Part I crimes in the Uniform Crime Reporting System including homicide, rape, robbery, aggravated assault, burglary, theft, auto theft and arson.

Calls will not be counted for purposes of determining licensing categories where the victim and suspect are "Family or household members" as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (b) and where there is a report of "Domestic Abuse" as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (a).

License Category	**Number of Units**	**Validated Calls for Disorderly Conduct Service & Part I Crimes** (Calls Per Unit/Year)
No Category Impact	1-2	0-1
	3-4 units	0-0.25
	5 or more units	0-0.35
Decrease 1 Category	1-2	Greater than 1 but not more than 3
	3-4 units	Greater than 0.25 but not more than 1
	5 or more units	Greater than 0.35 but not more than 0.50
Decrease 2 Categories	1-2	Greater than 3
	3-4 units	Greater than 1
	5 or more units	Greater than 0.50

Rental Licenses for Council Approval on September 23, 2019

Property Address	Dwelling Type	Renewal or Initial	Owner	Property Code Violations	License Type	PoliceCFS *	Final License Type **	Previous License Type ***
5416 Fremont	Single	Initial	Luisa Naraez	7	III	N/A	III	
6325 Xerxes Ave N	Single	Initial	Linus Amajuoyi / Associated Tender Care LLC	8	III	N/A	III	
5519-23 Lyndale Ave N	2 Family	Renewal	Dragon Properties Mgt/Brad Hildreth	10	IV	0	IV	I
5207 Xerxes Ave N	Multi 1 Bldg 12 Unit	Renewal	Dean Bona	7 0.58 per unit	I	0	I	I
3125 66th Ave N	Single	Renewal	Danny Vo	1	I	0	I	I
5937 Abbott Ave N	Single	Renewal	Mark Crost	3	II	0	II	I
5606 Bryant Ave N	Single	Renewal	MNSF II W1 LLC Met Mitigation Plan	16	IV	0	IV	IV
6800 Bryant Ave N	Single	Renewal	Peter Nguyen	9	III	0	III	II
1112 Emerson La	Single	Renewal	Bodhi Tree - Missing CPTED Inspection Follow up	5	II	0	IV	IV
7212 Humboldt Ave N	Single	Renewal	IH2 Properties Illinois LP	0	I	0	I	II
5739 James Ave N	Single	Renewal	Douglas Wahl/Rifive Investments - met action plan	5	II	0	II	III
5319 Knox Ave n	Single	Renewal	Daniel Allen Yesnes	0	I	0	I	I
4207 Lakeside Ave N #240	Single	Renewal	Tommy Conteh	2	I	0	I	II
5541 Morgan Ave N	Single	Renewal	Paul Zheng / 5541 Morgan Ave LLC	2	I	0	I	I
3216 Poe Rd	Single	Renewal	Matt Just - met action plan	2	I	0	I	III
5400 Queen Ave N	SIngle	Renewal	Propserous Property	1	I	0	I	II

* CFS = Calls For Service for Renewal Licenses Only (Initial Licenses are not applicable to calls for service and will be listed N/A.)

** License Type Being Issued

*** Initial licenses will not show a Type 1 = 3 Year Type II = 2 Year Type III = 1 Year

All properties are current on City utilities and property taxes

COUNCIL ITEM MEMORANDUM

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: Doran Cote, Public Works Director

FROM: Andrew Hogg, Assistant City Engineer

SUBJECT: Resolution Approving Local Water Supply Plan

Requested Council Action:

- *Motion to approve the resolution approving the Local Water Supply Plan.*

Background:

In accordance with State Statue, the City is required to update the Water Supply Plan every ten years. The current update is the third generation of the City's plan and builds on the original plan approved by the City Council in April 1996, which was updated in 2007.

The Water Supply Plan provides a framework for water supply management to protect water quantity, outlines an implementation plan for education, studies, programs and capital improvements, and meets State Statutes 13.G291. The Plan helps water suppliers prepare for droughts and water emergencies, and supports eligibility for funding requests to the Minnesota Department of Health (MDH) for the Drinking Water Revolving Fund. The Plan allows water suppliers to submit requests for new wells or expanded capacity of existing wells, simplifies the development of county comprehensive water plans and watershed plans, fulfills the contingency plan provisions required in the MDH wellhead protection and surface water protection plans, fulfills the demand reduction requirements of Minnesota Statues, Section 103G.291 subd. 3 and 4 and upon implementation, contributes to maintaining aquifer levels, reduces potential well interference and water use conflicts, and reduces the need to drill new wells or expand system capacity.

The updated Water Supply Plan has been submitted to the Minnesota Department of Natural Resources (DNR) Watershed and the Metropolitan Council for their review and approval. The DNR has notified the City of their approval of the plan pending City Council adoption.

Budget Issues:

There are no budget issues to consider with this action.

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Resolution	8/20/2019	Cover Memo
Local Water Supply Plan	8/20/2019	Cover Memo

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING LOCAL WATER SUPPLY PLAN

WHEREAS, All public water suppliers in Minnesota that operate a public water distribution system, serve more than 1,000 people and/or all cities in the seven-county metropolitan area, must have a water supply plan approved by the Department of Natural Resources (DNR). In accordance with State Statue, the City must update the City's Local Water Supply Plan every ten years; and

WHEREAS, a Water Supply Plan that receives DNR approval fulfills a water supplier's statutory obligations under Minnesota Statute 13G.291; and

WHEREAS, the updated Local Water Supply Plan has been submitted to the Minnesota Department of Natural Resources for their review and the Plan has been approved.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that:

1) The Brooklyn Center Local Water Supply Plan is hereby approved.

August 26, 2019
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

Local Water Supply Plan
Third Generation for 2016-2018

Revised October 24, 2017

Formerly called Water Emergency & Water Conservation Plan

DEPARTMENT OF NATURAL RESOURCES

Cover photo by Molly Shodeen

For more information on this Water Supply Plan Template, please contact the DNR Division of Ecological and Water Resources at (651) 259-5034 or (651) 259-5100.

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This information is available in an alternative format upon request.

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INTRODUCTION TO WATER SUPPLY PLANS (WSP)

Who needs to complete a Water Supply Plan

Public water suppliers serving more than 1,000 people, large private water suppliers in designated Groundwater Management Areas, and all water suppliers in the Twin Cities metropolitan area are required to prepare and submit a water supply plan.

The goal of the WSP is to help water suppliers: 1) implement long term water sustainability and conservation measures; and 2) develop critical emergency preparedness measures. Your community needs to know what measures will be implemented in case of a water crisis. A lot of emergencies can be avoided or mitigated if long term sustainability measures are implemented.

Groundwater Management Areas (GWMA)

The DNR has designated three areas of the state as Groundwater Management Areas (GWMAs) to focus groundwater management efforts in specific geographies where there is an added risk of overuse or water quality degradation. A plan directing the DNRs actions within each GWMA has been prepared. Although there are no specific additional requirements with respect to the water supply planning for communities within designated GWMAs, communities should be aware of the issues and actions planned if they are within the boundary of one of the GWMAs. The three GWMAs are the North and East Metro GWMA (Twin Cities Metro), the Bonanza Valley GWMA and the Straight River GWMA (near Park Rapids). Additional information and maps are included in the DNR Groundwater Management Areas webpage.

Benefits of completing a WSP

Completing a WSP using this template, fulfills a water supplier's statutory obligations under M.S. M.S.103G.291 to complete a water supply plan. For water suppliers in the metropolitan area, the WSP will help local governmental units to fulfill their requirements under M.S. 473.859 to complete a local comprehensive plan. Additional benefits of completing WSP template:

- The standardized format allows for quicker and easier review and approval
- Help water suppliers prepare for droughts and water emergencies.
- Create eligibility for funding requests to the Minnesota Department of Health (MDH) for the Drinking Water Revolving Fund.
- Allow water suppliers to submit requests for new wells or expanded capacity of existing wells.
- Simplify the development of county comprehensive water plans and watershed plans.
- Fulfill the contingency plan provisions required in the MDH wellhead protection and surface water protection plans.
- Fulfill the demand reduction requirements of Minnesota Statutes, section 103G.291 subd 3 and 4.

Upon implementation, contribute to maintaining aquifer levels, reducing potential well interference and water use conflicts, and reducing the need to drill new wells or expand system capacity.

Enable DNR to compile and analyze water use and conservation data to help guide decisions.

Conserve Minnesota's water resources

If your community needs assistance completing the Water Supply Plan, assistance is available from your area hydrologist or groundwater specialist, the MN Rural Waters Association circuit rider program, or in the metropolitan area from Metropolitan Council staff. Many private consultants are also available.

WSP Approval Process

10 Basic Steps for completing a 10-Year Water Supply Plan

1. Download the DNR/Metropolitan Council Water Supply Plan Template from the DNR Water Supply Plan webpage.
2. Save the document with a file name with this naming convention: WSP_cityname_permitnumber_date.doc.
3. The template is a form that should be completed electronically.
4. Compile the required water use data (Part 1) and emergency procedures information (Part 2)
5. The Water Conservation section (Part 3) may need discussion with the water department, council, or planning commission, if your community does not already have an active water conservation program.
6. Communities in the seven-county Twin Cities metropolitan area should complete all the information discussed in Part 4. The Metropolitan Council has additional guidance information on their Water Supply webpage. All out-state water suppliers ***do not*** need to complete the content addressed in Part 4.
7. Use the Plan instructions and Checklist document from the DNR Water Supply Plan webpage to insure all data is complete and attachments are included. This will allow for a quicker approval process.
8. Plans should be submitted electronically using the MPARS website – no paper documents are required.
9. DNR hydrologist will review plans (in cooperation with Metropolitan Council in Metro area) and approve the plan or make recommendations.
10. Once approved, communities should complete a Certification of Adoption form, and send a copy to the DNR.

Complete Table 1 with information about the public water supply system covered by this WSP.

Table 1. General information regarding this WSP

Requested Information	Description
DNR Water Appropriation Permit Number(s)	**1976-6396, 2004-3239,1963-0160**
Ownership	☒ Public or ☐ Private
Metropolitan Council Area	☒ Yes or ☐ No Hennepin County
Street Address	**6844 Shingle Creek Parkway**
City, State, Zip	**Brooklyn Center , MN 55430**
Contact Person Name	Michael Weber
Title	Public Utilities Supervisor
Phone Number	763-585-7104
MDH Supplier Classification	Municipal

PART 1. WATER SUPPLY SYSTEM DESCRIPTION AND EVALUATION

The first step in any water supply analysis is to assess the current status of demand and availability. Information summarized in Part 1 can be used to develop Emergency Preparedness Procedures (Part 2) and the Water Conservation Plan (Part 3). This data is also needed to track progress for water efficiency measures.

A. Analysis of Water Demand

Complete Table 2 showing the past 10 years of water demand data.

> Some of this information may be in your Wellhead Protection Plan.
> If you do not have this information, do your best, call your engineer for assistance or if necessary leave blank.

If your customer categories are different than the ones listed in Table 2, please describe the differences below:

Water used for Water Supplier Services is included in Water Used for Non-Essential.

Table 2. Historic water demand (see definitions in the glossary after Part 4 of this template)

Year	Pop. Served	Total Connections	Residential Water Delivered (MG)	C/I/I Water Delivered (MG)	Water used for Non-essential	Wholesale Deliveries (MG)	Total Water Delivered (MG)	Total Water Pumped (MG)	Water Supplier Services *	Percent Unmetered/ Unaccounted	Average Daily Demand (MGD)	Max. Daily Demand (MGD)	Date of Max. Demand	Residential Per Capita Demand (GPCD)	Total per capita Demand (GPCD)
2005	27432	8935	879	215	15	1109	1241	27462	---	10.6	3.4	8.3	7/8/2005	87.8	123.9
2006	27234	8904	946	68	24	1207	1317	27264	---	7.1	3.6	8.9	7/20/2006	95.2	132.5
2007	27194	8993	982	66	27	1267	1317	27224	---	2	3.6	8.5	7/28/2007	98.9	132.7
2008	27282	8986	1006.13	187.12	59.14	1252.39	1295.80	27312	---	4	3.6	7.2	7/6/2008	101.0	130.1
2009	27499	8986	959.599	261.34	8.2	1229.25	1362.77	27529	---	10	3.7	7.8	6/2/2009	95.6	135.8
2010	30140	8960	847.513	230.25	21.10	1098.67	1165.28	30170	---	6	3.2	5.8	5/28/2010	77.0	105.9
2011	30409	8887	758.88	210.91	36.72	1006.61	1072.57	30439	---	6	2.9	5.7	7/10/2011	68.4	96.6
2012	30718	8896	812.22	249.12	5.8	1067.19	1166.55	30748	---	8	3.2	7.6	8/6/2012	72.4	104.0
2013	30786	8897	753.46	237.12	16.3	1006.96	1095.14	30816	---	8	3.0	6.4	8/26/2013	67.1	97.5
2014	30740	8885	704.96	207.94	13.8	912.98	1029.25	30770	---	11	2.8	5.7	8/9/2014	62.8	91.7
2015	30761	8929	677.94	235.85	41.0	972.79	1020.13	30791	---	5	2.8	4.9	8/3/2015	60.4	90.9
Avg. 2010-2015	30592	8909	759.16	228.53	22.5	1010.87	1091.49	30622	---	7	3.0	6.0		68.0	97.8

MG – Million Gallons **MGD –** Million Gallons per Day **GPCD** – Gallons per Capita per Day

*Water used for Water Supplier Services is included in Water Used for Non-Essential.

See Glossary for definitions. A list of Acronyms and Initialisms can be found after the Glossary.

Complete Table 3 by listing the top 10 water users by volume, from largest to smallest. For each user, include information about the category of use (residential, commercial, industrial, institutional, or wholesale), the amount of water used in gallons per year, the percent of total water delivered, and the status of water conservation measures.

Table 3. Large volume users

Customer	Use Category (Residential, Industrial, Commercial, Institutional, Wholesale)	Amount Used (Gallons per Year)	Percent of Total Annual Water Delivered	Implementing Water Conservation Measures? (Yes/No/Unknown)
1. EARLE BROWN FARM APTS.	RESIDENTIAL	10,837	1.11%	NO
2. THE PINES NORTH LLC.	RESIDENTIAL	10,329	1.06%	NO
3. MEDTRONIC	COMMERCIAL	8,310	.85%	NO
4. 2200 FREEWAY PROPERTY	COMMERCIAL	7,703	.79%	NO
5. THE CREST APARTMENTS	RESIDENTIAL	5,752	.58%	NO
6. EMBASSY SUITES	COMMERCIAL	5,212	.53%	NO
7. BEACH CONDO	RESIDENTIAL	5,138	.53%	NO
8. MTC	COMMERCIAL	4,888	.50%	NO
9. SARAH HOSPITALITY	COMMERCIAL	4,582	.47%	NO
10. MEDTRONIC	COMMERCIAL	4,382	.45%	NO

B. Treatment and Storage Capacity

Complete Table 4 with a description of where water is treated, the year treatment facilities were constructed, water treatment capacity, the treatment methods (i.e. chemical addition, reverse osmosis, coagulation, sedimentation, etc.) and treatment types used (i.e. fluoridation, softening, chlorination, Fe/MN removal, coagulation, etc.). Also describe the annual amount and method of disposal of treatment residuals. Add rows to the table as needed.

Table 4. Water treatment capacity and treatment processes

Treatment Site ID (Plant Name or Well ID)	Year Constructed	Treatment Capacity (GPD)	Treatment Method	Treatment Type	Annual Volume of Residuals	Disposal Process for Residuals	Do You Reclaim Filter Backwash Water?
Brooklyn Center WTP	2015	8.5 MGPD	Gravity Filters	Fe/Mn Removal	1.0 MG	Sanitary Sewer	Yes
Total	NA	8.5 MGPD	NA	NA	1.0 MG	NA	NA

Complete Table 5 with information about storage structures. Describe the type (i.e. elevated, ground, etc.), the storage capacity of each type of structure, the year each structure was constructed, and the primary material for each structure. Add rows to the table as needed.

Table 5. Storage capacity, as of the end of the last calendar year

Structure Name	Type of Storage Structure	Year Constructed	Primary Material	Storage Capacity (Gallons)
Water Tower #1	Elevated storage	1958	Steel	0.5 MG
Water Tower #2	Elevated storage	1960	Steel	1.0 MG
Water Tower #3	Elevated storage	1973	Steel	1.5 MG
Clearwell/Reservoir	Ground storage	2015	Concrete	1.0 MG
Total	NA	NA	NA	4.0 MG

Treatment and storage capacity versus demand

It is recommended that total storage equal or exceed the average daily demand.

Discuss the difference between current storage and treatment capacity versus the water supplier's projected average water demand over the next 10 years (see Table 7 for projected water demand):

The water treatment capacity is 8.5 MGD and the total storage capacity is 4.5 MG. Based on the projected population and the decreasing trend of per capita water demand, the Average Daily Demand is projected to be 3.0 MGD in 2025. The water treatment capacity is more than a double of the Average Daily Demand. With the storage capacity added to the water treatment capacity the resultant capacity can meet the fire flow and peak demands for the next ten years.

C. Water Sources

Complete Table 6 by listing all types of water sources that supply water to the system, including groundwater, surface water, interconnections with other water suppliers, or others. Provide the name of each source (aquifer name, river or lake name, name of interconnecting water supplier) and the Minnesota unique well number or intake ID, as appropriate. Report the year the source was installed or established and the current capacity. Provide information about the depth of all wells. Describe the status of the source (active, inactive, emergency only, retail/wholesale interconnection) and if the source facilities have a dedicated emergency power source. Add rows to the table as needed for each installation.

Include copies of well records and maintenance summary for each well that has occurred since your last approved plan in **Appendix 1.**

Table 6. Water sources and status

Resource Type (Groundwater, Surface water, Interconnection)	Resource Name	MN Unique Well # or Intake ID	Year Installed	Capacity (Gallons per Minute)	Well Depth (Feet)	Status of Normal and Emergency Operations (active, inactive, emergency only, retail/wholesale interconnection))	Does this Source have a Dedicated Emergency Power Source? (Yes or No)
Interconnection	Interconnect – Brooklyn Park					Active – Emergency Only	No
Groundwater	Well #2	00203317	1959	1200	340	Active – Emergency Only	No
Groundwater	Well #3	00203260	1960	1200	319	Active	No
Groundwater	Well #4	00203259	1960	1200	313	Active	No
Groundwater	Well #5	00203258	1966	1500	317	Active	No
Groundwater	Well #6	00203321	1965	1500	316	Active	No
Groundwater	Well #7	00203257	1971	1500	317	Active	Yes
Groundwater	Well #8	00127269	1977	1200	316	Active	No
Groundwater	Well #9	00110493	1983	1500	320	Active	Yes
Groundwater	Well #10	00468118	1990	1500	319	Active	Yes
Total	NA	NA	NA	12300	NA	NA	NA

Please see attachments for Table 6.

Limits on Emergency Interconnections

Discuss any limitations on the use of the water sources (e.g. not to be operated simultaneously, limitations due to blending, aquifer recovery issues etc.) and the use of interconnections, including capacity limits or timing constraints (i.e. only 200 gallons per minute are available from the City of Prior Lake, and it is estimated to take 6 hours to establish the emergency connection). If there are no limitations, list none.

There are no limitations on the use of the water source.

Contact Brooklyn Park and open the connecting valve. The water withdrawn from Brooklyn Park will depend on contract limits and Brooklyn Center demand. The water quality compatibility will be monitored.

D. Future Demand Projections – *Key Metropolitan Council Benchmark*

Water Use Trends

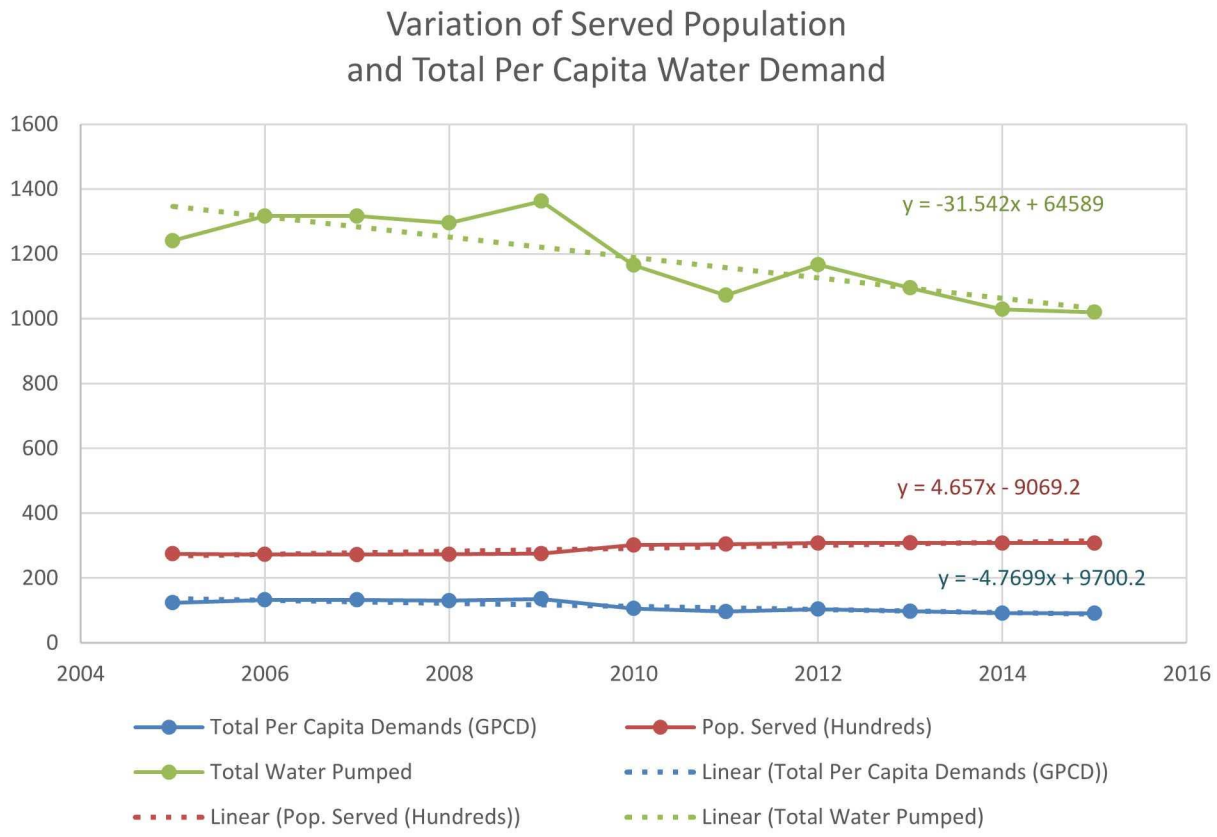
Use the data in Table 2 to describe trends in 1) population served; 2) total per capita water demand; 3) average daily demand; 4) maximum daily demand. Then explain the causes for upward or downward trends. For example, over the ten years has the average daily demand trended up or down? Why is this occurring?

1) Population Served

Based on the population data for years 2005-2015, the population had a 9.6% increase in 2010. However, there was little increase or decrease for the rest of the range. Since 2013, there has been minimal population change (±0.2%).

2) Total per Capita Water Demand

Total per capita water demand has decreased by 27% over the last ten years while the population increased at 12%. Since the last Water Supply Plan, some parts of the city have been developing. Some new stores and new developments include: a beer brewery (2014), an FBI office (2012), and Caribou Coffee headquarters (2004). Despite these growths and expected higher water use, the amount of water pumped declined 18% over the last ten years. The main reason for this and the decrease in water pumped and the total per capita water demand is likely due to replacement of fixtures in older houses and business buildings with more efficient fixtures and new buildings have more efficient fixtures installed during construction.

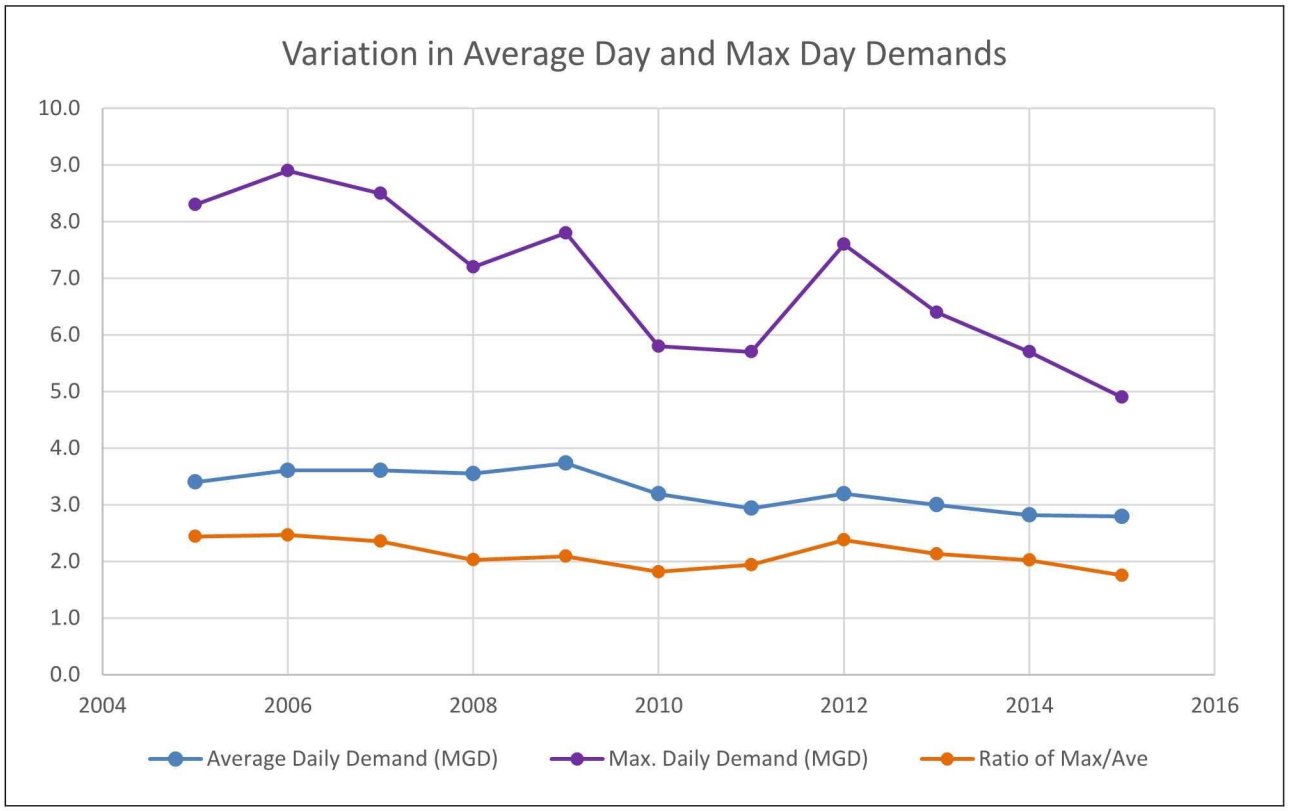


3) Average Daily Demand

Average daily demand has been decreasing at a rate of 18% per year over the last ten years and by 12.5% per year over the last 5 years. This is because the total per capita water demand has decreased significantly.

4) Maximum Daily Demand

There is some variation in Maximum Daily Demand due to weather variation; however, it has decreased overall at 41.0% per over the last ten years and by 15.5% over the last five years. Average Daily Demand has also decreased at a similar rate during the last five years. The ratio of Avg. Daily Demand to Maximum Daily Demand per year since 2011 has been steadily between 1.8 and 2.1, except for the Year 2012. It was a dry summer in 2012, which triggered a high Maximum Daily Demand and the ratio was 2.4.



Use the water use trend information discussed above to complete Table 7 with projected annual demand for the next ten years. Communities in the seven-county Twin Cities metropolitan area must also include projections for 2030 and 2040 as part of their local comprehensive planning.

Projected demand should be consistent with trends evident in the historical data in Table 2, as discussed above. Projected demand should also reflect state demographer population projections and/or other planning projections.

Table 7. Projected annual water demand

Year	Projected Total Population	Projected Population Served	Projected Total Per Capita Water Demand (GPCD)	Projected Average Daily Demand (MGD)	Projected Maximum Daily Demand (MGD)
2016	31231	31201	97.3	3.0	7.3
2017	31077	31047	96.8	3.0	7.2
2018	31254	31224	96.3	3.0	7.2
2019	31431	31401	95.8	3.0	7.2
2020	31400	31370	95.4	3.0	7.2
2021	31785	31755	94.9	3.0	7.2
2022	31962	31932	94.4	3.0	7.2
2023	32139	32109	93.9	3.0	7.2
2024	32316	32286	93.5	3.0	7.2
2025	32492	32462	93.0	3.0	7.2
2030	33000	32970	92.5	3.1	7.3
2040	35400	35370	92.1	3.3	7.8

GPCD – Gallons per Capita per Day **MGD** – Million Gallons per Day

Projection Method

Describe the method used to project water demand, including assumptions for population and business growth and how water conservation and efficiency programs affect projected water demand:

Population Projection Method
Projections for the population served were based on the population estimates from the 2015 System Statement for years 2020,2030, and 2040. 2016 population came from Metropolitan Council website. The populations for the rest of the years were estimated using a linear trend calculation.

Projected Total Per Capita Water Demand Projection Method
Following the national trend of 0.5% decrease per year, we decreased 0.5% annually. For 2016, we took the five year average between 2010-2015 and decrease the average by 0.5%.

Projected Average Daily Demand Projection Method
We multiplied the projected population by the projected total per capita water demand.

Projected Maximum Daily Demand Projection Method
Between 2011-2015, the highest Max Day to Ave Day ratio was 2.4. To see the worst-case scenario, we used 2.4 for all future years.

E. Resource Sustainability

Monitoring – *Key DNR Benchmark*

Complete Table 8 by inserting information about source water quality and quantity monitoring efforts. The list should include all production wells, observation wells, and source water intakes or reservoirs. Groundwater level data for DNR's statewide network of observation wells are available online through the DNR's Cooperative Groundwater Monitoring (CGM) webpage.

Table 8. Information about source water quality and quantity monitoring

MN Unique Well # or Surface Water ID	Type of monitoring point	Monitoring program	Frequency of monitoring	Monitoring Method
00203317 Well #2	☒ production well ☐ observation well ☐ source water intake ☐ source water reservoir	☒ routine MDH sampling ☐ routine water utility sampling ☐ other	☐ continuous ☐ hourly ☐ daily ☒ monthly ☐ quarterly ☐ annually	☐ SCADA ☒ grab sampling ☐ steel tape ☐ stream gauge
00203260 Well #3	☒ production well ☐ observation well ☐ source water intake ☐ source water reservoir	☒ routine MDH sampling ☐ routine water utility sampling ☐ other	☐ continuous ☐ hourly ☐ daily ☒ monthly ☐ quarterly ☐ annually	☐ SCADA ☒ grab sampling ☐ steel tape ☐ stream gauge

MN Unique Well # or Surface Water ID	Type of monitoring point	Monitoring program	Frequency of monitoring	Monitoring Method
00203259 Well #4	☒ production well ☐ observation well ☐ source water intake ☐ source water reservoir	☒ routine MDH sampling ☐ routine water utility sampling ☐ other	☐ continuous ☐ hourly ☐ daily ☒ monthly ☐ quarterly ☐ annually	☐ SCADA ☒ grab sampling ☐ steel tape ☐ stream gauge
00203258 Well #5	☒ production well ☐ observation well ☐ source water intake ☐ source water reservoir	☒ routine MDH sampling ☐ routine water utility sampling ☐ other	☐ continuous ☐ hourly ☐ daily ☒ monthly ☐ quarterly ☐ annually	☐ SCADA ☒ grab sampling ☐ steel tape ☐ stream gauge
00203321 Well #6	☒ production well ☐ observation well ☐ source water intake ☐ source water reservoir	☒ routine MDH sampling ☐ routine water utility sampling ☐ other	☐ continuous ☐ hourly ☐ daily ☒ monthly ☐ quarterly ☐ annually	☐ SCADA ☒ grab sampling ☐ steel tape ☐ stream gauge
00203257 Well #7	☒ production well ☐ observation well ☐ source water intake ☐ source water reservoir	☒ routine MDH sampling ☐ routine water utility sampling ☐ other	☐ continuous ☐ hourly ☐ daily ☒ monthly ☐ quarterly ☐ annually	☐ SCADA ☒ grab sampling ☐ steel tape ☐ stream gauge
00127269 Well #8	☒ production well ☐ observation well ☐ source water intake ☐ source water reservoir	☒ routine MDH sampling ☐ routine water utility sampling ☐ other	☐ continuous ☐ hourly ☐ daily ☒ monthly ☐ quarterly ☐ annually	☐ SCADA ☒ grab sampling ☐ steel tape ☐ stream gauge
00110493 Well #9	☒ production well ☐ observation well ☐ source water intake ☐ source water reservoir	☒ routine MDH sampling ☐ routine water utility sampling ☐ other	☐ continuous ☐ hourly ☐ daily ☒ monthly ☐ quarterly ☐ annually	☐ SCADA ☒ grab sampling ☐ steel tape ☐ stream gauge
00468118 Well #10	☒ production well ☐ observation well ☐ source water intake ☐ source water reservoir	☒ routine MDH sampling ☐ routine water utility sampling ☐ other	☐ continuous ☐ hourly ☐ daily ☒ monthly ☐ quarterly ☐ annually	☐ SCADA ☒ grab sampling ☐ steel tape ☐ stream gauge

Water Level Data

A water level monitoring plan that includes monitoring locations and a schedule for water level readings must be submitted as **Appendix 2**. If one does not already exist, it needs to be prepared and submitted with the WSP. Ideally, all production and observation wells are monitored at least monthly.

Complete Table 9 to summarize water level data for each well being monitored. Provide the name of the aquifer and a brief description of how much water levels vary over the season (the difference between the highest and lowest water levels measured during the year) and the long-term trends for each well. If water levels are not measured and recorded on a routine basis, then provide the static water level when each well was constructed and the most recent water level measured during the same season the well was constructed. Also include all water level data taken during any well and pump maintenance. Add rows to the table as needed.

Groundwater hydrographs illustrate the historical record of aquifer water levels measured within a well and can indicate water level trends over time. For each well in your system, provide a hydrograph for the life of the well, or for as many years as water levels have been measured. Include the hydrographs in **Appendix 3**. An example of a hydrograph can be found on the. Hydrographs for DNR Observation wells can be found in the CGM discussed above.

Table 9. Water level data

Unique Well Number or Well ID	Aquifer Name	Seasonal Variation (Feet)	Long-term Trend in water level data	Water level measured during well/pumping maintenance
00203317	Jordan	10 feet	☐ Falling ☒ Stable ☐ Rising	*8/14/17 20 ft
00203260	Jordan	10 feet	☐ Falling ☒ Stable ☐ Rising	1/27/16 60.1 ft *8/14/17 43 ft.
00203259	Jordan	10 feet	☐ Falling ☒ Stable ☐ Rising	*8/14/17 40 ft.
00203258	Jordan	8 feet	☐ Falling ☒ Stable ☐ Rising	3/28/66 84.0 ft 2/4/15 87.6 ft *8/14/17 41 ft.
00203321	Jordan	10 Feet	☐ Falling ☒ Stable ☐ Rising	11/08/65 57.4 ft 3/29/16 81 ft *8/14/17 43 ft.
00203257	Jordan	8 feet	☐ Falling ☒ Stable ☐ Rising	*8/14/17 43 ft.
00127269	Jordan	7 Feet	☐ Falling ☒ Stable	5/4/77 127.8 ft 3/3/16 91.2 ft *8/14/17 43

Unique Well Number or Well ID	Aquifer Name	Seasonal Variation (Feet)	Long-term Trend in water level data	Water level measured during well/pumping maintenance
			☐ Rising	ft.
00110493	Jordan	7 Feet	☐ Falling ☒ Stable ☐ Rising	*8/41/17 44 ft.
00468118	Jordan	7 Feet	☐ Falling ☒ Stable ☐ Rising	11/19/90 85.7 ft 11/27/15 60.0 ft *8/14/17 44 ft.

***Static water level**

Potential Water Supply Issues & Natural Resource Impacts – *Key DNR & Metropolitan Council Benchmark*

Complete Table 10 by listing the types of natural resources that are or could potentially be impacted by permitted water withdrawals in the future. You do not need to identify every single water resource in your entire community. The goal is to help you triage the most important water resources and/or the water resources that may be impacted by your water supply system – perhaps during a drought or when the population has grown significantly in ten years. This is emerging science, so do the best you can with available data. For identified resources, provide the name of specific resources that may be impacted. Identify what the greatest risks to the resource are and how the risks are being assessed. Identify any resource protection thresholds – formal or informal – that have been established to identify when actions should be taken to mitigate impacts. Provide information about the potential mitigation actions that may be taken, if a resource protection threshold is crossed. Add additional rows to the table as needed. See the glossary at the end of the template for definitions.

Some of this baseline data should have been in your earlier water supply plans or county comprehensive water plans. When filling out this table, think of what are the water supply risks, identify the resources, determine the threshold and then determine what your community will do to mitigate the impacts.

Your DNR area hydrologist is available to assist with this table.

For communities in the seven-county Twin Cities metropolitan area, the Master Water Supply Plan *Appendix 1 (Water Supply Profiles)*, provides information about potential water supply issues and natural resource impacts for your community.

Steps for completing Table 10

1. ***Identify the potential for natural resource impacts/issues within the community***
   First, review available information to identify resources that may be impacted by the operation of your water supply system (such as pumping).
   Potential Sources of Information:
   - County Geologic Atlas
   - Local studies
   - Metropolitan Council System Statement (for metro communities)

Metropolitan Council Master Water Supply Plan (for metro communities)

ACTION: Check the resource type(s) that may be impacted in the column "Resource Type"

2. ***Identify where your water supply system is most likely to impact those resources (and vice versa).***

   Potential Sources of Information:

   Drinking Water Supply Management Areas
   Geologic Atlas - Sensitivity
   If no WHPA or other information exists, consider rivers, lakes, wetlands and significant within 1.5 miles of wells; and calcareous fens and trout streams within 5 miles of wells

   ACTION: Focus the rest of your work in these areas.

3. ***Within focus areas, identify specific features of value to the community***

   You know your community best. What resources are important to pay attention to? It may be useful to check in with your community's planning and zoning staff and others.

   Potential Sources of Information:

   Park plans
   Local studies
   Natural resource inventories
   Tourist attractions/recreational areas/valued community resource

   ACTION: Identify specific features that the community prioritizes in the "Resource Name" column (for example: North Lake, Long River, Brook Trout Stream, or Green Fen). If, based on a review of available information, no features are likely to be at risk, note "None".

4. ***Identify what impact(s) the resource is at risk for***

   Potential Sources of Information:

   Wellhead Protection Plan
   Water Appropriation Permit
   County Geologic Atlas
   MDH or PCA reports of the area
   Metropolitan Council System Statement (for metro communities)
   Metropolitan Council Master Water Supply Plan (for metro communities)

   ACTION: Check the risk type in the column "Risk". If, based on a review of available information, no risk is identified, note "None anticipated".

5. ***Describe how the risk was assessed***

   Potential Sources of Information:

   Local studies
   Monitoring data (community, WMO, DNR, etc.)
   Aquifer testing
   County Geologic Atlas or other hydrogeologic studies

Regional or state studies, such as DNR's report 'Definitions and Thresholds for Negative Impacts to Surface Waters'
Well boring logs

ACTION: Identify the method(s) used to identify the risk to the resource in the "Risk Assessed Through" column

6. ***Describe protection threshold/goals***

What is the goal, if any, for protecting these resources? For example, is there a lower limit on acceptable flow in a river or stream? Water quality outside of an accepted range? A lower limit on acceptable aquifer level decline at one or more monitoring wells? Withdrawals that exceed some percent of the total amount available from a source? Or a lower limit on acceptable changes to a protected habitat?

Potential Sources of Information:

County Comprehensive Water Plans
Watershed Plans or One Watershed/One Plan
Groundwater or Aquifer Plans
Metropolitan Master Plans
DNR Thresholds study
Community parks, open space, and natural resource plans

ACTION: Describe resource protection goals in the "Describe Resource Protection Threshold" column or reference an existing plan/document/webpage

7. ***If a goal/threshold should trigger action, describe the plan that will be implemented.***

Identify specific action, mitigation measures or management plan that the water supplier will implement, or refer to a partner's plan that includes actions to be taken.

Potential Sources of Information:

County Comprehensive Water Plans
Watershed Plans or One Watershed/One Plan
Groundwater or Aquifer Plans
Metropolitan Master Plans
Studies such as DNR Thresholds study

ACTION: Describe the mitigation measure or management plan in the "Mitigation Measure or Management Plan" column.

8. ***Describe work to evaluate these risks going forward.***

For example, what is the plan to regularly check in to stay current on plans or new data?

Identify specific action that the water supplier will take to identify the creation of or change to goals/thresholds, or refer to a partner's plan that includes actions to be taken.

Potential Sources of Information:

County Comprehensive Water Plans

Watershed Plans or One Watershed/One Plan
Groundwater or Aquifer Plans
Metropolitan Master Plans
Studies such as DNR Thresholds study

ACTION: Describe what will be done to evaluate risks going forward, including any changes to goals or protection thresholds in the “Describe how Changes to Goals are monitored” column.

Table 10. Natural resource impacts (*List specific resources in Appendix 12)

Resource Type	Resource Name	Risk	Risk Assessed Through *	Describe Resource Protection Threshold or Goal *	Mitigation Measures or Management Plan	Describe How Thresholds or Goals are Monitored
☒ River or stream	Mississippi River	☐ None anticipated ☒ Flow/water level decline ☐ Degrading water quality trends ☐ Impacts on endangered, threatened, or special concern species habitat ☐ Other: _____	☒ Geologic atlas or other mapping ☐ Modeling ☐ Modeling ☐ Monitoring ☐ Aquifer testing ☐ WRAPS or other watershed report ☐ Proximity (<1.5 miles) ☐ Other: _____	☐ Not applicable ☒ Additional data is needed to establish with Shingle Creek Watershed District ☐ See report: _____ ☐ No data available ☐ Other: _____	☐ Not applicable ☒ Change groundwater pumping ☒ Increase conservation ☐ Other: _____	☐ Not applicable ☐ Newly collected data will be analyzed ☒ Regular check-in with these partners:_ DNR ☐ Other: _____
☐ Calcareous fen	NA	☒ None anticipated ☐ Flow/water level decline ☐ Degrading water quality trends ☐ Impacts on endangered, threatened, or special concern species habitat ☐ Other: _____	☒ Geologic atlas or other mapping ☐ Modeling ☐ Modeling ☐ Monitoring ☐ Aquifer testing ☐ WRAPS or other watershed Report ☐ Proximity (<5 miles) ☐ Other: _____ ☐ Other: ___	☒ Not applicable ☐ Additional data is needed to establish ☐ See report: _____ ☐ Other: _____	☒ Not applicable ☐ Change groundwater pumping ☐ Increase conservation ☐ Other: _____	☒ Not applicable ☐ Newly collected data will be analyzed ☐ Regular check-in with these partners: _____ ☐ Other: _____

Resource Type	Resource Name	Risk	Risk Assessed Through *	Describe Resource Protection Threshold or Goal *	Mitigation Measures or Management Plan	Describe How Thresholds or Goals are Monitored
☒ Lake	Twin Lakes	☐ None anticipated ☒ Flow/water level decline ☐ Degrading water quality trends ☐ Impacts on endangered, threatened, or special concern species habitat ☐ Other: _____	☒ Geologic atlas or other mapping ☐ Modeling ☐ Modeling ☐ Monitoring ☐ Aquifer testing ☐ WRAPS or other watershed report ☐ Proximity (<1.5 miles) ☐ Other: _____	☐ Not applicable ☒ Additional data is needed to establish with Shingle Creek Watershed District ☐ See report: _____ ☐ No data available ☐ Other: _____	☐ Not applicable ☒ Change groundwater pumping ☒ Increase conservation ☐ Other: _____	☐ Not applicable ☐ Newly collected data will be analyzed ☒ Regular check-in with these partners: DNR ☐ Other: _____
☒ Lake	Palmer Lake	☐ None anticipated ☒ Flow/water level decline ☐ Degrading water quality trends ☐ Impacts on endangered, threatened, or special concern species habitat ☐ Other: _____	☒ Geologic atlas or other mapping ☐ Modeling ☐ Modeling ☐ Monitoring ☐ Aquifer testing ☐ WRAPS or other watershed report ☐ Proximity (<1.5 miles) ☐ Other: _____	☐ Not applicable ☒ Additional data is needed to establish with Shingle Creek Watershed District ☐ See report: _____ ☐ No data available ☐ Other: _____	☐ Not applicable ☒ Change groundwater pumping ☒ Increase conservation ☐ Other: _____	☐ Not applicable ☒ Newly collected data will be analyzed ☒ Regular check-in with these partners: Shingle Creek Watershed District and DNR ☐ Other: _____

Resource Type	Resource Name	Risk	Risk Assessed Through *	Describe Resource Protection Threshold or Goal *	Mitigation Measures or Management Plan	Describe How Thresholds or Goals are Monitored
☒ Creek	Shingle Creek	☐ None anticipated ☒ Flow/water level decline ☐ Degrading water quality trends ☐ Impacts on endangered, threatened, or special concern species habitat ☐ Other: _____	☒ Geologic atlas or other mapping ☐ Modeling ☐ Modeling ☐ Monitoring ☐ Aquifer testing ☐WRAPS or other watershed report ☐Proximity (<1.5 miles) ☐ Other: _____	☐ Not applicable ☒ Additional data is needed to establish with Shingle Creek Watershed District ☐ See report: _____ ☐ No data available ☐ Other: _____	☐ Not applicable ☒ Change groundwater pumping ☒ Increase conservation ☐ Other: _____	☐ Not applicable ☐ Newly collected data will be analyzed ☒ Regular check-in with these partners:_ DNR ☐ Other: _____
☒ Aquifer	Jordan	☐ None anticipated ☒ Flow/water level decline ☐ Degrading water quality trends ☐ Impacts on endangered, threatened, or special concern species habitat ☐ Other: _____	☒ Geologic atlas or other mapping ☒ Modeling ☒ Monitoring ☒ Aquifer testing ☐Proximity (obwell < 5 miles) ☐ Other:	☐ Not applicable ☒ Additional data is needed to establish ☐ See report: _____ ☐ Other:	☐ Not applicable ☒ Change groundwater pumping ☒ Increase conservation ☐ Other: _ _____	☐ Not applicable ☒ Newly collected data will be analyzed ☒ Regular check-in with these partners: DNR__ ☐ Other:

Wellhead Protection (WHP) and Source Water Protection (SWP) Plans

Complete Table 11 to provide status information about WHP and SWP plans.

The emergency procedures in this plan are intended to comply with the contingency plan provisions required in the Minnesota Department of Health's (MDH) Wellhead Protection (WHP) Plan and Surface Water Protection (SWP) Plan.

Table 11. Status of Wellhead Protection and Source Water Protection Plans

Plan Type	Status	Date Adopted	Date for Update
WHP	☐ In Process ☒ Completed ☐ Not Applicable	11/20/2015	11/20/2025
SWP	☐ In Process ☐ Completed ☒ Not Applicable		

WHP – Wellhead Protection Plan **SWP** – Source Water Protection Plan

F. Capital Improvement Plan (CIP)

Please note that any wells that received approval under a ten-year permit, but that were not built, are now expired and must submit a water appropriations permit.

Adequacy of Water Supply System

Complete Table 12 with information about the adequacy of wells and/or intakes, storage facilities, treatment facilities, and distribution systems to sustain current and projected demands. List planned capital improvements for any system components, in chronological order. Communities in the seven-county Twin Cities metropolitan area should also include information about plans through 2040.

The assessment can be the general status by category; it is not necessary to identify every single well, storage facility, treatment facility, lift station, and mile of pipe.

Please attach your latest Capital Improvement Plan as **Appendix 4**.

Table 12. Adequacy of Water Supply System

System Component	Planned action	Anticipated Construction Year	Notes
Wells/Intakes	☐ No action planned - adequate ☒ Repair/replacement ☐ Expansion/addition	2017/2018	Wells #4, #9, #6, and #8 Rehab
Water Storage Facilities	☐ No action planned - adequate ☒ Repair/replacement ☐ Expansion/addition	2017/2018	Tower #3-2017 Tower #2-2018 Tower #1-2020
Water Treatment Facilities	☒ No action planned - adequate ☐ Repair/replacement ☐ Expansion/addition		Built in 2015

System Component	Planned action	Anticipated Construction Year	Notes
Distribution Systems (Pipes, valves, etc.)	☐ No action planned - adequate ☒ Repair/replacement ☐ Expansion/addition	2018	Firehouse Park Project Annually, a section of the water distribution system is repaired in the road reconstruction area.
Pressure Zones	☒ No action planned - adequate ☐ Repair/replacement ☐ Expansion/addition		
Other: N/A	☐ No action planned - adequate ☐ Repair/replacement ☐ Expansion/addition		

Proposed Future Water Sources

Complete Table 13 to identify new water source installation planned over the next ten years. Add rows to the table as needed.

Table 13. Proposed future installations/sources

Source	Installation Location (approximate)	Resource Name	Proposed Pumping Capacity (gpm)	Planned Installation Year	Planned Partnerships
Groundwater	N/A				
Surface Water	N/A				
Interconnection to another supplier	53rd & Dupont	Minneapolis Interconnection	2500 gpm	2018?	Minneapolis

Water Source Alternatives - *Key Metropolitan Council Benchmark*

Do you anticipate the need for alternative water sources in the next 10 years? Yes ☐ No ☒

For metro communities, will you need alternative water sources by the year 2040? Yes ☐ No ☒

If you answered yes for either question, then complete table 14. If no, insert NA.

Complete Table 14 by checking the box next to alternative approaches that your community is considering, including approximate locations (if known), the estimated amount of future demand that could be met through the approach, the estimated timeframe to implement the approach, potential partnerships, and the major benefits and challenges of the approach. Add rows to the table as needed.

For communities in the seven-county Twin Cities metropolitan area, these alternatives should include approaches the community is considering to meet projected 2040 water demand.

Table 14. Alternative water sources

Alternative Source Considered	Source and/or Installation Location (approximate)	Estimated Amount of Future Demand (%)	Timeframe to Implement (YYYY)	Potential Partners	Benefits	Challenges
☐ Groundwater	N/A					
☐ Surface Water	N/A					
☐ Reclaimed stormwater	N/A					
☐ Reclaimed wastewater	N/A					
☐ Interconnection to another supplier	N/A					

PART 2. EMERGENCY PREPAREDNESS PROCEDURES

The emergency preparedness procedures outlined in this plan are intended to comply with the contingency plan provisions required by MDH in the WHP and SWP. Water emergencies can occur as a result of vandalism, sabotage, accidental contamination, mechanical problems, power failings, drought, flooding, and other natural disasters. The purpose of emergency planning is to develop emergency response procedures and to identify actions needed to improve emergency preparedness. In the case of a municipality, these procedures should be in support of, and part of, an all-hazard emergency operations plan. Municipalities that already have written procedures dealing with water emergencies should review the following information and update existing procedures to address these water supply protection measures.

A. Emergency Response Plan

Section 1433(b) of the Safe Drinking Water Act, (Public Law 107-188, Title IV- Drinking Water Security and Safety) requires community water suppliers serving over 3,300 people to prepare an Emergency Response Plan. MDH recommends that Emergency Response Plans are updated annually.

Do you have an Emergency Response Plan? Yes ☒ No ☐

Have you updated the Emergency Response Plan in the last year? Yes ☒ No ☐

When did you last update your Emergency Response Plan? __In Process_____

Complete Table 15 by inserting the noted information regarding your completed Emergency Response Plan.

Table 15. Emergency Response Plan contact information

Emergency Response Plan Role	Contact Person	Contact Phone Number	Contact Email
Emergency Response Lead	JEREMY HULKE	763-549-3610	JHULKE@CI.BROOKLYN-CENTER.MN.US

Emergency Response Plan Role	Contact Person	Contact Phone Number	Contact Email
Alternate Emergency Response Lead	GARY HENDRICKSON	763-549-3611	GHENDRICKSON@CI.BROOKLYN-CENTER.MN.US

B. Operational Contingency Plan

All utilities should have a written operational contingency plan that describes measures to be taken for water supply mainline breaks and other common system failures as well as routine maintenance.

Do you have a written operational contingency plan? Yes ☒ No ☐

At a minimum, a water supplier should prepare and maintain an emergency contact list of contractors and suppliers.

C. Emergency Response Procedures

Water suppliers must meet the requirements of MN Rules 4720.5280. Accordingly, the Minnesota Department of Natural Resources (DNR) requires public water suppliers serving more than 1,000 people to submit Emergency and Conservation Plans. Water emergency and conservation plans that have been approved by the DNR, under provisions of Minnesota Statute 186 and Minnesota Rules, part 6115.0770, will be considered equivalent to an approved WHP contingency plan.

Emergency Telephone List

Prepare and attach a list of emergency contacts, including the MN Duty Officer (1-800-422-0798), as **Appendix 5**. An Emergency Contact List template is available at the MnDNR Water Supply Plans webpage.

The list should include key utility and community personnel, contacts in adjacent water suppliers, and appropriate local, state and federal emergency contacts. Please be sure to verify and update the contacts on the emergency telephone list and date it. Thereafter, update on a regular basis (once a year is recommended). In the case of a municipality, this information should be contained in a notification and warning standard operating procedure maintained by the Emergency Manager for that community. Responsibilities and services for each contact should be defined.

Current Water Sources and Service Area

Quick access to concise and detailed information on water sources, water treatment, and the distribution system may be needed in an emergency. System operation and maintenance records should be maintained in secured central and back-up locations so that the records are accessible for emergency purposes. A detailed map of the system showing the treatment plants, water sources, storage facilities, supply lines, interconnections, and other information that would be useful in an emergency should also be readily available. It is critical that public water supplier representatives and emergency response personnel communicate about the response procedures and be able to easily obtain this kind of information both in electronic and hard copy formats (in case of a power outage).

Do records and maps exist? Yes ☒ No ☐

Can staff access records and maps from a central secured location in the event of an emergency?

Yes ☒ No ☐

Does the appropriate staff know where the materials are located?

Yes ☒ No ☐

Procedure for Augmenting Water Supplies

Complete Tables 16 – 17 by listing all available sources of water that can be used to augment or replace existing sources in an emergency. Add rows to the tables as needed.

In the case of a municipality, this information should be contained in a notification and warning standard operating procedure maintained by the warning point for that community. Municipalities are encouraged to execute cooperative agreements for potential emergency water services and copies should be included in **Appendix 6**. Outstate Communities may consider using nearby high capacity wells (industry, golf course) as emergency water sources.

WSP should include information on any physical or chemical problems that may limit interconnections to other sources of water. Approvals from the MDH are required for interconnections or the reuse of water.

Table 16. Interconnections with other water supply systems to supply water in an emergency

Other Water Supply System Owner	Capacity (GPM & MGD)	Note Any Limitations On Use	List of services, equipment, supplies available to respond
City of Brooklyn Park	2500GPM 3.6 MGD	CAPACITY MIGHT CHANGE DEPENDING ON SEASON	VALVE WRENCH, TRUCK, PERSONNEL

GPM – Gallons per minute MGD – million gallons per day

Table 17. Utilizing surface water as an alternative source

Surface Water Source Name	Capacity (GPM)	Capacity (MGD)	Treatment Needs	Note Any Limitations On Use
Insert name of surface water source here	N/A			

If not covered above, describe additional emergency measures for providing water (obtaining bottled water, or steps to obtain National Guard services, etc.)

NA

Allocation and Demand Reduction Procedures

Complete Table 18 by adding information about how decisions will be made to allocate water and reduce demand during an emergency. Provide information for each customer category, including its

priority ranking, average day demand, and demand reduction potential for each customer category. Modify the customer categories as needed, and add additional lines if necessary.

Water use categories should be prioritized in a way that is consistent with Minnesota Statutes 103G.261 (#1 is highest priority) as follows:

1. Water use for human needs such as cooking, cleaning, drinking, washing and waste disposal; use for on-farm livestock watering; and use for power production that meets contingency requirements.
2. Water use involving consumption of less than 10,000 gallons per day (usually from private wells or surface water intakes)
3. Water use for agricultural irrigation and processing of agricultural products involving consumption of more than 10,000 gallons per day (usually from private high-capacity wells or surface water intakes)
4. Water use for power production above the use provided for in the contingency plan.
5. All other water use involving consumption of more than 10,000 gallons per day.
6. Nonessential uses – car washes, golf courses, etc.

Water used for human needs at hospitals, nursing homes and similar types of facilities should be designated as a high priority to be maintained in an emergency. Lower priority uses will need to address water used for human needs at other types of facilities such as hotels, office buildings, and manufacturing plants. The volume of water and other types of water uses at these facilities must be carefully considered. After reviewing the data, common sense should dictate local allocation priorities to protect domestic requirements over certain types of economic needs. Water use for lawn sprinkling, vehicle washing, golf courses, and recreation are legislatively considered non-essential.

Table 18. Water use priorities

Customer Category	Allocation Priority	Average Daily Demand (GDP)	Short-Term Emergency Demand Reduction Potential (GPD)
Residential	1	2,079,896	519,974
Institutional	N/A	---	---
Commercial	5	626,114	156,529
Industrial	N/A	---	---
Wholesale	N/A	---	---
Non-Essential	6	61,516	15,379
Water Supplier Services	3	237,273	0
TOTAL	---	3,004,799	691,882

GPD – Gallons per Day

Tip: Calculating Emergency Demand Reduction Potential

The emergency demand reduction potential for all uses will typically equal the difference between maximum use (summer demand) and base use (winter demand). In extreme emergency situations, lower priority water uses must be restricted or eliminated to protect priority domestic water requirements. Emergency demand reduction potential should be based on average day demands for

customer categories within each priority class. Use the tables in Part 3 on water conservation to help you determine strategies.

Complete Table 19 by selecting the triggers and actions during water supply disruption conditions.

Table 19. Emergency demand reduction conditions, triggers and actions (Select all that may apply and describe)

Emergency Triggers	Short-term Actions	Long-term Actions
☒ Contamination ☒ Loss of production ☒ Infrastructure failure ☐ Executive order by Governor ☐ Other: _____	☒ Supply augmentation through __Interconnection with Brooklyn Park__ ☒ Adopt (if not already) and enforce a critical water deficiency ordinance to penalize lawn watering, vehicle washing, golf course and park irrigation & other nonessential uses. ☒ Water allocation through drinking water and hygiene__ ☐ Meet with large water users to discuss their contingency plan.	☒ Supply augmentation through __Interconnection with Brooklyn Park__ ☒ Adopt (if not already) and enforce a critical water deficiency ordinance to penalize lawn watering, vehicle washing, golf course and park irrigation & other nonessential uses. ☒ Water allocation through_water trucks___ ☐ Meet with large water users to discuss their contingency plan.

Notification Procedures

Complete Table 20 by selecting trigger for informing customers regarding conservation requests, water use restrictions, and suspensions; notification frequencies; and partners that may assist in the notification process. Add rows to the table as needed.

Table 20. Plan to inform customers regarding conservation requests, water use restrictions, and suspensions

Notification Trigger(s)	Methods (select all that apply)	Update Frequency	Partners
☒ Short-term demand reduction declared (< 1 year)	☒ Website ☒ Email list serve ☒ Social media (e.g. Twitter, Facebook) ☐ Direct customer mailing, ☒ Press release (TV, radio, newspaper), ☐ Meeting with large water users (> 10% of total city use) ☐ Other: _____	☐ Daily ☒ Weekly ☐ Monthly ☐ Annually	Brooklyn Center PD/FD
☒ Long-term Ongoing demand reduction declared	☒ Website ☒ Email list serve ☒ Social media (e.g. Twitter, Facebook) ☐ Direct customer mailing, ☒ Press release (TV, radio, newspaper), ☒ Meeting with large water users (> 10% of total city use) ☐ Other: _____	☒ Daily ☐ Weekly ☐ Monthly ☐ Annually	Brooklyn Center PD/FD All City Staff involved
☒ Governor's critical water deficiency declared	☒ Website ☒ Email list serve ☒ Social media (e.g. Twitter, Facebook)	☒ Daily ☐ Weekly ☐ Monthly ☐ Annually	Brooklyn Center PD/FD All City Staff involved Neighboring Cities

Notification Trigger(s)	Methods (select all that apply)	Update Frequency	Partners
	☒ Direct customer mailing, ☒ Press release (TV, radio, newspaper), ☒ Meeting with large water users (> 10% of total city use) ☐ Other: _____		

Enforcement

Prior to a water emergency, municipal water suppliers must adopt regulations that restrict water use and outline the enforcement response plan. The enforcement response plan must outline how conditions will be monitored to know when enforcement actions are triggered, what enforcement tools will be used, who will be responsible for enforcement, and what timelines for corrective actions will be expected.

Affected operations, communications, and enforcement staff must then be trained to rapidly implement those provisions during emergency conditions.

Important Note:

Disregard of critical water deficiency orders, even though total appropriation remains less than permitted, is adequate grounds for immediate modification of a public water supply authority's water use permit (2013 MN Statutes 103G.291)

Does the city have a critical water deficiency restriction/official control in place that includes provisions to restrict water use and enforce the restrictions? (This restriction may be an ordinance, rule, regulation, policy under a council directive, or other official control) Yes ☒ No ☐

If yes, attach the official control document to this WSP as **Appendix 7**.

If no, the municipality must adopt such an official control within 6 months of submitting this WSP and submit it to the DNR as an amendment to this WSP.

Irrespective of whether a critical water deficiency control is in place, does the public water supply utility, city manager, mayor, or emergency manager have standing authority to implement water restrictions? Yes ☒ No ☐

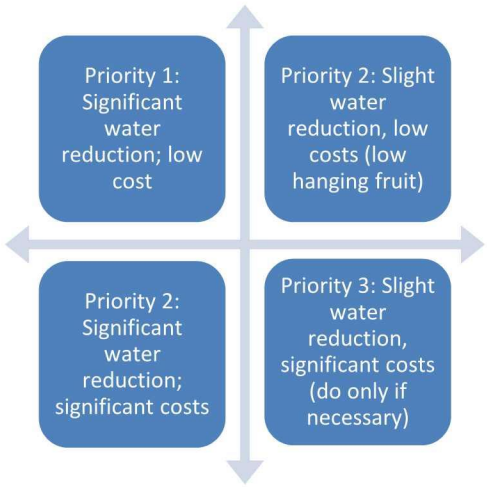
If yes, cite the regulatory authority reference: ___City Ordinance 4-202____.

If no, who has authority to implement water use restrictions in an emergency?

NA

PART 3. WATER CONSERVATION PLAN

Minnesotans have historically benefited from the state's abundant water supplies, reducing the need for conservation. There are however, limits to the available supplies of water and increasing threats to the quality of our drinking water. Causes of water supply limitation may include: population increases, economic trends, uneven statewide availability of groundwater, climatic changes, and degraded water quality. Examples of threats to drinking water quality include: the presence of contaminant plumes from past land use activities, exceedances of water quality standards from natural and human sources, contaminants of emerging concern, and increasing pollutant trends from nonpoint sources.



There are many incentives for conserving water; conservation:

- reduces the potential for pumping-induced transfer of contaminants into the deeper aquifers, which can add treatment costs
- reduces the need for capital projects to expand system capacity
- reduces the likelihood of water use conflicts, like well interference, aquatic habitat loss, and declining lake levels
- conserves energy, because less energy is needed to extract, treat and distribute water (and less energy production also conserves water since water is used to produce energy)
- maintains water supplies that can then be available during times of drought

It is therefore imperative that water suppliers implement water conservation plans. The first step in water conservation is identifying opportunities for behavioral or engineering changes that could be made to reduce water use by conducting a thorough analysis of:

- Water use by customer
- Extraction, treatment, distribution and irrigation system efficiencies
- Industrial processing system efficiencies
- Regulatory and barriers to conservation
- Cultural barriers to conservation
- Water reuse opportunities

Once accurate data is compiled, water suppliers can set achievable goals for reducing water use. A successful water conservation plan follows a logical sequence of events. The plan should address both conservation on the supply side (leak detection and repairs, metering), as well as on the demand side (reductions in usage). Implementation should be conducted in phases, starting with the most obvious and lowest-cost options. In some cases, one of the early steps will be reviewing regulatory constraints to water conservation, such as lawn irrigation requirements. Outside funding and grants may be available for implementation of projects. Engage water system operators and maintenance staff and customers in brainstorming opportunities to reduce water use. Ask the question: "How can I help save water?"

Progress since 2006

Is this your community's first Water Supply Plan? Yes ☐ No ☒

If yes, describe conservation practices that you are already implementing, such as: pricing, system improvements, education, regulation, appliance retrofitting, enforcement, etc.

NA

If no, complete Table 21 to summarize conservation actions taken since the adoption of the 2006 water supply plan.

Table 21. Implementation of previous ten-year Conservation Plan

2006 Plan Commitments	Action Taken?
Change water rates structure to provide conservation pricing	☒ Yes ☐ No
Water supply system improvements (e.g. leak repairs, valve replacements, etc.) Leak survey completed every year. Road Reconstruction projects	☒ Yes ☐ No
Educational efforts	☐ Yes ☒ No
New water conservation ordinances Resolution 09-154 Effective 1/1/2010	☒ Yes ☐ No
Rebate or retrofitting Program (e.g. for toilet, faucets, appliances, showerheads, dish washers, washing machines, irrigation systems, rain barrels, water softeners, etc.	☐ Yes ☒ No
Enforcement	☒ Yes ☐ No
Describe other Sprinkling Ban ODD/Even	☒ Yes ☐ No

What are the results you have seen from the actions in Table 21 and how were results measured?

People watering in the morning and night not during the day. Less unaccounted water, we are finding leaks before they ever surface.

A. Triggers for Allocation and Demand Reduction Actions

Complete table 22 by checking each trigger below, as appropriate, and the actions to be taken at various levels or stages of severity. Add in additional rows to the table as needed.

Table 22. Short and long-term demand reduction conditions, triggers and actions

Objective	Triggers	Actions
Protect surface water flows	☐ Low stream flow conditions	☐ Increase promotion of conservation

Objective	Triggers	Actions
	☐ Reports of declining wetland and lake levels ☐ Other: _____	measures ☐ Other: _____
Short-term demand reduction (less than 1 year	☒ Extremely high seasonal water demand (more than double winter demand) ☒ Loss of treatment capacity ☒ Lack of water in storage ☐ State drought plan ☐ Well interference ☐ Other: _____	☒ Adopt (if not already) and enforce the critical water deficiency ordinance to restrict or prohibit lawn watering, vehicle washing, golf course and park irrigation & other nonessential uses. ☐ Supply augmentation through ____ ☐ Water allocation through____ ☐ Meet with large water users to discuss user's contingency plan.
Long-term demand reduction (>1 year)	☒ Per capita demand increasing ☐ Total demand increase (higher population or more industry). Water level in well(s) below elevation of _____ ☐ Other: _____	☒ Develop a critical water deficiency ordinance that is or can be quickly adopted to penalize lawn watering, vehicle washing, golf course and park irrigation & other nonessential uses. ☒ Enact a water waste ordinance that targets overwatering (causing water to flow off the landscape into streets, parking lots, or similar), watering impervious surfaces (streets, driveways or other hardscape areas), and negligence of known leaks, breaks, or malfunctions. ☐ Meet with large water users to discuss user's contingency plan. ☒ Enhanced monitoring and reporting: audits, meters, billing, etc.
Governor's "Critical Water Deficiency Order" declared	☐ Describe	☒ Describe Suspend lawn watering, vehicle washing, golf course and park irrigation and other non-essential uses

B. Conservation Objectives and Strategies – *Key benchmark for DNR*

This section establishes water conservation objectives and strategies for eight major areas of water use.

Objective 1: Reduce Unaccounted (Non-Revenue) Water loss to Less than 10%

The Minnesota Rural Water Association, the Metropolitan Council and the Department of Natural Resources recommend that all water uses be metered. Metering can help identify high use locations and times, along with leaks within buildings that have multiple meters.

It is difficult to quantify specific unmetered water use such as that associated with firefighting and system flushing or system leaks. Typically, water suppliers subtract metered water use from total water pumped to calculate unaccounted or non-revenue water loss.

Is your five-year average (2005-2014) unaccounted Water Use in Table 2 higher than 10%?

Yes ☐ No ☒

What is your leak detection monitoring schedule? (e.g. Monitor 1/3rd of the city lines per year)

The current Leak Detection schedule: half the City a year

Water Audits - are designed to help quantify and track water losses associated with water distribution systems and identify areas for improved efficiency and cost recovery. The American Water Works Association (AWWA) has a recommended water audit methodology which is presented in AWWA's M36 Manual of Water Supply Practices: Water Audits and Loss Control Programs. AWWA also provides a free spreadsheet-based water audit tool that water suppliers can use to conduct their own water audits. This free water audit tool can be found on AWWA's Water Loss Control webpage. Another resource for water audit and water loss control information is Minnesota Rural Water Association.

What is the date of your most recent water audit? ___2017____

Frequency of water audits: ☒ **yearly** ☐ **other (specify frequency) _____**
Leak detection and survey: ☒ **every year** ☐ **every other year** ☐ **periodic as needed**
Year last leak detection survey completed: _2017

_____

If Table 2 shows annual water losses over 10% or an increasing trend over time, describe what actions will be taken to reach the <10% loss objective and within what timeframe

NA

Metering -AWWA recommends that every water supplier install meters to account for all water taken into its system, along with all water distributed from its system at each customer's point of service. An effective metering program relies upon periodic performance testing, repair, maintenance or replacement of all meters. Drinking Water Revolving Loan Funds are available for purchase of new meters when new plants are built. AWWA also recommends that water suppliers conduct regular water audits to account for unmetered unbilled consumption, metered unbilled consumption and source water and customer metering inaccuracies. Some cities install separate meters for interior and exterior water use, but some research suggests that this may not result in water conservation.

Complete Table 23 by adding the requested information regarding the number, types, testing and maintenance of customer meters.

Table 23. Information about customer meters

Customer Category	Number of Customers	Number of Metered Connections	Number of Automated Meter Readers	Meter testing intervals (years)	Average age/meter replacement schedule (years
Residential	8417	8417	8417	As Needed	8 years old/15-20
Irrigation meters	178	178	178	As Needed	8 years old/15-20

Customer Category	Number of Customers	Number of Metered Connections	Number of Automated Meter Readers	Meter testing intervals (years)	Average age/meter replacement schedule (years
Institutional	37	37	37	As Needed	8 years old/15-20
Commercial	313	313	313	As Needed	8 years old/15-20
Industrial	0	0	0	NA	NA
Public facilities	159	159	159	As Needed	8 years old/15-20
Other	N/A	---	---	---	___ / ___
TOTALS	9104	9104	9104	NA	NA

For unmetered systems, describe any plans to install meters or replace current meters with advanced technology meters. Provide an estimate of the cost to implement the plan and the projected water savings from implementing the plan.

NA

Table 24. Water source meters

	Number of Meters	Meter testing schedule (years)	Number of Automated Meter Readers	Average age/meter replacement schedule (years
Water source (wells/intakes)	9	1	0	15-20 years old/With every well rehabilitation, which is every 6 years
Treatment plant	1	1	1	New in 2015/ Every 15-20years

Objective 2: Achieve Less than 75 Residential Gallons per Capita Demand (GPCD)

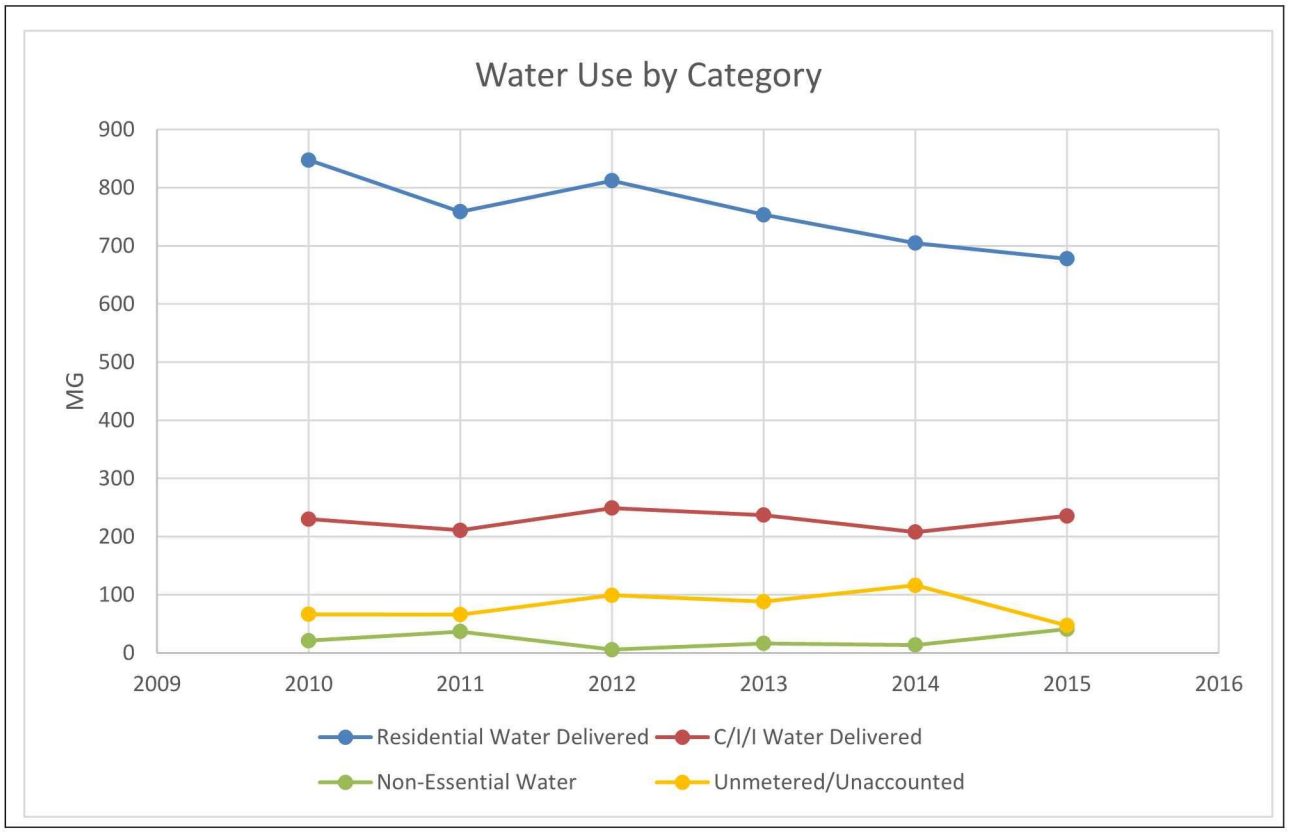
The 2002 average residential per capita demand in the Twin Cities Metropolitan area was 75 gallons per capita per day.

Is your average 2010-2015 residential per capita water demand in Table 2 more than 75? Yes ☐ No ☒

What was your 2010 – 2015 five-year average residential per capita water demand? __68 g/person/day

Describe the water use trend over that timeframe:

Water use in Brooklyn Center has decreased over the last six years despite the increase in number of service connections. During the years of 2010 to 2015, least squares linear regression indicates that the best fit values increased 2% for serviced population and decreased 12% for total water pumped. Least squares linear regression for 2010-2015 also shows that water use declined for residential use at 19%, increased for non-essential use at 20%, increased for unmetered use at 26%, and remained relatively unchanged for C/I/I. The use of higher efficiency appliances and our customers being aware to conserve water probably have attributed to the decline.



Complete Table 25 by checking which strategies you will use to continue reducing residential per capita demand and project a likely timeframe for completing each checked strategy (Select all that apply and add rows for additional strategies):

Table 25. Strategies and timeframe to reduce residential per capita demand

Strategy to reduce residential per capita demand	Timeframe for completing work
☐ Revise city ordinances/codes to encourage or require water efficient landscaping.	
☐ Revise city ordinance/codes to permit water reuse options, especially for non-potable purposes like irrigation, groundwater recharge, and industrial use. Check with plumbing authority to see if internal buildings reuse is permitted	
☒ Revise ordinances to limit irrigation. Describe the restricted irrigation plan: No watering Noon-5pm	2018
☐ Revise outdoor irrigation installations codes to require high efficiency systems (e.g. those with soil moisture sensors or programmable watering areas) in new installations or system replacements.	
☒ Make water system infrastructure improvements	2018
☐ Offer free or reduced cost water use audits) for residential customers.	
☒ Implement a notification system to inform customers when water availability conditions change.	2018

Strategy to reduce residential per capita demand	Timeframe for completing work
☐ Provide rebates or incentives for installing water efficient appliances and/or fixtures indoors (e.g., low flow toilets, high efficiency dish washers and washing machines, showerhead and faucet aerators, water softeners, etc.)	
☐ Provide rebates or incentives to reduce outdoor water use (e.g., turf replacement/reduction, rain gardens, rain barrels, smart irrigation, outdoor water use meters, etc.)	
☐ Identify supplemental Water Resources	
☐ Conduct audience-appropriate water conservation education and outreach.	
☐ Describe other plans	

Objective 3: Achieve at least 1.5% annual reduction in non-residential per capita water use (For each of the next ten years, or a 15% total reduction over ten years.) This includes commercial, institutional, industrial and agricultural water users.

Complete Table 26 by checking which strategies you will used to continue reducing non-residential customer use demand and project a likely timeframe for completing each checked strategy (add rows for additional strategies).

Where possible, substitute recycled water used in one process for reuse in another. (For example, spent rinse water can often be reused in a cooling tower.) Keep in mind the true cost of water is the amount on the water bill PLUS the expenses to heat, cool, treat, pump, and dispose of/discharge the water. Don't just calculate the initial investment. Many conservation retrofits that appear to be prohibitively expensive are actually very cost-effective when amortized over the life of the equipment. Often reducing water use also saves electrical and other utility costs. Note: as of 2015, water reuse, and is not allowed by the state plumbing code, M.R. 4715 (a variance is needed). However, several state agencies are addressing this issue.

Table 26. Strategies and timeframe to reduce institutional, commercial industrial, and agricultural and non-revenue use demand

Strategy to reduce total business, industry, agricultural demand	Timeframe for completing work
☐ Conduct a facility water use audit for both indoor and outdoor use, including system components	
☒ Install enhanced meters capable of automated readings to detect spikes in consumption	Ongoing
☐ Compare facility water use to related industry benchmarks, if available (e.g., meat processing, dairy, fruit and vegetable, beverage, textiles, paper/pulp, metals, technology, petroleum refining etc.)	
☐ Install water conservation fixtures and appliances or change processes to conserve water	
☒ Repair leaking system components (e.g., pipes, valves)	Ongoing-Leak Detection annually
☐ Investigate the reuse of reclaimed water (e.g., stormwater, wastewater effluent, process wastewater, etc.)	
☐ Reduce outdoor water use (e.g., turf replacement/reduction, rain gardens, rain barrels, smart irrigation, outdoor water use meters, etc.)	

Strategy to reduce total business, industry, agricultural demand	Timeframe for completing work
☐ Train employees how to conserve water	
☒ Implement a notification system to inform non-residential customers when water availability conditions change.	2018
☐ Nonpotable rainwater catchment systems intended to supply uses such as water closets, urinals, trap primers for floor drains and floor sinks, industrial processes, water features, vehicle washing facilities, cooling tower makeup, and similar uses shall be approved by the commissioner. Plumbing code 4714.1702, Published October 31, 2016	
☐ Describe other plans:	

Objective 4: Achieve a Decreasing Trend in Total Per Capita Demand

Include as **Appendix 8** one graph showing total per capita water demand for each customer category (i.e., residential, institutional, commercial, industrial) from 2005-2014 and add the calculated/estimated linear trend for the next 10 years.

Describe the trend for each customer category; explain the reason(s) for the trends, and where trends are increasing.

After looking at the graph it will be apparent that the residential trend is moving downward because of more efficient appliances and water conservation practices. Both WSS and AG the trends are increasing more irrigations are being installed and weather dependent. For the Commercial trend we are seeing increase in commercial properties which typically use more water for production.

Objective 5: Reduce Ratio of Maximum day (peak day) to the Average Day Demand to Less Than 2.6

Is the ratio of average 2005-2014 maximum day demand to average 2005-2014 average day demand reported in Table 2 more than 2.6? Yes ☒ No ☐

Calculate a ten-year average (2005 – 2014) of the ratio of maximum day demand to average day demand: 2.2 (2.0 for 2010-2015 Average Ratio)

The position of the DNR has been that a peak day/average day ratio that is above 2.6 for in summer indicates that the water being used for irrigation by the residents in a community is too large and that efforts should be made to reduce the peak day use by the community.

It should be noted that by reducing the peak day use, communities can also reduce the amount of infrastructure that is required to meet the peak day use. This infrastructure includes new wells, new water towers which can be costly items.

Objective 6: Implement Demand Reduction Measures

Water Conservation Program

Municipal water suppliers serving over 1,000 people are required to adopt demand reduction measures that include a conservation rate structure, or a uniform rate structure with a conservation program that achieves demand reduction. These measures must achieve demand reduction in ways that reduce water demand, water losses, peak water demands, and nonessential water uses. These measures must be approved before a community may request well construction approval from the Department of Health or before requesting an increase in water appropriations permit volume (Minnesota Statutes, section 103G.291, subd. 3 and 4). Rates should be adjusted on a regular basis to ensure that revenue of the system is adequate under reduced demand scenarios. If a municipal water supplier intends to use a Uniform Rate Structure, a community-wide Water Conservation Program that will achieve demand reduction must be provided.

Current Water Rates

Include a copy of the actual rate structure in **Appendix 9** or list current water rates including base/service fees and volume charges below.

Volume included in base rate or service charge: _1,000_ gallons or ____ cubic feet ___ other

Frequency of billing: ☐ Monthly ☐ Bimonthly ☒ Quarterly ☐ Other: _____

Water Rate Evaluation Frequency: ☒ every year ☐ every ___ years ☐ no schedule

Date of last rate change: _1/1/2017_____

Table 27. Rate structures for each customer category (Select all that apply and add additional rows as needed)

Customer Category	Conservation Billing Strategies in Use *	Conservation Neutral Billing Strategies in Use **	Non-Conserving Billing Strategies in Use ***
Residential	☐ Monthly billing ☒ Increasing block rates (volume tiered rates) ☐ Seasonal rates ☐ Time of use rates ☐ Water bills reported in gallons ☐ Individualized goal rates ☐ Excess use rates ☐ Drought surcharge ☐ Use water bill to provide comparisons ☒ Service charge not based on water volume ☒ Other (describe) Minimum quarterly charge based on meter size	☐ Uniform ☒ Odd/even day watering	☐ Service charge based on water volume ☐ Declining block ☐ Flat ☐ Other (describe)
Commercial/ Industrial/ Institutional	☐ Monthly billing ☒ Increasing block rates (volume tiered rates) ☐ Seasonal rates	☐ Uniform	☐ Service charge based on water volume ☐ Declining block ☐ Flat

Customer Category	Conservation Billing Strategies in Use *	Conservation Neutral Billing Strategies in Use **	Non-Conserving Billing Strategies in Use ***
	☐ Time of use rates ☐ Water bills reported in gallons ☐ Individualized goal rates ☐ Excess use rates ☐ Drought surcharge ☐ Use water bill to provide comparisons ☒ Service charge not based on water volume ☒ Other (describe) Minimum quarterly charge based on meter size		☐ Other (describe)
☐ Other			

*** Rate Structures components that may promote water conservation:**

Monthly billing: is encouraged to help people see their water usage so they can consider changing behavior.

Increasing block rates (also known as a tiered residential rate structure): Typically, these have at least three tiers: should have at least three tiers.

- The first tier is for the winter average water use.
- The second tier is the year-round average use, which is lower than typical summer use. This rate should be set to cover the full cost of service.
- The third tier should be above the average annual use and should be priced high enough to encourage conservation, as should any higher tiers. For this to be effective, the difference in block rates should be significant.

Seasonal rate: higher rates in summer to reduce peak demands

Time of Use rates: lower rates for off peak water use

Bill water use in gallons: this allows customers to compare their use to average rates

Individualized goal rates: typically used for industry, business or other large water users to promote water conservation if they keep within agreed upon goals. **Excess Use rates**: if water use goes above an agreed upon amount this higher rate is charged

Drought surcharge: an extra fee is charged for guaranteed water use during drought

Use water bill to provide comparisons: simple graphics comparing individual use over time or compare individual use to others.

Service charge or base fee that does not include a water volume – a base charge or fee to cover universal city expenses that are not customer dependent and/or to provide minimal water at a lower rate (e.g., an amount less than the average residential per capita demand for the water supplier for the last 5 years)

Emergency rates -A community may have a separate conservation rate that only goes into effect when the community or governor declares a drought emergency. These higher rates can help to protect the city budgets during times of significantly less water usage.

****Conservation Neutral****

Uniform rate: rate per unit used is the same regardless of the volume used

Odd/even day watering –This approach reduces peak demand on a daily basis for system operation, but it does not reduce overall water use.

***** Non-Conserving *****

Service charge or base fee with water volume: an amount of water larger than the average residential per capita demand for the water supplier for the last 5 years
Declining block rate: the rate per unit used decreases as water use increases.
Flat rate: one fee regardless of how much water is used (usually unmetered).

Provide justification for any conservation neutral or non-conserving rate structures. If intending to adopt a conservation rate structure, include the timeframe to do so:

NA

Objective 7: Additional strategies to Reduce Water Use and Support Wellhead Protection Planning

Development and redevelopment projects can provide additional water conservation opportunities, such as the actions listed below. If a Uniform Rate Structure is in place, the water supplier must provide a Water Conservation Program that includes at least two of the actions listed below. Check those actions that you intent to implement within the next 10 years.

Table 28. Additional strategies to Reduce Water Use & Support Wellhead Protection

☒	Participate in the GreenStep Cities Program, including implementation of at least one of the 20 "Best Practices" for water
☐	Prepare a master plan for smart growth (compact urban growth that avoids sprawl)
☐	Prepare a comprehensive open space plan (areas for parks, green spaces, natural areas)
☒	Adopt a water use restriction ordinance (lawn irrigation, car washing, pools, etc.)
☐	Adopt an outdoor lawn irrigation ordinance
☐	Adopt a private well ordinance (private wells in a city must comply with water restrictions)
☒	Implement a stormwater management program
☐	Adopt non-zoning wetlands ordinance (can further protect wetlands beyond state/federal laws- for vernal pools, buffer areas, restrictions on filling or alterations)
☐	Adopt a water offset program (primarily for new development or expansion)
☐	Implement a water conservation outreach program
☐	Hire a water conservation coordinator (part-time)
☒	Implement a rebate program for water efficient appliances, fixtures, or outdoor water management
☐	Other

Objective 8: Tracking Success: How will you track or measure success through the next ten years?

By seeing a reduction in our daily demand to complete the goal of under 2.6 MGD

Tip: The process to monitor demand reduction and/or a rate structure includes:

a) The DNR Hydrologist will call or visit the community the first 1-3 years after the water supply plan is completed.
b) They will discuss what activities the community is doing to conserve water and if they feel their actions are successful. The Water Supply Plan, Part 3 tables and responses will guide the discussion.

For example, they will discuss efforts to reduce unaccounted for water loss if that is a problem, or go through Tables 33, 34 and 35 to discuss new initiatives.

c) The city representative and the hydrologist will discuss total per capita water use, residential per capita water use, and business/industry use. They will note trends.

d) They will also discuss options for improvement and/or collect case studies of success stories to share with other communities. One option may be to change the rate structure, but there are many other paths to successful water conservation.

e) If appropriate, they will cooperatively develop a simple work plan for the next few years, targeting a couple areas where the city might focus efforts.

C. Regulation

Complete Table 29 by selecting which regulations are used to reduce demand and improve water efficiencies. Add additional rows as needed.

Copies of adopted regulations or proposed restrictions or should be included in **Appendix 10** (a list with hyperlinks is acceptable).

Table 29. Regulations for short-term reductions in demand and long-term improvements in water efficiencies

Regulations Utilized	When is it applied (in effect)?
☐ Rainfall sensors required on landscape irrigation systems	☐ Ongoing ☐ Seasonal ☐ Only during declared Emergencies
☐ Water efficient plumbing fixtures required	☐ New development ☐ Replacement ☐ Rebate Programs
☐ Critical/Emergency Water Deficiency ordinance	☐ Only during declared Emergencies
☒ Watering restriction requirements (time of day, allowable days, etc.)	☒ Odd/even ☐ 2 days/week ☐ Only during declared Emergencies
☐ Water waste prohibited (for example, having a fine for irrigators spraying on the street)	☐ Ongoing ☐ Seasonal ☐ Only during declared Emergencies
☐ Limitations on turf areas (requiring lots to have 10% - 25% of the space in natural areas)	☐ New development ☐ Shoreland/zoning ☐ Other
☐ Soil preparation requirement s (after construction, requiring topsoil to be applied to promote good root growth)	☐ New Development ☐ Construction Projects ☐ Other
☐ Tree ratios (requiring a certain number of trees per square foot of lawn)	☐ New development ☐ Shoreland/zoning ☐ Other
☐ Permit to fill swimming pool and/or requiring pools to be covered (to prevent evaporation)	☐ Ongoing ☐ Seasonal ☐ Only during declared Emergencies
☐ Ordinances that permit stormwater irrigation, reuse of water, or other alternative water use (Note: be sure to check current plumbing codes for updates)	☐ Describe

D. Retrofitting Programs

Education and incentive programs aimed at replacing inefficient plumbing fixtures and appliances can help reduce per capita water use, as well as energy costs. It is recommended that municipal water suppliers develop a long-term plan to retrofit public buildings with water efficient plumbing fixtures and appliances. Some water suppliers have developed partnerships with organizations having similar conservation goals, such as electric or gas suppliers, to develop cooperative rebate and retrofit programs.

A study by the AWWA Research Foundation (Residential End Uses of Water, 1999) found that the average indoor water use for a non-conserving home is 69.3 gallons per capita per day (gpcd). The average indoor water use in a conserving home is 45.2 gpcd and most of the decrease in water use is related to water efficient plumbing fixtures and appliances that can reduce water, sewer and energy costs. In Minnesota, certain electric and gas providers are required (Minnesota Statute 216B.241) to fund programs that will conserve energy resources and some utilities have distributed water efficient showerheads to customers to help reduce energy demands required to supply hot water.

Retrofitting Programs

Complete Table 30 by checking which water uses are targeted, the outreach methods used, the measures used to identify success, and any participating partners.

Table 30. Retrofitting programs (Select all that apply) Currently there is no retrofitting program.

Water Use Targets	Outreach Methods	Partners
☐ Low flush toilets, ☐ Toilet leak tablets, ☐ Low flow showerheads, ☐ Faucet aerators;	☐ Education about ☐ Free distribution of ☐ Rebate for ☐ Other	☐ Gas company ☐ Electric company ☐ Watershed organization
☐ Water conserving washing machines, ☐ Dish washers, ☐ Water softeners;	☐ Education about ☐ Free distribution of ☐ Rebate for ☐ Other	☐ Gas company ☐ Electric company ☐ Watershed organization
☐ Rain gardens, ☐ Rain barrels, ☐ Native/drought tolerant landscaping, etc.	☐ Education about ☐ Free distribution of ☐ Rebate for ☐ Other	☐ Gas company ☐ Electric company ☐ Watershed organization

Briefly discuss measures of success from the above table (e.g. number of items distributed, dollar value of rebates, gallons of water conserved, etc.):

NA

E. Education and Information Programs

Customer education should take place in three different circumstances. First, customers should be provided information on how to conserve water and improve water use efficiencies. Second, information should be provided at appropriate times to address peak demands. Third, emergency

notices and educational materials about how to reduce water use should be available for quick distribution during an emergency.

Proposed Education Programs

Complete Table 31 by selecting which methods are used to provide water conservation and information, including the frequency of program components. Select all that apply and add additional lines as needed.

Table 31. Current and Proposed Education Programs

Education Methods	General summary of topics	#/Year	Frequency
Billing inserts or tips printed on the actual bill	When to irrigate, What not to flush, Ways to save water	Twice	☒ Ongoing ☐ Seasonal ☐ Only during declared emergencies
Consumer Confidence Reports		Once	☒ Ongoing ☐ Seasonal ☐ Only during declared emergencies
Press releases to traditional local news outlets (e.g., newspapers, radio and TV)			☐ Ongoing ☐ Seasonal ☐ Only during declared emergencies
Social media distribution (e.g., emails, Facebook, Twitter)	Video	Once	☐ Ongoing ☒ Seasonal ☐ Only during declared emergencies
Paid advertisements (e.g., billboards, print media, TV, radio, web sites, etc.)			☐ Ongoing ☐ Seasonal ☐ Only during declared emergencies
Presentations to community groups			☐ Ongoing ☒ Seasonal ☐ Only during declared emergencies
Staff training			☒ Ongoing ☐ Seasonal ☐ Only during declared emergencies
Facility tours	Cub scouts, Rotary club	Twice	☒ Ongoing ☐ Seasonal ☐ Only during declared emergencies
Displays and exhibits			☐ Ongoing ☒ Seasonal ☐ Only during declared emergencies

Education Methods	General summary of topics	#/Year	Frequency
Marketing rebate programs (e.g., indoor fixtures & appliances and outdoor practices)			☐ Ongoing ☐ Seasonal ☐ Only during declared emergencies
Community news letters			☐ Ongoing ☐ Seasonal ☐ Only during declared emergencies
Direct mailings (water audit/retrofit kits, showerheads, brochures)			☒ Ongoing ☐ Seasonal ☐ Only during declared emergencies
Information kiosk at utility and public buildings			☒ Ongoing ☐ Seasonal ☐ Only during declared emergencies
Public service announcements			☒ Ongoing ☐ Seasonal ☐ Only during declared emergencies
Cable TV Programs			☒ Ongoing ☐ Seasonal ☐ Only during declared emergencies
Demonstration projects (landscaping or plumbing)			☐ Ongoing ☐ Seasonal ☐ Only during declared emergencies
K-12 education programs (Project Wet, Drinking Water Institute, presentations)			☒ Ongoing ☐ Seasonal ☐ Only during declared emergencies
Community events (children's water festivals, environmental fairs)			☐ Ongoing ☐ Seasonal ☐ Only during declared emergencies
Community education classes			☐ Ongoing ☐ Seasonal ☐ Only during declared emergencies
Water week promotions	Public Works Week	Once	☐ Ongoing ☒ Seasonal ☐ Only during declared emergencies
Website (include address:)			☐ Ongoing ☐ Seasonal ☐ Only during declared emergencies

Education Methods	General summary of topics	#/Year	Frequency
Targeted efforts (large volume users, users with large increases)			☐ Ongoing ☐ Seasonal ☐ Only during declared emergencies
Notices of ordinances	On Website		☒ Ongoing ☐ Seasonal ☐ Only during declared emergencies
Emergency conservation notices			☐ Ongoing ☐ Seasonal ☒ Only during declared emergencies
Other:			☐ Ongoing ☐ Seasonal ☐ Only during declared emergencies

Briefly discuss what future education and information activities your community is considering in the future:

More tours of our new Water treatment Plant. Making businesses and people aware on conservation of water and how to use it properly.

PART 4. ITEMS FOR METROPOLITAN AREA COMMUNITIES

Minnesota Statute 473.859 requires WSPs to be completed for all local units of government in the seven-county Metropolitan Area as part of the local comprehensive planning process.

Much of the information in Parts 1-3 addresses water demand for the next 10 years. However, additional information is needed to address water demand through 2040, which will make the WSP consistent with the Metropolitan Land Use Planning Act, upon which the local comprehensive plans are based.

This Part 4 provides guidance to complete the WSP in a way that addresses plans for water supply through 2040.

A. Water Demand Projections through 2040

Complete Table 7 in Part 1D by filling in information about long-term water demand projections through 2040. Total Community Population projections should be consistent with the community's system statement, which can be found on the Metropolitan Council's website and which was sent to the community in September 2015.

Projected Average Day, Maximum Day, and Annual Water Demands may either be calculated using the method outlined in *Appendix 2* of the *2015 Master Water Supply Plan* or by a method developed by the individual water supplier.

B. Potential Water Supply Issues

Complete Table 10 in Part 1E by providing information about the potential water supply issues in your community, including those that might occur due to 2040 projected water use.

The Master Water Supply Plan provides information about potential issues for your community in *Appendix 1 (Water Supply Profiles).* This resource may be useful in completing Table 10.

You may document results of local work done to evaluate impact of planned uses by attaching a feasibility assessment or providing a citation and link to where the plan is available electronically.

C. Proposed Alternative Approaches to Meet Extended Water Demand Projections

Complete Table 12 in Part 1F with information about potential water supply infrastructure impacts (such as replacements, expansions or additions to wells/intakes, water storage and treatment capacity, distribution systems, and emergency interconnections) of extended plans for development and redevelopment, in 10-year increments through 2040. It may be useful to refer to information in the community's local Land Use Plan, if available.

Complete Table 14 in Part 1F by checking each approach your community is considering to meet future demand. For each approach your community is considering, provide information about the amount of

future water demand to be met using that approach, the timeframe to implement the approach, potential partners, and current understanding of the key benefits and challenges of the approach.

As challenges are being discussed, consider the need for: evaluation of geologic conditions (mapping, aquifer tests, modeling), identification of areas where domestic wells could be impacted, measurement and analysis of water levels & pumping rates, triggers & associated actions to protect water levels, etc.

D. Value-Added Water Supply Planning Efforts (Optional)

The following information is not required to be completed as part of the local water supply plan, but completing this can help strengthen source water protection throughout the region and help Metropolitan Council and partners in the region to better support local efforts.

Source Water Protection Strategies

Does a Drinking Water Supply Management Area for a neighboring public water supplier overlap your community? Yes ☒ No ☐

If you answered no, skip this section. If you answered yes, please complete Table 32 with information about new water demand or land use planning-related local controls that are being considered to provide additional protection in this area.

Table 32. Local controls and schedule to protect Drinking Water Supply Management Areas

Local Control	Schedule to Implement	Potential Partners
☒ None at this time		
☒ Comprehensive planning that guides development in vulnerable drinking water supply management areas	Wellhead Protection Plan-2015	
☐ Zoning overlay		
☐ Other:		

Technical assistance

From your community's perspective, what are the most important topics for the Metropolitan Council to address, guided by the region's Metropolitan Area Water Supply Advisory Committee and Technical Advisory Committee, as part of its ongoing water supply planning role?

- ☒ Coordination of state, regional and local water supply planning roles
- ☐ Regional water use goals
- ☒ Water use reporting standards
- ☐ Regional and sub-regional partnership opportunities
- ☒ Identifying and prioritizing data gaps and input for regional and sub-regional analyses
- ☐ Others: _____

GLOSSARY

Agricultural/Irrigation Water Use - Water used for crop and non-crop irrigation, livestock watering, chemigation, golf course irrigation, landscape and athletic field irrigation.

Average Daily Demand - The total water pumped during the year divided by 365 days.

Calcareous Fen - Calcareous fens are rare and distinctive wetlands dependent on a constant supply of cold groundwater. Because they are dependent on groundwater and are one of the rarest natural communities in the United States, they are a protected resource in MN. Approximately 200 have been located in Minnesota. They may not be filled, drained or otherwise degraded.

Commercial/Institutional Water Use - Water used by motels, hotels, restaurants, office buildings, commercial facilities and institutions (both civilian and military). Consider maintaining separate institutional water use records for emergency planning and allocation purposes. Water used by multi-family dwellings, apartment buildings, senior housing complexes, and mobile home parks should be reported as Residential Water Use.

Commercial/Institutional/Industrial (C/I/I) Water Sold - The sum of water delivered for commercial/institutional or industrial purposes.

Conservation Rate Structure - A rate structure that encourages conservation and may include increasing block rates, seasonal rates, time of use rates, individualized goal rates, or excess use rates. If a conservation rate is applied to multifamily dwellings, the rate structure must consider each residential unit as an individual user. A community may have a separate conservation rate that only goes into effect when the community or governor declares a drought emergency. These higher rates can help to protect the city budgets during times of significantly less water usage.

Date of Maximum Daily Demand - The date of the maximum (highest) water demand. Typically this is a day in July or August.

Declining Rate Structure - Under a declining block rate structure, a consumer pays less per additional unit of water as usage increases. This rate structure does not promote water conservation.

Distribution System - Water distribution systems consist of an interconnected series of pipes, valves, storage facilities (water tanks, water towers, reservoirs), water purification facilities, pumping stations, flushing hydrants, and components that convey drinking water and meeting fire protection needs for cities, homes, schools, hospitals, businesses, industries and other facilities.

Flat Rate Structure - Flat fee rates do not vary by customer characteristics or water usage. This rate structure does not promote water conservation.

Industrial Water Use - Water used for thermonuclear power (electric utility generation) and other industrial use such as steel, chemical and allied products, paper and allied products, mining, and petroleum refining.

Low Flow Fixtures/Appliances - Plumbing fixtures and appliances that significantly reduce the amount of water released per use are labeled “low flow”. These fixtures and appliances use just enough water to be effective, saving excess, clean drinking water that usually goes down the drain.

Maximum Daily Demand - The maximum (highest) amount of water used in one day.

Metered Residential Connections - The number of residential connections to the water system that have meters. For multifamily dwellings, report each residential unit as an individual user.

Percent Unmetered/Unaccounted For - Unaccounted for water use is the volume of water withdrawn from all sources minus the volume of water delivered. This value represents water “lost” by miscalculated water use due to inaccurate meters, water lost through leaks, or water that is used but unmetered or otherwise undocumented. Water used for public services such as hydrant flushing, ice skating rinks, and public swimming pools should be reported under the category “Water Supplier Services”.

Population Served - The number of people who are served by the community's public water supply system. This includes the number of people in the community who are connected to the public water supply system, as well as people in neighboring communities who use water supplied by the community's public water supply system. It should not include residents in the community who have private wells or get their water from neighboring water supply.

Residential Connections - The total number of residential connections to the water system. For multifamily dwellings, report each residential unit as an individual user.

Residential Per Capita Demand - The total residential water delivered during the year divided by the population served divided by 365 days.

Residential Water Use - Water used for normal household purposes such as drinking, food preparation, bathing, washing clothes and dishes, flushing toilets, and watering lawns and gardens. Should include all water delivered to single family private residences, multi-family dwellings, apartment buildings, senior housing complexes, mobile home parks, etc.

Smart Meter - Smart meters can be used by municipalities or by individual homeowners. Smart metering generally indicates the presence of one or more of the following:

> Smart irrigation water meters are controllers that look at factors such as weather, soil, slope, etc. and adjust watering time up or down based on data. Smart controllers in a typical summer will reduce water use by 30%-50%. Just changing the spray nozzle to new efficient models can reduce water use by 40%.
>
> Smart Meters on customer premises that measure consumption during specific time periods and communicate it to the utility, often on a daily basis.
>
> A communication channel that permits the utility, at a minimum, to obtain meter reads on demand, to ascertain whether water has recently been flowing through the meter and onto the premises, and to issue commands to the meter to perform specific tasks such as disconnecting or restricting water flow.

Total Connections - The number of connections to the public water supply system.

Total Per Capita Demand - The total amount of water withdrawn from all water supply sources during the year divided by the population served divided by 365 days.

Total Water Pumped - The cumulative amount of water withdrawn from all water supply sources during the year.

Total Water Delivered - The sum of residential, commercial, industrial, institutional, water supplier services, wholesale and other water delivered.

Ultimate (Full Build-Out) - Time period representing the community's estimated total amount and location of potential development, or when the community is fully built out at the final planned density.

Unaccounted (Non-revenue) Loss - See definitions for "percent unmetered/unaccounted for loss".

Uniform Rate Structure - A uniform rate structure charges the same price-per-unit for water usage beyond the fixed customer charge, which covers some fixed costs. The rate sends a price signal to the customer because the water bill will vary by usage. Uniform rates by class charge the same price-per-unit for all customers within a customer class (e.g. residential or non-residential). This price structure is generally considered less effective in encouraging water conservation.

Water Supplier Services - Water used for public services such as hydrant flushing, ice skating rinks, public swimming pools, city park irrigation, back-flushing at water treatment facilities, and/or other uses.

Water Used for Nonessential Purposes - Water used for lawn irrigation, golf course and park irrigation, car washes, ornamental fountains, and other non-essential uses.

Wholesale Deliveries - The amount of water delivered in bulk to other public water suppliers.

Acronyms and Initialisms

AWWA – American Water Works Association
C/I/I – Commercial/Institutional/Industrial
CIP – Capital Improvement Plan
GIS – Geographic Information System
GPCD – Gallons per capita per day
GWMA – Groundwater Management Area – North and East Metro, Straight River, Bonanza,
MDH – Minnesota Department of Health
MGD – Million gallons per day
MG – Million gallons
MGL – Maximum Contaminant Level
MnTAP – Minnesota Technical Assistance Program (University of Minnesota)
MPARS – MN/DNR Permitting and Reporting System (new electronic permitting system)
MRWA – Minnesota Rural Waters Association
SWP – Source Water Protection
WHP – Wellhead Protection

APPENDICES TO BE SUBMITTED BY THE WATER SUPPLIER

Appendix 1: Well records and maintenance summaries
Go to Part 1C for information on what to include in appendix

Appendix 2: Water level monitoring plan
Go to Part 1E for information on what to include in appendix

Appendix 3: Water level graphs for each water supply well
Go to Part 1E for information on what to include in appendix

Appendix 4: Capital Improvement Plan
Go to Part 1E for information on what to include in appendix

Appendix 5: Emergency Telephone List
Go to Part 2C for information on what to include in appendix

Appendix 6: Cooperative Agreements for Emergency Services
Go to Part 2C for information on what to include in appendix

Appendix 7: Municipal Critical Water Deficiency Ordinance
Go to Part 2C for information on what to include in appendix

Appendix 8: Graph of Ten Years of Annual Per Capita Water Demand for Each Customer Category
Go to Objective 4 in Part 3B for information on what to include in appendix

Appendix 9: Water Rate Structure
Go to Objective 6 in Part 3B for information on what to include in appendix

Appendix 10: Ordinances or Regulations Related to Water Use
Go to Objective 7 in Part 3B for information on what to include in appendix

Appendix 11: Implementation Checklist
Provide a table that summarizes all the actions that the public water supplier is doing, or proposes to do, with estimated implementation dates.

Appendix 12: Sources of Information for Table 10
Provide links or references to the information used to complete Table 10. If the file size is reasonable, provide source information as attachments to the plan.

Excerpt February 11, Work Session

MAYOR'S REQUEST FOR OFFICE SPACE

Mayor/President Elliott stated he would like to have an office space at City Hall where he can store files and meet with residents and other officials. He requested the City Council/EDA's feedback and comment.

Councilmember/Commissioner Ryan asked whether Mayor/President Elliott spends a lot of time at City Hall. Mayor/President Elliott stated he has been spending at least 1 day per week at City Hall.

Councilmember/Commissioner Ryan stated, under the City's Charter and institutional arrangements, there is a distinct separation between elected policy makers and City administration. He expressed concern that, by officing at City Hall during working hours, an elected official could become involved in the administrative functions of the City. He added it is not acceptable for the Mayor/President to communicate with City Department heads in the absence of the City Manager. He noted it would be inappropriate for Mayor/President Elliott to have an office at City Hall according to the City Charter.

Councilmember/Commissioner Ryan stated Mayor/President Elliott can reserve a conference room if he has appointments or meetings. He added no other Brooklyn Center Mayor has had office space at City Hall.

Mayor/President Elliott stated, according to the City Charter, one of the mayor's responsibilities is to study the operations of City government. He added the Charter specifies that the Mayor should not interfere with administration, except for the purposes of inquiry. He agreed that the City Council/EDA should deal with and control administrative services solely through the City Manager.

Mayor/President Elliott stated he understands that he cannot direct City Staff, but he can ask questions, according to the Charter. He added there is no reason not to change something, just because it was not done that way in the past.

Councilmember/Commissioner Ryan stated, in his opinion, it would be better to respect existing institutional arrangements than to interject a personal leadership style. He added the City Council/EDA should defer to the opinion of the City Attorney.

Councilmember/Commissioner Graves stated the issue is whether City employees might feel uncomfortable if Mayor/President Elliott had a regular work space at City Hall.

Mr. Gilchrist reviewed three sections of the City Charter pertaining to this issue, that must be reviewed as a whole. He added, in his opinion, the role of the Mayor is investigatory in nature, and as Mayor/President Elliott stated, he can review the operation of government and reporting for the purposes of inquiry. He noted control of City Administration should be solely through the City Manager.

Councilmember/Commissioner Lawrence-Anderson stated she does not support Mayor/President Elliott's request. She added the Mayor's presence in City Hall would be disruptive to City Staff. She noted a meeting space or conference room could be reserved for Mayor/President Elliott's use, and storage space set aside for his files.

Mr. Boganey stated the City Staff office area is behind secured doors with no public access. He added creation of an office space where Mayor/President Elliott could receive the public would be problematic. He noted it would also create issues for City Staff to set aside a conference room strictly for the Mayor's use.

Councilmember/Commissioner Ryan stated, according to the City Charter, an investigation of City Staff to be undertaken by the Mayor requires City Council/EDA consensus.
Mr. Gilchrist stated there are provisions in the City Charter for investigations and the authority of the Mayor. He agreed that the City Council/EDA can step in if an investigation is required.

Mayor/President Elliott stated the City's Charter is similar to Brooklyn Park's Charter, and their Councilmember/Commissioners go to City Hall to interact with City Staff.

Councilmember/Commissioner Graves stated she is most concerned with the reaction of City Staff to having the Mayor in City Hall on a regular basis. Mayor/President Elliott stated there was some concern from City Staff about it, because he is a new mayor, and they would be under scrutiny. He added, however, it would not be his intention to interfere.

Councilmember/Commissioner Graves stated an office or conference space could be reserved for the Mayor so City Staff will be aware that he will be there that day.

Councilmember/Commissioner Lawrence-Anderson stated she strongly opposes the Mayor having an office at City Hall. She added it would undermine the role of the City Council/EDA as well as the City Manager.

Mayor/President Elliott stated the issue should be tabled until further notice. Mr. Boganey agreed, adding there is no consensus to establish an office at City Hall for the Mayor.

Excerpt February 25th 2019 regular meeting

10a. OFFICE SPACE FOR MAYOR

Mayor Elliott stated this issue is being considered because he has expressed a need to be able to conduct business effectively at City Hall in an office space. He added he has found the need to have an office to meet with residents, other elected officials, and the members of the business community. He noted he feels it is appropriate that the Mayor should have an office instead of conducting meetings in public places, as well as a place to store information that is required for his work as Mayor.

Mayor Elliott stated he has found it to be destabilizing not having a space from which to operate. He added there is a lot of work to be done to move the City forward. He noted he would not bring this issue before the City Council again if he did not feel there was a very strong need, and he does so in good faith.

Mayor Elliott stated he understands there are concerns regarding this request, and he will take them into consideration. He provided assurance that he would use the office space to operate in such a way as to alleviate these concerns.

Councilmember Ryan asked whether the Mayor is self-employed, and whether he has an office for his business. He added the role of the Mayor has been considered a part-time commitment.

Mayor Elliott stated he is self-employed, but he has flexibility in his schedule and he has found that there are demands upon his time seven days a week related to his position as Mayor.

Councilmember Ryan stated it would be more procedurally appropriate to table this discussion until all City Councilmembers can be present. He added residents who watch the televised meeting will wonder why this issue is being debated. He noted the Mayor's meetings with City Staff without consent from the City Manager is contrary to the spirit and letter of the City Charter.

Mayor Elliott stated the request for office space at City Hall comes from necessity on his part, to be effective in his role as Mayor. He stated he does not believe it is inappropriate for him to meet with City Department Heads to obtain information. Mayor Elliott added he understands Councilmember Ryan's passion on this issue. He noted he feels passionate as well, and the City should move beyond the way things were done in the past. He expressed his belief that he has a duty to uphold his role as prescribed by the City Charter as he interprets it.

Mayor Elliott stated he supports an office space at City Hall that can also be used by Councilmembers. He added he believes this would be beneficial for the City's residents. He noted an office space would be provided to a Staff member who was hired to fulfill the role and duties of the Mayor.

Councilmember Ryan stated he has done his best to fulfill his responsibilities as a policy maker for 13 years on the City Council. He added he appreciates Mayor Elliott's openness on this issue. He noted the City Council is guided by the City Charter, which stipulates that all contact by the Mayor with City Staff should be done conducted through the City Manager.

Mr. Gilchrist confirmed that City Charter Section 209 requires that the City Council's dealings with City Staff must be done through the City Manager.

Mayor Elliott stated he understands Councilmember Ryan's concerns on this issue, and on the issue of a cell phone for the Mayor. He added he took an oath to work hard for the residents of Brooklyn Center, and he feels that having an office space at City Hall is necessary. He noted he agrees that most contact with City Staff should be through the City Manager, but not general inquiry.

Councilmember Ryan stated the City Council is elected at large and serves all residents of Brooklyn Center. He added he feels more comfortable with this request if the Mayor does not meet with City Staff without first obtaining the City Manager's approval. He noted this issue should be resolved when all Councilmembers are present, but he will respect whatever decision is made at this meeting.

Councilmember Ryan moved to table this issue until the entire City Council is present. There was no second.

Councilmember Butler stated she would like to hear from Mr. Boganey before she can decide on this issue.

City Manager Boganey stated the City Council has previously expressed a high level of interest in teamwork. He added, in his opinion, a vote on this issue tonight would be inconsistent with the desire expressed by the City Council to work together as a team. He noted he does not believe the City Council had any expectation that this issue would be added to a Regular Session Agenda without their knowledge. He noted the fact that this has now been done is antithetical to the desired goal of teamwork.

Mr. Boganey stated Mayor Elliott has insisted that an office for the Mayor would be necessary from the time he was elected. He added he responded to Mayor Elliott that he would comply if directed by the City Council. He noted Mayor Elliott expressed his opinion through numerous conversations that this type of decision should not require a City Council vote.

Mr. Boganey stated he continued to advise Mayor Elliott that type of decision should be made by the City Council as a whole. He added the issue was then brought to the City Council for consideration, and a temporary office space was set up for the Mayor in the interim in the Palmer Lake conference room, which was not acceptable to the Mayor as he felt claustrophobic.

Mr. Boganey stated, in his opinion, the Mayor's use of the Palmer Lake conference room would have the least negative impact on City administration and operations as it has the least demand from City Staff and the general public. He added he requested that City Staff prepare a review of conference room reservations over the course of one year after the City Council discussed this issue at its last Work Session. The All-American room had 384 scheduled meetings; the Shingle Creek room had 249 scheduled meetings; the City Council/Commissions conference room had 207 scheduled meetings; the Council Chambers had 100 scheduled meetings; and the Palmer Lake room had 67 scheduled meetings.

Mr. Boganey stated, based on this data, the Mayor's use of the Palmer Lake conference room would provide maximum value of the limited available resources. He added the only conference room with a window is the Shingle Creek room, but it is also the closest to the City Offices and the most useful space for Community Development. He noted, as City Manager, he is responsible for the effective use of City resources, and he does not recommend the use of any conference room other than the Palmer Lake room, but he would do so if directed by the City Council.

Mr. Boganey stated the biggest difficulty is relocating the currently scheduled meetings, if a conference room were to no longer be available. He added this is the main source of contention between himself and Mayor Elliott. He noted he has investigated the possibility of creating an office space that would be accessible to the public, but this would require City Council direction and would not be available immediately.

Mr. Boganey stated it is possible to provide an office for the Mayor at City Hall. He added, in his opinion, this is not an issue of whether the Mayor should have an office at City Hall. He added this is not an emergency, and the appropriate course of action would be to allow the City Council to give direction on this issue to City Staff. He noted, in his opinion, this would be ultimately better for the organization.

Councilmember Butler thanked Mr. Boganey for his comments. She asked Councilmember Ryan whether he is opposed to creation of a working space at City Hall that all the City Councilmembers could use. Councilmember Ryan stated he would not oppose that option if all Councilmembers agree that all contact with City Staff must be directed through the City Manager.

Councilmember Ryan stated he regrets that this debate is getting drawn out. He added his biggest concern is that there have been meetings with City Department Heads without the City Manager's approval. He expressed concern regarding the Mayor's interpretation of direct inquiries to City Staff, which seems to differ from that of the City Attorney. He noted Mayor Elliott was offered an office space at City Hall that was not acceptable to him.

Mayor Elliott stated, under the City Charter, there are unique responsibilities assigned to the Mayor that he takes very seriously. He added the City Charter stipulates that the Mayor may not give direction to City Staff, and he understands and complies with that directive.

Councilmember Ryan stated, at a previous Work Session, the Mayor stated it was his understanding of language within the City Charter that the Mayor is responsible for making inquiry to investigate City operations. He requested the City Attorney's opinion on the context of that section of the City Charter.

Mayor Elliott asked Mr. Gilchrist to read directly from the City Charter in his response to Councilmember Ryan's question.

Mr. Gilchrist stated Mayor Elliott is correct that the City Charter states the Mayor "shall study the operations of City government." He added, at the Work Session, he raised the point that the City Charter stipulates no contact with City Staff "except for the purpose of inquiry." He noted it is his recommendation to interpret the language of the City Charter as a whole, which is a fundamental statutory principle. He expressed his opinion that the language of the Charter on this issue is intended to provide guidance in case something goes wrong.

Mr. Gilchrist stated any member of the public can contact a member of City Staff with an inquiry. He added a simple inquiry can be turned into subtle direction of City Staff, and this issue should be reviewed as a matter of degree.

Mayor Elliott stated he has reviewed the conference room schedules, provided by City Staff. He added all meetings except one scheduled in the Shingle Creek room could all be re-scheduled, as there is availability in other conference rooms. He noted he believes his need for an office space can be accommodated by working with City Staff to consolidate meetings in other rooms.

Councilmember Ryan stated an office space was offered to Mayor Elliott, but Mayor Elliott indicated that was not good enough and he wanted a better space. He added Mayor Elliott stated he would not interfere with City operations, and yet he is suggesting he can manage the meeting room schedule.

Mayor Elliott stated he requested information from the City Manager, which was provided. He added it was not inappropriate.

Councilmember Ryan stated he would support a motion to table the issue.

Councilmember Butler stated she has tried to listen respectfully to both sides of the issue, as well as take into consideration the Councilmembers who are absent. She added, in her opinion, the underlying problem is the perceived intention and use of the office space. She noted she would support a space that is open for everyone's use, not just the Mayor.

Councilmember Butler stated she believes an office space can be found and utilized that would not require any additional expenditure, which she does not support. She added the absence of the other City Councilmembers, and their feedback and comment, is not sitting well with her. She expressed her belief that it is acceptable for Mayor Elliott to have an interpretation of his role that is different

from what has been done in the past. She noted too much time has been spent on this issue, and she is uneasy about deciding without the other Councilmembers present.

Mayor Elliott offered a suggestion of a temporary office space for the Mayor at City Hall until the City Council can discuss this matter further.

Councilmember Butler stated she can support an office space that is available for use by all Councilmembers. She asked whether Councilmember Ryan can support it as well.

Councilmember Ryan stated he can support an office space, but would still want a decision to be made that involves all Councilmembers, and could be discussed at the City Council retreat.

Councilmember Butler moved and Mayor Elliott seconded to direct the City Manager to create an office space that would not distract from usual business of the city for use by the Mayor and City Councilmembers, and to schedule the room accordingly.

Discussion of the motion: Councilmember Ryan stated he can support the motion if Mayor Elliott confirms that he will not have scheduled meetings with City Staff unless cleared by the City Manager. Mayor Elliott confirmed this in the interim, and with additional future discussion.

Motion passed unanimously.

Excerpt September 9, 2019 Study Session Minutes

MAYOR AND CITY COUNCIL OFFICE DISCUSSION

Mayor Elliott stated an office at City Hall for use by the Mayor and City Council was established in February 2019. He added he has discussed with Mr. Boganey that he needs to have space that he can use as a working office. He noted Mr. Boganey agreed to make the Palmer Lake Room available for the City Council to use as necessary. He requested the City Council's comments and feedback.

Councilmember Lawrence-Anderson stated she does not think it is necessary for the Mayor to have a private office. She added the approval in February 2019 was for an office to be shared by the Mayor and City Council.

Councilmember Butler stated she does not see a problem as long as it is not a budgetary issue, there is space available, and does not interfere with the operations of City Staff.

Councilmember Lawrence-Anderson stated there is limited space available for City Staff at City Hall, and the City Council has already taken over a room for private session. She added an additional office space would be a budgetary issue as expenses would be incurred related to desks, supplies, and computers. She noted there is currently a conference table in the Palmer Lake Room.

Mr. Boganey stated the original conversation was based on the idea that City Councilmembers would use the office when they need to schedule meetings with people. He added the Palmer Lake Room would be suitable for that purpose, but it would continue to be used as a conference room and would not be converted to an office.

Councilmember Ryan stated a resolution was passed by the City Council on February 25, 2019 establishing a City Council joint office. He added he considered using the office a few times a week, and Councilmembers could share the space and coordinate hours around each other.

Mayor Elliott stated he has found that his role demands that he spend more time at City Hall, and he does not have a private office at home. He added this is a necessary request.

Councilmember Graves asked for clarification regarding Mayor Elliott's specific request. Mayor Elliott stated his request is that he would like to use the City Council office exclusively and the City Council can use the Palmer Lake Room. He added the City Council does not use the office, and he uses it regularly as a working office. He noted he reviews and signs documents, maintains files, and makes phone calls to residents who have phoned him.

Councilmember Graves asked if Mayor Elliott stores information and files in the office. She added she can see the helpfulness of having a more organized system. She expressed concern that the City Council should be meeting with residents out in the community. She noted, however, she does not have a problem with the request.

Councilmember Graves stated she would be interested in storing files in the City Council office if there is extra storage space and the City Council is amenable.

Councilmember Lawrence-Anderson stated Mayor Elliott stated that he uses the office to make phone calls to residents. She added the City Council approved the purchase of a cell phone for the Mayor. She asked why the Mayor needs a private office if he has a cell phone, purchased by the City.

Councilmember Lawrence-Anderson stated no other previous Mayor had made this request. She added any community engagement should be done out in the community, supporting local restaurants, and meeting people where they are. She expressed her opposition to the request.

Councilmember Ryan stated it would be unfortunate, given space limitations at City Hall, to take over a conference space. He added the number of people working in City Hall had increased dramatically. He noted the Mayor can still use the office space allocated to the Mayor and City Council, and the Councilmembers can have a schedule for sharing the office, rather than setting aside more space.

Mayor Elliott asked whether a filing system could be added to the Palmer Lake Room.

Mayor Elliott stated the consensus seems to designate the current office for the Mayor's use, but Councilmembers Ryan and Graves would use it.

Councilmember Ryan stated the City Council voted on February 25, 2019, to designate an office at City Hall for City Council use. He added Mayor Elliott feels that he will use the office more than the rest of the City Council. He added he feels that this is fine, and if a City Councilmembers needs to share the space, they can contact Mayor Elliott and request a date and time.

Mr. Boganey stated there seems to be a consensus that the City Council office at City Hall should be designated as the Mayor's Office with the understanding that other City Councilmembers may use it as requested.

Mayor Elliott stated his original intent was for the City Council to use the Palmer Lake Room, without disrupting City Staff.

Councilmember Lawrence-Anderson stated files that stored in the Palmer Lake Room would not be secure. Councilmember Graves stated she would like to have a filing cabinet, and it could be locked.

Mr. Boganey stated all the rooms and offices at City Hall have the same level of security. He added locks could be added to a filing cabinet in a conference room.

Councilmember Ryan stated it is not necessary to store files in the Palmer Lake Room, as there is a City Council office where they can be stored. He added Mayor Elliott uses the office more than the other City Councilmembers. He noted there are other spaces where the City Staff can arrange meetings. He reiterated that additional space does not need to be dedicated, and the City Council office can be shared.

Councilmember Butler stated if there is no burden to City Staff, and this is not a financial or budgetary issue. She added what has been done in the past is irrelevant.

Mr. Boganey stated it would not be a burden to City Staff if a City Councilmember should occasionally schedule the Palmer Lake Room for use. He added it would be a concern if the Palmer Lake Room were to be turned into an office. He noted the All-American Room might be a better fit as long as it remains a conference room.

It was the majority Consensus of the City Council to designate the City Council Office as the Mayor's Office and use the Palmer Lake Conference Room to store files and for additional use by the City Council as needed.

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION AUTHORIZING AND ESTABLISHING A PHYSICAL SPACE AS THE OFFICE OF THE MAYOR IN THE CITY HALL BUILDING OF BROOKLYN CENTER.

WHEREAS, the City Council and Mayor routinely conduct City Elected Official business and meet with residents, business representatives and stakeholder groups; and

WHEREAS, on Monday, February 11, 2019, the Mayor requested the establishment of exclusive Mayor office space for which there was no City Council consensus; and

WHEREAS, on Monday, February 25, 2019, the City Council consented to the authorization and establishment of a physical space as the Office of the Mayor/City Council; and

WHEREAS, on Monday, September 9, 2019, the Mayor requested the authorization and establishment of exclusive Mayor office space; and

WHEREAS, on Monday, September 9, 2019, the City Council consented to the authorization and establishment of exclusive Mayor office space; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, establishes an exclusive Mayor office space in the City Hall building of Brooklyn Center.

September 23, 2019
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

COUNCIL ITEM MEMORANDUM

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: Doran M. Cote, P.E., Director of Public Works

FROM: Andrew Hogg, P.E., Assistant City Engineer

SUBJECT: Resolution to Approve an Application to the Metropolitan Council for the Water Efficiency Grant Program

Requested Council Action:

- Motion to approve the attached application to the Metropolitan Council for the water efficiency grant program.

Background:

In 2019, the Minnesota Legislature approved funding of $375,000 the first year and $375,000 the second year, for a water demand reduction grant program to encourage municipalities in the metropolitan area to implement measures to reduce water demand to ensure the reliability and protection of drinking water supplies. These funds come from the Clean Water, Land, and Legacy Amendment funds to be used for water conservation practices.

Municipal water suppliers desiring to provide their residents an incentive to use water more efficiently may apply through Sept 30, 2019 for grant funds from the Metropolitan Council. Applicants will be notified of any award by December 2, 2019. Grants will be awarded on a competitive basis to communities that manage municipal water systems and the grants will provide 75% of the program cost with the municipality required to provide the remaining 25% plus in- kind services such as staff time. Grants will be available in amounts from $2,000 to $50,000. Staff proposes to request $18,750 from the Metropolitan Council, requiring a $6,250 match from the City therefore creating a total incentive program of $25,000 for 2019/2020.

Communities may use the funds to lower the cost of purchase and installation of products that reduce water use, such as low-flow toilets, Energy Star-rated washing machines, and more efficient irrigation systems.

Budget Issues:

Funding for the proposed rebate program will be from the Metropolitan Council ($18,750),
And the required municipal match from the Water Fund ($6,250) for a total of $25,000.

Strategic Priorities and Values:

Resident Economic Stability

ATTACHMENTS:

Description	Upload Date	Type
Resolution	9/17/2019	Cover Memo
DRAFT_Request Form	9/17/2019	Cover Memo

DRAFT_Info Packet	9/17/2019	Cover Memo
Grant Guidlines	9/17/2019	Cover Memo
Grant Application	9/17/2019	Cover Memo

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION TO APPROVE THE APPLICATION TO THE METROPOLITAN CONCUINL FOR THE WATER EFFICIENCY GRANT PROGRAM.

WHEREAS, the Minnesota Legislature approved funding of $375,000 the first year and $375,000 the second year, for a water demand reduction grant program to encourage municipalities in the metropolitan area to implement measures to reduce water demand to ensure the reliability and protection of drinking water supplies; and

WHEREAS, the Metropolitan Council will implement a water efficiency grant program effective September 30, 2019 to June 30, 2022 for municipal programs which offer grants or rebates to property owners who are customers of the municipal water supply system and who replace specified water using devices with devices that use substantially less water; and

WHEREAS, the Metropolitan Council will provide 75% of the program cost and the City of Brooklyn Center will provide 25% of the program cost plus in- kind services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the Council hereby approves the application to the Metropolitan Council for the Water Efficiency Grant Program.

September 23, 2019
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

DRAFT 2019/2020 WATER EFFICIENCY REBATE PROGRAM REQUEST FORM

BROOKLYN CENTER UTILITIES CUSTOMER INFORMATION

Applicant Name | E-mail Address

Home Phone Number | Daytime Phone Number

Mailing Address | City | State | Zip Code

Installation Address (*if different from above*) | City | State | Zip Code

I am a: ☐ Residential Customer ☐ Commercial Customer

I am a: ☐ Owner / Occupant ☐ Owner / Non-Occupant

Number of people in household: _____

CONTRACTOR / RETAILER INFORMATION

Contractor's/ Retailer's Name | Contact Person | E-mail Address

Installer's Name **(write SELF if customer installed)** | Installation Date

APPLIANCE & EQUIPMENT REBATE INFORMATION

TOILETS - HIGH EFFICIENCY
Minimum Efficiency Requirements: US EPA **WaterSense•** Label
REBATE: $50 PER TOILET

Manufacturer's Name | Bowl Model# | Tank Model#

Gallons Per Flush (GPF) | # of Units Installed | Date of Installation | Estimated Annual Water Savings (Gal)

Why was this purchased?
To replace:
Previous unit was:

☐ No previous unit	☐ Failed Unit	☐ Working Unit	**Old Unit Manufacture:**
☐ 1.6 GPF	☐ 3.5 GPF	☐ 3.5 GPF	**Old Unit Model #:**
			Old Unit Age:

URINALS - HIGH EFFICIENCY
Minimum Efficiency Requirements: US EPA **WaterSense•** Label
REBATE: $50 PER URINAL

Manufacturer's Name | Model #

Gallons Per Flush (GPF) | # of Units Installed | Date of Installation | Estimated Annual Water Savings (Gal)

Why was this purchased?
To replace:
Previous unit was:

☐ No previous unit ☐ Failed Unit ☐ Working Unit
☐ 1.6 GPF ☐ 3.5 GPF ☐ 3.5 GPF

Old Unit Manufacture:
Old Unit Model #:
Old Unit Age:

CLOTHES WASHER - HIGH EFFICIENCY
Minimum Efficiency Requirements: Certified **Energy-Star** Label
REBATE: $100

Manufacturer's Name | Make # | Model #

# of Units Installed | Date of Installation | Estimated Annual Water Savings {Gal)

Old Unit Manufacture: **Old Unit Model #:** **Old Unit Age:**

IRRIGATION SYSTEM UPGRADE
Minimum Efficiency Requirements: US EPA **WaterSense•** Label
REBATE: $200

Manufacturer's Name | Make # | Model #

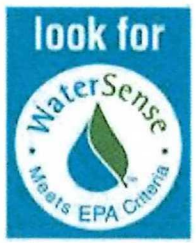
# of Units Installed | Date of Installation | Estimated Annual Water Savings (Gal)

Description of work completed

Old Unit Manufacture: **Old Unit Model #:** **Old Days Watered:** **Total Minutes Watered:**

APPLICANT AGREEMENT

My signature indicates that the information provided is true, I have read and understood the rebate program guidelines, and that I comply with the City of Brooklyn Center rebate program requirements. Upon compliance, a rebate will be distributed if funding is available at the time of application. I will allow a representative of the City of Brooklyn Center to verify the installation if requested.



Signature:_____

Date:_____

Or mail application to:
City of Brooklyn Center
Andrew Hogg
Brooklyn Center, MN 55430
Phone: 763-569-3327 Fax: 763-569-3327
Email: ahogg@ci.brooklyn-center.mn.us

For more information about the City's Water Conservation Program, visit ??

FOR OFFICIAL OFFICE USE ONLY

Date:_____

Receipt Attached?: _____

Total Allowable Rebate: _____

Verified By: _____

Comments: _____

DRAFT

CITY OF BROOKLYN CENTER

WATER EFFICIENCY REBATE PROGRAM

6301 Shingle Creek Boulevard
Brooklyn Center, MN 55430
(763) 569-3340

REBATES FOR PROJECTS THAT IMPROVE WATER EFFICIENCY AND CONSERVE WATER

The City of Brooklyn Center supports water conservation practices that help to reduce the water demand from municipal water supply customers. To encourage water conservation, the City of Brooklyn Center has received a grant from the Metropolitan Council to establish a rebate program to reduce municipal water use in both residential and commercial properties within the city.

PURPOSE OF PROGRAM

The City of Brooklyn Center is offering rebates to residents and commercial property owners to promote water conservation and use their drinking water more efficiently. Brooklyn Center's water supply is abundant, but it is not limitless. Water usage can go from just over 1.93 million gallons per day in December to nearly 5.05 million gallons per day in July & August.

2018 WATER USAGE IN BROOKLYN CENTER BY MONTH

DRAFT

Saving water is simple and smart. Residential and commercial property owners in a position to upgrade to more water efficient appliances and equipment can receive a rebate to help offset the cost of upgrading.

The rebate program is set up to help reduce the amount of water being wasted in a home or business by inefficient appliances and equipment. Replacing old, inefficient toilets, urinals, washing machines, and irrigation systems with WaterSense and Energy Star certified appliances and equipment can help improve water efficiency, conserve water, and reduce utility bills. The City of Brooklyn Center aims to reduce the amount of water used by 1,688,000 gallons per year with this rebate program.

AWARD AMOUNTS

The rebate is 75% of the cost of the item, up to a maximum of $50 for **WaterSense** toilets, $100 for **Energy Star** washing machines and $200 for **WaterSense** irrigation controls, sprinkler heads, and/or rain sensors until June 30, 2020 or until the funds are exhausted. Applications shall be taken on a first come first served basis.

ELIGIBLE APPLICANTS

Eligible applicants are any Brooklyn Center property owners who are customers of the municipal water supply system that replace existing inefficient toilets, washing machines, and irrigation control systems with **WaterSense** certified toilets, irrigation control systems, and **Energy Star** washing machines. Toilets, washing machines, and irrigation control systems must be installed within the City of Brooklyn Center.

ELIGIBLE ACTIVITIES

The following products purchased after Jan 1, 2020 could qualify for rebates. These include:

- Replacing **EXISTING TOILETS** with high-eff iciency units with the **EPA WaterSense** label.
  - http://www3.epa.gov/watersense/products/toilets.html
- Replacing **EXISTING WASHING MACHINES** with new ones with the **Energy Star** certification.
  - https://www.energystar.gov/products/appliances/clothes_washers
- Auditing of **LAWN IRRIGATION SYSTEMS** by certified professionals that result in controller replacement with an **EPA WaterSense** labeled controller. Replacement of broken or inefficient sprinkler heads also qualifies for reimbursement.
  - http://www.epa.gov/watersense/outdoor/cert_programs.html
- Replacing irrigation system controllers (no audit required) with **EPA WaterSense** labeled controllers.
  - http://www.epa.gov/watersense/products/controltech.html

Products with **EPA WaterSense** Certification can be found here:

- http://www3.epa.gov/watersense/product_search.html

Products with **EnergyStar** Certification can be found here:

- http://www.energystar.gov/productfinder/product/certified-clothes-washers/results

DEADLINE

Reimbursements will be issued on a first come first served basis until June 30, 2020 or until funds are exhausted, whichever comes first. Payment will be made upon successful completion of work and submission of payment rebate request form accompanied by original receipts for expenses. Payment is only for equipment cost. Labor charges are not applicable for rebates.

Further Facts and informational links

- **EPA WaterSense - Water Conservation**
  http://www3.epa.gov/watersense/our_water/start_saving.html
- **Estimate Water Savings Calculator**
  http://conservationpays.com/toolbox/water-use-calculator/

  http://www.home-water-works.org

DRAFT

Metropolitan Council
Water Efficiency Grant Program

Overview

The Metropolitan Council (Council) will implement a water efficiency grant program effective September 30, 2019 to June 30, 2022. Grants will be awarded on a competitive basis to municipalities that manage municipal water systems. The Council will provide 75% of the program cost; the municipality must provide the remaining 25%. Municipalities will use the combined Council and municipality funds to run their own grant or rebate programs.

Grants will be made available in amounts with a minimum of $2,000 and a maximum of $50,000. Grantees will be required to provide estimated water savings achieved through this program for Clean Water, Land & Legacy Amendment reporting purposes.

Legislative Directive - Minnesota 2019 Session Law

> $375,000 the first year and $375,000 the second year are for the water demand reduction grant program to encourage municipalities in the metropolitan area to implement measures to reduce water demand to ensure the reliability and protection of drinking water supplies. Fiscal year 2020 appropriations are available until June 30, 2021, and fiscal year 2021 appropriations are available until June 30, 2022.

Grant Program Goal

The goal of the water efficiency grant program is to support technical and behavioral changes that improve municipal water use efficiency in the seven-county metropolitan area.

Critical Points to Remember

- The applying municipality must be a water supplier
- New construction and new developments are not eligible
- Funds are for rebates or grants only; consulting and city staff time are ineligible
- Combined Council and municipality funds cannot pay for 100% of an eligible activity's cost
- A portion of each eligible activity's cost must be paid by the property owner
- Grant recipients must display the Clean Water, Land and Legacy Amendment logo and the Metropolitan Council logo on program-related web pages and paper communications

Grant Program Structure: Administration and Funding

The Water Efficiency Grant Program will be administered by Metropolitan Council Environmental Services (MCES) and will be funded with $750,000 appropriated by the 2019 Minnesota Legislature. Grant applications will be reviewed and ranked by the MCES Water Supply Planning Unit staff.

Grants are only for water efficiency programs offering rebates or grants to property owners who are customers of the municipal water supply system and who replace specified water using devices with approved devices that use substantially less water.

Grants will be awarded to municipalities in amounts ranging from $2,000 to $50,000 for providing rebates or grants to property owners. Municipalities will be responsible for the design and operation of their rebate or grant program and its details. Grant payments to the municipality will be for 75% of approved program amounts. The municipality must provide the remaining 25% of the program cost. Municipality rebates or grants are eligible for reimbursement on device replacements conducted September 30, 2019 through June 30, 2022.

Here is an example showing the grant funding design:

Metropolitan Council Grant Amount	**$15,000**
Municipality Match	$5,000
Municipality Grant/Rebate Program Total	$20,000

Eligibility

Per legislative language, the grant program is limited to municipalities in the seven-county metropolitan area.

Municipalities eligible per above must apply to participate and, if approved, sign a standard Council Grant Agreement, before any eligible rebates or grants can be submitted for reimbursement. Agreements shall require that municipalities:

- Entirely pass through grants received (as is being done by MCES)
- Verify purchase of devices to receive grants
- Retain records and cooperate with any audits
- Conduct all communications with property owners and ensure all written communications to property owners include both the Clean Water, Land and Legacy Amendment and the Metropolitan Council's logo
- Provide quantitative information for state reporting purposes

Eligible water efficiency devices consist of the following:

- Toilet replacement with a US EPA WaterSense labeled toilet
- Irrigation controller replacement with a US EPA WaterSense labeled controller
- Clothes washing machine replacement with an US DOE Energy Star labeled clothes washing machine
- Irrigation spray sprinkler body replacement with a US EPA WaterSense labeled spray sprinkler body
- Irrigation system audit by an Irrigation Professional certified by a US EPA WaterSense program

Expenses eligible for reimbursement are the out-of-pocket cost of the device and its installation only, not to include any owner labor costs. In addition, new construction and new developments are ineligible, as this program is intended as a current infrastructure replacement program.

Application Process

- Applicants must be municipal water suppliers
- Municipalities will submit MCES supplied application form by September 30, 2019. Required information includes:
    - the municipality's rebate or grant program design and work plan
    - proposed examples of communications to property owners
    - requested total grant amount
    - estimated annual amount of water saved by the applying municipality

- Application form is available at: https://metrocouncil.org/Wastewater-Water/Funding-Finance/Available-Funding-Grants.aspx
- Submit competed application to: brian.davis@metc.state.mn.us
- Metropolitan Council will notify municipalities of grant awards and provide grant agreements by December 2, 2019.

Proposal Selection Criteria

In the event that funds requested exceed funds available, the following criteria will be used to determine the amount granted to a given municipality:

- Municipalities that are supplied 100% with groundwater
- Municipalities with identified water supply issues in Master Water Supply Plan Community Profiles or Local Water Supply Plans
- Municipalities' ratio of peak monthly water use to winter monthly water use
- Municipalities' average residential per capita water use
- The order in which applications are received and until grant funds are completely committed

Funding Process and Reporting Requirements

- Utilizing forms provided by MCES, the following information must be reported on a quarterly basis:
    - Number, type and amount of rebates or grants provided to property owners, along with each property address
    - Estimated annual gallons of water saved per device installation
    - Municipality matching funds disbursed
    - Number of unmet funding requests from property owners, if any
- Upon review and confirmation of the above information, MCES will process a grant payment in the amount of 75% of approved total rebates or grants for the reporting period.
- MCES will provide confirmation of grant balances available upon request and reserves the right to amend grant agreements, in collaboration with grantee municipality, if quarterly reporting indicates rebate or grant programs will not fully utilize grant awards within the grant period.

Qualified Activities

- Toilet replacement with a US EPA WaterSense labeled toilet: http://www.epa.gov/WaterSense/product_search.html

- Irrigation controller replacement with a US EPA WaterSense labeled controller: https://www.epa.gov/watersense/product-search

- Clothes washing machine replacement with an US DOE Energy Star labeled clothes washing machine: https://www.energystar.gov/productfinder/product/certified-clothes-washers/results

- Irrigation spray sprinkler body replacement with a US EPA WaterSense labeled spray sprinkler body https://www.epa.gov/watersense/product-search

- Irrigation system audit by an Irrigation Professionals certified by a US EPA WaterSense program https://www.epa.gov/watersense/find-pro

Reporting Example

Community	Property Street Address	Property Type	Device Replaced	Cost per Device	# of Devices	Rebate or Grant per Device	Est. Annual Water (Gal) Saved Per Device	Total Rebate or Grant	Municipality Contribution	Eligible Grant Amount
Anytown	652 Silvis St	Residential	Clothes Washer	$624.60	1	$150.00	3,000	$150.00	$37.50	$112.50
Anytown	1952 Ingram Way	Residential	Irrigation Controller	$199.99	1	$100.00	8,800	$100.00	$25.00	$75.00
Anytown	630 Gibbons Ave	Residential	Clothes Washer	$599.90	1	$150.00	3,000	$150.00	$37.50	$112.50
Anytown	4424 Barriger Blvd	Residential	Toilet	$168.00	1	$50.00	4,000	$50.00	$12.50	$37.50

Metropolitan Council Water Efficiency Grant Application Form

Applicant Information:

Municipality: City of Brooklyn Center

Municipal Utility: City of Brooklyn Center

Mailing Address: 6301 Shingle Creek Blvd, Brooklyn Center, MN 55430

Primary Contact Information: Municipality primary authorized representative (all correspondence regarding the Water Efficiency Grant Program should be addressed to individual named below):

NAME: Andrew Hogg

TITLE: Assistant City Engineer

STREET: 6301 Shingle Creek Blvd

CITY, ZIP: Brooklyn Center, MN 55430

PHONE: 763.569.3327

EMAIL: ahogg@ci.brooklyn-center.mn.us

Secondary Contact Information: Municipality secondary authorized representative:

NAME: Doran Cote

TITLE: Director of Public Works

STREET: 6301 Shingle Creek Blvd

CITY, ZIP: Brooklyn Center, MN 55430

PHONE: 763.569.3328

EMAIL: dcote@ci.brooklyn-center.mn.us

Municipal Total Per Capita Water Use (2018): 89.62 (gallons per person-day)

Municipal Residential Per Capita Water Use (2018): 61.87 (gallons per person-day)

Municipal Ratio of Peak Month to Winter Month Water Use (2018): 2.6

Municipality's estimated annual water savings from proposed program: 1,688,000 (gallons)

Municipal Utility Grant or Rebate Program Design:

Requested Grant Amount (must equal 75% of total program budget): $18,750

Required Utility Matching Amount (must equal 25% of total program budget): $6,250

Will your program be a grant program or rebate program? Rebate

Estimated Number of Items:

Item	Estimated Number
Toilets	80
Irrigation Controllers	50
Clothes Washing Machines	50
Irrigation Spray Sprinkler Bodies	30
Irrigation System Audits	0

Project Work Plan and Schedule:*

Task Description	Responsible Person	Start Date	Completion Date
Complete MCES Grant Application	Andrew Hogg	9/12/19	9/30/19
Develop Brooklyn Center Water Efficiency Grant Program	Andrew Hogg	9/30/19	12/15/19
Advertise Water Efficiency Rebate	Andrew Hogg - Brooklyn Center Communications	1/1/20	6/30/22
Review Applications, Issues Rebate, Quarterly Reporting	Andrew Hogg	1/1/20	6/30/22
Project Close Out	Andrew Hogg	6/30/22	6/30/22

*** Municipal utility may create own project plan and schedule form**

Communications to Property Owners:

How will your program be advertised (check all that apply):

Newsletter ☑

Print Media ☑

Email ☐

Twitter ☐

Website ☑

Radio ☐

Television ☑

Facebook ☑

Nextdoor ☐

Other Social Media ☐

Please attach examples of proposed newsletter, print media, or email communications

Critical Points to Remember:

- The applying municipality must be a water supplier
- New construction and new developments are not eligible
- Funds are for rebates or grants only; consulting and city staff time are ineligible
- Combined Council and municipality funds cannot pay for 100% of an eligible activity's cost
- A portion of each eligible activity's cost must be paid by the property owner
- Grant recipients must display the Clean Water, Land and Legacy Amendment logo and the Metropolitan Council logo on program-related web pages and paper communications

COUNCIL ITEM MEMORANDUM

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: Doran Cote, Director of Public Works

FROM: Mike Albers, City Engineer

SUBJECT: Resolution Accepting Feasibility Report and Calling for an Improvement Public Hearing for Improvement Project Nos. 2020-01, 02, 03 and 04, Grandview North Area Street, Storm Drainage and Utility Improvements

Requested Council Action:

- Motion to approve a resolution accepting feasibility report and calling for an improvement public hearing for Improvement Project Nos. 2020-01, 02, 03 and 04, Grandview North Area Street, Storm Drainage and Utility Improvements.

Background:

This project was established by the City Council on May 13, 2019, by Resolution 2019-74, for the area commonly referred to as the Grandview North Area Improvements. This action was taken in accordance with the Capital Improvement Program (CIP), which identifies Grandview North Area for improvements during the 2020 construction season.

The attached feasibility report provides a summary of the project evaluation process and preliminary layout of street and utility improvements. The report also includes the results of a resident questionnaire that was mailed to all property owners within the project area. A public informational meeting was conducted on September 5, 2019, to provide project information to property owners and tenants within the project area and gain additional input from the public.

The informational meeting was generally positive in nature with the majority of questions and concerns relating to design details, special assessments and project schedule. A formal presentation of the feasibility for the project is planned at the public hearing.

The attached resolution declares certain project costs to be assessed for the Grandview North Area Street, Storm Drainage and Utility Improvements and calls for an improvement public hearing on October 28, 2019. If approved by the City Council, legal notice would be published, and all property owners who could potentially be assessed for improvements would receive a Notice of Improvement Public Hearing via mail. Staff recommends that the City Council consider establishing the 2020 special assessment rates in November, 2019, and holding the special assessment public hearing in December, 2019.

Budget Issues:

The total project cost for the Grandview North Area Street, Storm Drainage and Utility Improvements is estimated to be $6,294,000. Funding sources for the project are proposed from a variety of sources as described in the feasibility report. The Draft Special Assessment Levy Roll for Improvement Project Nos. 2018-01 and 2018-02 are included in Appendix D of the feasibility report.

Strategic Priorities and Values:

Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
Resolution	9/17/2019	Cover Memo
Feasibility Report	9/17/2019	Cover Memo

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION ACCEPTING FEASIBILITY REPORT AND CALLING FOR AN IMPROVEMENT PUBLIC HEARING FOR IMPROVEMENT PROJECT NOS. 2020-01, 02, 03 AND 04, GRANDVIEW NORTH AREA STREET, STORM DRAINAGE AND UTILITY IMPROVEMENTS

WHEREAS, the Brooklyn Center City Council, by Resolution No. 2019-74, directed the preparation of a feasibility report regarding proposed improvements to the streets, storm drainage system and public utilities in the Grandview North Area neighborhood; and

WHEREAS, the City Engineer has prepared said report and recommends that the proposed improvements be considered; and

WHEREAS, a portion of the cost of street and storm drainage improvements for said project is proposed to be assessed against properties within the project area; and

WHEREAS, the total project cost for the Grandview North Area Street, Storm Drainage and Utility Improvements is estimated to be $6,294,000; the total cost of the street and storm drainage improvement portion of said project is estimated to be $4,390,000 and the project funding sources are currently estimated to be:

Special Assessments	$ 888,190.92
Sanitary Sewer Utility Fund	$ 1,060,000.00
Water Utility Fund	$ 784,000.00
Storm Drainage Utility Fund	$ 1,258,073.95
Street Light Utility Fund	$ 60,000.00
Street Reconstruction Fund	$ 2,243,735.13
Total	$ 6,294,000.00

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that:

1. The Engineer's Feasibility Report for the Grandview North Area Street, Storm Drainage and Utility Improvements is received and accepted.

2. An improvement public hearing shall be held on the 28th day of October, 2019, in the City Hall Council Chambers at 7:00 p.m. or as soon thereafter as the matter may be heard to pass upon said improvement project and at such time and place all persons owning property affected by said improvements will be given an opportunity to be heard with reference to said improvements.

3. The City Clerk is directed to cause a notice of the improvement public hearing

RESOLUTION NO. _____

to be published in the official newspaper at least two weeks prior to the public hearing, and shall state in the notice the total cost of the improvement.

September 23, 2019 _____
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

Public Works Dept
Engineering Division
Phone: 763-569-3340
FAX: 763-569-3440

FEASIBILITY REPORT

FOR

GRANDVIEW NORTH AREA STREET AND UTILITY IMPROVEMENTS

IMPROVEMENT PROJECT NOS. 2020-01, 02, 03 and 04

CITY OF BROOKLYN CENTER, MINNESOTA

September 17, 2019

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

Michael Albers

Michael J Albers, P.E.
Reg. No. 47074
September 17, 2019

I. BACKGROUND

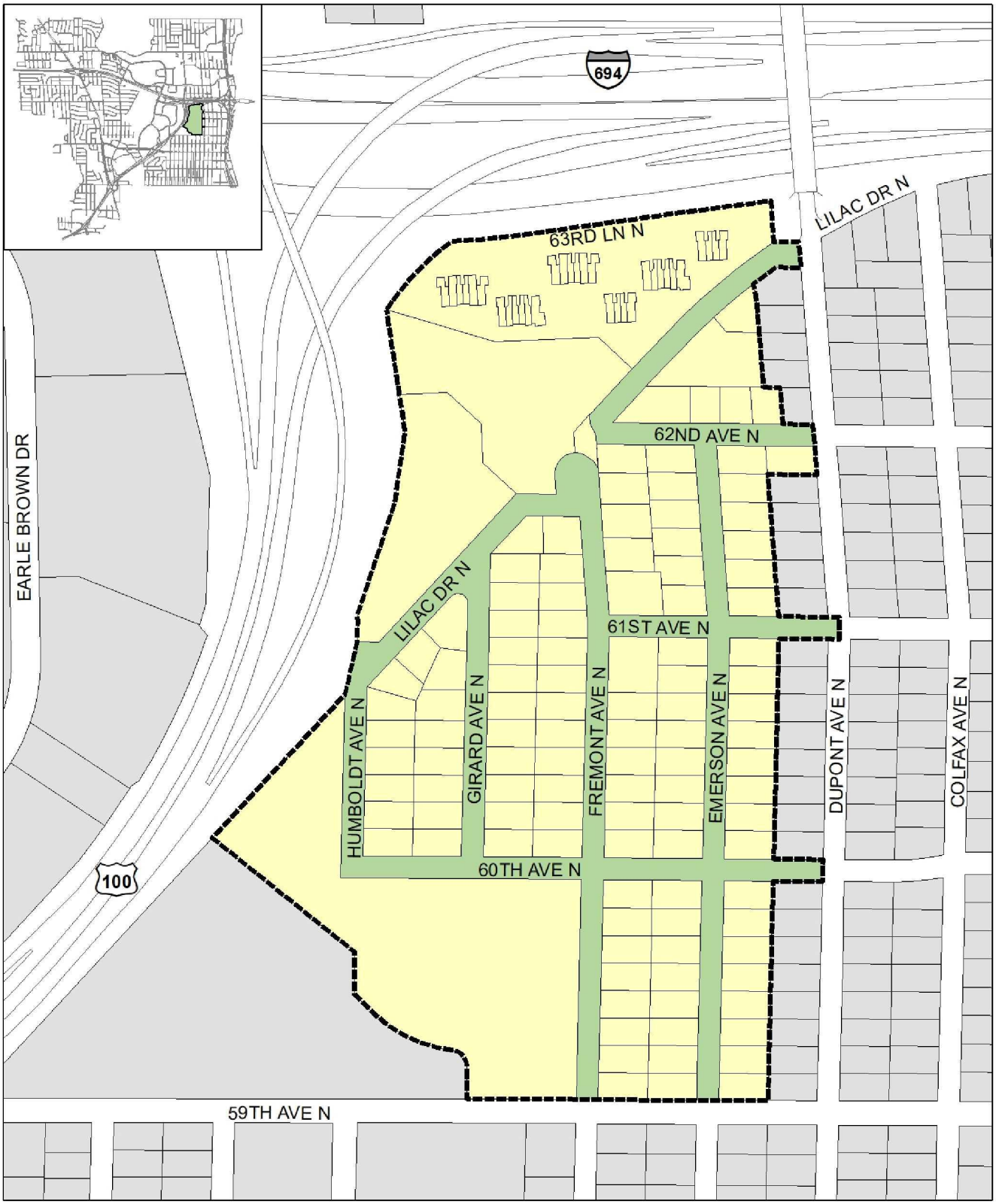
In 2020, the City of Brooklyn Center will be entering the 27th year of its long-range infrastructure rehabilitation program often referred to as the Neighborhood Street and Utility Improvement Program. This program has consisted of a systematic rehabilitation and/or replacement of the City's aging streets, water main, sanitary sewer, storm sewers, sidewalks, trails and street lights.

The City's Capital Improvement Program identifies the Grandview North Area Neighborhood for reconstruction in 2020. The proposed project includes roadway, utility and sidewalk improvements within the project limits shown on Figure 1. The Grandview North project area extends from 59th Avenue to Interstate 694 and from Humboldt Avenue to Dupont Avenue.

This report was prepared in response to City Council Resolution No. 2019-74 dated May 13, 2019, directing staff to prepare a feasibility report and collect public input for the proposed project. Staff conducted a public informational meeting with residents and property owners located within the project area on September 5, 2019. A resident questionnaire and letter were also distributed as part of the project evaluation process. A summary of resident comments is provided in Appendix B.

The 2020 project area consists of approximately 1.8 miles of streets and utilities. The neighborhood consists of approximately 110 residential properties that are zoned "R1", 1 sub-dividable church property that is zoned "R1", 32 townhomes that are zoned R3 and 2 senior housing buildings that are zoned R6.

Figure 1: Project Area



Project Area
Grandview North Street and Utility Improvements

Figure 1

II. STREET IMPROVEMENTS

A. EXISTING CONDITIONS

The majority of the local streets within the proposed project area were most recently improved between 1961 and 1968 resulting in the existing street pavement being in service for approximately 55 years. The existing streets are generally 30 feet wide, which is typical for most low volume residential streets in Brooklyn Center. All of the streets except for Humboldt Avenue have concrete curb and gutter.

The roadways within the project area are very flat and have concrete curb and gutter. The bituminous asphalt pavement has aged and is showing significant fatigue and distress. The typical service life for bituminous pavement is approximately 30 years. Generally, it is no longer cost-effective to routinely maintain these streets with seal coating or thin overlay procedures. Complete reconstruction is warranted.

There are existing concrete sidewalks within the project area located on the south side of 60th Avenue, the west side of Humboldt Avenue, and the north side of Lilac Drive. Adjacent to the project area, concrete sidewalk exists along both sides of Dupont Avenue and on the north side of 59th Avenue. Also adjacent to the project area a new 6' sidewalk will be installed in 2019 on 62nd Avenue from Dupont Avenue to Lyndale Avenue as part of the Interstate Area Reconstruction Project. Bituminous trails exist in Grandview Park and on Lilac Drive between 62nd Avenue and Fremont Avenue. See Figure 2 for existing sidewalk and trail locations.

A geotechnical investigation was performed within the project area to obtain and analyze soil samples below the street pavement. The geotechnical evaluation report contains information regarding the subsurface soil and groundwater conditions and includes appropriate design and construction recommendations. Soil borings primarily indicate fair to good soils. Most borings showed various layers of sand, silty-sand and clayey-sand material. Groundwater was noted at depths of 6.5 to 9.0 feet below the pavement surface in several areas.

Traffic within the project area is generally limited to local traffic access to residential properties within the neighborhood. The roadways generally do not provide connection to other neighborhoods and, therefore, do not experience significant cut-through or collector-type traffic. Traffic volumes on streets within the project area are generally low volume and typical for local roadways in Brooklyn Center, expected to be much less than 1,000 in most instances.

B. PROPOSED STREET IMPROVEMENTS

Based on the age and condition of the existing bituminous asphalt pavement surfaces and the proposed replacement of underlying utilities in certain locations, complete replacement of the street surface is warranted. Proposed street improvements include full depth reconstruction for the existing streets to a width of 30 feet for the streets within the project area (see Appendix C, Street and Storm Sewer Improvements Figure).

The existing soil material will provide a stable foundation to support the proposed street and utility improvements. The roadway subgrade consists of good soils and is planned to be reclaimed (recycled) in place to be reused as the new aggregate base for the proposed street section. Removal of poor soils in isolated areas throughout the project for utility and or roadway construction will be performed as recommended in the geotechnical report and as determined in the field during construction.

The installation of concrete curb and gutter is proposed with the reconstruction of the streets within the project area. Concrete curb and gutter will assist in conveying storm water runoff to storm sewer catch basins. The street grades will also be designed to provide improved drainage to the storm sewer system. The proposed street reconstruction does not include substantial changes to the roadway width, alignment or elevation.

In accordance with the Complete Streets Policy adopted by the City in 2013, all streets and trail projects, including design, planning, reconstruction, rehabilitation, maintenance or operations by the City of Brooklyn Center shall be designed and executed in a responsible, equitable and financially reasonable way to accommodate and encourage travel by bicyclists, pedestrians, public transportation, emergency and commercial vehicles in a balanced manner. Implementation of the City's Complete Streets Policy ensures that the needs and safety of pedestrians, bicyclists, motorists and transit riders of all ages and abilities are taken into account in the design and operation of roads. Accordingly, a worksheet was completed to assist in the complete streets evaluation (see Appendix A, Complete Streets Worksheet).

Additionally, the Safe Routes to School Planning (SRTS) Assistance Memorandum prepared by MnDOT in June 2013 and the Pedestrian & Bicycle Plan adopted in March 2014 are used to plan additional sidewalk and trail routes. The Pedestrian & Bicycle Plan identifies a sidewalk on 62nd Avenue from Lilac Drive to Lyndale Avenue as a gap in the sidewalk system. In response to the residential survey we received zero (0) responses supporting additional sidewalks in the neighborhood and one (1) responses not wanting any additional sidewalks from residents with frontage on 62nd Avenue.

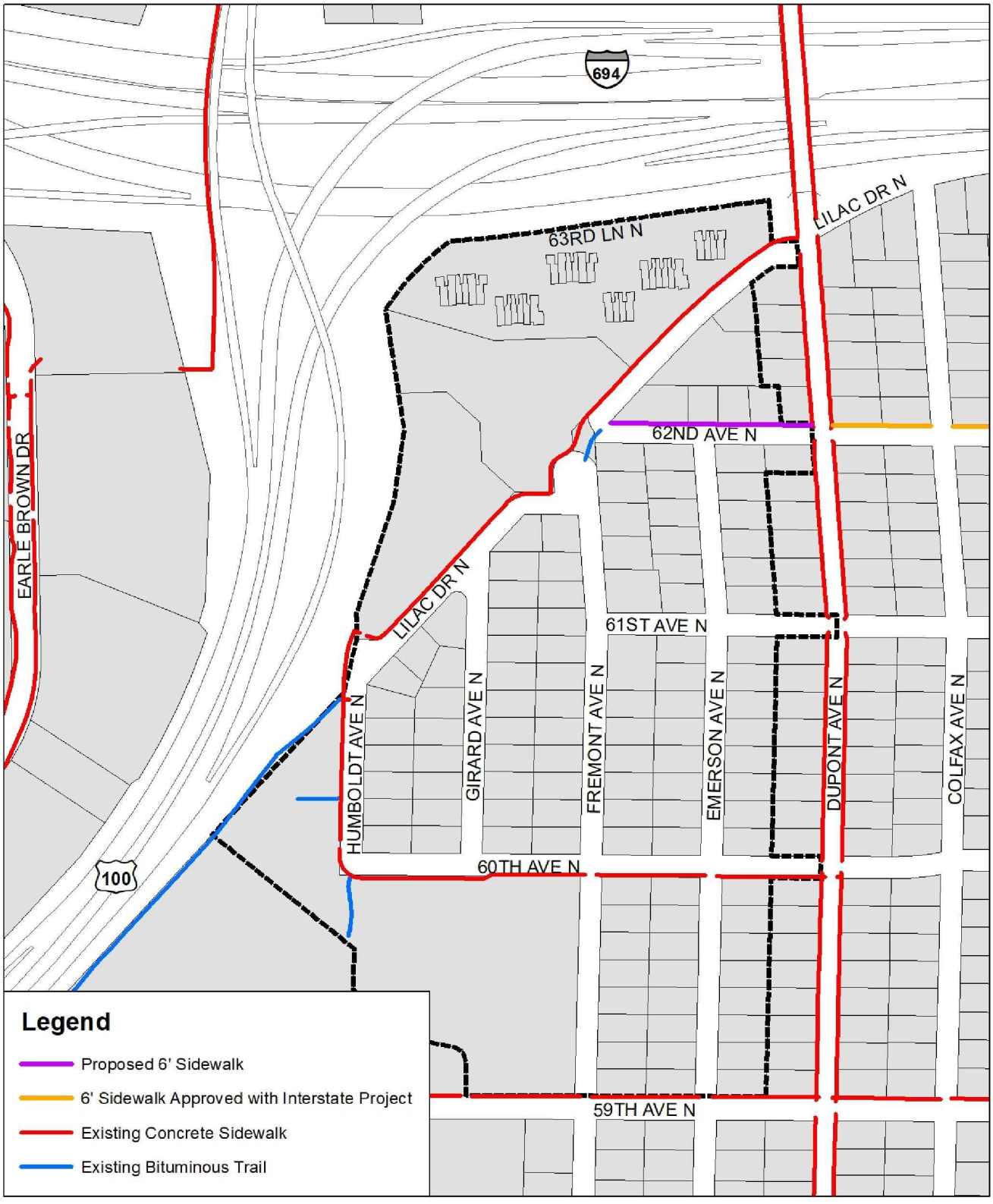
The following strategies and improvements are recommended:

- Ensure that the needs and safety of pedestrians, bicyclists, motorists and transit riders of all ages and abilities are taken into account in the design and operation of roads.
- A new 6 feet sidewalk located along the north side of 62nd Avenue from Lilac Drive to Dupont Avenue is proposed per the Pedestrian & Bicycle Plan.
- The existing concrete sidewalks within the project area located on the south side of 60th Avenue, the west side of Humboldt Avenue, and the north side of Lilac Drive will be repair as needed or as impacted by utility replacements.
- Pedestrian curb ramps will be constructed throughout the project at each crosswalk location with truncated dome detectable warning systems in compliance with the Americans with Disabilities Act (ADA).
- Review eliminating the bituminous trail connection on Lilac Drive between 62nd Avenue and Fremont Avenue during the final project design.

It should also be noted that in-depth property surveys are not performed and when constructing the new driveway aprons, the determined location generally matches existing driveway locations and widths. It is not the intent under this project to verify and fix driveway-property line issues, which sometimes exist. Rather, the construction under this project generally occurs within City right-of-way.

Other improvements include the installation of concrete driveway aprons, the replacement of trees that are impacted, replacement of landscaping elements and irrigation systems that are impacted and deficient segments of sidewalk are proposed to be repaired as warranted or impacted. Disturbed boulevard areas will be restored with topsoil and sod.

Figure 2: Sidewalk and Trail Improvements



Sidewalks and Trails
Grandview North Street and Utility Improvements

Figure 2

III. STREET LIGHTING SYSTEM

A. EXISTING CONDITIONS

The neighborhood improvement program has historically included the replacement of free-standing street lights located within the neighborhood. Free-standing street lights are defined as lights mounted on poles, which do not contain any other overhead utilities attached to them. There are currently five (5) free-standing street lights within the project area. These lights consist of older style wood utility poles that have been in service for many years, most likely dating back to the original construction of the neighborhood. The existing free-standing street lights have overhead power services with cobra-head type light fixtures. Other street lights in the neighborhood exist on multiuse-type poles, which are unable to be removed and therefore are not planned to be replaced. There are currently 10 street lights on multiuse poles within the project area.

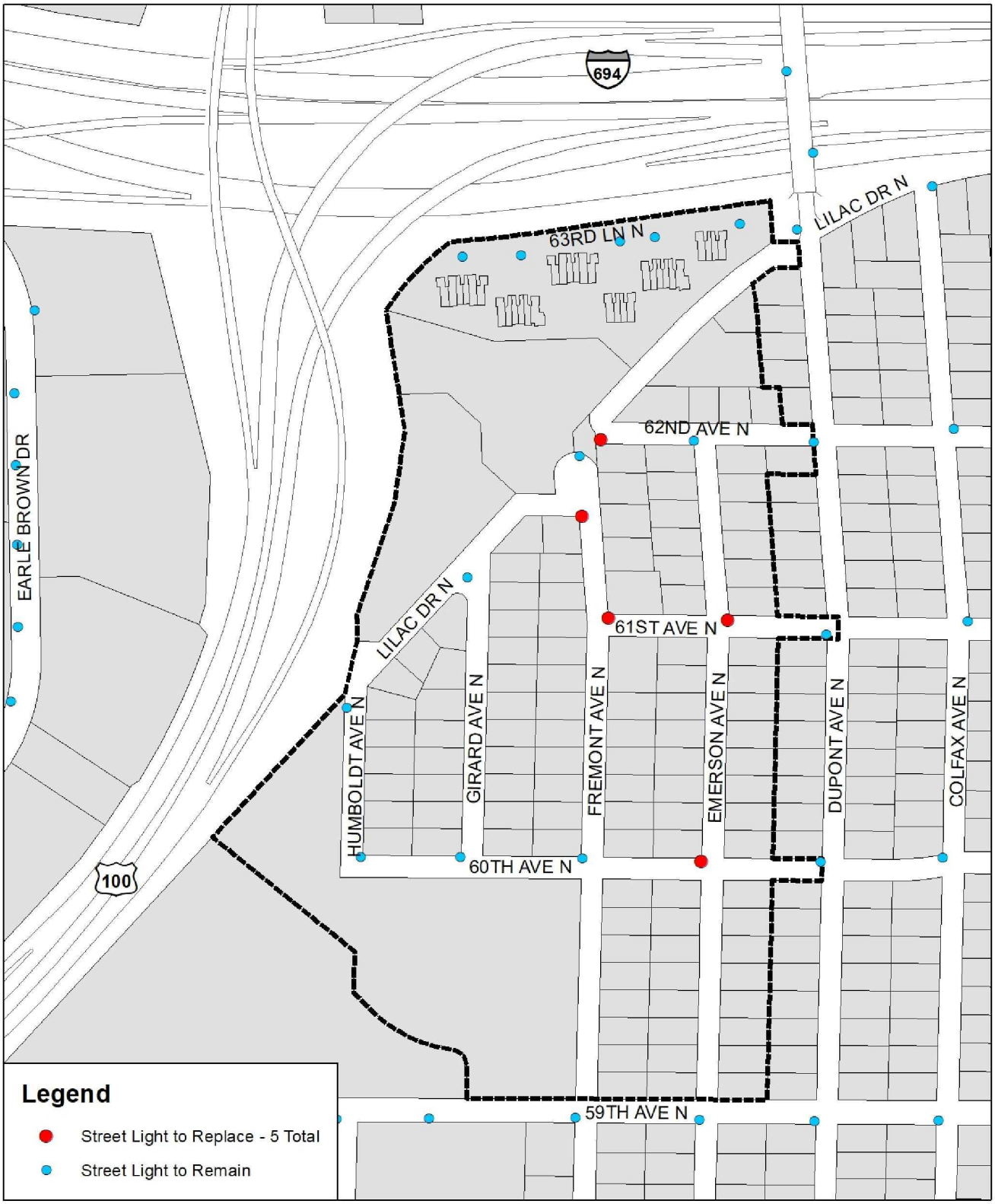
The City's Street Light Policy states that street lights may be provided at street intersections and at mid-block locations where the distance between intersections exceeds 700 feet. Street lights are currently located at all intersections and at most of the longer blocks that exceed 700 feet with minor exceptions.

B. PROPOSED STREET LIGHTING IMPROVEMENTS

The recommended street light improvements include replacement of the five (5) existing free-standing street lights with fiberglass poles, cut-off type LED light fixtures and underground power services. Other street lights that are mounted on multiuse transmission/distribution poles within the neighborhood are not proposed to be modified with this project (see Figure 3); however, Xcel Energy has indicated that all Xcel Energy-owned cobra head-style streetlights on multiuse poles in the project area currently have LED fixtures.

In accordance with City policy, mid-block street lights may be installed where the block exceeds 700 feet in length upon receipt of a petition signed by a majority of the residents on the block, including signatures of the residents adjacent to the specific location where such mid-block light is requested. Staff received a few inquiries about street lights through the public outreach efforts of the project but staff has not received any formal requests/petitions for additional street lights. Adding new street lights will be coordinated and evaluated during the final design stages of the project with the property owners that would be directly affected by adding new street lights. Should the appropriate petitions be received, additional lighting will be included in the project lighting improvements.

Figure 3: Street Light Exhibit



Street Lights
Grandview North Street and Utility Improvements

Figure 3

IV. STORM DRAINAGE AND TREATMENT SYSTEM

A. EXISTING CONDITIONS

The project area is located within the West Mississippi Watershed Management Commission area and storm water flows to the Mississippi River. The existing storm drainage system in the project area consists of a network of public and private storm sewer pipes installed between approximately 1952 and 1983 and is generally undersized by today's standards (see Figure 4). Generally, the surface water within the northern portion of this neighborhood flows northerly overland to the townhomes private underground storm sewer and eventually discharging into the MnDOT ditches. The surface water within the southern portion of this neighborhood flows overland to the underground storm drainage systems on 60th Avenue or Emerson Avenue which flows to trunk storm drainage systems on 59th Avenue, eventually discharging into the Mississippi River. The trunk line on 59th Avenue consists of 42-inch and 54-inch reinforced concrete pipe installed in 1952. A water quality treatment facility and additional 48-inch reinforced concrete pipe outlet were installed near the intersection of 59th Avenue and Lyndale Avenue in 2009.

A televising inspection of the existing storm sewer is currently being conducted and will further be evaluated during final design. A cursory review of the existing underground pipe network in this area found the pipe to be in fair to good condition with some isolated issues identified in several areas that warrant repair.

There are several isolated areas within the project area that experience localized flooding due to the flat topography within the project area. Several comments from area residents indicated a lack of adequate drainage facilities within the neighborhood and were mostly related to standing water along the edge of the street and at driveways. However, no major flooding issues have been identified.

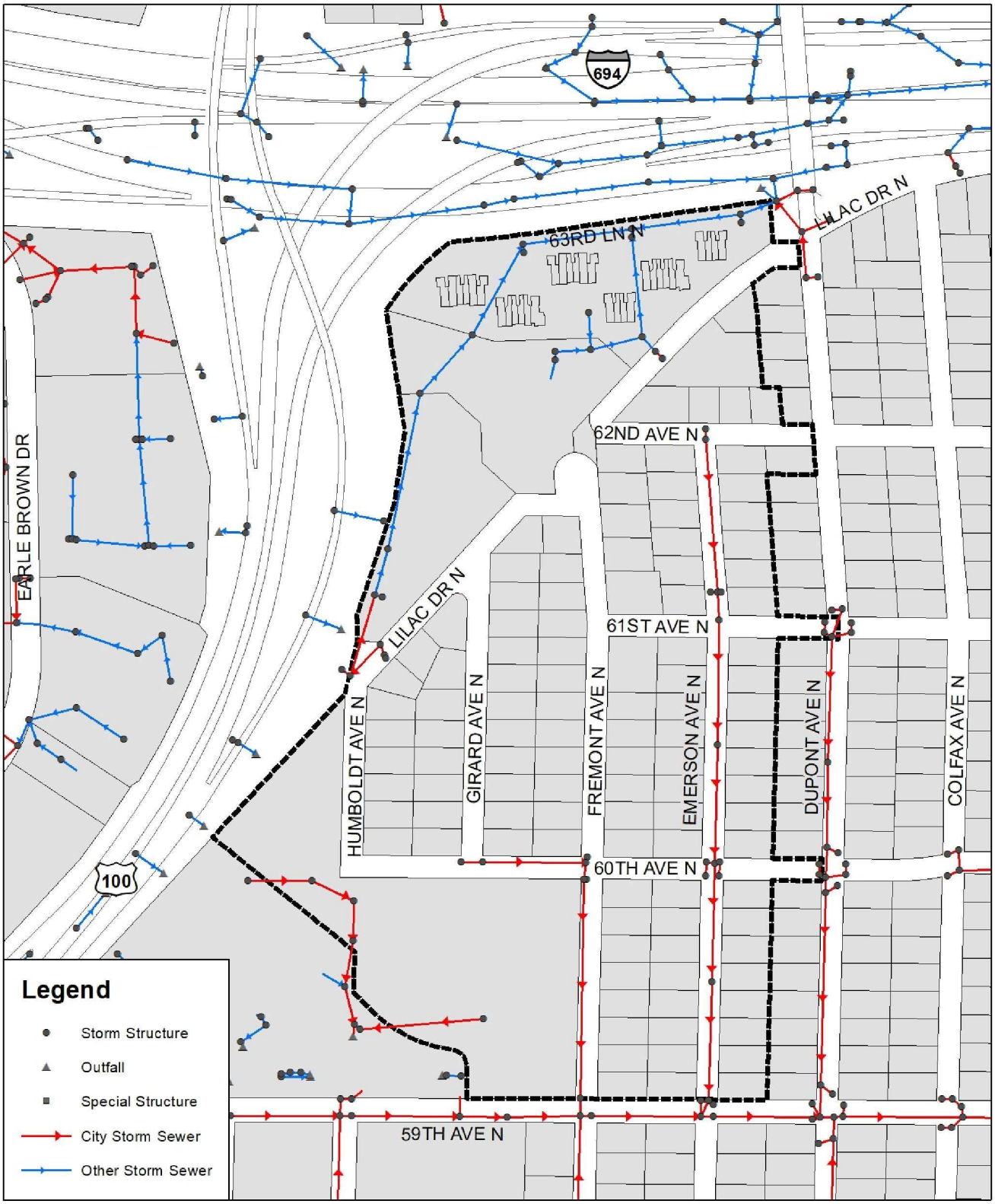
B. PROPOSED DRAINAGE IMPROVEMENTS

Storm sewer improvements will be made to the existing system that includes replacing/repairing catch basins and laterals where necessary. As indicated, the storm sewer system is to some extent undersized. A more complete system is proposed to be installed including multiple new trunk and lateral lines and catch basins in several areas (see Appendix C, Street and Storm Sewer Improvements Figure). This expansion of the drainage system and installation of additional pipes and catch basin structures will help minimize localized drainage problems. The existing public storm sewer system within the street right-of-way will be reconstructed, but is not expected to include the replacement of the trunk storm sewer within 59th Avenue under this project.

Proposed water quality improvements include installing sump catch basins at select neighborhood discharge locations where feasible. Additionally, infiltration basins (rain gardens) will be incorporated throughout the project area within the boulevard areas where adjacent property owners volunteer and agree to these gardens.

An infiltration basin consists of a relatively small area of plantings within a constructed depression located behind the street curb. Rainwater is routed to the areas from the street gutter and infiltrates naturally by plants and soils in the garden. This infiltration process removes nutrients and pollutants. By acting as a small detention pond, the rain garden plants and soils also provide a natural way of reducing the amount of runoff water that flows from rooftops, lawns, driveways and streets directly into the storm sewer system. The underground treatment chambers and infiltration basins are recommended for this project in certain areas to help meet the City's storm water treatment goals and requirements.

Figure 4: Storm Sewer



Existing Storm Sewer
Grandview North Street and Utility Improvements

Figure 4

V. SANITARY SEWER SYSTEM

A. EXISTING CONDITIONS

The existing sanitary sewer collection system within the project area consists primarily of eight-inch diameter vitrified clay pipe (VCP) sewer mains. The majority of the sanitary sewer system was installed between 1960 and 1963. Due to the age and materials used in the original construction of the sanitary sewer, almost all of the sanitary sewer mains within the project area are subjected to frequent issues with root intrusion. Public Works crews must perform root sawing and jetting on an annual basis to maintain the system conveyance capacity and avoid sewer back-ups in many locations (see Figure 6).

During the project planning phase, all public sanitary sewer pipes were inspected with remote televising equipment. These inspections confirmed that portions of the sanitary sewer have moderate to severe problems with root intrusion, sags and sections of cracked and broken pipe along pipe joints and at many services. Surveys received from residents also indicate some occurrences of sewer service line blockage that are often attributed to root penetration of the service pipe joints and connection points. Figure 5 illustrates a typical section of sewer pipe with moderate root intrusion problems. The project contains many segments of sanitary sewer that are in likewise or worse condition.

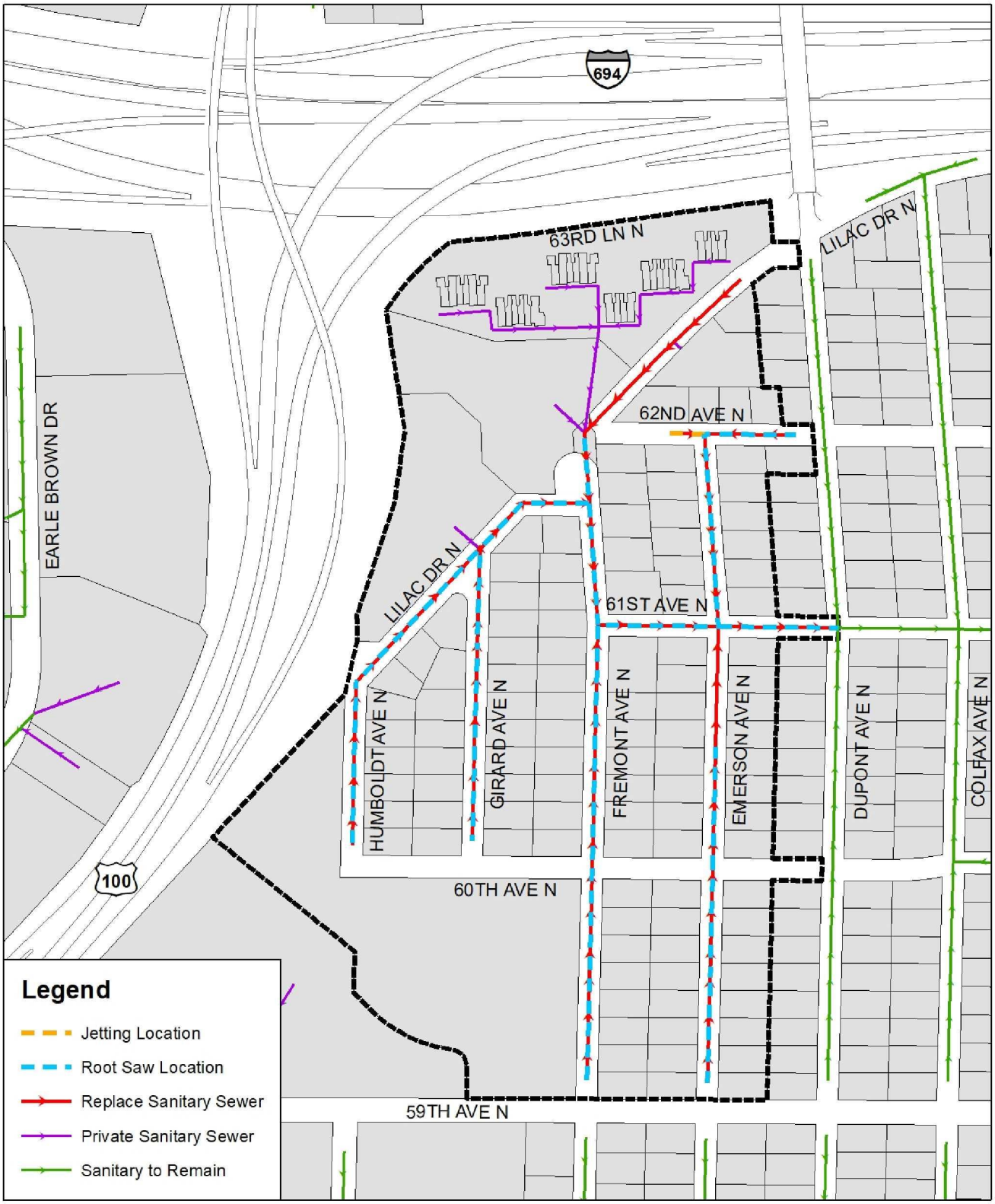
Figure 5: Sanitary Sewer Line, Tree Root Intrusion

B. PROPOSED SANITARY SEWER IMPROVEMENTS

Complete replacement of the public eight-inch diameter VCP sanitary sewer mains within the project area is recommended due to the extent of root intrusion, sags and cracked pipe within the collection system (see Appendix C, Sanitary Sewer and Water Main Improvements Figure). Isolated replacement of the problem areas is not cost effective. In accordance with past City construction practice, individual service lines between the sewer main and the property line would also be replaced.

The sanitary sewer within the multi-family properties located at 6125 Lilac Drive and 6201 Lilac Drive (The Crossings at Brookwood) and the townhomes along 63rd Lane (Brookwood Townhomes) are privately owned and no improvements are included as part of this public project.

Figure 6: Sanitary Sewer Root Saw Locations



Sanitary Sewer Root Saw Locations
Grandview North Street and Utility Improvements

Figure 6

VI. WATER SYSTEM

A. EXISTING CONDITIONS

A majority of the water main within the project area consists of 6-inch and 8-inch diameter cast iron pipe (CIP) installed in 1968. The water main pipe velocities in the Grandview Area are all relatively low due to low domestic demands in this residential area as confirmed by water distribution modeling. Minor water quality issues have been reported by residents. A majority of the existing water main in the project area is assumed to have a cement based internal liner. There is a history of only 1 water main break within the project area (see Figure 7). However, the water main is in fair to good condition and has not approached the end of its life cycle. One property was also identified to have had frozen service issues.

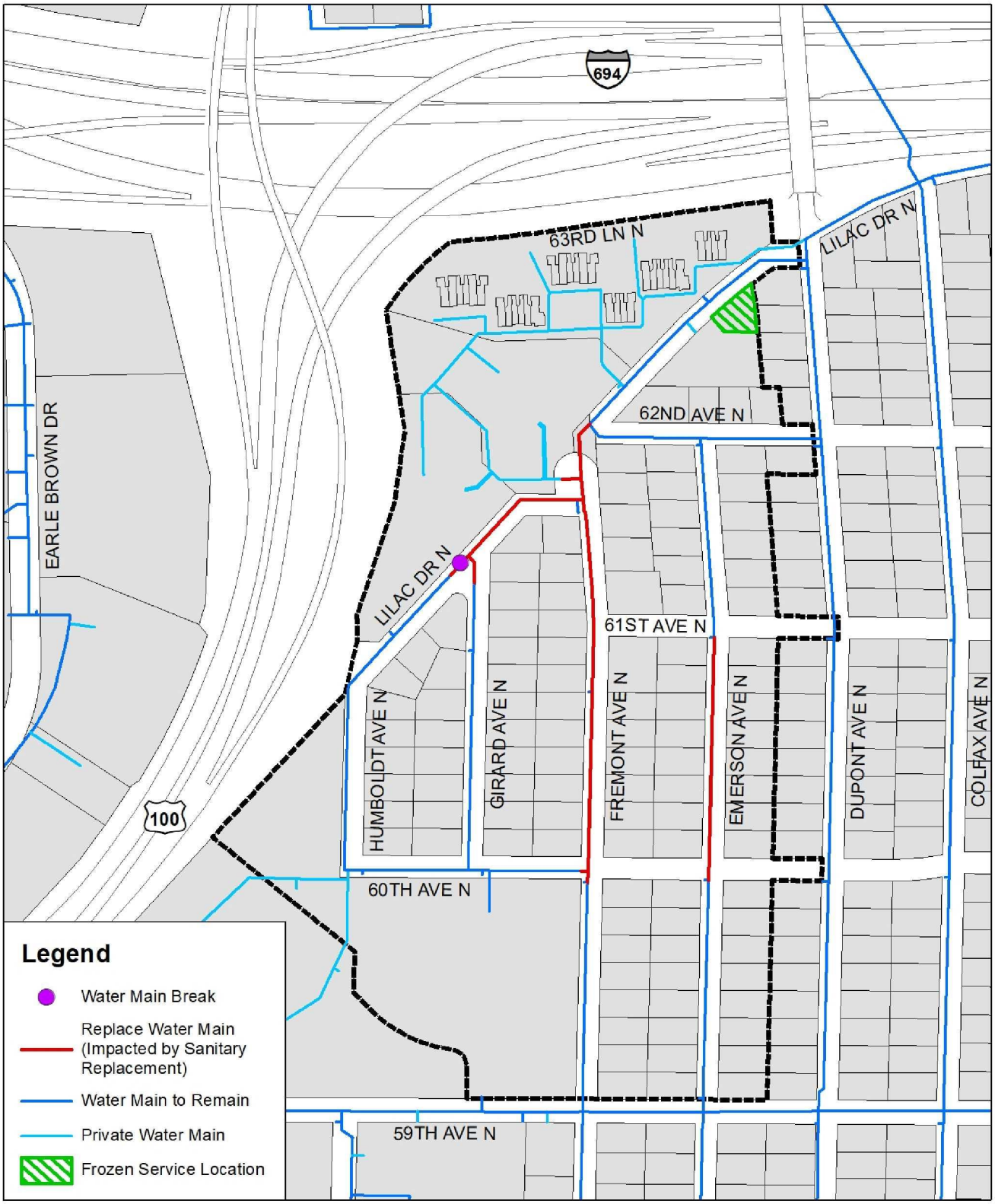
B. PROPOSED WATER MAIN IMPROVEMENTS

Recommended water main improvements include partial replacement (approximately 30%-40%) of the existing cast iron water main with new ductile iron water main in segments where the replacement of the adjacent sanitary sewer is deeper than the existing water main (due to undercutting issues during construction) (see Appendix C, Sanitary Sewer and Water Main Improvements Figure). In future years, nearer the end of the life cycle of the remainder of the water main that is not being proposed to be replaced (see Figure 7), considerations of in-situ pipe lining is expected to be evaluated as warranted that will preserve the new roadway that is being proposed as part of this current project.

The proposed improvements also include replacement of valves, hydrants and water services extending from the water main in the street to the water curb stop located at the front property line. Replacement pipe materials include ductile iron pipe, which is more resistant to corrosion than cast iron pipe, and copper service pipe. Shallow services that have been susceptible to freezing will be insulated along from the water main to the water curb stop.

The water main within the multi-family properties located at 6125 Lilac Drive and 6201 Lilac Drive (The Crossings at Brookwood) and the townhomes along 63rd Lane (Brookwood Townhomes) are privately owned and no improvements are included as part of this public project.

Figure 7: Water Main Break Locations



Water Main Break Locations
Grandview North Street and Utility Improvements

Figure 7

VII. PARK IMPROVEMENTS

Grandview Park is located within the project area. There are no planned improvements to Grandview Park as part of this project. No new parks or other public recreation facilities are planned as part of the project.

VIII. RIGHT-OF-WAY AND EASEMENTS

Generally, all public infrastructure owned, maintained and operated by the City throughout the project area is located within City easements and/or right-of-way. It is not anticipated that the City will need to acquire any additional right of way or easements as part of the project.

IX. ESTIMATED COSTS AND FUNDING CONSIDERATIONS

The total estimated cost of the proposed project is $6,294,000.00. Table 1 provides a summary of the estimated project costs and recommended funding amounts from the various sources as indicated. Funding for the project is further described below.

A. FUNDING FOR STREET IMPROVEMENTS

The estimated project cost of roadway improvements for all streets in this project area is $2,910,000.00. This preliminary estimate includes the cost for project administration, legal, engineering and construction contingency. Special assessments for street improvements are proposed in accordance with the 2020 rates which are expected to be considered for adoption by the City Council on November 11, 2019. The standard 2020 residential street assessment rate is estimated to be $4,715 per R1 zoned residential property. This rate would be assessed to all benefitting single family residential properties within the project area (see Figure 8). For R1 properties which may be legally subdivable into two or more lots, the assessment to be applied shall equal the maximum number of lots allowable times the unit R1 assessment. The church property located at 6206 Lilac Drive is legally subdividable and would be assessed accordingly.

The multi-family properties located along 63rd Lane (Brookwood Townhomes) are zoned R3 and would be assessed based on a per unit assessment based on the frontage rate, multiplied by the total feel of frontage and divided by the total number of units.

The multi-family properties located at 6125 Lilac Drive and 6201 Lilac Drive (The Crossings at Brookwood) would be assessed based on an area basis. An “A” zone benefit includes the area abutting the street to be improved, extended to the depth of 200-feet and a “B” zone of lesser benefit for the remainder of the property area. The “A” zone rate is based on assessing 70 percent of the total street project cost deemed to benefit the property and the “B” zone rate is based on 30 percent. Based on cost estimates for full street reconstruction, the full unit rate has been determined to be “A” zone rate of $0.4316 per square foot and a “B” zone rate of $0.1850 per square foot. It should be noted that historically the assessments have been levied based on estimated costs rather than actual costs, understanding that the project costs are levied at a reduced percentage (70 and 30 percents as indicated above).

City owned properties are not proposed to be assessed. A total estimated special assessment amount of $666,264.87 would be levied for street improvements. The remaining street construction costs would be

funded from the Street Reconstruction Fund. A summary of the proposed special assessments for street improvements is provided in Appendix D.

B. FUNDING FOR STORM DRAINAGE IMPROVEMENTS

The total estimated cost for storm drainage improvements within the project area is $1,480,000.00. This preliminary estimate includes the cost for project administration, legal, engineering and construction contingency. Special assessments for storm drainage improvements are proposed in accordance with the 2020 rates which are expected to be considered for adoption by the City Council on November 11, 2019. The standard 2020 storm drainage special assessment rate is estimated to be $1,415 per R1 zoned single family residential property within the project area (see Figure 8). The church property located at 6206 Lilac Drive and the multi-family properties located along 63rd Lane (Brookwood Townhomes) have been computed similarly to the street assessments.

Storm sewer assessments for the multi-family properties located at 6125 Lilac Drive and 6201 Lilac Drive (The Crossings at Brookwood) have been computed similarly to the street assessments. Based on preliminary cost estimates for the storm sewer improvements, the full unit rate has been determined to be an “A” zone rate of $0.2195 per square foot and a “B” zone rate of $0.0941 per square foot.

On this basis, a total estimated special assessment amount of $221,926.05 would be levied for storm sewer improvements. A summary of the proposed special assessments for storm drainage improvements is provided in Appendix D.

C. FUNDING FOR UTILITY IMPROVEMENTS

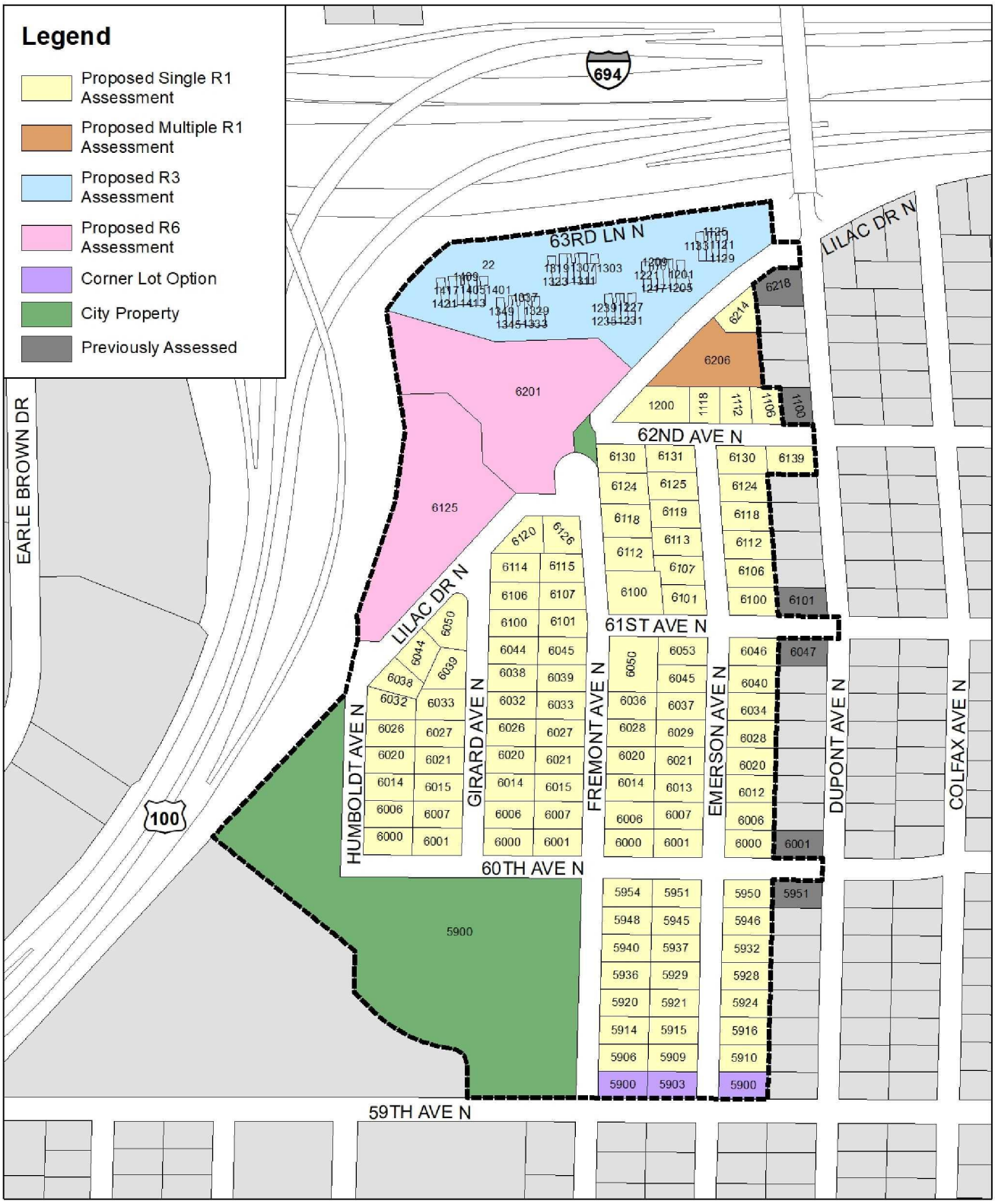
The estimated cost of sanitary sewer improvements is $1,060,000.00; the estimated cost for water main improvements is $784,000.00; and the estimated cost for street light replacement is $60,000.00. As previously noted, these total cost estimates include the costs for project administration, engineering, legal and construction contingency. All costs for water, sanitary sewer and street light improvements will be funded by their respective utility funds in accordance with established policy for such improvements.

Table 1. Cost and Funding

Improvement Project Nos. 2020-01, 02, 03 04
2020 Grandview North Area Street and Utility Improvements
Feasibility Report, September 17, 2019

	Streets	Storm Drainage	Sanitary Sewer	Water Main	Street Lights	Estimated Total
Estimated Expenditures						
Estimated Construction Cost Street & Utility	$2,404,500.00	$1,223,000.00	$876,000.00	$648,000.00	$49,500.00	$5,201,000.00
Contingencies (10%)	$240,500.00	$122,000.00	$88,000.00	$65,000.00	$5,000.00	$520,500.00
Administration, Engineering, Legal (10%)	$265,000.00	$135,000.00	$96,000.00	$71,000.00	$5,500.00	$572,500.00
Total Estimated Project Costs (Feasibility)	$2,910,000.00	$1,480,000.00	$1,060,000.00	$784,000.00	$60,000.00	$6,294,000.00
Estimated Revenue						
Street Special Assessments	$666,264.87					$666,264.87
Storm Drainage Special Assessments		$221,926.05				$221,926.05
Sanitary Sewer Utility Fund			$1,060,000.00			$1,060,000.00
Water Utility Fund				$784,000.00		$784,000.00
Storm Drainage Utility Fund		$1,258,073.95				$1,258,073.95
Street Light Utility Fund					$60,000.00	$60,000.00
Street Reconstruction Fund	$2,243,735.13					$2,243,735.13
MSA Fund						$0.00
Total Estimated Revenue (Feasibility)	$2,910,000.00	$1,480,000.00	$1,060,000.00	$784,000.00	$60,000.00	$6,294,000.00

Figure 8: Assessment Map



Assessment Map
Grandview North Street and Utility Improvements

Figure 8

X. RECOMMENDED PROJECT SCHEDULE

Table 2 is the preliminary schedule for the project.

Table 2. Interstate Area Reconstruction Project – Schedule

Action	Target Date
City Council Receives Feasibility Report and Calls for an Improvement Public Hearing	September 23, 2019
City Council Holds Improvement Public Hearing, Authorizes the Project and Orders Preparation of Plans and Specifications	October 28, 2019
City Council Establishes 2020 Assessment Rates, Declaring Costs to be Assessed and Calling for a Public Hearing on Proposed Special Assessments	November 11, 2019
City Council Holds Assessment Public Hearing and Certify Assessment Roll	December 9, 2019
City Council Approves Plans and Specs, and Authorizes Advertisement for Bids	January 2020
City Receives and Opens Project Bids	February 2020
City Council Considers Award of Contract	February/April 2020
Start Project Construction	April 2020
Construction Substantially Complete	October 2020

XI. CONCLUSIONS AND RECOMMENDATIONS

The overall condition of the City's street and utility infrastructure systems is critical to the operation, safety, welfare and economic health of the entire community. As a result of the infrastructure needs described and the proposed solutions and estimated costs provided in this report, the proposed project is considered to be necessary, cost effective and feasible.

Appendix A

Complete Streets Worksheet

Appendix A

Complete Streets Worksheet

This Complete Streets Worksheet is intended to serve as a guide when reviewing a roadway's ability to accommodate all modes of transportation (pedestrian, bicyclists, transit riders, freight, and automobiles) and people of all abilities in a cost-effective manner, while promoting safe operation for all users. Complete streets address the design of the entire street right-of-way to determine the best allocation of space between the various transportation modes. Complete streets may be achieved through single projects or incrementally through a series of smaller improvements or maintenance activities over time. This worksheet was developed to facilitate implementing the complete streets process and to help sort through potentially conflicting modal priorities. The worksheet is also available in an electronic format that allows responses to by typed directly into the worksheet.

Please reference the following materials when filling out the checklist:

- City and/or County Comprehensive Plans that cover the project area
- Transportation Plans that cover the project area (e.g., City, County, and/or State)
- Bicycle or Pedestrian Master Plans that cover the project area (e.g., City, Park district, County, and/or State)
- City and/or County ADA Transition Plans that cover the project area
- Area specific studies
- A Policy on Geometric Design of Highways and Streets (AASHTO "Green Book")
- AASHTO Guide for the Development of Bicycle Facilities, 4th Edition
- MnDOT Bikeway Facility Design Manual
- Minnesota Manual on Uniform Traffic Control Devices (MMUTCD)
- ADA Accessibility Guidelines (ADAAG)
- Proposed Rights-of-Way Accessibility Guidelines (PROWAG)
- Hennepin County Complete Street Policy
- State of Minnesota Complete Street Policy

Project Information	Date: 09/17/2019
Project Location (municipality):	City of Brooklyn Center
Roadway Jurisdiction:	City of Brooklyn Center
Project/Roadway Name:	Grandview North Area Street and Utility Improvements
Project Start Point:	Improvement area consists of properties bounded between 59th Avenue and Interstate 694 and from Humboldt Avenue and Dupont Avenue.
Project End Point:	See project area map in feasibility report.
Project Manager	Jay Hill, City of Brooklyn Center

Define Existing and Future Land Use and Urban Design Context

1. Do any adopted plans call for the development of bicycle, pedestrian, transit or roadway facilities on, crossing, or adjacent to, the proposed project? If yes, list the applicable plan(s).

Guidance: Possible sources of this information include Comprehensive Plans, Transportation Plans, Bicycle or Pedestrian Master Plans or area-specific studies developed by applicable City, County and/or State Agencies.

Brooklyn Center Pedestrian & Bicycle Plan (City of Brooklyn Center, March 2014) calls for a new sidewalk along 62nd Avenue from Lilac Drive to Lyndale Avenue.

2. Are there any local, county, statewide or federal policies that call for incorporating multimodal facilities?

Guidance: Policies at the state and federal level may impact a project due to funding sources.

NA

3. Describe the study area.

Guidance: What are the predominant land uses along the corridor? What is the community character? (e.g., tree-lined streets, historic, new development) Are there any planned redevelopment areas in the project area?

The project area consists of approximately 1.8 miles of streets and utilities. The project's neighborhood consists of approximately 110 residential properties that are zoned "R1", 1 sub-dividable church property that is zoned "R1", 32 townhomes that are zoned R3 and 2 senior apartments that are zoned R6.

4. What trip generators (existing and future) are in the vicinity of the project that might attract walkers, bikers or transit users?

Guidance: For example, large employers, downtown or shopping districts, schools, parks, community centers, medical centers, transit stations, government buildings and senior care facilities.

The project area includes 1 City park (Grandview Park) and 1 school property (Earle Brown Elementary School) located within 1/2 mile of the project area. Access to the Mississippi Trail corridor is also available within 1/2 mile of the project area.

Define Existing and Future Transportation Context

5. Describe existing and projected modal volumes, if available.

Volumes (as available)	Existing	Projected (Year)
Average Daily Traffic	Local Streets: low volume	Local Streets: low volume
Pedestrian Counts	Not Available	Not Available
Bicycle Counts	Not Available	Not Available
Truck Volumes	Not Available	Not Available
Transit Volumes	NA	NA

6. Existing vehicle speed conditions.

a. What is the posted speed limit for the project and associated intersecting streets?

30 mph per state statute (Local streets), posted 30 mph on Dupont Avenue

b. Provide speed data, if available.

61st Ave: 27 mph (2018) Not Available for other local streets.

c. Are excessive speeds an issue in the project area?

Higher speeds on Dupont Avenue.

7. Describe crash data, if available, and known conflict locations.

Guidance: Crash data will likely not be available for pedestrians and bicycles. Crash trends and known conflict points should include neighborhood input and antidotal data, such as areas of known "near misses", or areas where seasonal activities cause safety issues, such as sports arenas or fairgrounds.

Transportation Mode	Number of Crashes	Period Covered
Vehicles	21 throughout the neighborhood	1/1/09-9/10/19
Pedestrians	1	1/1/09-9/10/19
Bicycles	1	1/1/09-9/10/19

a. Are there any crash trends between specific modes?

There are no crash trends between specific modes.

b. Are there known conflict points between specific modes?

No

8. Describe Classifications.

a. What is the road functional classification?

All streets within the project area are designated as Local Streets.

b. Does the street cross any high functional classification roads? (yes/no) If so, please list.

Yes: Dupont Avenue on the east boundary of the project is a collector.

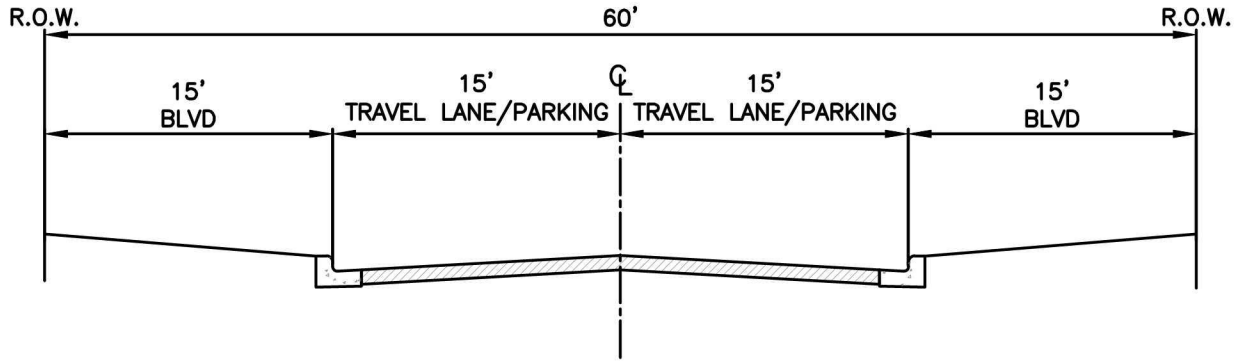
c. Does the roadway have other classifications (e.g., truck route, transit route, bicycle route, emergency vehicle route)? (yes/no) If so, please list.

Yes: Dupont Avenue on the east boundary of the project is also a MSA Route and a Metro Transit bus route. 59th Avenue on the south boundary of the project is a MSA Route.

9. Sketch in or attach the existing cross-section(s).

Guidance: The existing cross-section should include the full right-of-way and be clearly dimensioned. Additional cross-sections are advisable to illustrate specific situations or if corridor segments greatly vary.

EXISTING TYPICAL SECTION



10. What multimodal accommodations exist in the project and on streets that it intersects?

Guidance: Multimodal accommodations may include transit routes, sidewalks, trails, and designated on-street bicycle facilities, such as bike lanes, sharrows or signed bike routes.

Within the project, there is a concrete sidewalks are located on the south side of 60th Avenue, the west side of Humboldt Avenue, and the north side of Lilac Drive. Adjacent to the project area, concrete sidewalk exists along both sides of Dupont Avenue and on the north side of 59th Avenue. Also adjacent to the project area a new 6' sidewalk will be installed in 2019 on 62nd Avenue from Dupont Avenue to Lyndale Avenue as part of the Interstate Area Reconstruction Project. Bituminous trails exist in Grandview Park and on Lilac Drive between 62nd Avenue and Fremont Avenue. See Figure 2 in the feasibility report for existing sidewalk and trail locations.

11. If there are no multimodal accommodations, how far away are the closest parallel facilities?

Guidance: Designated transit routes or bikeways may not exist within the community, and therefore, may not be applicable.

NA

12. What multimodal amenities exist in the project?

Guidance: multimodal amenities may include benches, bike racks/lockers, trash receptacles, crosswalks, traffic signals, mature tree canopy, transit stops/shelters, and wayfinding signage.

Mature boulevard trees throughout the project area.

13. Describe any particular user needs/challenges along the project corridor that you have observed or have been informed of.

Guidance: User needs may consist of lack of facilities (worn dirt pathways), traffic congestion, difficulty accessing bus stops or sidewalks due to snow piles at intersections, at-grade crossings of railroads or high volume roadways, and steep terrain.

Several comments from area residents indicated this lack of adequate drainage facilities within the neighborhood and were mostly related to standing water along the edge of the street and at driveways.

14. Are the existing facilities ADA and PROWAG compliant?

Guidance: Reference resources include the ADA Accessibility Guidelines (ADAAG), Proposed Rights-of-Way Accessibility Guidelines (PROWAG), and MnDOT Accessibility Design Tools website.

No: The existing sidewalks along 59th Avenue and Dupont Avenue generally have pedestrian curb ramps adjacent the project area. The existing sidewalk along 60th Avenue, Humboldt Avenue and Lilac Drive generally have pedestrian ramps within the project area. The pedestrian curb ramps will be reviewed for compliance and will be replaced with truncated dome detectable warning systems in compliance with the Americans with Disabilities Act (ADA) at each crosswalk location throughout the project as necessary.

Identify Existing Deficiencies

15. Based on the land use and transportation context analysis, describe existing and anticipated future deficiencies to full multimodal transportation that the project could/should address.

The Brooklyn Center Pedestrian & Bicycle Plan identified a missing sidewalk connection on on 62nd Avenue from Lilac Drive to Lyndale Avenue. A new 6' sidewalk will be installed in 2019 on 62nd Avenue from Dupont Avenue to Lyndale Avenue as part of the Interstate Area Reconstruction Project.

Describe Future Objectives

16. Develop objectives regarding how multimodal facilities will be integrated into the project and how identified deficiencies will be addressed.

Guidance: The objectives will form the basis for the street design.

-Ensure that the needs and safety of pedestrians, bicyclists, motorists, and transit riders of all ages and abilities are taken into account in the design and operation of roads.
-Pedestrian curb ramps should be constructed throughout the project at each crosswalk location with truncated dome detectable warning systems in compliance with the Americans with Disabilities Act (ADA).

Recommend Area Typology/Street Typology and Test Cross-section(s)

17. Complete the following questions if your community has developed Area Typologies and Street Typologies (See page 21, "Roadway Classification versus Settings" for a description of area and street typologies.)

Guidance: If applicable, list document that contains your agency's Area Typologies and Street Typologies

a. What is the recommended Area Typology?

NA

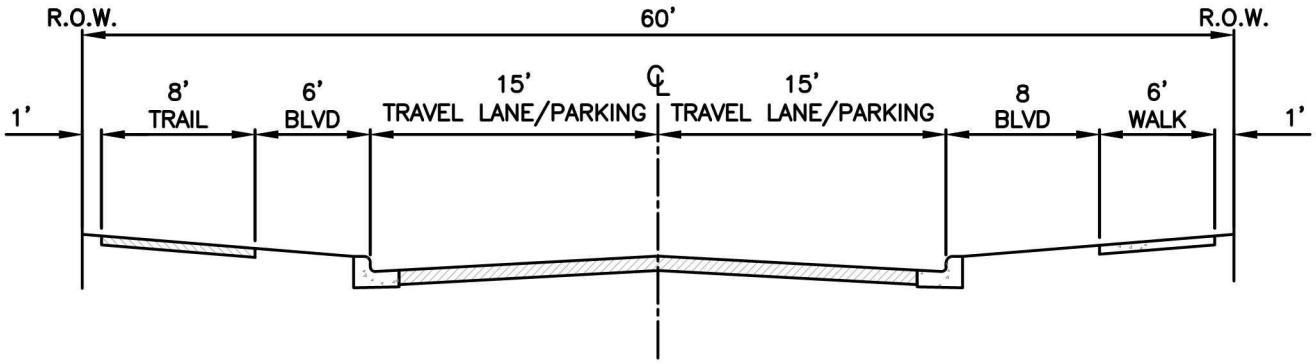
b. What is the recommended Street Typology?

NA

18. Sketch in or attach the initial cross-section(s) that depicts desired street elements.

Guidance: Initial cross-section should be clearly dimensioned and indicate any additional right-of-way required. Additional cross-sections are advisable for specific situations or if corridor segments greatly vary.

INITIAL TYPICAL SECTION



19. Describe any constraints associated with the initial cross-section.

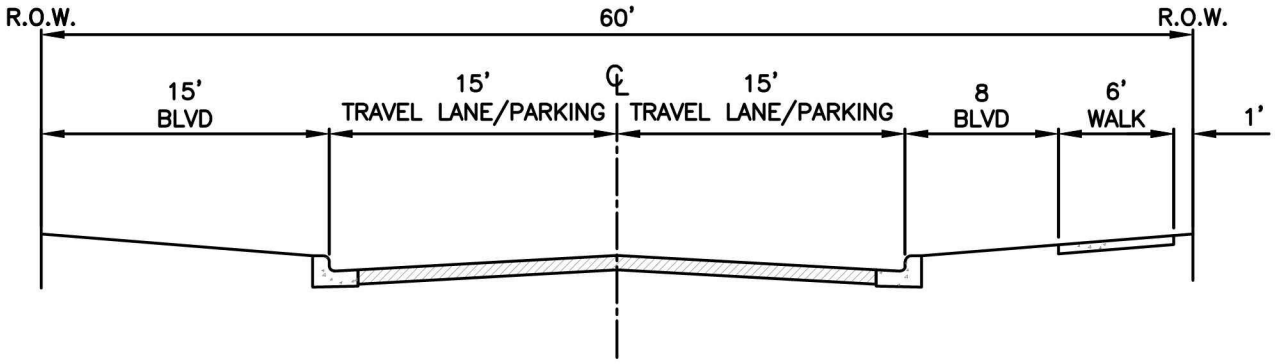
Guidance: Potential constraints include lack of right-of-way, existing structures, existing mature trees or environmental features, topography or number of driveways.

Potential constraints would be the number of existing mature trees and landscaping in the right-of-way, number of driveways, increase in impervious surface area and limited right-of way space.

20. Sketch in or attach alternative cross-sections.

Guidance: Alternative cross-sections should be modifications of the initial cross-section that respond to identified constraints. All modes should receive equal consideration and accountability in the development of alternatives.

ALTERNATIVE TYPICAL SECTION



Describe Tradeoffs and Select Cross-section

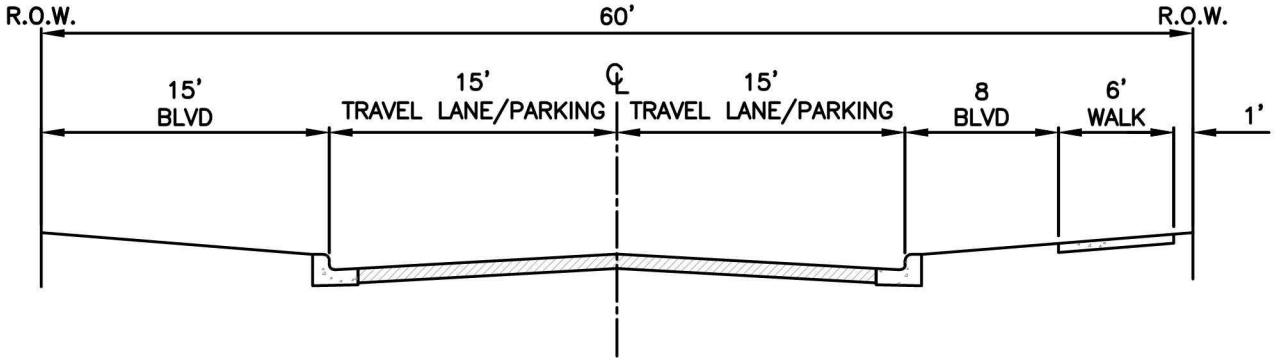
21. Describe tradeoffs associated with the alternative cross-sections.

Guidance: Examples of tradeoffs include removal of mature vegetation, narrower travel lanes, removal of on-street parking (one or both sides), right-of-way acquisition costs, and provision of bikeway facility on an adjacent parallel street.

Alternative cross-section would provide a concrete sidewalk for pedestrian traffic. Potential constraints would be the number of existing mature trees and landscaping in the right-of-way, number of driveways, limited right-of way space and increased impervious surface.

22. Sketch in or attach the selected cross-section(s).

Guidance: Selected cross-section should be clearly dimensioned and indicate any additional right-of-way required. Additional cross-sections are advisable for specific situations or if corridor segments greatly vary.



A new 6 feet sidewalk located along the north side of 62nd Avenue from Lilac Drive to Dupont Avenue is proposed per the Pedestrian & Bicycle Plan, as shown above. The existing concrete sidewalks within the project area located on the south side of 60th Avenue, the west side of Humboldt Avenue, and the north side of Lilac Drive will be repair as needed or as impacted by utility replacements. The bituminous trail connection on Lilac Drive between 62nd Avenue and Fremont Avenue will be reviewed for elimination during the final project design due to being a redundant connection.

Based on a survey of the neighborhood, a majority of the property owners do not feel the neighborhood needs additional sidewalks or trails. All other streets are proposed to be constructed without trails or sidewalks.

23. If the project does not accommodate all modes, list reasons why facilities for that mode are not provided.

Guidance: For example, the cost of the facility will be disproportionately high in relation to number of projected users; adequate right-of-way does not exist and acquisition of additional right-of-way would create adverse impacts to valued community assets; a bikeway facility is being planned on an adjacent parallel route that can service bicyclists' needs.

Providing a trail/sidewalk facilities on all streets would require mature tree removal and increase the impervious surface area. All of the streets in the project area are local streets with low traffic volumes. Trail/sidewalk facilities on all streets would be out of character for this neighborhood.

Implementation

24. Identify project milestones, roles and responsibilities for project implementation

City Council Conduct Improvement Hearing / Order Plans:	October 28, 2019
City Council Approve Plans/Authorizes Advertisement for Bids:	January 2020
City Council Accept Bids/Award Project:	February/March 2020
Begin Construction:	April 2020
Substantial Completion:	October 2020

25. How will access for all modes be maintained during project construction?

Guidance: Reference resource includes MnDOT Context Sensitive Solutions (CSS) Webinar, Maintaining Pedestrian Access Through Construction & Maintenance Work Zones

A drivable street will be maintained at most times during the construction. The exception would be during the installation/repair of the City utilities and reconstruction of the existing roadway, when access may be cut off for a limited period of time. Even during those activities, though, access will be restored by the end of each day. Access to the sidewalk system will be available for the majority of the construction project. However, the main interruption to access of the sidewalks will be during the replacement of deficient sections of sidewalk. For this work, access will not be available for approximately 7-10 days while the concrete cures.

26. Facility Maintenance

a. What agency will be responsible for on-going maintenance for each mode?

City of Brooklyn Center - Public Works Department will be responsible for on-going maintenance for the streets, sidewalks and trails.

b. What specific seasonal and long-term maintenance is needed for each mode?

Maintenance activities typically include patching, sealcoating, crack sealing, sweeping, minor sidewalk repair, and the cost of operating and maintaining the park improvements.

Appendix B

Resident Questionnaire
Resident Comments

QUESTIONNAIRE
2020 Grandview North Area Reconstruction Project

This questionnaire will help the City of Brooklyn Center Engineering staff to better understand the infrastructure needs and issues in your neighborhood. This survey can be returned in person or by mail to: City of Brooklyn Center/Engineering Division, 6301 Shingle Creek Parkway, Brooklyn Center, MN 55430; by fax at 763-569-3440; or by email at: publicworks@ci.brooklyn-center.mn.us. Please return this survey by **September 5, 2019**. You may also contact us at 763-569-3340 to discuss these issues.

Please be advised we will contact you in the near future via mail regarding a meeting which will be held this fall. At the meeting we will gather additional information and solicit your input. Thank you for your cooperation in providing this important survey!

1. Contact Information:

   Name: _____

   Address: _____

   Email Address: _____

   Phone Number: _____

2. Our televised sewer inspections typically identify sanitary sewer services with moderate to severe root infiltration. Have you experienced any problems with sanitary sewer service, such as line plugging or having the service cleaned out to the street? If yes, how often?

   _____

   _____

   _____

3. Typically, improvements to the storm drainage system are needed. Do you have a problem with drainage or flooding in the street, your yard or basement?

   _____

   _____

   _____

   _____

4. Do you experience problems relating to the water distribution system such as water pressure, taste, odor or color?

   _____

   _____

   _____

   _____

5. Do you have a lawn irrigation (or sprinkler) system located within your property?
   Please circle one: Yes No

(OVER)

6. Do you have a sump pump in your basement?

   Please circle one:
   A. Yes, my sump pump runs frequently (at least once every day)
   B. Yes, my sump pump runs less frequently
   C. No, I do not have a sump pump or do not use my sump pump
   D. Unknown

7. Do you have draintile on you property?

   Please circle one:
   A. Yes, it drains to the yard
   B. Yes, it connects to the storm sewer system
   C. No, I do not have draintile on my property.
   D. Unknown

8. A rain garden is simply a "sunken" flowerbed, designed to retain and infiltrate as much storm water as possible. The benefit to the environment is reduction in the amount of storm water entering our ponds, lakes and streams. If it is feasible to do so, do you wish to have a rain garden placed in the boulevard on your property? (If interested, further rain garden information will be provided this winter.)

   Please circle one: Yes No Maybe

9. The City's policy pertaining to sidewalk improvements is that sidewalks are not typically installed on local "residential" streets unless the City Council orders the construction of sidewalks when such construction is warranted. Do you feel your neighborhood needs additional sidewalks?

   Please circle one: Yes No

   If yes, where?

   _____

   _____

10. The City's policy pertaining to spacing of existing street lights is to provide for lighting at intersections and at mid-block locations where spacing exceeds 700-feet. Do you feel your neighborhood needs additional street lighting?

    Please circle one: Yes No

    If yes, where?

    _____

    _____

11. What other concerns, comments and/or issues do you have pertaining to the streets, sidewalks, utilities, etc., in your neighborhood?

    _____

    _____

    _____

    _____

Should you have questions or need more information, please contact the Engineering Division at 763-569-3340.

Please return by **September 5, 2019** to:
Engineering Division
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, MN 55430
FAX 763-569-3440
Email: publicworks@ci.brooklyn-center.mn.us

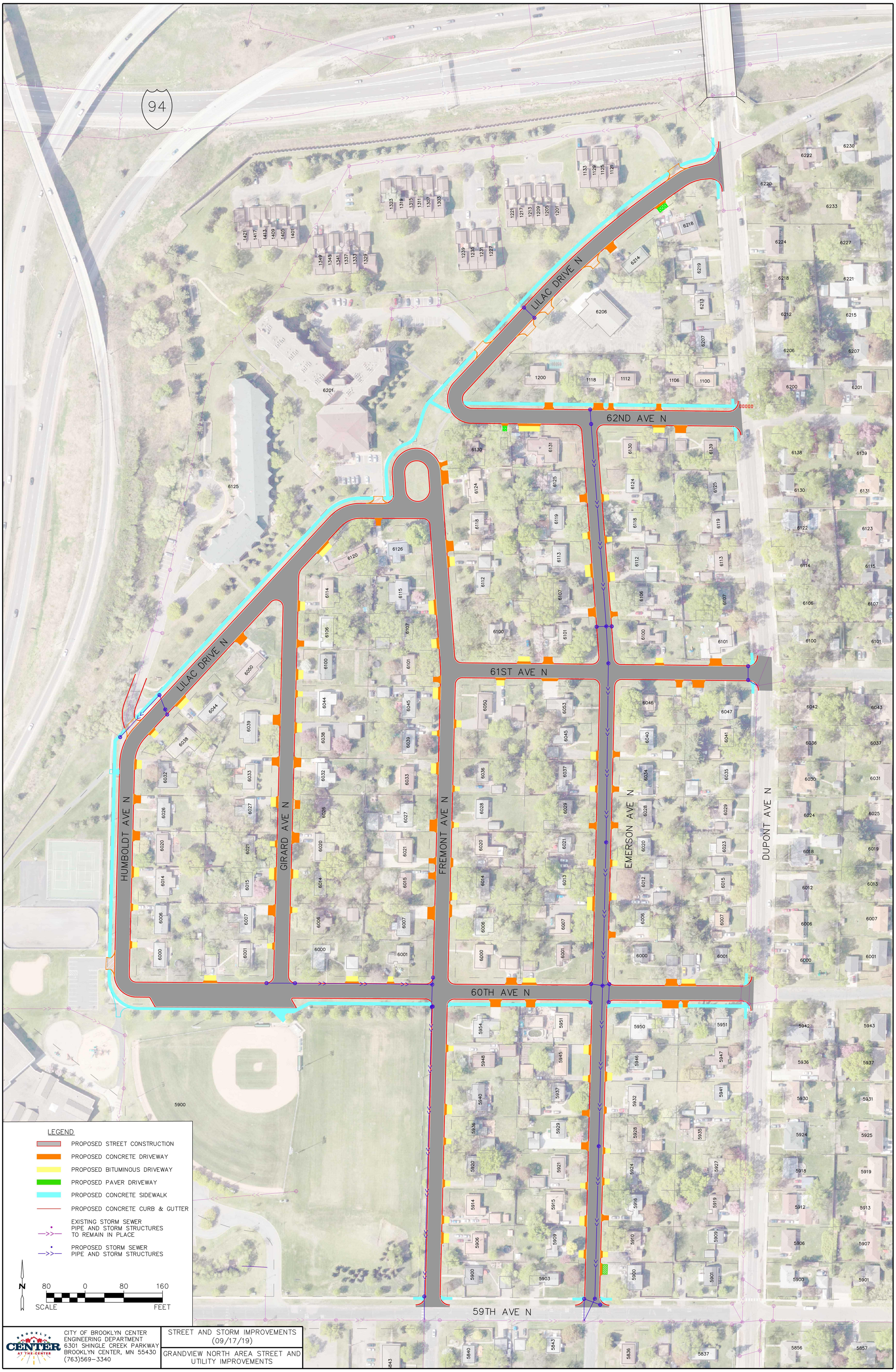
Grandview North Area Street and Utility Improvements 2020
Survey Summary Results

Sanitary (2)	Storm (3)	Water (4)	Sprinkler System (5)	Sump Pump (6)	Draintile (7)	Rain Garden (8)	Sidewalk (9)	If yes, where? (9a)	Streetlights (10)	If yes, where? (10a)	Comments/Concerns/Issues re: streets, sidewalks, utilities, etc. (11)
Emerson Avenue N											
Yes, my line from house to street broke where it connects to City services in fall of 2017. Professional service dug and repaired line, and then did camera inspection. Line is now clear and in good working order.	No problems with flooding in streets, yard, or basement	New water treatment plant makes horrible, horrible tasting water. We don't drink it, ever. Smells like bleach out of the bottle. Not sure it is a good idea for anyone to drink it without further filtering.	No	No	Unknown	No - my street doesn't have a boulevard.	No		No		
Every two years I had one pipe drain repaired to the right side of my house. Cost me $5,000. Hasn't backed up yet. It went out to the street. Year 2018	Yes in the sewage drain on the corner	No, maybe because I have a water softener	*NOT ANSWERED*	No	Unknown	No	No	Doesn't matter. Don't have them now. Keeps people from loitering.	Yes	60th/Emerson east and west corners. Emerson is pretty dark going east and west.	Need more street lighting.
Fremont Avenue N											
Yes - we have it cleaned every couple years as a preventative service.	No	Yes - water smells like bleach.	No	No	No	Maybe	No		No		
No	No	No	No	No	Unknown	Maybe	No		No		Wondering about our trees, and do we need curbs?
Girard Avenue N											
	I have had some flooding issues in my basement two times in the last two years.	My water has a foggy look to it. After it sits for a minute or so it clears, but initially coming from the faucet it is quite cloudy/foggy looking.	No	Unknown	Unknown	Maybe	No		Yes	Girard block between 60th and 61st streets. Street is very dark at night.	
No problem	None	Taste and smells like bleach	Yes	No	No	Maybe	No		No		
Yes - every couple years - sometimes more frequetnly.	Have had some water in basement during or after heavy rains.	Chlorine smell, black fleck at times, bad taste.	No	No	No	Yes	No		No		Water issues need to be fixed.
No	In winter there is always a pool of slush/ice in the curb area at the end of the driveway. Also, some drainage issues near house/in basement, but likely just near house grading and/or gutter downspout issues.	Chlorine odor/taste sometimes. Plack precipitate in toilets (management?)	Yes	No	No	Yes	No		No		
Humboldt Avenue N											
No	No	No	Yes - only in the middle of yard								
Lilac Drive N											
No	The water seems to pond at the end of our driveway. This is especially problematic in the winter when we develop a huge iceberg on the street in front of our house.	No	No	No	No	No	No		No		
No only internal	Yes - both building garages flood (very heavy rains only)	Yes - odor, taste, and hot water tanks are now leaking much more often	Yes - on our own well	Yes, my sump pump runs frequently (at least once every day). They have hour meters on them.	No	Yes	No		No		

Sanitary (2)	Storm (3)	Water (4)	Sprinkler System (5)	Sump Pump (6)	Draintile (7)	Rain Garden (8)	Sidewalk (9)	If yes, where? (9a)	Streetlights (10)	If yes, where? (10a)	Comments/Concerns/Issues re: streets, sidewalks, utilities, etc. (11)
62nd Avenue N											
Yes - recall only once since being in home.	Yard-pockets that get more puddles than elsewhere.	Not specifically - possible slight odor/taste. Nothing significant.	*NOT ANSWERED*	No	No	Yes	No		Yes		Potholes (Lilac)
63rd Lane N											
No	No	No	Yes	No	No	*NOT ANSWERED*	No		No		

Appendix C

Project Drawings:
Street and Storm Sewer Improvements Figure
Sanitary Sewer and Water Main Improvements Figure



LEGEND

- PROPOSED STREET CONSTRUCTION
- PROPOSED CONCRETE DRIVEWAY
- PROPOSED BITUMINOUS DRIVEWAY
- PROPOSED PAVER DRIVEWAY
- PROPOSED CONCRETE SIDEWALK
- PROPOSED CONCRETE CURB & GUTTER
- EXISTING STORM SEWER PIPE AND STORM STRUCTURES TO REMAIN IN PLACE
- PROPOSED STORM SEWER PIPE AND STORM STRUCTURES

N

80 0 80 160

SCALE FEET

BROOKLYN CENTER AT THE CENTER

CITY OF BROOKLYN CENTER
ENGINEERING DEPARTMENT
6301 SHINGLE CREEK PARKWAY
BROOKLYN CENTER, MN 55430
(763)569-3340

STREET AND STORM IMPROVEMENTS
(09/17/19)

GRANDVIEW NORTH AREA STREET AND UTILITY IMPROVEMENTS

94

LILAC DRIVE N

62ND AVE N

61ST AVE N

60TH AVE N

59TH AVE N

HUMBOLDT AVE N

GIRARD AVE N

FREMONT AVE N

EMERSON AVE N

DUPONT AVE N

LEGEND

- PROPOSED SANITARY SEWER PIPE AND SANITARY STRUCTURES
- EXISTING SANITARY SEWER PIPE AND SANITARY STRUCTURES TO REMAIN IN PLACE
- PROPOSED WATER MAIN AND FITTINGS TO BE REPLACED
- EXISTING WATER MAIN AND FITTINGS TO REMAIN IN PLACE
- PROPOSED CONCRETE CURB AND GUTTER

N

80 0 80 160

SCALE FEET

BROOKLYN CENTER AT THE CENTER

CITY OF BROOKLYN CENTER
ENGINEERING DEPARTMENT
6301 SHINGLE CREEK PARKWAY
BROOKLYN CENTER, MN 55430
(763)569-3340

SANITARY SEWER AND WATER MAIN IMPROVEMENTS (09/17/19)

GRANDVIEW NORTH AREA STREET AND UTILITY IMPROVEMENTS

Appendix D

DRAFT Proposed Pending Assessment Roll

CITY OF BROOKLYN CENTER PROPOSED PENDING ASSESSMENT ROLL
September 17, 2019
2020 GRANDVIEW NORTH AREA RECONSTRUCTION
IMPROVEMENT PROJECT NOS. 2020-01 AND 02

DRAFT

PROPERTY ID	HOUSE	STREET NAME	LEVY#	STREET	LEVY #	STORM	NOTES
3611921330016	1106	62ND AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330017	1112	62ND AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330018	1118	62ND AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330031	1200	62ND AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330059	1121	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330060	1125	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330061	1129	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330062	1133	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330063	1201	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330064	1205	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330065	1209	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330066	1213	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330067	1217	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330068	1221	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330069	1227	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330070	1231	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330071	1235	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330072	1239	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330073	1303	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330074	1307	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330075	1311	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330076	1315	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330077	1319	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330078	1323	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330079	1329	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330080	1333	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330081	1337	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330082	1341	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330083	1345	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330084	1349	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330085	1401	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330086	1405	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330087	1409	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330088	1413	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330089	1417	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330090	1421	63RD LA N		$ 1,024.22		$ 307.37	Multi Family R3, Unit Rate
3611921330019	6139	DUPONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220009	5900	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1 - Corner Property
0111821220023	5903	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1 - Corner Property
0111821220022	5909	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220010	5910	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220021	5915	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220011	5916	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220095	5921	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220012	5924	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220013	5928	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220020	5929	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220014	5932	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220019	5937	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220018	5945	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220015	5946	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220016	5950	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220017	5951	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220038	6000	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1

CITY OF BROOKLYN CENTER PROPOSED PENDING ASSESSMENT ROLL
September 17, 2019
2020 GRANDVIEW NORTH AREA RECONSTRUCTION
IMPROVEMENT PROJECT NOS. 2020-01 AND 02

DRAFT

PROPERTY ID	HOUSE	STREET NAME	LEVY#	STREET	LEVY #	STORM	NOTES
0111821220053	6001	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220039	6006	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220052	6007	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220040	6012	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220051	6013	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220041	6020	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220050	6021	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220042	6028	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220049	6029	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220043	6034	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220048	6037	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220044	6040	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220047	6045	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220045	6046	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220046	6053	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330025	6100	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330037	6101	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330026	6106	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330036	6107	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330027	6112	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330035	6113	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330028	6118	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330034	6119	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330029	6124	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330033	6125	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330030	6130	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330032	6131	EMERSON AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220024	5900	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1 - Corner Property
0111821220025	5906	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220093	5914	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220094	5920	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220026	5936	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220027	5940	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220028	5948	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220029	5954	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220054	6000	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220068	6001	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220055	6006	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220067	6007	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220056	6014	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220066	6015	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220057	6020	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220065	6021	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220064	6027	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220058	6028	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220063	6033	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220059	6036	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220062	6039	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220061	6045	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220060	6050	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330038	6100	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330010	6101	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330009	6107	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330039	6112	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1

CITY OF BROOKLYN CENTER PROPOSED PENDING ASSESSMENT ROLL
September 17, 2019
2020 GRANDVIEW NORTH AREA RECONSTRUCTION
IMPROVEMENT PROJECT NOS. 2020-01 AND 02

DRAFT

PROPERTY ID	HOUSE	STREET NAME	LEVY#	STREET	LEVY #	STORM	NOTES
3611921330008	6115	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330040	6118	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330041	6124	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330042	6130	FREMONT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220069	6000	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220084	6001	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220070	6006	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220083	6007	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220071	6014	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220082	6015	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220072	6020	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220081	6021	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220073	6026	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220080	6027	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220074	6032	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220079	6033	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220075	6038	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220078	6039	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220076	6044	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330011	6100	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330012	6106	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
3611921330013	6114	GIRARD AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220085	6000	HUMBOLDT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220086	6006	HUMBOLDT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220087	6014	HUMBOLDT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220088	6020	HUMBOLDT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220089	6026	HUMBOLDT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220090	6032	HUMBOLDT AVE N		$ 4,715.00		$ 1,415.00	R1
0111821220091	6038	LILAC DR N		$ 4,715.00		$ 1,415.00	R1
0111821220092	6044	LILAC DR N		$ 4,715.00		$ 1,415.00	R1
0111821220077	6050	LILAC DR N		$ 4,715.00		$ 1,415.00	R1
3611921330014	6120	LILAC DR N		$ 4,715.00		$ 1,415.00	R1
3611921330055	6125	LILAC DR N		$51,069.88		$25,973.33	Multi Family R6 (A) 100,538.96 sf, (B) 41,498.72 sf
3611921330007	6126	LILAC DR N		$ 4,715.00		$ 1,415.00	R1
3611921330167	6201	LILAC DR N		$54,339.95		$27,636.88	Multi Family R6 (A) 93,420.23 sf, (B) 75,782.57 sf
3611921330005	6206	LILAC DR N		$ 9,430.00		$ 2,830.00	Subdividable R1 = 2 equivalent parcels
3611921330006	6214	LILAC DR N		$ 4,715.00		$ 1,415.00	R1
	Total Assessments			$ 666,264.87		$ 221,926.05	

COUNCIL ITEM MEMORANDUM

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Dr. Reggie Edwards

SUBJECT: Exemption of Sister Cities Commission from City Council Policy (Resolution 96-132)

Requested Council Action:

- Affirm Exemption of the Sister Cities Commission from City Council Policy (Resolution 96-132)

Background:

Currently, there is a part-time staff member that serves on the Sister City Commission. Section 2.02 of the Brooklyn Center City Charter provides that the City Council may establish boards or commission to advise the City Council with respect to any municipal function or activity, to investigate any subject of interest of the City, or to perform quasi-judicial functions.

In 1996, the City Council passed Resolution 96-132 with the determination that was in the best interest of the City that members of such commissions exercise independent judgement and be free from influences resulting from the duties and responsibilities of City Employees.

At that time, the City Council identified the following boards and commissions of the City:

1. Financial Commission;
2. Housing Commission;
3. Human Rights and Resources Commission;
4. Park and Recreation Commission;
5. Planning Commission;
6. Ad Hoc Communications Task Force; and
7. Any other board or commission heretofore or hereafter created which is made subject to this policy by resolution of the City Council

The City Council sited that it is more consistent with the Council/manager form of government established by the City Charter and the orderly administration of City government if employees who are subject to the management and control of the City Manager do not also serve in a capacity of advisors to the City Council.

The City Council established by Resolution 96-132 that all regular full-time, regular part-time, temporary full-time, temporary part-time, City Manager or members of the Fire Department shall not be appointed to any board of commission; and

In 2019, the City Council appointed the first Sister Cities Commissioners and charged the Commissioners to:

- Review Sister City Applications
- Advise and make recommendations to the City Council
- Act as an ambassador in the community
- Foster and perpetuate the continuation of exchanges and Sister City Committees

- Prepare proposed budget and strategies necessary to execute commission projects
- Initiate, sponsor and conduct public programs (Education, Cultural Events and Economic Projects);

The Sister Cities Commission does not advise the City Council on municipal functions or any aspect of operations. Because the Sister Cities Commission does not advise the City Council on municipal functions or any aspect of operations, it (the Commission) also would not be influenced in its decision making processes resulting from the duties and responsibilities of an employee. Based upon the factors pertaining to municipal functions and influencing the decision making process, staff believes there would not be conflict of interest for a employee serving on the Sister Cities Commission.

Staff is requesting that the City Council affirm the exemption of the Sister Cities Commission from the Resolution 96-132.

Budget Issues:

- None

Strategic Priorities and Values:

Inclusive Community Engagement

ATTACHMENTS:

Description	Upload Date	Type
Resolution 96-132	9/5/2019	Cover Memo

Member Kathleen Carmody introduced the following resolution and moved its adoption:

RESOLUTION NO. 96-132

RESOLUTION REGARDING APPOINTMENT OF CITY EMPLOYEES TO CITY BOARDS AND COMMISSIONS

WHEREAS, Section 2.02 of the Brooklyn Center City Charter provides that the City Council may establish boards or commissions to advise the Council with respect to any municipal function or activity, to investigate any subject of interest of the City, or to perform quasi-judicial functions; and

WHEREAS, several such commissions have been established by resolution of the City Council; and

WHEREAS, the Council has determined that it is in the best interest of the City that members of such commissions exercise independent judgment and be free from influences resulting from the duties and responsibilities of City employees; and

WHEREAS, it is more consistent with the Council/Manager form of government established by City Charter and the orderly administration of City government if employees who are subject to the management and control of the City Manager do not also serve in the capacity of advisors to the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the following policy is established for appointment to boards and commissions of the City:

1. This policy shall apply to the following boards and commissions of the City:
   a. the Financial Commission;
   b. the Housing Commission;
   c. the Human Rights and Resources Commission;
   d. the Park and Recreation Commission;
   e. the Planning Commission;
   f. the Ad Hoc Communications Task Force; and
   g. any other board or commission heretofore or hereafter created which is made subject to this policy by resolution of the Council.

2. Except as otherwise provided in paragraph 4, this policy shall apply to the following persons:
   a. all regular full-time, regular part-time, temporary full-time, and temporary part-time employees whether or not covered by a formal labor contract with the City;
   b. the City Manager; and
   c. volunteer members of the fire department.

RESOLUTION NO. 96-132

3. No person identified in paragraph 2 of this policy shall be appointed to any board or commission identified in paragraph 1. Upon acceptance of any position listed in paragraph 2, by any person then serving on any City board or commission listed in paragraph 1, shall be deemed a resignation without any other act on the part of such member and such member's position on such board or commission shall be deemed vacant. Any such person who is a member of any such commission at the time of adoption of this resolution shall be permitted to serve out the balance of his/her current appointment. To the extent of any inconsistency between this resolution and the provisions of any prior resolution establishing specified terms for members of commissions, such provisions of prior resolutions are superseded.

4. The provisions of paragraph 3 shall not apply to the following:
   a. persons serving as non-voting liaison or staff support to boards or commissions by appointment of the City Manager; and
   b. non-voting ex-officio members serving on boards or commissions by reason of their employment positions with the City.

July 8, 1996
Date

Myrna Kragness
Mayor

ATTEST: Sharon Knutson
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member Kristen Mann
and upon vote being taken thereon, the following voted in favor thereof:
Myrna Kragness, Kathleen Carmody, Debra Hilstrom, Kristen Mann, and Charles Nichols;
and the following voted against the same: none,
whereupon said resolution was declared duly passed and adopted.

COUNCIL ITEM MEMORANDUM

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Tim Gannon Chief of Police

SUBJECT: Resolution Acknowledging Service of Sergeant Corinne Becker

Requested Council Action:

-Motion to approve the resolution recognizing the service of Sergeant Corinne Becker

Background:

On September 3, 2019, Sergeant Corinne Becker retired from the Brooklyn Center Police Department.

In October of 1998, Corinne was hired as a patrol officer and served in that position until her promotion to detective in August of 2005. As a detective Corinne was responsible for numerous high profile investigations and was well respected both inside the agency as well as by other police organizations. In July of 2015, Corinne was promoted to the rank of sergeant where she served both in patrol and the street crimes unit until her retirement.

Budget Issues:

No budget issues.

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Resolution	8/30/2019	Resolution Letter

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION EXPRESSING RECOGNITION AND APPRECIATION FOR THE DEDICATED PUBLIC SERVICE OF SERGEANT CORINNE BECKER

WHEREAS, Sergeant Corinne Becker was hired as a police officer by the City of Brooklyn Center, on October 1, 1998; and

WHEREAS, Sergeant Corinne Becker came to the Brooklyn Center Police Department with approximately two years additional experience as a police officer with the Jamestown, North Dakota Police Department; and

WHEREAS, Sergeant Corinne Becker has served as the department's sniper on the Special Weapons and Tactics Team (SWAT); and

WHEREAS, Sergeant Corinne Becker has served as one of the department's first TASER instructors; and

WHEREAS, Sergeant Corinne Becker was certified in Critical Incident Stress Management in May 2001 and continued to serve with The Metro CISM Team ever since, including many years as its President. The Metro CISM Team provides free trained peer support to emergency responders to effectively build resilience and manage critical incident stress for healthier lives, families and communities.

WHEREAS, Sergeant Corinne Becker was promoted to the rank of detective on August 1, 2005; and

WHEREAS, Sergeant Corinne Becker was temporarily assigned to the role of police sergeant from May 18, 2014 until September 21, 2014; and

WHEREAS, Sergeant Corinne Becker returned to the rank of detective on September 22, 2014 until July 27, 2015; and

WHEREAS, Sergeant Corinne Becker was promoted to the rank of police sergeant on July 28, 2015 and continued to serve with distinction until her retirement on September 3, 2019.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that we recognize the honorable retirement of Sergeant Corinne Becker on September 3, 2019, and express sincere appreciation for her passion for serving the community and dedication to public service. We wish Corinne, the very best in the future.

RESOLUTION NO. _____

September 9, 2019 _____
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

COUNCIL ITEM MEMORANDUM

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Mayor Mike Elliott

SUBJECT: Proclamation Observing Nigeria Independence Day

Requested Council Action:

- Accept a proclamation observing Nigeria's Independence Day

Background:

Strategic Priorities and Values:

Enhanced Community Image, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Proclamation	9/17/2019	Proclamation

Mayor's Proclamation

WHEREAS, Nigeria is referred to as the "Giant of Africa" due to being the most populous country in Africa, consisting of 196 million people and over 250 ethnic groups and languages; and

WHEREAS, Nigeria continues to be one of the United States' most strategic partners in sub-Saharan Africa in enhancing peace and security by addressing the issues of terrorism, organized crime, and piracy, and promoting and protecting human rights in line with international legal standard; and

WHEREAS, Nigeria and the United States share a mutual commitment to peace and security in Africa and Nigeria has proven record in providing the largest number of peacekeeping troops in crisis areas in Sub-Sarahan; and

WHEREAS, Nigeria's mutual relationship with the United States remains strong, and both share Strategic interests in the mitigation of internal religious conflicts and commitment to countering violent extremism on the continent of Africa; and

WHEREAS, an estimated 14,000 Nigerians from the West African savanna now brave the frozen tundra of Minnesota; live and contribute to the cultural and economic development of Minnesota; and

WHEREAS, a large number of Nigerians in Minnesota live, work and/or call the City of Brooklyn Center home.

WHEREAS, Nigeria and the State of Minnesota are committed to the acceleration of food security and culture, stimulation of economic growth, enhancement of fundamental health of their citizens; and

WHEREAS, Tuesday, October 1, 2019, marks the 59th Independence Day anniversary of Nigeria.

NOW, THEREFORE, I, Mike Elliott, the Mayor of the City of Brooklyn Center, do hereby proclaim that Saturday, October 5, 2019, shall be observed as NIGERIA INDEPENDENCE DAY CELEBRATION in the City of Brooklyn Center.

September 23, 2019
Date

Mike Elliott, Mayor

COUNCIL ITEM MEMORANDUM

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Meg Beekman, Community Development Director

SUBJECT: Presentation from Mr. Frank Gatlin, Shingle Creek Crossing

Requested Council Action:

- Consider a presentation from Mr. Frank Gatlin, owner and developer of Shingle Creek Crossing, LLC.

Background:

Budget Issues:

Mr. Gatlin is in town to meet with staff and has requested an opportunity to provide an update and presentation to the Council on the Shingle Creek Crossing development, which he has been involved with since its inception. Mr. Gatlin continues to work on the development and is committed to its completion. He is also exploring options for repositioning certain areas of the project in order to better capture current market demand, which he will also talk about.

Strategic Priorities and Values:

Targeted Redevelopment

COUNCIL ITEM MEMORANDUM

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Nate Reinhardt, Finance Director

SUBJECT: Resolutions Approving Proposed Modifications to Utility Fee Schedules Related to Delinquent Utility Charges

Requested Council Action:

- *Motion to:*
  - *Open the public hearing*
  - *Take public input*
  - *Close the public hearing*

- *Consider approval of the following resolutions:*
  - *Resolution adopting 2019 Water Utility rates, fees and charges*
  - *Resolution adopting 2019 Sewer Utility rates, fees and charges*
  - *Resolution adopting 2019 Storm Sewer Utility rates, fees and charges*
  - *Resolution adopting 2019 Street Light Utility rates, fees and charges*
  - *Resolution adopting 2019 Recycling Utility rates, fees and charges*

Background:

At the July 8, 2019 City Council work session staff presented information on delinquent utility charges. At that work session, City Council requested that staff move forward with the following considerations that were presented at the work session:

1. Reduce quarterly delinquent charges on utility accounts from "Greater of $3.00 or 10% of unpaid balance" to "No additional charge".

    a. Utility customers would no longer be penalized for not being able to afford their current utility bill or for missing a utility payment deadline. The City would see a small reduction in costs and administrative time, as a result of eliminating penalty notices on utility costs. However, this would result in a reduction in City utility revenues as a result of no longer collecting delinquent charges.

2. Increase certification fee for collection with property taxes from "$30.00" to "$50.00".

    a. The certification process requires additional notices be mailed to property owners, public hearings, Hennepin County fees, and additional time to administer and track collections.

3. Modify the minimum outstanding balance owed for accounts to be entered into the certification process from $30.00 to an outstanding balance owed of $150.00.

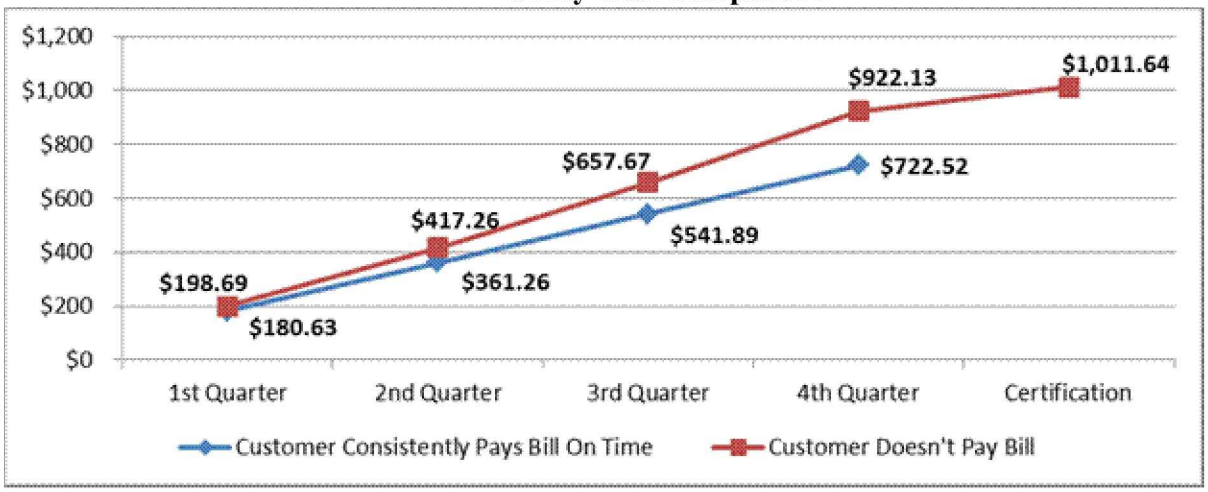
    a. Currently for accounts to be certified they must owe a balance of at least $30.00 to the City. The

amount is below a minimum residential quarterly bill of $130.36 and well below a typical residential quarterly bill. This change would decrease the amount of accounts that go to certification and allow accounts that might have missed one quarterly payment a chance to catch up.

The City of Brooklyn Center certifies approximately 650 (7.5%) of our customer utility accounts with the average certification balance of approximately $735. Based on analysis there are very few certified commercial/industrial accounts, over 98% of the accounts being certified are residential. Approximately 60% of the accounts being certified in the current year were also certified in the previous year.

The utility fee schedule currently includes a quarterly delinquent account charge of 10% of unpaid balance. The below chart shows the impact of these additional charges on a typical residential user:

Utility Cost Comparison



Additional charges included:

1st quarter: $18.06 delinquent charge ($180.63 * 10%)

2nd quarter: $37.93 delinquent charge ($379.32 * 10%)

3rd quarter: $59.79 delinquent charge ($597.89 * 10%)

4th quarter: $83.83 delinquent charge ($838.30 * 10%)

Certification: $30.00 certification fee, $59.51 special assessment interest

Delinquent charges are typically used as a method to collect and encourage timely payments and as a method to recoup any additional costs that would result from delinquent payments. However, the City has been successful in collecting delinquent payments through the special assessment certification process.

Cost impact considerations for delinquent accounts:

- The City does incur additional costs on delinquent accounts, this occurs as a result of penalty notices sent for delinquent accounts.
- The special assessment process does require additional administrative time (processing, publishing, collecting and reconciling).
- Accounts that are not paid on time, impact the timing of cash flow and investment earnings.

After reviewing these considerations, staff believes the delinquent charges being collected are much higher than the associated cost. Of the items above, the penalty notices only occur as a result of having a delinquent charge and the other two can be recovered through the appropriate special assessment certification fee and interest charge.

Budget Issues:

In 2018 across all utility funds the City collected a total amount of $296,661 in delinquent charges and $26,460 in certification fees for delinquent utility accounts. This is equivalent to 3% of $10.2 million in total utility charges. The biggest impact is on the water utility where $150,000 in delinquent charges are collected, which is equivalent to 4.7% of total water utility charges. Modifications to delinquent charges would have an impact on the revenues collected and rates for these funds. It could be viewed that the delinquent charges are providing an equivalent subsidy in utility rates/charges to those that pay their utility bills on time.

The proposed rates would become effective on October 1, 2019.

Strategic Priorities and Values:

Resident Economic Stability

ATTACHMENTS:

Description	Upload Date	Type
Resolution - Water Utility Fee Schedule	8/22/2019	Resolution Letter
Resolution - Sanitary Sewer Fee Schedule	8/22/2019	Resolution Letter
Resolution - Storm Sewer Fee Schedule	8/22/2019	Resolution Letter
Resolution - Street Light Fee Schedule	8/22/2019	Resolution Letter
Resolution - Recycling Fee Schedule	8/22/2019	Resolution Letter
Presentation - Public Hearing on Utility Fee Schedule - Delinquent Charges	8/22/2019	Presentation

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ADOPTING 2019 WATER UTILITY RATES, FEES AND CHARGES

WHEREAS, the City of Brooklyn Center Charter requires that municipal utilities be self-supporting through revenue provided by a uniform schedule of rates, fees and charges; and

WHEREAS, this uniform schedule shall be called the "Public Utility Rate Schedule" and shall be adopted by resolution of the City Council; and

WHEREAS, the City Council has reviewed data provided on delinquent utility charges.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the following Water Utility rates, fees and charges are hereby adopted and shall be effective for all billings issued on or after October 1, 2019.

2019 WATER UTILITY RATE SCHEDULE
Water Rates, Fees and Charges

Base Rate

Year 2019 $3.42 per 1,000 Gallons

Quarterly Minimum Rate

Meter Size	2019 Quarterly Minimum Charge
1"	$ 45.11
1 ½"	$ 58.00
2"	$ 112.78
3"	$ 225.57
4"	$ 380.24
6"	$ 870.05
8"	$ 1,647.82
10"	$ 2,197.10

Water Conservation Rate

Meter Size	Base Charge (minimum charge per quarter)
5/8" and 3/4"	$ 15.52

Thousands of Gallons	Consumption Charge (per 1,000 gallons used)
0 to 30	$ 2.59
31 to 60	$ 3.22
61 and greater	$ 4.81

RESOLUTION NO. _____

Fees

Water Meter Charge 5/8" or 3/4"	$149.00
Water Meter Charge Larger than 3/4"	Actual Cost + $2.00

Other Charges

Delinquent account, quarterly charge	~~Greater of $3.00 or 10% of unpaid balance~~ No Additional Charge
Certification for collection with property taxes (Utility accounts with an outstanding balance owed of $150.00 or greater)	~~$30.00~~ $50.00
Fire Service Line Charge	$ 12.50 per quarter

September 23, 2019
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ADOPTING 2019 SEWER UTILITY RATES, FEES AND CHARGES

WHEREAS, the City of Brooklyn Center Charter requires that municipal utilities be self-supporting through revenue provided by a uniform schedule of rates, fees and charges; and

WHEREAS, this uniform schedule shall be called the "Public Utility Rate Schedule" and shall be adopted by resolution of the City Council; and

WHEREAS, the City Council has reviewed data provided on delinquent utility charges.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the following Sewer Utility rates, fees and charges are hereby adopted and shall be effective for all billings issued on or after October 1, 2019.

2019 SEWER UTILITY RATE SCHEDULE
Sewer Rates, Fees and Charges

Base Rate Quarterly Residential
(minimum quarterly charge)

	Single Family	Apartment	Senior Citizen
Year 2019	$84.89	$59.42	$46.69

Non-Residential Rate

Year 2019 $3.58 per 1,000 Gallons

Fees

SAC Charge set by MCES	Fee Established by MCES

Charges

Delinquent account, quarterly charge	~~Greater of $3.00 or 10% of unpaid balance~~ No Additional Charge
Certification for collection with property taxes (Utility accounts with an outstanding balance owed of $150.00 or greater)	~~$30.00~~ $50.00
Line cleaning charge	Labor, materials, equipment and overhead
Sanitary Sewer Connection	Established annually by resolution

September 23, 2019
Date

Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ADOPTING 2019 STORM SEWER UTILITY RATES, FEES AND CHARGES

WHEREAS, the City of Brooklyn Center Charter requires that municipal utilities be self-supporting through revenue provided by a uniform schedule of rates, fees and charges; and

WHEREAS, this uniform schedule shall be called the "Public Utility Rate Schedule" and shall be adopted by resolution of the City Council; and

WHEREAS, the City Council has reviewed data provided on delinquent utility charges.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brooklyn Center that the following Storm Sewer Utility rates and charges are hereby continued and shall be effective for all billings issued on or after October 1, 2019.

2019 STORM SEWER UTILITY RATE SCHEDULE
Storm Sewer Rates and Charges

Quarterly Rates per Acre

	2019 Minimum Quarterly Charge
Base Rate	$ 60.24
Cemeteries and Golf Courses	$ 15.07
Parks	$ 30.12
Single Family, Duplex, Townhouse	$ 15.07/lot
School, Government Buildings	$ 75.31
Multiple Family, Churches	$ 180.71
Commercial, Industrial	$ 301.20
Vacant Land	As Assigned

Charges

Delinquent account, quarterly charge	~~Greater of $3.00 or 10% of unpaid balance~~ No Additional Charge
Certification for collection with property taxes (Utility accounts with an outstanding balance owed of $150.00 or greater)	~~$30.00~~ $50.00
Private facility cleaning charge	Labor, materials, equipment and overhead

September 23, 2019
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ADOPTING 2019 STREET LIGHT RATES AND CHARGES

WHEREAS, the City of Brooklyn Center Charter requires that municipal utilities be self-supporting through revenue provided by a uniform schedule of rates, fees and charges; and

WHEREAS, this uniform schedule shall be called the "Public Utility Rate Schedule" and shall be adopted by resolution of the City Council; and

WHEREAS, the City Council has reviewed data provided on delinquent utility charges.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the following Street Light Utility rates and charges are hereby adopted and shall be effective for all billings issued on or after October 1, 2019.

2019 STREET LIGHT UTILITY RATE SCHEDULE
Street Light Rates and Charges
Quarterly Rates

Customer	2019 Minimum Quarterly Charge
Per Dwelling Unit:	
Single, Double and Multiple Family Residential	$6.55
Per Acre:	
Parks	$10.90
Schools, Government Buildings, Churches	$21.80
Retail and Service-Office	$32.69
Commercial and Industrial	$32.69
Vacant Land and Open Space	As Assigned

Charges

Delinquent account, quarterly charge	~~Greater of $3.00 or 10% of unpaid balance~~ No Additional Charge
Certification for collection with property taxes (Utility accounts with an outstanding balance owed of $150.00 or greater)	~~$30.00~~ $50.00

September 23, 2019
Date

_____
Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ESTABLISHING 2019 RECYCLING RATES AND CHARGES

WHEREAS, the City of Brooklyn Center is a member of the Hennepin Recycling Group (HRG), which is a joint powers group organized pursuant to Minnesota Statutes Section 471.59 (1987); and

WHEREAS, the purpose of the joint powers agreement is to create an organization by which member cities may jointly and cooperatively provide for the efficient and economical collection, recycling and disposal of solid waste within and without their respective corporate boundaries in compliance with the Minnesota Waste Management Act, Minnesota Statutes Chapter 115A (1987); and

WHEREAS, the HRG has established a curbside recycling program for its member cities to meet the requirements of Hennepin County Ordinance No. 13, Solid Waste Source Separation for Hennepin County; and

WHEREAS, the City of Brooklyn Center must establish rates to fund the City's curbside recycling program and the cost for projected reimbursement of recycling charges from the HRG along with other program operating charges; and

WHEREAS, the recycling program includes a bi-annual curbside cleanup; and

WHEREAS, the City Council has reviewed data provided on delinquent utility charges; and

WHEREAS, Brooklyn Center Ordinance No. 89-11 authorizes the City to establish rates for recycling services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the recycling charges shall be as follows for all billings issued on or after October 1, 2019:

2019 RECYCLING UTILITY RATE SCHEDULE
Recycling Rates and Charges

Minimum Charge per Household per quarter:	$11.98 per quarter

Charges

Delinquent account, quarterly charge	~~Greater of $3.00 or 10% of unpaid balance~~ No Additional Charge
Certification for collection with property taxes (Utility accounts with an outstanding balance owed of $150.00 or greater)	~~$30.00~~ $50.00

September 23, 2019
Date

Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

Public Hearing
Utility Fee Schedules - Delinquent Utility Charges

City Council Meeting, September 23, 2019

Nate Reinhardt, Finance Director

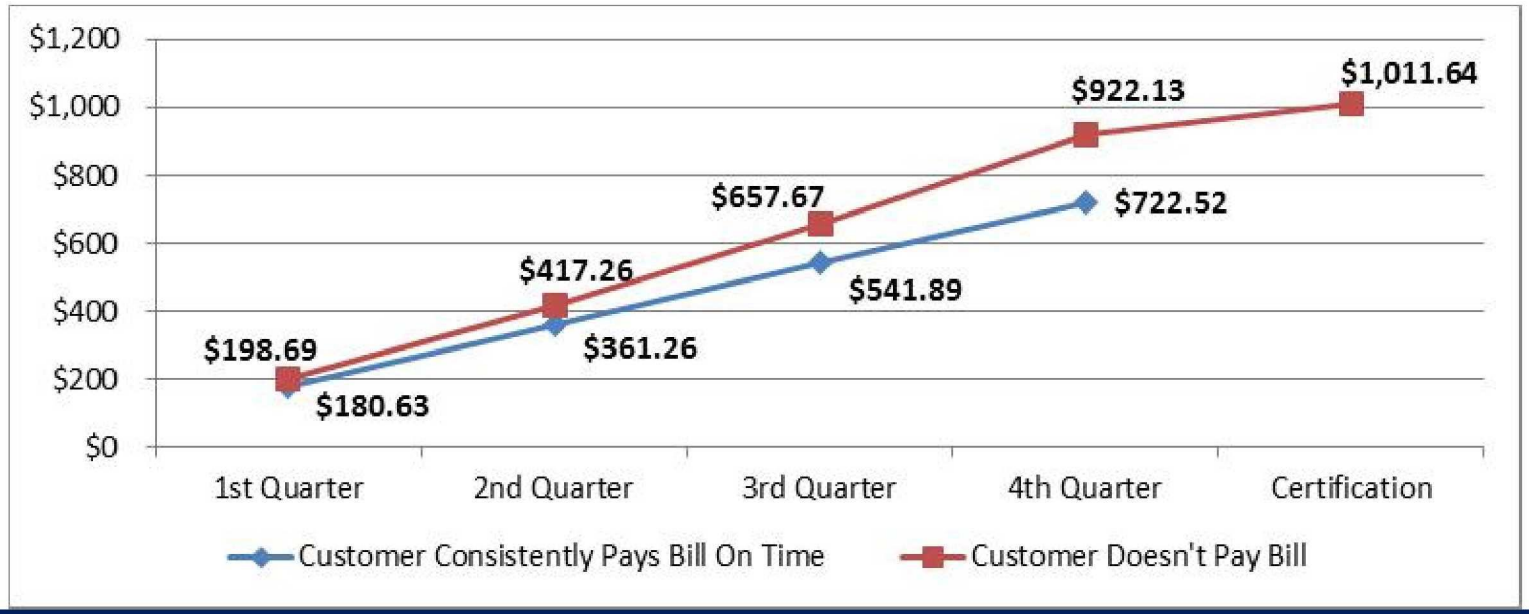
Utility Billing Certification

- Approximately 650 (7.5%) of customer utility accounts are certified on an annual basis.
  - 98% residential
  - 60% were certified the previous year
  - Average amount of $735

- Delinquent Utility Billing – Process Review Team
  - Cross-functional team of staff members reviewed process, notifications, peer comparisons, and delinquent charges for potential improvements.

Utility Cost Comparison

- Impact of additional charges on unpaid balances (current quarterly delinquent account charge of 10% of unpaid balance)



Considerations

- City's level of success to collect through the special assessment certification process
- Additional cost considerations:
  - Penalty notices sent to delinquent accounts (City cost is about 70 cents in staff, material and postage per notice)
  - Special assessment process requires additional administrative time (processing, publishing, collecting and reconciling)
  - Accounts not paid, impact the timing of cash flow and investment earnings
- Staff believes delinquent charges being collected are much higher than the associated cost.

2018 Delinquent Collections

- $296,661 in total delinquent collections across all utility funds
  - Equivalent to 3% of total utility charges ($10.2 million)
  - $150,000 of delinquent charges collected in water utility (4.7% of water utility revenues)
- $26,460 collected in related certification charges
- Modifications to delinquent charges would impact revenues collected/utility rates

Survey Responses

	Apple Valley	Brooklyn Center	Coon Rapids	Eden Prairie	Edina	Farmington	Lakeville	Maple Grove	Minnetonka	Ramsey	Robbinsdale
How often does your city certify utility accounts?	Twice	Annually	Once a year	Once a year in November	Once per year	At least once per year. Interim certification for delinquent account balances > $2,000	Spring & Fall for finalled accounts – Fall for active past due accounts	Once a year in the fall	Once each year.	Annually	Once in the fall
Are all accounts certified or only those over 'x' dollars?	$50 minimum balance	Accounts over $30	$50	Amounts over $40	Over $50.	Accounts with delinquent balances >$50 or 'finalled' accounts with balance >$0 are actually certified.	Finalled bills greater than $10, Storm drainage (annual accounts) greater than $25, and active accounts greater than $32	Minimum of $25.00 for Residential and $50.00 for Commercial	Only those with delinquencies above $250.	Accounts over $20 original amount (before fee & interest)	Over $100
What penalty do you charge for late utility payments?	4.5% (of the unpaid balance) per quarter (1.5% for monthly accounts)	10% penalty on all outstanding utility balances	10%	1% per month	5% of outstanding balance	10% on the current bill	Penalties in general are a 1.5% of the unpaid balance or $1 whichever is greater.	10% on the current bill	10% of quarterly balance due, not compoundable	10% late fee	Late payments is 10%
What do you add for a certification/administration fee to accounts that are certified?	$50	$30 certification fee	$35 assessing fee	$55	$30	$35	$35 dollars	$30	$50	$30 administrative fee	$50
What interest rate/assessment added to accounts which are certified?	8%	Changes from year to year, this year it was 4%	varies, but this year it is 1.52%	We use the 20 year municipal bond plus 2% (This yr is 4%)	6.5%	8.0%	18%	4%	10%	5.5% interest rate for certified accounts	8% for UB

Proposed Fee Schedule Changes

1. Reduce quarterly delinquent charges on utility accounts from “Greater of $30.00 or 10% of unpaid balance” to “No additional charge”.

   - Utility customers would no longer be penalized for not being able to afford their current utility bill or for missing a utility payment deadline. The City would see a small reduction in costs and administrative time, as a result of eliminating penalty notices on utility costs. However, this would result in a reduction in City utility revenues as a result of no longer collecting delinquent charges.

2. Increase certification fee for the collection with property taxes from “$30.00” to “$50.00”.

   - The certification process requires additional notices be mailed to property owners, public hearings, Hennepin County fees, and additional time to administer and track collections.

3. Increase the threshold for accounts to be certified, from the outstanding account balance of “Greater than or equal to $30.00” to “Greater than or equal to $150.00”

   - Currently for accounts to be certified they must owe a balance of at least $30.00 to the City. The amount is below a minimum residential quarterly bill of $130.36 and well below a typical residential quarterly bill. This change would decrease the amount of accounts that go to certification and allow accounts that might have missed one quarterly payment a chance to catch up.

Next Steps

- Open public hearing for comments on proposed modifications to utility fee schedules related to delinquent utility charges.
- City Council consideration of:
  - Resolution adopting proposed water utility rates
  - Resolution adopting proposed sewer utility rates
  - Resolution adopting proposed storm sewer utility rates
  - Resolution adopting proposed street light utility rates
  - Resolution adopting proposed recycling rates
- Rates would become effective with billings after October 1, 2019

COUNCIL ITEM MEMORANDUM

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Ginny McIntosh, City Planner / Zoning Administrator

SUBJECT: Ordinance Adopting a Zoning Amendment Regarding the CC Central Commerce Overlay District - Planning Commission Application No. 2019-014 (Second Reading)

Requested Council Action:

- *Motion to:*
  - *Open the public hearing*
  - *Take public input*
  - *Close the public hearing*

- *Motion to approve a second reading and adopt an ordinance amending Chapter 35 of the City Code of Ordinances regarding uses allowed in the CC Central Commerce Overlay District.*

(iii) Motion to approve the resolution for a Summary Publication in the Brooklyn Center Sun Post.

Background:

The City is requesting the review and consideration of changes to the uses allowed within the designated Central Commerce Overlay District ("the District") that would provide clarity to the outlined permitted and prohibited uses within the District.

At the July 8, 2019 City Council work session, a discussion was held regarding the former Sears site and the work currently being undertaken by the City of Brooklyn Center and its consultant team relating to a land use study on the 15-acre Sears site, as well as the update to the City Zoning Ordinance, which must be consistent with the Comprehensive Plan. In July 2018, the City Council adopted an interim ordinance which authorized a study and placed a moratorium on the Sears property, which is located within the Central Commerce Overlay District. As the moratorium expired in August, and as the planning work has not yet been completed, City staff is recommending several amendments to Section 35-2240 (*CC Central Commerce Overlay District*) of the existing Zoning Ordinance, which would ultimately bring the uses permitted in the District closer in alignment to the future land use plan identified in the 2040 Comprehensive Plan and remove the least desirable and incompatible uses from being allowed.

Overlay districts generally apply an extra level of regulations or development criteria above the standard underlying zoning district. The District is an area roughly bounded by I-94/694 on the north, Highway 100 on the south and east, and Brooklyn Boulevard and Shingle Creek on the west.

The proposed amendments would specifically address certain auto-oriented type uses; including auto repair shops and gas stations; truck and trailer repair establishments, and indoor storage establishments, as well as provider greater restriction on the outdoor storage or display of materials, vehicles, and equipment, and the retail sales of tires, batteries, and automobile accessories and marine craft accessories. The proposed

amendment would allow for standalone car washes.

Additional proposed changes would address the updating of certain terminology to be consistent with other City Code language, and inconsistencies with certain permitted and prohibited uses.

In consideration of the Zoning Ordinance updates currently underway, it is anticipated that the Central Commerce Overlay District will ultimately either be eliminated or significantly altered from its current form; any amendments to it to address concerns regarding the Sears site or other properties located within the Central Commerce Overlay District would be inherently temporary while the City completes the Zoning Ordinance rewrite work and the rest of the master planning work which may be affected by changes to the Overlay District.

It should be further noted that City staff has proposed amendments to the Overlay District that would protect any businesses, and particularly auto-oriented type uses that are in active use to this day.

The Planning Commission held a public hearing on the request at their August 15, 2019 meeting, and a public hearing notice was published in the Brooklyn Center *Sun Post* on August 1, 2019. One resident was present at the meeting and requested clarification on the request that evening, as he was concerned that the Opportunity Site, which is also located within the Central Commerce Overlay District, was being re-zoned to allow for multi-family housing. City staff and the Planning Commissioners provided clarification to the resident who noted for the record that he was against the construction of any new multi-family housing in the City.

Following closure of the public hearing, the Planning Commission voted (5-1) in favor of the proposed amendments to Section 35-2240 (*CC Central Commerce Overlay District*) and approved PC Resolution No. 2019-012 (*Resolution Regarding the Recommended Disposition of Planning Commission Application No. 2019-014 for Adoption of A Zoning Amendment Regarding the CC Central Commerce Overlay District*).

The City Council held a first reading of the proposed ordinance amendment at their regular meeting on August 26, 2019. An excerpt of the meeting minutes is attached. Following discussion, City Council made a motion to unanimously approve the first reading of the ordinance with an amendment to remove “multi-family residential use” from the CC Central Commerce Overlay District language. City Council made further made the motion to set the second reading and public hearing on the item request for the City Council meeting on September 23, 2019.

A copy of the amended ordinance language is attached for review.

Budget Issues:

None to consider at this time.

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
PC Staff Report and Exhibits - Ordinance Amendments to CC Central Commerce Overlay District	8/20/2019	Backup Material
PC Res. 2019-012 (Recommended Disposition of PC Application No. 2019-014 for Adoption of a A Zoning Amendment Regarding the CC Central Commerce District)	8/20/2019	Backup Material
Amended Ordinance-Amending Chapter 35 of the City Code of Ordinances Regarding Uses Allowed in the CC Central	9/17/2019	Ordinance

Commerce Overlay District
Resolution 9/18/2019 Resolution Letter

Planning Commission Report
Meeting Date: August 15, 2019

- Application Filed: 07/16/2019
- Review Period (60-day) Deadline: 09/14/2019
- Extension Declared: N/A
- Extended Review Period Deadline: N/A

Application No. 2019-014
Applicant: City of Brooklyn Center
Request: Amend Section 35-2240 (*CC Central Commerce Overlay District*) of the City of Brooklyn Center Zoning Ordinance to clarify permitted and prohibited uses within said District

REQUESTED ACTION

The City of Brooklyn Center ("the City") is requesting review and consideration of a request to amend Section 35-2240 (*CC Central Commerce Overlay District*) of the City of Brooklyn Center Zoning Ordinance to clarify permitted and prohibited uses within said district. A public hearing notice was published in the Brooklyn Center *Sun Post* on August 1, 2019 (Exhibit A).

BACKGROUND

The City is requesting the review and consideration of changes to the uses allowed within the designated Central Commerce Overlay District ("the District") that would provide clarity to the outlined permitted and prohibited uses within the District (Exhibit B).

At the July 8, 2019 City Council work session, a discussion was held regarding the former Sears site and the work currently being undertaken by the City of Brooklyn Center and its consultant team relating to a land use study on the 15-acre Sears site, as well as the update to the City Zoning Ordinance, which must be consistent with the Comprehensive Plan. In July 2018, the City Council adopted an interim ordinance which authorized a study and placed a moratorium on the Sears property, which is located within the Central Commerce Overlay District. With the moratorium set to expire this month (August 2019), and as the planning work has not yet been completed, City staff is recommending several amendments to Section 35-2240 (*CC Central Commerce Overlay District*) of the existing Zoning Ordinance, which would ultimately bring the uses permitted in the District closer in alignment to the future land use plan identified in the 2040 Comprehensive Plan and remove the least desirable and incompatible uses from being allowed. A copy of the City Council memorandum and an excerpt of the minutes are attached hereto as Exhibit C.

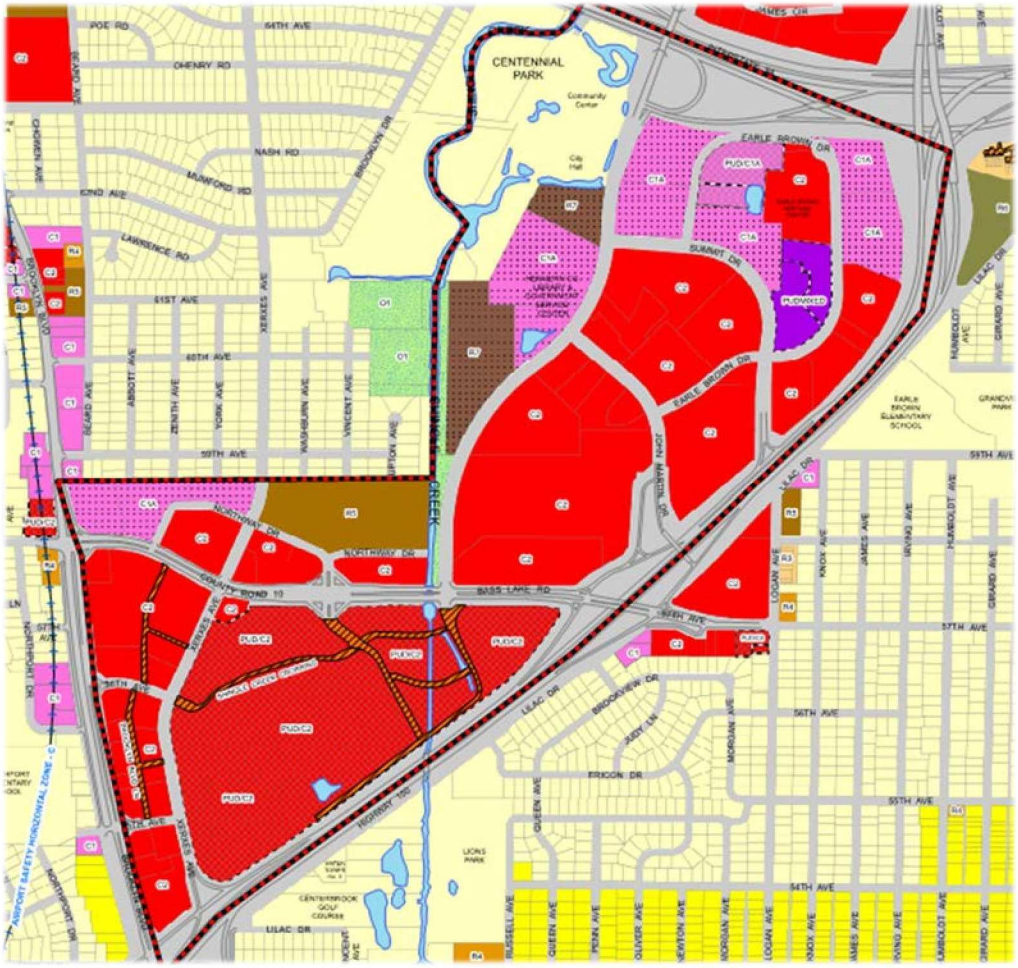
Following conclusion of the discussion, City Council directed City staff to bring the proposed amendments to the Central Commerce Overlay District through to the Planning Commission for review and to hold a public hearing on this matter before bringing the item back before the City Council.

The request to amend the District is part of a larger project currently underway with the *Becoming Brooklyn Center* project, which will ultimately result in a new Zoning Ordinance, zoning districts, site-specific development plans (including the Sears site); a detailed master plan for the EDA-owned, 35-acre portion of the City's designated "Opportunity Site," and a Brooklyn Boulevard redevelopment framework.

AMENDMENTS TO CENTRAL COMMERCE OVERLAY DISTRICT

Overlay districts generally apply an extra level of regulations or development criteria above the standard underlying zoning district. The District is an area roughly bounded by I-94/694 on the north, Highway 100 on the south and east, and Brooklyn Boulevard and Shingle Creek on the west (refer to Map 1 below).

MAP 1. Central Commerce Overlay District.



The proposed amendments to the District uses would specifically remove or restrict certain auto-oriented type uses, including auto repair shops and gas stations, truck and trailer rental establishments, and indoor storage establishments, as well as provider greater restriction on the outdoor storage or display of materials, vehicles, and equipment, and the retail sales of tires, batteries, and automobile accessories and marine craft accessories. The proposed amendment would allow for standalone car washes.

The proposed changes would also update certain terminology to be consistent with other City Code language, including the updating of "transient lodging" to "hospitality accommodations," inconsistencies with certain permitted and prohibited uses (i.e. "antiques and secondhand merchandise" as a permitted use, but "pawn shops" and "secondhand goods dealers" as a prohibited use), and the addition of "multifamily residential dwellings" as a permitted use, provided the land use is consistent with the underlying Future Land Use designation in the 2040 Comprehensive Plan.

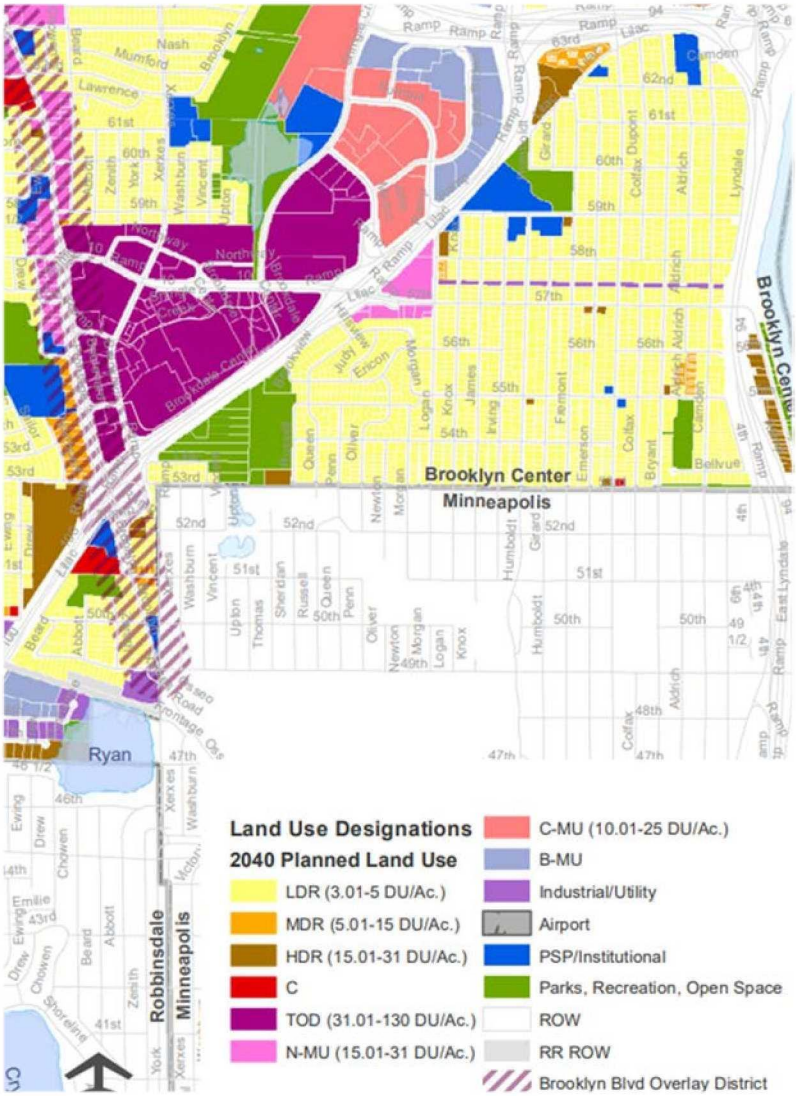
Consistency with 2040 Comprehensive Plan

The "2040 Land Use & Redevelopment Goals" identified within the Comprehensive Plan state that the Future Land Use Plans should be supported through the update or creation of relevant and market-based small area plans, redevelopment plans, and the zoning ordinance.

The Plan further notes that, "the City has regularly studied and contemplated how to redevelop and reimagine its core hoping to bring back the vitality and vibrancy that once defined the community," and adds, "building on previous efforts, this Plan introduces the idea of transit and accessibility as an overarching way to organize and guide land uses and redevelopment of the area."

The identified Central Commerce Overlay District, as it exists today, is almost entirely comprised of land that holds a Future Land Use Designation of "Transit Oriented Development (TOD)." The remaining portions possess designations of "Commercial Mixed-Use (C-MU)," and "Business Mixed-Use (B-MU)," with some "Public/Semi-Public and Institutional (PSP/Institutional)" and "Parks, Recreation, and Open Space (PROS)." Refer to Map 2 below.

MAP 2. 2040 Future Land Use Plan.



The TOD designation is a new land use designation, and the land here is generally within a half mile of the Brooklyn Center Transit Station. A minimum of 75-percent of the land within this designation is planned to be developed with high-density residential uses, with the remaining portion set aside for a mix of retail, office, and commercial uses. Redevelopment in this area will focus on connecting to the Transit Station and C-Line Bus Rapid Transit (BRT) stop, future D-Line BRT stop, as well as creating a walkable, bikeable, vibrant core in the City.

The Land Use & Redevelopment chapter of the 2040 Comprehensive Plan acknowledges that,

> "within the TOD land use designation some areas of the Shingle Creek Crossing development have been redeveloped including a few national big-box sites and small strip retail within the last 10 years. These efforts have primarily continued to focus on an auto-centric typical suburban retail environment without much consideration of the potential to incorporate housing into a master plan. As a result of the recent redevelopment efforts, it is unlikely that this entire area will redevelop within this planning period, but the City still believes that it is important to guide it for TOD so it is clear as the area continues to evolve there is the potential to develop the area with a more compact and transit-minded development pattern."

Overlay District Considerations

In consideration of the Zoning Ordinance updates currently underway, it is anticipated that the Central Commerce Overlay District will ultimately either be eliminated or significantly altered from its current form; any amendments to it to address concerns regarding the Sears site or other properties located within the District would be inherently temporary while the City completes the Zoning Ordinance rewrite work and the rest of the master planning work which may be affected by changes to the Overlay District.

It should be further noted that City staff has proposed amendments to the Overlay District that would protect any businesses, and particularly auto-oriented type uses that are in active use to this day. Although "auto repair establishments" and "gas stations" would move from being a "permitted use" to a "prohibited use," Article II (*Prohibited Uses)* of the draft Ordinance amendment specifies that,

Article II. Prohibited Uses. Section 35-2240, paragraph 3 of the Brooklyn Center City Code identifying the uses prohibited in the CC Central Commerce Overlay District is hereby amended as follows and shall be renumbered as needed:

3. The following uses are not permitted in the CC Central Commerce Overlay District:

a. sauna establishments
b. massage establishments
c. currency exchanges
d. pawn shops
e. secondhand goods dealers
f. auto repair establishments
g. gas stations
h. truck and trailer rental establishments
i. indoor storage establishments

Text with **"="** indicates addition of new language to Section 35-2240 (CC Central Commerce Overlay District)

> Any of the uses lawfully existing in the CC Central Commerce Overlay District prior to October 1, 2019 shall be allowed to continue and shall be considered conforming uses, provided they remain in continuous operation. If any such use is discontinued for at least 12 months, it shall not be allowed to resume and any subsequent use of the property shall comply with the provisions of this section.

This would allow certain existing auto repair establishments and a gas station located within the District to remain so long as they are in active operation. There are currently no "truck and trailer rental establishments" or "indoor storage establishments" within the District. Any use that is discontinued for a period of 12 months or more *would not* be allowed to resume and would be required to comply with the amended provisions of Section 35-2240 (*CC Central Commerce Overlay District*).

A copy of the proposed amendments, including proposed removals of language (indicated with a ~~strikethrough~~), and additions of language (indicated with a double line), is attached as Exhibit B.

Based on staff findings, staff recommends Planning Commission recommendation of the proposed amendments to Section 35-2240 (CC Central Commerce Overlay District) of the City Zoning Ordinance.

RECOMMENDATION

Based on the above-noted findings, staff recommends the following motion:

Motion to approve a Resolution recommending that the City Council approve certain amendments to Section 35-2240 (CC Central Commerce Overlay District) of the City Zoning Ordinance based on the above outlined findings of fact.

ATTACHMENTS

Exhibit A – Public Hearing Notice, published in the Brooklyn Center *Sun Post*, dated August 1, 2019.
Exhibit B – An Ordinance Amending Chapter 35 Regarding Uses Allowed in the CC Central Commerce Overlay District.
Exhibit C – July 8, 2019 City Council Work Session Memo and Excerpted Minutes, Former Sears Site Development Strategy Update and Discussion.

Exhibit A

CITY OF BROOKLYN CENTER NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

Please take notice that the Planning Commission of the City of Brooklyn Center will hold a public hearing on Thursday, August 15, 2019, at approximately 7:00 p.m., at Brooklyn Center City Hall, located at 6301 Shingle Creek Parkway, Brooklyn Center, Minnesota. A definite time for this application to be considered cannot be given as it will depend on the progression of the agenda items.

TYPE OF REQUEST: Amendment to Section 35-2240 of the Zoning Ordinance (CC Central Commerce Overlay District)

PETITIONER: City of Brooklyn Center

PROPERTIES NAMED IN THE PETITION: The CC Central Commerce Overlay District is located within the area bounded by a continuous line beginning at a point located at the intersection of John Martin Drive and T.H. 100 and going southwesterly along the centerline of T.H 100 to its intersection with Brooklyn Boulevard; thence northerly along the easterly rights-of-way of Brooklyn Boulevard to a point located approximately 445' northerly of its intersection with County Road No. 10; thence east along an extended line made up of the south boundary lines of the plats for Grimes 2nd Addition, Hipp's 4th Addition, and Hipp's 5th Addition, Hennepin County, continued to the centerline of Shingle Creek; thence northerly along the centerline of Shingle Creek to the centerline of I-94; thence easterly along said line to the centerline of Humboldt Avenue North; thence southerly to the centerline of T.H. 100; thence southwesterly to the point of the beginning.

BRIEF STATEMENT OF CONTENTS OF PETITION: The Applicant is requesting consideration of a request to amend Section 35-2240 of the City of Brooklyn Center Zoning Ordinance (CC Center Central Commerce Overlay District) to clarify permitted and prohibited uses within said District. Copies of the amended language, as proposed, will be available upon request, and included with the Planning Commission meeting packets, available prior to the meeting through the City of Brooklyn Center website at http://www.cityofbrooklyncenter.org.

Questions, comments, statements of support or objections should be directed to City Planner/Zoning Administrator Ginny McIntosh at (763) 569-3319 or email to gmcintosh@ci.brooklyn-center.mn.us.

Auxiliary aids for persons with disabilities are available upon request at least 96 hours in advance. Please contact the City Clerk at (763) 569-3300 to make arrangements.

Respectfully,
Ginny McIntosh
City Planner/Zoning Administrator

Published in the
Sun Post
August 1, 2019
961449

CITY OF BROOKLYN CENTER

Notice is hereby given that a public hearing will be held on the ____ day of _____, 2019, at 7:00 p.m. or as soon thereafter as the matter may be heard at City Hall, 6301 Shingle Creek Parkway, to consider an ordinance amending the zoning regulations regarding uses allowed in the CC Central Commerce Overlay District.

Auxiliary aids for handicapped persons are available upon request at least 96 hours in advance. Please contact the City Clerk at 763-569-3300 to make arrangements.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 35 REGARDING USES ALLOWED IN THE CC CENTRAL COMMERCE OVERLAY DISTRICT

THE CITY COUNCIL OF THE CITY OF BROOKLYN CENTER DOES ORDAIN AS FOLLOWS:

Article I. Allowed Uses. Section 35-2240, paragraph 2 of the Brooklyn Center City Code identifying the uses allowed in the CC Central Commerce Overlay District is hereby amended as follows and shall be renumbered as needed:

2. The following uses are allowed in the CC Central Commerce Overlay District:

. . .

n. Contractor's offices, provided there is no outdoor storage of materials, commercial vehicles or other equipment on the site.

s. Leasing offices, provided there is no storage or display, either indoor or outdoor, of products on the use site.

aa. The retail sale of heating and plumbing equipment, paint, glass, and wallpaper, electrical supplies, and building supplies, provided there is no outdoor storage of materials, commercial vehicles or other equipment on the site.

bb. The retail sale of tires, batteries and automobile accessories and marine craft accessories, including service bays used for installation and maintenance of the items sold on the premises, and provided:

1) There is no outdoor storage of materials or equipment on the site;

2) Service is limited to regular maintenance items including, but not limited to, oil changes, tire mounting, rotation and alignment, and

other similar services. Large engine repair, body work and painting are not permitted;

3) No more than three (3) service vehicles may be parked outside of the building;

4) All service vehicles parked outside of the building must be fully operable and licensed;

5) Service vehicle parking is limited to 48 hours per vehicle; and

6) All other provisions of Section 35-414 of the City Code must be met.

ee. The retail sale of miscellaneous items such as the following:

1) Drugs and proprietary items
2) Liquors
~~3) Antiques and secondhand merchandise~~
4) Books and stationery
5) Garden supplies
6) Jewelry
7) Flowers and floral accessories
8) Cigars and cigarettes
9) Newspapers and magazines
10) Cameras and photographic supplies
11) Gifts, novelties and souvenirs
12) Pets
13) Optical goods
14) Sporting goods and bicycles

ff. The following repair/service uses:

1) Electrical repair service shops.
2) Household appliances, electrical supplies, heating and plumbing equipment, provided there is no outdoor storage of materials, commercial vehicles or other equipment on the site.
3) Radio and television repair service shops.
4) Watch, clock and jewelry repair service shops.
5) Laundering, dry cleaning and dyeing.

gg. ~~Gasoline service stations (see Section 35-414), motor vehicle repair and auto washes, trailer and truck rental in conjunction with these uses, provided that there is adequate parking space available for these vehicles~~ Standalone auto washes.

~~hh. The sale or vending at gasoline service stations of items other than fuels, lubricants or automotive parts and accessories (and other than the vending of soft drinks, candy, cigarettes and other incidental items for the convenience of customer s within the principal building) provided adequate parking is available consistent with the Section 35-704, 2 (b) and 2 (c).~~

ii. ~~Transient lodging~~ Hospitality accommodations.

__. Multifamily residential dwellings, provided the use is consistent with the underlying Future Land Use designation in the 2040 Comprehensive Plan.

For the purposes of this paragraph, "commercial vehicle" means a truck-tractor, semi-trailer, or any other vehicle, other than a passenger vehicle, with a length greater than 21 feet, a height greater than 8 feet, or a gross vehicle weight greater than 9,000 pounds.

Article II. Prohibited Uses. Section 35-2240, paragraph 3 of the Brooklyn Center City Code identifying the uses prohibited in the CC Central Commerce Overlay District is hereby amended as follows and shall be renumbered as needed:

3. The following uses are not permitted in the CC Central Commerce Overlay District:

a. sauna establishments
b. massage establishments
c. currency exchanges
d. pawn shops
e. secondhand goods dealers
f. auto repair establishments
g. gas stations
h. truck and trailer rental establishments
i. indoor storage establishments

Any of the these uses lawfully existing in the CC Central Commerce Overlay District prior to October 1, 2019 shall be allowed to continue and shall be considered conforming uses, provided they remain in continuous operation. If any such use is discontinued for at least 12 months, it shall not be allowed to resume and any subsequent use of the property shall comply with the provisions of this section.

Article II. Effective Date. This ordinance shall become effective after adoption and upon thirty days following its legal publication.

Adopted this ___ day of _____, 2019.

_____
Mike Elliott, Mayor

ATTEST: _____
City Clerk

Date of Publication _____

Effective Date _____

(~~Strikeout~~ indicates matter to be deleted, double underline indicates new matter.)

MEMORANDUM - COUNCIL WORK SESSION

DATE: 7/8/2019

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Meg Beekman, Community Development Director

SUBJECT: Former Sears Site Development Strategy Update and Discussion

Background:

In July 2018, the City Council adopted an interim ordinance which authorized a study and placed a moratorium on the Sears property. Since that time, the City has engaged a consultant team to, among other things, assist with studying the site and completing a development strategy for the property.

Since the adoption of the moratorium, the Sears store has closed, along with the related auto repair center. The two buildings sit on 15 acres adjacent to Shingle Creek Crossing and Highway 100, and the site is one of the most visible in Brooklyn Center. The property is currently zoned PUD/C2; a remnant of the former Brookdale Mall, and was excluded from the master planning activities that the City underwent when the former mall was redeveloped into Shingle Creek Crossing. As such, the property has not had the benefit of a broader visioning with regard to its future since it was initially developed in the 1960s.

The 2040 Comprehensive Plan identifies the future land use designation for the property as Transit Oriented Development (TOD). This is due to its proximity to both the Brooklyn Center Transit Center, as well as a BRT Transit Stop immediately adjacent to the site at Xerxes Avenue and 56th Avenue N. The TOD land use category allows a wide range of uses, and generally supports a higher intensity of land use in order to promote walkability and to leverage the transit investment in the area.

Staff has been in communication with representatives from Sears who are have indicated their interest in working with the City on a land use study and revisioning for the site, though they have also acknowledged their desire to sell the property at the highest possible price.

The private ownership of this site makes it unique from other planning efforts underway in the City. Sears, and whomever they may choose to sell the property to, has inherent property rights under the existing zoning code, which would allow any use in the underlying C-2 District, and those uses which are allowed within the Central Commerce Overlay District as well since this site is within that overlay area.

Planning Process
Staff and the consultant team have put together a work plan for the former Sears site to accomplish the tasks related to the scope of work on the site. The work plan is attached to this report and includes details related to the proposed analysis of the site, community engagement process, and anticipated deliverables from the work.

Overlay District Amendments
The moratorium is set to expire in August. While the planning work will not be completed by then, staff has reviewed the existing zoning code and is suggesting several amendments to the Central Commerce Overlay District which would remove the least desirable uses from being allowed on site. One concern related to the site is that Sears may decide to sell a portion of the property, allowing a subdivision and reuse of the former

automotive repair center, leaving the larger building vacant. This would impede a future redevelopment which was more comprehensive and limit the reuse of the site significantly.

As part of the zoning code update work it is anticipated that the Central Commerce Overlay District will be eliminated or significantly altered from its current form; so any amendments to it to address concerns regarding this site would be inherently temporary while the City completes the zoning code rewrite work and the rest of the master planning work on this site and nearby sites which may also be affected by changes to the Overlay District.

If the City Council is amendable to amendments to the Central Commerce Overlay District, then staff would bring those changes though the typical process which would include review and a public hearing with the Planning Commission and then the City Council. These would likely come before the Planning Commission and City Council in August.

Policy Issues:

- Does the City Council have any concerns related to the amendments to the Central Commerce Overlay District?
- Is the City Council comfortable with the work plan related to the land use planning for the site?

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
July 8, 2019 - Memo from Haila Maze, Senior Planner, Bolton & Menk	7/2/2019	Backup Material

July 2, 2019

TO: Meg Beekman, Community Development Director, City of Brooklyn Center

FROM: Haila Maze, Senior Planner, Bolton & Menk

RE: Former Sears Property Master Plan: Draft Approach

Project Overview

The purpose of this memo is to summarize the City's approach to creating a master plan with a site-specific development strategy for the former Sears site. The subject property is a 15.26-acre site located in the northeast quadrant of the Xerxes Avenue North/Brooklyn Boulevard and Highway 100 interchange, adjacent to the Shingle Creek Crossing Planned Unit Development (PUD). The property has been vacant since the store closure in September 2018. It also has been the subject of a development moratorium since July 2018, with the goal of creating a redevelopment approach for the site.

As part of the larger Becoming Brooklyn Center contract, the City's consultant team has been tasked with assisting with the master planning process. This memo describes the work to date and outlines next steps.

Draft Development Guidelines

The Sears site has been the subject of several Becoming Brooklyn Center TAC meetings and other internal conversations, and well as coordination with a number of individual stakeholders over the course of months. There has also been some initial work to review existing market conditions and site characteristics. From this initial work, some draft guidelines for the development strategy have emerged. They are listed below.

- Development should support and complement the Shingle Creek Crossing PUD, including the ongoing plans for buildout of the existing development with additional commercial.
- Non-subsidized private development of the site is preferred, though public financial subsidy could be considered if a development proposal was made that met other strategic priorities of the City.
- The site plan should extend the trail corridor which currently terminates on the eastern edge of the site, to connect with alignments west of the site.
- A use of the site that provides good jobs and significant tax base is preferred.

- As this is a high visibility location for Brooklyn Center, the site's appearance should be attractive and represent the City well.
- Due to the value and visibility of this site, lower intensity uses – including but not limited to storage, warehousing, and automotive sales and service – should be discouraged.
- The development concept and timing should not compete directly with the City's vision for the Opportunity Site, including positioning, timing, and uses.
- The discussion on site access should be coordinated with potential roadway improvements in the vicinity, including the possibility of changes to Highway 100 access that may improve traffic safety and circulation patterns.

Additional guidance for the site will be gathered through the community engagement process, as described later in this document. The purpose of identifying these guidelines will be to inform the City's decision-making process regarding approvals related to the site, and to convey to stakeholders and potential developers the City's position. This will also help to inform near-term actions on the site, as outlined in the section on next steps.

Potential Development Alternatives

For the Sears site, the team will develop series of viable development alternatives for the Sears site, based on an assessment of site conditions, market feasibility, and discussions with stakeholders. At this point, concepts being considered include:

- **Office/light industrial development.** This would be a job-intensive use (as opposed to bulk storage or warehousing), possibly with a limited retail component. This option could provide jobs and tax base for the community, as well as potential customers for adjacent retail in Shingle Creek Crossing.
- **Shingle Creek Crossing extension.** This would extend the footprint of the adjacent retail district, most likely in partnership with that development. Retail uses would be guided for ones that would be compatible with the current mix, and which would not overbuild the market.
- **Current building reuse.** This option would involve a use or uses that could reuse one or both buildings on the site. This could include dividing or reconfiguring the space to better meet tenant needs. Reuse could be an interim strategy, with the possibility of redeveloping the site later, perhaps in response to changing market conditions.
- **Residential or mixed use.** The current consensus seems to be that this is not currently the market to proceed with this, and that it may compete with Opportunity Site buildout. However, this will be explored conceptually, in terms of a longer-term possibility.

Additional concepts and variations may be explored as identified through the subsequent engagement process. Concepts may represent preserving the site as a whole, or suggest subdividing it with the introduction of new roadways and connections, or realignment of existing ones.

Furthermore, the City acknowledges that with private ownership, there are limits on the level of control the City has of development outcomes. As such, the alternatives and options discussed will be designed to be flexible in response to potential development proposals brought to the city for review.

Development Strategy

The product from this planning process will be the creation of a development strategy. This will not be as extensive as the master planning work being done for the Opportunity Site, but will provide a framework to evaluate future development proposals.

Elements of the development strategy will include:

- An overview of existing policy and regulatory guidance impacting the site and its vicinity
- Summary description of the public engagement process, and feedback received during that time
- A summary of existing conditions on the site, including base mapping, drawing from information collected during the planning process
- A brief assessment to the market context, in terms of feasible development alternatives and comparable sites
- An updated version of development guidelines for the site, including any recommendations for site and building design
- Discussion of the process of evaluating development alternatives, and the selection of the preferred scenario(s)
- Analysis of systems framework in context of development site, including roads, trails, public spaces, and other connections
- Visual master plan rendering of the preferred development scenario(s), and photos of precedent development types
- Identification of public benefit from the selected development alternatives, such as additional jobs and tax base, improved public realm, business development opportunities, or other factors to be defined
- Implementation strategy for the site, including:
    - Infrastructure and public realm improvements, including high level cost estimates, as well as potential funding and phasing strategies
    - Future land use and zoning classifications, including any needed amendments to City plans or codes
    - Potential City role in site redevelopment, potentially including public subsidy, site marketing and outreach, and development review
    - Any other actions needed on behalf of the City or its partners to implement the master plan

The results will be summarized in a presentation, to be given before the City Council, as well as in a report to be produced at the conclusion of this process.

Public Engagement

It is expected that public engagement around the master plan will be somewhat limited, due to the nature of the private ownership of the site and its context within the central commercial district. As such, the engagement will be focused on key stakeholders most impacted by the project, as well as leveraging other engagement efforts on broader issues. The proximity of this site to the Brooklyn Boulevard corridor suggests that this engagement could be coordinated with the engagement planned for that project later in 2019. At this time, the following engagement activities are proposed:

- **Stakeholder meeting.** Engagement would kick off with a listening session for stakeholders that would be most immediately impacted by the redevelopment. This would include business and property owners, and/or property managers in the vicinity of the site. The meeting would present possible development concepts for review, and solicit feedback regarding their goals, concerns, and ideas related to the site's redevelopment.
- **Targeted developer conversations.** The process will be informed by feedback from developers – either solicited directly, or via their contact with the City. While this is less formal than the stakeholder outreach, it may provide useful information in terms of the perceptions of the site and potential development opportunities as well as the market feasibility of various concepts.
- **Open house**. An open house will be held once the draft concepts have been developed, and input from immediate stakeholders has been incorporated. The purpose of the open house will be to present the draft concepts and receive feedback (like the stakeholder meeting) from the general public.
- **Brooklyn Boulevard outreach participation**. As there will be additional meetings related to the Brooklyn Boulevard Development Framework, information from the Sears site master plan can be brought as a component to public meetings, to provide broader engagement.
- **Online engagement**. Information on the Sears master plan, and opportunities to provide feedback, will be provided on the Becoming Brooklyn Center website. Additional information can be shared via the City's main website and on social media.
- **On-site signage**. Pending approval of the property owner, signage indicating the status of the master planning process – and where to find more information – may be posted on the site.

The Becoming Brooklyn Center process is pursuing much broader engagement of the community on a range of sites. If additional feedback in other forums is relevant to the plans for the Sears site, it will be included in the analysis and in the summary of community feedback for the master plan.

Timeline and Next Steps

As with the City's Opportunity Site, this master plan is proceeding in the context of real-time decisions by property owners, developers, and others with a development interest in the site. As such, some City actions will not wait until the conclusion of the master planning process.

These interim actions will include updates to the existing zoning, to address elements in the current zoning on the site that are inconsistent with the city's overall development vision for the area – and the development guidelines identified earlier in this memo. These adjustments do not preclude additional zoning modifications later, as the City's zoning ordinance is in the midst of a large-scale review to update it for consistency with the recently adopted citywide comprehensive plan.

In terms of the timing of the master planning process, the following timeline is proposed.

- July 2019 – stakeholder meeting and initial development alternatives
- August 2019 – master plan development and refinement
- September 2019 – public open house
- October-November 2019 – plan finalized and approved

amendment was made to accommodate the School District's needs with the understanding that it was a temporary arrangement.

Mayor/President Elliott asked whether there are any businesses that would be negatively impacted by the moratorium. Ms. Beekman stated current discussions are exploratory, and it is difficult to say who would be affected. Mr. Boganey agreed, adding the moratorium would affect current businesses that seek to redevelop their property as well as attracting new development.

Councilmember/Commissioner Graves asked whether there is a mechanism for an applicant to appeal the moratorium decision if it is hurting their business. Mr. Boganey stated the moratorium could be lifted at any time during the 12 months. He added the moratorium will not force a property owner to sell but may cause a delay.

Mr. Boganey stated the Master Plan would be completed within the 12-month moratorium period. He added interested third parties would know the vision and goals of the community and what the City is trying to achieve.

Councilmember/Commissioner Ryan stated the City owns 32 acres of the 81 acre-site. He stressed the importance of protecting the City's interests in this situation and preventing development that is not in line with the goals and interests of the Opportunity Site.

Mayor/President Elliott stated it is a private property that could potentially be sold and developed. Mr. Boganey stated any potential development would need to be in line with City zoning and other regulations. He added it might not be exactly as envisioned by the City Council/EDA, but it would have to be consistent.

Councilmember/Commissioner Lawrence-Anderson stated she supports the moratorium. She added similar action was taken by the City Council/EDA a few years ago on the issue of vaping devices. She noted this gave the City Council/EDA time and opportunity to review and amend the Ordinance, which was invaluable.

FORMER SEARS SITE DEVELOPMENT STRATEGY AND UPDATE AND DISCUSSION

Ms. Beekman stated City Staff are recommending a moratorium on development at the former Sears site. She added this would provide the opportunity to do further study, and consultants have been engaged to assist with this process. She noted the 15-acre Sears property operates under a Planned Unit Development (PUD) and is adjacent to Shingle Creek Crossing, and it is the last remnant of Brookdale Mall.

Ms. Beekman stated the property is unique and not used by the City as it is privately zoned, and the property owner is unwilling to discuss its development. She stressed the importance of

having a vision and goal for the property, for residents and businesses who are interested in what the City has planned. She added City Staff proposes engagement activities with the immediate business owners to receive feedback and comments on what they would vision happening at the Sears property, as well as receive questions and concerns.

Ms. Beekman stated, in terms of potential future re-uses of the site, retail is the most obvious answer, but also something that utilizes transit investment. She added the property is currently in the Central Commerce Overlay District, to which amendments could be made that would prohibit lowest impact uses. She noted City Staff recommends simple modifications to the Central Overlay District or draft a process or approach for redevelopment planning and visioning for the site if there is a consensus from the City Council/EDA.

Councilmember/Commissioner Lawrence-Anderson stated the property has great visibility from Highway 100. She added a home improvement store would be perfect for that location. She noted the City does not own the property.

Mayor/President Elliott stated many residents had expressed the desire to have a global market.

Councilmember/Commissioner Ryan stated he supports recommendations to lift the moratorium.

Councilmember/Commissioner Graves agreed, adding she would also support engaging the businesses that are there and getting their feedback.

Ms. Beekman stated City Staff had discussed goals for redevelopment, and this potential retail site could compliment the Shingle Creek Crossing PUD. She added non-subsidized private development is preferred, and benefits include connecting the regional trail across the property; providing jobs, creating an attractive shopping area, and potential roadway improvements. She noted low-intensity uses would be discouraged, such as storage units.

Mayor/President Elliott stated language should be added that addresses development that supports the needs of the community. He added many residents have said that they do not shop at Shingle Creek Crossing.

Ms. Beekman stated redevelopment at this location would support Shingle Creek Crossing in that it would enhance its usefulness and its ability to be completed and rebuilt.

Councilmember/Commissioner Graves stated having requirements regarding what types of businesses can be located in Shingle Creek Crossing is not the best policy. She added Sears had placed many such covenants on the Shingle Creek Crossing property.

Mr. Boganey stated Sears was a party to the original PUD that regulated the site, as well as subsequent PUD amendments. He added the developer granted many covenants and restrictions

that were put in place by Sears. He noted the original shared parking agreement between Sears and Brookdale Mall played a big part in that.

Councilmember/Commissioner Lawrence-Anderson asked whether a new owner could purchase Sears without consent from or negotiation with the City. Ms. Beekman confirmed this, adding a new owner could lift restrictions or leave them in place.

ADJOURNMENT

Councilmember/Commissioner Butler moved, and Councilmember/Commissioner Lawrence-Anderson seconded adjournment of the City Council/Economic Development Authority Work Session at 10:00 p.m.

Motion passed unanimously.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss. Certification of Minutes
CITY OF BROOKLYN CENTER)

The undersigned, being the duly qualified and appointed City Clerk of the City of Brooklyn Center, Minnesota, certifies:

1. That attached hereto is a full, true, and complete transcript of the minutes of a Work Session of the City Council of the City of Brooklyn Center held on July 8, 2019.

2. That said meeting was held pursuant to due call and notice thereof and was duly held at Brooklyn Center City Hall.

3. That the City Council adopted said minutes at its July 22, 2019, Regular Session.

Barbara Suciu, City Clerk

Mike Elliott, Mayor

Commissioner Sweeney introduced the following resolution and moved its adoption:

PLANNING COMMISSION RESOLUTION NO. 2019-012

RESOLUTION REGARDING THE RECOMMENDED DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2019-014 FOR ADOPTION OF A ZONING AMENDMENT REGARDING THE CC CENTRAL COMMERCE OVERLAY DISTRICT

WHEREAS, the Planning Commission held a public hearing, after due notice having been provided, on August 15, 2019, on a proposed ordinance titled AN ORDINANCE AMENDING CHAPTER 35 REGARDING USES ALLOWED IN THE CC CENTRAL COMMERCE OVERLAY DISTRICT ("Ordinance"); and

WHEREAS, the Ordinance revises the list of allowed and prohibited uses within the CC Central Commerce Overlay District ("District"); and

WHEREAS, the Planning Commission heard from those wishing to speak on the proposed Ordinance, discussed it, and determined that the proposed amendments are consistent with the intent of the District and in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Brooklyn Center, Minnesota hereby forwards the proposed Ordinance to the City Council with a recommendation that it be adopted as presented.

August 15, 2019
Date

Randall Christensen, Chair

ATTEST: Ginny McIntosh
Ginny McIntosh, Secretary

The motion for the adoption of the foregoing resolution was duly seconded by member Schonning and upon vote being taken thereon, the following voted in favor thereof: Schonning, Christensen, MacMillan, Sweeney, and Tade
and the following voted against the same: Koenig
whereupon said resolution was declared duly passed and adopted.

CITY OF BROOKLYN CENTER

Notice is hereby given that a public hearing will be held on the ____ day of _____, 2019, at 7:00 p.m. or as soon thereafter as the matter may be heard at City Hall, 6301 Shingle Creek Parkway, to consider an ordinance amending the zoning regulations regarding uses allowed in the CC Central Commerce Overlay District.

Auxiliary aids for handicapped persons are available upon request at least 96 hours in advance. Please contact the City Clerk at 763-569-3300 to make arrangements.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 35 REGARDING USES ALLOWED IN THE CC CENTRAL COMMERCE OVERLAY DISTRICT

THE CITY COUNCIL OF THE CITY OF BROOKLYN CENTER DOES ORDAIN AS FOLLOWS:

Article I. Allowed Uses. Section 35-2240, paragraph 2 of the Brooklyn Center City Code identifying the uses allowed in the CC Central Commerce Overlay District is hereby amended as follows and shall be renumbered as needed:

2. The following uses are allowed in the CC Central Commerce Overlay District:

. . .

n. Contractor's offices, provided there is no outdoor storage of materials, commercial vehicles or other equipment on the site.

s. Leasing offices, provided there is no storage or display, either indoor or outdoor, of products on the use site.

aa. The retail sale of heating and plumbing equipment, paint, glass, and wallpaper, electrical supplies, and building supplies, provided there is no outdoor storage of materials, commercial vehicles or other equipment on the site.

bb. The retail sale of tires, batteries and automobile accessories and marine craft accessories, including service bays used for installation and maintenance of the items sold on the premises, and provided:

1) There is no outdoor storage of materials or equipment on the site;

2) Service is limited to regular maintenance items including, but not limited to, oil changes, tire mounting, rotation and alignment, and

other similar services. Large engine repair, body work and painting are not permitted;

3) No more than three (3) service vehicles may be parked outside of the building;

4) All service vehicles parked outside of the building must be fully operable and licensed;

5) Service vehicle parking is limited to 48 hours per vehicle; and

6) All other provisions of Section 35-414 of the City Code must be met.

ee. The retail sale of miscellaneous items such as the following:

1) Drugs and proprietary items
2) Liquors
~~3) Antiques and secondhand merchandise~~
4) Books and stationery
5) Garden supplies
6) Jewelry
7) Flowers and floral accessories
8) Cigars and cigarettes
9) Newspapers and magazines
10) Cameras and photographic supplies
11) Gifts, novelties and souvenirs
12) Pets
13) Optical goods
14) Sporting goods and bicycles

ff. The following repair/service uses:

1) Electrical repair service shops.
2) Household appliances, electrical supplies, heating and plumbing equipment, provided there is no outdoor storage of materials, commercial vehicles or other equipment on the site.
3) Radio and television repair service shops.
4) Watch, clock and jewelry repair service shops.
5) Laundering, dry cleaning and dyeing.

gg. ~~Gasoline service stations (see Section 35-414), motor vehicle repair and auto washes, trailer and truck rental in conjunction with these uses, provided that there is adequate parking space available for these vehicles~~ Standalone auto washes.

~~hh. The sale or vending at gasoline service stations of items other than fuels, lubricants or automotive parts and accessories (and other than the vending of soft drinks, candy, cigarettes and other incidental items for the convenience of customer s within the principal building) provided adequate parking is available consistent with the Section 35-704, 2 (b) and 2 (c).~~

ii. ~~Transient lodging~~ Hospitality accommodations.

For the purposes of this paragraph, "commercial vehicle" means a truck-tractor, semi-trailer, or any other vehicle, other than a passenger vehicle, with a length greater than 21 feet, a height greater than 8 feet, or a gross vehicle weight greater than 9,000 pounds.

Article II. Prohibited Uses. Section 35-2240, paragraph 3 of the Brooklyn Center City Code identifying the uses prohibited in the CC Central Commerce Overlay District is hereby amended as follows and shall be renumbered as needed:

3. The following uses are not permitted in the CC Central Commerce Overlay District:

a. sauna establishments
b. massage establishments
c. currency exchanges
d. pawn shops
e. secondhand goods dealers
f. auto repair establishments
g. gas stations
h. truck and trailer rental establishments
i. indoor storage establishments

Any of the these uses lawfully existing in the CC Central Commerce Overlay District prior to October 1, 2019 shall be allowed to continue and shall be considered conforming uses, provided they remain in continuous operation. If any such use is discontinued for at least 12 months, it shall not be allowed to resume and any subsequent use of the property shall comply with the provisions of this section.

Article II. Effective Date. This ordinance shall become effective after adoption and upon thirty days following its legal publication.

Adopted this ___ day of _____, 2019.

_____
Mike Elliott, Mayor

ATTEST: _____
City Clerk

Date of Publication _____

Effective Date _____

(~~Strikeout~~ indicates matter to be deleted, double underline indicates new matter.)

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING SUMMARY PUBLICATION FOR ORDINANCE 2019-09

WHEREAS, the City Council of the City of Brooklyn Center has adopted the above referenced ordinance regarding uses allowed in the CC Central Commerce Overlay District; and

WHEREAS, Minnesota Statutes, section 412.191, subdivision 4 allows publication by title and summary in the case of lengthy ordinances or those containing maps or charts; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent of Ordinance 2019-09.

NOW, THEREFORE, BE IT RESOLVED that: the following summary of Ordinance 2019-09 shall be published in the official newspaper in lieu of the entire ordinance.

SUMMARY PUBLICATION
Ordinance 2019-09

An Ordinance Amending the Brooklyn Center City Code Section 35-2240, paragraph 2, the allowed uses in the CC Central Commerce Overlay District and Section 35-2240 paragraph 3, the prohibited uses in the CC Central Commerce Overlay District The full ordinance amendment is available at City Hall or on the City's website.

September 23, 2019
Date

_____
Mayor

ATTEST:_____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

COUNCIL ITEM MEMORANDUM

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Ginny McIntosh, City Planner / Zoning Administrator

SUBJECT: Recommended Disposition of Planning Commission Application No. 2019-015 for Adoption of a Zoning Amendment Regarding Uses Allowed in the General Industry (I-2) District - First Reading

Requested Council Action:

- Motion to approve a first reading of an ordinance amending Chapter 35 of the City Code of Ordinances regarding uses allowed in the General Industry (I-2) District, and set the second reading and public hearing for October 14, 2019.

Background:

The City is requesting the review and consideration of changes to the uses allowed within the designated I-2 (General Industry) District that would allow for religious uses, such as chapels, churches, temples, mosques, synagogues and the like, as a special use.

City staff initially brought the discussion on places of worship in the I-2 (General Industry) District forward at a City Council Work Session held on August 12, 2019 following discussions with a local religious group (Masjid Al-Ansar) who was seeking to relocate their religious institution and community center onto an I-2 District zoned property located at the southern terminus of France Avenue North (4900/4902 France Avenue North). It was at that time City staff was directed to draft amendment language with criteria for the allowance of religious uses as a special use and bring the proposed amendment forward to the Planning Commission before review by the City Council.

City staff had previously consulted with the City Attorney on potential paths forward for the group to occupy the I-2 District zoned property. Based on a number of factors, the City Attorney and staff agreed that the most legally defensible way to process the request would be through a Zoning Code text amendment to the I-2 (General Industry) District. It should be noted that although the request to amend the Zoning Code stems from the interest of one particular religious institution in one particular property, the proposed amendments outlined in the staff report and associated ordinance would have an effect across the entire I-2 (General Industry) District of the City. The I-2 District comprises approximately 2 percent of total land within the City of Brooklyn Center.

Federal law, and specifically, the Religious Land Use and Institutionalized Persons Act or "RLUIPA," protects religious land uses in that it requires cities to regulate them the same way in which it regulates other similar uses, and to treat them equally and fairly when making land uses regulations as well as land use decisions against them. Although City Council had directed the City to create language with solid "criteria," RLUIPA prohibits cities from imposing greater criteria or restrictions on religious uses than other special or like uses. Further, due to the uniqueness of the I-2 District property (4900/4902 France Avenue North) that spurred conversation on amending the uses allowed in the District, the City Attorney and staff were concerned

that establishing standards or criteria for religious uses in the District would ultimately exclude the interested group from being able to utilize the 4900/4902 France Avenue North property.

Religious uses are a permitted or special use in a number of the City's zoning districts. In the case of religious institutions in the City's R-1 (One Family Residence), R-2 (Two Family Residence), and R-5 (Multiple Family Residence) Districts, this use is allowed through special use approval and so long as primary vehicle access is gained off a collector or arterial street. In the City's C-1/C-1A Districts, this use is a permitted use with no caveat on the type of primary street access. The City Attorney and City staff were unable to incorporate language regulating primary street access in the I-2 District as the 4900/4902 France Avenue North property is located on a dead end cul-de-sac.

While the City has requested traffic studies to ensure "adequate measures have been or will be taken to provide…parking so designed as to minimize traffic congestion in the public streets," as a standard for issuance of Special Use Permits under Section 35-220.2.d, "traffic studies" are not called out in the current Zoning Ordinance as a specific requirement; therefore, the necessity of one could be argued, and the specific criteria in requiring one in the I-2 District for religious uses could be called into question. The City Attorney and staff were therefore left with language that required minimum on-site parking given a places of public assembly use and adherence to any applicable codes (e.g. Fire and Building Code) to be achieved with the issuance of a Special Use Permit for a religious use. This would be a requirement for any other special use.

The Planning Commission held a public hearing on the request at their September 12, 2019 meeting, and a public hearing notice was published in the Brooklyn Center *Sun Post* on August 29, 2019. Notices were mailed to all I-2 (General Industry) District property owners. Upon opening for public comment, the Planning Commission received numerous testimonials from members of the religious group (Masjid Al-Ansar) interested in the I-2 District property located at 4900/4902 France Avenue North.

The members noted that they would like to stay in the City of Brooklyn Center, as their former mosque was located off Brooklyn Boulevard, and as their membership is mainly out of Brooklyn Center and Brooklyn Park. They stressed an importance in having a place for Muslim youth and families to go to for a place of worship, as well as a community center for activities. Imam Dukuly of Masjid Al-Ansar noted that, in the case of the 4900/4902 France Avenue North property, that they could split prayer services for their membership, of which currently numbers 120 to 150 people, or shuttle bus members in.

One long-term resident of Brooklyn Center noted that she wasn't necessarily against the ordinance amendment, but was concerned about the loss of taxes due to the tax exempt nature of religious institutions, and indicated that she thought there was once a moratorium on religious uses in industrial areas.

The Planning Commissioners had a number of questions regarding the impact of religious uses in the City's heavy industrial district. Chair Christensen noted that the 4900/4902 France Avenue North property is unique with its buildings and ideally, the City would have proceeded with the re-zoning of this particular property, as it is allowed in a number of the City's other zoning districts. However, as the City is unable to "spot zone" per Minnesota state statute, the only path forward is to amend the uses allowed in the entire I-2 District.

Chair Christensen questioned whether it was acceptable to amend the entire I-2 District for one property, as it could have large implications. He further inquired as to whether some of the larger industrial properties in the I-2 District could eventually be converted or torn down for religious uses pending approval of the proposed amendment.

City staff confirmed that, were a religious organization to apply for, receive approval, and meet the conditions of a Special Use Permit, they could redevelop an I-2 District property or properties for their use. Chair Christensen brought up Living Word Christian Center, which is located in Brooklyn Park. He inquired as to whether it could be used as a comparable, given its location in an industrial district. City staff noted that while it

was located in an industrial district, that particular property is zoned "Public Institution" and is surrounded by a "Business Park District," which would be more equivalent to the City of Brooklyn Center's lighter industrial I-1 (Industrial Park) District.

Commissioner Koenig noted that he did not see many religious institutions being interested in the I-2 District for their organizations. City staff noted that, although it has been awhile, they had held conversations in the past with religious institutions seeking to relocate into the industrial districts of the City.

Additional questions surrounded whether there was public parking allowed on the streets to allow religious uses to meet their minimum parking requirements, and the overall vacancy rates within the I-2 District.

Following closure of the public hearing, the Planning Commission voted (4-1) in favor of the proposed amendments to Section 35-331 (*General Industry*) and approved PC Resolution No. 2019-013 (*Resolution Regarding the Recommended Disposition of Planning Commission Application No. 2019-015 for Adoption of A Zoning Amendment Regarding Allowed Uses within the I-2 (General Industry) District*).

In order for the requested amendments to be adopted, City staff is requesting that the City Council approve a first reading of an ordinance amending Chapter 35 of the Zoning Code of Ordinances regarding uses allowed in the I-2 (General Industry) District and set a second reading and public hearing for October 14, 2019.

A copy of the Planning Commission Report, associated Planning Commission Resolution No. 2019-013, and ordinance language is included for review.

Should the proposed amendment to the ordinance be adopted and religious uses be allowed in the I-2 (General Industry) District as a special use, a Planning Commission application for consideration of a Special Use Permit and all relevant documentation would need to be submitted to the City for review and consideration by the Planning Commission and City Council for any proposals of use.

Budget Issues:

None to consider at this time.

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
PC Staff Report and Exhibits - Religious Uses in the I-2 District (Ordinance Amendment)	9/17/2019	Backup Material
PC Resolution No. 2019-013 (Zoning Amendment Regarding Allowed Uses within the I-2 District)	9/17/2019	Backup Material
Ordinance-Amending Chapter 35 Regarding Uses Allowed in the General Industry (I-2) District	9/17/2019	Ordinance

Planning Commission Report
Meeting Date: September 12, 2019

- Application Filed: 08/13/2019
- Review Period (60-day) Deadline: 10/12/2019
- Extension Declared: N/A
- Extended Review Period Deadline: N/A

Application No. 2019-015
Applicant: City of Brooklyn Center
Request: Amend Section 35-331 (*General Industry*) of the City Code of Ordinances to allow Religious Uses as a Special Use within the I-2 (General Industry) District

REQUESTED ACTION

The City of Brooklyn Center ("the City") is requesting review and consideration of a request to amend Section 35-331 (*General Industry*) of the City Code of Ordinances to allow Religious Uses as a Special Use within the I-2 (General Industry) District. A public hearing notice was published in the Brooklyn Center *Sun Post* on August 29, 2019 (Exhibit A). Notices were also mailed to all property owners of I-2 District-zoned properties within the City.

BACKGROUND

The City is requesting the review and consideration of changes to the uses allowed within the I-2 (General Industry) District that would provide an avenue for religious institutions, such as churches, mosques, synagogues and the like to locate into the City of Brooklyn Center's General Industry District, which is the City's most intense industrial district.

Conversations revolving around the allowance of religious uses within the I-2 District began in July when the City was approached by a group seeking to relocate a religious based place of worship and community center within the City. The group had previously leased space within a C1 (Service/Office) District office building in Brooklyn Center, where religious institutions are allowed as a permitted use. As the building was recently sold, their space became unavailable. The group would like to remain within the City of Brooklyn Center, as their community is largely based within the Brooklyn Center and Brooklyn Park areas; however, they noted upon meeting with the City that they had struggled to find space within the city limits until an I-2 District zoned property, located at the southern terminus of France Avenue North, and known as 4900/4902 France Avenue North, became available.

This group has expressed an interest in purchasing the property in order to create a community center and religious gathering place. The uses so far identified would include a worship space, gathering and event space (e.g. weddings, board meetings), classroom space, and office space. Gathering times would occur several times per week, with use primarily on Fridays and weekends, and worship times that could be divided into multiple sessions to accommodate their membership of which numbers between 120 and 150 attendees currently for a Friday service. The community center would be open throughout the week.

The property located at 4900/4902 France Avenue North has been for sale or lease for over a year, but was previously used as a kennel and veterinary clinic (permitted use). This particular I-2 District property is unique in its vacancy, in part due to the age and nature of the structures on site, which are not typical of surrounding industrial uses. The property is comprised of two structures: a newer, split level office

building, and a second circular shaped structure. The group believes that the property would meet their needs and is interested in purchasing it to convert it for their use. As part of their due diligence, the group met with City staff to inquire as to the process necessary to allow for use of the property as a place of worship and community center.

Places of worship generally fall into a category of uses considered "Assembly." These are uses where there are generally large numbers of people that may congregate or assemble at one time. Other similar uses might be theaters, auditoriums, mortuaries, dance halls, arenas, or certain places of entertainment.

Federal law protects religious land uses in that it requires cities to regulate them the same way in which it regulates other similar uses, and to treat them equally and fairly when making land use regulations as well as land use decisions regarding them.

> **Example:** a city would need to provide a fact-based reason that it might allow a movie theater in a particular zoning district, *but not* a religious use since the land uses are similar.

Based on a review of the City's Zoning Ordinance, religious uses are currently allowed in the following zoning districts (*Table 1*):

TABLE 1. Current Allowance of Religious Uses in City's Zoning Districts.

Zoning District	Permitted Use	Special Use	Notes
R1 (One Family Residence) District		X	Allowed through issuance of Special Use Permit, provided primary vehicular access shall be gained to the use by **a collector or arterial street**.
R2 (Two Family Residence) District		X	Allowed through issuance of Special Use Permit, provided primary vehicular access shall be gained to the use by **a collector or arterial street**.
R3 (Multi-Family Residence) District			
R4 (Multi-Family Residence) District			
R5 (Multi-Family Residence) District		X	Allowed through issuance of Special Use Permit, provided primary vehicular access shall be gained to the use by **a collector or arterial street**.
R6 (Multi-Family Residence) District			
R7 (Multi-Family Residence) District			
C1 (Service/Office) District	X		Permitted Use in this District with no additional restrictions relating to type of primary vehicular access.
C1A (Service/Office) District	X		All of the Permitted Uses allowed in the above C1 District are also allowed in the C1A District.
C2 (Commerce) District			The use is not addressed in the C2 District; however, other like uses, such as movie theaters, sports arenas, etc. are permitted through issuance of a Special Use Permit.
I1 (Industrial Park) District			There is at least one instance of religious uses being allowed via a Planned Unit Development (PUD) in the I1 (Industrial Park) District, which is a lighter industrial district comprised of office, hotel, mixed business, and light industrial uses.
I2 (General Industry) District			

Note: The O-1 (Public Open Space) and O-2 (Public & Private Open Space) Districts are not identified in this table due to the nature of their use.

City staff consulted with the City Attorney to identify potential paths forward for the requested reuse of the property located at 4900/4902 France Avenue North. Based on a number of factors, the City Attorney and staff agree that the most legally defensible way to process the request would be through a

Zoning Code text amendment to the I-2 (*General Industry*) District, which would make religious uses allowed through issuance of a Special Use Permit (SUP). This would allow the group to apply for a Special Use Permit through submittal of a Planning Commission application and any necessary documentation, and receive review and consideration by the Planning Commission and City Council. If approved and able to meet the conditions of the permit, the requested use would then be allowed on the property.

Although the conversations thus far have been focused on the allowance of religious uses on one particular property, the proposed text amendment **would apply to all properties within the I-2 (*General Industry*) District, thus allowing religious uses on any I-2 (General Industry) District zoned parcel**, provided it was able to meet the conditions of the Special Use Permit process.

Special uses are those in which may be required for the public welfare in a given district but which are, in some respects, incompatible with the permitted uses in the district. Before a building or premises is devoted to any use classified as a special use, a Special Use Permit would need to be granted by City Council. In reviewing Special Use Permits, an Applicant would need to demonstrate the following:

a. The establishment, maintenance or operation of the special use will promote or enhance the general public welfare and will not be detrimental to or endanger the public health, safety, morals or comfort.
b. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
c. The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
d. Adequate measures have been or will be taken to provide ingress, egress and parking so designed as to minimize traffic congestion in the public streets.

As the decision to allow religious uses within the I-2 (General Industry) District is a legislative one, City staff initially brought the discussion on places of worship in the I-2 (General Industry) District forward at a City Council Work Session held on August 12, 2019. It was at that time City staff was directed to draft amendment language with criteria for its allowance as a special use and bring the proposed amendment forward to the Planning Commission before review by the City Council. A copy of the City Council Work Session memo and excerpt of the meeting minutes are included as Exhibit B.

PROPOSED AMENDMENTS TO I-2 (GENERAL INDUSTRY) DISTRICT

Location and Composition of I-2 District Zoned Properties in City

The City's I-2 (General Industry) District is located on the southern end of the City and located on both sides of Highway 100. It is, for the most part, built out. A map identifying the City's I-2 District properties can be found on the next page (*Map 1*). The I-2 District consists of 32 parcels comprising a total of 82.56 acres. With approximately 3,677 acres of total land in Brooklyn Center (i.e. not including right-of-way, lakes, etc.), the I-2 District comprises approximately 2.2% of the total land in the City. Not all of the I-2 District parcels appear to be developable, however.

For instance, one parcel serves as a 3.2 acre stormwater ponding area to a development located on the former Joslyn site and another 5.4 acres, located on the west side of the former Joslyn site, is an outlot comprised of floodplain and wetlands. A 1.98 acre parcel located adjacent to Ryan Lake is also likely limited in terms of development as over an acre of the land is located within the designated 100-year

floodplain with wetlands present. If you were to remove the aforementioned three parcels, you are left with approximately 72 acres of I-2 District zoned land, or 1.95% of total land in Brooklyn Center.

I-2 District Uses

Industrial properties, particularly heavy industrial properties, tend to have the greatest impacts on surrounding properties in terms of noise, dust, odors, traffic, and outdoor storage. Generally, industrial users tend to locate in areas away from non-industrial uses to minimize complaints that may arise, although the I-2 (General Industry) District zoned properties located within Brooklyn Center are in proximity to some single-family and multi-family residential properties (*Refer to Map 2*).

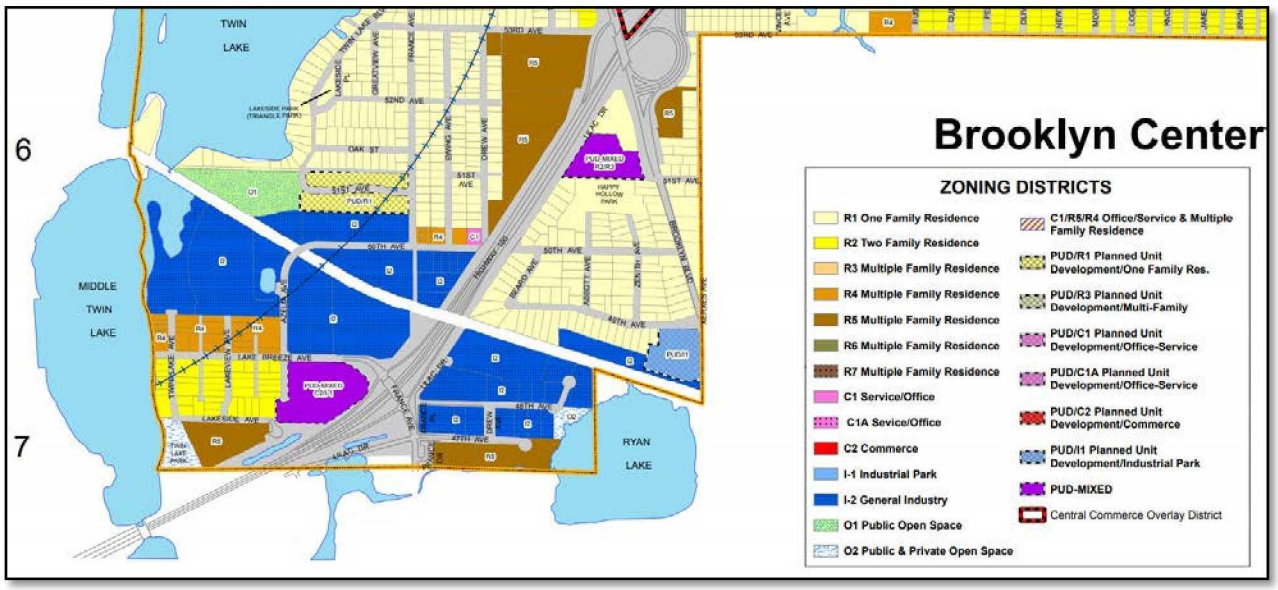
On the other hand, it is likely that religious uses would utilize their properties during hours when industrial users are not in operation, which may minimize issues. In the case of the group interested in the 4900/4902 France Avenue North property, this particular I-2 property is located on a dead end cul-de-sac with Highway 100 located to the east, train tracks to the south, a Northern States Power station to the west, and a mix of industrial and residential properties located to the north. A roofing company is located immediately to the north of this particular property.

Use-wise, the I-2 District allows for a mix of manufacturing type uses; textile mill production; lumber and wood products (except for saw mills and planing mills); printing industries; chemicals and allied products; fabricated metal products; professional, scientific, electronic, and controlling instruments; wholesale trade activities (e.g., motor vehicles and automotive equipment; dry goods and apparel; hardware, plumbing, heating equipment and supplies; machinery, equipment and supplies); and certain service activities (i.e. laudrying, dry cleaning, and dyeing; warehousing; automobile and truck repair and wash; contract construction; kennels; veterinarian and animal hospitals; truck rental and leasing).

This district also allows for truck terminals, and public transit terminals. Foundries (provided the operation is a necessary incident to a principal use in the I-2 District); retail sales of products manufactured, processed, or wholesaled on site; and accessory off-site parking, are allowed through issuance of a Special Use Permit (refer to Exhibit C).

MAP 1. City of Brooklyn Center I-2 (General Industry) District Zoned Properties.

MAP 2. City of Brooklyn Center Zoning Districts Adjacent to I-2 (General Industry) District.



Parking and Access Demands

Of further consideration in allowing for religious uses in the I-2 (General Industry) District is the overall parking demand. Assembly uses, such as religious institutions, tend to have higher parking demands than other types of uses due to the nature of their visitors. Industrial uses by contrast tend to have low parking demands relative to their square footage because these uses generally have lower employment densities. Religious uses seeking to utilize industrial property for space may find that the available on-site parking is not sufficient to meet their demand, and other features common to industrial properties, such as loading docks and berths, can further hinder parking options.

For example, religious and other "places of public assembly" uses, such as theatres, auditoriums (other than school auditoriums), mortuaries, stadiums, arenas, and dance halls, require **one parking space for every three seats, or congregants in this particular case.** Places of public assembly located in a retail shopping center complex of 50,000 square feet or more, exclusive of the place of public assembly, may have one space for every four seats.

For perspective, the I-2 District zoned property located at 4900/4902 France Avenue North currently possesses 18 on-site parking spaces, although a maximum of 25 on-site parking stalls is potentially achievable with re-striping. Assuming a "places of public assembly" type use, installation of 25 parking stalls, and the carpooling of members (3 occupants per vehicle), the on-site parking could accommodate for a maximum of 75 attendees at any one time.

In the cases of "Industry and Wholesale" type uses, **one space for every two employees based upon maximum planned employment during any work period or one space for each 800 square feet of gross floor area (whichever is greater)** is required. In the event the latter requirement is greater, adequate land area shall be provided for the required off-street parking area, but improved spaces need only be provided according to the employee ratio. In cases where there is an office component to an industrially-zoned building, minimum on-site parking requirements are based on the total gross floor area utilized for the use.

As identified in Table 1 (*Current Allowance of Religious Uses in City's Zoning Districts*) on page 2 of this report, religious uses are an outlined use that is allowed as a permitted use or through issuance of a Special Use Permit in a number of the City's zoning districts. In the cases of the City's R1 (One Family Residence), R2 (Two Family Residence), and R5 (Multiple Family Residence) Districts, religious uses are allowed through issuance of a Special Use Permit *so long as primary vehicular access to the use is gained by collector or arterial street.* While this language was contemplated in discussions over the proposed amendments to allow for religious uses through issuance of a Special Use Permit, inclusion of this language would have served as a hindrance for the group interested in the 4900/4902 France Avenue North property as the property is located on a dead end cul-de-sac.

2040 Comprehensive Plan

The "2040 Land Use & Redevelopment Goals" identified within the Comprehensive Plan state that the Future Land Use Plans should be supported through the update or creation of relevant and market-based small area plans, redevelopment plans, and the zoning ordinance.

The identified 2040 Planned Land Uses for the I-2 (General Industry) District are comprised of a mix of "Industrial/Utility" and "Business-Mixed Use" designations. The 4900/4902 France Avenue North property is identified as "Industrial/Utility," along with the other properties located along the eastern edge of France Avenue North and south of 50th Avenue North. The "Business-Mixed Use" designation is a new land use designation under the 2040 Comprehensive Plan that guides for a "mix of business, light industrial, and supporting retail/service uses."

Other Considerations

City staff met with the group interested in the 4900/4902 France Avenue North property to go over the site, explain the process, and identify Building and Fire Code requirements that they should be aware of. Although these conversations were specific to the aforementioned property, the addressed concerns and requirements could be triggered with any other religious use that might have an interest in relocating to an I-2 (General Industry) District property as "Assembly" type uses have a higher fire suppression standard than other types of uses because of the congregation of people that occurs within buildings. Should the proposed amendments be adopted, it is important that any prospective buyers/users understand the full implications of what would be required to acquire and/or convert an industrial use type building.

Conversion of a building to anything other than an office use would constitute a change of use from the perspective of the Building and Fire Code, and thus would trigger the installation or expansion of a Fire suppression and alarm system if not present. Additionally, the following requirements may be triggered:

a. Installation of ADA requirements (e.g. parking lot striping and signage, ingress/egress, bathrooms, installation of elevator/lift);
b. Sewer Accessibility Charge (Met Council) determination for change in use and associated fee; and
c. Any other Fire and Building Code requirements

Ordinance Language

The City Attorney drafted language that addresses the proposed amendments to Chapter 35 regarding the uses allowed in the General Industry (I-2) District. As proposed, the amended language would allow for religious uses within the I-2 District through issuance of a Special Use Permit. Within the ordinance, certain legislative findings are outlined that address a desire to accommodate religious uses to the

extent reasonably possible but acknowledges the issues surrounding the allowances of religious uses in industrial districts (refer to Exhibit D). The proposed amendment language to allow for religious uses as a Special Use within the I-2 (General Industry) District is as follows:

Article II. Special Uses. Section 35-331, paragraph 3 of the Brooklyn Center City Code identifying the uses allowed in the General Industry District as a special use is hereby amended as follows:

3. Special Uses

a. Foundries, provided that the foundry operation is a necessary incident to a principal use permitted in the I-2 district.

b. Retail sales of products manufactured, processed or wholesaled at the use site.

c. Accessory off-site parking not located on the same property with the principal use, subject to the provisions of Section 35-701.

d. Places for religious assemblies such as chapels, churches, temples, mosques, and synagogues, provided the use complies with the minimum parking standards in Section 35-700 and other applicable standards.

If the ordinance language is ultimately adopted any interested party wishing to utilize an I-2 District property for a religious use would be required to submit a Planning Commission application and any required supporting documentation for review and consideration by the Planning Commission and City Council.

RECOMMENDATION

Based on the above-noted findings, staff recommends the following motion:

Motion to approve a Resolution recommending that the City Council approve certain amendments to Section 35-331 (General Industry) of the City Code of Ordinances that would allow for religious uses within the I-2 (General Industry) District by Special Use based on the above outlined findings of fact.

A copy of the Planning Commission resolution is attached (Exhibit E).

ATTACHMENTS

Exhibit A—Public Hearing Notice, published in the Brooklyn Center *Sun Post*, dated August 29, 2019.
Exhibit B—August 12, 2019 City Council Work Session Memo and Excerpted Minutes, Places of Worship in the I-2 District Discussion.
Exhibit C—Permitted and Special Uses within the I-2 District.
Exhibit D—An Ordinance Amending Chapter 35 Regarding Uses Allowed in the General Industry (I-2) District.
Exhibit E—Resolution Regarding the Recommended Disposition of Planning Commission Application No. 2019-015 for Adoption of a Zoning Amendment Regarding Allowed Uses within the I-2 (General Industry) District.

Exhibit A

CITY OF BROOKLYN CENTER
NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

Please take notice that the Planning Commission of the City of Brooklyn Center will hold a public hearing on Thursday, September 12, 2019, at approximately 7:00 p.m., at Brooklyn Center City Hall, located at 6301 Shingle Creek Parkway, Brooklyn Center, Minnesota. A definite time for this application to be considered cannot be given as it will depend on the progression of the agenda items.

TYPE OF REQUEST: Amend Section 35-331 (General Industry) of the City Code of Ordinances to Allow Religious Uses as a Special Use within the I-2 District

PETITIONER:

City of Brooklyn Center

BRIEF STATEMENT OF CONTENTS OF PETITION: The Applicant is requesting review and consideration of a request to amend Section 35-331 of the City Code of Ordinances, which would allow for religious uses within the I-2 (General Industry) District as a Special Use. Copies of the amended language, as proposed, will be available upon request, and included with the Planning Commission meeting packets, available prior to the meeting through the City of Brooklyn Center website at http://www.cityofbrooklyncenter.org.

Questions, comments, statements of support or objections should be directed to City Planner/Zoning Administrator Ginny McIntosh at (763) 569-3319 or email to gmcintosh@ci.brooklyn-center.mn.us.

Auxiliary aids for persons with disabilities are available upon request at least 96 hours in advance. Please contact the City Clerk at (763) 569-3300 to make arrangements.

Respectfully,
Ginny McIntosh
City Planner/Zoning Administrator

Published in the
Sun Post
August 29, 2019
969915

Exhibit B

MEMORANDUM - COUNCIL WORK SESSION

DATE: 8/12/2019

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman

FROM: Meg Beekman, Community Development Director

SUBJECT: Places of Worship in the I-2 District Discussion

Recommendation:

- Consider places of worship as a land use within the I-2 District and provide direction to staff on how to proceed.

Background:

City staff have been approached by a group seeking to relocate a religious based place of worship and community center within the City. The group has previously been leasing space within Brooklyn Center, along Brooklyn Boulevard, but the building has recently sold and is no longer available. They would like to remain within the City, as their community is largely based within the Brooklyn Center and Brooklyn Park area.

They are seeking a space to purchase, in which to create a community center and gathering place. Uses would include worship space, gathering and event space, classroom space, and office space. They gather several times per week, primarily Friday through Sunday. Worship times are on Friday and could be divided into more than one to accommodate their numbers.

After much searching to find a suitable building to purchase, they have identified 4900 France Avenue N. This property has been for sale or lease for over a year, but was previously used as a kennel and veterinary clinic. The property is zoned I-2 and is comprised of two structures; one which is a newer split-level office building, and a second which is a circular shared structure that is older. The group believes that the property would meet their needs and is interested in purchasing it to convert to their purposes. As part of their due diligence they met with City staff to inquire as to the process to allow the use of the property as a place of worship and community center.

Places of worship generally fall into a category of uses considered “Assembly”. These are uses where generally large numbers of people may congregate, or assemble, at one time. Other similar uses might be theaters, auditoriums, mortuaries, dance halls, arenas, or certain places of entertainment. Federal law protects religious land uses in that it requires cities to regulate them the same way it regulates other similar uses, and to treat them equally and fairly when making land use regulations as well as land use decisions regarding them. For example, a city would need to provide a fact-based reason that it might allow movie theaters in a particular zoning district, but not religious uses since the land uses are similar.

I-2, General Industrial District
As noted, the property is zoned I-2, General Industry. I-2 is a heavy industrial district. Permitted uses include, manufacturing; wholesale trade; distribution; services such as auto and truck repair, contract construction, warehousing and storage, service stations; truck terminals; transit terminals; or other uses similar in nature as determined by the City Council. Special uses permitted in the district include foundries, retail sales of products

manufactured on site, and accessory off-site parking. Places of worship are not currently permitted or specially permitted uses in the I-2 District.

Places of worship, or religious uses, are expressly permitted within the R-1, R-2, R-5, and C-1 Districts in the City. There is also at least one instance in which they have been allowed via a PUD in the I-1 District, which is a lighter industrial district comprised of a mix of office, hotel, mixed business, and light industrial uses.

Process

City staff consulted with the City Attorney to identify potential paths forward for the requested reuse of the property at 4900 France Avenue. Based on a number of factors, the City Attorney and staff agree that the most legally defensible way to process the request would be through a zoning code text amendment to the I-2 District, which would make religious uses allowed through special use permit. This would allow the group to apply for a special use permit, and if able to meet the conditions of the permit, reuse the property for their desired purpose. The text amendment would apply to all properties within the I-2 District, thus allowing religious uses within any I-2 zoned parcel provided it was able to meet the conditions of the special use permit process.

The decision to allow religious uses within the I-2 District is a legislative one, and ultimately a policy decision on the part of the City Council. Industrial properties, particularly heavy industrial properties tend to have the greatest impacts on surrounding properties in terms of noise, dust, odors, traffic, and outdoor storage. Generally, industrial users tend to locate in areas away from non industrial uses to minimize complaints that may arise. On the other hand, it is likely that religious uses would utilize their properties during hours when industrial users are not in operation, which may minimize issues.

A further consideration is parking demand. Assembly uses tend to have higher parking demand than other types of uses due to the nature of their visitors. Industrial uses by contrast tend to have low parking demand relative to their square footage because these uses generally have lower employment densities. Religious uses seeking to utilize industrial property for space may find that the available parking is not sufficient to meet their demand.

From a regional market perspective, industrial property is currently well stabilized, particularly compared with office and retail products. Industrial properties within the 694/494 loop are currently highly valued and vacancy rates are low. This trend holds true within Brooklyn Center's industrial market.

The property at 4900 France Avenue N is unique in its vacancy, in part due to the age and nature of the structures on the site, which are not typical of surrounding industrial uses. Rather than a single large building, the property is comprised of two smaller structures, one of which is a two-story office building, and neither is well suited for more industrial-type uses.

Special Use Permit Process

If the City Council chooses to allow religious uses in the I-2 District, staff would recommend allowing them via special use permit. This would allow some of the concerns identified above to be considered and mitigated on a case by case basis with each application. For example, if large numbers of people gathering at the property is a concern for assembly-type uses, a special use permit process could require that a traffic and parking study be conducted to ensure that access, circulation, and parking were adequate on site. If they weren't, a condition of approval could require a transportation demand management plan to deal with times when the parking or access routes were exceeded.

On this particular site, train traffic can be a concern at certain times of the day, closing road access. A traffic and parking study could look at the impact of road closures and identify if this would be a concern.

4900 France Avenue N

The City Planner and Building Official met with the interested party to go over the site, explain the process, and identify any Building and Fire Code items that they should be aware of. The conversion of the site to an assembly use would constitute a change of use from the perspective of the Building and Fire Code, thus trigger any required upgrades to the fire suppression system, installation of ADA requirements, as well as other Fire and Building Code requirements. Assembly uses have a higher fire suppression standard than other types of uses because of the congregating of people that occurs within the buildings. It is important that prospective buyers understand the full implications of what would be required of acquiring and converting a building before they purchase it.

As part of that meeting parking was discussed. The property currently has 18 parking stalls. According to the City Planner, after visiting the site and measuring out the parking area, an additional 8 could be striped in. The Zoning Code requires 1 parking stall for every three congregants for religious uses, meaning the parking would allow for only 75 people at a time. This is not sufficient based on staff's understanding of the groups actual needs, and so it is not clear how this will be handled.

In addition, the Building Official identified several upgrades which would be necessary in order to convert the building. These included ADA upgrades to bathrooms, ingress/egress, parking, and the interior of the building which may require an elevator or lift. The building will also need to be sprinklered and a SAC fee determination done. According to the Met Council there is only one SAC unit on the property, so a change in use would trigger a recalculation, and likely more SAC units to be paid. The Building Official is seeking additional information as to what that might be from the Met Council.

The group agreed to look into the required building improvements.

Next Steps
If the City Council indicates they are open to the zoning code text amendment, staff will work with the City Attorney to draft revised language which would then go to the Planning Commission for a public hearing, consideration, and a recommendation. The City Council would then take the Planning Commission's recommendation into consideration as part of a first and second reading of the ordinance amendment.

Once the language was drafted and the process underway, the prospective buyers would then need to apply for a Special Use Permit under the language and conditions of the new ordinance.

Policy Issues:

- Are Religious Uses a compatible use within the I-2, General Industrial District?
- Should Religious Uses be permitted within the I-2, General Industrial District?
    - If so, what potential impacts might these, and other similar assembly uses, have that could be mitigated with conditions or requirements within the ordinance language?

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Aerial	8/6/2019	Backup Material
Site Context	8/6/2019	Backup Material
Zoning Map	8/8/2019	Backup Material

4900

Lakebreeze Ave N
Zelda Ave N
50th Ave N
50th Ave N
3900
4911
4912
4930
4900

Brooklyn Center Zoning Map

LOCAL STREET INDEX

ADMIRAL LANE	4-B,C
ADMIRAL PLACE	4-B
ALDRICH COURT	1-F
ALDRICH DRIVE N.	5-F
AMY LANE	1-E
AZELIA AVE.	7-G
BELLVUE LA	G-5
BOULDER LANE	3-A
BROOKLYN BOULEVARD	1-A, 6-C
BROOKLYN DRIVE	3-D
BROOKLYN PLACE	1-A
BROOKVIEW DRIVE	5-D,E
BURQUEST LANE	5-B
CAMDEN COURT	3-G
CAMDEN DRIVE	2-G
COMMODORE DRIVE	4-C
DALLAS ROAD	1-G
DUSHARME DRIVE	7-C
EARLE BROWN DRIVE	3,4-E
EAST TWIN LAKE BLVD.	5,6-B
ECKBERG DRIVE	5-B
ELEANOR LANE	3-A
EMERSON LANE	1-F
ERICON DRIVE	5-D,E
EWING LANE	3-C
FRANCE PLACE	4-B
FREEWAY BOULEVARD	2-D,E
FREMONT PLACE	2-F
GREAT VIEW AVE.	6-B
GRIMES PLACE	2-B
HALIFAX DRIVE	3-B
HALIFAX PLACE	4-B
HILLSVIEW ROAD	5-E
HOWE LANE	2-A
HUMBOLDT PLACE	2-E
IRVING LANE	1-E
JAMES CIRCLE	3-E
JANET LANE	3-B
JOHN MARTIN DRIVE	4-D,E
JOYCE LANE	3-B
JUDY LANE	5-E
KATHRENE DRIVE	3-B
LAKEBREEZE AVE.	7-B
LAKE CURVE LANE	4-B
LAKESIDE AVE.	7-B
LAKESIDE PLACE	6-B
LAKEVIEW AVE.	7-B
LAWRENCE ROAD	3-C
LILAC DRIVE	6-C,3-F
MARLIN DRIVE	3-B
MUMFORD ROAD	3-C,D
NASH ROAD	3-C,D
NOBLE LA	2-A,B
NORTHPORT DRIVE	4,5-C
NORTHWAY DRIVE	4-D
OAK STREET	6-B
O'HENRY ROAD	3-C,D
OLIVER CIRCLE	1-F
ORCHARD LANE	2-A
OSSEO ROAD 5300-5800	5-C
PALMER LAKE CIRCLE	1-C
PALMER LAKE DRIVE	1-C
PAUL DRIVE	3-A
PEARSON DRIVE	4-B
PERRY COURT - EAST/WEST	1-A
PERRY PLACE	1-A
POE ROAD	3-C
PONDS DRIVE N.	1-A
QUAIL CIRCLE - EAST/WEST	1-A
QUARLES ROAD	2-C
RIVERDALE ROAD	1-G
RIVERWOOD LANE	2-G
SAILOR LANE	5-C
SHINGLE CREEK PARKWAY	2E-4D
SHORES DRIVE	4-B
SUMMIT DRIVE	3,4-E
THURBER ROAD	2-C
TWIN LAKE AVE.	7-B
URBAN AVE.	1-C
VIOLET AVE.	1-C
WILLOW LANE	1,3-G
WINCHESTER LANE	2-A,B
WINGARD LANE	1-A
WINGARD PLACE	1-A
WOODBINE LANE	1-B,C,F
XERXES PLACE	2-D
YORK PLACE	2-C
4TH STREET	5-G
5TH STREET	2-G
53RD PLACE	5-C
58 1/2 AVE.	4-C
59 1/2 AVE.	4-B
63RD LANE	3-F
67TH LANE	2-D,F
68TH LANE	2-D,F
69TH LANE	2-D
70TH CIRCLE	1-A
71ST CIRCLE	1-A
72ND CIRCLE	1-A

ZONING DISTRICTS

- R1 One Family Residence
- R2 Two Family Residence
- R3 Multiple Family Residence
- R4 Multiple Family Residence
- R5 Multiple Family Residence
- R6 Multiple Family Residence
- R7 Multiple Family Residence
- C1 Service/Office
- C1A Sevice/Office
- C2 Commerce
- I-1 Industrial Park
- I-2 General Industry
- O1 Public Open Space
- O2 Public & Private Open Space
- C1/R5/R4 Office/Service & Multiple Family Residence
- PUD/R1 Planned Unit Development/One Family Res.
- PUD/R3 Planned Unit Development/Multi-Family
- PUD/C1 Planned Unit Development/Office-Service
- PUD/C1A Planned Unit Development/Office-Service
- PUD/C2 Planned Unit Development/Commerce
- PUD/I1 Planned Unit Development/Industrial Park
- PUD-MIXED
- Central Commerce Overlay District

Airport Safety Zones (refer to Minn. Rules 8800.2400)

Mississippi River Corridor Critical Area Boundary Line

Private Roads

ZONING DISTRICT NOTES

ALL DISTRICT BOUNDARIES EXTEND TO THE CENTERLINE OF STREETS

RESIDENTIAL
- R1 - ONE FAMILY RESIDENCE (One Family Dwellings)
- R2 - TWO FAMILY RESIDENCE (One and Two-Family Dwellings)
- R3 - MULTIPLE FAMILY RESIDENCE (Townhouse/Garden Apts./Condos
- R4 - MULTIPLE FAMILY RESIDENCE (1-1/2 & 2-Story Dwellings)
- R5 - MULTIPLE FAMILY RESIDENCE (2-1/2 & 3 Story Dwellings)
- R6 - MULTIPLE FAMILY RESIDENCE (4 or 5 Story Dwellings)
- R7 - MULTIPLE FAMILY RESIDENCE (6+ Story Dwellings)

CC - CENTRAL COMMERCE OVERLAY
(Refer to City Code Sect. 35-2240 for allowable uses and prohibited uses)

COMMERCIAL
- C1 - SERVICE / OFFICE (Min. 1-ac. lots/3-story max.)
- C1A - SERVICE / OFFICE (Min. 1-ac. lots/No Height Limitations)
- C2 - COMMERCE

INDUSTRIAL
- I-1 - INDUSTRIAL PARK
- I-2 - GENERAL INDUSTRY

OPEN SPACE
- O1 - PUBLIC OPEN SPACE
- O2 - PUBLIC AND PRIVATE OPEN SPACE

PLANNED UNIT DEVELOPMENT
The underlying zoning is designated after the "PUD/____" (e.g. "PUD/C2" equals Planned Unit Development/Commerce)

100 YEAR FLOOD ELEVATIONS AT SELECTED LOCATIONS

WATERWAY	LOCATION	ELEVATION (FT. NGVD)
SHINGLE CREEK	AT 53RD AVE N	842
	AT 69TH AVE N	846
	AT BROOKLYN BLVD	859
MISSISSIPPI RIVER	AT 53RD AVE N	816
	AT 73RD AVE N	820
TWIN LAKES	SHORELINE	856
RYAN LAKE	SHORELINE	856

NOTE: SEE FEMA/FIA FLOOD INSURANCE STUDY DATED SEPT. 2004 AND FLOODWAY MAPS AND FIRM MAPS DATED SEPT 2004 FOR DETAILED INFORMATION ON FLOODWAY LIMITS AND PROFILES

This Zoning Map reflects council-approved zoning changes up to its effective date of September 5, 2015. The zoning designations shown on this map must be interpreted by the City's Zoning Code and policies. These zoning designations are subject to change as part of the City's ongoing planning process.

This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map is error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact (763) 569-3335. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2013), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.

Document Path: L:\Users\ComDev\Zoning\Zoning Map 2015.mxd

0 0.25 0.5 1 Miles

City of BROOKLYN CENTER

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL/ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF BROOKLYN CENTER IN THE COUNTY OF HENNEPIN AND THE STATE OF MINNESOTA

WORK SESSION
AUGUST 12, 2019
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council/Economic Development Authority (EDA) met in Work Session called to order by Mayor/President Mike Elliott at 9:30 p.m.

ROLL CALL

Mayor/President Mike Elliott and Councilmembers/Commissioners April Graves, Kris Lawrence-Anderson, and Dan Ryan. Councilmember/Commissioner Marquita Butler was absent and excused. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Community Development Director Meg Beekman, Planner and Zoning Administrator Ginny McIntosh, Business and Workforce Development Coordinator Brett Angell, and City Attorney Troy Gilchrist.

PLACES OF WORSHIP – ZONING AMENDMENT DISCUSSION

Community Development Director Meg Beekman reviewed a request to amend the I-2 Zoning District to allow Places of Worship as an authorized use. A worship group wants to relocate its religious use and community center to a property within the I-2 Zoning District as their current facility on Brooklyn Boulevard is no longer available. They hope to stay within the community as many of their members are residents of Brooklyn Center and Brooklyn Park.

Ms. Beekman stated the applicant has identified a site within the I-2 Zone, 4900 Brooklyn Boulevard, and is seeking to purchase the site to create a community center, gathering and worship space, events and classroom space and office. The community gathers several times a week, evenings, and weekends.

Ms. Beekman stated the I-2 District is a heavier industrial use area. Religious uses are currently permitted in the C-2 Zoning District as well as Residential Districts.

Ms. Beekman stated there is some concern regarding parking, which is limited on the site with only 18 striped stalls. The City Planner measured the parking area and determined there is room for a total of 25 stalls. City Staff has concerns regarding Fire Code compliance, egress issues, and assembly use standards, and the building would require a change of use and compliance with fire standards.

Ms. Beekman stated there is a compliment in the hours of use, as the industrial area is used predominantly during workday hours, and the worship would be evenings and weekends. She added the property had been challenged due to its unique layout and location, so some synergy would be created between how the site can meet their needs and what they would bring to the facility.

Ms. Beekman stated City Staff had reviewed this issue with the City Attorney and the most legally defensible way forward is to enact a Zoning Code text amendment to allow places of worship as a specially permitted use within the I-2 District with conditions including building use, ADA requirements, adequate parking and access, and fire suppression. These amendments would apply to all properties within the I-2 Zoning District as spot zoning is prohibited in State statute and only takes place absent of policy and Comprehensive Plan guidance.

Councilmember/Commissioner Graves asked whether there are other uses within this neighborhood, in the I-2 Zoning District. Ms. Beekman stated there is a utility substation across the street from the building and a railroad track to the south with no fencing.

City Attorney Troy Gilchrist stated the proposed Ordinance amendment can be set up so that a use may be permitted on a particular property in the I-2 Zoning District, but not allowed on every property in the Zoning District unless criteria are met.

Councilmember/Commissioner Ryan expressed his concern regarding changing a Zoning District to allow a place of worship on industrial property that could potentially be valuable in terms of tax capacity and commercial use. He added there are not many I-2 properties, and this Ordinance amendment would set a precedent for other similar uses. He added the Special Use Permit criteria would need to be very specific regarding types of uses

Mr. Gilchrist stated the amendment would determine that the use is generally appropriate, but the City Council/EDA can apply criteria. He added a Special Use Permit would run with the property, and a future owner would have the right to resume the operation within the criteria of the permit.

Councilmember/Commissioner Ryan asked whether the applicant is aware of the additional costs of compliance with fire suppression and ADA regulations. Ms. Beekman stated the applicant has met with the building office and reviewed these issues as well as parking requirements. She added specific information regarding capacity had not been provided.

Councilmember/Commissioner Ryan stated he would be willing to support this request if the Special Use Permit would have solid criteria, and assuming the use would be tax-exempt, protect the financial interests of the City.

Mayor/President Elliot agreed, adding City Staff could provide a draft amendment with criteria for the City Council/EDA's review.

Ms. Beekman stated the proposed amendment would be reviewed by the Planning Commission before review by the City Council/EDA.

9. The storage area shall consist of a concrete or bituminous surface. The property owner or responsible tenant shall keep the outdoor storage areas free of refuse, trash, debris, weeds, and waste fill.

10. Any storage or placement of materials outside of the designated area shall be a violation of the City Code.

11. A detailed site plan specifically delineating the storage area, including the landscaping and lighting plans for said areas, must be approved by the City Council.

Section 35-331. I-2 GENERAL INDUSTRY.

a. The following manufacturing activities.

1) Food and kindred products as illustrated by:

Dairy products
Bakery products
Confectionery and related products
Beverages, including beer, wine, and distilled alcohol
Macaroni, spaghetti and noodles

2) Textile mill products.

3) Apparel and other finished products made from fabrics, leather and similar materials.

4) Lumber and wood products, except saw mills and planing mills producing dimensioned lumber.

5) Furniture and fixtures.

6) Converted paper and paperboard products (as opposed to paper and paperboard manufacturing).

7) Printing, publishing and allied industries.

8) Chemicals and allied products as follows:

Drugs
Soaps, detergents and cleaning preparations, perfumes, cosmetics and other toilet preparations (compounding and packaging only)

9) Miscellaneous plastic products.

10) Fabricated metal products as illustrated by:

Office computing and accounting machines
Household appliances
Electrical lighting and wiring equipment
Communication equipment, including radio and television receiving sets
Electronic components and accessories
Screw machine product
Coating, engraving and allied services

11) Professional, scientific, electronic and controlling instruments, photographic and optical goods, watches and clocks.

12) Miscellaneous manufacturing goods such as jewelry and silverware, musical instruments and parts, toys, amusement, sporting and athletic goods and pens, pencils and other office and artistic materials.

13) Assembly of electric powered vehicles.

b. The following wholesale trade activities:

1) Motor vehicles and automotive equipment.

2) Drugs, chemicals and allied products.

3) Dry goods and apparel.

4) Groceries and related products.

5) Electrical goods.

6) Hardware, plumbing, heating equipment and supplies.

7) Machinery, equipment and supplies.

8) Other wholesale trade similar in nature to the aforementioned uses such as paper and paper products, furniture and home furnishings and beer, wine, and distilled alcoholic beverages, but expressly excluding petroleum bulk stations and scrap and waste materials and similar uses.

c. The following service activities:

1) Laundrying, dry cleaning and dyeing.

2) Warehousing and storage.

3) Automobile and truck repair and wash.

4) Contract construction.

5) Kennels.

6) Veterinarian and animal hospitals.

7) Automobile and truck rental and leasing.

8) Gasoline service stations (See Section 35-414), motor vehicle repair and auto washes provided they do not abut an R1, R2, or R3 district, including abutment at a street line; trailer rental in conjunction with these uses, provided that there is adequate trailer parking space.

d. Truck terminals or exchange stations.

e. Public transit terminals.

f. Accessory uses incidental to the foregoing principal uses when located upon the same property with the use to which it is accessory. Such accessory uses to include but not be restricted to the following:

1) Off-street parking and off-street loading.

2) Signs as permitted in the Brooklyn Center Sign Ordinance.

3) Storage of materials, provided that when the use abuts or is adjacent to any residential zone such storage shall be within completely enclosed buildings or effectively screened by a solid wall or fence, including solid entrance and exit gates not less than six feet nor more than eight feet in height.

g. Other uses similar in nature to the aforementioned uses, as determined by the City Council.

2. <u>Special Requirements</u>

a. See Section 35-413 of these ordinances.

3. Special Uses

a. Foundries, provided that the foundry operation is a necessary incident to a principal use permitted in the I-2 district.

b. Retail sales of products manufactured, processed or wholesaled at the use site.

c. Accessory off-site parking not located on the same property with the principal use, subject to the provisions of Section 35-701.

Section 35-340. O-1 PUBLIC OPEN SPACE DISTRICT.

1. Permitted Uses

a. Public parks, playgrounds, athletic fields, and other recreational uses of a noncommercial nature.

b. Accessory uses incidental to the foregoing principal uses when located on the same property with the use to which it is accessory but not including any business or industrial use. Such accessory uses to include but not be restricted to the following:

1) Off-street parking.

2) Public recreational buildings and parks, playgrounds and athletic fields.

3) Signs as permitted in the Brooklyn Center Sign Ordinance.

Section 35-341. O-2 PUBLIC AND PRIVATE OPEN SPACE DISTRICT.

1. Permitted Uses

a. Public parks, playgrounds, athletic fields and other recreational uses of a noncommercial nature.

b. Commercial recreational facilities of a semi-open nature such as golf courses and golf driving ranges.

c. Accessory uses incidental to the foregoing principal uses when located on the same property with the use to which it is accessory but not including any business or industrial uses. Such accessory uses to include but not be restricted to the following:

1) Off-street parking.

CITY OF BROOKLYN CENTER

Notice is hereby given that a public hearing will be held on the ____ day of _____, 2019, at 7:00 p.m. or as soon thereafter as the matter may be heard at City Hall, 6301 Shingle Creek Parkway, to consider an ordinance amending the zoning regulations to allow religious uses in the General Industry (I-2) District as a special use.

Auxiliary aids for handicapped persons are available upon request at least 96 hours in advance. Please contact the City Clerk at 763-569-3300 to make arrangements.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 35 REGARDING USES ALLOWED IN THE GENERAL INDUSTRY (I-2) DISTRICT

THE CITY COUNCIL OF THE CITY OF BROOKLYN CENTER DOES ORDAIN AS FOLLOWS:

Article I. Legislative Findings. The City Council of the City of Brooklyn Center ("City") hereby finds and determines as follows:

1. The City currently allows places for religious assemblies in several zoning districts within the City, but the use is currently not allowed in the City's General Industry (I-2) District;

2. The City desires to accommodate religious uses to the extent reasonably possible, but the City has previously not allowed such uses in this industrial district because the properties within this type of district:

    a. Contain structures that were built to accommodate manufacturing, warehousing, or other industrial uses not intended for occupation by the general public;

    b. These properties typically contain small parking lots because industrial uses have relatively few employees and few customers visiting the site, compared to assembly uses that typically require a large amount of on-site parking to accommodate the members and participants; and

    c. Converting existing industrial structures to comply with the various codes applicable to assembly uses can be costly;

3. Religious uses can create certain negative impacts on an area including, but not limited to, traffic and parking concerns depending on the size and the scope of their operations;

4. In order to allow the City to fully consider the potential impacts of a proposed use and to develop conditions to mitigate or eliminate those impacts, it is appropriate to require a religious use proposing to locate in the I-2 District to obtain a special use permit from the

City and to ensure such uses meet the minimum requirements and standards imposed by the City Code; and

5. The City Council determines it is in the best interests of the City to allow religious uses in the I-2 District pursuant to a special use permit, provided they can satisfy the applicable codes, standards, and requirements.

Article II. Special Uses. Section 35-331, paragraph 3 of the Brooklyn Center City Code identifying the uses allowed in the General Industry District as a special use is hereby amended as follows:

3. Special Uses

   a. Foundries, provided that the foundry operation is a necessary incident to a principal use permitted in the I-2 district.

   b. Retail sales of products manufactured, processed or wholesaled at the use site.

   c. Accessory off-site parking not located on the same property with the principal use, subject to the provisions of Section 35-701.

   d. Places for religious assemblies such as chapels, churches, temples, mosques, and synagogues, provided the use complies with the minimum parking standards in Section 35-700 and other applicable standards.

Article III. Effective Date. This ordinance shall become effective after adoption and upon thirty days following its legal publication.

Adopted this ___ day of _____, 2019.

_____
Mike Elliott, Mayor

ATTEST: _____
City Clerk

Date of Publication _____

Effective Date _____

(~~Strikeout~~ indicates matter to be deleted, double underline indicates new matter.)

Commissioner introduced the following resolution and moved its adoption:

PLANNING COMMISSION RESOLUTION NO. 2019-013

RESOLUTION REGARDING THE RECOMMENDED DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2019-015 FOR ADOPTION OF A ZONING AMENDMENT REGARDING ALLOWED USES WITHIN THE I-2 (GENERAL INDUSTRY) DISTRICT

WHEREAS, the Planning Commission held a public hearing, after due notice having been provided, on September 12, 2019, on a proposed ordinance titled AN ORDINANCE AMENDING CHAPTER 35 REGARDING USES ALLOWED IN THE GENERAL INDUSTRY (I-2) DISRICT ("Ordinance"); and

WHEREAS, the Ordinance amends the list of uses allowed by special use within the I-2 (General Industry) District ("District") to incorporate "places for religious assemblies such as chapels, churches, temples, mosques, and synagogues, provided the use complies with the minimum parking standards in Section 35-700 and other applicable standards," and

WHEREAS, the Planning Commission heard from those wishing to speak on the proposed Ordinance, discussed it, and determined that the proposed amendment is consistent with the intent of the District and in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Brooklyn Center, Minnesota hereby forwards the proposed Ordinance to the City Council with a recommendation that it be adopted as presented.

September 12, 2019
Date

_____
Randall Christensen, Chair

ATTEST: _____
Ginny McIntosh, Secretary

The motion for the adoption of the foregoing resolution was duly seconded by member and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

Commissioner MacMillan introduced the following resolution and moved its adoption:

PLANNING COMMISSION RESOLUTION NO. 2019-013

RESOLUTION REGARDING THE RECOMMENDED DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2019-015 FOR ADOPTION OF A ZONING AMENDMENT REGARDING ALLOWED USES WITHIN THE I-2 (GENERAL INDUSTRY) DISTRICT

WHEREAS, the Planning Commission held a public hearing, after due notice having been provided, on September 12, 2019, on a proposed ordinance titled AN ORDINANCE AMENDING CHAPTER 35 REGARDING USES ALLOWED IN THE GENERAL INDUSTRY (I-2) DISRICT ("Ordinance"); and

WHEREAS, the Ordinance amends the list of uses allowed by special use within the I-2 (General Industry) District ("District") to incorporate "places for religious assemblies such as chapels, churches, temples, mosques, and synagogues, provided the use complies with the minimum parking standards in Section 35-700 and other applicable standards," and

WHEREAS, the Planning Commission heard from those wishing to speak on the proposed Ordinance, discussed it, and determined that the proposed amendment is consistent with the intent of the District and in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Brooklyn Center, Minnesota hereby forwards the proposed Ordinance to the City Council with a recommendation that it be adopted as presented.

September 12, 2019
Date

Randall Christensen, Chair

ATTEST: Ginny McIntosh
Ginny McIntosh, Secretary

The motion for the adoption of the foregoing resolution was duly seconded by member Tade
and upon vote being taken thereon, the following voted in favor thereof: Koenig, MacMillan, Schonning, and Tade
and the following voted against the same: Christensen
whereupon said resolution was declared duly passed and adopted.

CITY OF BROOKLYN CENTER

Notice is hereby given that a public hearing will be held on the ____ day of _____, 2019, at 7:00 p.m. or as soon thereafter as the matter may be heard at City Hall, 6301 Shingle Creek Parkway, to consider an ordinance amending the zoning regulations to allow religious uses in the General Industry (I-2) District as a special use.

Auxiliary aids for handicapped persons are available upon request at least 96 hours in advance. Please contact the City Clerk at 763-569-3300 to make arrangements.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 35 REGARDING USES ALLOWED IN THE GENERAL INDUSTRY (I-2) DISTRICT

THE CITY COUNCIL OF THE CITY OF BROOKLYN CENTER DOES ORDAIN AS FOLLOWS:

Article I. Legislative Findings. The City Council of the City of Brooklyn Center ("City") hereby finds and determines as follows:

1. The City currently allows places for religious assemblies in several zoning districts within the City, but the use is currently not allowed in the City's General Industry (I-2) District;

2. The City desires to accommodate religious uses to the extent reasonably possible, but the City has previously not allowed such uses in this industrial district because the properties within this type of district:

    a. Contain structures that were built to accommodate manufacturing, warehousing, or other industrial uses not intended for occupation by the general public;

    b. These properties typically contain small parking lots because industrial uses have relatively few employees and few customers visiting the site, compared to assembly uses that typically require a large amount of on-site parking to accommodate the members and participants; and

    c. Converting existing industrial structures to comply with the various codes applicable to assembly uses can be costly;

3. Religious uses can create certain negative impacts on an area including, but not limited to, traffic and parking concerns depending on the size and the scope of their operations;

4. In order to allow the City to fully consider the potential impacts of a proposed use and to develop conditions to mitigate or eliminate those impacts, it is appropriate to require a religious use proposing to locate in the I-2 District to obtain a special use permit from the

City and to ensure such uses meet the minimum requirements and standards imposed by the City Code; and

5. The City Council determines it is in the best interests of the City to allow religious uses in the I-2 District pursuant to a special use permit, provided they can satisfy the applicable codes, standards, and requirements.

Article II. Special Uses. Section 35-331, paragraph 3 of the Brooklyn Center City Code identifying the uses allowed in the General Industry District as a special use is hereby amended as follows:

3. Special Uses

   a. Foundries, provided that the foundry operation is a necessary incident to a principal use permitted in the I-2 district.

   b. Retail sales of products manufactured, processed or wholesaled at the use site.

   c. Accessory off-site parking not located on the same property with the principal use, subject to the provisions of Section 35-701.

   d. Places for religious assemblies such as chapels, churches, temples, mosques, and synagogues, provided the use complies with the minimum parking standards in Section 35-700 and other applicable standards.

Article III. Effective Date. This ordinance shall become effective after adoption and upon thirty days following its legal publication.

Adopted this ___ day of _____, 2019.

_____
Mike Elliott, Mayor

ATTEST: _____
City Clerk

Date of Publication _____

Effective Date _____

(~~Strikeout~~ indicates matter to be deleted, double underline indicates new matter.)

COUNCIL ITEM MEMORANDUM

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Nate Reinhardt, Finance Director

SUBJECT: Preliminary 2020 Property Tax Levy and Budget

Requested Council Action:

- It is recommended that the City Council consider approval of two resolutions setting the 2020 preliminary property tax levy and budget:

- *Resolution approving a preliminary tax capacity levy for the General Fund and Debt Service Funds and a market value tax levy for the Housing and Redevelopment Authority for property taxes payable in 2020.*

- *Resolution adopting a preliminary budget for the 2020 fiscal year.*

Background:

Each year the City is required by State Law to establish a maximum levy and preliminary budget for the use of that levy. Once adopted, the City may not increase the levy but the levy may be decreased. Citizens will receive notice of the maximum levy with their tax notice in the fall. On December 2, 2019 the City Council will hold a public hearing and adopt the final levy and the final spending plan (budget) for all funds.

By City Charter the City Manager is responsible for presenting a balanced budget to the City Council. The City Council has adopted a set of fiscal policies that provide guidance and parameters for the budget. Additionally, the City Council has adopted strategic priorities and the budget reflects resources allocated to the achievement of those strategic priorities.

Over the last few months the City Council and Financial Commission have met to review and discuss the proposed preliminary budget. Between now and December, additional review will be conducted as we establish final budgets for the General Fund and all other fund budgets.

Budget Issues:

City Council will be asked to consider approval of two resolutions. The first resolution establishes the preliminary property tax levy for the 2020 fiscal year. This levy, upon adoption, becomes the maximum levy allowed to the City for the 2020 fiscal year. The second resolution adopts the preliminary budgets for those funds using portions of the property tax levy for operations.

The maximum levy proposed in the attached resolution for the City of Brooklyn Center is $19,509,310 which compares to $18,427,116 in 2019. The proposed dollar increase is $1,082,194 which is equal to 5.87%.

The preliminary levy approved by the Housing and Redevelopment Authority (HRA) is $413,335 which

compares to $380,098 in 2019. The dollar increase in the HRA levy is $33,237 which is equal to 8.74%.

This increase, if adopted will have varying impacts on individual properties based on their change in taxable value. The following chart illustrates changes in taxable values between the classifications of residential, commercial, industrial, and apartments:

Preliminary Taxable Market Value Estimates			
Class	Payable 2019	Estimated 2020	Change (%)
Commercial	$318,811,800	$359,740,500	12.8%
Industrial	140,570,900	154,992,500	10.3%
Residential	1,325,191,354	1,450,835,196	9.5%
Apartment	275,022,304	311,518,030	13.3%
Other	478,000	507,000	6.1%
Totals	$2,060,074,358	$2,277,593,226	10.6%

As illustrated by the chart, the City continues to see increases in market values. Most homestead residential properties will see an increase in taxable market value for the sixth consecutive year.

Strategic Priorities and Values:

Enhanced Community Image, Resident Economic Stability, Inclusive Community Engagement, Targeted Redevelopment, Safe, Secure, Stable Community, Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
2020 Preliminary Property Tax Levy Resolution	9/16/2019	Resolution Letter
2020 Preliminary Budget Resolution	9/16/2019	Resolution Letter
Proposed Levy Comparison	9/16/2019	Backup Material
2020 General Fund Budgeted Revenues	9/16/2019	Backup Material
2020 General Fund Budgeted Expenses	9/16/2019	Backup Material
2020 Preliminary Budget and Levy Powerpoint	9/19/2019	Presentation

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION APPROVING A PRELIMINARY TAX CAPACITY LEVY FOR THE GENERAL FUND AND DEBT SERVICE FUNDS AND A MARKET VALUE TAX LEVY FOR THE HOUSING AND REDEVELOPMENT AUTHORITY FOR PROPERTY TAXES PAYABLE IN 2020

WHEREAS, the City Council of the City of Brooklyn Center is the governing body of the City of Brooklyn Center; and

WHEREAS, Minnesota Statutes require that the preliminary property tax levy for property taxes payable in 2020 be provided to the Hennepin County Auditor no later than September 30, 2019.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that a tax is hereby levied on all taxable real and personal property within the City of Brooklyn Center for the purpose and sums as follows:

General Fund - Tax Capacity Based	
General Tax Limited Levy	$17,957,263
Abatement Levy	95,000
Subtotal for General Fund Levies	$18,052,263
Debt Service – Tax Capacity Based	
Public Improvement Bond Levy	$1,457,047
Total City Levy	**$19,509,310**
Housing and Redevelopment Authority – Market Value Based	
HRA Tax Levy	**$413,335**

September 23, 2019
Date

_____
Mayor

ATTEST:_____
City Clerk

The motion for adoption of the forgoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against same:
whereupon said resolution was declared duly passed and adopted.

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION ADOPTING A PRELIMINARY BUDGET FOR THE 2020 FISCAL YEAR

WHEREAS, the City Council of the City of Brooklyn Center is the governing body of the City of Brooklyn Center; and

WHEREAS, Minnesota Statutes require that a preliminary budget be adopted for funds using property tax revenues along with the adoption of the preliminary property tax levy; and

WHEREAS, a preliminary property tax levy of $19,509,310 has been proposed for adoption the basis for the budget proposed herewith.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the following amounts be adopted as the preliminary budget for property tax supported funds appropriated as follows:

REVENUES:

General Fund	
Property Taxes (net)	$17,967,857
Excess Tax Increment	400,000
Sales Tax – Lodging Tax Gross Receipts	1,180,000
Licenses & Permits	1,075,001
Local Government Aid	1,059,416
Other Intergovernmental Revenues	754,365
General Government Service Charges	68,900
Recreation Fees and Charges	593,000
Public Safety Service Charges	95,250
Community Development	33,000
Fines & Forfeitures	246,500
Miscellaneous Revenues	270,700
Special Assessments	50,000
Subtotal General Fund	$23,793,989
Debt Service	
2013B General Obligation Improvement Bond Levy	$385,509
2015A General Obligation Improvement Bond Levy	253,543
2016A General Obligation Improvement Bond Levy	216,720
2017A General Obligation Improvement Bond Levy	280,486
2018A General Obligation Improvement Bond Levy	252,329
2019A General Obligation Improvement Bond Levy	68,460
Subtotal Debt Service	$1,457,047
Housing and Redevelopment Authority	
Property Tax Levy	$413,335

TOTAL BUDGETED REVENUES	$25,664,371

EXPENDITURE APPROPRIATIONS:

General Fund	
General Government	$3,757,881
General Government Buildings	939,939
Police	9,484,284
Fire & Emergency Preparedness	1,568,294
Community Development	1,759,523
Public Works	4,187,070
Community Activities, Recreation & Services	1,886,524
Convention and Tourism	562,900
Joint Powers	187,000
Insurance	260,528
Central Supplies	488,200
Vacancy & Turnover Savings	(350,000)
Reimbursements from Other Funds	(1,148,154)
Transfers to Other Funds	210,000
Subtotal General Fund	$23,793,989
Debt Service	
2013B General Obligation Improvement Bond Levy	$385,509
2015A General Obligation Improvement Bond Levy	253,543
2016A General Obligation Improvement Bond Levy	216,720
2017A General Obligation Improvement Bond Levy	280,486
2018A General Obligation Improvement Bond Levy	252,329
2019A General Obligation Improvement Bond Levy	68,460
Subtotal Debt Service	$1,457,047
Housing & Redevelopment Authority	
Transfer to Economic Development Authority	$413,335
TOAL BUDGETED APPROPRIATIONS	$25,664,371

September 23, 2019
Date

_____
Mayor

ATTEST:_____
City Clerk

The motion for adoption of the forgoing resolution was duly seconded by member

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against same:
whereupon said resolution was declared duly passed and adopted.

City of Brooklyn Center
Pay 2020 Property Tax Levy

	Levied Pay 2017	Levied Pay 2018	Levied Pay 2019	Proposed Pay 2020	$ Change	% Change
General Fund:						
General Property Tax Levy	$ 15,285,946	$ 15,904,823	$ 16,968,997	$ 17,957,263	$ 988,266	5.36%
Abatement Levy - Embassy Suites	59,000	59,000	66,000	95,000	29,000	0.16%
Debt Service:						
2019A Public Improvement Bond Levy	-	-	-	68,460	68,460	0.37%
2018A Public Improvement Bond Levy	-	-	246,953	252,329	5,376	0.03%
2017A Public Improvement Bond Levy	-	280,962	281,281	280,486	(795)	(0.00%)
2016A Public Improvement Bond Levy	212,436	213,465	215,145	216,720	1,575	0.01%
2015A Public Improvement Bond Levy	246,071	250,961	252,287	253,543	1,256	0.01%
2013B Public Improvement Bond Levy	391,461	396,739	396,453	385,509	(10,944)	(0.06%)
Total City Levy	***$ 16,194,914***	***$ 17,105,950***	***$ 18,427,116***	***$ 19,509,310***	***$ 1,082,194***	***5.87%***
HRA Levy	***$ 329,079***	***$ 345,978***	***$ 380,098***	***$ 413,335***	***$ 33,237***	***8.74%***

City of Brooklyn Center

2020 Budget - General Fund - Revenue Summary

Object Code / Description	2018 Actual	2019 August YTD	2019 Budget	2020 Budget	Change	2021 Budget
10100 GENERAL FUND						
PROPERTY TAXES	$ 15,948,711	$ 8,728,123	$ 16,950,591	$ 17,967,857	6.00%	$ 17,967,857
TAX INCREMENTS	245,182	185,513	250,000	400,000	60.00%	350,000
LODGING TAXES	1,167,961	633,826	1,180,000	1,180,000	0.00%	1,180,000
TOTAL TAXES	17,361,854	9,547,462	18,380,591	19,547,857	6.35%	19,497,857
LICENSES	319,911	165,395	298,565	287,251	-3.79%	290,896
PERMITS	889,118	555,065	562,750	787,750	39.98%	712,250
TOTAL LICENSES & PERMITS	1,209,029	720,460	861,315	1,075,001	24.81%	1,003,146
FEDERAL	-	-	-	-	0.00%	
STATE	1,542,812	1,005,518	1,533,150	1,712,781	11.72%	1,712,781
COUNTY	1,410	-	-	-	0.00%	-
LOCAL	114,169	43,188	101,000	101,000	0.00%	102,000
TOTAL INTERGOVERNMENTAL	1,658,391	1,048,706	1,634,150	1,813,781	10.99%	1,814,781
GENERAL GOVERNMENT	108,429	110,855	86,650	68,900	-20.48%	67,500
PUBLIC SAFETY	156,352	93,618	95,250	95,250	0.00%	103,250
COMMUNITY DEVELOPMENT	29,527	1,623	34,000	33,000	-2.94%	33,000
PARKS & RECREATION	241,175	151,801	250,000	241,000	-3.60%	241,000
COMMUNITY CENTER	326,182	201,672	368,750	352,000	-4.54%	352,000
TOTAL CHARGES FOR SERVICES	861,665	559,569	834,650	790,150	-5.33%	796,750
SPECIAL ASSESSMENTS	51,075	23,900	85,000	50,000	-41.18%	50,000
FINES & FORFEITURES	273,507	145,452	231,500	246,500	6.48%	226,000
INVESTMENT EARNINGS	88,522	110,853	93,663	125,000	33.46%	125,000
MISCELLANEOUS	179,478	270,441	145,700	145,700	0.00%	145,700
TRANSFERS IN	150,000	-	150,000	-	-100.00%	-
10100 GENERAL FUND REVENUES	$ 21,833,521	$ 12,426,843	$ 22,416,569	$ 23,793,989	6.14%	$ 23,659,234

City of Brooklyn Center

2020 Budget - General Fund - Expenditure Summary by Function

Object Code / Description		2018 Actual	2019 August YTD	2019 Budget	2020 Budget	Change	2021 Budget
10100 GENERAL FUND							
41110	MAYOR & COUNCIL	$ 137,465	$ 88,530	$ 124,962	$ 142,209	13.80%	$ 142,763
41320	CITY MANAGER	369,596	227,162	367,314	396,007	7.81%	420,381
41410	ELECTIONS	120,553	53,841	94,353	174,154	84.58%	106,400
41430	CITY CLERK	208,824	115,803	178,177	208,827	17.20%	222,114
41520	FINANCE	616,021	408,063	627,282	656,581	4.67%	677,195
41550	ASSESSING	186,993	110,238	206,200	210,200	1.94%	220,200
41610	LEGAL	451,534	273,278	420,000	435,000	3.57%	440,000
41710	COMMUNICATION & ENGAGEMENT	217,999	128,648	259,993	335,507	29.04%	331,612
41810	HUMAN RESOURCES	409,694	261,331	422,748	503,140	19.02%	523,031
41920	INFORMATION TECHNOLOGY	539,212	400,826	655,252	696,256	6.26%	702,482
41940	GOVERNMENT BUILDINGS	1,005,836	598,110	906,105	939,939	3.73%	932,222
	GENERAL GOVERNMENT	**4,263,727**	**2,665,830**	**4,262,386**	**4,697,820**	**10.22%**	**4,718,400**
42110	ADMINISTRATION	354,924	227,687	344,454	374,092	8.60%	383,513
42120	INVESTIGATION	1,024,917	647,778	1,025,196	1,089,698	6.29%	1,115,598
42123	PATROL	5,959,292	3,878,349	6,395,460	6,787,241	6.13%	7,061,532
42151	SUPPORT SERVICES	935,668	602,081	1,033,295	1,037,353	0.39%	1,100,931
42170	STATION & BUILDINGS	238,219	153,933	248,850	195,900	-21.28%	238,150
	POLICE	**8,513,020**	**5,509,828**	**9,047,255**	**9,484,284**	**4.83%**	**9,899,724**
42210	FIRE	1,421,713	804,300	1,519,816	1,556,794	2.43%	1,625,557
42510	EMERGENCY PREPAREDNESS	5,571	4,138	8,700	11,500	32.18%	11,500
	FIRE	**1,427,284**	**808,438**	**1,528,516**	**1,568,294**	**2.60%**	**1,637,057**
41910	PLANNING & ZONING	182,174	126,601	251,001	287,086	14.38%	267,113
42410	BUILDING INSPECTIONS	1,065	468	-	-	0.00%	-
42411	CODE ENFORCEMENT	16,660	207	-	-	0.00%	-
42420	BUILDING & COMMUNITY STANDARDS	1,061,114	784,716	1,136,506	1,209,316	6.41%	1,210,990
46320	COMMUNITY DEVELOPMENT ADMIN	197,797	137,256	209,653	263,121	25.50%	247,506
	COMMUNITY DEVELOPMENT	**1,458,810**	**1,049,248**	**1,597,160**	**1,759,523**	**10.17%**	**1,725,609**
43110	ENGINEERING	872,422	592,257	1,022,740	1,080,500	5.65%	1,119,428
43220	STREET MAINTENANCE	1,529,071	1,029,695	1,563,040	1,535,762	-1.75%	1,580,967
43221	TRAFFIC CONTROL	238,496	128,922	227,968	214,033	-6.11%	222,824
45201	PARK FACILITIES	1,084,661	630,332	1,127,771	1,226,677	8.77%	1,386,570
45204	FORESTRY	92,000	64,194	117,570	130,098	10.66%	142,450
	PUBLIC WORKS	**3,816,650**	**2,445,400**	**4,059,089**	**4,187,070**	**3.15%**	**4,452,239**
45010	ADMINISTRATION	250,946	166,083	235,368	258,903	10.00%	267,092
45110	REC ADMINISTRATION	520,245	295,455	535,221	556,806	4.03%	577,019
45111	ADULT PROGRAMS	143,285	95,983	182,098	175,923	-3.39%	175,923
45112	TEEN PROGRAMS	-	-	9,481	10,325	8.90%	10,325
45113	YOUTH PROGRAMS	98,875	99,901	128,905	147,277	14.25%	147,277
45119	GENERAL RECREATION	54,981	54,067	62,516	65,539	4.84%	65,539
45122	COMMUNITY CENTER	178,803	138,611	270,407	279,181	3.24%	285,001
45124	POOL	337,209	228,644	389,076	392,570	0.90%	396,670
	CARS	**1,584,344**	**1,078,744**	**1,813,072**	**1,886,524**	**4.05%**	**1,924,846**
44110	JOINT POWERS	164,544	165,244	187,000	187,000	0.00%	187,000
45310	CONVENTION & TOURISM	554,782	301,067	562,900	562,900	0.00%	562,900
48140	INSURANCE	221,390	130,495	246,592	260,528	5.65%	272,156
48150	CENTRAL SUPPLIES	240,666	198,204	400,753	488,200	21.82%	364,350
48160	VACANCY AND TURNOVER SAVINGS	-	-	(350,000)	(350,000)	0.00%	(350,000)
	NON-DEPARTMENTAL	**1,181,382**	**795,010**	**1,047,245**	**1,148,628**	**9.68%**	**1,036,406**
48170	INTERFUND REIMBURSEMENT	(914,106)	(677,601)	(1,148,154)	(1,148,154)	0.00%	(1,148,154)
48210	TRANSFERS OUT	293,800	-	210,000	210,000	0.00%	220,000
	TRANSFERS	**(620,306)**	**(677,601)**	**(938,154)**	**(938,154)**	**0.00%**	**(928,154)**
10100 GENERAL FUND EXPENDITURES		**$ 21,624,911**	**$ 13,674,897**	**$ 22,416,569**	**$ 23,793,989**	**6.14%**	**$ 24,466,127**

City of Brooklyn Center
2020 Preliminary Levy & Budget

City Council Meeting, September 23, 2019

Nate Reinhardt, Finance Director

Property Tax Levy

	2019	2020	Change	% Impact
General Levy	$16,968,997	$17,957,263	$988,266	5.36%
Abatement Levy – Embassy Suites	66,000	95,000	29,000	0.16%
Debt Service Levy – Improvements	1,392,119	1,457,047	64,928	0.35%
Total City Levy	**$18,427,116**	**$19,509,310**	**$1,082,194**	**5.87%**
HRA Levy	**$380,098**	**$413,335**	**$33,237**	**8.74%**

Note: A property tax levy increase/decrease of 1% is approximately $184,000

Levy Increase Breakdown

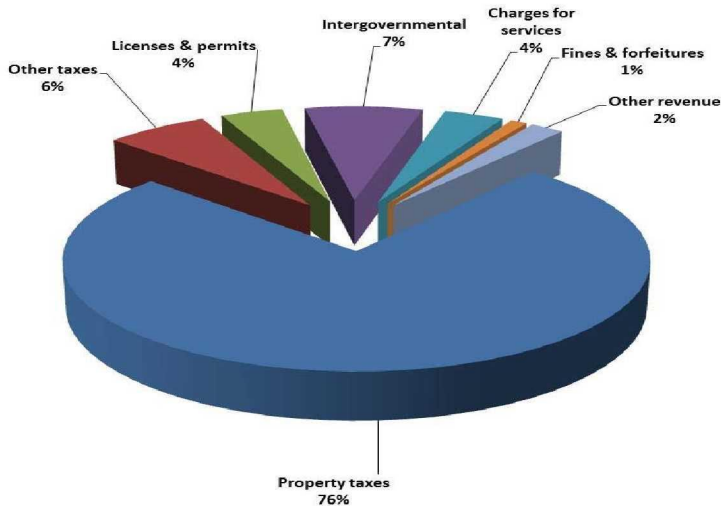
Description	$ Amount Requested (7/29/19)	$ Amount Recommended (9/16/19)	Levy Impact %
Debt Service (2019 Proposed Bond Issue)	$78,623	$64,928	0.35%
Impact of revenue adjustments	(310,154)	(360,154)	(-1.95%)
Increase in contingency ($175k budgeted)	75,000	50,000	0.27%
Increase needed to maintain operations **(3.9%):**			
Personnel	777,475	700,992	3.80%
Supplies/Services/Charges	393,676	66,316	0.36%
Capital outlay	(47,950)	(47,950)	(-.26%)
Increase for requested advancements **(3.30%):**			
Personnel	634,324	354,812	1.93%
Supplies/Services/Charges	404,590	227,750	1.24%
Capital outlay	71,500	25,500	0.14%
Requested Preliminary Levy	***$2,077,084***	***$1,082,194***	***5.87%***

General Fund Revenues

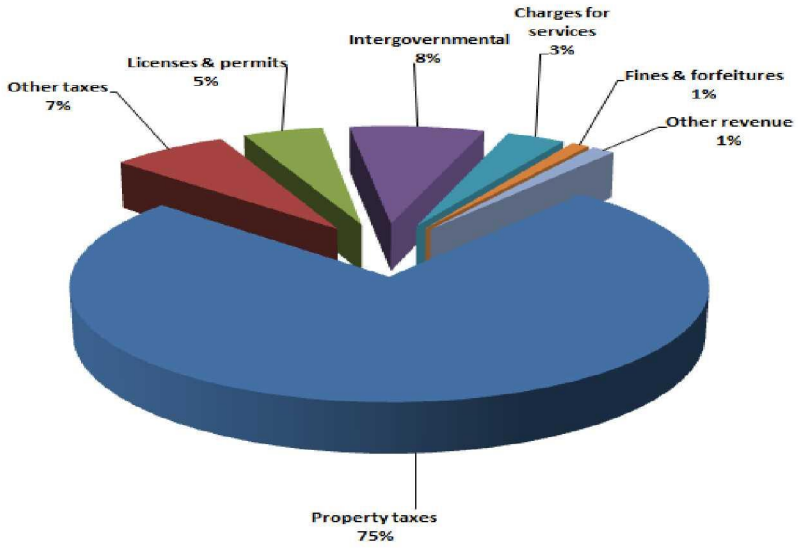
Description	2019 Budget	2020 Budget	Change
Taxes	$18,380,591	$19,547,857	$1,167,266
Licenses & Permits	861,315	1,075,001	213,686
Intergovernmental Revenue	1,634,150	1,813,781	179,631
Charges for Services	834,650	790,150	(44,500)
Fines & Forfeits	231,500	246,500	15,000
Miscellaneous Revenue	324,363	320,700	(3,663)
Other Financing Sources	150,000	0	(150,000)
Total General Fund Revenues	$22,416,569	$23,793,989	$1,377,420

General Fund Revenues by Source

2019 Budget



2020 Budget

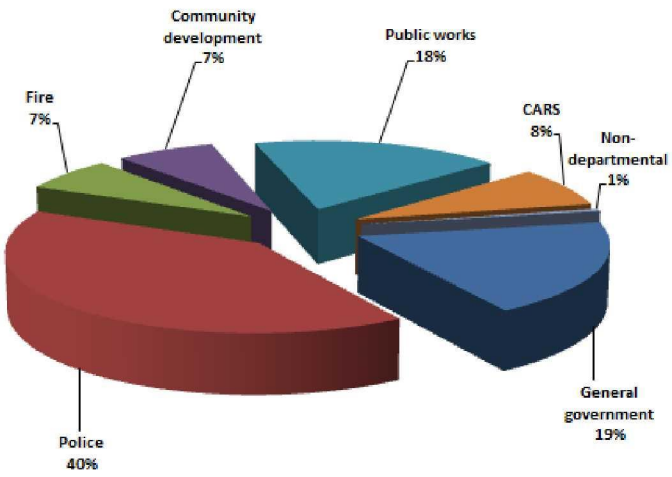


General Fund Expenses by Function

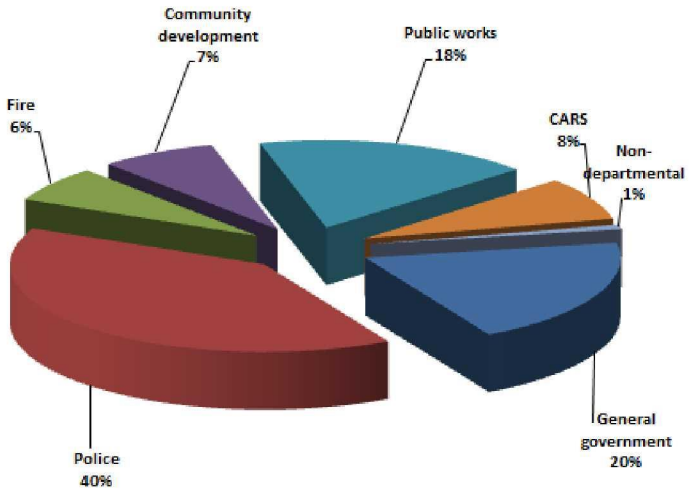
Description	2019 Budget	2020 Budget	Change
General Government	$4,262,386	$4,697,820	$435,434
Police	9,047,255	9,484,284	437,029
Fire & Emergency Mgmt.	1,528,516	1,568,294	39,778
Community Development	1,597,160	1,759,523	162,363
Public Works	4,059,089	4,187,070	127,981
CARS	1,813,072	1,886,524	73,452
Joint Powers	187,000	187,000	-
Central Supplies	400,753	488,200	87,447
Vacancy & Turnover Savings	(350,000)	(350,000)	-
Miscellaneous	(128,662)	(114,726)	13,936
Total General Fund Expense	$22,416,569	$23,793,989	$1,377,420

General Fund Expenses by Function

2019 Budget



2020 Budget



General Fund Expenses by Object

Description	2019 Budget	2020 Budget	Change
Wages & Benefits	$15,779,144	$16,834,948	$1,055,804
Supplies	734,615	699,555	(35,060)
Charges & Services	6,793,014	7,172,140	379,126
Capital Outlay	47,950	25,500	(22,450)
Administrative/Engineering Exp. Reimbursements	(1,148,154)	(1,148,154)	-
Transfers Out	210,000	210,000	-
Total General Fund Expense	$22,416,569	$23,793,989	$1,377,420

2020 Budget Advancements Include:

- Full-time associate planner
- Full-time community engagement specialist (previously part-time)
- Full-time human resource development specialist (previously part-time)
- Part-time housing inspector
- New Software (IMS property permitting/licensing, NeoGov HR software, Novus agenda software, Polco community survey software)
- Government buildings security audit
- Neighborhood grant program

2020 Staffing Requests

Associate Planner (Community Development)

- Assist City Planning and Business and Workforce Development Specialist with day-to-day tasks, zoning administration, permit review, and special projects related to accomplishing strategic initiatives and policy directives.
- Will allow additional time for City Planner and Workforce Development Specialist to focus on core functions related to forwarding strategic priorities.
- Initiated by increase in pipeline of development projects, can be partially funded by EDA on an interim basis.

Part-time Housing/Code Enforcement Inspector (Community Development)

- Ongoing high demand for housing inspections – consistently 3-4 weeks out for inspection scheduling.
- Routinely pulling Building Inspector off their duties to fill in, which draws away from building plan review and permit inspections time.
- Longest serving Housing/Code Enforcement Inspector has indicated their desire for part-time or retirement – this position would allow them an opportunity to train their successors and pass on their vast knowledge and experience.

Community Engagement Specialist (Administration)

- Position will be converted from a part-time to full-time position.
- This position will design, plan and coordinate City engagement efforts.
- Will plan and coordinate the work of Neighborhood Liaisons.

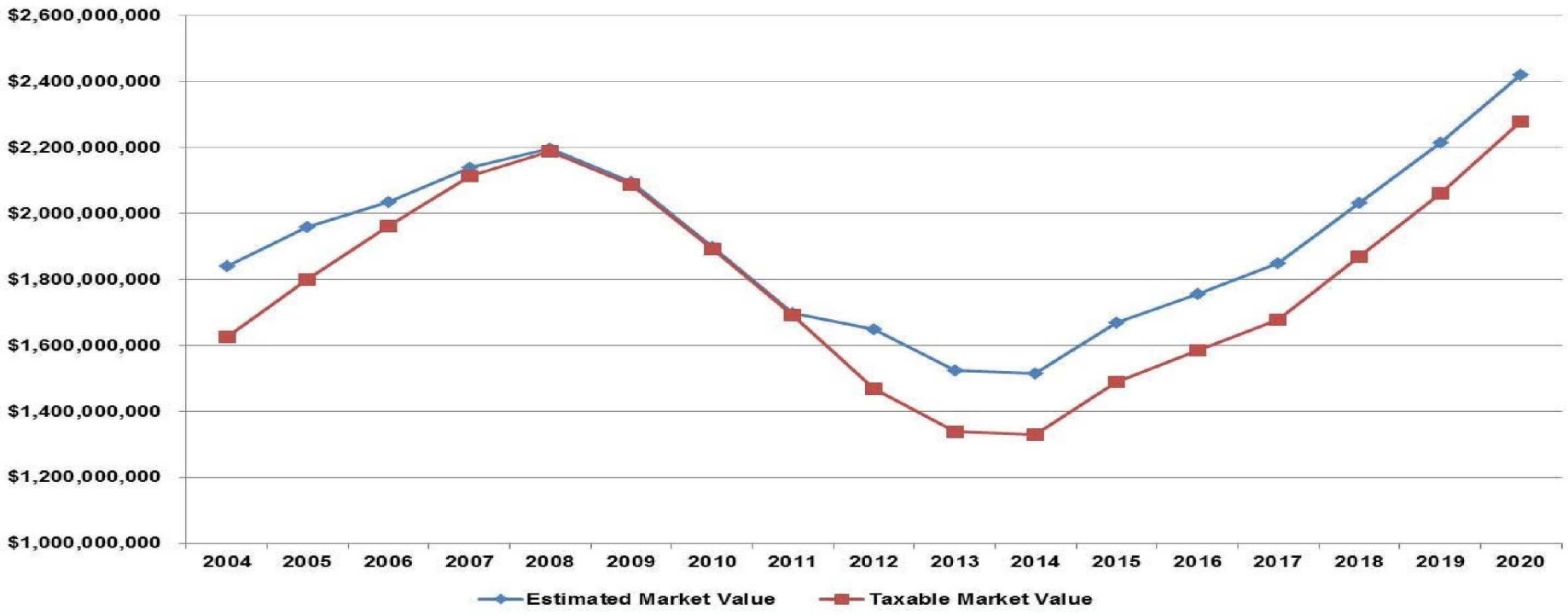
Human Resource Development Specialist (Administration)

- Position will be converted from a part-time to full-time position.
- This position will develop and lead City-wide training and development at all levels (i.e., general staff, supervisors and managers).
- Will lead and coordinate City Inclusion & Diversity efforts.
- This position will support general Human Resource daily operations.

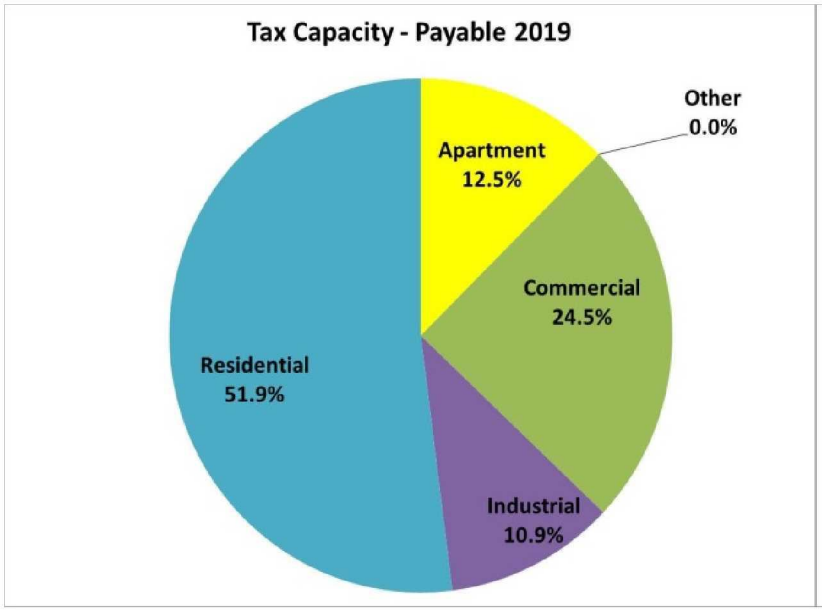
Taxable Market Value
(preliminary estimates)

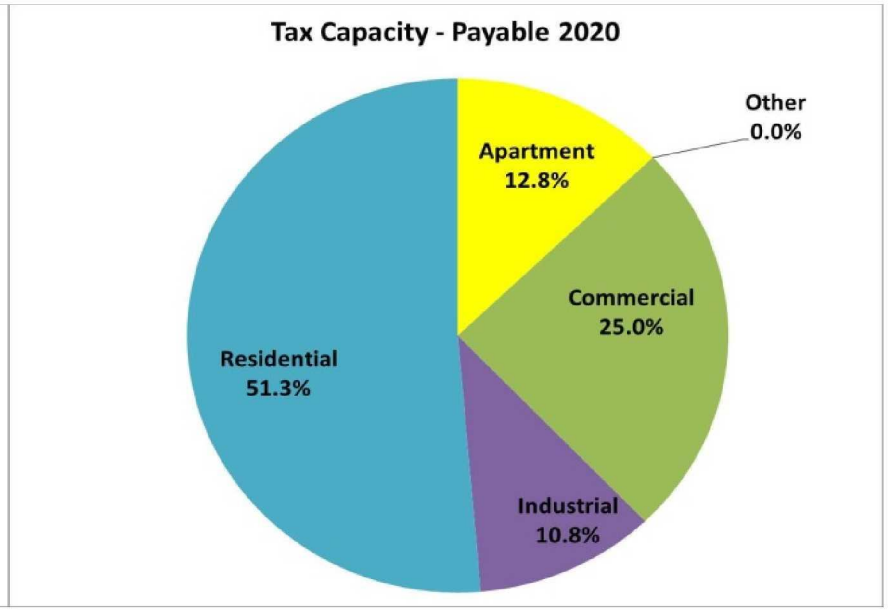
Class	Payable 2019	Estimated 2020	Change
Commercial	$318,811,800	$359,740,500	12.8%
Industrial	140,570,900	154,992,500	10.3%
Residential	1,325,191,354	1,450,835,196	9.5%
Apartment	275,022,304	311,518,030	13.3%
Other	478,000	507,000	6.1%
Totals	$2,060,074,358	$2,277,593,226	10.6%

Taxable Market Value

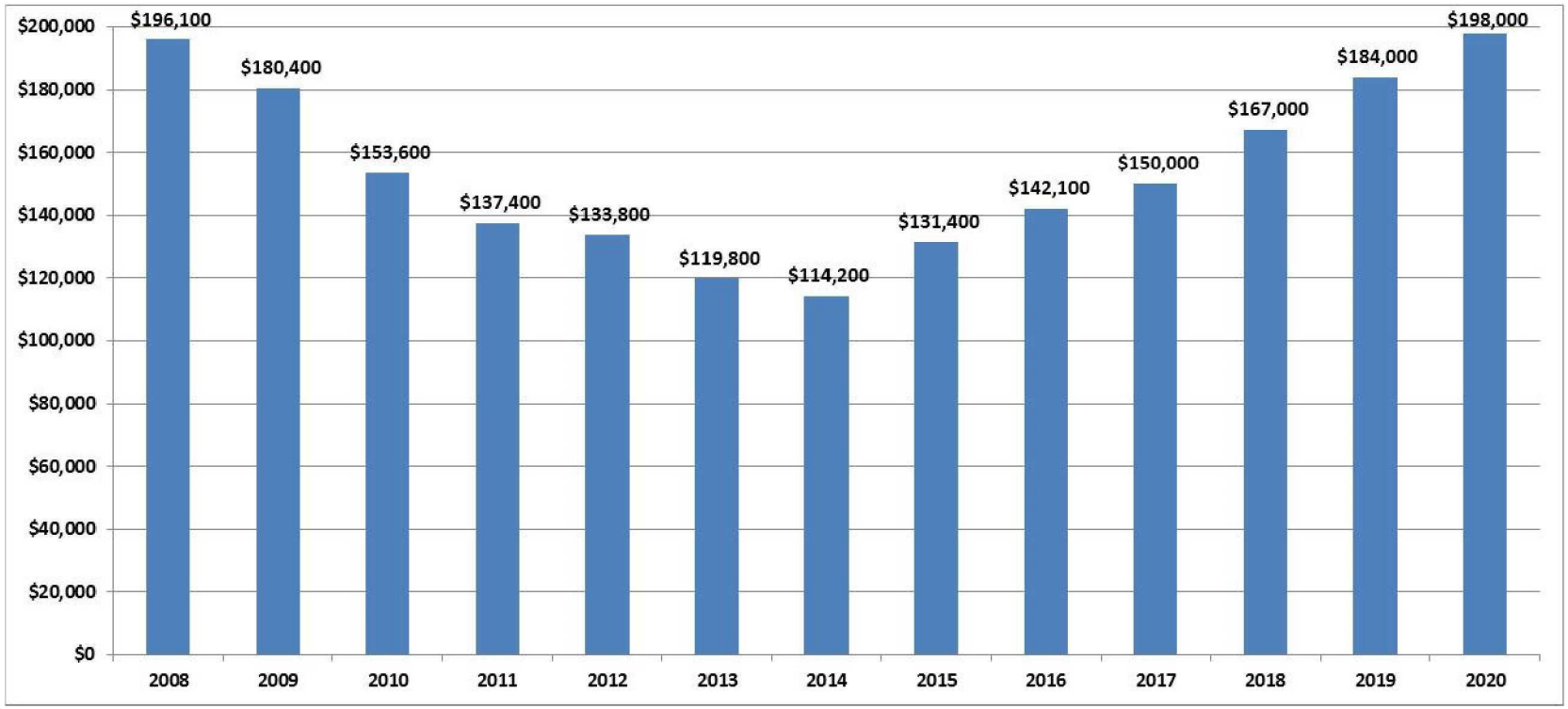


Tax Capacity Estimates

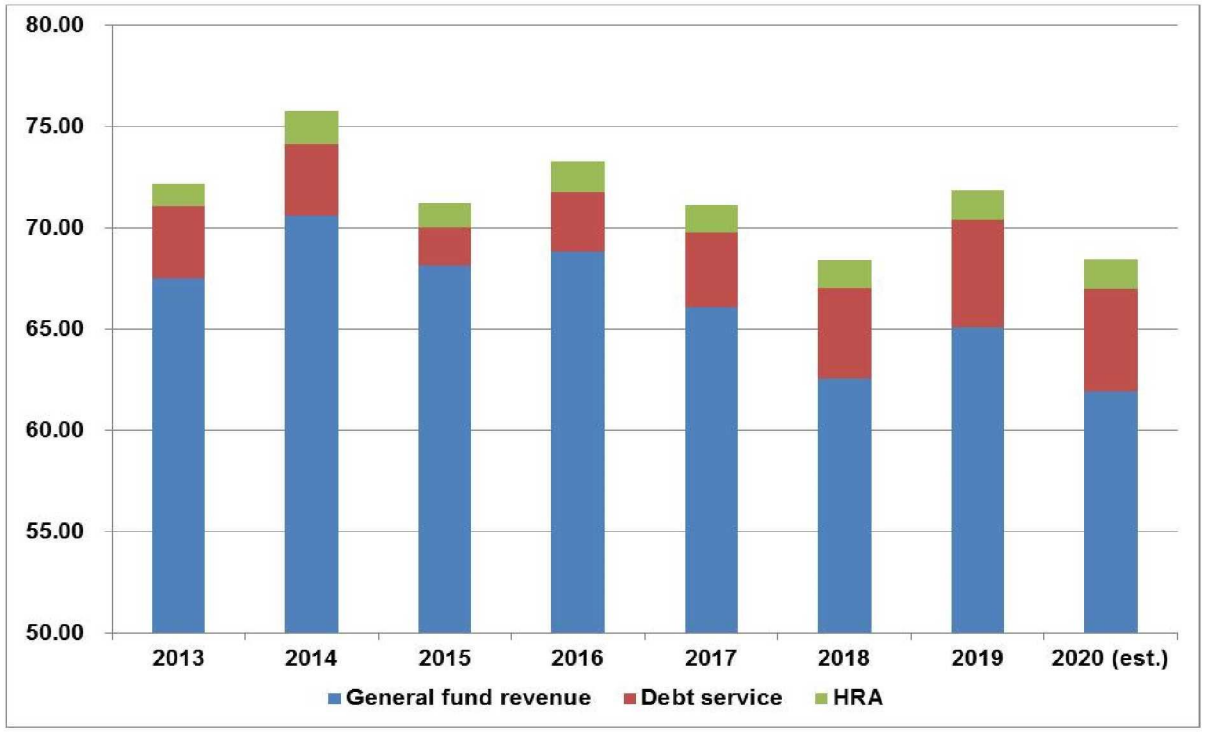




Median Value Home



City Property Tax Rates



Projected Property Tax Impacts

Property Tax Changes (Based on 5.87% Levy Increase & Market Value Changes)										
Classification*	2019 Taxable Market Value	2020 Taxable Market Value	$ Change	% Change	2019 Tax Rate	2019 City Taxes	2020 Tax Rate	2020 City Taxes	$ Change	% Change
Single Family Residential	$ 163,320	$ 178,580	$ 15,260	9.34%	71.860	$ 1,174	69.024	$ 1,233	$ 59	5.03%
Multi Family Residential	$ 2,200,000	$ 2,491,942	$ 291,942	13.27%	71.860	$ 19,762	69.024	$ 21,501	$ 1,739	8.80%
Commercial	$ 1,700,000	$ 1,918,244	$ 218,244	12.84%	71.860	$ 23,894	69.024	$ 25,963	$ 2,070	8.66%
Industrial	$ 1,900,000	$ 2,094,927	$ 194,927	10.26%	71.860	$ 26,768	69.024	$ 28,402	$ 1,634	6.11%

Notes:

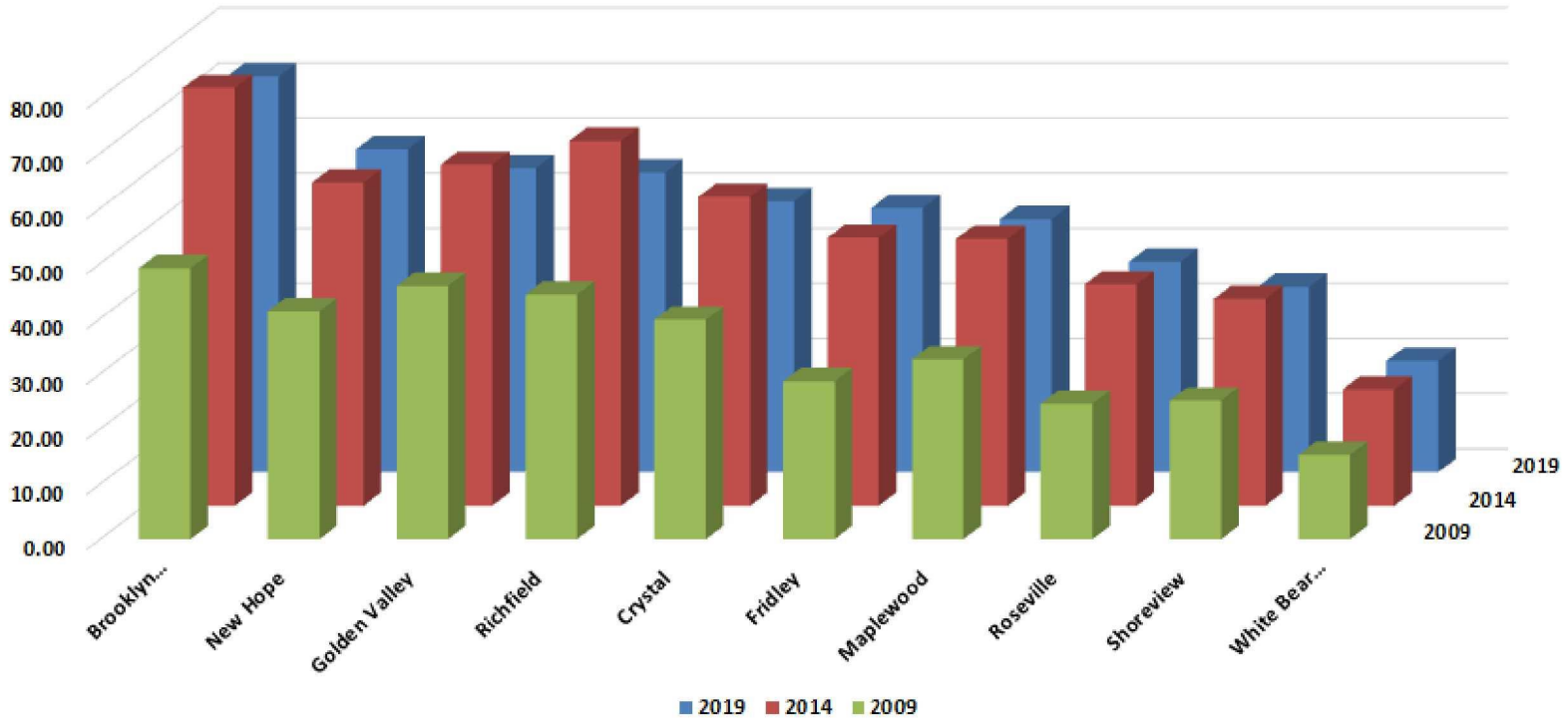
1) The 2020 Median Residential Estimated Market Value (Homestead) is $198,000 (Taxable Market Value $178,580). The 2019 Median Residential Estimated Market Value (Homestead) was $184,000 (Taxable Market Value $163,320)

2) These are hypothetical examples of property values for Multi Family (2019 value of $2.2 million), Commercial (2019 value of $1.7 million) & Industrial (2019 value of $1.9 million). The values of these properties were assumed to be adjusted for 2020 by the same proportion of total estimated market value of that property classification. If a particular property has a different rate of valuation change from the previous year or additional value added, these values will be different.

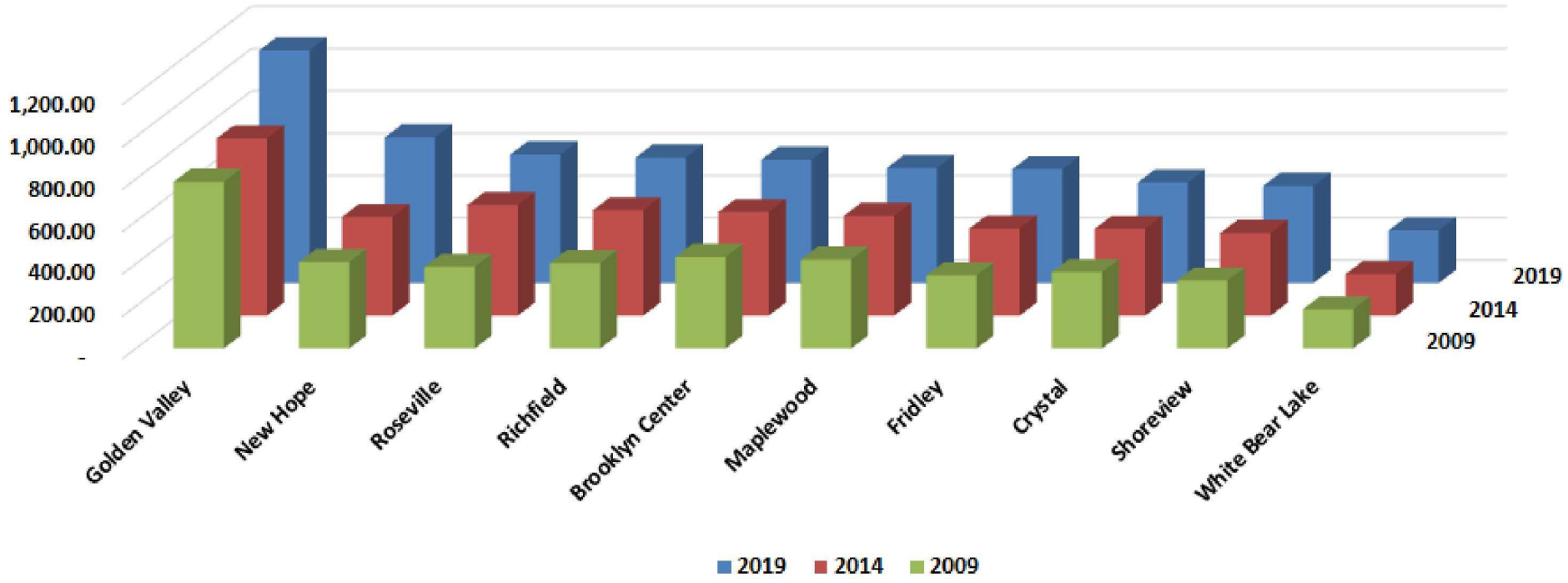
3) Tax rates and taxes include HRA amounts

Statewide/Peer Comparison

Property Tax Rates – Peer Comparison



Annual Property Tax Per Capita – Peer Comparison



Next Steps

- City Council to consider two resolutions:
  1. Resolution approving a preliminary tax capacity levy for the General Fund and Debt Service Funds and a market value tax levy for the Housing and Redevelopment Authority for property taxes payable in 2020.
  2. Resolution adopting a preliminary budget for the 2020 fiscal year.

- Future dates:
  1. October through November: City Council and Financial Commission joint study sessions to review special revenue, debt service, utilities, enterprise and internal service funds
  2. December 2, 2019: Public hearing and adoption of final tax levy and budget

Housing and Redevelopment Authority
City Hall - Council Chambers
September 23, 2019

AGENDA

1. Call to Order

The City Council requests that attendees turn off cell phones and pagers during the meeting. A copy of the full City Council packet, including HRA (Housing and Redevelopment Authority), is available to the public. The packet ring binder is located at the entrance of the council chambers.

2. Roll Call

3. Approval of Agenda and Consent Agenda

The following items are considered to be routine by the Housing and Redevelopment Authority (HRA) and will been acted by one motion. There will be no separate discussion of these items unless a Commissioner so requests, in which event the item will be removed from the consent agenda and considered at the end of Commission Consideration Items.

a. Approval of Minutes

- Approve the minutes from the December 3, 2018 meeting.

4. Commission Consideration Items

a. HRA Preliminary 2020 Property Tax Levy and Budget

- It is recommended that the Housing Redevelopment Authority consider approval of two resolutions setting the 2020 preliminary property tax levy and budget:

- *Resolution establishing a preliminary property tax levy payable in 2020 for the Housing and Redevelopment Authority of Brooklyn Center, Minnesota.*

- *Resolution approving the preliminary budget for the Housing and Redevelopment Authority of Brooklyn Center, Minnesota pursuant to Minnesota Statutes Chapter 469.*

5. Adjournment

HOUSING AND REDEVELOPMENT
ITEM MEMORANDUM

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: Approval of Minutes

Requested Council Action:

- *Approve the minutes from the December 3, 2018 meeting.*

Background:

In accordance with MN Statute 15.17 and MN Statute 412.151, subd.1, attached for your approval are the minutes from the study session, regular session and work session.

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
December 3	9/18/2019	Backup Material

MINUTES OF THE PROCEEDINGS OF THE
HOUSING AND REDEVELOPMENT AUTHORITY
OF THE CITY OF BROOKLYN CENTER
IN THE COUNTY OF HENNEPIN AND THE
STATE OF MINNESOTA

SPECIAL SESSION
DECEMBER 3, 2018
CITY HALL – COUNCIL CHAMBERS

1. CALL TO ORDER

The Brooklyn Center Housing and Redevelopment Authority (HRA) met in Special Session called to order by Chair Tim Willson at 7:59 p.m.

2. ROLL CALL

Chair Tim Willson and Commissioners Kris Lawrence-Anderson and Dan Ryan. Commissioners April Graves and Marquita Butler were absent and excused. Also present were Executive Director Curt Boganey, Deputy Executive Director Reggie Edwards, Finance Director Nate Reinhardt, and Mary Mullen, TimeSaver Off Site Secretarial, Inc.

3. APPROVAL OF AGENDA AND CONSENT AGENDA

Commissioner Ryan moved and Commissioner Lawrence-Anderson seconded to approve the Agenda and Consent Agenda.

Motion passed unanimously.

4. COMMISSION CONSIDERATION ITEMS

4a. RESOLUTION NO. 2018-003 APPROVING THE FINAL MARKET VALUE LEVY AND BUDGET

Commissioner Ryan moved and Commissioner Lawrence-Anderson seconded to adopt RESOLUTION NO. 2018-003 approving the Final Market Value Levy and Budget.

Motion passed unanimously.

4b. RESOLUTION NO. 2018-004 APPROVING THE FINAL BUDGET FOR THE HOUSING AND REDEVELOPMENT AUTHORITY OF BROOKLYN CENTER, MINNESOTA, PURSUANT TO MINNESOTA STATUTES CHAPTER 469

Commissioner Lawrence-Anderson moved and Commissioner Ryan seconded to adopt RESOLUTION NO. 2018-004 approving the Final Budget for the Housing and Redevelopment Authority of Brooklyn Center, Minnesota, Pursuant to Minnesota Statutes Chapter 469.

Motion passed unanimously.

5. ADJOURNMENT

Commissioner Ryan moved and Commissioner Lawrence-Anderson seconded adjournment of the Housing and Redevelopment Authority meeting at 8:00 p.m.

Motion passed unanimously.

HOUSING AND REDEVELOPMENT
ITEM MEMORANDUM

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Nate Reinhardt, Finance Director

SUBJECT: HRA Preliminary 2020 Property Tax Levy and Budget

Requested Council Action:

- It is recommended that the Housing Redevelopment Authority consider approval of two resolutions setting the 2020 preliminary property tax levy and budget:

- *Resolution establishing a preliminary property tax levy payable in 2020 for the Housing and Redevelopment Authority of Brooklyn Center, Minnesota.*
- *Resolution approving the preliminary budget for the Housing and Redevelopment Authority of Brooklyn Center, Minnesota pursuant to Minnesota Statutes Chapter 469.*

Background:

The HRA property tax is calculated by determining 0.0185% of the taxable market value of the City. This calculation is the maximum established under Minnesota Statutes 469.033.

For 2020, the proposed levy of $413,335 is a $33,237 (8.74%) increase over the 2019 amount. The increase is a result of the increase in total taxable market value of the City. All proceeds from this property tax levy are transferred to the Economic Development Authority of the City of Brooklyn Center.

Budget Issues:

The proposed 2020 HRA levy will provide funding for housing and economic activities within the City of Brooklyn Center.

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
HRA Preliminary Levy Resolution	9/5/2019	Resolution Letter
Preliminary HRA Budget Resolution	9/5/2019	Resolution Letter

Commissioner introduced the following resolution and moved its adoption:

HRA RESOLUTION NO._____

RESOLUTION ESTABLISHING A PRELIMINARY PROPERTY TAX LEVY PAYABLE IN 2020 FOR THE HOUSING AND REDEVELOPMENT AUTHORITY OF BROOKLYN CENTER, MINNESOTA

WHEREAS, the Housing and Redevelopment Authority of Brooklyn Center, Minnesota pursuant to the provisions of Minnesota Statutes Chapter 469.033 has the power to levy and collect taxes

WHEREAS, Minnesota Statutes require that the preliminary property tax levy be provided to the Hennepin County Auditor no later than September 30, 2019 for taxes payable in calendar year 2020; and

NOW, THEREFORE, BE IT RESOLVED by the Housing and Redevelopment Authority of Brooklyn Center, Minnesota that a special tax is hereby levied on all taxable real and personal property within the City of Brooklyn Center at the rate of 0.0185% of the total market value of real and personal property situated within the corporate limits of the City of Brooklyn Center that is not exempted by law.

BE IT FURTHER RESOLVED that the property tax levied under this resolution be used for the operations and activities of the Housing and Redevelopment Authority of Brooklyn Center, Minnesota pursuant to Minnesota Statutes Chapter 469.001 to 469.047.

September 23, 2019
Date

_____
Chair

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

Commissioner introduced the following resolution and moved its adoption:

HRA RESOLUTION NO._____

RESOLUTION APPROVING THE PRELIMINARY BUDGET FOR THE HOUSING AND REDEVELOPMENT AUTHORITY OF BROOKLYN CENTER, MINNESOTA PURSUANT TO MINNESOTA STATUTES CHAPTER 469

WHEREAS, the Housing and Redevelopment Authority of Brooklyn Center, Minnesota has considered the preliminary budget for Fiscal Year 2020.

NOW, THEREFORE, BE IT RESOLVED by the Housing and Redevelopment Authority of Brooklyn Center, Minnesota that revenues and appropriations for the Housing and Redevelopment Authority are hereby adopted as follows:

Housing and Redevelopment Authority	
Revenues	
Property Taxes	$ 413,335
Total Housing and Redevelopment Authority	$ 413,335
Appropriations	
Transfer to EDA Fund	$ 413,335
Total Housing and Redevelopment Authority	$ 413,335

September 23, 2019
Date

_____
Chair

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

Council/EDA Work Session
City Hall Council Chambers
September 23, 2019

AGENDA

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ACTIVE DISCUSSION ITEMS

1. Liquor License Updates
2. Sewer Availability Charge (SAC) Credit Policy
3. 1601 James Circle Development Update
4. Business Subsidy Policy Discussion

PENDING LIST FOR FUTURE WORK SESSIONS

1. Pending Items
   - Commemoration of 400 years of Slavery Activities - 9/23
   - Police Crisis Prevention Options - 11/12
   - Livable Wages - 12/9
   - Environmental Policies and Practices - 10/28
   - Housing Policy Implementation Plan - 10/14
   - Options for Use of Adjacent Space to Liquor Store

MEMORANDUM - COUNCIL WORK SESSION

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: Liquor License Updates

Recommendation:

- Provide feedback to staff regarding the proposed housekeeping ordinance amendments.

Background:

It has been determined the Liquor Ordinance needed a few minor housekeeping amendments. The majority of these amendments come in Section 11-103 - Definitions. The proposed definitions include some definitions from State Statutes.

In addition to the definition housekeeping amendments, staff is requesting feedback to Section 11-117; Places Ineligible for Liquor License. Subdivision 6. Currently, it reads:

"No Liquor license shall be granted if the Premises is located within 300 feet of, or within the same building, or on the same legally subdivided lot, piece, or parcel of land as any of the following uses: a school, day care center, church, hospital, halfway house, currency exchange operation, theater, residence, pawnshop, secondhand goods dealer, tattoo establishment, body piercing establishment, massage parlor, sauna, or another on-sale Liquor establishment."

Staff is proposing amendments to this section but there are two options:

"No Intoxicating on-sale Liquor license shall be granted if the Premises is located within 300 feet of~~, or within the same building, or on the same legally subdivided lot, piece, or parcel of land as any of the following uses:~~ any school, day care center, religious institution ~~church~~, ~~hospital, halfway house, currency exchange operation, theater, residence, pawnshop, secondhand goods dealer, tattoo establishment, body piercing establishment, massage parlor, sauna,~~ or another Intoxicating on-sale Liquor establishment. A wine and/or on-sale 3.2 beer license may be granted within 300 feet of any of the above listed uses if the license premise and listed uses are located within the same zoning district."

This option allows a business in the same zoning district the ability to obtain a wine and/or 3.2 beer license. Or:

"No Intoxicating on-sale Liquor license shall be granted if the Premises is located within 300 feet of~~, or within the same building, or on the same legally subdivided lot, piece, or parcel of land as any of the following uses:~~ any school, day care center, religious institution ~~church~~, ~~hospital, halfway house, currency exchange operation, theater, residence, pawnshop, secondhand goods dealer, tattoo establishment, body piercing establishment, massage parlor, sauna,~~ or another Intoxicating on-sale Liquor establishment. An intoxicating on-sale license may be granted within 300 feet of any of the above listed uses if the license premise and listed uses are located within the same zoning district."

This option would allow a business in the same zoning district to pursue an intoxicating on-sale liquor license if they are in the same zoning district. Both of these options support the businesses within the City of Brooklyn Center.

Amendment to 11-118 Conditions of liquor license includes language that clarifies that an establishment that serves food can continue to serve food as long as the liquor is removed from display and placed in a locked enclosure or room that is inaccessible to the public during the hours stated in Section 11-119.

Policy Issues:

- None

Strategic Priorities and Values:

Enhanced Community Image, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Updates	9/18/2019	Backup Material

CHAPTER 11 – LIQUOR ORDINANCE

Section 11-101. ADOPTION OF STATE LAW BY REFERENCE. The provisions of Minnesota Statutes, Chapter 340A, as it may be amended from time to time, with reference to the definition of terms, conditions of operation, restrictions on consumption, provisions relating to sales, hours of sale, and all other matters pertaining to the retail sale, distribution, and consumption of intoxicating liquor and 3.2 percent malt liquor are hereby adopted by reference and are made a part of this Chapter as if set out in full. It is the intention of the City Council that all future amendments to Minnesota Statutes, Chapter 340A, are hereby adopted by reference or referenced as if they had been in existence at the time this Chapter is adopted.

Section 11-102. CITY MAY BE MORE RESTRICTIVE THAN STATE LAW. The City Council is authorized by the provisions of Minnesota Statutes, Section 340A.509, as it may be amended from time to time, to impose, and has imposed in this Chapter, additional restrictions on the sale and possession of alcoholic beverages within its limits beyond those contained in Minnesota Statutes, Chapter 340A, as it may be amended from time to time.

Section 11-103. DEFINITIONS. In addition to the definitions contained in Minnesota Statutes, Section 340A.101, as it may be amended from time to time, the following terms are defined for purposes of this Chapter:

1. *Applicant*, means any person making an application for a license under this Chapter.

2. *Application*, means a form with blanks or spaces thereon, to be filled in and completed by the applicant as his or her request for a license, furnished by the City and uniformly required as a prerequisite to the consideration of the issuance of a license for a business.

3. *Brewer taproom*, means the on sale of malt liquor produced by a brewer for consumption on the premises of or adjacent to one brewery location owned by the brewer. The holder of a brewer taproom license may also hold a license to operate a restaurant at the brewery.

~~4~~1. *Brew Pub*, as used in this Chapter, means a Brewer who also holds one or more retail on-sale licenses and who manufactures fewer than 3,500 barrels of malt liquor in a year, at any one licensed Premises, the entire production of which is solely for consumption on tap on any licensed Premises owned by the Brewer, or for off-sale from those licensed premises as permitted in Minnesota Statutes, Section 340A.24, Subdivision 2.

~~5~~2. *Brewer*, as used in this Chapter, means a person who manufactures malt liquor for sale.

~~6~~3. *Club*, as used in this Chapter, means an incorporated organization organized under the laws of Minnesota for civic, fraternal, social, or business purposes, for intellectual improvement, or for the promotion of sports, or a congressionally

chartered veterans' organization, which: (1) has more than 30 members; (2) has owned or rented a building or space in a building for more than one year that is suitable and adequate for the accommodation of its members; and (3) is directed by a board of directors, executive committee, or other similar body chosen by the members at a meeting held for that purpose. No member, officer, agent, or employee shall receive any profit from the distribution or sale of beverages to the members of the Club, or their guests, beyond a reasonable salary or wages fixed and voted on each year by the governing body.

7. *Display*, as used in this Chapter, means the keeping, storing, and permitting to be kept or stored of an alcoholic beverage which has been poured, dispensed or has had its package seal broken, on, in or at any table, booth, bar or other area of the licensed premises accessible to the general public.

8. *Growler*, is malt-liquor sold off-sale by a small brewer or brew pub, which has been produced and packaged by the brewer in 64-ounce containers commonly known as growlers or in 750 milliliter bottles.

94. *Hotel*, as used in this Chapter, means and includes any establishment having a resident proprietor or manager where, in consideration of payment therefor, food and lodging are regularly furnished to transients, which maintains for the use of its guests not less than 100 guest rooms with bedding and other usual, suitable, and necessary furnishings in each room, which is provided at the main entrance with a suitable lobby, desk, and office for the registration of its guests on the ground floor, which employs an adequate staff to provide suitable and usual service, and which has a dining room with appropriate facilities for seating not less than 30 guests at one time where guests are provided with food and beverages.

10. *Intoxicating liquor and liquor*, mean ethyl alcohol, distilled, fermented, spirituous, vinous and malt liquors containing in excess of 3.2% of alcohol by weight.

11. *License*, means a document issued by the City to an applicant permitting him to carry on and transact the business stated herein.

12. *Licensed premises*, means the premises, building, establishment or location within a building which is the area where the city permits the sale of intoxicating liquor pursuant to the license required by Section 11.07 of this code. Outside areas, such as patios or parking lots, shall not be included in the definition of "Premises" unless specifically listed on the license or special permission is obtained in writing from the City for a limited period of time under certain conditions.

135. *Liquor*, as used in this Chapter, without modification by the words "intoxicating" or "3.2 percent malt," includes intoxicating liquor, 3.2 percent malt liquor, and malt liquor.

14. *Malt Liquor*, means any beer, ale, or other beverage made from malt by fermentation and containing not less than one-half of one percent alcohol by volume.

15. *Manufacturer*, as used in this Chapter, means a person who, by any process of manufacture, fermenting, brewing, distilling, refining, rectifying, blending, or by the combination of different materials, prepares or produces intoxicating liquor for sale.

16. *Microdistillery*, as used in this Chapter, means a distillery as defined by Minnesota Statutes, Section 340A.101 operated within a state producing premium, distilled spirits in total quantity not to exceed 40,000 proof gallons a calendar year.

17. *Minor*, for this section means a person under the age specific in Minnesota Statutes, section 340A.503.

18. *Off-Sale,* means the retail sale of beer or liquor in original packages for consumption off or away from the premises where sold.

19. *On-Sale*, means the retail sale of beer, wine or liquor by the glass or by the drink for consumption on the premises where sold only.

~~6. *Premises*, as used in this Chapter, shall mean the inside of the building or the leased space inside a building as shown on the plan submitted to the City Manager's designee with the original license. Outside areas, such as patios or parking lots, shall not be included in the definition of "Premises" unless specifically listed on the license or special permission is obtained in writing from the City for a limited period of time under certain conditions.~~

20. *Package and original package*, mean any container or receptacle holding liquor, wine or beer, which the container or receptacle is corked, capped or sealed by a manufacturer or wholesaler.

~~22~~7. *Restaurant*, as used in this Chapter, means an eating facility, other than a Hotel, under the control of a single proprietor or manager, where meals are regularly prepared on the Premises, where full waitress/waiter table service is provided, where a customer orders food from printed menus where the main food course is served and consumed while seated at a single location and that has at least 30% of its applicable revenue derived from the serving of food for consumption on the Premises. It shall have a license from the State as required by Minnesota Statutes, Section 157.16, as it may be amended from time to time, which has been delegated to and is issued by Hennepin County, and shall meet the definition of either a "small establishment," "medium establishment," or "large establishment" as defined in Minnesota Statutes, Section 157.16, Subdivision 3(d), as it may be amended from time to time. An establishment that serves prepackaged food that receives heat treatment and is served in the package or frozen pizza that is heated and served,

shall not be considered to be a "Restaurant" for purposes of this Chapter unless it meets the definitions of "small establishment," "medium establishment," or "large establishment."

23. *Restaurant Movie Theatre*, is an establishment that is both a Restaurant, as defined in Section 11-103, 14 and a movie theater in which movies or motion pictures are shown.

Section 11-104. MUNICIPAL LIQUOR STORE.

Subdivision 1. Municipal Liquor Store. A municipal liquor store that was previously established is hereby continued to be operated within the city for the off-sale of intoxicating liquor. Except as provided in Section 11-107, no intoxicating liquor shall be sold or caused to be sold at off-sale within the city by any person or entity other than that at the municipal liquor store.

Subdivision 2. Location. The municipal liquor store shall be located at such suitable places in the city as the City Council determines. However, no Premises upon which taxes, assessments, or other financial claims of the City, County, or State are due, delinquent, or unpaid shall be leased for municipal liquor store purposes.

Subdivision 3. Fund Created. A municipal liquor store fund is hereby created into which all revenues received from the operation of the municipal liquor store shall be paid, and from which all operating expenses shall be paid, provided that the initial costs of rent, fixtures, and stock may be paid for out of the general fund of the City, but such amounts shall be reimbursed to the said general fund out of the first monies coming into the municipal liquor store fund that are not needed for carrying on the business. Any surplus accumulating in the municipal liquor store fund may be transferred to the City's general fund by resolution of the City Council and may be expended for any City purpose.

Subdivision 4. Hours of Operation. The hours of operation and days of sale shall be those set by Minnesota Statutes, Section 340A.504, as it may be amended from time to time.

Section 11-105. CONSUMPTION IN PUBLIC PLACES. No person shall consume Liquor in a public park; on any public street, sidewalk, parking lot, or alley; in any public place other than on the Premises of an establishment licensed under this Chapter; or where the consumption and display of Liquor is permitted by State Statute.

Section 11-106. LICENSE REQUIRED. No person or entity, except wholesalers or manufacturers to the extent authorized by State Statute and the municipal liquor stores, shall directly or indirectly, on any pretense or by any device, sell, barter, keep for sale, charge for possession, or otherwise dispose of Liquor as part of a commercial transaction without first having received a license to do so as provided in this Chapter.

Section 11-107. TYPES OF LIQUOR LICENSES AND PERMITS. The following are the types of Liquor licenses and permits that may be issued by the City pursuant to this Chapter:

2. Any police officer, building inspector, or any employee so designated by the City Manager, shall have the unqualified right to enter, inspect, and search the licensed Premises during business hours without a warrant. "Business hours" shall be deemed any time when licensee or employees are present on the Premises. Refusal to permit such an inspection is a violation of this Chapter and grounds for revocation of the license;

3. Every licensee shall be responsible for the conduct of the place of business and the conditions of sobriety and order in the place of business and on the Premises. The act of any employee on the licensed Premises is deemed the act of the licensee as well, and the licensee shall be liable to all penalties provided by this Chapter and State law equally with the employee;

4. No on-sale Liquor establishment shall sell intoxicating liquor off-sale unless the establishment is authorized under this Chapter to sell off-sale and obtains the required license;

5. No Liquor license shall be effective beyond the Premises named in the license for which it was granted;

6. No on-sale Liquor establishment shall display Liquor to the public during hours when the sale is prohibited;

7. Continuing compliance with the financial responsibility requirements of State law and of this Chapter;

8. The business records of the licensee, including federal and State tax returns, shall be available for inspection by the City Manager, or other duly authorized representative of the City at all reasonable times. Business records for accounting functions required to demonstrate compliance with the provisions of this Chapter shall be prepared in accordance with standard accounting practices as determined by the City Manager's designee; and

9. Any changes in the corporation, entity or club's officers, directors, partners, corporate charter, articles of incorporation, bylaws, or partnership agreement shall be submitted to the City Manager's designee within 30 days after such changes are made. In the case of a corporation, the licensee shall immediately notify the City Manager's designee when a person not listed in the license application acquires an interest that, together with that of the person's spouse, parent, brother, sister, or child, exceeds five percent (5%), and shall give all information about said person as is required of a person pursuant to the provisions of this Chapter.

10. Nothing herein prohibits a hotel dining room, a restaurant, a bowling center, or a club from serving or selling food during hours that the sale of liquor is prohibited

if the liquor is removed from display and placed in a locked enclosure or room that is inaccessible to the public during the hours stated in Section 11-119.

Section 11-119. HOURS OF OPERATION.

Subdivision 1. Hours of Operation. The hours of operation and days of sale shall be those set by Minnesota Statutes, Section 340A.504, as it may be amended from time to time.

Section 11-120. RESTRICTIONS ON PURCHASE AND CONSUMPTION. In every prosecution for a violation of the provisions of Minnesota Statutes, Section 340A.503, relating to the sale or furnishing of intoxicating liquor to persons under the age of 21 years, and in every proceeding before the City Council with respect thereto, the fact that the person involved has obtained and presented to the licensee, his or her employee or agent, a verified identification from which it appears that said person was 21 years of age and was regularly issued such identification card, shall be prima facie evidence that the licensee, his or her agent or employee is not guilty of a violation of such a provision and shall be conclusive evidence that a violation, if one has occurred, was not willful or intentional.

Section 11-121. LIABILITY INSURANCE AND PROOF OF FINANCIAL RESPONSIBILITY.

Subdivision 1. Insurance Required. All applicants for any Liquor license or a Consumption and Display Permit must, as a condition to the issuance of the license or permit, provide proof of Liquor liability insurance to the City Manager's designee, which shall be subject to the approval of the City Council. The required insurance shall satisfy the requirements of Minnesota Statutes, Section 340A.409, and of this Chapter. The issuer or surety on any liability insurance policy or bond shall be licensed to do business in the State of Minnesota, and all documents shall be approved as to content, form, and execution by the City Attorney. The licensee shall have the City named as an additional insured on the liability insurance policy. The policy shall be effective for the entire license year.

The issuer or surety on any liability insurance policy or bond shall be licensed to do business in the State of Minnesota, and all documents shall be approved as to content, form, and execution by the City Attorney. The licensee and the City shall be named as joint insureds on the liability insurance policy. The policy shall be effective for the entire license year.

Subdivision 2. Proof of Financial Responsibility. All applicants for any Liquor license or a Consumption and Display Permit must, as a condition to the issuance of the license or permit, demonstrate proof of financial responsibility. Proof of financial responsibility may be provided by supplying to the City Manager's designee any of the following information:

a. An insurance certificate stating that there is in effect for the license or permit period an annual aggregate insurance policy of not less than $300,000 per policy year for the Premises for dram shop insurance; or

Section 11-117. PLACES INELIGIBLE FOR LIQUOR LICENSE.

Subdivision 1. No Liquor license shall be granted for sale on any Premises if the licensee has been convicted of any willful violation of this Chapter or of Minnesota Statutes, Chapter 340A, or if any license hereunder has been revoked for cause until one year has elapsed after such conviction or revocation.

Subdivision 2. No on-sale Liquor license shall be granted for a bona fide club that has not been in operation and eligible to receive a license for at least six months immediately preceding the application for a license.

Subdivision 3. No Liquor license shall be granted, or renewed, for operation on: 1) any Premises, on which any taxes, assessments, or other financial claims of the City, County, or State are due, delinquent, or unpaid; or 2) any Premises that is part of a larger tax parcel on which ad valorem real estate taxes or assessments collected with such taxes are due, delinquent, or unpaid. In the event an action has been commenced pursuant to the provisions of Minnesota Statutes, Chapter 278, questioning the amount or validity of taxes, the City Council may, on application by the licensee, waive strict compliance with this provision. However; no waiver shall be granted by the City Council for taxes, or any portion thereof, that remain unpaid for a period exceeding one year after becoming due.

Subdivision 4. No Liquor license shall be granted for a Premises owned by a person to whom a Liquor license may not be granted under this Chapter, except for Premises owned by a minor, nonresident alien, or a person who has been convicted of a crime other than a violation of Minnesota Statutes, Chapter 340A.

Subdivision 5. No Liquor license shall be granted for a Premises that has a common entrance or exit between any two establishments except that a public concourse or public lobby shall not be construed as a common entrance or exit.

Subdivision 6. No Intoxicating on-sale Liquor license shall be granted if the Premises is located within 300 feet of~~, or within the same building, or on the same legally subdivided lot, piece, or parcel of land as any of the following uses:~~ any school, day care center, religious institution ~~church~~, ~~hospital, halfway house, currency exchange operation, theater, residence, pawnshop, secondhand goods dealer, tattoo establishment, body piercing establishment, massage parlor, sauna,~~ or another Intoxicating on-sale Liquor establishment. A wine and/or on-sale 3.2 beer license may be granted within 300 feet of any of the above listed uses if the license premise and listed uses are located within the same zoning district.

Section 11-118. CONDITIONS OF LIQUOR LICENSE. Every Liquor license shall be granted subject to the following conditions and any other applicable ordinance of the City or State law:

1. The Liquor license shall be posted in a conspicuous place in the licensed establishment at all times;

MEMORANDUM - COUNCIL WORK SESSION

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Brett Angell, Business and Workforce Development Specialist

SUBJECT: Sewer Availability Charge (SAC) Credit Policy

Recommendation:

- Consider the proposed creation of a Sewer Availability Charge (SAC) Credit Policy, and provide direction relating to the structure of such a policy.

Background:

The Metropolitan Council Environmental Services (MCES) Sewer Availability Charge (SAC) is a charge to customer communities, such as Brooklyn Center, for the reserved capacity costs of the metropolitan disposal system. The fee is charged by the Metropolitan Council directly to local governments at the time of building permit issuance based on estimated sewer use of new or expanded uses. In most cases, cities pass the fee directly through to the contractor, business owner, or developer of new or expanded use. SAC fees are charged when a residential, commercial, industrial or institutional property first connects to the regional wastewater system. SAC charges may also occur when if a business grows or changes and creates a higher demand on the wastewater system.

When new development occurs there is a designated SAC fee set by the Met Council based upon the proposed use and size of that use. The Met Council calculates the number of SAC units each use will be required to have, and the fee is based on a set charge per unit. For example, a new single family residential home would have a SAC charge of 1 unit, while a new restaurant may have a SAC charge of 25 units. The 2019 rate for one SAC unit is $2,485. Those SAC units, once paid by the city, stay with the property in perpetuity.

If at some point in the future, a building is demolished, a city would be able to reclaim a portion of preexisting SAC units on that property to be used elsewhere in the city; converting them into city-wide SAC credits. City-wide credits are paid-for credits that can be used throughout the entire city. City-wide credits can only be captured at the time a demolition permit is pulled or at the time a building permit for new construction is issued. Once a city has captured city-wide credits, they can be used as a means to reduce SAC charges for other development in the city, but they don't have to be used that way. Because the city-wide credits belong to the city, cities can continue to charge developments for owed SAC units on their properties, and utilize any SAC credits to serve other objectives.

The City of Brooklyn Center made a practice of capturing city-wide SAC credits in the past; however, rule changes at the Met Council, along with staff changes meant that this has not been common practice for approximately the last ten years. There are numerous parcels, which are currently vacant, which contain unused SAC units. Current increases in development interest on many of these parcels has meant that the City has the potential to capture numerous credits and create a SAC Credit Program. Based on recent conversations with the Metropolitan Council, the properties which have the highest number of designated city-wide credits are the

parcels located within the Opportunity Site and 1601 James Circle; however, the recent Casey's project also presented an opportunity to reclaim SAC credits.

Hypothetical Example

A restaurant bought and developed a parcel of land within a city. At the time of development, the restaurant's contractor paid the required 35 SAC units as determined by the Metropolitan Council. After 10 years, the restaurant decides to close and sells the building and land to a developer interested in redeveloping the site into retail. The retail center only requires 10 SAC units. At the time of demolition, the city's building official designates the remaining 25 SAC units on the site as city-wide credits. The Metropolitan Council issues the city-wide SAC credits in the form of a credit on the city's monthly SAC report and billing statement. As SAC units are charged and paid on unrelated projects throughout the city, the city retains the fees paid by those contractors and developers, rather than pass them through to the Metropolitan Council, as part of an established SAC Credit Program. Those funds support priorities identified by the program in a SAC Credit Policy.

Twin Cities Sewer Availability Charge Programs

A few cities throughout the Twin Cities Metropolitan Region have created SAC credit policies or programs. These largely support economic development tools as a way to advance the priorities of the city. There is wide flexibility in what the funds or credits from this program can be used for. One of the more common approaches that cities have taken is to have their SAC credit programs focus on reducing the SAC charges for new restaurants. Other potential programs look to assist businesses who are expanding and may have an additional SAC charge due to the expansion.

Of the cities that do have established SAC credit programs, most are experiencing primarily redevelopment rather than green field development. Due to this fact, and the fact that this program is not promoted or encouraged by the Metropolitan Council, these programs are not widespread.

Brooklyn Center Sewer Availability Charge (SAC) Program Ideas

With recent collection of SAC credits from new redevelopment projects, such as Casey's General Store, the City of Brooklyn Center has begun to collect city-wide SAC credits that will be able to be used for new programs. It is anticipated that the City will have approximately $75,000 of revenue from existing City-wide credits that will be generated with upcoming redevelopment projects in 2020. Staff has identified a number of areas where these funds could support enhancing strategic priorities. In general, staff's recommendation is to utilize the city-wide SAC Credit Program to support businesses in the community, with an emphasis on small and micro businesses. Small businesses frequently have the greatest need for resources, and yet provide the greatest opportunities for economic and employment growth.

Staff has been in conversation with existing small businesses in the community, and based on these conversations, has identified the following programs for possible funding. These can be further refined as part of the EDA budget discussion; however, staff is seeking direction from Council if there are areas of higher or lower priority as the budgeting process moves forward.

The revenue from credits can be placed directly into the Economic Development Authority budget and be used to support businesses within the community. This would allow for Brooklyn Center to enhance current programs and create new programs, such as the following:

Revolving Loan Fund

In July of 2018, the EDA established a Revolving Loan Fund (RLF) as part of the Minnesota Investment Fund grant award from the Department of Employment and Economic Development for Bizzy Coffee. As part of the MIF guidelines, on each month's loan repayment, the City is able to capture 40% of the payment and place those funds into a City-established RLF. To date, the City currently has approximately $3,600 that has been generated into the RLF. Due to the slow growth of the funds that are available, the RLF has not been

able to be utilized to date. A portion of funds from the SAC credit program could be used to support this program, which supports low interest loans for businesses in the community.

Given low interest rates in the private banking market, this would be a lower priority at this time. However, the City's revolving loan fund is available for businesses that may otherwise find it difficult to access private bank lending, and so providing some funding through this program may be a useful resource for some businesses.

Safety and Security Grant Program

Through recent conversations with small businesses and some rental property owners within the City, there has been an expressed desire for assistance as businesses upgrade the security or safety of their properties. A Safety and Security Grant Program could be created to assist property owners with their desired upgrades to their property and assist in reducing crime. This proposed program would create up to $1000 matching grant awards for properties which are commercial, industrial, and multi-family of 10 units or more. The grant would require a 100% match by the applicant and be delivered on a reimbursement basis. The grant could have additional requirements, such as a required consultations with the Police Department prior to grant approvals.

Small and Micro Business Outreach and Support

A focus of this new program would be to assist small and micro businesses who are currently located or would like to locate within Brooklyn Center. The initial priority would be on outreach to small and micro businesses within the community in order to identify their true needs and desires to be able to thrive within the City. Through the results of this outreach, the City will be able to establish resources for capacity building for these businesses.

The City has already partnered with LIBA, formerly the Liberian Business Association, to conduct outreach and engagement with Brooklyn Center entrepreneurs towards this goal; however, identifying the needs of the City's local business community is the first step. Once this work is complete, the next step will be to identify specific initiatives and resources designed to meet the needs of the City's small and micro business community. SAC Credit Program funds could be utilized to support what that work ends up being; whether it is access to training, capacity building, micro grants, or a focus on a particular real estate project which supports small businesses.

SAC Reduction Public Subsidy

As defined in section 3.A.12 of the Public Subsidy Policy that is currently being considered by the City Council, the City would have the ability to waive SAC Charges or use retained credits to off-set a project's SAC expenses. SAC expenses can be costly, and are frequently an unexpected cost for small businesses. This program can be used to offset the cost of SAC units for small businesses under specific conditions, as would need to be defined by the program.

Future Use of SAC Credit Program Funds

As the needs of the business community changes, how SAC credit funds are used should also be adjusted. As part of any policy, it should be reconsidered to ensure that the resources are being utilized in the most effective way possible. This will require ongoing conversations with the business community, as well as continuing to understand the market which affects the City's economic conditions.

An example of a future use for SAC credit program funds might be a façade program grant, which provides matching funds to support sign upgrades. This may be something the City wants to support with the adoption of a new sign code in order to provide an incentive to support businesses in bringing their properties into compliance with the new ordinance. This might be something to consider in 2021.

Policy Issues:

- Does the City Council/EDA have interested in creating an established SAC Credit Policy?

- Should the credits be placed in the EDA budget and be used to support businesses in the community?
- What are priority areas of focus that should be addressed with the creation of a SAC Credit Policy?

Strategic Priorities and Values:

Resident Economic Stability, Targeted Redevelopment, Safe, Secure, Stable Community

MEMORANDUM - COUNCIL WORK SESSION

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Meg Beekman, Community Development Director

SUBJECT: 1601 James Circle Development Update

Recommendation:

- *Consider a development update from Mike Brady, Brady Real Estate Development, regarding a Preliminary Development Agreement for a development concept at 1601 James Circle*

Background:

On April 8, 2019, the EDA entered into a Preliminary Development Agreement (attached) with Brady Real Estate Development, Inc for the redevelopment of the EDA-owned property at 1601 James Circle.

The developer has been conducting due diligence on the property since that time, as well as engaging with specific community groups related to the development. They would like to provide an update for the Council on their activities to date as well as their anticipated timeline moving forward.

Project Concept
Brady Real Estate Development, Inc is a mission-driven commercial real estate and investment company which is working towards a project at 1601 James Circle. As part of their proposal, they have partnered with Mr. Tufaa, the owner of the former Earle Brown Bowl to combine the two projects together in order to better leverage the site layout and land use as well as financials. As you may recall, Mr. Tufaa has approval from the City for a Special Use Permit (SUP) to convert the former bowling alley into an event center and restaurant. Financing challenges have led to a delay in the start of that project, which resulted in the SUP expiring.

The developer is proposing to develop an 80,000 square foot business center, leveraging the Opportunity Zone status of the property, to create a tech business incubator for small businesses, with an anchor tenant taking up a portion of the building. They intend to focus the tech incubator on first and second-generation immigrant-owned start-up businesses, though acknowledge that all would be welcome. A narrative describing the proposal in more detail is attached to this report.

The developer is proposing to work with Mr. Tufaa to develop the event center into a shared use space, which can be utilized by tenants of the business center. Most critically, they propose a shared parking concept, which would allow a higher intensity of use on the 1601 James Circle property, increasing the amount of square footage of building space, and number of jobs per acre. Their concept also proposes a partial vacation of James Circle, allowing stormwater to be pushed into existing road right of way, and converting the existing roadway back into a cul-de-sac. It must be noted, that the City Engineer has not had an opportunity to review this concept, and and request for a right of way vacation would require review and approval by the City Engineer. A concept plan is attached to this report, along with conceptual elevations of the building.

The developer has been engaging with prospective tenants and targeted communities in order to develop

creative financing structures which would allow more flexible and affordable lease models.

The developer will provide an update on their due diligence and engagement activities, as well as their financial proforma at the August 26th meeting.

Next Steps
The developer is continuing their due diligence. They anticipate a land use application for a PUD to develop the two sites in the coming month or two, along with an application for tax increment financing.

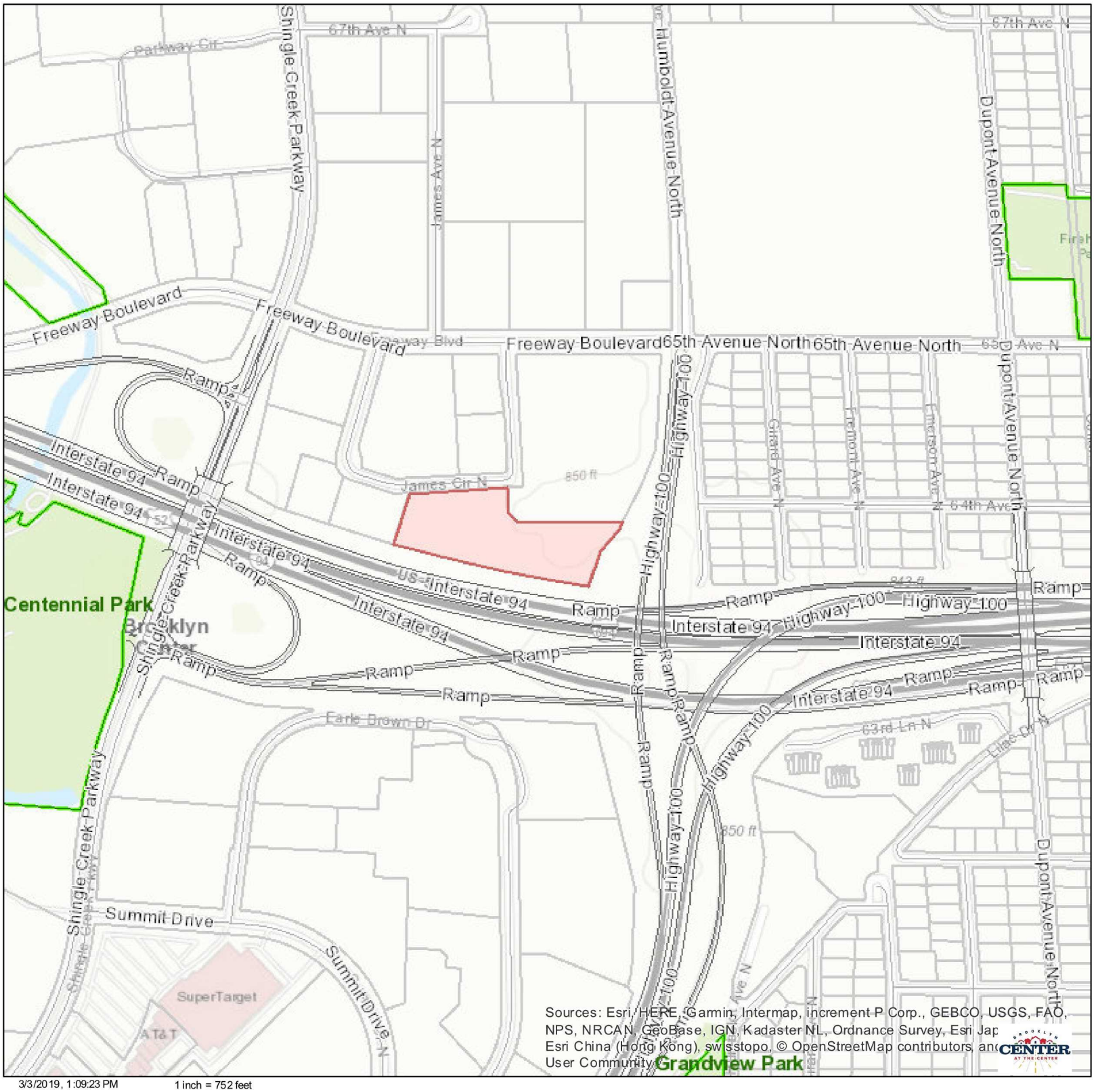
Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
Location Map	3/19/2019	Backup Material
Project Narrative	3/19/2019	Backup Material
Site Layout and Renderings	3/19/2019	Backup Material
Preliminary Development Agreement	8/19/2019	Backup Material
Powerpoint	8/28/2019	Presentation

Locational Map: 1601 James Circle North



3/3/2019, 1:09:23 PM 1 inch = 752 feet

Residential Labels

Highways

Streets

City Parks

Parcels

1600 West End Tower, Utica Ave S, St Louis Park, MN 55416 612.327.2932

Brooklyn Center Business Tech Site

Brooklyn Center owns a gem in the recently established world of Opportunity Zones, bar none. Now it's time to bring that site to its highest and best use.

In drafting this OZ Legislation, Senator Tim Scott envisioned a bipartisan effort to support communities that may not organically attract real estate development and new businesses. He has realized his dream as this new incentive program, albeit awaiting the final reg's from the IRS, has overwhelming support from all parties and levels of government and investors. It is a creative solution to get dollars on the sideline back into action in what most say will be the most productive program ever. Your site next to the FBI headquarters, if developed and managed properly, will be a showpiece for the people and Brooklyn Center, Minnesota, Tim Scott, and the nation. It will foster the rise of income and purpose for those participating in its mini business community. Living wage jobs and entrepreneurial wealth be created. But this will happen only by melding the cultures of those in Brooklyn Center and attracting start up tech firms outside Brooklyn Center, all succeeding together. Opportunity Zones coupled with other government incentives provide unique ways to attract investment and make this project viable. The business world is poised to embrace diversity in the workplace. Your site can be used to accomplish multi cultural business startup growth, success and even more than we can hope or imagine as people come together and collaborate in unseen ways to realize business success together.

We have 8 OZ projects before us at the moment. Yours is our #1. To accomplish its success we need up to a year of exclusivity on the site to work out a development agreement, tenant attraction, and city/governmental approvals. The Qualified Opportunity Zone Fund, however, needs to be in place by Dec 31, 2019 to receive full benefit of the OZ incentives, which we have no doubt we will accomplish. The urgency built into the program is a good thing. We also like that maximum benefit comes from businesses and building owners that stay put for a minimum of 10 years.

Rather than going on in many words for this initial presentation, below are bullet points and renderings summarizing the vision for your site.

- Goals
  - Business Center - A model project of what is possible for Brooklyn Center, the State on MN, and the Opportunity Zone program
    - Small Business success factory - First American focus, but all are welcome
    - Tech company start ups
    - Well known tech anchor tenant for a significant portion of the building
    - Child care academy/center
    - OZ Investor projections exceeded
    - The remainder of the 20 acre site will benefit and change for the positive
      - Mr. Tufaa, whom we are assisting, will build a thriving event center with whom our tenants can rent for larger presentations and conferences.
      - The hotels - our goal is to convert at least one of the three to micro units as housing and lodging, benefitting contract and long term employees in our Center
      - The existing restaurants will attract customers and perhaps a change in branding

- Site Benefits
  - Easy site access from Interstate 94 and Highway 100
  - 134,000 cars per day for tenant visibility and seeing this Brooklyn Center showpiece, many times twice a day
  - Dynamic signage, similar to HOM Furniture's, to maximize traffic benefits, attract visitors and telegraph success
  - Prominent site entrance at the end of the cul-de-sac
  - Expressive site lighting provides visibility and security

- Building amenities
  - 3 story, high clear height ceilings, 80,000 square feet total, ample parking
  - Business Community Center
  - Tenants and guests will have well developed open and semi-private meeting spaces, indoors and outdoors, to conduct business
  - Strikingly beautiful common spaces
  - High Tech feel - (Not like a typical office building - go in, go to the elevator, go down the long hallway, go into an isolated office). The building has a presence that speaks to those that enter with more positive, cutting edge atmosphere through the architecture and tenant energy.
  - People use the modern designed common spaces for meetings and a place to get out of their office for a break
  - Large window areas provide passive energy, feed large plants and the soul
  - Energy efficiencies and partnerships with local utilities
  - Elevators situated so various configurations all work well: small units with hallways, 1/2 floors, and/or entire floor-plates all make sense, thus allowing flexibility in tenant demand, thereby shortening successful lease up of the building

- Public Private Partnership
  - Critical because this building is a showpiece and thereby needs participation from all to include the amenities and the higher than typical percentage of common space. It will pass all the "but for" tests
    - Opportunity Zone registration and compliance
    - City participation through appropriate incentives
    - Minnesota DEED (for the entrepreneur tenants)
    - LISC participation
    - Input and buy-in from Immigrant Cultural and Economic Development Organizations

- Building Exterior
  - Exterior building character reflects companies within
  - Clean and contemporary building massing and details
  - Sleek and high tech exterior building finishes
  - Card entrance system to allow all hours access

- Building Interior
  - Open and ample common spaces encourage interaction and collaboration
  - Flexible floor leasing arrangements serve nimble users
  - Vertical windows bring daylight deep into building
  - Polished concrete floors and open ceilings in key areas create a modern tech feel

- Building Users
  - First American focused business center
  - Tech and life science oriented users
  - Major tech anchor to lend credibility
  - Optional co-working component
  - Potential childcare amenity serving users and community

- Building Systems
  - State of the art data and communications systems
  - Energy efficient heating, cooling, and ventilation systems
  - Energy efficient lighting and controls
  - New technology elevators

- Costs and Incentives
  - Benson-Orth Construction is currently bidding out the building and we will have those numbers by the 25th. However, the basis of this site development is to have a building that is strikingly modern and engaging from the highway and the same once you are inside. This means in this season of risen construction costs, we will need assistance to make the project work per this vision. Our goal is to have 1 or 2 major anchor tech spin off companies that understand and appreciate the value of your site and the amenities, paying market rent. But to engage the First American generation of entrepreneurs in Brooklyn Center, we will have to have a different rent structure and for that we need your help with TIF and land write down. There may also be a need for the detention pond on the site where the FBI HQ runoff empties into to be owned by the City. We believe that reasonable assistance will make up the gap and we will deliver a new community business building as described so the City's entrepreneurs can prosper.

Julie Tanaka and Mike Brady, together, have over 55 years of commercial real estate development, property management and real estate financing experience. Julie and Mike have merged their companies, Compendium Capital and Brady Real Estate Development. Brooklyn Center will be our new headquarters, overseeing this site's management and ever seeking to see the success become the norm here.

We believe in your city. We believe in your site. We believe in the viability of this ambitious project. We believe it will bring much good to people of Brooklyn Center and the country, thus fulfilling our Mission statement, "*Transforming Communities*".

Thank you for this opportunity.

Julie Tanaka - http://www.compendiumbusinessstrategies.com/

Mike Brady - https://bradyred.com/

Tanaka Brady company - https://donateproperties.com/

Tanaka Brady joint development company name TBD

Architect - Brian Lubben Building Foundry https://www.buildingfoundry.com/

Contractor - Benson Orth Mike Monson http://benson-orth.com/

Julie Tanaka

Julie has 25 years experience in commercial real estate investment, structured finance, development and workout as an executive, investment advisor and loan officer.

Through her leadership positions with banks, securities and big four accounting firms, Julie has a strong working knowledge of commercial real estate underwriting and workout, debt and equity placement, portfolio management, valuation and litigation support.

Julie earned her BS in Finance & Marketing from the University of MN School of Management and her MBA from Columbia University, NY. A twice earned “Top 20 Women in Finance”, “Women to Watch” and "Minnesotans on the Move" award recipient, Julie is very active in the business community and is a board member and past President of the Minnesota Association for Corporate Growth (ACG MN).

Julie Tanaka
612-670-5203
JulieTanaka@DonateProperties.com

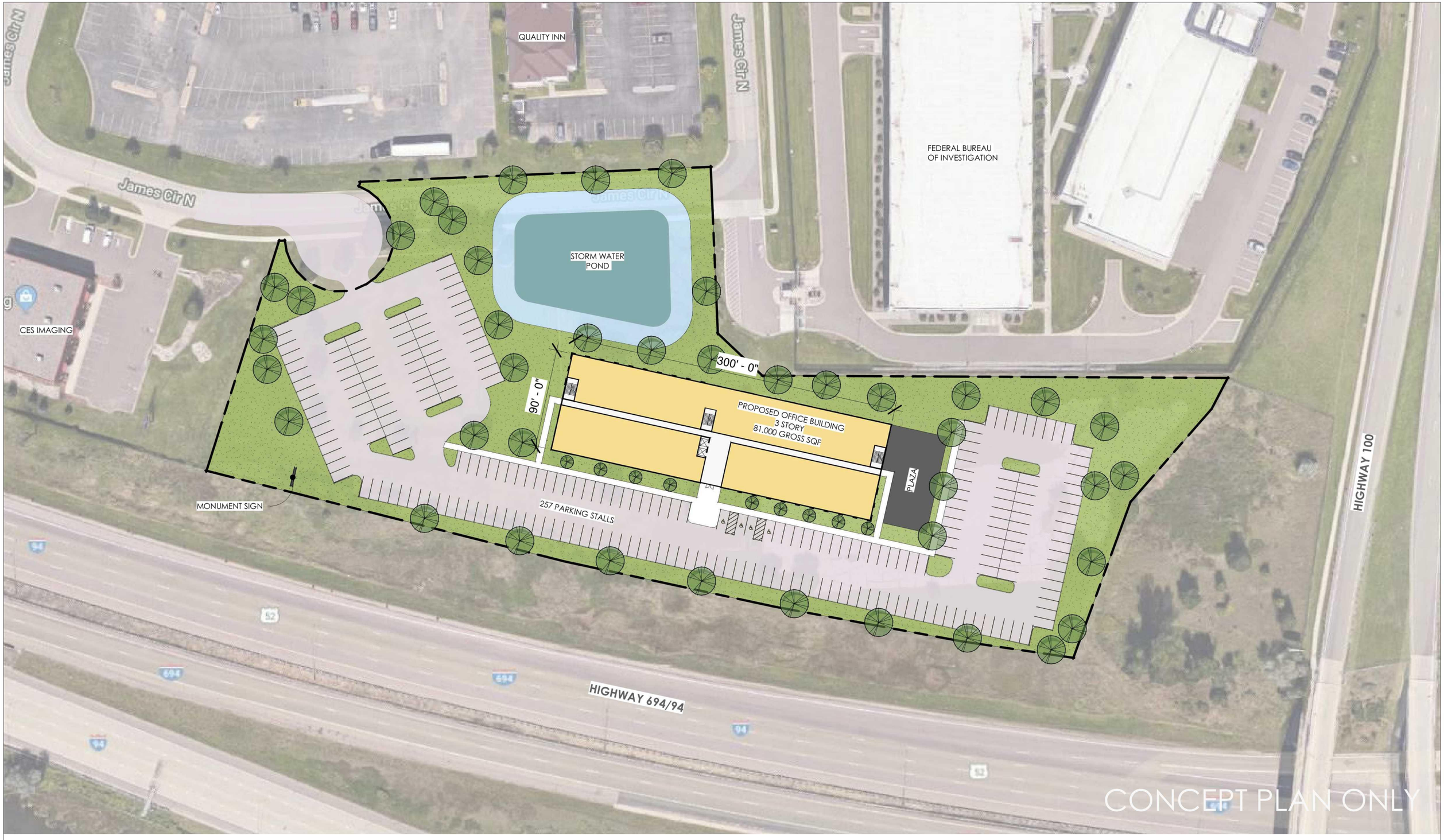
Mike Brady

This year marks 30 years for Mike as a Commercial Real Estate Broker, Developer, Owner and Investor; gaining acumen in various commercial real estate skill-sets. He applies his expertise to help others fulfill their goals in real estate development as well as his own socially responsible real estate developments.

His range of expertise includes: joint ventures, brokerage, land development, adaptive reuse, condo community development, historic redevelopment, city presentations and approvals, financing, equity raising, tax increment financing, management of 2.5 million s.f. real estate portfolio, tenant and landlord rep, tenant retention, property tax valuation challenges, due diligence process management, lease examination, all sides of deal negotiation, foreign land investment, deal structuring, consulting, and mentoring young commercial real estate up and comers.

Mike is grateful for much in life, especially his wife of 36 years, 3 daughters and son in laws, 9 grandchildren and great granddaughter. None of this would be, except for the transforming Love of God Mike experienced 39 years ago and continues to walk in today.

Mike Brady
612-327-2932
MikeBrady@DonateProperties.com



BC Business Tech
Brooklyn Center, MN

BUILDING FOUNDRY

BRADY REAL ESTATE DEVELOPMENT

SITE SCHEME
March 15, 2019

BC Business Tech
Brooklyn Center, MN

BUILDING FOUNDRY

BRADY REAL ESTATE DEVELOPMENT

SITE AERIAL
March 15, 2019

BC Business Tech
Brooklyn Center, MN

BUILDING FOUNDRY

BRADY REAL ESTATE DEVELOPMENT

PERSPECTIVE (FROM 694 EAST)
March 15, 2019

CONCEPT PLAN ONLY

BC Business Tech
Brooklyn Center, MN

BUILDING FOUNDRY

BRADY REAL ESTATE DEVELOPMENT

PERSPECTIVE (FROM 694 WEST)
March 15, 2019

BC Business Tech

Brooklyn Center, MN

BUILDING FOUNDRY

BRADY REAL ESTATE DEVELOPMENT

PERSPECTIVE(FROM NEW CUL-DE SAC)

March 15, 2019

PRELIMINARY DEVELOPMENT AGREEMENT

THIS PRELIMINARY DEVELOPMENT AGREEMENT ("**Agreement**") is made and entered into this 8th day of April, 2019, by and between the Economic Development Authority of Brooklyn Center, Minnesota (the "**Authority**") with its principal office at 6301 Shingle Creek Parkway, Brooklyn Center, Minnesota 55430, and Brady Real Estate Development, Inc, a Minnesota Corporation (the "**Developer**") with its principal office at West End Tower, 1600 Utica Ave S, Suite 900, Attn: Mike Brady St Louis Park, MN 55416. The Authority and the Developer may hereinafter be referred to individually as a "party" and collectively as the "parties."

WHEREAS, the Authority is the owner of certain real property described in Exhibit A (the "**Authority Property**") located in the City of Brooklyn Center, Minnesota (the "**City**"); and

WHEREAS, the Developer has presented to the Authority a concept for the development of the Authority's Property that may be acquired by the Developer for the creation of a three-story, 81,000 gross square foot office building, and associated parking, and public infrastructure improvements including utilities, roadway adjustments and storm water ponding (the "**Development**"), which proposal contemplates the Authority's conveyance of the Authority Property to the Developer.

WHEREAS, the Authority's Board of Commissioners has reviewed the Developer's development concept and desires to enter into this Preliminary Development Agreement to allow the Developer time to negotiate the purchase of the Authority Property, conduct due diligence, and gain land use approvals from the City; and

WHEREAS, the Authority and Developer intend to proceed with the Development if: (i) a satisfactory agreement can be reached regarding the purchase price to be paid by the Developer for the Authority Property; (ii) satisfactory financing for the Development can be secured; and (iii) the City approves a land use application by the Developer, allowing the Development to proceed.

NOW, THEREFORE, in consideration of the foregoing, the Authority and the Developer hereby agree as follows:

Section 1. Preliminary Nature of Agreement. The Authority and Developer agree that this Agreement is intended to be preliminary in nature. Before the Authority and Developer can make a decision on whether to proceed with the implementation of the Development, it will be necessary to consider information relative to the land, uses, design, economics and other aspects of the Development. The purpose of this Agreement is to allow the Developer an opportunity to assemble such necessary information, to refine the above referenced development concept, to negotiate with the Authority concerning the execution of a purchase agreement (the "**Contract**"), and which, if executed, will set forth the rights and responsibilities of the Authority and the Developer with respect to the Development.

During the term of this Agreement, the Authority agrees that it will not: (i) discuss the terms of the Development with a third party without the prior written consent of Developer, except to the extent required by the Minnesota Government Data Practices Act (Minnesota Statutes, Chapter 13) or other law; or (ii) enter into or negotiate a similar agreement or any other proposals with any party other than the Developer to develop the Authority Property.

Section 2. Present Intent of Parties. The parties intend this Agreement to document their present understanding and commitments and, further, that if the following conditions are fulfilled to the mutual satisfaction of the Authority and Developer the parties will proceed in an attempt to formulate a mutually satisfactory Purchase Agreement for the Authority Property:

(a) the Developer demonstrates the feasibility of the Development as refined pursuant to this Agreement;

(b) the completion of all undertakings required by this Agreement in a satisfactory and timely manner;

(c) the satisfaction of such other conditions as are determined to be appropriate by either party; and

(d) the Development is generally consistent with the proposed concept submitted to the Authority's Board of Commissioners on March 25, 2019.

The Contracts (together with any other agreements entered into between the parties hereto contemporaneously therewith) when executed will supersede all understandings and obligations of the parties hereunder.

Section 3. Development Design. The Developer's concept for the Development on the Development Property is preliminary in nature and must be refined before implementation. The concept as proposed involves the creation of a three-story, 81,000 square foot office building with related parking and public infrastructure improvements including utilities, roadway adjustments and storm water ponding.

Section 4. Developer Undertakings. During the term of this Agreement the Developer shall do the following:

(a) Continue to refine its site and building plans for the Development.

(b) Continue to refine its business plan and program of the interior space, operation model for a business tech center, and partnerships with neighboring properties.

(b) Undertake preliminary engineering, soil testing/borings and geotechnical analysis of the Development Property. For this purpose, the Developer and its contractors shall have the right to enter upon the Authority Property at reasonable times and after notice to the Authority. The Developer shall indemnify, defend and hold the Authority harmless from and against any claims or damage, of whatsoever nature,

arising out of the entry onto the Authority Property and shall repair any damage caused to the Authority Property. This obligation shall survive termination of the Agreement.

(c) Submit to the Authority a proposed schedule for the undertaking of the Development including timing of the closing and commencement and completion of construction activities.

(d) Using title information and a survey provided by the Authority, update evidence of title to the Authority Property and provide to the Authority any objections to title.

(e) Seek to secure a commitment for financing sufficient for construction of the public infrastructure improvements.

(f) Obtain environmental reports and studies provided by the Authority and such other studies and testing deemed necessary, to determine the acceptability of the environmental condition of the Authority Property.

(g) Prepare, submit application, and receive all necessary City land use approvals related to the development of the Authority Property.

(h) Make all required presentations to the City Council of the City, the Authority's Board of Commissioners and the City Planning Commission in connection with seeking approvals for the Development.

All of the information described above shall be prepared or collected at the sole expense of the Developer. The Developer shall have no obligation to provide the Authority or City any reports, tests, analyses or any other due diligence it has prepared internally or obtained from any third party except as specifically provided herein.

Section 5. Authority Undertakings. During the term of this Agreement, the Authority will undertake the following:

(a) Coordinate any necessary meetings with the Authority, City Council, Planning Commission and the community.

(b) Assist in identifying public improvements necessary to be constructed or relocated in connection with the Development including, but not limited to, utilities, roadway changes and storm water ponding.

(c) Identify construction, permit, application, utility and any other fees and the amount of such fees that the Developer may be expected to pay in connection with the Development.

(d) Identify the approval process and timeframes for development approvals that may be expected for the Development.

(e) Provide to the Developer any title information and any third party reports the Authority has on hand regarding the Authority Property.

(f) Provide to the Developer any surveys and environmental reports related to the Authority Property that are in the possession of the Authority. The Authority will, at the Developer's expense, cooperate with the Developer in pursuing any federal or State environmental approvals, permits, program enrollments or determinations requested by the Developer with respect to the Authority Property.

(g) Coordinate with the Developer in pursuing any grants that may assist with environmental analysis, brownfield remediation, gap financing, and/or others that may be identified that would assist the Development.

(h) Notwithstanding any provisions or understanding to the contrary, neither the City nor the Authority will exercise its condemnation powers to acquire any additional property or other real property in connection with the Development.

Section 6. Contingencies. The parties acknowledge and agree that proceeding with the Development is subject to a number of contingencies including, but not limited to, the following:

(a) The acquisition of all or part of the Authority Property by direct purchase, on such terms and conditions as are acceptable to both parties.

(b) The acceptance by the Developer of its environmental and geotechnical assessments and all other environmental and wetland reports and surveys certified to the Developer and its lender, deemed necessary by the Authority and the Developer for all of the property to be encompassed by the Development, which reports and surveys must be satisfactory to the Authority and the Developer.

(c) The Authority and the Developer having obtained all necessary approvals for the Development from all appropriate governmental authorities including, but not limited to, any necessary watershed district approvals.

(d) The Developer having obtained such land use approvals from the City as is necessary to allow the Development to move forward.

(e) Title to the Authority Property having been found acceptable to the Developer in its sole discretion.

(f) The Developer having conducted such soils, well, engineering, hazardous waste, environmental and other testing as it determines necessary.

(g) The Developer having obtained financing for, at a minimum, the public infrastructure improvements acceptable to Developer and satisfactory to the Authority.

Section 7. Negotiation of Contracts. During the term of this Agreement, the Authority and the Developer shall proceed with the negotiation of Contracts relative to the Development. The decision to enter into the Contracts shall be in the sole discretion of each of the parties. The parties agree that this Agreement is not intended to bind the parties to enter into any future agreement for the sale and acquisition of the Property, but is merely intended to set forth the parties' intent to proceed with the process of negotiating an agreement for the sale of the Property development of the property. If the Developer determines during the term of this Agreement that undertaking the Development is not financially feasible, it will promptly notify the Authority of such determination in writing and the parties will terminate this Agreement.

Section 8. Effect of Approvals. No approval given by the Authority hereunder or in connection herewith shall be deemed to constitute an approval of the Development for any purpose other than as stated herein and the process outlined in this Agreement shall not be deemed to supersede any concept review, conditional use permit, vacation, subdivision, or other zoning or planning approval process of the Authority or the City relative to the development of real estate.

Section 9. Payment of Costs. Both Parties are aware of and acknowledge that contingencies and unknowns presently exist, any one or more of which could make the Development cost prohibitive, and that both parties are expending sums of money and time with full knowledge of the risks involved and that neither party shall be liable for any of the other party's expenses in any event, except (i) as otherwise provided pursuant to a separate agreement between the parties, (ii) in connection with an application for a Public Subsidy, or (iii) pursuant to required fees or costs related to applications made to the City or under City Code.

Section 10. Modifications. This Agreement may be modified and the term hereof may be extended only through written amendments hereto signed by both of the parties to this Agreement.

Section 11. Exclusive Rights. In consideration of the time, effort and expenses to be incurred by Developer in pursuing the undertakings set forth herein, the Authority hereby agrees that for the term of this Agreement it will not provide or enter into an agreement with any third party in connection with any proposed development of the Authority Property. During such period the Developer shall have the exclusive right to work with the Authority in establishing definitive Contracts for the Development Property. Said exclusive rights shall continue, unless earlier terminated as provided herein, for the period described within Section 12 of this Agreement.

Section 12. Term and Termination. This Agreement shall be effective as of the date first written above and shall continue for one year until April 8, 2020, unless terminated earlier in accordance with Section 7. If for any reason the Contracts have not been entered into by the parties by such date, or any mutually approved extension thereof, this Agreement shall be null and void and neither party shall have any liability or obligations to the other, except as provided in Section 9 regarding Authority costs incurred prior to the termination of this Agreement.

Section 13. Severability. If any portion of this Agreement is held invalid by a court of competent jurisdiction, such decision shall not affect the validity of any remaining portion of this Agreement.

Section 14. Notices. Notice, demand, or other communication from one party to the other shall be deemed effective if sent by certified mail, postage prepaid, return receipt requested or delivered personally to a party at its address in the first paragraph of this Agreement, or at such other address as such party may designate in writing to the other party.

IN WITNESS WHEREOF, the Authority has caused this Agreement to be duly executed in its name and behalf and the Developer has caused this Agreement to be duly executed in its name and behalf on or as of the date first above written

ECONOMIC DEVELOPMENT AUTHORITY OF BROOKLYN CENTER, MINNESOTA

By _____
Its President

By _____
Its Executive Director

Brady Real Estate Development, Inc.

By _____

Its President/CEO

EXHIBIT A

Legal Description of the Authority Property

Lot 2, Block 1, Richardson Park 3rd Addition, according to the recorded plat thereof, and situate in Hennepin County, Minnesota.

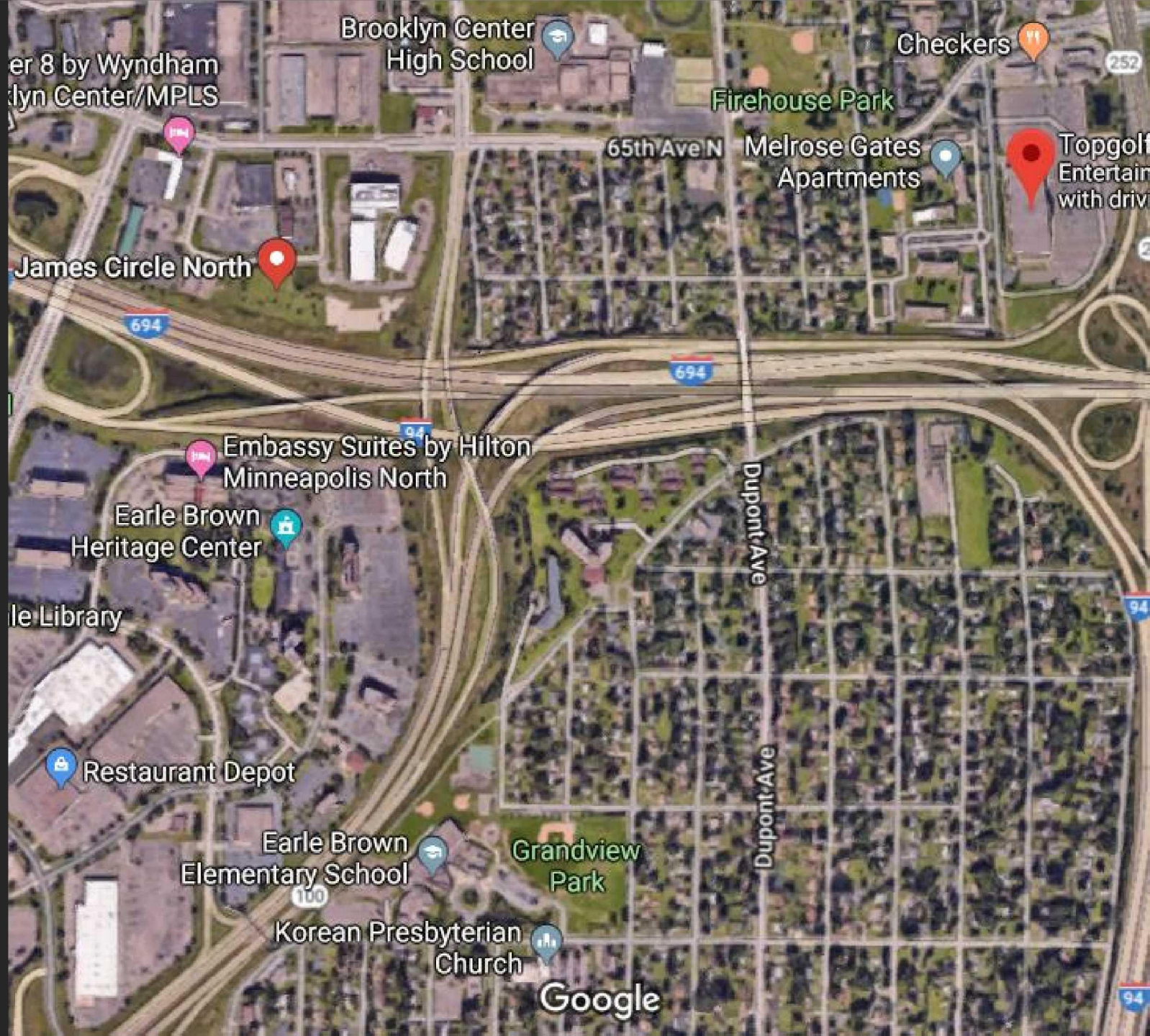
BROOKLYNS BUILDING

Brooklyn Center, MN

1601 James Circle N

Brooklyn Center, MN 55430

Hennepin County



Immigrant Focused Business Hub

AFFORDABLE
COLLABORATIVE
SERVICE RICH

OFFICE
COWORKING
INCUBATOR

Brooklyns Building Mission

BB provides the structure, I.e. real estate *and* services, for immigrant entrepreneurs to succeed. Part time and full time service provider Tenants remove entrepreneurs' roadblocks and train them to overcome hurdles. The Accelerator helps continue the growth to the establishment of secure business foundations. The facility is designed for dynamic collaboration between Tenants that fosters self initiated problem solving, creativity, and general business knowledge.

BB is affordable, beautiful, accessible, and culturally relevant.

BB is a thriving business community.

Individual and Collective Advancement

Our country's first and second generation citizens have a potential beyond our comprehension. However, that potential is often unrealized for various reasons.

Brooklyns Building Brooklyn Center ("BB") unlocks immigrant visionaries' business hopes and desires through a building that provides structure to concentrate the energy that is currently out there; changing dynamics exponentially. Providers and entrepreneurs come together in collaboration, training, and interaction available no where else for this demographic. Immigrant entrepreneurs and public/private/non-profit service providers realize their goals fostering abundance.

The need is there. The expertise is there. The challenge is accomplishing the vision logistically and economically, i.e. profitably.

Tenant Profit Sharing into Ownership

Creates Tenant
Affordability
Control
Equity
Empowerment

Cooperative ownership is a powerful and effective tool for wealth creation and investment. The developer incorporates the immense opportunities it offers at no cost to the Tenants. Cooperative ownership has the capacity to reduce poverty, enhance job creation, encourage savings, reduce business risk and improve national productivity.

In addition to the other Tenant centric features, incentives and Opportunity Zone tax savings are leveraged to benefit the Tenants' ability to receive profit sharing until the 10-year Opportunity Zone cycle occurs, and then own the property outright.

CONCEPT PLAN ONLY

Creating and Sustaining Affordability

Tenant pays rent on time → 2 x's per year profits are calculated and 50% is shared back to tenants

An Absolute Path to Cooperative Ownership

An Option Agreement is executed up front to Sell the Property to the Tenants in Year 10 for ½ the actual value → Bank converts the Equity into a new mortgage and the building is sold to the Tenants

Wealth is Created and Personal Power is Advanced

Tenants now own 100% of the building at a 50% LTV → Rent is now permanently affordable. Equity is established and grows with the market.

Site Benefits

- Easy site access from Interstate 94 and Highway 100
- 134,000 cars per day for Tenant visibility and seeing this Brooklyn Center showpiece, many times twice a day
- Dynamic signage, similar to HOM Furniture's, to maximize traffic benefits, attract visitors and telegraph success

Public Private Partnership

- Opportunity Zone registration and compliance
- City participation through appropriate incentives
- Minnesota DEED (for the entrepreneur Tenants)
- LISC participation
- Input and buy-in from Immigrant Cultural and Economic Development Organizations

Building Exterior

- Exterior building character reflects companies within
- Clean and contemporary building massing and details

Building amenities

- 3 story, high clear height ceilings, 81,000 square feet total, ample parking
- Tenants and guests will have well developed open and semi-private meeting spaces, indoors and outdoors, to conduct business
- High Tech feel - (Not like a typical office). The building has a presence that speaks to those that enter with more positive, cutting edge atmosphere through the architecture and Tenant energy.
- Large window areas provide passive energy, feed large plants and the soul
- Energy efficiencies and partnerships with local utilities. Long term savings and energy reduction.
- Various configurations all work well: small units with hallways, 1/2 floors, and/or entire floor-plates all make sense, thus allowing flexibility in Tenant demand, thereby shortening successful lease up of the building

Building Interior

- Open and ample common spaces encourage interaction and collaboration
- Flexible floor leasing arrangements
- Vertical windows bring daylight
- Polished concrete floors and open ceilings in key areas create a modern tech feel

Building Tenant Notes

- Major corporate anchor
- Entry level co-working to incubator to accelerator
- Immigrant friendly medical clinic amenity serving users and community
- Brady Real Estate Development, Inc. will move its permanent headquarters into the building

Building Systems

- State of the art data and communications systems
- Energy efficient heating, cooling, and ventilation systems. PACE qualified
- Energy efficient lighting and controls
- New technology elevators

Strategic Partners – 100+ years of experience

Developer

- Brady Real Estate Development - Mike Brady
  Over the past 3 decades as a Commercial Real Estate Broker, Developer, Owner and Investor, BradyRED has gained acumen in various skill-sets: Joint ventures, brokerage, land development, adaptive reuse, residential community development, historic redevelopment, city processes, financing, equity raising, TIF, management, Tenant representation, property tax valuation challenges, due diligence process management, lease examination, deal structuring, consulting, and mentoring commercial real estate up and comers.

Architecture

- -Building Foundry - Brian Lubben
  -37 years professional experience -Long time design/build executive
  -Experienced owner's and lender's rep -Former national real estate development executive
  -Registered architect in multiple states -Nearing $1 billion of construction in place
  -Hundreds of successful projects throughout the United States, Asia, and Africa
  -One of the real estate and building industry's most innovative problem solvers
  -Entrepreneurial Operating System (EOS) / TRACTION trained and experienced

Construction

- Benson-Orth - Mike Monson
  In the five decades since its founding, Benson-Orth has completed hundreds of projects including, but not limited to, shopping centers, foundries, single- and multi-story office and medical buildings, auto dealerships, hotels, heavy manufacturing buildings, and multi-family/senior housing. Projects range from small additions (5,000 SF) to large, new corporate facilities (700,000 SF) and everything in between.

Contact Mike Brady – 612.327.2932 mikebrady@bradyred.com

Frank Ngafua, SEJI Realty, Dominion Tax Group: "I'm glad to see more options for our immigrant community in terms of office work space. I think more co-working space is needed in the Brooklyn Center area."

Jackson George, Liberian Business Association and Strategy Africa: "LIBA looks forward to collaborating with this co-working space, we are pleased to know that more opportunities for our members are becoming available in the community. Mike Brady is doing a good job seeking out input from the immigrant community on what is needed for small business and freelance professionals who need a different type of work space that is creative and accessible."

Erl Morrell-Stinson, Stellar Impact International: "As an immigrant from South Africa myself, it's great to hear that people are thinking out of the box and building spaces with the immigrant community in mind. This space will make a great context for networking and learning, as well as providing work space that's affordable for the average micro business or solopreneur."

Christy Morrell-Stinson, Significant Advantage Consulting, and SAGE Academy Public Charter High School in Brooklyn Park "I'm excited about a vibrant place to connect and work, in a really great convenient location. It's great that Mike and his team are really taking the time to reach out to the community and find out what people are looking for in a co-working space and office environment. I'm especially happy about creating new options for the small company or independent contractor and taking into consideration the diversity of people and cultures in the Brooklyns... we have a richly beautiful community and I'm glad to be part of it."

City Staff Quote

Brooklyns Building Brooklyn Center is a unique project which will advance the goals and priorities established by the City of Brooklyn Center and influence the surrounding area in an extremely positive manner. The Brooklyn Center City Council established Resident Economic Stability and Target Redevelopment as key strategic priorities, both of which Brooklyns Building advances. Brooklyns Building is a key investment for a site that has sat vacant for many years and in an area which has seen disinvestment over the same period of time. The disinvestment in the area has led to an increase in crime for the surrounding area. Brooklyns Building is seen as a catalytic project that will lead to further investment in the surrounding area and provide additional support to the surrounding businesses due to the increased number of workers and visitors this project will bring. The City of Brooklyn Center has one of the highest percentage of foreign born populations of any City located within the State of Minnesota. Many from these populations have visions and dreams of creating their own business. Brooklyns Building will provide an avenue for many to begin their entrepreneurial journey. Small locally owned businesses also are more likely to hire locally, which will provide job opportunities for existing and future residents to live and work in the same City.

While the City has additional economic development incentives that will likely go into this project, such as Tax Increment Financing, the Opportunity Zone designation has added the value to the location and is helping ensure this development will occur. The City has shown backing of this project by turning down separate offers for the site and entering into a pre-development agreement with Brady Real Estate Development. The City has been actively working with the developer and sees this development as a partnership utilizing existing programs and incentives the City offers for not only the development, but also for the entrepreneurs that will work within the building.

BC BUSINESS TECH
BC BUSINESS TECH

BC BUSINESS TECH
BC BUSINESS TECH
BC BUSINESS TECH

BC BUSINESS TECH

Jambo Africa
Quality Inn
TUFAA EVENT CENTER
FEDERAL BUREAU
OF INVESTIGATION
HIGHWAY 100
James Cir N
ICES Imaging
HIGHWAY 694/94
694
52
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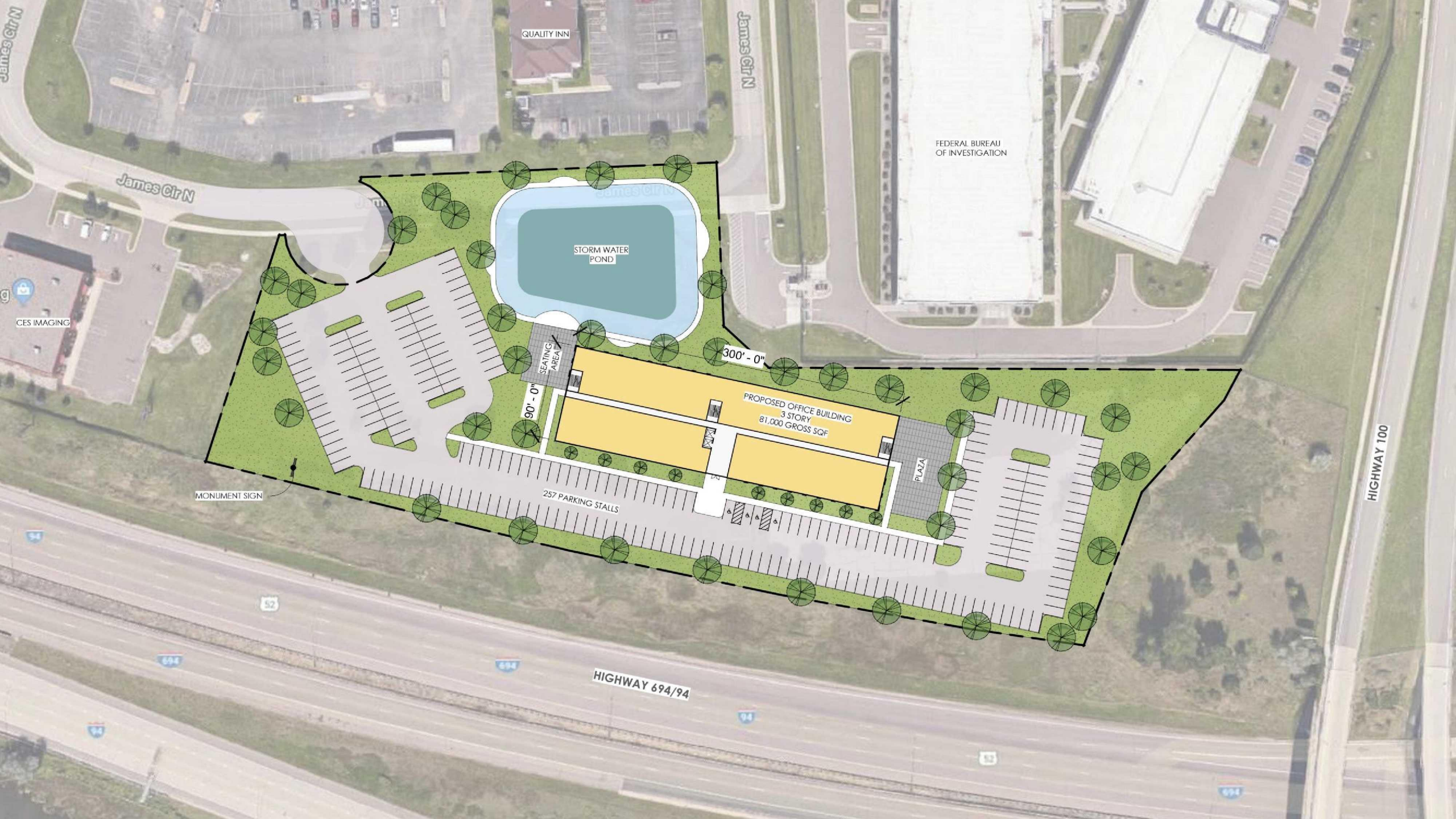
CONCEPT PLAN ONLY


QUALITY INN
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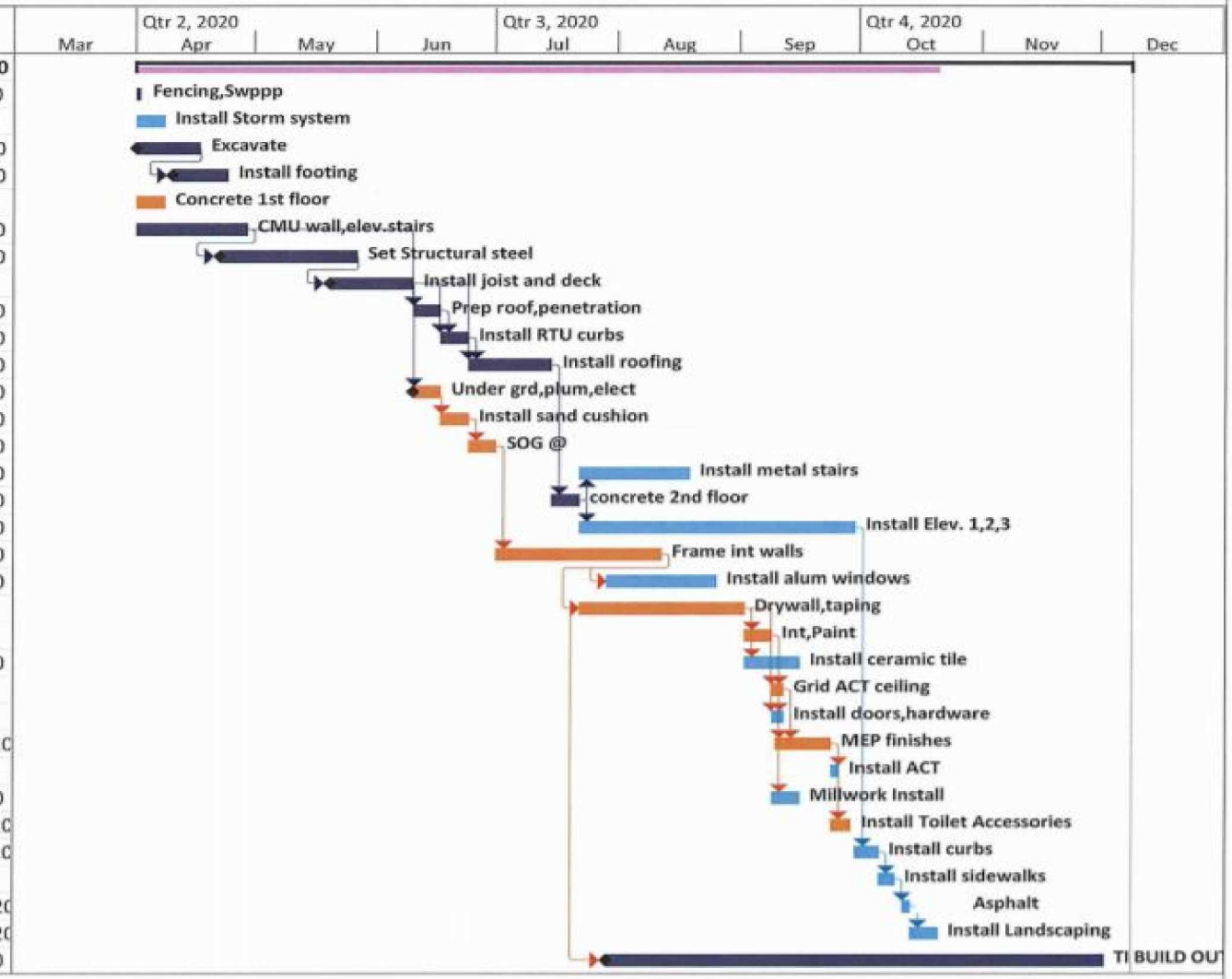
FEDERAL BUREAU
OF INVESTIGATION
CES IMAGING
STORM WATER
POND
SEATING
AREA
300' - 0"
90' - 0"
PROPOSED OFFICE BUILDING
3 STORY
81,000 GROSS SQF
PLAZA
MONUMENT SIGN
257 PARKING STALLS
HIGHWAY 694/94
HIGHWAY 100

ID	Task Mode	Task Name	Duration	Start	Finish
1		**Project Duration**	**180 days**	**Wed 4/1/20**	**Tue 12/8/20**
2		Fencing, Swppp	1 day	Wed 4/1/20	Wed 4/1/20
3		Install Storm system	5 days	Wed 4/1/20	Tue 4/7/20
4		Excavate	12 days	Wed 4/1/20	Thu 4/16/20
5		Install footing	10 days	Fri 4/10/20	Thu 4/23/20
6		Concrete 1st floor	5 days	Wed 4/1/20	Tue 4/7/20
7		CMU wall,elev.stairs	20 days	Wed 4/1/20	Tue 4/28/20
8		Set Structural steel	25 days	Wed 4/22/20	Tue 5/26/20
9		Install joist and deck	15 days	Wed 5/20/20	Tue 6/9/20
10		Prep roof, penetration	5 days	Wed 6/10/20	Tue 6/16/20
11		Install RTU curbs	5 days	Wed 6/17/20	Tue 6/23/20
12		Install roofing	15 days	Wed 6/24/20	Tue 7/14/20
13		Under grd,plum,elect	5 days	Wed 6/10/20	Tue 6/16/20
14		Install sand cushion	5 days	Wed 6/17/20	Tue 6/23/20
15		SOG	5 days	Wed 6/24/20	Tue 6/30/20
16		Install metal stairs	20 days	Wed 7/22/20	Tue 8/18/20
17		concrete 2nd floor	5 days	Wed 7/15/20	Tue 7/21/20
18		Install Elev. 1,2,3	50 days	Wed 7/22/20	Tue 9/29/20
19		Frame int walls	30 days	Wed 7/1/20	Tue 8/11/20
20		Install alum windows	20 days	Wed 7/29/20	Tue 8/25/20
21		Drywall, taping	30 days	Wed 7/22/20	Tue 9/1/20
22		Int, Paint	5 days	Wed 9/2/20	Tue 9/8/20
23		Install ceramic tile	10 days	Wed 9/2/20	Tue 9/15/20
24		Grid ACT ceiling	3 days	Wed 9/9/20	Fri 9/11/20
25		Install doors & hardware	3 days	Wed 9/9/20	Fri 9/11/20
26		MEP finishes	10 days	Thu 9/10/20	Wed 9/23/20
27		Install ACT	2 days	Thu 9/24/20	Fri 9/25/20
28		Millwork Install	5 days	Wed 9/9/20	Tue 9/15/20
29		Install Toilet Accessories	3 days	Thu 9/24/20	Mon 9/28/20
30		Install curbs	4 days	Wed 9/30/20	Mon 10/5/20
31		Install sidewalks	4 days	Tue 10/6/20	Fri 10/9/20
32		Asphalt	2 days	Mon 10/12/20	Tue 10/13/20
33		Install Landscaping	5 days	Wed 10/14/20	Tue 10/20/20
34		TI BUILD OUT	90 days	Wed 7/29/20	Tue 12/1/20



BENSON-ORTH GENERAL CONTRACTORS

49 YEARS OF EXCELLENCE

Task	External Tasks	Manual Task	Finish-only	Manual Progress
Split	External Milestone	Duration-only	Deadline
Milestone	Inactive Task	Manual Summary Rollup	Critical
Summary	Inactive Milestone	Manual Summary	Critical Split
Project Summary	Inactive Summary	Start-only	Progress

Property

Go to Property links

Clear results

PID: 3511921410021

1601 James Cir N
Brooklyn Center, MN 55430

Owner/Taxpayer	
Owner:	Econ Dev Auth Brooklyn Ctr
Taxpayer:	ECON DEV AUTH BROOKLYN CTR 6301 SHINGLE CREEK PKWY BROOKLYN CENTER MN 55430

Tax Parcel	
Parcel Area:	4.93 acres 214,718 sq ft
Torrens/Abstract:	Both
Addition:	Richardson Park 3rd Addn
Lot:	002
Block:	001
Metes & Bounds:	

Tax Data (Assessed 2018, Payable 2019)	
Market Value:	$0
Total Tax:	$0.00
Property Type:	Vacant Land-Commercial
Homestead:	Non-Homestead
Year Built:	

Tax Data (Assessed 2019, Payable 2020)	

Go to... +

Thank you!

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Real Estate Development

BUILDING FOUNDRY

BENSON-ORTH

GENERAL CONTRACTORS

50 YEARS OF EXCELLENCE

CITY OF BROOKLYN CENTER MN

AT THE CENTER

MEMORANDUM - COUNCIL WORK SESSION

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Meg Beekman, Community Development Director

SUBJECT: Business Subsidy Policy Discussion

Recommendation:

- Consider the attached draft of a Business Subsidy Policy and provide direction to Ehlers Public Finance Consultants and staff on how to proceed.

Background:

The City has an existing Business Subsidy Policy; however, it is narrow in scope and does not include many elements that can be useful in guiding policy decisions about the use of public subsidy for development projects, and significant business subsidy requests.

In order to develop a more robust, useful, and clear Business Subsidy Policy, staff has asked Ehlers and Associates, the City's public finance consultant, to take the City Council through a series of discussions that will identify clear parameters for the use of public subsidy.

The first discussion took place in March and included a brief presentation from Ehlers, which provided background information and an overview of public finance policies. Ehlers introduced homework at that meeting, which they asked each member of the City Council to complete.

The second discussion took place in April at a City Council work session and will involve a more in-depth discussion among the Council members regarding their responses to the homework and their values around the use of public subsidy. Based on that conversation, Ehlers has prepared a draft policy for the use of business subsidies which conforms to state statutes and also responds to the specific needs of Brooklyn Center.

This third discussion will be an opportunity for Ehlers to present the draft Business Subsidy Policy which responds to the Councils direction from the previous meeting. The Council will have an opportunity then to react to and provide input on the draft Policy before it would come back to Council for formal approval.

Attached is a memo from Ehlers with a background on the rational for the new policy along with a presentation from Ehlers from April, which summarizes the responses from the homework from the Council, and was the basis for the conversation.

Additional information was also requested regarding local and regional wages and employment at that April meeting. Ehlers will present this information, along with the policy language at the work session on Monday.

Policy Issues:

- What questions does the Council have about the draft policy?
- Is there additional information needed by Councilmembers before making a decision on the policy?
- Are there changes needed to the policy in order to make it better suited to the economic development needs of Brooklyn Center?

Strategic Priorities and Values:

Targeted Redevelopment, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
April 8, 2019 Presentation	9/16/2019	Backup Material
January Memo from Ehlers	9/17/2019	Backup Material
Draft Business Subsidy Policy	9/19/2019	Backup Material

EHLERS
LEADERS IN PUBLIC FINANCE

Business Subsidy Policy Discussion

Stacie Kvilvang & Jason Aarsvold – Ehlers

April 8, 2019

Need for Business Subsidy and City Public Financing Policy

- Required by State Statute
- **Provide staff with direction on what projects City Council/EDA would like to assist**
  - ✓ Provides staff with direction on what the EDA's priorities for development/redevelopment are
  - ✓ Allows staff to "weed" out project that won't meet EDA's goals
  - ✓ If a project is "border line" staff would bring to EDA at a work session
- **Provide developers with understanding if their project would warrant any assistance**

Business Subsidy Act

- **Primarily the Exemptions relate to:**
  - ✓ Housing
  - ✓ Contaminated Land
  - ✓ Redevelopment Projects
    - If the investment in the purchase of the site and in site preparation is **70%** or more of the assessor's current year's estimated market value
- **Job and wage goals required for**
  - ✓ Commercial businesses that don't meet the exemptions above
  - ✓ Can still choose to apply them even in redevelopment (traditionally not applied for housing)

Preliminary Summary

- **Jobs and Wages**
  - ✓ Quality, higher paying jobs is important
    - Corporate campus, technology, research and development
  - ✓ Job retention of major employers is a priority
  - ✓ Limiting the subsidy per job created is a priority
  - ✓ Minimum wage should be set above the State minimum
  - ✓ Average annual salary should be a livable wage

Preliminary Summary

- **Housing**
  - ✓ Willing to use assistance to diversify housing choices in the City
    - Need to discuss priority for affordable vs. market rate apartments
  - ✓ Significant rehabilitation of existing apartments was not a priority for public financing
    - Want policies to encourage it
- **Commercial**
  - ✓ Don't want to provide public financing for warehouse/distribution, commercial storage, small specialty retail, big/junior box retail and/or discount motel
  - ✓ Preservation and stabilization of existing commercial and industrial nodes is a priority
  - ✓ Sit down Restaurant is a priority

Preliminary Summary

- **Property Valuation**
  - ✓ There should not be a minimum building valuation requirement
  - ✓ Property valuation "before and after" should be measured
- **Public Investment**
  - ✓ Measuring a Public/Private investment ratio is important
  - ✓ Leveraging other resources should be required
  - ✓ Prefer to provide funding for public improvements and structured/underground parking
  - ✓ Prefer to provide assistance to projects that are special purpose projects of the City and clean up of blighted or polluted areas

Job Creation

- **Areas of agreement**
  - ✓ Quality of jobs
- **Areas to discuss**
  - ✓ Minimum number of jobs
    - 1 Person has indicated 15 jobs
    - 3 No response
  - ✓ Limit amount of subsidy per job created
    - 2 people said yes (1 indicated range of $3,000 - $4,000)
    - 2 No response
  - ✓ Should part-time jobs receive a partial credit
    - Split 2/2 (yes/no)
  - ✓ Job retention – is it important
    - Split 2/2 (no and not sure)

Wage Goals

- **Areas of Agreement**
  - ✓ Minimum wage should be set above State minimum
  - ✓ Average annual salary should be a livable wage
- **Areas to discuss**
  - ✓ Wage floor requirement
    - Responses included minimum wage plus multiplier, hourly rate and annual salary
    - The minimum wage in 2019 equates to:
      - **$8.04** per hour for Small and Other Businesses
      - **$9.86** per hour for Large Businesses
    - Determine an amount
      - 2X = **$16.08 – $19.72** per hour
        - » Proposed average annually salary range from **$40,560 - $42,000** annually
      - 3X = **$24.12 – $29.58**per hour
        - » Proposed average annually salary range from **$50,170 - $61,526** annually

Property Valuation

- **Areas of agreement**
  - ✓ Property valuation “before and after” should be measured
  - ✓ There should not be a minimum building valuation requirement
- **Areas to discuss**
  - ✓ Should there be minimum assessment agreements?

Ratio of Public-Private Investment

- **Areas of Agreement**
  - ✓ There should be a measurement ratio for Public/Private investment
  - ✓ There should also be a requirement for applicants to leverage other resources
- **Areas to discuss**
  - ✓ None

Targeted Sectors – Commercial

Sector	Identified Priorities
Corporate Campus	4
Sit-Down Restaurant	4
Multi-Tenant Buildings	3
High Tech or Major Manufacturer	3
Research and Development	3
Office	2
Medical Office / Facilities	2
Small Specialty Retail	1
Small Business	1
Warehouse / Distribution	0
Other	0

Targeted Sectors – Housing

Sector	Identified Priorities
Workforce / Affordable	3
Senior Housing with Services	3
High-Amenity, Market Rate, Rental	2
Senior Independent Rental	2
Senior Cooperative	1

Note:

1. ***Need clarification around workforce/affordable because it was a split on higher scoring (next slide)***
2. ***Need clarification around high-amenity, market rate rental (2 – yes, 1 – no, 2 – no response)***

Number & Types of Units – Housing

Category	Identified Priorities
Higher scoring for affordable housing	2
Higher scoring for luxury apartments	2
Higher scoring for higher density vs. lower density	1
Should City set parameters on mix of affordable units	1

Note:

1. ***Need clarification around affordable housing (2 – yes, 2 – no)***
2. ***Need clarification around affordable housing (2 – yes, 1 – no, 1 - unsure)***
3. ***Do you want to promote density?***
4. ***Need to further discuss mixed-income housing***

Additional Criteria

	Commercial	Housing
Category	Identified Priorities	Identified Priorities
Clean up of blighted areas	4	3
Clean up of polluted areas	4	3
Preservation/stabilization of major commercial or industrial nodes	4	NA
Retains major employer	4	NA
Special purpose project	3	4
Provides housing option not currently available	NA	3
Demonstration of extraordinary energy efficiency practices	2	2
Significant rehabilitation of an existing property	1	1
Other	0	0

Summary

- **Uses Council members do not want to provided assistance for:**
  - ✓ Commercial or Public Storage
  - ✓ Discount motel
  - ✓ Lower quality hotel or motel
  - ✓ Big box or Junior box Retail
  - ✓ Corporate Companies (Fortune 1,000 Companies)
  - ✓ **Others?**

Summary

- **Uses Council members do want to provide assistance for:**
  - ✓ Special purpose project of the City
  - ✓ Clean up of blighted and/or contaminated properties
  - ✓ Attraction of restaurants
  - ✓ Diversifying housing choices
  - ✓ Promoting high-wage job growth
  - ✓ Preservation/stabilization of major commercial or industrial nodes and retention of major employers
  - ✓ Public Infrastructure
  - ✓ Structured Parking

Summary

- **Council members are open to the idea of waiving City fees associated to:**
  - ✓ Building Permits
  - ✓ Truck Charges
  - ✓ SAC/WAC
  - ✓ Park Dedication

Next Steps

- Draft a Business Subsidy Policy for review by the Council

Questions

Stacie Kvilvang
skvilvang@ehlers-inc.com
651-697-8506

Jason Aarsvold
jaarsvold@ehlers-inc.com
651-697-8512

Memo

To:	Meg Beekman –Community Development Director
From:	Stacie Kvilvang & Jason Aarsvold - Ehlers
Date:	January 23, 2019
Subject:	Public Finance Policy

Public Finance Policies are largely comprised of two (2) elements:

1. Provisions that ensure the City is complaint with the Minnesota statutes related to business subsidies (116J.993 – 116J.995); and
2. Locally established criteria for providing assistance

The main statutory requirements include (i) assistance to commercial/industrial/office development with assistance of $25,000 or more (housing is exempt as are most redevelopment projects), (ii) number of jobs to be crated, and (iii) wage floor for jobs created (stated in a dollar amount or formula that generates specific dollar amount). At minimum, the City needs to develop a policy containing criteria that addresses these items. This policy must be approved after a public hearing.

Once the policy is approved, the City may grant individual business subsidies for specific projects. For projects receiving assistance of $150,000 or more, the City must hold a public hearing. In all cases, any assistance defined as a business subsidy will require a Business Subsidy Agreement. The Business Subsidy Agreement outlines the amount and public purpose of the subsidy, job and wage goals, requirements for continued operation, and recapture requirements (if goals are not met). These elements will automatically be incorporated into the City's new Public Finance Policy to ensure full compliance with the business subsidy statutes.

Other public financing best practices that many cities include in their Policy that we assume Brooklyn Center may also want to consider are:

1. Developer has provided a development proforma that shows the financing gap (but for test) and the gap has been verified by City staff or their Municipal Advisor
2. Development will conform to all city zoning, comprehensive plan and planning requirements
3. All projects will meet design standards
4. Developer has past development/redevelopment projects of similar type/scope and the financial ability to complete the project

5. Any TIF or abatement assistance is in the form of Pay-As-You-Go
6. Assistance will only be provided to projects that provide the highest and best use of the property
7. In TIF districts, Fiscal Disparities will be paid within the TIF district (no impact on other property owners)
8. All developers will pay applicable application fees and pay for fiscal and legal advisor time
9. No assistance will be given for overpayment of land
10. Just because an applicant meets any and/or all criteria doesn't mean assistance will be granted

Any of the above referenced basic assumptions can be changed, deleted and/or others added if staff or the Council/EDA deem appropriate.

To begin the process of preparing the remaining portion of the Policy (local criteria), staff needs to determine priorities of the City Council/EDA on wage floor, job goals and the projects for which they want to provide assistance and what criteria, if any, should be taken into consideration.

In addition, there are other issues to consider and discuss as follows:

1. What does the City Council/EDA want to accomplish in providing public assistance (i.e. clean up of polluted or blighted sites, tax base increase, intensity of land use, targeted sector recruitment, preservation of primary retail nodes/corridors, etc.)?
2. Will priority be placed upon City redevelopment goals (i.e. Opportunity Site, etc.)?
3. How much flexibility does the City/EDA want in a policy (i.e. do you want to have definitive yes or no's)
4. Is there any use or development that the City/EDA would not consider providing assistance to?
5. Will the City ever waive fees (i.e. park dedication, building permits, etc.)?
6. Should the number of years of assistance be limited (less than statutory maximum); and
7. What is the criteria that should be reviewed and/or weighted to determine if assistance should be provided

Please contact Stacie at 651-697-8506 or Jason at 651-697-8512 with any questions.

City of Brooklyn Center and
Brooklyn Center Economic Development Authority
DRAFT - Business Subsidy & City Public Financing Policy
September 2019

INTRODUCTION:

This Policy is adopted for purposes of the business subsidies act, pursuant to Minnesota Statutes, Sections 116J.993 through 116J.995 (the "Statutes"). Terms used in this Policy are intended to have the same meanings as used in Statutes. Subdivision 3 of the Statutes specifies forms of financial assistance that are not considered a business subsidy. This list contains exceptions for several activities, including redevelopment, pollution clean-up, and housing, among others. By providing a business subsidy, the city commits to holding a public hearing, as applicable, and reporting annually to the Department of Employment and Economic Development ("DEED") on job and wage goal progress.

1. PURPOSE AND AUTHORITY

A. The purpose of this document is to establish criteria for the City of Brooklyn Center ("City") and the Brooklyn Center Economic Development Authority ("EDA") for the granting of business subsidies and public financing for private development within the City. As used in this Policy, the term "City" shall be understood to include the EDA. These criteria shall be used as a guide in processing and reviewing applications requesting business subsidies and/or City public financing.

B. The City's ability to grant business subsidies is governed by the limitations established in the Statutes. The City may choose to apply its Business Subsidy Criteria to other development activities not covered under this statute. City public financing may or may not be considered a business subsidy as defined by the Statutes.

C. Unless specifically excluded by the Statutes, business subsidies include grants by state or local government agencies, contributions of personal property, real property, infrastructure, the principal amount of a loan at rates below those

commercially available to the recipient of the subsidy, any reduction or deferral of any tax or any fee, tax increment financing (TIF), abatement of property taxes, loans made from City funds, any guarantee of any payment under any loan, lease, or other obligation, or any preferential use of government facilities given to a business.

D. These criteria are to be used in conjunction with other relevant policies of the City. Compliance with the Business Subsidy Criteria and City Public Financing Guidelines shall not automatically mean compliance with such separate policies.

E. The City, at its sole discretion, may deviate from the job and wage goals criteria outlined in Section 5 D, E, and F below by documenting in writing the reason(s) for the deviation. The documentation shall be submitted to DEED with the next annual report.

F. The City may amend this document at any time. Amendments to these criteria are subject to public hearing requirements contained in the Statutes.

2. CITY'S OBJECTIVE FOR THE USE OF PUBLIC FINANCING

A. As a matter of adopted policy, the City may consider using public financing which may include tax increment financing (TIF), tax abatement, bonds, and other forms of public financing as appropriate, to assist private development projects. Such assistance must comply with all applicable statutory requirements and accomplish one or more of the following objectives:

1. Remove blight and/or encourage redevelopment in designated redevelopment/development area(s) per the goals and visions established by the City Council and EDA.
2. Expand and diversify the local economy and tax base.
3. Encourage additional unsubsidized private development in the area, either directly or through secondary "spin-off" development.
4. Offset increased costs for redevelopment over and above the costs that a developer would incur in normal urban and suburban development (determined as part of the But-For analysis).
5. Facilitate the development process and promote development on sites that could not be developed without this assistance.
6. Retain local jobs and/or increase the number and diversity of quality jobs
7. Provide opportunities for small businesses and/or entrepreneurs and promote resident economic stability.
8. Meet other uses of public policy, as adopted by the City Council or EDA from time to time, including but not limited to promotion of quality urban design, quality architectural design, energy conservation, sustainable building practices, and decreasing the capital and operating costs of local government.

3. PUBLIC FINANCING PRINCIPLES

A. The guidelines and principles set forth in this document pertain to all applications for City public financing regardless of whether they are considered a Business Subsidy as defined by the Statutes. The following general assumptions of development/redevelopment shall serve as a guide for City public financing:

1. All viable requests for City public financing assistance shall be reviewed by staff, and, if staff so designates, a third party financial advisor who will inform the City of its findings and recommendations. This process, known as the "But For" analysis is intended to establish the project would not be feasible but for the City assistance.

2. The City shall establish mechanisms within the development agreement to ensure that adequate checks and balances are incorporated in the distribution of financial assistance where feasible and appropriate, including but not limited to:

   a. Third party "but for" analysis

   b. Establishment of "look back provisions"

   c. Establishment of minimum assessment agreements

3. TIF and abatement will be provided on a pay-as-you-go-basis. Any request for upfront assistance will be evaluated on its own merits and may require security to cover any risks assumed by the City.

4. The City will set up TIF districts in accordance with the maximum number of statutory years allowable. However, this does not mean that the developer will be granted assistance for the full term of the district.

5. The City shall elect to have the fiscal disparities contribution come from inside applicable TIF district(s) to eliminate any impact to the existing tax payers of the community.

6. Public financing will not be used to support speculative commercial, office or housing projects. In general the developer should be able to provide market data, tenant letters of commitment or finance statements which support the market potential/demand for the proposed project.

7. Public financing will generally not be used to support retail development. The City may consider projects that include a retail component provided they meet a Desired Qualification as identified in Section 4.2.C of this policy.

8. Public financing will not be used in projects that would give a significant competitive financial advantage over similar projects in the area due to the use of public subsidies. Developers should provide information to support that

DRAFT

assistance will not create such a competitive advantage. Priority consideration will be given to projects that fill an unmet market need.

9. Public financing will not be used in a project that involves a land and/or property acquisition where the price is in excess of the fair market value.

10. TIF and Abatement will not be utilized for the construction of Warehouse/distribution, commercial storage, discount motel or Fortune 1,000 companies.

11. The developer shall pay all applicable application fees and pay for the City and EDA's fiscal and legal advisor time as stated in the City's Public Assistance Application.

12. The City may consider waiving fees including, but not limited to, park dedication fees, and SAC charges. The City may consider using SAC credits, to the extent they are available, to off-set a project's SAC expenses.

13. The developer shall proactively attempt to minimize the amount of public assistance needed through the pursuit of grants, innovative solutions in structuring the deal, and other funding mechanisms.

14. All developments are subject to execution and recording of a Minimum Assessment Agreement.

4. PROJECTS WHICH MAY QUALIFY FOR PUBLIC FINANCING ASSISTANCE

A. All new applications for public financial assistance that are considered by the City must meet each of the following minimum qualifications. However, it should **not** be presumed that a project meeting these qualifications will automatically be approved for assistance. Meeting the qualifications does not imply or create contractual rights on the part of any potential developer to have its project approved for assistance.

4.1 MINIMUM QUALIFICATIONS/REQUIREMENTS:

A. In addition to meeting the applicable requirements of State law, the project shall meet one or more of the public financing objectives outlined in Section 2.

B. The developer must demonstrate to the satisfaction of the City that the project is not financially feasible "but for" the use of tax increment or other public financing.

C. The project is, or will be through the City approval processes, consistent with the City's Comprehensive Plan and Zoning Ordinances, Design Guidelines or any other applicable land use documents.

D. Prior to approval of a financing plan, the developer shall provide any requested market and financial feasibility studies, appraisals, soil boring, private lender commitment, and/or other information the City or its financial consultants may require in order to proceed with an independent evaluation of the proposal.

E. The developer must provide adequate financial guarantees to ensure the repayment of any public financing and completion of the project. These may include, but are not limited to, assessment agreements, letters of credit, personal deficiency guarantees, guaranteed maximum cost contract, etc.

F. Any developer requesting public financial assistance must be able to demonstrate a previous capability for successful development, as well as specific capability regarding the type and size of the development proposed, unless for a use specified in 4.2C (7-8). Public financing shall not be used when the developer's credentials, in the sole judgment of the City, are inadequate due to previous history relating to completion of projects, general reputation, and/or bankruptcy, or other problems or issues considered relevant to the City.

G. The developer, or its contractual assigns, shall retain ownership of any portion of the project long enough to complete it, stabilize its occupancy, establish project management and/or needed mechanisms to ensure successful operation.

4.2 DESIRED QUALIFICATIONS:

A. Projects providing a high ratio of private investment to City public investment shall receive priority consideration. Private investment includes developer cash, government and bank loans, conduit bonds, tax credit equity, and land if already owned by the developer.

B. Proposals that significantly increase the amount of property taxes paid after redevelopment will receive priority consideration.

C. Proposals that encourage the following will receive priority consideration:

1. Implements the City's vision and values for a City-identified redevelopment area

2. Provides significant improvement to surrounding land uses, neighborhoods, and/or the City

3. Attracts or retains an employer within the City providing over 50 jobs

4. Provides increased quality and higher paying jobs

5. Promotes multi-family housing investment that meets the following City goals:

    a. Increase housing choice within the community, diversifying existing housing stock and provide options that do not currently exist
    b. Provide clean, safe, and affordable housing units
    c. Include housing as part of City special purpose projects, such as the Opportunity Site, or other priority City redevelopment areas.
    d. Multi-family housing with high-amenities considered luxury and/or market rate

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6. Provides opportunity for the attraction and retention of sit-down restaurants

7. Provides opportunities for small businesses and/or entrepreneurs

8. Projects that promote resident economic stability

9. Redevelops a blighted, contaminated and/or challenged area

10. Preserves and/or stabilizes a major commercial or industrial node

11. Adds needed public infrastructure such as roads or structured parking

5. BUSINESS SUBSIDY PUBLIC PURPOSE, JOBS AND WAGE REQUIREMENT

A. All business subsidies must meet a public purpose with measurable benefit to the City as a whole.

B. Job retention may only be used as a public purpose in cases where job loss is specific and demonstrable. The City shall document the information used to determine the nature of the job loss.

C. The creation of tax base shall not be the sole public purpose of a subsidy.

D. Unless the creation of jobs is removed from a particular project pursuant to the requirements of the Statutes, the creation of jobs is a public purpose for granting a subsidy. Creation of at least **1** Full Time, or Full Time Equivalent (FTE) jobs is a minimum requirement for consideration of assistance. For purposes of this Policy, FTE jobs must be permanent positions with set hours, and be eligible for benefits.

E. Part-Time Equivalent jobs may receive a partial credit and be counted toward the job goals.

F. The wage floor for wages to be paid for the jobs created shall be not less than 150% of the State of MN Minimum Wage. The City will seek to create jobs with higher wages as appropriate for the overall public purpose of the subsidy. Wage goals may also be set to enhance existing jobs through increased wages, which increase must result in wages higher than the minimum under this Section.

G. After a public hearing, if the creation or retention of jobs is determined not to be a goal, the wage and job goals may be set at zero.

6. SUBSIDY AGREEMENT

A. In granting a business subsidy, the City shall enter into a subsidy agreement with the recipient that provides the following information: wage and job goals (if applicable), and recourse for failure to meet goals required by the Statutes.

B. The subsidy agreement may be incorporated into a broader development agreement for a project.

C. The subsidy agreement will commit the recipient to providing the reporting information required by the Statutes.

7. PUBLIC FINANCING PROJECT EVALUATION PROCESS

A. The following methods of analysis for all public financing proposals will be used:

1. Project is deemed consistent with City's Goals and Objectives
2. Consideration of project meeting minimum qualifications
3. Consideration of project meeting desired qualifications
4. Project meets "but-for" analysis and/or statutory qualifications

Please note that the evaluation methodology is intended to provide a balanced review. Each area will be evaluated individually and collectively and in no case should one area outweigh another in terms of importance to determining the level of assistance.

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MEMORANDUM - COUNCIL WORK SESSION

DATE: 9/23/2019

TO: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: Pending Items

Recommendation:

- Commemoration of 400 years of Slavery Activities - 9/23
- Police Crisis Prevention Options - 11/12
- Livable Wages - 12/9
- Environmental Policies and Practices - 10/28
- Housing Policy Implementation Plan - 10/14
- Options for Use of Adjacent Space to Liquor Store

Background:

Strategic Priorities and Values:

Operational Excellence