

Council Study Session
City Hall Council Chambers
August 26, 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 p.m.**
- 2. Miscellaneous**
- 3. Discussion of Work Session Agenda Item as Time Permits**
- 4. Adjourn**

**CITY COUNCIL
MEETING**

City Hall Council Chambers
August 26, 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:*

- *July 29, 2019 City Council/Financial Commission Work Session*
- *August 12, 2019 Study Session*
- *August 12, 2019 Regular Session*
- *August 12, 2019 Work Session*

b. Approval of Licenses

- *Motion to approve licenses as presented.*

c. Resolution Approving the Local Water Supply Plan

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

d. Resolution Authorizing Execution of a Professional Services Agreement,
Project No. 2021-05, Brooklyn Boulevard Corridor Project Phase 2
Improvements (Bass Lake Road to Interstate 94)

- *Motion to approve a resolution authorizing execution of a Professional Services Agreement for the Brooklyn Boulevard Corridor Project Phase 2 Improvements (Bass Lake Road to Interstate 94)*

7. Presentations/Proclamations/Recognitions/Donations

8. Public Hearings

9. Planning Commission Items

- a. Ordinance Adopting a Zoning Amendment Regarding the CC Central Commerce Overlay District - Planning Commission Application No. 2019-014 (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 CC Central Commerce Overlay District, and set the second reading and public hearing for September 23, 2019.

10. Council Consideration Items

11. Council Report

12. Adjournment

COUNCIL ITEM MEMORANDUM

DATE: 8/26/2019

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:*

- *July 29, 2019 City Council/Financial Commission Work Session*
- *August 12, 2019 Study Session*
- *August 12, 2019 Regular Session*
- *August 12, 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
July 29, 2019. City Council/Financial Commission Work Session	8/22/2019	Backup Material
August 12, 2019 Study Session	8/22/2019	Backup Material
August 12, 2019 Regular Session	8/22/2019	Backup Material
August 12, 2019 Work Session	8/22/2019	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
JULY 29, 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 Marquita Butler, Kris Lawrence-Anderson and Dan Ryan. Councilmember April Graves was absent and excused. Also present were Financial Commissioners Taofeek Ishola and Dean Van Der Werf. Also present were City Manager Curt Boganey, Deputy City Manager Dr. Reggie Edwards, Director of Fiscal & Support Services Nate Reinhardt, and City Clerk Barb Suciu.

APPROVAL OF AGENDA

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

BUDGET DISCUSSION

Mayor Mike Elliott stated this is the second in a series of joint work sessions of the City Council and Financial Commission regarding the 2020 Budget review process. He added the work sessions would elicit input from the City Council and Financial Commissioners and provide direction for City Staff.

City Manager Curt Boganey stated the City Manager is required by City Charter to provide a balanced budget on an annual basis. He added the focus for tonight is the General Fund, related to the budget but also financial limitations within which the City Council wants City Staff to deliver the budget. He stressed the importance of ensuring the proposed budget is consistent with the goals and direction of the City Council, as well as input and feedback from the Financial Commission.

Finance Director Nate Reinhardt stated tonight's Joint Work Session would include a review of the 2020 Budget process, including objectives, goals and outcomes; strategic priorities; Local Government Aid; and an interactive exercise to provide direction to City Staff about budget development. He reviewed the objectives of the Work Sessions: to ensure that the necessary programs are in place, and 2020 budget requests will continue to provide the necessary services as the City strives to meet strategic goals. He added additional advancements might be required. He noted the questions to be answered are whether the City Council and Financial Commission are in agreement, and the maximum levy adjustment that would be proposed.

Mr. Reinhardt stated the 2020 budget would require a 11.27% increase to maintain current levels of service and includes a tax levy of approximately \$78,000. He added an increase of \$310,000 in

revenues in 2019 will reduce the amount of required property taxes. He noted operationally budget advancements of 5-6% will be required.

Councilmember Lawrence-Anderson required clarification regarding \$310,000 in revenue. Mr. Reinhardt stated that is a result of Local Government Aid (LGA) and building permit fees.

Mr. Boganey stated the budget requests submitted by Department heads have not been amended or adjusted.

Mr. Boganey stated, in his opinion, the City Council has historically approved and adopted excellent budget policy, both in expenditures and revenues. He added policies have originally been reviewed by the Financial Commission for recommendation to the City Council, to ensure that minimum requirements are met, and the budget is balanced. He commended the City Council and Financial Commission for keeping good policies in place.

Mr. Reinhardt reviewed strategic priorities in the 2020 Budget, including “resident economic stability”. Goals and resources are development and implementation of the Business Retention Program; programs for local start-ups and entrepreneurs with barriers to ownership; and the BrookLynk internship program.

Mr. Reinhardt reviewed the next strategic priority, “targeted redevelopment”. Goals and resources are Corridor Land Use Study for Brooklyn Boulevard; identification of key intersections that complement the City’s transportation investment; master development planning at Sears site including a review of land use, assistance with finding development and achieving goals for the site; work with Alatus to move forward with first phase of the Opportunity Site. A new Associate Planner position will take on daily planning duties.

Mr. Reinhardt stated the next strategic priority is “inclusive community engagement”. Goals and resources are continue building out Community Engagement division; increased social media and community outreach; a full-time Community Engagement Specialist position is proposed to replace the current part-time position; funding to support Sister Cities Commission; funding allocation for each neighborhood for activities.

Councilmember Lawrence-Anderson requested clarification regarding funding for the Sister City Commission. Mr. Boganey stated funds would be allocated to support the Commission’s activities, including outreach, marketing, and establishing Sister City relationships.

Commissioner Van Der Werf requested clarification regarding the funding allocation for neighborhoods. Deputy City Manager Reggie Edwards stated a funding pool is proposed for \$1,000 per neighborhood, so residents can seek funding support for neighborhood meetings and activities.

Commissioner Van Der Werf stated this could be transformative, and a real opportunity. Mayor Elliott agreed, adding it gives residents an incentive to organize events and activities, because they know the funding will be available.

Mr. Boganey stated City Staff will set up a policy for the proposed neighborhood funding pool, assuming it is approved for inclusion in the budget.

Councilmember Lawrence-Anderson stated there should be goals and objectives before funding is made available. Mr. Boganey agreed, adding City Staff will verify that funds are being used for the intended purpose.

Councilmember Ryan stated City Staff can bring forward recommendations on this proposed funding. He added he would support scaling appropriation to need, and revisit this in detail later.

Mr. Reinhardt reviewed the next strategic priority.

Mr. Reinhardt stated the next strategic priority is “enhanced community image”. Goals and resources are the addition of Full-Time Park Maintenance position; implementation of the results of the Public Art Program study, continuation of City marketing campaigns; the addition of a Part-Time Graphic Designer.

Councilmember Ryan stated he agrees with the general objectives. He added a campaign under this heading could be “Clean is Green”, supporting the improvement of the environment, educating the public and neighborhood groups about trash disposal and recycling. He added the City Council could review this at a work session.

Mr. Boganey stated there is a group that includes City Staff working on a number of concepts related to this issue. He added Councilmember Ryan’s concept could be turned over to them. Councilmember Ryan agreed.

Councilmember Butler stated she would support paying someone to pick up trash rather than hiring a new Graphic Designer. She added she would rather apply funding towards improving the City’s image by hiring someone keep public areas clean. She noted she has been on sidewalks in Brooklyn Center that are overgrown with weeds.

Councilmember Lawrence-Anderson agreed, stating she has seen bus stops that need to be addressed. She added she contact the Public Works Director regarding weeds on Unity Avenue in a rain garden area, and an overgrown lot on 63rd Avenue. She added she would support the idea of a grass roots campaign to keep the City clean.

Mayor Elliott stated the task force mentioned by Mr. Boganey could focus on environmental design and strategically placed signage, as well as more green spaces to improve people’s reactions to Brooklyn Center.

Mayor Elliott asked whether the proposed Full-Time Maintenance position would be dedicated to maintaining and cleaning up parks. Mr. Boganey stated that position will focus on streetscapes. He added this will allow Public Works to maintain the City’s landscaped street scape areas.

Mr. Reinhardt stated a strategic priority is a “safe, secure and stable community”. Goals and resources are adoption and implementation of comprehensive strategy to reduce youth violence; a Code Enforcement Inspector position; new software to improve management of Code enforcement and rental licenses; a changeable message board for use by City departments; the addition of 2 Patrol Officers; a Technology intern; Lotus election software; training of election judges; completion of security review of risk areas; and 2 City Council retreats in 2020.

A female audience member stated, regarding the addition of 2 Police Officers, she would support training residents to handle emergency situations, to de-escalate a situation rather than bringing in a police officer. She noted the proposed addition of 2 Police Officers.

Mayor Elliott stated Police Chief Tim Gannon gave a presentation at a recent City Council meeting regarding the mental health co-responder model, in which mental health-trained personnel are embedded with police to provide assistance and de-escalate the situation. He added Chief Gannon pointed out that police responders should be the first on the scene to assess next steps. He noted there are certain aspects of civilian response and involvement that would need to be addressed, including lack of training and effectiveness as well as the necessity of hiring a lot of people so someone is available at all times.

Mayor Elliott stated the important questions to ask are whether there are enough officers trained to handle the number of incidents that require de-escalation, and whether community members who would potentially be trained in de-escalation would reflect the community as a whole.

Councilmember Butler stressed the importance of Police Officer training, including mental health and unconscious bias awareness training. She added information should be available regarding funding that is spent on training, as well as who is doing the training, as some trainers are better qualified than others.

Councilmember Butler stated the City Council usually does a retreat every other year. She asked why there are 2 retreats planned in 2020. Mr. Boganey stated there has been many changes to the City Council in the past year, and it has been several years since the City Council addressed strategic priorities. He added it is reasonable for the City Council to consider having a second retreat.

Mayor Elliott stated the City’s overall strategic priorities may change and evolve over time, and it can take time to implement policies and see results. He added, at the same time, the City must be able to respond to the needs of the community as they arise and things change.

Councilmember Ryan agreed, adding there is a balance between flexibility but with a sense of continuity. He added he believes strongly in the strategic priorities to remind the community that City operations are well-focused on ongoing critical services that have always been provided, and to not take them for granted.

Councilmember Ryan stated the main reason to have an additional retreat is that the City has a new mayor. He added, in the past, it has been the practice to have a retreat when there is a change on the City Council.

Mr. Boganey stated there has always been an annual retreat for the City Council, but the last few years the need for an annual retreat was less apparent. He added many communities have a 2 annual City Council retreats.

The female audience member stated, with regard to inclusive community engagement, it is difficult to get residents to come out into the community, as one person's idea of welcome may not overlap with someone else's ideas. She added it is important to have an idea of what culture means, as different people have different ideas about that. She noted there are adults who do not speak English, and it may be hard for them to get involved. She expressed her concern that this should be included in the dialogue.

Councilmember Ryan stressed the importance of being mindful of the family situations of the City's residents, and that the demands of daily life may prove to be a challenge in terms of getting involved in the community. He added resources like communications media, social media and public polling can help get messages out and get an idea of what people's thoughts and feelings are. He noted getting more responses will be helpful in this process.

Mayor Elliott stated he is happy to get anyone from outside this group to come to the meetings, as that is part of the overall effort to be responsive to the community. He stressed the importance of listening to the community's ideas and input to help improve the position of the City of Brooklyn Center.

Councilmember Butler stated the audience member's comments resonated with her, as she has expressed her frustration that the Opportunity Site workshops did not reflect the community, although they got better as they went along. She added she hopes the audience member might be interested in getting involved in the Community Engagement Task Force.

Mayor Elliott asked whether information is available about the race and gender make-up of the Police Department. Mr. Boganey agreed to provide that information.

Mayor Elliott stressed the importance of having an open discussion about race, to ensure that everyone is coming from the same place even if their ideas are not the same. He added open and honest discussions about race and culture are the best way forward and will be inevitable as Brooklyn Center is such a diverse city.

Councilmember Ryan stated he agrees that is an important conversation, although perhaps it would be better to have it at a different place and time.

Mayor Elliott stated the budget work sessions are an appropriate place to discuss hiring additional Police Officers or embedded staff for de-escalation of police situations. He added budget determines policy and, ultimately, outcomes.

Mr. Reinhardt stated the next strategic priority is "key transportation investments". He added goals and resources include development of Brooklyn Boulevard Corridor Project Phase 2, from Bass Lake

Road to 65th Avenue, with anticipated completion in 2021; work on the Highway 242 study with regional partners; and completion of street reconstruction projects.

Mayor Elliott stated he and Mr. Boganey attended the Highway 252 meeting, and the project is coming along. He added the next phase will be community open houses and recommendations from the Technical Advisory Committee. Mr. Boganey stated recommendations will also be received from PAC.

Mayor Elliott stated contractors that are selected for projects like the Highway 242 corridor should represent women and minority communities. He added a State-wide effort is underway to engage local community organizations to ensure that women and minorities receive equal treatment in the awarding of construction contracts. He noted any referrals can be directed to him or Mr. Boganey.

Mr. Boganey agreed, adding Workforce Development Specialist Brett Angell will be the point person for these types of Community Development issues. He added residents are welcome to contact him as well.

Councilmember Butler asked whether the Highway 252 Phase 1 project will include Brooklyn Center welcome signs. Mr. Boganey confirmed this, although he does not know when they will be installed.

Mr. Reinhardt stated the City of Brooklyn Center will see an increase in Local Government Aid (LGA) in 2020 of approximately \$330,000. He added the City is limited to using 50% of these funds for General Operations, and the remainder for capital improvements. He noted LGA makes up approximately 4% of the General Operations Fund, and the City has reduced its reliability on LGA over the past 20 years.

Mr. Reinhardt stated, according to preliminary estimates from the County Assessor's Office, the City's estimated tax market value has increased by 10.6% or \$218 million.

Mayor Elliott requested clarification regarding the market value increase. Mr. Reinhardt stated that is based on improvements and increases in current values. Mr. Boganey stated he assumes a significant portion of the increase is due to new commercial and industrial construction. He added revenues from building permits and new projects were at an all-time high. He noted City Staff can provide further clarification on this issue.

Mr. Reinhardt stated most residents will experience a 7.6% increase in assessed property value from 2019 to 2020. He added the median value home is at its highest since 2008 and has increased by 73% since 2014.

Mr. Boganey stated the chart on page 23 shows the correlation between the increase in commercial and residential tax capacity, with commercial at 13% and residential at 9.5%.

Mr. Reinhardt stated the chart shows the impact of change in market values and the City levy, using hypothetical values to calculate taxes for each classification. He added the values were increased based on total market value.

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Mr. Reinhardt stated the median value home paid \$1,174 in property taxes, and that would increase by about \$10 if the 2020 levy is the same. He added the median value home can expect to see an annual tax increase of \$11 for every 1% additional levy.

Councilmember Ryan stated there might be a situation where a commercial business declines or moves out of the City, but there is a strong housing market in Brooklyn Center for homes within a certain price range. He added a declining commercial property tax base would cause an increase in residential property taxes. Mr. Boganey agreed, adding tax capacity is distributed among the different property tax types.

Councilmember Ryan stressed the importance of the Opportunity Site for the future of Brooklyn Center, to grow the tax base and provide financial benefits to homeowners as well as renters.

Mayor Elliott stated the Opportunity Site could change the type of renters in Brooklyn Center, and put pressure on the City's existing renters with regard to what they can or cannot afford. He asked what determines the market rate for property in Brooklyn Center. Mr. Boganey stated the City was developed for the most part between 1940-1970. He added market value is determined by how much a buyer is willing to pay, and that is true for residential, rental, commercial and industrial property. He noted an appraisal should be related to and reflect the market value.

Councilmember Butler stated she read that Brooklyn Center is one of the top housing markets in the State of Minnesota. Mr. Boganey stated he does not have the statistic, but Mr. Reinhardt has shown with residential property values over the last several years that Brooklyn Center has been catching up to other areas over the past 3-4 years, and that has been a significant increase. He noted Brooklyn Center is also a hot market because of affordability.

The female audience member asked whether the City could put a restriction on the amount of luxury apartments are being developed so people can afford to live in Brooklyn Center. She added this has been done in other communities, including Golden Valley and Maple Grove, and Brooklyn Park is working on a similar initiative.

Mr. Boganey stated this is called an "inclusionary zoning requirement". He added it is hoped that the City can adopt a similar requirement, although other communities have had been building a lot of new apartments, and Brooklyn Center has not. He noted another issue is that those communities may have a limited amount of affordable housing, while Brooklyn Center has an abundance of naturally occurring affordable housing.

Mr. Boganey stated that will be a topic of discussion for the City Council.

Mayor Elliott stated "naturally occurring affordable housing" is the most readily available type of affordable housing across the country as well as in Brooklyn Center. He stressed the importance of determining how much affordable housing is naturally occurring and how much is legally binding.

Councilmember Ryan stated the City has partnered with a cooperative non-profit organization committed to managing property and maintaining affordable rates. He added every affordable housing development that has come before the City Council has been passed. He noted he supports the City Council's continued review and discussion on this important issue.

Mr. Reinhardt stated the next three budget meetings will include General Fund budget requests from Department heads. He added the meeting dates are August 7, August 19 and September 4, after which the City Manager's recommended preliminary levy will be presented to the City Council for adoption by September 30, 2019, as required by State statute.

Mr. Reinhardt stated the meeting attendees would be asked questions related to the 2020 budget as part of an interactive exercise. He added this will be helpful for City Staff as they establish parameters.

Mr. Edwards read the interactive survey questions:

1. What levy increase would you consider easily acceptable?
2. What levy increase would you consider easily acceptable with strong justification?
3. What levy increase would you consider unacceptable and cannot support?
4. Do you believe that efforts outlining the budget presentation align with the intended strategic direction of the City?

Mr. Boganey asked whether the attendees would share insight into their responses. He added this would help City Staff understand the responses better.

Councilmember Lawrence-Anderson stated the process is supposed to be anonymous, and attendees may not want their responses to be on the record.

Mr. Edwards read question #5 – "Do you believe that efforts outlining the budget presentation represent a sufficient pace with the efforts and resources to achieve the strategic parts in a timely manner?"

Mr. Boganey stated the attendees could contact him to discuss their responses if they do not want to talk about it publicly.

Mayor Elliott stated there is not enough information to determine whether the pace is sufficient, and whether enough resources are being allocated.

Commissioner Van Der Werf stated many Brooklyn Center residents live on a fixed income, and the levy increase would be of great concern to them. Mayor Elliott agreed. He stressed the importance of being mindful about raising the levy significantly. He added the levy has been increasing steadily, and there is a cumulative effect.

Mayor Elliott stated “resident economic stability” is an important priority, to ensure that the needs of older residents are met. He added he hears that a lot, from older residents who are on a fixed income, that they are unable to afford the taxes in Brooklyn Center.

Mr. Edwards stated, regarding “resident economic stability”, the two initiatives that came out as most supportive are “promoting home ownership” and “development of business”.

Mayor Elliott stated supporting local businesses has a big effect on household income, and home ownership creates stability and builds generational wealth. He added these are two key initiatives that should be supported at the local level.

Mr. Boganey stated the Associate Planner position would focus on targeted development, especially the Opportunity Site. He added this will allow the City Planner to address broader responsibilities. He noted the amount of development activity is significantly greater than what has been seen in the last 10 years.

Mayor Elliot stated “Other” should be available as an option, as people might have other suggestions.

Mayor Elliott asked what the portable changeable message board would be used for. Mr. Boganey stated this idea originated with Emergency Management as a useful tool for communication. He added several other departments have indicated that they would use it as well.

Mr. Boganey asked whether there is support for the pilot interactive survey program. Mayor Elliott stated that discussion can be postponed as it is not time sensitive.

ADJOURNMENT

There was a motion by Councilmember Ryan and seconded by Commissioner Butler to adjourn the meeting. The motion passed. The Brooklyn Center City Council/Financial Commission adjourned at 9:24 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
AUGUST 12, 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 April Graves, Kris Lawrence-Anderson, and Dan Ryan. Councilmember Marquita Butler was absent and excused. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Director of Fiscal & Support Services Nate Reinhardt, Community Development Director Meg Beekman, Business and Work Force Development Coordinator Brett Angell, City Attorney Troy Gilchrist, and City Clerk Barb Suci.

CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

There were no agenda items to discuss.

MISCELLANEOUS

City Manager Curt Boganey stated the City Council had received information this afternoon regarding the bond sale on tonight's agenda. He added this information is not included in the meeting packet.

Mr. Boganey stated a Zoning Task Force application for Harlan Daudt has been added to the meeting packet.

DISCUSSION OF WORK SESSION AGENDA ITEMS AS TIME PERMITS

No Work Session agenda items were discussed.

ADJOURNMENT

Mayor Elliott adjourned the Study Session.

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
AUGUST 12, 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 April Graves, Kris Lawrence-Anderson, and Dan Ryan. Councilmember Marquita Butler was absent and excused. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Director of Fiscal & Support Services Nate Reinhardt, Community Development Director Meg Beekman, Business and Workforce Development Coordinator Brett Angell, City Attorney Troy Gilchrist, and Barb Suciu, City Clerk.

Mayor Mike Elliott opened the meeting for Informal Open Forum.

Harlan Daudt, 6000 York Avenue, stated the Opportunity Site is perfect for businesses and stores. He added a big box store would be a good addition. He noted that 2,000 apartments are too many, and the development seems to be on a fast track.

Mr. Daudt stated the developer wants the City to fast track for their benefit, and the City should not do that. He added more people should get involved. He asked whether there will be a public hearing on the moratorium. Mayor Elliott stated the public hearing would be held at tonight's meeting.

Jude Nnadi, 4831 71st Avenue N, asked whether the City of Brooklyn Center has a policy of public procurement that gives preference to small local businesses and minority businesses and industries.

City Manager Curt Boganey stated there is no specific program that focuses on small business or minority business procurement. He added there is an inclusion and diversity effort that has been developed over several years and is still being developed, which includes consideration of a City purchasing policy.

Mr. Nnadi stated the City of Brooklyn Center should have this type of program to provide an advantage to local small businesses. He added he has tried to contact City Staff to submit bids

but has not received a response. He noted he is open to engaging in discussion with City leadership on this issue.

Lenny Chisholm, one of the City's "pop up markets" creators, gave an update on the recent Saturday markets. He added local vendors would have the opportunity to use storage containers at this coming Saturday's market. He noted storage containers might be a good addition to the Opportunity Site if the City's ordinances can be amended to include them as permanent structures for small business opportunities.

Mr. Chisholm stated there were 51 vendors at last month's Saturday market, and 250 people showed up.

Councilmember Lawrence-Anderson moved, and Councilmember Ryan seconded to close the Informal Open Forum at 7:00 p.m.

Motion passed unanimously.

2. INVOCATION

Councilmember Lawrence-Anderson read a quote from President John Kennedy for the Invocation:

"Let us not seek the Republican answer or the Democratic answer, but the right answer. Let us not seek to fix the blame for the past. Let us accept our own responsibility for the future."

3. CALL TO ORDER REGULAR BUSINESS MEETING

The Brooklyn Center City Council met in Regular Session called to order by Mayor Mike Elliott at 7:00 p.m.

4. ROLL CALL

Mayor Mike Elliott and Councilmembers April Graves, Kris Lawrence-Anderson, and Dan Ryan. Councilmember Marquita Butler was absent and excused. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Director of Fiscal & Support Services Nate Reinhardt, Community Development Director Meg Beekman, Business and Workforce Development Coordinator Brett Angell, City Attorney Troy Gilchrist, and City Clerk Barb Suci.

5. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

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

6a. APPROVAL OF MINUTES

1. Special Work Session
2. July 15, 2019 - City Council/Financial Commission Work Session
3. July 22, 2019 - Study Session
4. July 22, 2019 - Regular Session
5. July 22, 2019 - Work Session

6b. LICENSES

GARBAGE HAULERS

Dick's Sanitation

8984 215th Street West
Lakeville MN 55044

MECHANICAL

Air Express, Inc.

1010 118th Avenue NE
Blaine, MN 55435

All Climate Mechanical

7944 University Avenue NE
Fridley MN 55432

Armstrong Plumbing LLC

1327 2nd Avenue
Newport, MN 55055

Centraire Htg & A/C, Inc.

6811 Washington Avenue S
Edina, MN 55439

Comfort Matters Htg & Cooling Inc

18071 Territorial Road
Maple Grove MN 55369

Elander Mechanical Inc.

645 Shenandoah Drive
Shakopee, MN 55379

GV Heating and Air

5182 West Broadway
Crystal, MN 55429

TEMPORARY GAMBLING LICENSE

MN Trucking Association

6420 Camden Avenue N

September 16

Brooklyn Center, MN 55430

Church of St. Alphonsus

7025 Halifax Avenue N

Sept. 27-29

Brooklyn Center, MN 55430

RENTAL

INITIAL (TYPE III – one-year license)

1302, 1308 69th Avenue N

Steve Plotz

(Carrington Dr. Apts.)

6725 Colfax Avenue N

Nancy Yang/Kayo Investments

5827 Ewing Avenue N

Juan Carlos Quito Villa

INITIAL (TYPE I – three-year license)

5139 France Avenue N
1340 68th Lane N

Gregory Scarth Roelle Jr
Jin Li

RENEWAL (TYPE IV – one-year license)

1300 67th Avenue N, Brookside Manor
4216 Lakebreeze Avenue
2012 55th Avenue N
6600 Dupont Avenue N
6007 Girard Avenue N
5642 Logan Avenue N
7006 Morgan Avenue N
6101 Xerxes Avenue N

Roger & Elizabeth Family Properties LLC
Daniel Tan
IH3 Property Illinois LP
Thomas Lee
Ben Cleve Dossman IV
MNSF II W1 LLC
Heshem Abdel Hakim
Govan Singh

RENEWAL (TYPE III – one-year license)

6807 Humboldt Avenue N
(Humboldt Court)
3912 61st Avenue N
2012 Ericon Drive
6400 Unity Avenue N

Mindy Jane Brummer

Nazeen Khatoon
Kristina Coryell
Michelle Vue

RENEWAL (TYPE II – two-year license)

6511 Humboldt Avenue N
(The Pines
5800, 5830 Logan Avenue N
(The Lilacs)
5715 Emerson Avenue N
5636 Humboldt Avenue N
7224 Noble Avenue N
801 Woodbine Lane

The Pines North LLC

Farnaz Toussi
My Truang
Gao Qiang Liu/Sam Yen Liew
Quoe Ai Nguyen
Mai Yia Chang

RENEWAL (TYPE I – three-year license)

3906 52nd Avenue N
4212 61st Avenue N
2918 65th Avenue B
4013 65th Avenue N
5043 Brooklyn Boulevard
4207 Lakeside #320

Randy Hammond
John Hostetler
Hong Yang
Goa Qiang Liu/Sam Yen Liew
THR Property Illinois

6c. ORDINANCE NO. 2019-08 AMENDING CHAPTER 7 SECTION 7.10 OF THE BROOKLYN CENTER CITY CHARTER

6d. RESOLUTION NO. 2019-109 ACCEPTING WORK PERFORMED AND AUTHORIZING FINAL PAYMENT, IMPROVEMENT PROJECT NOS. 2017-01, 02, 03, 04 AND 07, EVERGREEN PARK AREA STREET, STORM DRAINAGE, UTILITY, TRAIL AND PARKING LOT IMPROVEMENTS

6e. RESOLUTION NO. 2019-110 CALLING FOR A PUBLIC HEARING ON PROPOSED SPECIAL ASSESSMENTS FOR DELINQUENT PUBLIC UTILITY SERVICE ACCOUNTS

6f. MOTION SETTING A PUBLIC HEARING ON PROPOSED MODIFICATIONS TO UTILITY FEE SCHEDULES RELATED TO DELINQUENT UTILITY CHARGES

Motion passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

-None.

8. PUBLIC HEARINGS

8a. AN ORDINANCE AUTHORIZING A STUDY AND PLACING A MORATORIUM ON DEVELOPMENT OF PROPERTIES WITHIN THE OPPORTUNITY SITE

Community Development Director Meg Beekman reviewed a proposed ordinance that would place a moratorium on development within the Opportunity Site. The interim ordinance would allow the City to complete the Master Plan regulatory framework and would be in place for no more than 12 months. Ms. Beekman noted City Staff recommends the adoption of this interim ordinance.

Ms. Beekman stated the moratorium could be lifted if the planning work is completed before the 12-month allotment and would apply to any land use applications related to subdivision, expansion or construction of new buildings within the Opportunity Site. She added the moratorium would not apply to permits or approvals related to maintenance or repair of existing buildings.

Ms. Beekman stated notice of the public hearing was published on July 22 in the Sun Post, and sent to property owners within the Opportunity Site, along with a letter explaining the moratorium. Additionally, City Staff has reached out individually to each property owner to invite them to a community-wide open house on September 19, 2019.

Mayor Elliott asked whether any businesses have indicated that they plan to do any improvements or construction that would be affected by the moratorium. Ms. Beekman stated one property owner requested additional information about the moratorium as he is considering potential redevelopment but not within the next 12 months. City Staff will meet with the property owner again to discuss this issue.

Councilmember Ryan asked why it is in the City's best interests to enact this moratorium. Ms. Beekman stated the moratorium is allowed by State statute and will allow the City to complete planning studies and decide on a course of action. She added the moratorium ensures that

property owners are not making investments that would be contrary to a potential future Master Plan.

Mayor Elliott asked whether property owners would be able to make changes to their property after the 12 months and whether City approval would be required. Ms. Beekman stated Master Plans do not carry a significant amount of regulatory weight but are often used to plan capital improvements and infrastructure. She added land use elements would be binding if the Master Plan is adopted.

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

Motion passed unanimously.

Harlan Daudt, 6000 York Avenue, stated he sees this as a block to private businesses, to give the developer the advantage over private business. He added businesses should not be blocked from opening their business. He noted the City of Brooklyn Center needs new businesses and not more apartments.

Nelima Sitati Munene, Executive Director of ACER (African Career, Education, and Resource), stressed the importance of the Opportunity Site to the residents of Brooklyn Center and the region as a whole. She expressed ACER's support for the interim moratorium. She added the Opportunity Site gives a rare opportunity to have large scale redevelopment and help communities address some of the challenges that face them, including the need for housing, which stabilizes people and provides an opportunity to find a job and support local businesses.

Ms. Munene stated ACER had asked the City Council to sign a Community Benefits Agreement, to ensure that community needs centered around this redevelopment are met, given the disparities that impact minority communities. She added the City Council should consider the Benefits Agreement to discuss best solutions before a permanent development agreement is signed.

Ms. Munene asked whether an environmental impact assessment was completed on this site. She requested that the developer conduct such an assessment if it has not been completed.

Ms. Beekman stated City Staff is proposing an Alternative Urban Areawide Review (AUAR), a comprehensive environmental review which will carry throughout the development. She noted this would potentially be paid for through the development agreement.

Councilmember Graves asked why an AUAR would be preferable to an environmental study. Ms. Beekman stated an environmental impact study looks at one site at a time and is reactionary, while the AUAR covers a larger scope including transportation, water, and air quality, noise and air pollution and environmental elements related to the site.

An audience member asked that the City Council be mindful of the diversity of the community, and to take action on behalf of all the citizens of Brooklyn Center, even though they may not be present.

Jude Nnadi, 4831 71st Avenue N, stated he represents the African Coalition. He added he had not had any communication from City Staff. He asked what the City's plan is for incorporating groups like African Coalition in the planning process. Ms. Beekman stated a steering committee is planned to incorporate representatives from communities in Brooklyn Center.

Mr. Nnadi stated he supports the moratorium and asked the City Council to be aware of gentrification. He asked that all residents of Brooklyn Center be included and have a voice in this process.

Alfreda Daniels, a resident of Brooklyn Park, asked whether there is a timeline for the development. She added many residents of Brooklyn Park are not aware of the development plans, and it seems to be happening very fast. She added there should be more time for community engagement.

Ms. Beekman stated the Master Plan is scheduled for completion in Winter 2019-2020.

Ms. Daniels stated she has read that the community engagement efforts are being performed by the developer and not the City, and she is concerned because many community members are not aware of the project. She asked whether there is a project leader agreement. Ms. Beekman stated there is no development plan or agreement at this time.

Ms. Daniels stated she is a Board Member on a local pageant coalition, and her organization is interested in having a discussion with City Staff regarding new retail and businesses, and ensuring that local businesses will be required to pay adequate wages.

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

Motion passed unanimously.

Councilmember Graves moved, and Councilmember Lawrence-Anderson seconded to Approve a Second Reading and Adopt Interim ORDINANCE NO. 2019-07 Authorizing a Study and Placing a Moratorium on the Development of Properties within the Opportunity Site and Approve a Summarized Version of the Ordinance for Publication.

Motion passed unanimously.

Mr. Boganey stated, for purposes of clarification, the ordinance is for a period of up to 12 months, but the moratorium could be relieved before 12 months. He added a discussion related to community engagement in this process is scheduled for tonight's Work Session.

8b. ORDINANCE NO. 2019-06 AMENDING CHAPTER 35 OF THE CITY CODE OF ORDINANCES REGARDING THE ZONING CLASSIFICATION AT 5300 DUPONT AVENUE NORTH (CHRISTY'S AUTO REPAIR)

Ms. Beekman reviewed an Ordinance amendment related to rezoning of property at 5300 Dupont Avenue North (Christy's Auto Repair). She added applicants James and Lori Dean had requested an addition at their store, which is currently zoned R2, 1 and 2 family residential district, which would make the business legally non-conforming, and re-zoning is required.

Councilmember Ryan moved, and Councilmember Lawrence-Anderson seconded to open the Public Hearing.

Motion passed unanimously.

No one appeared to address this item.

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

Motion passed unanimously.

Councilmember Ryan moved, and Councilmember Lawrence-Anderson seconded To Approve ORDINANCE NO. 2019-06 Amending Chapter 35 of the City Code of Ordinances Regarding the Zoning Classification at 5300 Dupont Avenue North (Christy's Auto Repair).

Motion passed unanimously.

9. PLANNING COMMISSION ITEMS

-None.

10. COUNCIL CONSIDERATION ITEMS

10a. RESOLUTION NO. 2019-111 AWARDING THE SALE OF \$8,145,000 GENERAL OBLIGATION IMPROVEMENT AND UTILITY REVENUE BONDS, SERIES 2019A FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT

Finance Director Nate Reinhardt reviewed the proposed sale of \$8,145,000 General Obligation Improvement and Utility Revenue Bonds. He added the proposed bond has been included in the 2019 adopted budget and would be funded through Utility fees.

Mayor Elliott asked if the City of Brooklyn Center is limited to a AA rating due to its economy and whether interest rates play a part. Mr. Reinhardt confirmed this, adding deterioration or weakening of the City's financial profile is a factor. He added a higher rating depends upon the City's economic indicators.

Councilmember Ryan moved, and Councilmember Graves seconded to adopt RESOLUTION NO. 2019-111 Awarding the Sale of \$8,145,000 General Obligation Improvement and Utility Revenue Bonds, Series 2019a Fixing their Form and Specifications; Directing their Execution and Delivery; and Providing for their Payment.

Motion passed unanimously.

Mr. Boganey thanked Mr. Reinhardt and the City's financial advisors, other City Staff that have been involved in this process, as well as the City Council. He added, for a community the size of Brooklyn Center, a AA rating is exceptional. He noted good framework and policies are in place that allows the City to be in this position.

Councilmember Graves requested clarification regarding the move from a weak to an adequate economy.

Doug Green, Baker Tilly, stated there are criteria for general obligation bonds, and they change from time to time. He added there is nothing the City can do about its rating under the current criteria.

Mr. Boganey stated the rating is linked to the City's amount of effective buying income, which increased 7% from 2018 to 2019. He added this and moved the City from below 70% median income, and from a weak to an adequate rating.

10b. RESOLUTION NO. 2019-112 AUTHORIZING THE EXECUTION AND DELIVERY OF A GROUND LEASE AND A LEASE-PURCHASE AGREEMENT, AND APPROVING AND AUTHORIZING ISSUANCE OF LEASE REVENUE BONDS AND EXECUTION OF RELATED DOCUMENTS

Mr. Reinhardt reviewed the proposed execution and delivery of a ground lease and a lease-purchase agreement related to the construction of the municipal liquor store.

Mr. Reinhardt stated City Staff recommends City Council authorization of execution of a lease-purchase agreement with the EDA and authorizing lease revenue bonds and related documents. The approval includes the issuance of debt of \$2.62 million to be repaid over 15 years for construction of the municipal liquor store.

Mr. Reinhardt stated the lease agreement and purchase agreement would be conducted between the City of Brooklyn Center and the Economic Development Authority (EDA). City Staff is requesting approval to issue \$2.63 million to be repaid over 15 years from municipal liquor store revenues to finance construction. He added an additional resolution would be reviewed by the EDA at a later meeting.

Doug Green, Baker Tilly, stated the sale would be negotiated as the demand for municipal bonds surpasses their supply. He added most cities in Minnesota issue bonds, and between 90-95% of all bonds are issued competitively.

Councilmember Graves requested clarification regarding the internal agreement between the City and EDA. Mr. Reinhardt stated criteria are established to issue the bonds, which will be provided to construct a building that will be leased out by the City.

Councilmember Ryan moved, and Councilmember Graves seconded to adopt RESOLUTION NO. 2019-XX Authorizing the Execution and Delivery of a Ground Lease and a Lease-Purchase Agreement and Approving and Authorizing Issuance of Lease Revenue Bonds and Execution of Related Documents.

Motion passed unanimously.

11. COUNCIL REPORT

It was the majority consensus of the City Council to forego Council Reports in the interests of time.

12. ADJOURNMENT

Councilmember Graves moved, and Councilmember Ryan seconded adjournment of the City Council meeting at 9:26 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
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.

A representative of the applicant thanked the City Council/EDA for reviewing their request. She added they want to stay in the community to be close to the homes and workplaces of their members. She noted the community wants to educate its members and create a legacy of enthusiasm and faith.

A female youth, also a member of the worship community, urged the City Council/EDA to consider the establishment of the religious community to provide a place for their members to learn about their religion and culture.

ZONING CODE TASK FORCE DISCUSSION

Ms. Beekman reviewed a proposal for the creation of a temporary ad hoc task force to provide input on the zoning code update. City Staff is planning to continue pop up meetings and topic-specific focus groups to create additional community engagement to assist the Planning Commission as they make recommendations to the City Council on the ordinance amendments.

Ms. Beekman stated it is recommended that 14 members be appointed to the task force, including 2 Planning Commissioners, 2 Housing Commissioners, and a minimum of 2 local business owners. She added ballots had been provided for the City Council to vote from 21 applicants. Once the Council makes its selections, staff will tally the votes and schedule the first taskforce meeting.

OPPORTUNITY SITE COMMUNITY ENGAGEMENT DISCUSSION

Ms. Beekman requested City Council/EDA discussion regarding next steps for Opportunity Site community engagement. She stated City Staff received a letter on July 19, 2019, signed by ACER, CAPI, and others, regarding the engagement process and requesting a Community Benefits Agreement. It has been agreed that a broader number of stakeholders and organizations are needed to provide input on the Master Plan and Master Development Agreement. She requested input from the Councilmember/Commissioners regarding a framework for the formation of a committee of stakeholders to provide input on the master plan and assist with community engagement efforts.

Councilmember/Commissioner Ryan requested clarification regarding a statement on page 3 of the document that participants may be compensated for their participation. He added there are several volunteer commissions that are not compensated, and it would not be appropriate to do so with this proposed group.

Ms. Beekman stated non-profit organizations could assist with engaging residents of Brooklyn Center who would not otherwise be easily accessible. The non-profits would be asked to provide services and implement them through a consulting contract. Further, the committee would be a working committee tasked with actively engaging Brooklyn Center residents.

Ms. Beekman stressed the importance of keeping in mind that community organizations offer unique access to the community that is invaluable, and there could be a great benefit in building a coalition that exists beyond the drafting of the Master Plan.

Mayor/President Elliott stated people are concerned about what the development will mean for them, and how they fit into the plans, which will shape the future of Brooklyn Center. He stressed the importance of community members seeing themselves within the context of the bigger picture of the Opportunity Zone.

Councilmember/Commissioner Graves stated the City's community engagement efforts have increased and expanded since 2014. She added there had been many positive changes, including the addition of dedicated staff, neighborhood liaisons, community meetings. She stressed the importance of celebrating the small successes along the way, as well as encouraging the inclusion of under-represented community members.

Ms. Beekman stated potential members of the ad-hoc steering committee that have been identified by City Staff are a combination of representatives from community organizations who represent or have access to Brooklyn Center residents. She added the list is not comprehensive. She noted committee members would be expected to attend meetings, go out into the community, participate in events, do surveys, and other important engagement work.

Ms. Beekman stated Brooklyn Bridge Alliance compensates all of their participants, for conducting and taking surveys, and it is an effective model. She added she understands Councilmember/Commissioner Ryan's point that other Commissions are not compensated.

Councilmember/Commissioner Ryan stated it would be important that residents are informed that the working committee is temporary and will receive compensation for their work. Ms. Beekman agreed.

Ms. Beekman stated the City Council would ultimately vote on the Master Plan and Agreement, and the committee can help provide input from the community to guide that decision. She added it is hoped that the committee will provide the following measurable outcomes: co-creating a Community Engagement Plan; assist with implementation, the community engagement plan and identify community benefits that should be incorporated into a future development agreement. She noted she had provided examples of other community benefits or the City Council's review.

Mr. Boganey, the community engagement process ensures a meaningful outcome and a more informed and equitable decision from the City Council. He added, at the master plan stage, the topics to be addressed are broad and focus on priorities, values, and guiding principles.

Councilmember/Commissioner Graves stated the Master Plan already includes a focus on equity. She stressed the importance of implementation of a community engagement plan to ensure that there are tangible benefits for the community.

Councilmember/Commissioner Ryan stated he appreciates the comments of Councilmember/Commissioner Graves. He added the entire community would be affected by the potential success or failure of the development.

Ms. Beekman stated there had been a good turnout at community events so far this summer, and an Open House is planned in September. City Staff would like to have the Task Force go out and do community engagement in the fall, and a second Open House is planned in November.

Mayor/President Elliott asked whether information is available about opportunity zones, in terms of timelines, investment schedule and benefits, and what will happen if the developer does not make the end of the year deadline.

Ms. Beekman stated the developer is seeking to move forward quickly because of the opportunity zone opportunity, and there is added benefit to have funds invested by the end of the year. She added that it is not a hard deadline for the City. There are funds set up by investors who have community benefit as a driving factor and are willing to take a lower return.

Councilmember/Commissioner Graves stated she supports continuing community engagement, which will yield specific benefits and improve the overall engagement process.

Ms. Beekman stated the Master Plan would be a vision document used for large scale infrastructure and community planning. She added the July 21, 2019 document was a draft Master Plan, but the final version may be somewhat more detailed. Ms. Beekman stated the developer would need to apply for a Planned Unit Development for Phase 1.

Councilmember/Commissioner Ryan stated he supports moving forward with the framework for a task force or steering committee, as it is a good way to proceed.

EXTEND THE RULES

Councilmember/Commissioner Graves moved, and Councilmember/Commissioner Ryan seconded to extend the City Council/Economic Development Authority Work Session past 11:00 p.m. if necessary.

Motion passed unanimously.

REQUEST FOR PROPOSAL - 5355 EMERSON AVENUE

Business and Workforce Development Coordinator Brett Angell reviewed a Request for Proposal (RFP) for an owner-occupied single-family home at 5355 Emerson Avenue N. City Staff received four proposals, three of which met the RFP requirements: Torborg Builders, Novak-Fleck, Inc., and Lenny Chisholm. Mr. Chisholm's proposal was for a home built from shipping containers, and the building official confirmed that this type of construction falls within the City's construction guidelines.

Mr. Angell stated the fourth proposal was received by Homes for Heroes, an organization that builds homes for temporary housing for veterans and their families. He added that the City is reviewing the potential of a future project with this organization, although the property in question is not suitable for that type of use.

Councilmember/Commissioner Ryan stated Torborg Homes is experienced and offers a broad range of housing choices. Councilmember/Commissioner Graves agreed.

The majority consensus of the City Council/EDA was to move forward with a proposal from Torborg Homes for a new single-family home at 5355 Emerson Avenue N.

ADJOURNMENT

Councilmember/Commissioner Ryan moved, and Councilmember/Commissioner Graves seconded adjournment of the City Council/Economic Development Authority Work Session at 10:36 p.m.

Motion passed unanimously.

COUNCIL ITEM MEMORANDUM

DATE: 8/26/2019

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.

MECHANICAL LICENSES

Ace Heating and Air Conditioning, Inc	6075 Highway 95 NW, Princeton, 55371
Air Comfort Htg & A/C	19170 Jasper St NW, Anoka, 55303
G & H Heating & Air Inc	5511 Carlson Road, Shoreview, 55126
MN Plumbing & Home Services Inc	12040 Riverwood Cir, Burnsville, 55337

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Rental Criteria	5/22/2019	Backup Material
8-26-19	8/21/2019	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 August 26, 2019

[illegible]

* 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 Type I = 3 Year Type II = 2 Year Type III = 1 Year

All properties are current on City utilities and property taxes

COUNCIL ITEM MEMORANDUM

DATE: 8/26/2019

TO: Curt Boganey, City Manager

THROUGH: Doran Cote, Public Works Director

FROM: Andrew Hogg, Assistant City Engineer

SUBJECT: Resolution Approving the Local Water Supply Plan

Requested Council Action:

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

Background:

In accordance with State Statute, 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.G.291. 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 Statutes, 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 Statute, 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



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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DEPARTMENT OF NATURAL RESOURCES – DIVISION OF ECOLOGICAL AND WATER RESOURCES AND METROPOLITAN COUNCIL

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 DNR's 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 MGD	Gravity Filters	Fe/Mn Removal	1.0 MG	Sanitary Sewer	Yes
Total	NA	8.5 MGD	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?

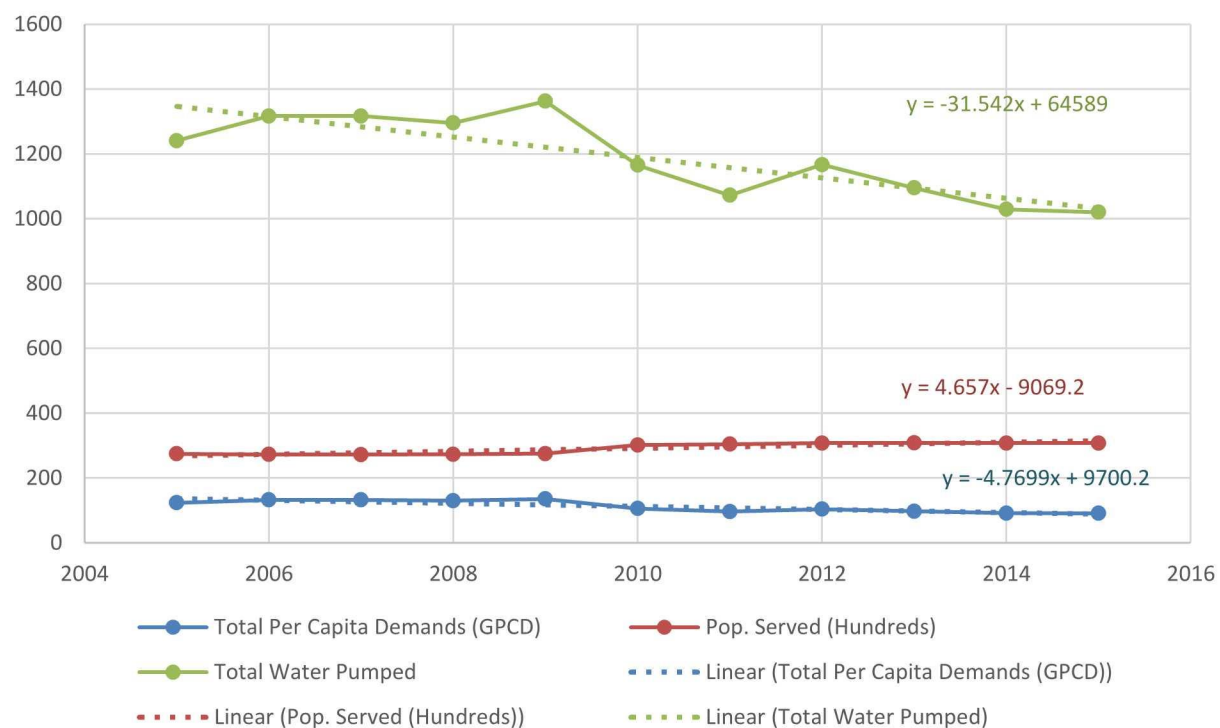
1) Population Served

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 ($\pm 0.2\%$).

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.

Variation of Served Population
and Total Per Capita Water Demand

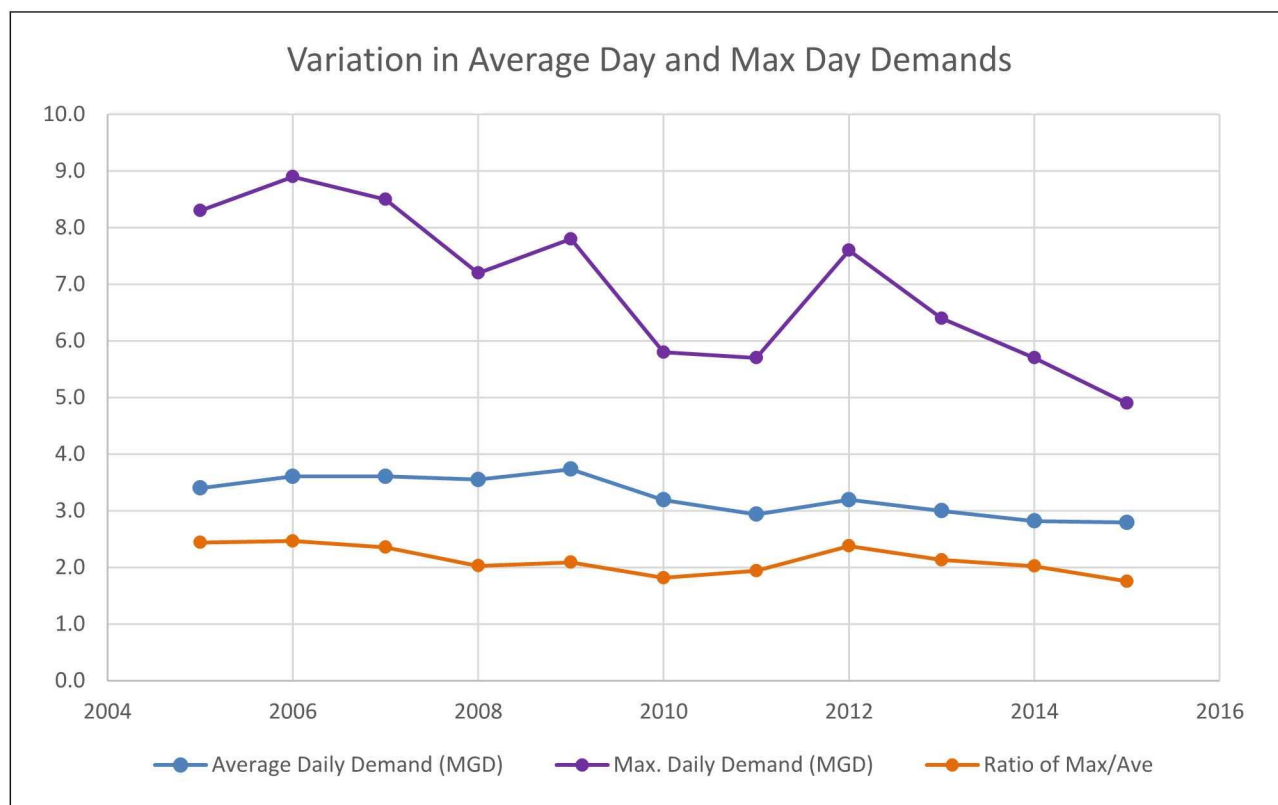


3) Average Daily Demand

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: <u>DNR</u> ☐ 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: <u>DNR</u> ☐ 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: <u>Shingle Creek Watershed District and DNR</u> ☐ 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: <u>DNR</u> ☐ 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: <u>DNR</u> ☐ 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	53 rd & 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 Number	Phone	Contact Email
Emergency Response Lead	JEREMY HULKE	763-549-3610		JHULKE@CI.BROOKLYN-CENTER.MN.US

Emergency Response Plan Role	Contact Person	Contact Number	Phone	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 (GPD)	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 <u>Interconnection with Brooklyn Park</u> ☒ 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 <u>drinking water and hygiene</u> ☐ Meet with large water users to discuss their contingency plan.	☒ Supply augmentation through <u>Interconnection with Brooklyn Park</u> ☒ 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 <u>water trucks</u> ☐ 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 ☐

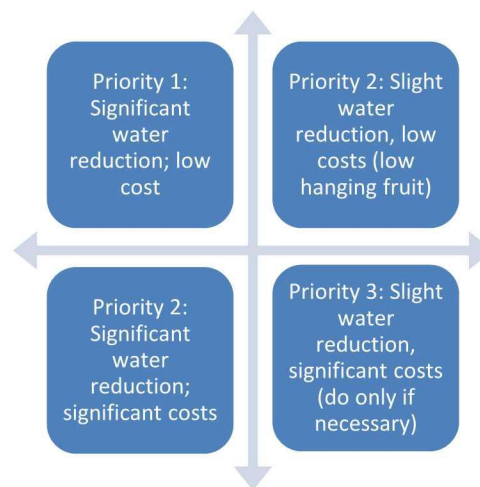
If yes, cite the regulatory authority reference: City Ordinance 4-202.

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)

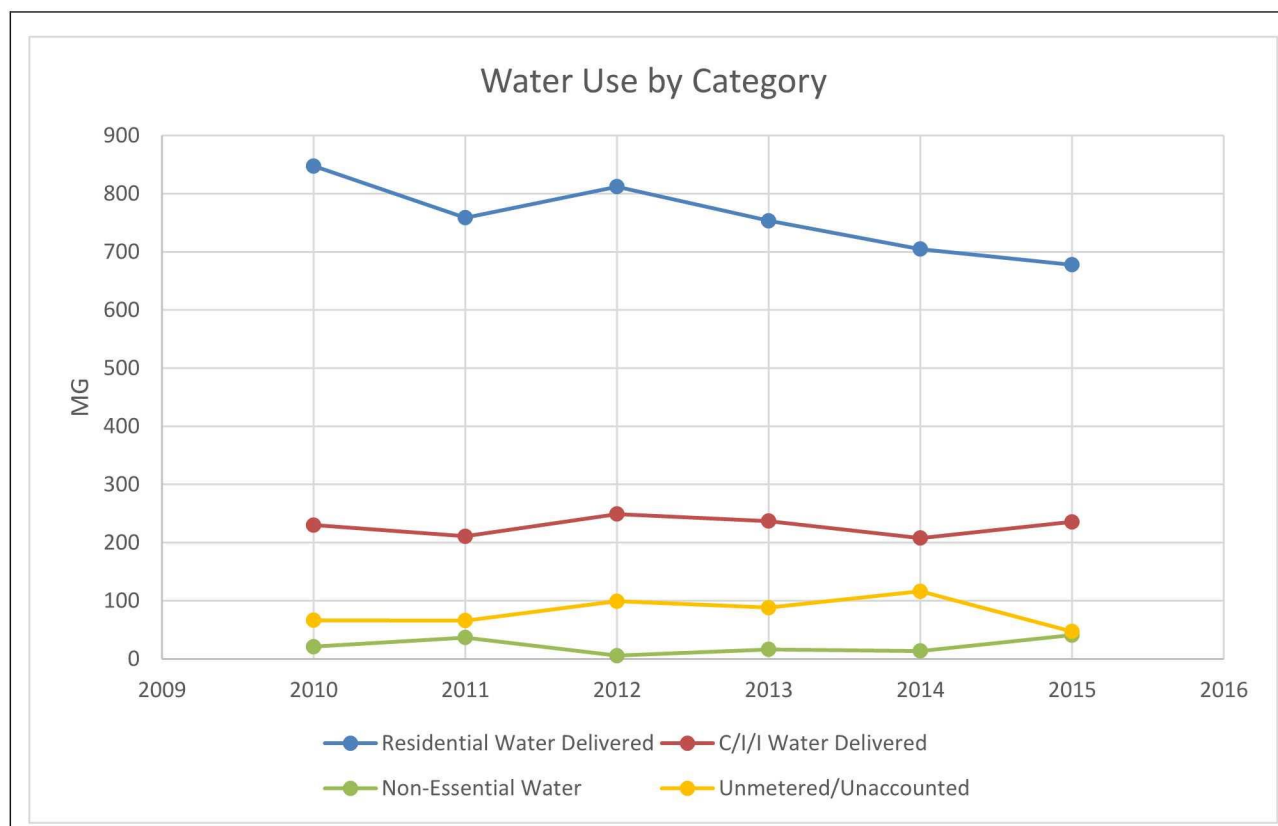
The 2002 average residential per capita demand in the Twin Cities Metropolitan area was 75 gallons per capita per day.

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 use 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:

- The DNR Hydrologist will call or visit the community the first 1-3 years after the water supply plan is completed.
- 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 requirements (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.

COUNCIL ITEM MEMORANDUM

DATE: 8/26/2019

TO: Curt Boganey, City Manager

THROUGH: Doran Cote, Director of Public Works

FROM: Mike Albers, City Engineer

SUBJECT: Resolution Authorizing Execution of a Professional Services Agreement, Project No. 2021-05, Brooklyn Boulevard Corridor Project Phase 2 Improvements (Bass Lake Road to Interstate 94)

Requested Council Action:

- Motion to approve a resolution authorizing execution of a Professional Services Agreement for the Brooklyn Boulevard Corridor Project Phase 2 Improvements (Bass Lake Road to Interstate 94)

Background:

On March 25, 2019, the City Council directed staff to proceed with the preliminary design, environmental documentation, easement acquisition and final design work for the Brooklyn Boulevard Corridor Project Phase 2 Improvements (Bass Lake Road to Interstate 94), Project No. 2021-05. City staff in cooperation with Hennepin County solicited a proposal for this work from SRF Consulting Group, Inc. A three person team made up of City and County staff evaluated SRF's proposal. Based on project understanding, work plan, experience, team and fees, SRF Consulting Group, Inc. is recommended to provide the needed professional services.

SRF Consulting Group, Inc. has a long work history with this corridor in which they have successfully completed the 2013 Brooklyn Boulevard Corridor Study, 2015 63rd Avenue Street and Utility Improvements, and 2018 Brooklyn Boulevard Corridor Project Phase 1 Improvements (49th Avenue to Bass Lake Road). SRF Consulting Group, Inc. is available to start immediately and to proceed with the Brooklyn Boulevard Corridor Project Phase 2 Improvements over the next three year period.

Budget Issues:

The Brooklyn Boulevard Corridor Project Phase 2 Improvements are identified in the City's Capital Improvement Program for 2021 and the preliminary project cost estimate is approximately \$15.1 million. Federal funding through the Surface Transportation Program has been awarded to the City and County for this project in the amount of \$6,616,000 and the remaining project costs are to be funded from local funding as part of the required cost share. Hennepin County has budgeted up to \$4.5 million in their Capital Improvement Program for this project. The final funding partnership and proportions are to be determined in the future but are anticipated to include federal funding, Hennepin County funding and City funding. City funding is programmed under the City's Capital Projects Fund. The contract with SRF Consulting Group, Inc., for the preliminary and final design, construction administration and inspection amounts to \$2,441,280.00, which is an estimated 25 percent of the project construction cost.

Strategic Priorities and Values:

Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
Professional Svcs Agreement	8/20/2019	Backup Material
Resolution	8/21/2019	Resolution Letter

PROFESSIONAL SERVICES AGREEMENT

This Agreement is made on the 26th day of August, 2016, between the **CITY OF BROOKLYN CENTER**, 6301 Shingle Creek Parkway, Brooklyn Center, MN 55430 ("City") and **SRF CONSULTING GROUP, INC.**, One Carlson Parkway North, Suite 150, Minneapolis, MN 55447 ("Consultant").

Preliminary Statement

The purpose of this Agreement is to set forth terms and conditions for the provision of professional engineering services by the Consultant for the City.

The City and Consultant agree as follows:

1. **Consultant's Services.** The Consultant agrees to provide professional services as described in Exhibit A, Proposal and Scope of Work. Consultant agrees to use the City's standard specifications in any bidding documents prepared under this Agreement. The requirements of this section may be waived by the City if the City Engineer determines that they are not necessary for the successful completion of the project. Consultants requesting a requirement to be waived must have written authorization from the City Engineer.
2. **Time for Performance of Services.** The Consultant will endeavor to perform the services outlined in the work program within the prescribed days from the date of the contract award. Any changes in this schedule must be approved in writing by the City.
3. **Compensation for Services.** City agrees to pay the Consultant for services as described in Exhibit A, attached and made a part of this Agreement and may be amended from time to time by mutual agreement by City and Consultant.
4. **Method of Payment.** The Consultant must submit itemized bills for services provided to the City on a monthly basis. Bills submitted will be paid in the same manner as other claims made to the City.

For work reimbursed on an hourly basis, the Consultant must indicate for each employee, his or her classification, the number of hours worked, rate of pay for each employee, a computation of amounts due for each employee, the total amount due, the original contracted amount (\$2,441,280.00), the current requested amount, and the total amount. Consultant must verify all statements submitted for payment in compliance with Minnesota Statutes Sections 471.38 and 471.391. For reimbursable expenses, the Consultant must provide such documentation as reasonably required by the City.

5. **Audit Disclosure.** The Consultant must allow the City or its duly authorized agents reasonable access to such of the Consultant's books and records as are pertinent to all services provided under this Agreement.

Any reports, information, data, etc. given to, or prepared or assembled by the Consultant under this Agreement which the City requests to be kept confidential must not be made available to any individual or organization without the City's prior written approval. All finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and reports prepared by the Consultant will become the property of the City upon termination of this Agreement, but Consultant may retain copies of such documents as records of the services provided and may reuse standard portions of such documents in the normal course of its business.

6. **Term.** The term of this Agreement will be from August 8, 2016, through final project closeout by the City Council and receipt of all Consultant deliverables, the date of signature by the parties notwithstanding. This Agreement may be extended upon the written mutual consent of the parties for such additional period as they deem appropriate, and upon the terms and conditions as herein stated.
7. **Termination.** This Agreement may be terminated by City by seven (7) day's written notice to Consultant delivered to the address written above. Upon termination under this provision, the Consultant will be paid for services rendered and reimbursable expenses until the effective date of termination.
8. **Subcontractor.** The Consultant must not enter into subcontracts for any of the services provided for in this Agreement without the express written consent of the City.
9. **Independent Contractor.** At all times and for all purposes hereunder, the Consultant is an independent contractor and not an employee of the City. No statement herein shall be construed so as to find the Consultant an employee of the City.
10. **Assignment.** Neither party will assign this Agreement, nor any interest arising herein, without the written consent of the other party.
11. **Services Not Provided For.** No claim for services furnished by the Consultant not specifically provided for herein will be honored by the City.
12. **Severability.** The provisions of this Agreement are severable. If any portion hereof is, for any reason, held by a court of competent jurisdiction to be contrary to law, such decision will not affect the remaining provisions of the Agreement.
13. **Entire Agreement.** The entire Agreement of the parties is contained herein. This Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof as well as any previous agreements presently in effect between the parties relating to the subject matter hereof. Any alterations, amendments, deletions, or waivers of the provisions of this

Agreement will be valid only when expressed in writing and duly signed by the parties unless otherwise provided herein.

14. **Compliance with Laws and Regulations.** In providing services hereunder, the Consultant must abide by all statutes, ordinances, rules and regulations pertaining to the provision of services to be provided. Any violation will constitute a material breach of this Agreement and entitle the City to immediately terminate this Agreement.
15. **Equal Opportunity.** During the performance of this contract, the Consultant must not discriminate against any employee or applicant for employment because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or age. The Consultant must post in places available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause and stating that all qualified applicants will receive consideration for employment. The Consultant must incorporate the foregoing requirements of this paragraph in all of its subcontracts for program work, and will require all of its subcontractors for such work to incorporate such requirements in all subcontracts for program work.
16. **Waiver.** Any waiver by either party of a breach of any provisions of this Agreement will not affect, in any respect, the validity of the remainder of this Agreement.
17. **Indemnification.** The Consultant must indemnify and hold harmless the City, its employees and agents, for all claims, damages, losses, and expenses, including, but not limited to, attorney's fees, which they may suffer or for which they may be held liable, as a result of, and to the extent of, the negligent or wrongful acts of the Consultant, his or her employees, or anyone else for whom he or she is legally responsible in the performance of this Agreement.
18. **Insurance.** During the term of this Agreement, Consultant must maintain a general liability insurance policy with limits of \$1,500,000 for each occurrence and \$2,000,000 aggregate, for both personal injury and property damage.

This policy shall name the City as an additional insured for the services provided under this Agreement and shall provide, as between the City and the Consultant, that the Consultant's coverage shall be the primary coverage in the event of a loss. If the Consultant is providing either architectural or engineering services, the Consultant must also maintain during the term of this Agreement a professional liability insurance policy with the same limits as for general liability. A certificate of insurance on the City's approved form which verifies the existence of these insurance coverages must be provided to the City before work under this Agreement is begun.

19. **Governing Law.** This Agreement will be controlled by the laws of the State of Minnesota.
20. **Whole Agreement.** This Agreement embodies the entire Agreement between the parties including all prior understanding and agreements, and may not be modified except in writing signed by all parties.

Executed as of the day and year first written above.

CITY OF BROOKLYN CENTER

SRF CONSULTING GROUP, INC.

By: _____
Mike Elliott, Mayor

Date: _____

By: _____

Its: _____ Contracts Officer

Date: _____

By: _____
Cornelius Boganey, City Manager

Date: _____

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT, PROJECT NO. 2021-05, BROOKLYN BOULEVARD CORRIDOR PROJECT PHASE 2 IMPROVEMENTS (BASS LAKE ROAD TO INTERSTATE 94)

WHEREAS, the Brooklyn Center City Council approved the Brooklyn Boulevard Corridor Study as a planning and development guide for the corridor under Resolution 2013-60; and

WHEREAS, the City received a federal aid grant in the amount of \$6,616,000 to participate in the Brooklyn Boulevard Corridor Project Phase 2 Improvements, programmed for 2021 construction; and

WHEREAS, Hennepin County has designated \$4,500,000 as part of the County's Capital Improvement Program to participate in the Brooklyn Boulevard Corridor Project Phase 2 Improvements; and

WHEREAS, the City's Capital Improvement Program identifies the Brooklyn Boulevard Corridor Project Phase 2 roadway and streetscape improvements from Bass Lake Road to Interstate 94 to be constructed in 2021; and

WHEREAS, on March 25, 2019, the City Council approved a resolution establishing the improvement project and directed staff to proceed with preliminary design, environmental documentation, easement acquisition and final design as required to meet the Federal Aid Project requirements for the Brooklyn Boulevard Corridor Project Phase 2 Improvements (Bass Lake Road to Interstate 94), Project No. 2021-05; and

WHEREAS, estimated project costs are as follows:

<u>COSTS</u>	<u>AMOUNT</u>
Construction	\$ 9,634,000
Contingency	\$ 734,000
Easement Acquisition	\$ 2,200,000
<u>Engineering/Administrative/Legal</u>	<u>\$ 2,541,000</u>
Estimated Total Costs	\$15,109,000

; and

WHEREAS, a professional services agreement has been negotiated with SRF Consulting Group, Inc. to provide the professional services needed to perform said project. Funding for engineering, administration and legal shall be funded temporarily out of the Capital Projects Fund.

RESOLUTION NO. _____

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the Mayor and City Manager are hereby authorized to execute an agreement with SRF Consulting Group, Inc. in the amount of \$2,441,280.00 to provide professional services for the Brooklyn Boulevard Corridor Project Phase 2 Improvements.

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.

COUNCIL ITEM MEMORANDUM

DATE: 8/26/2019

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 (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 CC Central Commerce Overlay District, and set the second reading and public hearing for September 23, 2019.

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. 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.

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, Trunk 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 provide greater restrictions 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, inconsistencies with certain permitted and prohibited uses in the District, and the addition of “multifamily residential dwellings” as a permitted use, so long as the land use is consistent with the underlying Future Land Use designation within the 2040 Comprehensive Plan.

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.

It should be further noted that City staff has proposed amendments to the Overlay District that would protect any uses that are in active use to this day, so long as said use is kept in operation and not discontinued.

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 that evening 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*) of the Zoning Code and approved 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*).

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 City Code of Ordinances regarding uses allowed in the CC Central Commerce Overlay District, and set a second reading and public hearing for September 23, 2019.

Budget Issues:

None to consider at this time.

Strategic Priorities and Values:

Targeted Redevelopment, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
PC Staff Report and Exhibits - Ordinance Amendments to CC Central Commerce Overlay District	8/20/2019	Backup Material
Ordinance-Amending Chapter 35 of the City Code of Ordinances Regarding Uses Allowed in the CC Central Commerce Overlay District	8/20/2019	Ordinance
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
Powerpoint	8/28/2019	Presentation



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.

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).

The map displays the following zones and areas:

- Red Zones:** Large areas in the center and right, including the Loop and areas near the University of Chicago.
- Pink Zones:** Areas in the upper left and center, including the Loop and areas near the University of Chicago.
- Purple Zones:** Areas in the upper right, including the Loop and areas near the University of Chicago.
- Green Zones:** A small area in the center, near the University of Chicago.
- Brown Zones:** Areas in the center, including the Loop and areas near the University of Chicago.
- Yellow Zones:** Areas in the lower right, including the Loop and areas near the University of Chicago.

The map also shows major streets such as Madison Ave, Dearborn Ave, and various local streets. Key landmarks include Centennial Park, the City Hall, and the University of Chicago.

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.

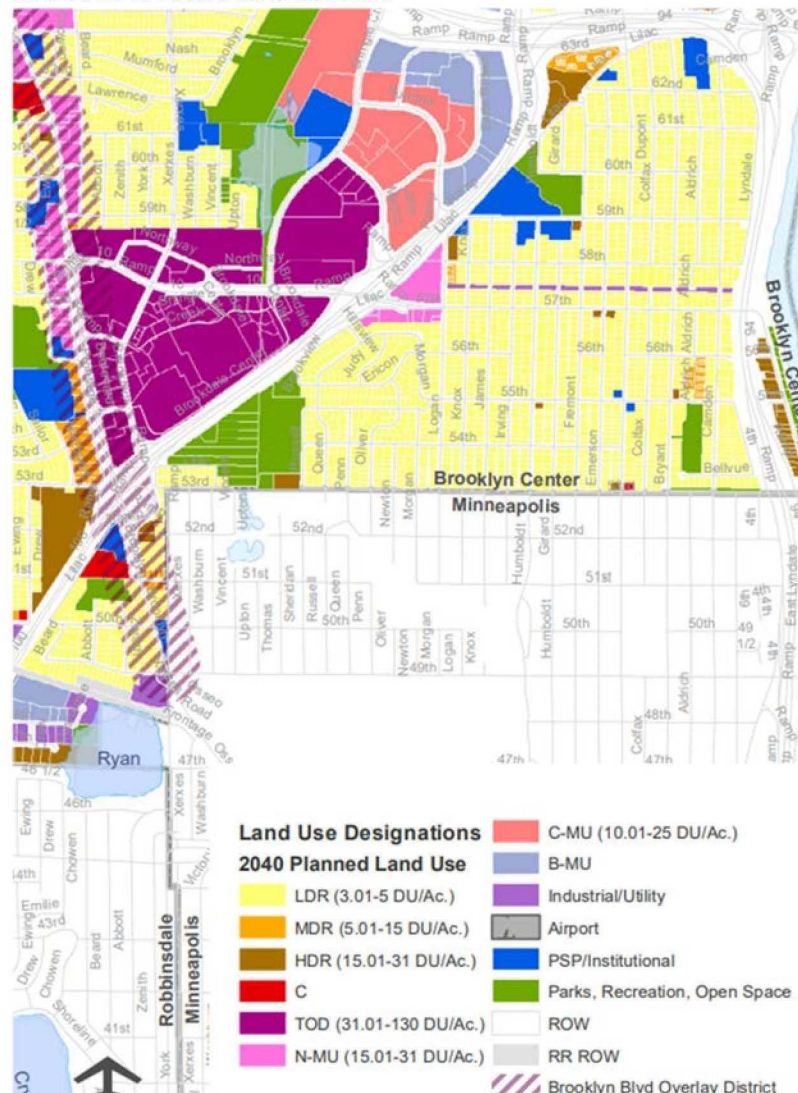
Consistency with 2040 Comprehensive Plan

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.

**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 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 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 through 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.

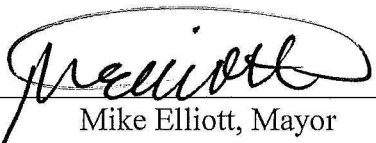
STATE OF MINNESOTA)
COUNTY OF HENNEPIN)
CITY OF BROOKLYN CENTER)

ss. Certification of Minutes

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

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.

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Standalone auto washes.

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- ~~_____~~ Multifamily residential dwellings, provided the use is consistent with the underlying Future Land Use designation in the 2040 Comprehensive Plan.

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Any of 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.)

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

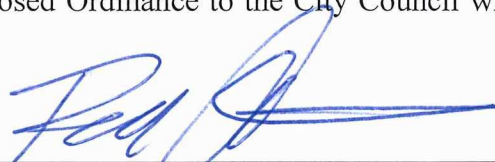
WHEREAS, the Ordinance revises the list of allowed and prohibited uses within the CC Central Commerce Overlay District ("District"); and

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.

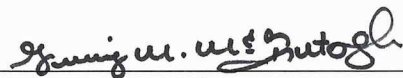
August 15, 2019

Date



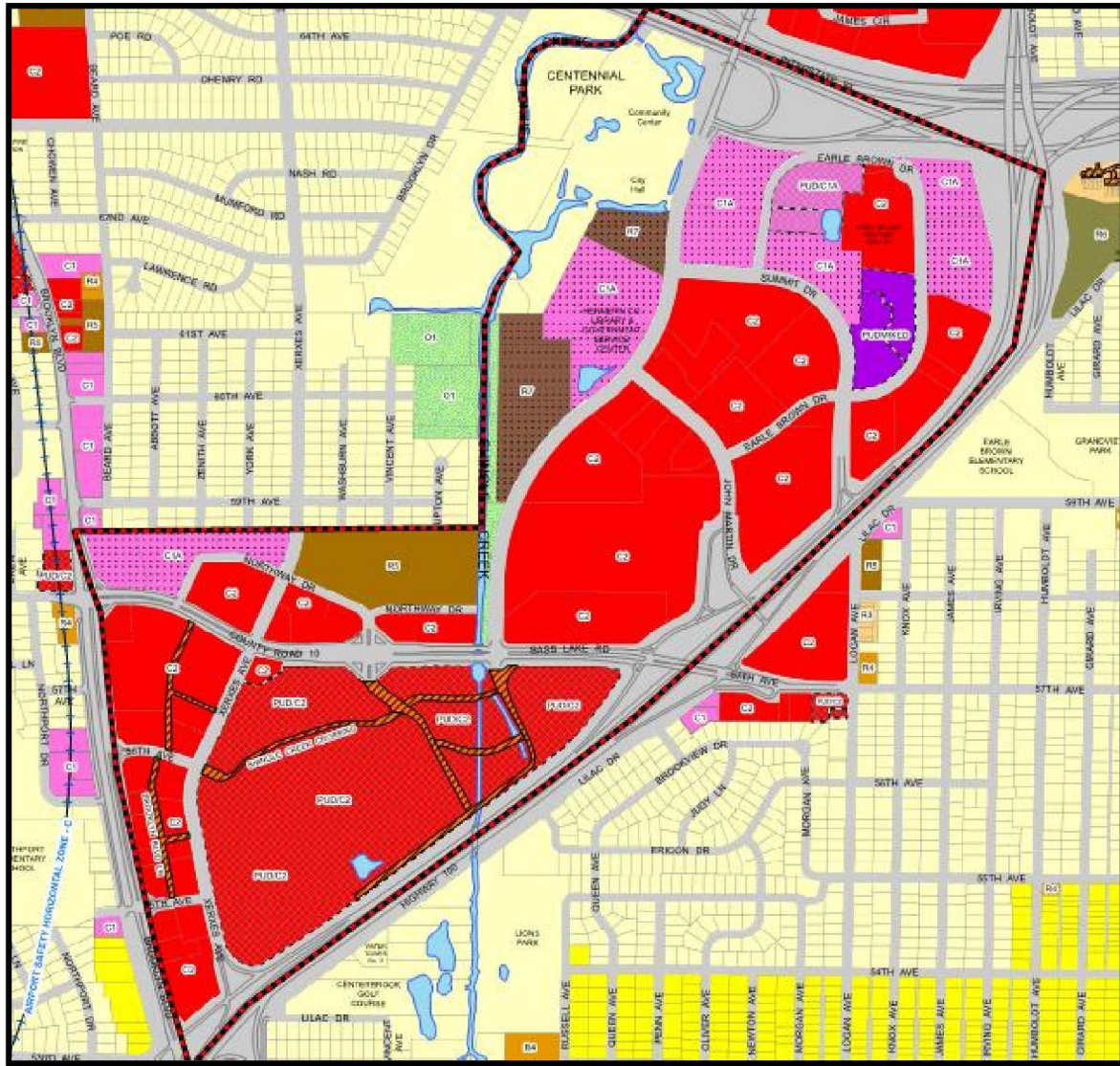
Randall Christensen, Chair

ATTEST:



Ginny McIntosh, 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.



Request:

Amend Section 35-2240 (*CC Central Commerce Overlay District*) of the City Code of Ordinances to Clarify Permitted and Prohibited Uses within District



August 26, 2019, City Council Meeting
Meg Beekman, Community Development Director

Request

- City is requesting review and consideration of changes to the uses allowed within the designated Central Commerce Overlay District
 - Provides clarity to the outlined **permitted** and **prohibited** uses in the District
- The District is bounded by I-94/I-694 on north, T.H. 100 on south and east, and Brooklyn Boulevard and Shingle Creek on the west



Background

- Work Session was held at July 8th City Council meeting regarding former Sears site, related land use study for site, and update to City Zoning Ordinance
 - **July 2018:** City Council adopted interim ordinance— authorized study and placed moratorium on Sears property
 - Moratorium set to expire
 - Planning work not complete—City Staff recommending several amendments to Section 35-2240 (*CC Central Commerce District*) of the existing Zoning Ordinance



Background

- Proposed amendments would bring uses in the District closer in alignment to future land use plan identified in 2040 Comprehensive Plan
 - Removes least desirable and incompatible uses from being allowed
 - Request to amend the District is part of larger project currently underway (*Becoming Brooklyn Center*), which will result in:
 - New Zoning Ordinance, zoning districts, site-specific development plans (e.g. Sears site); a detailed master plan for EDA-owned portion of Opportunity Site, and Brooklyn Boulevard redevelopment framework



Proposed Amendments

Note: *Overlay districts generally apply an extra level of regulations or development criteria above standard underlying zoning district.*

Proposed amendments to the District uses would specifically:

- Remove or restrict certain auto-oriented type uses (e.g., auto repair, gas stations), truck/trailer rental establishments, and indoor storage establishments
- Greater restrictions on outdoor storage or display of materials, vehicles, and equipment



Proposed Amendments

Proposed amendments to District uses would specifically *(continued)*:

- Provide greater restrictions on the retail sales of tires, batteries, and automobile accessories and marine craft accessories
- Allow for car washes as a standalone operation

Additional proposed changes:

- Update certain terminology to be consistent with other City Code language and minimize inconsistencies
 - “Transient Lodging” to “Hospitality Accommodations”



Proposed Amendments

Additional proposed changes (continued):

- Conflict with “antiques and secondhand merchandise” as permitted use and “pawn shops” and “secondhand goods dealers” as a prohibited use
- Addition of “multifamily residential dwellings” as permitted use so long as consistent with underlying Future Land Use designation in 2040 Comprehensive Plan
 - **Note:** Central Commerce Overlay District is already home to:
 - **3-** Multiple-family residential apartments (Gateway Commons, the Crest, and the Lux)
 - **1-** Senior Living Facility (Ecumen Prairie Lodge)



2040 Comp Plan

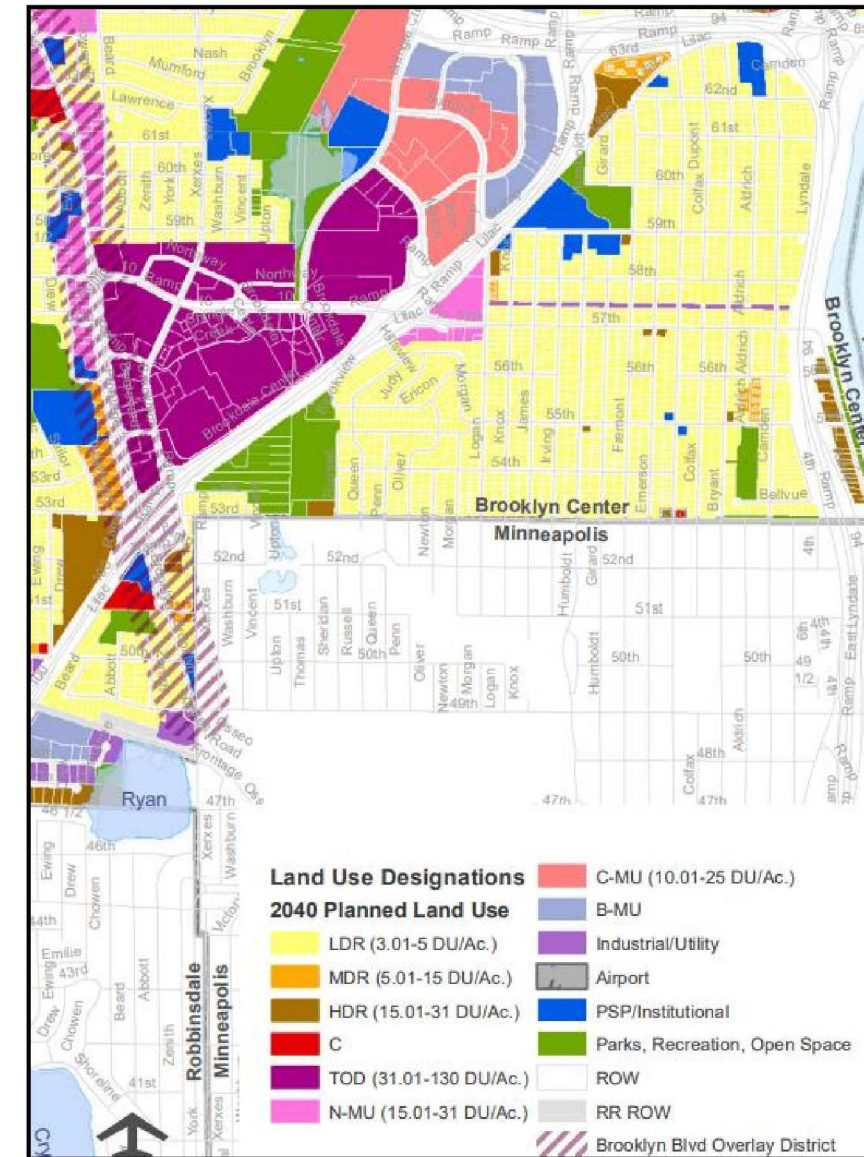
- Central Commerce Overlay District, as it exists today, is almost entirely comprised of land that holds a Future Land Use Designation of **Transit Oriented Development (TOD)**.
- The remaining portions possess designations of:
 - Commercial Mixed-Use (C-MU)
 - Business Mixed-Use (B-MU), and some
 - Public/Semi-Public and Institutional (PSP/Institutional) and
 - Parks, Recreation, and Open Space (PROS)

“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.



2040 Comp Plan

- TOD is a new land use designation in Comp Plan
 - Land generally within ½ mile of Transit Station
 - Minimum of 75% of land within designation planned for *high-density residential*, with remaining mix of retail, office, and commercial uses.
 - Redevelopment focused on connecting to Transit Station, C-Line BRT, future D-Line BRT, and creation of **walkable, bikeable, vibrant core in City.**



Considerations

- Existing Zoning Ordinance currently being updated
 - Anticipated that the District will either be eliminated or significantly altered from its current form
 - Any amendments to address uses within the District are inherently temporary while Zoning Ordinance is re-written and planning work is conducted



Considerations (Cont.)

Note: Proposed amendments to the District would protect any businesses that are in active use to this day so long as kept in active use

- Any discontinued use for 12 months or more ***would not be allowed to resume***— would need to comply with amended provisions
- Other uses to become prohibited (truck/trailer rental establishments, indoor storage)—*not* current use in the District



Summary

- Planning Commission held Public Hearing at their meeting on August 15th
- Public Hearing notice was published in Brooklyn Center *Sun Post* on August 1st
- One resident was in attendance at meeting and expressed concerns that the Opportunity Site (located within the District) was being re-zoned that evening to “high-density residential.”
 - Planning Commission members provided clarification to resident on purpose of hearing and that land was not being re-zoned that evening
- Planning Commission ultimately voted 5-1 in favor of the proposed amendments to the Central Commerce Overlay District



Requested Action

- (i) Motion to approve a first reading of an ordinance amending Chapter 35 of the City Code of Ordinances regarding uses allowed in the CC Central Commerce Overlay District; and
- (ii) Set the second reading and public hearing for September 23, 2019



**Council/EDA Work
Session**

City Hall Council Chambers
August 26, 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.

ACTIVE DISCUSSION ITEMS

1. Discussion on Leasing EDA-Owned Property to Private Parties and Food Truck Operations Within the City
2. Opportunity Site Environmental Assessment Discussion
3. Ordinance Amendment Chapter 11 Liquor
4. Ordinance Amending the Public Dance Ordinance to the Entertainment Ordinance
5. 1601 James Circle Development Update
6. Mayor/Council Office Discussion

PENDING LIST FOR FUTURE WORK SESSIONS

1. Pending Items
 - Public Subsidy Policy - 9/23
 - Commemoration of 400 years of Slavery Activities
 - Police Crisis Prevention Options
 - Residential Design Standards
 - Livable Wages
 - Housing Policy - 9/9

MEMORANDUM - COUNCIL WORK SESSION

DATE: 8/26/2019

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Brett Angell, Business and Workforce Development Specialist

SUBJECT: Discussion on Leasing EDA-Owned Property to Private Parties and Food Truck Operations Within the City

Background:

Over the past several months, staff have received numerous inquiries from public and private organizations who have requested the ability to rent or use EDA-owned property for events or other operations. Currently the City does not have a process in place to allow for the use of the properties by private parties. In order to allow for the use of the properties by private parties, the City could create a licensing procedure where the activity is licensed to use a site. The license could be structured to be approved internally by staff or require the EDA to approve any and all license applications.

Any license would have set guidelines that the use would be required to follow including, but not limited to, the submission of a site plan, dates, hours, proof of insurance, etc. One important aspect to consider is the licensing of the property should be for uses that are permitted in that zoning district.

Currently, the EDA-owned sites that have generated the most interest for private usage include 2500 County Road 10 (former Brookdale Ford) and the 57th and Logan site. The proposed uses/events for either site include religious groups, food trucks and other mobile restaurants, and entertainment programs. Event types vary based on the type of proposed use. One of the food vendors that is interested in utilizing 2500 County Road 10 is a current vendor for the Saturday Market who would like the ability to utilize the space on additional days. One of the religious uses are interested in hosting a community gathering event since they do not currently have the space to do so in the building which they currently operate out of.

Food Trucks

Additionally, City policy currently does not allow for food trucks to be located on properties, with the exception of being a part of an event that has obtained an administrative permit. In addition to the ability to license EDA-owned properties, City policy and direction regarding food trucks could be altered to allow for food trucks to utilize private parking lots for daily sales with property owner permission. With the City currently undergoing changes to the zoning code, the City will have the ability to incorporate any desired regulations regarding food trucks within the new zoning code; however, in the interim, an internal policy could be established to allow food trucks on private property, provided they are licensed with Hennepin County.

At the February 12, 2018 Council Worksession, the City Council discussed food truck operations within the City and recommended staff explore different options which could allow for food trucks. There are several key decision points that need to be determined in order to allow food trucks within the City:

1) Method of administration:

- Adopt a written policy to allow them, which outlines any conditions and requirements; or
- Create a new ordinance within the City Code which would allow food trucks under certain

circumstances and conditions

2) Whether to require food trucks to receive a license to operate on private property in the City or not. Food trucks must obtain a license from Hennepin County Public Health Department which ensures they meet food health requirements. Food truck operators do not typically call the City ahead of time to ask if permitting or permission is required. More often, if a food truck is operating, it is something that staff finds out about while it is set up or after the fact. As such, enforcing a licensing requirement may be challenging.

3) Additional requirements or conditions to operate should be included in a policy or ordinance allowing food trucks to operate on private property.

Additionally, conditions of operation can be added to a written policy or City ordinance which would dictate requirements such as keeping fire lanes clear, hours of operation, time limits of operation, etc.

Policy Issues:

- Does the EDA have interest in allowing private events or functions to occur on EDA-owned properties? What are appropriate uses that should be considered?
- What specific considerations should be included in the licensing? Should any license require EDA-approval?
- Should there be a fee associated with a license application for the use of an EDA-owned site? How much should the fee be?
- Should the policy regarding food trucks be changed to allow for food trucks to operate within private parking lots?
- What concerns, if any, does the Council have regarding the operation of food trucks on private property?

Strategic Priorities and Values:

Enhanced Community Image, Resident Economic Stability

MEMORANDUM - COUNCIL WORK SESSION

DATE: 8/26/2019

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Meg Beekman, Community Development Director

SUBJECT: Opportunity Site Environmental Assessment Discussion

Recommendation:

- Consider the proposed scope of services to complete an Alternative Urban Area-wide Review (AUAR) and presentation from Haila Maze, Project Manager and Senior Planner with Bolton & Menk, and provide direction to Staff on how to proceed.

Background:

When projects exceed certain thresholds they must undergo special environmental review procedures prior to obtaining approvals and permits otherwise needed. Minnesota Rules 4410 outlines the regulatory procedures for the state's environmental review process. The Minnesota Environmental Quality Board (EQB) oversees the environmental review process for the state. The program assigns a Responsible Governmental Unit (RGU) to conduct the review using a standardized public process designed to disclose information about environmental effects and ways to minimize and avoid them. The RGU is typically the governmental unit with greatest responsibility to approve or carry out the project.

The Environmental Review program is designed as an information gathering process to help governmental units with permitting authority over a project make better-informed decisions. It does not grant governmental agencies authority to approve or deny a project or elements of a project. The outcome of an environmental review is mitigation measures that when incorporated into the project will protect the environmental elements being impacted. The EQB has no authority to enforce mitigation measures, regardless of how significant the environmental impact. Rather, the review is intended as a source of information to be integrated with other permitting and approval processes.

There are two primary levels of environmental review procedures: the environmental assessment worksheet (EAW) process (<https://www.eqb.state.mn.us/content/eaw-process>); and the environmental impact statement (EIS) process (<https://www.eqb.state.mn.us/content/eis-process>). The law indicates when an EAW or an EIS is required. These can be thought of as a tiered assessments, as an EAW can trigger a need for an EIS.

The EAW is a brief document designed to lay out the basic facts of a project necessary to determine if an Environmental Impact Statement (EIS) is required. In addition to the legal purpose of the EAW in determining the need for an EIS, the EAW also provides permit information, informs the public about the project, and helps identify ways to protect the environment. The EAW is not meant to approve or deny a project, but instead act as a source of information to guide other approvals and permitting decisions. The EAW is completed by the Responsible Governmental Unit (RGU). The EAW is subject to a 30-day public review period before the RGU makes a decision about whether the project also needs an EIS.

The EIS is a more thorough study of the project's environmental impacts and a comparative analysis of its economic and sociological effects. It considers reasonable alternatives, including the "no-build" alternative.

When completed, the review gives governmental units information to determine whether the project is environmentally acceptable and what mitigation measures are needed. The EIS is reserved for projects with “the potential for significant environmental effects.”

The EQB also provides an alternative to the typical EAW/EIS procedures, which is called the Alternative Urban Areawide Review (AUAR) Process (<https://www.eqb.state.mn.us/content/auar-process>). Because the standard review procedures focus on specific projects and their anticipated impacts, the AUAR process is more flexibility in that it is not tied to the details of a specific project, but rather a geographic area. As the EQB puts it:

“Responsible Governmental Units (RGU) can use an AUAR as a planning tool to understand how different development scenarios will affect the environment of their community before the development occurs. The process is designed to look at the cumulative impacts of anticipated development scenarios within a given geographic area. The AUAR document uses a list of questions adapted from the EAW form, but provides a level of analysis of typical urban area impacts comparable to an EIS.

The process offers several significant advantages to developers, local governments, reviewing agencies and to the environment. It is an excellent tool for review of cumulative potential effects of multiple projects in a given area. AUAR enables planners to better integrate environmental review into their comprehensive planning process. A single review process can address both public infrastructure construction scheduled in the near future as well as the ensuing residential and commercial development slated for later years. By examining multiple development scenarios through the AUAR process, planners are able to evaluate how much development can be accommodated in an area without significant environmental impacts. Moving review to an earlier planning stage helps anticipate and correct potential problems while project plans are still flexible.

Projects will not be subject to individual environmental reviews if designers conform to AUAR assumptions and mitigation plan requirements. Failure to conform exposes the project to additional time delays and expenses, thereby encouraging projects to be designed in an environmentally conscientious manner."

Proposal and Scope

Bolton & Menk has been working with the City to complete the Opportunity Site master planning work. As a comprehensive engineering and planning firm, they have the capacity and experience to complete the necessary environmental analysis that will be required for the future development. They have provided a proposed scope of work to complete an AUAR, as well as a proposed fee.

It is anticipated that the initial phase of the development will trigger an EIS. It is likely that future phases will also require their own environmental review. Given the scale of the redevelopment and the nature of the master planning process, the AUAR option is especially well suited to address the required environmental review needs of future development in this area. In addition, an AUAR provides the City with a more thorough, comprehensive analysis of the environmental impacts of the redevelopment, as opposed to looking at each phase of the development individually. This is especially useful in regards to the traffic analysis component, which will be a significant element of the AUAR. Another benefit of the AUAR process is it gives the City more oversight in terms of the analysis, outcomes of the report, and ultimately, the mitigation measures that are identified.

Staff reached out to three different firms to request a scope and cost. Bolton & Menk was the only firm which responded with a complete scope of work. Another firm responded with a scope and cost, proposing to only do the traffic and stormwater elements of the AUAR and suggested Bolton & Menk lead the project and complete the other elements.

Haila Maze, Project Manager and Senior Planner with Bolton & Menk will present at the meeting their proposal as well as be available to answer any questions about the process, timeline, or elements of the review. They anticipate a 9 to 12 month timeline to complete the AUAR.

Project Cost

An EIS for a typical residential development can cost well over \$100,000 to complete. AUARs tend to have a higher cost because they are looking at multiple scenarios, over larger geographic areas. However, while the upfront costs of completing an AUAR is higher than that of an EIS, over time they can cost less because once the AUAR is complete no additional environmental analysis is needed provided future development is within the max build-out scenario in the AUAR. In this way, for very large developments, AUARs can be a cost savings over time. They can also be an effective way for a City to clear barriers to development ahead of the market, reducing risk to development projects.

The total project cost is \$234,767. There are several supplemental items which may be options as add-ons to the project. One of the items is a stormwater master plan for \$60,000, which will ultimately be needed as well, though this does not need to be part of the AUAR process.

While the immediate source of funds for this work would come out of the TIF #3 pooled admin funds, staff is working with the EDA attorney and Alatus to draft language into an agreement which would have the developer reimburse the EDA for this work at time of building permit issuance via a planning fee. This is a mechanism City's can utilize to receive reimbursement for certain expenses incurred related to predevelopment. Often there are hurdles in the development process which City's find are a benefit to address ahead of a project, and the private market cannot address until the project is more certain. AUARs are commonly in that category.

Policy Issues:

- Should the City proceed with an AUAR process on the Opportunity Site?
- What questions does the Council have about the process, timeline, and elements of the scope of work?

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
August 26, 2019 Memo to the City Council from Haila Maze, Bolton & Menk	8/21/2019	Backup Material
Proposed AUAR Scope and Fee	8/21/2019	Backup Material
Proposed AUAR Schedule	8/21/2019	Backup Material
Powerpoint	8/28/2019	Presentation



Real People. Real Solutions.

12224 Nicollet Avenue
Burnsville, MN 55337-1649

Ph: (952) 890-0509
Fax: (952) 890-8065
Bolton-Menk.com

To: Brooklyn Center City Council

From: Haila Maze, Senior Planner, Bolton & Menk

Date: August 26, 2019

Re: Opportunity Site AUAR

Background

Over the course of the past year and a half, the City of Brooklyn Center has been pursuing the development of the Opportunity Site in partnership with Alatus, LLC. Since Spring 2019, a master plan has been underway for the site. An early draft of the concepts in the plan were shared at a City Council meeting on July 1, 2019. The Opportunity Site is partially under control of the City and Alatus, with additional parcels under discussion with the current owners.

Alatus has indicated that they intend to pursue the first phase of development of the site by 2020. Due to the expected size and extent of the development, it is anticipated that the project will meet the mandatory Environmental Assessment Worksheet (EAW) requirement in Minnesota Rules part 4410. The EAW process involves the disclosure information about potential environmental impacts of the project based on established standards, with the intent of determining whether a fuller environmental review (the federal Environmental Impact Statement, or EIS) will be required, as well as how the project can be modified to lessen its environmental impacts. In this case, it is not anticipated that the EAW process will result in a recommendation for an EIS – unless unforeseen environmental impacts are discovered.

After some discussion between the city, developer, and other stakeholders, it was determined that another approach may be preferable, namely an Alternative Urban Areawide Review (AUAR). This memo briefly discusses this environmental review tool, and expected focus areas for the Opportunity Site.

All of these environmental reviews are managed through the applicable Responsible Governmental Unit (RGU). The RGU is directed to prepare any required environmental review document, verify its accuracy, and comply with rule procedures and time frames. In the case of the Opportunity Site, the RGU is the City of Brooklyn Center. While the responsibility rests with the RGU, the project proposer (in this case the developer) is directed to provide information and resources to support the completion of this work. The details of this arrangement will be discussed at the Council meeting.

The AUAR Process

Under Minnesota rules, the AUAR process effectively is a hybrid of the EAW and EIS review processes. The AUAR process is designed to look at the cumulative impacts of anticipated development scenarios within a given geographic area. RGUs can use an AUAR as a planning tool to understand how different development scenarios will affect the environment of their community before the development occurs. In the case of the Opportunity Site, this was the preferred tool due to the large scale and multi-phase nature of the buildout of the site. Rather than completing a series of EAWs for individual projects and phases, an AUAR will provide a broader look at all the impacts of the full project on the site and its surroundings. AUARs have been used on similar large-scale redevelopment sites throughout the region and state for this purpose.

In terms of format, the AUAR process uses a list of questions adapted from the EAW form, but provides a level of analysis of typical urban area impacts comparable to an EIS. Environmental analysis information from an AUAR can be used to inform local planning and zoning decisions, including guidance for the approvals related to development on the Opportunity Site. It can also be used to inform any mitigation activities conducted on or near the site, related to anticipated environmental impacts.

Required topics and sections within an AUAR include:

- Project title
- Proposer
- Responsible Governmental Unit
- Reason for AUAR preparation
- Project location
- Project description
- Permits and approvals required
- Land use
- Land cover types
- Fish, wildlife, plant communities, and sensitive ecological resources
- Water resources
- Geology, soils, and topography/land forms
- Contamination and hazardous materials
- Transportation and traffic
- Air quality
- Noise
- Sensitive resources – archaeological, historic, farmlands, parks and trails, etc.
- Visual impacts
- Plan compatibility
- Infrastructure and public services impact
- Cumulative potential effects
- Other potential environmental impacts

- Summary of issues and mitigation plan

In the case of the Opportunity Site, some sections of the AUAR are expected to require much higher level of analysis than others. For instance, it is likely that documentation and analysis related to endangered species, historic sites, and farmlands will be straightforward. However, it is anticipated that more in-depth analysis will be needed on topics like transportation, traffic, and water resources. This will be discussed in more detail at the meeting.

Like an EIS or EAW, the AUAR has a series of required reviews – starting with initial scoping and ending with the adoption of the final AUAR and mitigation plan. After the RGU completes and adopts the AUAR, it will need to be noticed for review by the public, state agencies, and the Metropolitan Council. After the AUAR has been fully reviewed and approved, it will be valid for five years. After that time has elapsed, an update must be completed for the AUAR to remain a valid environmental review document.

Current Status

The ability for the AUAR process to move forward is tied closely to the development of the Opportunity Site master plan. The scenarios developed through the master planning process will form the basis for those evaluated in the AUAR. Some key decisions will need to be made during the AUAR's scoping period regarding the extent, scale, and character of the scenarios. While the AUAR is intended to be flexible to allow for buildout over time, the development vision evaluated must be reasonably consistent with what is constructed for it to remain a valid environmental review document.

In terms of timing, an initial estimate of the time needed to complete the review is around nine months from project initiation, based on experience with previous AUARs. The actual timeframe will depend on data availability and extent of review and participation by partners. The City Council work session will include a presentation that provides additional background on the AUAR process, including what is and isn't covered in its scope. In the case of the Opportunity Site, this will include identifying additional implementation topics related to the site buildout which are out of the scope of what an AUAR traditionally covers. There also will be a discussion of the schedule for initiation and completion of the AUAR, and how this relates to the developer's intended development review process, particularly for Phase I development. As mentioned above, there will also be discussion of the developer's participation in the AUAR.

Brooklyn Center Opportunity Site Alternative Urban Areawide Review

Scope of Work – DRAFT 6/12/19

Overview

The City of Brooklyn Center is undertaking a master plan for the Opportunity Site, an 81-acre redevelopment area located in an area bounded approximately by Interstate 694, Highway 100, Bass Lake Road, and Shingle Creek Parkway. The City has entered into a Preliminary Development Agreement with Alatus, LLC for the 35 acres of land the City owns within the Opportunity Site. Their concept is to reimagine the Opportunity Site as a mixed-use, vibrant, walkable downtown that features housing, entertainment uses, and retail. Alatus is working with the City to develop a detailed master plan for the area, and to implement a first phase of development in the near term.

Based on the master planning process to date, the anticipated scale for the first phase of development currently exceeds the minimum thresholds requiring an Environmental Assessment Worksheet (EAW), according to Minnesota Rule 4410.4300. To meet environmental review requirements for the full redevelopment area in the Opportunity Site, an Alternative Urban Areawide Review (AUAR) is proposed. An AUAR is a hybrid of an EAW and an Environmental Impact Statement (EIS). This is usually an effective approach for the site due to its ability to accommodate and compare alternative redevelopment scenarios under consideration, and to encompass a redevelopment vision that is likely to occur in multiple phases over several years.

The following work plan is based on guidance published by the Minnesota Environmental Quality Board (EQB) for AUAR preparation. Assumptions and qualifications have been provided to define the scope of work for the proposed AUAR preparation. Where appropriate, numbers are referenced to identify items that correspond to the EAW form referenced in EQB guidance.

STEP ONE – Project Boundaries, Development Levels, and AUAR Scoping Phase

1.1 AUAR Study Advisory Committee (SAC) Meeting #1 (Kick-off)

A meeting between City, Alatus and other AUAR team representatives will be scheduled to discuss the overall strategy for the AUAR process, and discuss project parameters and project schedule for use in the scoping documentation.

1.2 Project Title (EAW #1)

An appropriate descriptive title for the geographical area of the AUAR will be selected. The title shall be descriptive, short and indicate what kind of project is involved, its specific identification and location, including city, township and county.

1.3 Proposer (EAW #2)

The proposer of any specific project identified in the AUAR area will be named and contact information provided. Parcels within the study area, where no specific project is identified, will be differentiated graphically and labeled with the owner's name.

1.4 Responsible Governmental Unit (EAW #3)

The Responsible Governmental Unit (RGU) is the City of Brooklyn Center. Contact information for the AUAR's Project Manager will be provided for the purpose of receiving and responding to comments.

1.5 Reason for AUAR Preparation (EAW #4)

This section does not apply to AUARs. However, the AUAR area includes a project that meets mandatory thresholds for an EAW. Therefore, a brief explanation of why an AUAR was chosen will be provided.

1.6 Project Location (EAW #5)

The purpose of this item is to provide information to allow reviewers to locate the project site and environmental features on or near the site. As illustrated on the attached map, this proposal assumes a Phase 1 project area within a full buildout study area. The following information will be provided on maps:

- U.S. Geological Survey 7.5 minute, 1:24,000 scale map (or equivalent) indicating project boundaries and applicable township, range, and section numbers
- PID numbers for each parcel in the study area
- Watershed information
- All significant project and natural features for the AUAR area and for the Phase 1 development site
- Pre- and post-construction site plans for the Alatus project
- The boundaries of the full AUAR area, as well as any subareas used in the analysis, including the boundary of Phase I development
- Applicable land use planning and zoning guidance
- A cover type map for the study area, in reference to EAW item #10

1.7 Project Description (EAW #6)

The following items will be addressed in the description:

- a. Brief summary for publication in the *EQB Monitor*
This will include a statement of the project's basic nature, characteristics and location, consisting of approximately 50 words. This summary will be printed verbatim in the *EQB Monitor* to serve as a public notice of the AUAR.
- b. Complete description
This description will cover the anticipated type, density, and land use of proposed development, as well as infrastructure planned to serve the development (such as roads, sewers, water, stormwater system, etc.). It is assumed that the AUAR will cover two project scenarios: No Build and Build. The No Build will be a continuation of the current land uses with any scheduled or programmed infrastructure rehabilitation or alterations. The Build information will include:
 - Phase 1 development description along with ancillary infrastructure improvements
 - Full buildout development description along with any ancillary infrastructure improvements beyond Phase 1 infrastructure
 - Anticipated schedule and staging information, including development and infrastructure staging and the relationship between them

According to the EQB guidance, review of major arterial type roadways in an AUAR area is considered an optional inclusion in the scope. Due to complexity of reviewing adjacent major highways in the Opportunity Site area, evaluation of that portion of the network is scoped separately from the main AUAR. This separate scope is also a provision for evaluating potential ramp closures and reconfigurations being proposed by the Minnesota Department of Transportation (MnDOT) to Highway 100 near the project site.

Likewise, conversations with the applicable watersheds during the master planning process regarding stormwater infrastructure needs have extended beyond the project site to include potential for improvements to nearby Shingle Creek and wetland areas in Centennial Park. Additionally, there is potential for district stormwater best management practices that may exceed minimum stormwater requirements. As a result, a full evaluation of stormwater management potential, beyond basic requirements, is also scoped separately.

- c. **Project Magnitude Data**
Numbers for measurable features will be provided for each major development scenario for the purpose of illustrating the size of the project. This will include acreages, lengths, square footage of various uses, heights, and other measurements where appropriate.
- d. **Purpose, Need, and Beneficiaries**
The purpose of the private project will be described.
- e. **Future Project Stages**
No future project stages beyond full buildout are anticipated.

1.8 Cover Types (EAW #7)

This section will include:

- a. A cover type map, at least on the scale of a USGS topographic map, will be provided depicting the following as applicable:
 - wetlands – identified by type (Circular 39 wetland classification system)
 - watercourses – rivers, streams, creeks, and ditches
 - woodlands – breakdown by classes where possible
 - grassland – identify native and old field
 - cropland
 - current development
- b. An overlay map showing anticipated development in relation to the cover types, including any existing or proposed protection areas that will preserve sensitive cover types. At least one map will be provided for each scenario.

1.9 Permits and Approvals Required (EAW #8)

Required local, state and federal permits, approvals, certifications and financial assistance for the project will be listed. The list will include modifications of any existing permits, governmental review of plans and direct and indirect forms of public financial assistance including bond guarantees, tax increment financing, and infrastructure.

1.10 Land Use (EAW #9)

This section will describe:

- Existing land use of the site as well as areas adjacent to and near the site
- The planned land use as identified in the Brooklyn Center Comprehensive Plan and as amended in the master planning/rezoning process
- Proposed zoning
- The project's compatibility with nearby land uses, zoning, and plans listed above, concentrating on implications for environmental effects
- Anticipated measures incorporated into the proposed project to mitigate the potential for land use incompatibility

1.11 SAC Meeting #2 (Agree on Scoping Information)

This meeting will be held to review assembled land use information and agree at the team level the on the content of the land use plans and issues to emphasize in the review for the Draft Order of the AUAR to be noticed in the EQB.

1.12 Project Scoping and Open House #1

Based on discussions during SAC Meeting #2, above, prepare a draft AUAR order describing the project parameters planned to be addressed in the full AUAR. Upon approval by the City, Bolton & Menk will take the necessary steps to notice the document for public and agency comment per the EAW process. This will include announcement of availability in the EQB Monitor, and distribution to regulatory agencies and other interested parties. During the 30-day review period, lead an open house to present the proposed land use and environmental study process and scope to interested stakeholders. The meeting will be publicized per EQB guidelines and City procedures. Questions and comments will be documented for consideration by the SAC.

1.13 SAC Meeting #3 (Discuss Comments and Scope Revisions)

The meeting will be to review any comments received on the draft AUAR order, and agree on any changes to the scenarios or review work will be made. This meeting will be scheduled only if necessary. This proposal assumes comments will be minor and will result only in the scope of work described in the following section.

STEP TWO – Complete Preparation of Draft AUAR/Mitigation Plan

Note: Because of the potential for federal funding to be part of future improvements, the scope of the AUAR will be enhanced to include federal issues and procedures under the National Environmental Policy Act (NEPA). Additional federal issues and reviews over and above state issues will be noted as applicable below.

2.1 Geology, Soils and Topography/Land Forms (EAW #10)

- a. Describe the geology underlying the project area and identify and map any susceptible geologic features such as sinkholes, shallow limestone formations, unconfined/shallow aquifers, or karst conditions. The limitations of these features for the project and any effects the project could have on these features will be discussed. Project designs or mitigation measures to address effects to geologic features will be identified.
- b. Describe the soils on the site, giving NRCS classifications and descriptions, including limitations of soils. The topography, any special site conditions relating to erosion potential, soil stability or other soils limitations, such as steep slopes, or highly permeable soils will be described. The estimated volume and acreage of soil excavation and/or grading will be provided for the Alatus plan and interpolated or extrapolated to other parcels. Impacts from project activities related to soils and topography will be described. Measures during and after project construction to address soil limitations including stabilization, soil corrections or other measures will be identified. *No borings are proposed. Any borings or detailed soils information needed by Alatus for its site design or resulting from comments found to be supportable would be outside the scope of the AUAR.*

2.2 Water Resources (EAW #11)

- a. Surface water and groundwater features on or near the site will be described:
 - i. Surface water - streams, wetlands, intermittent channels, and county/judicial ditches, along with any special designations such as public waters, trout stream, and outstanding resource value water. Descriptions will include water quality impairments or special designations listed on the current MPCA 303d Impaired Waters List that are within 1 mile of the project. Include DNR Public Waters Inventory number(s), if any.
 - ii. Groundwater – aquifers, springs, and seeps, including: 1) depth to groundwater; 2) if project is within a MDH wellhead protection area; 3) identification of any onsite and/or nearby wells, including unique numbers and well logs if available.
- b. The effects from project activities on water resources and measures to minimize or mitigate the effects will be described for the two scenarios based on a “worst-case” basis.
 - i. Wastewater - The sources, quantities and composition of all sanitary, municipal/domestic and industrial wastewater produced at the site will be described. Any pretreatment measures and the ability of the facility to handle the added water and waste loadings will be discussed.
 - ii. Stormwater - The quantity and quality of stormwater runoff at the site prior to and post construction will be described, including the routes and receiving water bodies for site runoff. Any environmental effects from stormwater discharges will be discussed. Stormwater pollution prevention plans including temporary and permanent runoff controls and potential BMP site locations to manage or treat stormwater runoff will be described. Specific erosion control, sedimentation control or stabilization measures to address soil limitations during and after project construction will be identified.
 - iii. Water appropriation – Appropriations of surface or groundwater (including dewatering) will be described, including the source, quantity, duration, use and purpose of the water use and if a DNR water appropriation permit is required. Any well abandonment will be identified. The wells to be used as a water source and any effects on, or required expansion of, municipal water infrastructure will be identified. The environmental effects from water appropriation, including an assessment of the water resources available for appropriation will be reviewed. Measures to avoid, minimize, or mitigate environmental effects from the water appropriation will be discussed. *It is assumed the only appropriation need will be for construction dewatering of excavations.*

iv. Surface Waters

- a) Wetlands – Anticipated physical effects or alterations to wetland features such as draining, filling, permanent inundation, dredging and vegetative removal would be described. Direct and indirect environmental effects from physical modification of wetlands, including the anticipated effects that any proposed wetland alterations may have to the host watershed will be discussed. Measures to avoid (e.g., available alternatives that were considered), minimize, or mitigate environmental effects to wetlands would be identified. Whether required compensatory wetland mitigation for unavoidable wetland impacts will occur in the same minor or major watershed will be discussed, and those probable locations identified. *Impacts on parcels outside the project will be estimates only as required by EQB guidance, not permit-level impact determinations.*
- b) Other surface waters – Anticipated physical effects or alterations to surface water features (streams, ponds, intermittent channels, county/judicial ditches) such as draining, filling, permanent inundation, dredging, diking, stream diversion, impoundment, aquatic plant removal and riparian alteration will be described. Direct and indirect environmental effects from physical modification of water features would be discussed. Measures to avoid, minimize, or mitigate environmental effects to surface water features, including Best Management Practices that are proposed to avoid or minimize turbidity/sedimentation while physically altering the water features would be identified.

2.3 Contamination/Hazardous Materials (EAW #12)

- a. Existing conditions – Known existing contamination or potential environmental hazards on or in close proximity to the project site such as soil or ground water contamination, abandoned dumps, closed landfills, existing or abandoned storage tanks, and hazardous liquid or gas pipelines would be described. Measures to avoid, minimize or mitigate adverse effects from existing contamination or potential environmental hazards would be identified.
- b. Solid wastes – The estimated total quantity of municipal solid waste generated and information about any recycling or source separation programs of the City will be provided for both scenarios.
- c. Hazardous materials – The proposed project most likely will not involve the handling of large quantities of hazardous materials or have major materials storage facilities or areas.

2.4 Fish, Wildlife, Plant Communities, and Sensitive Ecological Resources (EAW #13)

- a. A description of wildlife and fish resources related to the habitat types depicted on the cover types maps of item 1.10 will be provided.
- b. For the AUAR, prior consultation with the DNR Division of Ecological Resources for information about reports of rare plant and animal species in the vicinity is required. The DNR's response letter will be included in the AUAR. A review of federally protected species will also be provided. *It is assumed this consultation will result in the need for no on-site surveys.*

- c. A discussion of how the identified fish, wildlife, plant communities, rare features and ecosystems may be affected by the project will be provided, including a discussion on introduction and spread of invasive species from the project construction and operation. *It is assumed no threatened and endangered species will be identified.*
- d. Measures that will be taken to avoid, minimize, or mitigate adverse effects to fish, wildlife, plant communities, and sensitive ecological resources will be identified.

2.5 Sensitive Resources (EAW #14)

- a. Archaeological, historic, and architectural resources (EAW #14) – The AUAR will address both state historic properties requirements and federal Section 106 requirements due to the potential inclusion of federal funding in future improvements. As part of the AUAR early coordination procedures, consultation with the State Historic Preservation Office and State Archeologist is required to determine if further investigation is required. While the study area site has been extensively disturbed with development, roadway, and utility work, it is possible that that this consultation will result in the need to perform a Phase 1 archaeological field survey. As a conservative approach to limit the potential for overall study delays, a Phase 1 Archaeological Survey assumed in the base scope and budget.
- b. Prime or unique farmlands – No farmlands are identified in the study area.
- c. Designated parks, recreation areas, or trails – The AUAR will address potential impacts on adjacent parklands where applicable. In addition, it will describe proposed parks, recreation areas, and trails to be developed in conjunction with development on the AUAR site, and how they will interact with existing and planned resources.
- d. Scenic views and vistas – Where applicable, identify any scenic views or vistas present, and how the project would impact them.

2.6 Visual (EAW #15)

The potential visual effects from the project will be discussed and any measures to avoid, minimize, or mitigate visual effects identified. The project is not anticipated to have adverse visual impacts such as vapor plumes or glare from intense lights.

2.7 Air (EAW #16)

- a. Stationary source emissions – This item is not applicable to the AUAR.
- b. Vehicle emissions – The potential effect of the project's worst-case traffic generation on air emissions and air quality will be described. Measures such as traffic operational improvements that will be taken to minimize or mitigate vehicle-related emissions will be identified.
- c. Dust and odors – Detailed discussion of dust and odors will not be required. However, a description of city ordinances related to dust and odor will be provided.

2.8 Noise (EAW #17)

Per Environmental Quality Board guidelines, a noise analysis may be warranted for this project due to adjacent roadway noise sources (such as Highway 100) and noise receptors (new housing) included as a component of Phase 1 development. The noise analysis would determine if any noise levels exceeding applicable standards would occur, and if so, what mitigation measures would be deployed. The cost for this analysis is included as a supplementary item in the budget.

2.9 Transportation and Traffic (EAW #18)

- a. Traffic-related aspects of project construction and operation will be discussed, including: 1) existing and proposed additional parking spaces, 2) estimated total average daily traffic generated, 3) estimated maximum peak hour traffic generated and time of occurrence, 4) source of trip generation rates used in the estimates, and 5) availability of transit and/or other alternative transportation modes.

This analysis will include existing conditions, opening year (with Phase 1 improvements), full buildout complete, and future full buildout with mitigation, including:

- Existing Conditions (2019)
- Opening Year No Build (2021)
- Opening Year No Build (2030)
- Future Year No Build (2041)
- Opening Year Build - Phase 1 (2021)
- Opening Year Build – Full Buildout Complete (2030)
- Future Year Build (2041)
- Opening Year Build - Phase 1 (2021) with mitigation
- Opening Year Build – Full Buildout Complete (2030) with mitigation
- Future Year Build (2041) with mitigation.

It will include analysis of street intersections surrounding the site, including intersections at the interchanges. It will not include freeway operations analysis such as merge/diverge areas. The roadway network will be assumed with all existing ramps for the opening year and full buildout options. Future year options will use the volumes from the city's comprehensive plan to determine the background growth rate to be applied. Data to be collected to inform this analysis will include:

- We will collect turning movement counts and ADT information on surrounding roadway network
 - Crash data will be gathered from MnDOT
 - City, Hennepin County, or MnDOT to provide existing signal timings
 - Land use assumptions to include for Opportunity Site development to be determined so that trip generation numbers can be factored for the Phase 1 and Full Buildout development scenarios.
 - Proposed roadway network to be determined including number of lanes for roads within Opportunity Site development
 - City will provide information on other proposed developments in the analysis area
- b. The effect of the worst-case traffic generation from item "a." on traffic congestion on affected roads and any traffic improvements necessary will be described. The analysis will discuss the impact on the regional transportation system. *It is assumed the peak hour traffic generated exceeds 250 vehicles or the total daily trips exceeds 2,500 and that a traffic impact study using the format and procedures described in the Minnesota Department of*

Transportation's Access Management Manual, Chapter 5 will be required. It is also assumed Hennepin County guidelines for traffic impact studies will need to be complied with. It is assumed that no traffic impact study effort beyond that required to conform to these guidelines will be required and that only the impacts from the worst-case scenario based on trip generation will require study. A supplemental traffic impact study scope is attached for further detail.

- c. Measures that will be taken to minimize or mitigate project related transportation effects will be identified. The mitigation scenario will look at what changes are needed to the existing roadway system around the site and at the interchanges to accommodate the new development. This will not include analysis or mitigations needed for freeway operations such as merge/diverge areas.

2.10 Cumulative Potential Effects (EAW #19)

Cumulative potential effects will be addressed as part of the items above, with only a summary of identified effects in this separate discussion section provided.

2.11 Other Potential Environmental Impacts (EAW #20)

No additional environmental effects under state guidelines are anticipated. Any major additional federal issues will be identified, such as Section 4(f)/6(f) for outdoor recreation resource impacts, environmental justice, or others as determined during the process.

2.12 Plan Compatibility

A discussion of compatibility with the City of Brooklyn Center's comprehensive plan will be included, as well as identification of any necessary amendments to the plan. Other applicable local, state, and federal plans for the project area will be reviewed for compatibility as well. A certification of the comprehensive plan's compliance with Minnesota Rule 4410.3610 subpart 1 will be included.

2.13 Infrastructure and Public Services Impact

A summary of information on physical infrastructure covered elsewhere in the AUAR will be provided. Other major infrastructure and public services will be covered here as well, including major social services and project-specific infrastructure. *This will ensure that this infrastructure is exempt from project-specific review in the future.*

2.14 Summary of Issues and Mitigation Plan

The AUAR will include an executive summary that summarizes the potential for impacts, the differences in impacts between major development scenarios, and the proposed mitigation. The draft and final AUAR will include a mitigation plan organized by impact category, representing a commitment by the City to prevent potentially significant impacts from occurring from specific projects. This will identify the way in which mitigation will be applied, along with assurances that it will occur.

2.15 SAC Meeting #4 (Review Draft Materials and Discuss Publication Draft)

The SAC will meet to review draft findings and prepare for public release and discussion.

STEP THREE – Public and Agency Comment Period

3.1 Public Notice and Open House #2

The AUAR team will hold an open house to present the draft AUAR findings to interested stakeholders. The meeting will be publicized via SAC member resources, direct outreach to agencies, GIS-based mailings, and press releases. Questions and comments will be documented for consideration by the SAC.

The draft AUAR will be noticed in the EQB monitor and distributed for official review. Comments will be gathered, organized and documented. A hearing will be held before the Brooklyn Center Planning Commission to present the findings to this body and gathering additional feedback from the RGU and other stakeholders.

3.2 SAC Meeting #5 (Discuss Comments and Revisions)

This meeting will be for discussing comments and feedback and determining whether and what revisions will be required. *It is assumed comments will result in no need for revisions involving additional study, fieldwork, public meetings or modeling. Rather, the possible revisions would include map and/or text revisions to add clarity or better address a specific issue.*

STEP FOUR – Comment Response and Revisions to AUAR

4.1 Comment Response and AUAR Revisions

Revisions based on comments received and direction from the SAC will be made to the document. The comments received on the draft document will be included as an attachment to the AUAR, including responses to all substantive comments and reference to any resulting changes that were made in the AUAR document. *It is assumed revisions will be required only for clarification of narrative, tables and graphics, and that no additional analysis of impacts or additional mitigation plans will be required.*

4.2 SAC Meeting #6 (Agree on Revisions and Comment Responses)

This meeting will be scheduled, if necessary, to approve at the team level the final AUAR document and mitigation plan to be distributed for comment and adopted by the City Council.

STEP FIVE – Distribute Finalized AUAR and Mitigation Plan

5.1 Document Distribution

The document will be distributed to stakeholders identified during prior review processes. *It is assumed no EQB notice or public hearing or meeting will be required and that no objections will be filed with the EQB.*

STEP SIX – Adopt Finalized AUAR and Mitigation Plan

6.1 Document Adoption

The document will be recommended to the City Council for approval.

Change in Scope Procedure

1. Requests for work or questions about the Scope of Work will be routed to the CONSULTANT'S Project Manager via email or letter (in writing).
2. The Project Manager will determine whether the requested or questioned work falls within the above scope. The Project Manager will notify the CLIENT'S Contact in writing as to the CONSULTANT'S determination. If the requested or questioned work is determined to fall outside the above Scope, the Project Manager will also provide a written recommendation on whether and how to accommodate the request or address the question to the CLIENT'S Contact.
3. The CLIENT'S Contact will direct the CONSULTANT whether to proceed, prepare an estimate of the fee and schedule change, do nothing, or offer alternative recommendations
4. Steps 2 and 3 are repeated until both parties are satisfied that the proposed change in scope will satisfy the issue and that associated fee and schedule adjustments are acceptable.
5. CONSULTANT will prepare a memo for the City Council providing background, discussion, and budget impact information on the scope change, along with a recommendation to adopt by motion specific changes in the scope of work and associated fee and schedule adjustments. Such adopted changes will become part of this EXHIBIT 1 – Scope of Work.

[illegible]

Brooklyn Center Opportunity Site Alternative Urban Areawide Review Additional Scope Items – DRAFT 6/12/19

In addition to the base AUAR scope, two other elements are recommended to support the technical analysis needed for the Opportunity Site master planning and environmental review.

Additional Water Resources Services

Preliminary discussions with City of Brooklyn Center and the Shingle Creek Watershed Management Commission (SCWMC) indicated that a comprehensive Stormwater Management Plan for the Opportunity Site would help fulfill many goals, which include the following.

- Develop a framework for regional water resources management.
- Understanding of the current system's capacity to accommodate stormwater runoff and regulate flooding.
- Analyze proposed land use scenarios and their effects on regional drainage, identify any adverse impacts to Shingle Creek and develop solutions to mitigate those impacts.
- Develop a suite of best management practices (BMPs) that could be implemented throughout the development and along roadway corridors to improve water quality, reduce stormwater runoff and mitigate flooding.
- Explore innovative stormwater management strategies and materials to showcase the City's commitment to water quality and restoration of Shingle Creek.
- Create a regional education plan that aligns with the City's MS4 education plan that identifies way finding and interactive learning stations while the user traverses through the development to the parks adjacent to Shingle Creek.
- Identify planning level opinions of cost to construct the stormwater management system and develop timelines and phasing that are adaptable to varying development scenarios.
- Develop development policy that aligns with regional stormwater management goals including, but not limited to, minimum impervious area densities, incentives for reduced impervious area, and increased street sweeping frequency.
- Develop lasting partnerships with project stakeholders that establish a long term commitment to improved water quality.
- Align stormwater management strategies that go above and beyond the minimum regulatory requirements with grant funding mechanisms (state and SCWMC) to alleviate financial burden.

The process for developing a comprehensive Stormwater Management Plan includes detailed hydraulic modeling of the site, including the capacity of current trunk storm drain system and discharge rates into Shingle Creek. This provides a foundation for future development scenarios and BMPs that attempt to restore the drainage conditions to what they were prior to development. Land use changes and proposed impervious area densities will be added to a future conditions model, including preliminary BMP sizing and storm drain piping changes, to analyze the impacts to Shingle Creek. The final plan will include a report, exhibits and maps showing current and potential future scenarios, inundation mapping to identify flooding extents, cost estimates and a phasing plan based on variable development timelines.

If the City wishes to pursue a comprehensive Stormwater Management Plan for the Opportunity Development site, the SCWMC encouraged the project team to present the proposal to the Commission at a planning meeting and a board meeting to align with funding of both the plan and future projects. SCWMC representatives have shown strong support of a regional plan for this area and conveyed the message that, not only is the plan helpful to understand how much additional funding is needed, but is necessary to justify receipt of both state and SCWMC funds for projects that go above and beyond the minimum regulatory requirements. While the City may be responsible for the initial investment into a Stormwater Management Plan, the proper framework will pay back the initial burden through grant funds.

Additional Traffic Analysis Services

The City has had initial conversations with MnDOT regarding the future of slip ramps off TH 100 on the south side of the Opportunity Site. MnDOT has initiated plans to remove these ramps in response to safety and maintenance concerns, as they are currently substandard in design and have high crash rates. The project was originally programmed for 2024, in advance of a larger project to upgrade TH 100 near Brooklyn Center. It is possible this schedule may change, based on the conversation with the City regarding the Opportunity Site redevelopment plan.

Based on the expanded traffic generation anticipated by the redevelopment of the Opportunity Site, including regional level trips and new circulation patterns, municipal consent for ramp removal may be premature without additional traffic analysis to determine the impacts of the removal and potential other system improvements that may be needed to handle expected traffic. This analysis will need to address not only capacity, but also safety and connectivity.

Since the traffic analysis would extend beyond the limits of the Opportunity Site, it is not by definition in the scope for the AUAR. However, it may be efficient to complete the work in coordination with the AUAR traffic analysis, assuming partnership with MnDOT regarding information and data sharing, as well as other forms of assistance.

More conversation is needed with MnDOT regarding the appropriate scope for this additional work. However, we anticipate that it could include:

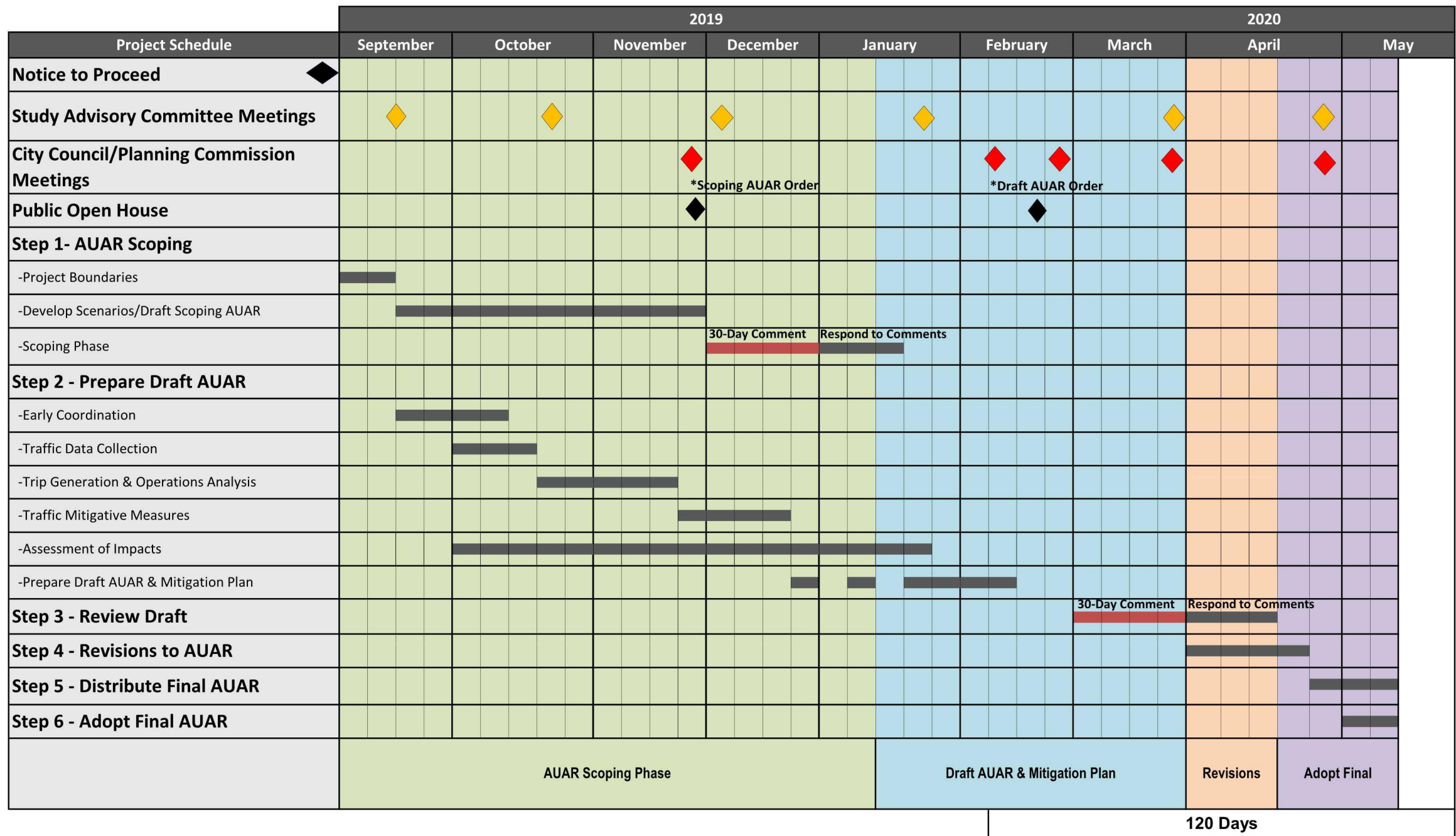
- Analysis to examine roadway network needs and traffic impacts if the two slip ramps off of TH 100 between I-94 and Bass Lake Road are removed.
- Analysis of freeway operations such as merge/diverge areas on I-94 or TH-100
- Other major roadway network impacts in the vicinity, including needed off-site improvements

Proposed Schedule

Alternative Urban Areawide Review

City of Brooklyn Center, Minnesota

August 19, 2019



Alternative Urban Areawide Review Discussion

Opportunity Site, Brooklyn Center, MN

Brooklyn Center City Council

August 26, 2019

What is an AUAR?

- ***Alternative Urban Areawide Rewiew***
 - A type of environmental review
 - Addresses impacts on a specific geographic area from expected future development that may take place over years or decades
- ***Formal Land Use Planning Tool***
 - Analyzes development scenarios and related impacts
 - Transparent process
 - Stimulates agency and public input
- ***Results with a Mitigation Plan***
 - Action plan for how the environmental effects of development will be avoided



What it is NOT

- **Not** an approval of the development
 - It is information the City will use in considering applications related to the development
- **Not** an opportunity to “vote” or state reasons for or against the project
 - It is an opportunity to provide relevant information or ask questions to ensure environmental impacts are appropriately identified, quantified and proper mitigation measures proposed



Benefits of an AUAR

- **Single, proactive review process** that can address:
 - Public infrastructure needs
 - Residential, commercial, industrial development
- **Aligns** land use **planning** and **environmental** processes
- Formally **initiates public involvement**
- Projects will not be subject to individual environmental reviews
- Promotes **economic development** and **efficient land development**
- Results in detailed Mitigation Plan



What's Analyzed? (broadly)

- Land Use (Compatibility)
 - *Uses present nearby*
 - *Existing plans and zoning*
- Waste Products
 - *Solid Waste Generated*
 - *Hazardous Waste Generated*
 - *Contaminants Present*
- Aesthetics
- Noise
- Historic Properties
 - *Archaeological*
 - *Historic properties*
- Air Quality
- Biotic Resources
 - *Threatened & Endangered Species*
 - *Ecological resources*
- Geology
 - *Karst geology*
 - *Mineral resources*
 - *Erosion and sedimentation*
 - *Farmland*
- Water Resources
 - *Ground Water*
 - *Surface Water*
 - *Sanitary & Storm Sewer*
- Transportation
- Cumulative
- Other



What's Not Explicitly Analyzed?

- *Some topics that many are concerned with or that are reviewed by federal agencies are not explicitly analyzed but are either indirectly analyzed or are better enforced and encouraged by policy.*
 - Public Health & Safety
 - *Emergency response*
 - *Fitness*
 - Greenness
 - Climate Change
 - *Infrastructure*
 - *Contributions to*
 - Public Controversy



What Are Key Resource Areas/Special Studies?

- **Foreseen special studies & coordination will analyze:**
 - Water Resources
 - Transportation

Specific studies needed will be identified by distributing a Scoping EAW for public and agency comment.



What's Needed to Move Forward?

- ***Development Scenario(s) – Required***
 - One or more visions of future land use and development (often a change from status quo, current zoning)
- ***Interagency Coordination – Required***
 - MnDOT
 - Hennepin County
 - Watershed Management Commissions
- ***Market Data – Desirable***
 - Aids in the development of a purpose and need statement

Information and agency positions collected during the process will establish timelines, key decision dates, and special studies.



AUAR Process & Timing

Feasibility & Local Vision

Special Studies

Economic Development:
Market Data & Need



Land Use: Comp Plan
Zoning & Development



Agency/Developer Vision

Development Scenarios

- Evaluate future land use and transportation settings
- Identify special development proposals and local vision
- Develop scenarios analyzed in Scoping EAW/Draft AUAR
- Identify the preferred development scenario if applicable (ref. Comp Plan)
- Discuss with agencies and stakeholders

Formal Review & Decision Making

AUAR Process

Draft AUAR

- Complete additional special studies
- Structure based on decisions to be made:
 - Zoning changes and development vision
 - Interchange locations and supporting roadways
- Identify potential impacts of development scenario(s)
- Propose next steps and lay out mitigation plan
- Reach out to stakeholders
 - Property owners
 - County & agencies
 - Public notice, hearing

Final AUAR

- Respond to comments
 - Cities & agencies
 - Property owners, public
- Set path forward
 - Zoning adjustments
 - Development prospects
 - Additional studies
 - Anticipated timeframes
- Refine and adopt mitigation plan
- Follow up
 - AUAR Updates (5 years)
 - Specific developments
 - Transportation projects

Late 2019

Early 2020

Complete 2020



OPPORTUNITY SITE DEVELOPMENT PROCESS

GOALS VALUES and VISION

What matters most?
How will it fit into the community?
What are we trying to accomplish?



OBJECTIVES IDEAS and OPTIONS

What options represent our values?
What new ideas can we bring to the table?
How can this place be special?



STRATEGIES SPECIFICS and DETAILS

What can we expect and when?
Who is doing what?
What will it look like?

MASTER PLAN



Environmental Review

Mitigation Plan

COMMUNITY ENGAGEMENT AND STAFF WORK



Zoning Review

Regulatory Framework

IMPLEMENTATION

Pilot and Catalytic Projects



Early Actions and Quick Wins

Block A

Financial Plan
Dev Agreement
Regulatory Review

Block B

Financial Plan
Dev Agreement
Regulatory Review

Block C

Financial Plan
Dev Agreement
Regulatory Review

Block D

Financial Plan
Dev Agreement
Regulatory Review



MEMORANDUM - COUNCIL WORK SESSION

DATE: 8/26/2019

TO: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: Ordinance Amendment Chapter 11 Liquor

Recommendation:

- Provide direction to staff regarding the Optional 2 AM Liquor License

Background:

In December 2017, the City Council made several amendments to Chapter 11 - Liquor of the City Code of Ordinance. One of the amendments eliminated the Optional 2 AM Liquor License. This amendment was based on addressing public safety matters for the City of Brooklyn Center.

At the time of the amendment, there was one establishment that held the Optional 2 AM Liquor License. It was documented and presented that during the hours of operations of that establishment between 1 AM to 4 AM it incurred 48% of its police calls.

Since the ordinance change staff has not found sufficient enough correlative evidence between the antisocial behaviors that warrants police calls and establishments serving alcohol until 1PM. Staff also received communications from an establishment indicating that they were operating at a market competitive disadvantage with similar type establishments in surrounding cities.

Staff has revisited this policy and believe that there are more comprehensive ways of addressing the antisocial behaviors that result in a high number of police calls such as licensure of entertainment, dance, and the sale of liquor in establishments.

Therefore, staff is proposing to re-establish the Optional 2 AM Liquor License due to two factors:

1. Recent data that shows that an establishment can operate or serve alcohol without causing an excessive number of police calls.
2. The City has taken a more comprehensive approach to addressing safety measures or police calls.

Additionally, staff has added language in the definition areas for clarification purposes as well as language in Section 11-119 Hours of Operation. In Section 11-119, the language provides for a sunset of patrons to remain on licensed premise.

Policy Issues:

- No budgetary impact.

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Establishment #1 Hourly Polic Calls Comparison	8/22/2019	Cover Memo
Powerpoint	8/28/2019	Presentation

Establishment #1 – Hourly Police Calls

(Non-Self Initiated)

8/1/18-2/21/19

8/1/17-2/21/18

Hour/DOW	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Grand Total
0	2	1	0	0	0	1	5	9
1	5	3	0	0	0	0	12	20
2	5	1	0	0	0	0	2	8
3	0	0	0	0	1	0	0	1
4	1	0	0	0	0	0	0	1
6	1	0	0	0	0	0	0	1
7	0	0	0	0	0	0	1	1
8	1	0	0	0	0	0	1	2
9	0	1	0	0	0	0	0	1
10	1	1	0	1	0	0	0	3
12	1	0	0	1	0	0	2	4
13	1	0	1	0	0	0	2	4
14	0	1	1	1	2	0	1	6
15	0	0	0	0	0	1	0	1
16	0	0	1	0	0	0	1	2
17	0	0	0	0	0	1	1	2
18	1	0	0	0	0	0	0	1
19	1	0	1	0	1	0	0	3
20	1	1	0	0	0	0	0	2
21	0	0	0	0	0	1	0	1
22	1	1	0	0	0	0	0	2
23	0	0	0	0	1	1	1	3
Grand Total	22	10	4	3	5	5	29	78

Hour/DOW	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Grand Total
0	4	2	0	0	0	0	2	8
1	10	1	0	0	0	0	1	12
2	7	0	0	0	0	1	6	14
3	0	1	0	0	0	1	0	2
10	0	1	0	0	0	0	0	1
11	0	0	0	0	2	0	0	2
12	0	0	1	0	0	0	0	1
13	0	2	0	0	0	0	0	2
14	0	0	0	1	0	0	0	1
15	0	1	0	1	0	0	1	3
16	1	1	0	0	0	2	0	4
17	0	0	1	0	0	0	0	1
18	0	2	0	1	0	0	0	3
19	0	0	0	0	1	0	0	1
21	0	0	0	0	0	0	1	1
22	0	1	0	0	0	0	0	1
Grand Total	22	12	2	3	3	4	11	57

Establishment #1 – Hourly Police Calls

(Self-Initiated)

8/1/18-2/21/19

Hour/DOW	Sun	Mon	Tue	Thu	Sat	Grand Total
0	2	1	0	1	0	4
1	10	3	0	0	11	24
2	2	1	0	0	0	3
3	1	0	0	0	0	1
4	1	0	0	0	0	1
19	0	0	1	0	0	1
20	1	0	0	0	0	1
23	1	0	0	0	0	1
Grand Total	18	5	1	1	11	36

8/1/17-2/21/18

Hour/DOW	Sun	Mon	Wed	Thu	Fri	Sat	Grand Total
0	1	1	0	0	1	0	3
1	2	0	0	0	0	0	2
2	2	0	0	0	0	2	4
17	0	0	1	0	0	0	1
19	0	0	0	1	0	0	1
21	0	0	0	0	0	1	1
23	1	0	0	0	0	0	1
Grand Total	6	1	1	1	1	3	13

Ordinance Amendment Chapter 11



City Council Meeting, 8/26/19

Request of Action

Provide direction to staff regarding the Optional 2 AM Liquor License.



Policy Background

- In December 2017, the City Council made several amendments to Chapter 11 - Liquor of the City Code of Ordinance. One of the amendments eliminated the Optional 2 AM Liquor License. This amendment was based on addressing public safety matters for the City of Brooklyn Center.
- At the time of the amendment, there was one establishment that held the Optional 2 AM Liquor License. It was documented and presented that during the hours of 1 AM to 4 AM that operations had incurred 48% of its police calls.



Policy Background

- Since the ordinance change staff has not found sufficient enough correlative evidence between the antisocial behaviors that warrants police calls and establishments serving alcohol until 1PM.
- Staff also received communications from an establishment indicating that they were operating at a market competitive disadvantage with similar type establishments in surrounding cities.
- Staff has revisited this policy and believe that there are more comprehensive ways of addressing the antisocial behaviors that result in a high number of police calls such as licensure of entertainment, dance, and the sale of liquor in establishments.



Establishment #1 – Hourly PD Call (Non-Self Initiated)

8/1/18-2/21/19

8/1/17-2/21/18

Hour/DOW	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Grand Total
0	2	1	0	0	0	1	5	9
1	5	3	0	0	0	0	12	20
2	5	1	0	0	0	0	2	8
3	0	0	0	0	1	0	0	1
4	1	0	0	0	0	0	0	1
6	1	0	0	0	0	0	0	1
7	0	0	0	0	0	0	1	1
8	1	0	0	0	0	0	1	2
9	0	1	0	0	0	0	0	1
10	1	1	0	1	0	0	0	3
Grand Total 78								

Hour/DOW	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Grand Total
0	4	2	0	0	0	0	2	8
1	10	1	0	0	0	0	1	12
2	7	0	0	0	0	1	6	14
3	0	1	0	0	0	1	0	2
10	0	1	0	0	0	0	0	1
11	0	0	0	0	2	0	0	2
12	0	0	1	0	0	0	0	1
13	0	2	0	0	0	0	0	2
Grand Total 57								



Establishment #1 – Hourly PD Call - (Self- Initiated)

8/1/18-2/21/19

8/1/17-2/21/18

Hour/DOW	Sun	Mon	Tue	Thu	Sat	Grand Total
0	2	1	0	1	0	4
1	10	3	0	0	11	24
2	2	1	0	0	0	3
3	1	0	0	0	0	1
4	1	0	0	0	0	1

Grand Total 36

Hour/DOW	Sun	Mon	Wed	Thu	Fri	Sat	Grand Total
0	1	1	0	0	1	0	3
1	2	0	0	0	0	0	2
2	2	0	0	0	0	2	4
3	0	0	1	0	0	0	1
4	0	0	0	1	0	0	1

Grand Total 13



Policy Background

- Staff is proposing to re-establish the Optional 2 AM Liquor License due to two factors:
 1. Recent data that shows that an establishment can operate or serve alcohol without causing an excessive number of police calls.
 2. The City has taken a more comprehensive approach to addressing safety measures or police calls.



Policy Issue

What is the direction of the Council on to staff regarding the Optional 2 AM Liquor License?



MEMORANDUM - COUNCIL WORK SESSION

DATE: 8/26/2019

TO: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: Ordinance Amending the Public Dance Ordinance to the Entertainment Ordinance

Recommendation:

- Provide direction to Staff regarding amending the Public Dance Ordinance to Entertainment Ordinance

Background:

The intent of this propose ordinance change is to place a focus on behaviors, particularly antisocial behaviors, that may result in police calls and not a focus on the type of establishments or its operations. By identifying potential antisocial behaviors, regulatory policy strategies can be employed to mitigate or prevent such behaviors.

The proposed ordinance amendments are two-fold:

1. The current "public dance" ordinance is a dated ordinance which does not fully address related modern day entertainment.
2. Amending of the "dance" ordinance allows the City to address antisocial behaviors that may be associated with business establishments that cater to nighttime entertainment in a broad, comprehensive, and effective way.

With that said, staff reviewed the "public dance" ordinance in relations to policies or regulations that may have a positive influence on curtailing antisocial behaviors at establishments that cater to nighttime entertainment and that may result in police calls. Such establishments may or may not serve alcohol. Staff found that regulations within this specific ordinance (public dance) may provide a broader, more comprehensive and effective regulatory strategies for preventing such antisocial behavior, while not impeding a business establishment from successfully operating.

To accomplish this balance of regulations, and not impeding a businesses from successfully operating, staff propose amending the current "public dance" ordinance to an "entertainment" ordinance.

Entertainment would apply to:

- Background or Jukebox Music
- DJ Music
- Live Music
- Concerts
- Dance
- Public Performers
- Recorder Music (i.e., tape, radio or machine device play)

By amending the "public dance" ordinance to an "entertainment" ordinance broader and more comprehensive regulatory conditions may be established such as:

- Zoning: The establishment and associated use must comply with the zoning code.
- Occupancy - Permitting occupancy not to exceed the limits permitted under the uniform fire code (overcrowding)
- Building Standards: The licensed premise must comply with the building standards including, but not limited to ADA accessibility for stages and dance floors, and ingress, and egress provisions.
- Parking Limitations: The licensed premise shall comply with zoning code, fire, and building code requirements including but not limited to no blocking of emergency access lanes; No blocking of fire hydrants; and sufficient parking shall be provided as identified within the zoning code.
- Police Calls: Licensed premises cannot create a disproportional number of police calls relative to other like establishments.
- Noise or Sound: Sound should not be audible from the premise after 10 p.m.

Staff believe that by focusing on behaviors particularly antisocial behaviors that may result in police calls and not a focus on the type of establishments or its operations the City may mitigate or prevent antisocial behaviors and assist businesses with operating successfully.

Policy Issues:

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Powerpoint	8/28/2019	Presentation

Amendment Public Dance Ordinance to Entertainment Ordinance



City Council Meeting, 8/26/19

Request of Action

*Provide direction to staff regarding amending the
Public Dance Ordinance to Entertainment Ordinance*



Policy Background

- The intent of this propose ordinance change is to place a focus on behaviors, particularly antisocial behaviors, that may result in police calls and not a focus on the type of establishments or its operations.
- By identifying potential antisocial behaviors, regulatory policy strategies can be employed to mitigate or prevent such behaviors.



Policy Background

- The proposed ordinance amendments are rationale is two-fold:
 1. The current "public dance" ordinance is a dated ordinance which does not fully address related modern day entertainment.
 2. Amending of the "public dance" ordinance allows the City to address antisocial behaviors that may be associated with business establishments that cater to nighttime entertainment in a broad, comprehensive, and effective way.



Policy Background – Types of Entertainment

- Background or Jukebox Music
- DJ Music
- Live Music
- Concerts
- Dance
- Public Performers
- Recorded Music (i.e., tape, radio or machine device play)



Policy Background - Conditions

- By amending the "public dance" ordinance to an "entertainment" ordinance, broader and more comprehensive regulatory conditions may be established such as:
 - **Zoning:** The establishment and associated use must comply with the zoning code.
 - **Occupancy:** Permitting occupancy not to exceed the limits permitted under the uniform fire code (overcrowding)
 - **Building Standards:** The licensed premise must comply with the building standards including, but not limited to ADA accessibility for stages and dance floors, and ingress, and egress provisions.



Policy Background – Conditions (Continued)

- **Parking Limitations:** The licensed premise shall comply with zoning code, fire code, and building code requirements including but not limited to no blocking of emergency access lanes; No blocking of fire hydrants; and sufficient parking shall be provided as identified within the zoning code.
- **Police Calls:** Licensed premises cannot create a disproportional number of police calls relative to other like establishments.
- **Noise or Sound:** Sound should not be audible from the premise after 10 p.m.



Policy Background – Penalty for Violation

Violation	Penalty	Period
1 st Violation	\$200.00	N/A
2 nd Violation	\$500.00	Within 24 months of 1 st violation
3 rd Violation	\$1,000.00	Within 24 months of 2 nd violation
4 th Violation	Licensed revoked	Within 24 months of 3 rd violation



Policy Background

- Staff believes by focusing on behaviors, particularly antisocial behaviors that may result in police calls and not a focus on the type of establishments or its operations the City may mitigate or prevent antisocial behaviors and assist businesses with operating successfully.



Policy Issue

What is the direction of the Council on to staff regarding amending of the Public Dance Ordinance to Entertainment Ordinance?



MEMORANDUM - COUNCIL WORK SESSION

DATE: 8/26/2019

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 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.

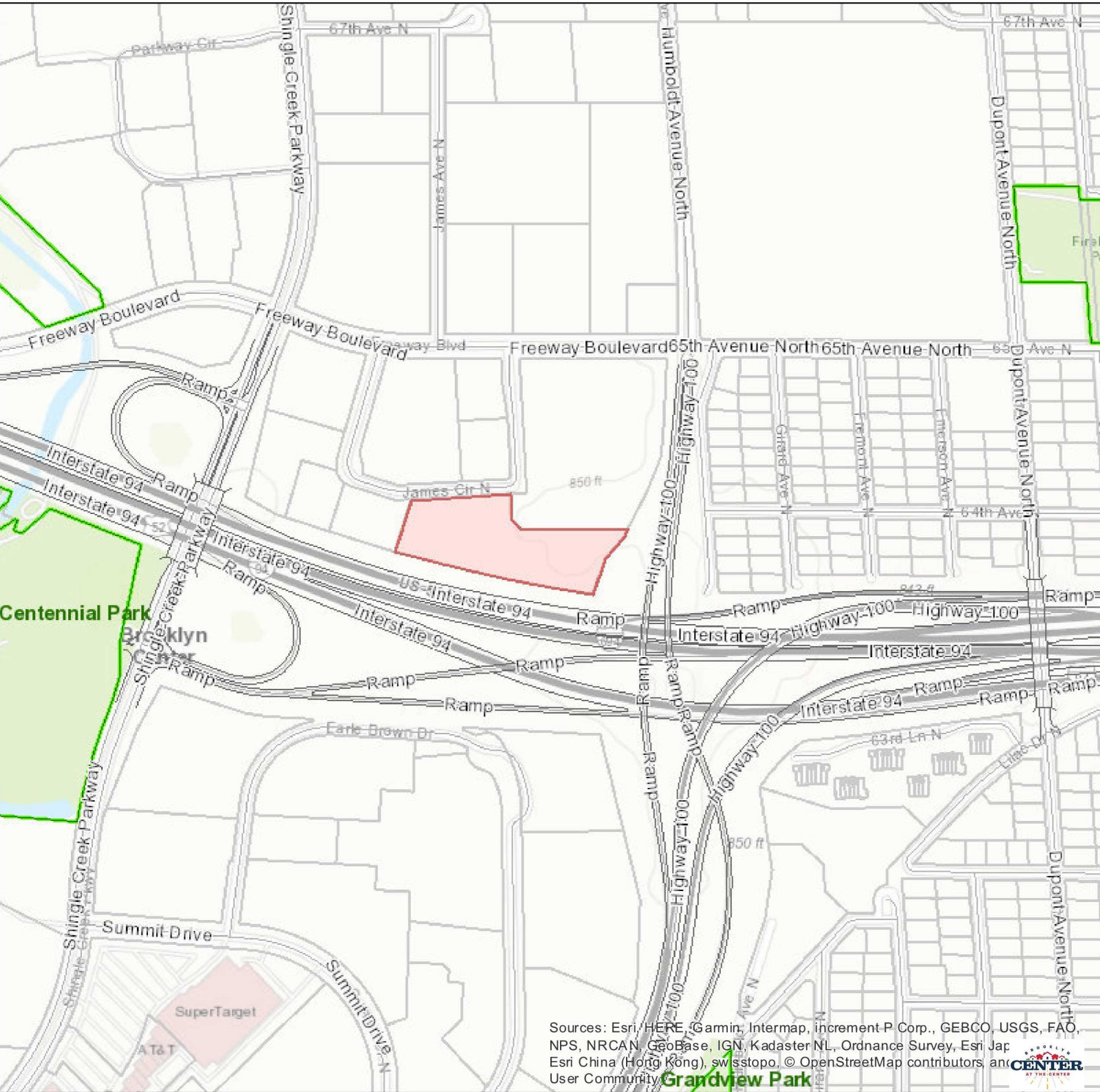
Strategic Priorities and Values:

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

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the User Community. **AT THE CENTER**



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 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.

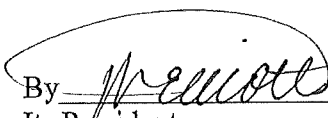
Section 12. Term and Termination. This Agreement shall be effective as of the date first written above and shall continue for one year until April 8, 2020, unless terminated earlier in accordance with Section 7. If for any reason the Contracts have not been entered into by the parties by such date, or 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.

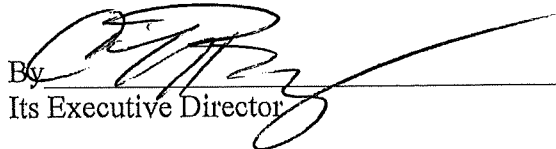
Section 13. Severability. If any portion of this Agreement is held invalid by a court of competent jurisdiction, such decision shall not affect the validity of any remaining portion of this Agreement.

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.

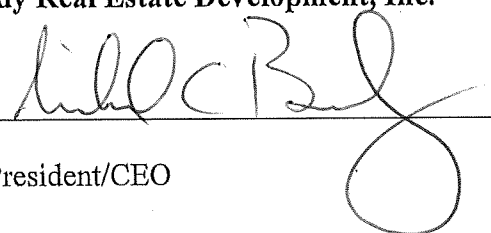
By 
Its President/CEO

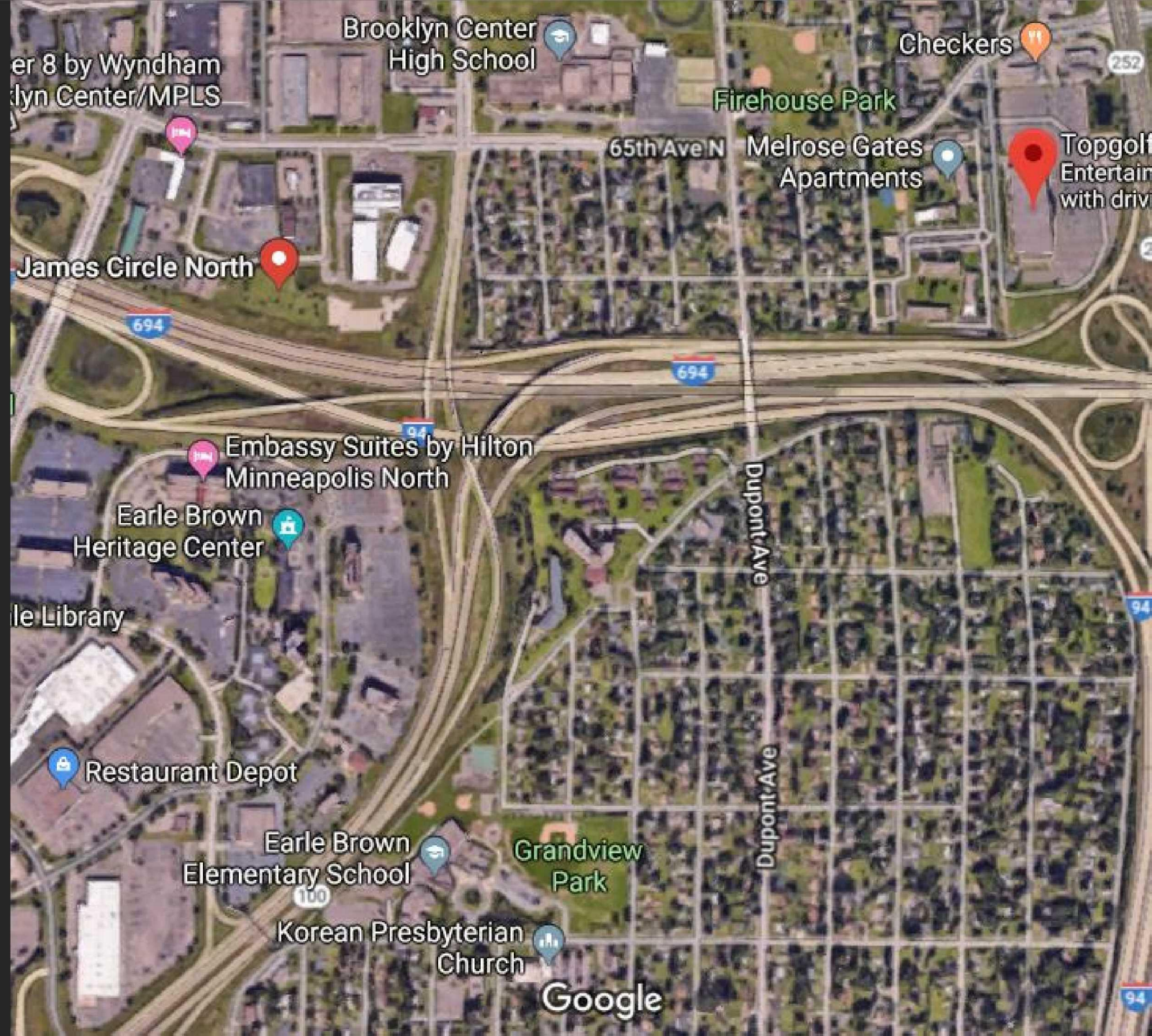
EXHIBIT A
Legal Description of the Authority Property

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.

Brooklyn's 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 nowhere 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 $\frac{1}{2}$ 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

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.

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.

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

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



Jambo Africa

Quality Inn

TUFAC EVENT CENTER

FEDERAL BUREAU OF INVESTIGATION

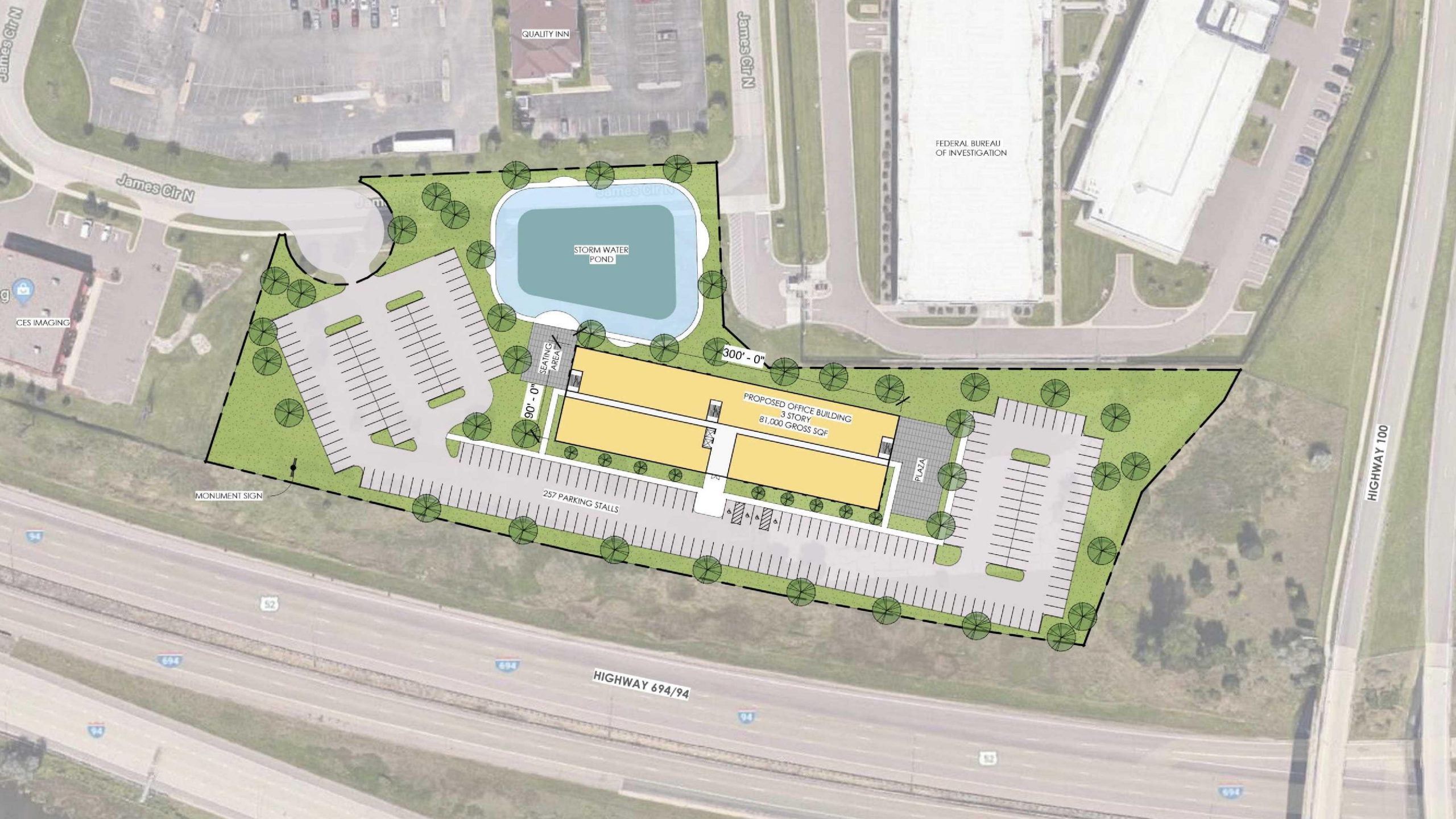
HIGHWAY 100

James City Blvd

CES Imaging

HIGHWAY 694/94

CONCEPT PLAN ONLY



QUALITY INN

James Cir N

FEDERAL BUREAU
OF INVESTIGATION

James Cir N

STORM WATER
POND

SEATING
AREA

300' - 0"

PROPOSED OFFICE BUILDING
3 STORY
81,000 GROSS SQF

PLAZA

257 PARKING STALLS

MONUMENT SIGN

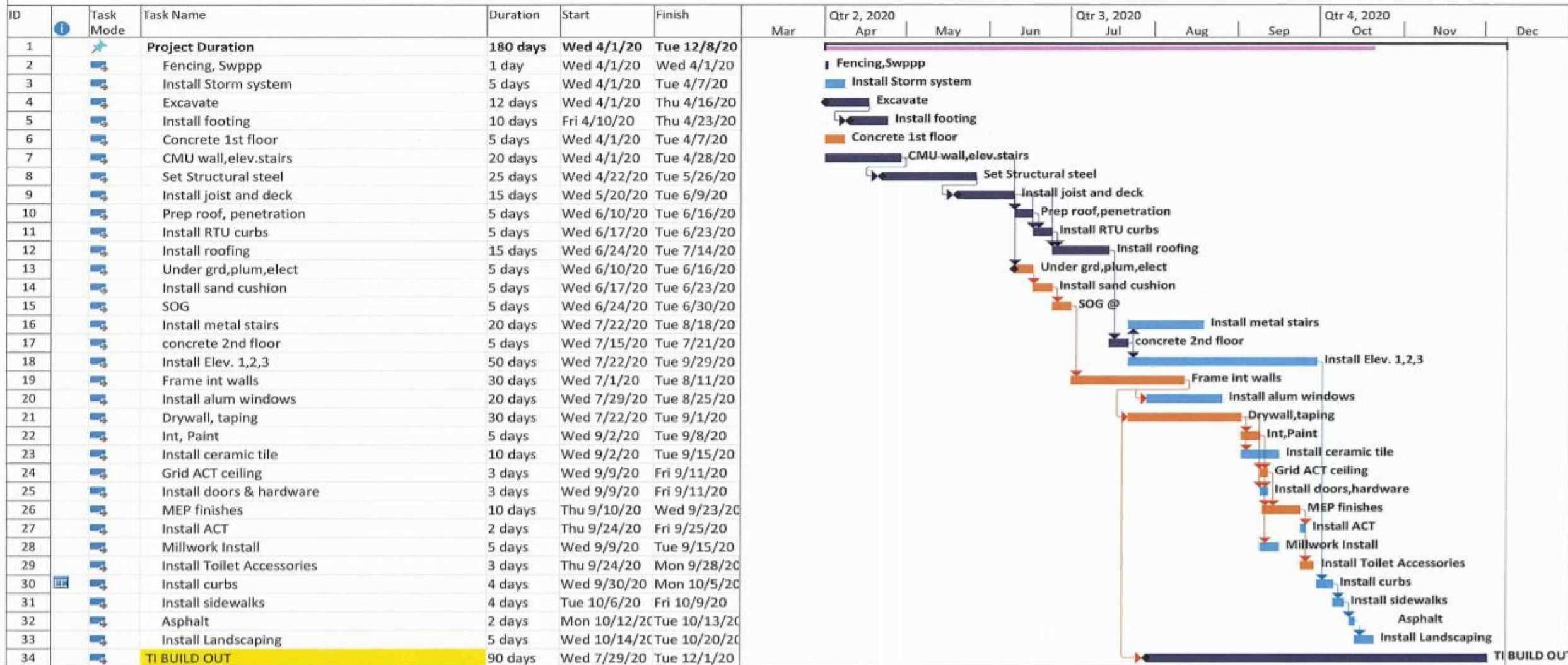
HIGHWAY 100

HIGHWAY 694/94

PRELIMINARY SCHEDULE

Brooklyn Center Business Tech Project

PRELIMINARY SCHEDULE



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:

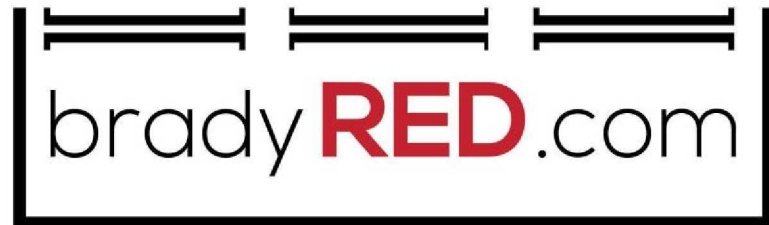
Tax Data (Assessed 2019, Payable 2020)

Market Value: \$0

Go to... +



Thank you!



Real Estate Development



MEMORANDUM - COUNCIL WORK SESSION

DATE: 8/26/2019

TO: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: Pending Items

Recommendation:

- Public Subsidy Policy - 9/23
- Commemoration of 400 years of Slavery Activities
- Police Crisis Prevention Options
- Residential Design Standards
- Livable Wages
- Housing Policy - 9/9

Background:

Strategic Priorities and Values:

Operational Excellence