

Council Worksession
City Hall Council Chambers
May 13, 2024

AGENDA



The City Council requests that attendees turn off cell phones and pagers during the meeting. A copy of the packet is available on the city's website.

- 1. Call to Order - 6:00 p.m.**
- 2. Council Miscellaneous Discussion Items**
- 3. City Manager Miscellaneous Discussion Items**
- 4. Adjourn**

**CITY COUNCIL
MEETING**

City Hall Council Chambers
May 13, 2024

AGENDA



1. Call to Order - 7:00 p.m.

Attendees please turn off cell phones and pages during the meeting. A copy of the full meeting packet is available in the binder at the entrance to the Council Chambers.

2. Roll Call

3. Pledge of Allegiance

4. Informal Open Forum

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

The first call will be for those that have notified the Clerk that they would like to speak during the open forum and then ask if anyone connected to this meeting would like to speak. When called upon, please indicate your name and then proceed. Please be sure to state your name before speaking.

a. Meeting Decorum

5. Invocation - Graves

6. Approval of Agenda and Consent Agenda

These items are considered to be routine by the City Council and will be enacted by one motion. There isn't a separate discussion for these items unless a Councilmember so requests, then it is moved to the end of the Council Consideration Items.

a. Approval of Minutes

- *Motion to approve meeting minutes*

- 04/22/24 Worksession
- 04/22/24 Regular Session
- 04/22/24 EDA/Work Session

b. Approval of Licenses

- *Motion to approve the licenses as presented.*

c. Resolution Approving the Participation of the Hennepin County Housing and Redevelopment Authority in an Affordable Housing Project

- *Motion to adopt a resolution approving the participation of the Hennepin*

County Housing and Redevelopment Authority in an affordable housing project

7. Presentations/Proclamations/Recognitions/Donations

- a. Resolution Recognizing May 12 through May 18, 2024, as Police Week and May 15, 2024, as Police Officers Memorial Day
- Motion to approve a resolution May 12 through May 18, 2024, as Police Week and May 15, 2024, as Police Officers Memorial Day
- b. Resolution Declaring May 19-24, 2024, National Public Works Week in the City of Brooklyn Center
- Motion to approve a resolution declaring May 19 through May 24, 2024, as National Public Works Week in Brooklyn Center
- c. Proclamation Acknowledging and Proclaiming the Month of May 2024 as "Mental Health Awareness Month"
- Motion to approve a resolution acknowledging and proclaiming the month of May 2024 as "Mental Health Awareness Month"
- d. Resolution Recognizing the Contributions and Service Completed by the Daunte Wright and Kobe Dimock-Heisler Implementation Committee
- Approve a resolution directing the adoption of the recognition, contributions and service completion of the Daunte Wright and Kobe Heisler-Dimock Implementation Committee.

8. Public Hearings

9. Planning Commission Items

10. Council Consideration Items

- a. Resolution Awarding the Sale of \$12,020,000 General Obligation Improvement and Utility Revenue Bonds, Series 2024A Fixing Their Form and Specifications; Directing Their Execution and Delivery; and Providing for Their Payment
- Motion to approve a resolution awarding the sale of \$12,020,000 General Obligation and Utility Revenue Bonds, Series 2024A fixing their form and specifications; directing their execution and delivery; and providing for their payment.

11. Council Report

12. Adjournment



COUNCIL MEETING DECORUM

To ensure meetings are conducted in a professional and courteous manner which enables the orderly conduct of business, all persons in attendance or who participate in such meetings shall conduct themselves in a manner that does not interfere with the ability of others to observe and, when allowed, to participate without disruption or fear of intimidation.

- A. Decorum. Persons who attend meetings must avoid conduct that disrupts, interferes with, or disturbs the orderly conduct of the meeting or the ability of other attendees to observe and participate as appropriate. To that end, persons who attend meetings are subject to the following:
 - (1) Members of the public may only speak during meetings when allowed under Council Rules and only after being recognized by the presiding officer. The presiding officer may establish time limits for the acceptance of public comments or testimony.
 - (2) Public comments or testimony must be addressed to the presiding officer and not to other Council Members, staff, or others in attendance.
 - (3) All elected officials shall be referred to by their proper title and surname.
 - (4) Public comments should avoid personal accusations, profanity, or other improper content for a public meeting.
 - (5) Intimidating behaviors, threats of hostility, or actual violence are disallowed.
 - (6) Audible demonstrations intended to disrupt the meeting should be avoided, including stomping of feet, snapping of fingers, clapping of hands, and other conduct that may be intimidating or threatening to others.
 - (7) Holding, displaying, or placing banners, signs, objects, or other materials in any way that endangers others, prevents the free flow of individuals within the chamber, or obstructs or prevents the viewing of the meeting by others is not allowed.
- B. The presiding officer shall request any person(s) who disrupt, interfere with or disturb the orderly conduct of a meeting to cease the conduct and, as necessary, shall issue an oral warning to the individual(s) found to be in violation. If the individual(s) persists in disrupting, interfering with, or disturbing the meeting, the presiding officer may have the individual(s) removed or, under appropriate circumstances, temporarily clear the gallery. If for any reason the presiding officer fails to take such action, a majority vote may be substituted for action by the presiding officer to maintain order and decorum over the proceedings.
- C. The Council Chambers capacity is 76 persons per fire code.

Council Regular Meeting

DATE: 5/13/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Dr. Reggie Edwards, City Manager

BY: Barb Suciu, Assistant City Manager/City Clerk

SUBJECT: Approval of Minutes

Requested Council Action:

- *Motion to approve meeting minutes*
 - 04/22/24 Worksession
 - 04/22/24 Regular Session
 - 04/22/24 EDA/Work Session

Background:

In accordance with Minnesota State Statute 15.17, the official records of all meetings must be documented and approved by the governing body.

Budget Issues:

- None

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

Strategic Priorities and Values:

Provide quality services with fair and equitable treatment

ATTACHMENTS:

Description	Upload Date	Type
4.22 Work Session	5/6/2024	Backup Material
04.22 Regular	5/1/2024	Backup Material
04.22 EDA/Worksession	5/1/2024	Backup Material

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

WORKSESSION
APRIL 22, 2024
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council met in Worksession called to order by Mayor April Graves at 6:13 p.m.

ROLL CALL

Mayor April Graves and Councilmembers Marquita Butler, Kris Lawrence-Anderson, Dan Jerzak, and Teneshia Kragness. Also present were City Manager Reggie Edwards, Director of Public Works Elizabeth Heyman, Development Director Jesse Anderson, Assistant City Manager/City Clerk Barb Suciu, and City Attorney Jason Hill.

COUNCIL MISCELLANEOUS DISCUSSION ITEMS

Mayor Graves noted the Council has discussed decorum multiple times, and she has heard the Council wants to be more involved in selecting Commissioners. Mayor Graves stated that applications and information on the open positions have been provided to the Council and would be discussed at the following meeting.

Mayor Graves stated that the Cultural and Public Arts Commission was established by resolution at the last meeting. In that resolution, additional language was not included in the other commission's by-laws. Dr. Edwards provided copies of the resolution. This additional language has expectations for commissioners to comply with the City's Respectful Workplace Policy. She added that she would like the expectations regarding respectfulness to be included in the by-laws of each commission. One component of respectfulness is regular attendance.

There was no disagreement from the rest of the Council.

Councilmember Lawrence-Anderson stated she wants more Council involvement in the Commission appointments, but she hesitates to discuss Commissioners in an open format. She suggested the appointments be considered via email.

Mayor Graves agreed to the suggestion. She asked for Assistant City Manager/City Clerk Barb Suciu to create a digital form to record and chart the input of Councilmembers.

Councilmember Jerzak asked if Mayor Graves' recommendations would be included in the

process. Mayor Graves explained she would provide input in the same way and that the form created by Ms. Suciú would be visible to all council members.

Mayor Graves stated it would be hypocritical for the Council to discuss the decorum of Commissions without considering the Council's decorum. She noted there was an article regarding the censuring of a Brooklyn Park Councilmember for speaking disrespectfully to the City Manager. It was the second time the same Councilmember was censured. She explained the issue of respect is not unique to Brooklyn Center.

Mayor Graves explained a citizen's advisory work group created Brooklyn Park's process. The process was presented to the Council, and the Council provided feedback on it. Mayor Graves provided printouts of portions of the process to the rest of the Council. She stated the Council needs to show up at the highest level of conduct as elected officials.

Mayor Graves pointed out that Brooklyn Park's Code of Conduct highlights civility and professionalism, honoring the role of the Mayor, avoiding personal attacks, promoting problem-solving, succinctness, and staying on topic. She read a portion of the policy related to the Council's treatment of Staff and then a portion regarding the Council's interactions with the public. She suggested some of Brooklyn Park's policies be integrated into Brooklyn Center's policies.

Mayor Graves noted the Brooklyn Park Councilmember was offered training opportunities as a form of accountability. He refused the offering and was instead removed from acting as a liaison to certain commissions. Brooklyn Center's Council also needs a process for accountability.

Councilmember Kragness asked how Brooklyn Park's policy differs from Brooklyn Center's existing policy. Mayor Graves stated the current policy doesn't have any guidelines on how the Council should be held accountable. Brooklyn Park even has a flow chart detailing the procedure and read some of the accountability measures.

CITY MANAGER MISCELLANEOUS DISCUSSION ITEMS

City Manager Reggie Edwards stated the City's contract with Common Sense has supported the Council's retreats and consulted on other work. One of their employees will be moving and will only be available remotely. If Councilmembers want to have one-on-one conversations with that particular staff member, it must be done before she moves away. After the consultant moves, a different consultant would be made available to the Council for one-on-ones.

Councilmember Kragness stated she would like to know the timing of the employee's move because she would like a one-on-one before she leaves. Mayor Graves stated she would also like a one-on-one before the move.

Councilmember Lawrence-Anderson asked when the employee would be moving. Dr. Edwards stated he didn't know the details.

Dr. Edwards pointed out there are a couple of outstanding issues related to Commissioners. He asked when the Council wanted to address the concerns.

Mayor Graves stated she would be open to discussing Commission expectations immediately, but it can also wait until the next meeting. She asked Dr. Edwards or City Attorney Jason Hill to summarize best practices for Commissioners.

Mr. Hill stated the best practice to follow up on a Commissioner violating expectations or by-laws would be some form of due process. The Commissioner should have a chance to speak up for themselves along with an opportunity for finding of facts. The Council could add a process similar to the Council's accountability process to by-laws. Options could include removal from a Commission or not allowing the Commissioner to serve in the same capacity for a certain number of years.

Mayor Graves stated she wants people to have a chance to grow and improve. Her aim is not punitive. Instead, the City could offer training opportunities or relationship-based resolutions. There was no objection from the Council.

Mayor Graves requested that Staff create a draft accountability policy for the by-laws. Dr. Edwards confirmed that the Staff would put something together for the Council to review.

DISCUSSION OF WORK SESSION AGENDA ITEMS AS TIME PERMITS

ALTERNATIVE EXPANDED RESPONSE PILOT

This item was addressed at the Work Session meeting.

COMMUNITY DEVELOPMENT BLOCK GRANT DOWN PAYMENT FUNDING REALLOCATION DISCUSSION

Community Development Director Jesse Anderson explained Staff is seeking direction regarding the allocation of Community Development Block Grant (CDBG) funds. Brooklyn Center receives an allocation each year. CDBG funds are provided by the U.S. Department of Housing and Urban Development (HUD). The funds are intended to help with community development activities that benefit low- and moderate-income persons. The funds are primarily intended for bricks and mortar improvements, as opposed to public service activities.

Mr. Anderson pointed out that in March of 2023, the City Council reallocated funds from the Down Payment Assistance Program to the Hennepin County Homeowner Rehabilitation program. At the time Hennepin County staff had agreed they would be able to spend down the additional funds. Hennepin County has been unable to spend down the funds as fast as they had anticipated. The County has failed to meet the federal timely CDBG spending test and has indicated that they will need to reallocate the remaining extra funds of \$135,000.

Mr. Anderson stated the County is starting a new Down Payment Assistance program and has suggested they could reallocate the funds to that program. They have given the City until the end of April to indicate an alternative re-allocation. In 2024, the City Council Allocated \$214,488 to the Hennepin County Rehab program. Those funds remain in place and the program will continue with 2024 program funds.

Mr. Anderson stated City Staff have reviewed options for spending down the remaining \$135,000 before the end of the year. Generally, federally funded CDBG programs have some challenging requirements and the short spend-down window makes most funding options infeasible.

Mr. Anderson noted Staff proposes a feasible alternative to the County's proposal, which is to spend the funds on capital improvements at City Parks. CDBG funding can be allocated to park enhancements within a qualified low-moderate income census tract. Community Development and Engineering Staff have identified critical needs for park improvements. To successfully deliver an unplanned project in 2024, Staff is recommending focusing on capital improvements to existing park buildings.

Councilmember Lawrence-Anderson asked what the projects would be. Director of Public Works Elizabeth Heyman explained in order to utilize the funds in 2024, the City would have to apply funds to pre-existing parks. At the amphitheater, there are some improvements needed to extend its usefulness such as brickwork and tuck-pointing. They are also considering improvements to existing playground equipment.

Councilmember Jerzak asked if the funds previously allocated to down payment assistance had been used. He also asked if the program would disappear without the allocation. Mr. Anderson stated when the City switched its allocation in 2023, the final few pending homes were addressed. Since then, there have been two applications. The County's program is separate from the City's Down Payment Assistance Program.

Mayor Graves asked if the funds could be added to the home maintenance offering. Mr. Anderson stated the funds wouldn't be able to be spent in 2024 if it was allocated to home maintenance.

Mayor Graves stated she supports spending the funds on park improvement projects.

Councilmember Kragness asked if something else on the Capital Improvement Plan could use the funding. Ms. Heyman stated the funds must be used on public park facilities. They reviewed the upcoming projects and selected which ones could be completed in 2024, partly due to the State's pre-bid contracts. There are other pending projects, but the ones proposed to the Council are the most pressing and would save the City the most money in the long run.

It was the consensus of the Council to allocate the CDBG funds to park improvements.

Mayor Graves called for a brief recess at 6:52.

ADJOURNMENT

Councilmember Jerzak moved and Councilmember Kragness seconded adjournment of the Worksession at 6:57 p.m.

Motion passed unanimously.

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
APRIL 22, 2024
CITY HALL – COUNCIL CHAMBERS

1. INFORMAL OPEN FORUM WITH CITY COUNCIL

The Brooklyn Center City Council met in Informal Open Forum called to order by Mayor April Graves at 7:01 p.m.

2. ROLL CALL

Mayor April Graves and Councilmembers Marquita Butler, Kris Lawrence-Anderson, Dan Jerzak, and Teneshia Kragness. Also present were City Manager Reggie Edwards, Director of Public Works Elizabeth Heyman, Assistant City Manager/City Clerk Barb Suciu, and City Attorney Jason Hill.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. INFORMAL OPEN FORUM

Mayor April Graves opened the meeting for the purpose of Informal Open Forum. She reviewed the rules of decorum.

Gizzie K. introduced himself as a Representative of Voinjama, Lofa County of Liberia. He stated he wanted to take the opportunity to meet with their Sister City while he was in the United States.

Alden L. invited everyone to the Brooklyn Center Prayer Breakfast at Living Christ's Mission Church. It will be held on Saturday, April 27 at 9:00 a.m. and is intended to promote unity in the City.

Katie W. stated her son was buried three years ago after being shot by a Brooklyn Center police officer during a traffic stop. She noted she is the Chair of the Duante and Kobe No More Names Initiative. Policy changes were presented to the Council, which was voted down. She has reached out to Councilmembers who voted against the recommendations to understand their reasoning, but she has not heard a response. Katie W. explained she has put herself in uncomfortable positions to promote change. She asked for the basic respect of a response from the City's elected leaders. She stated she would continue to show up and work toward a change.

Gretchen E. stated she has questions about the Code of Conduct for Commissions.

Mayor Graves asked if a Worksession agenda item could be discussed at Open Forum. City Attorney Jason Hill confirmed a Worksession agenda item can be discussed at Open Forum.

Gretchen E. asked if Commissioners will receive copies of the Code of Conduct. Mayor Graves confirmed existing and future Commissioners would receive the information.

Gretchen E. asked if the same policy would apply to Staff. Mayor Graves stated there is already a policy for Staff, and it is handled by the City Manager.

Gretchen E. asked if there are repercussions for Staff who violate their Code of Conduct policies. Dr. Edwards confirmed there would be repercussions for Staff that violate their Code of Conduct policies.

Diane S. noted there was a great story on CCX covering outreach done by Metro Transit and recommended the community check it out. Also, she reached out to the Minnesota Department of Transportation regarding graffiti, and they resolved the matter quickly.

Diane S. stated there is an issue of blight with someone leaving a vehicle on EDA-owned property at 6500 Camden Avenue. Also, she received a flyer about organics. However, the information was outdated and did not include updates about potentially organized organics. She requested an updated flyer be sent out.

Peg C. stated there is a grapevine issue on City property, and it is getting worse. The longer the City puts off addressing the issue, the more expensive it will be. It is just before the 694 bridge.

Lori B. stated there is a photo of Earle Brown in City Hall. Earle Brown has ties to the KKK and allowed cross-burnings in the City. His name was removed from the Heritage Center and a local school. It is not appropriate for a known racist to be included in the City's Hall of Fame. There should be photos added representing what the City looks like today. For example, the City's first Black Mayor is serving Brooklyn Center and is a beacon of hope.

Julie B. thanked the Council for broadcasting the first hour of the meeting and its increased accessibility.

Julie B. stated a City Staff person was walking around the City checking water meters, and he was extremely helpful in finding her mother's water meter.

Julie B. noted Council has said it doesn't have much control over the Charter Commission as it is a County Commission. However, she asked if the Code of Conduct can be applied to the Charter Commission as well. It is important for all spaces in the City to be equitable. Mayor Graves confirmed Julie B. made a good point.

Kevin S. asked for the Council to talk about protocols. Accountability is important, but there isn't a need to pick at wounds of the past. Earle Brown was part of the second KKK. Mayor Graves stated it is not appropriate to respond to other commenters in the Open Forum.

Kevin S. stated if Earle Brown is going to be brought up as an issue, anyone who has harmed the City also needs to be considered in the same light. Earle Brown may have healed later on in life and grown as a person. He was anti-immigrant, anti-Catholic, anti-German, and anti-Irish. He stated he is sick of being treated like a White, Anglo-Saxon Protestant. There have been great changes in the City.

Amity D. pointed out that if there had been an Alternative or Expanded Response Team in place a few years back, her son would be alive.

Amity D. added Dr. Edwards previously stated the work on the alternative had started a year-and-a-half ago, but the Implementation Committee was still meeting. She asked why the Implementation Committee was still meeting if the City was already planning another option. It was a waste of time for Implementation Committee members. She noted the current proposal is a watered-down version of the recommendations from the Implementation Committee and urged the Council to vote against it.

Councilmember Kragness moved and Councilmember Jerzak seconded to close the Informal Open Forum at 7:22 p.m.

Motion passed unanimously.

5. INVOCATION

Councilmember Butler explained she doesn't always take the best care of herself. She shared a quote encouraging people to avoid underestimating the power of resting as it is immensely powerful. Mayor Graves noted her agreement with Councilmember Butler and thanked her for the reminder.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Councilmember Jerzak 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. April 8, 2024 – Worksession
2. April 8, 2024 – Regular Session
3. April 8, 2024 – EDA/Work Session

6b. LICENSES

HOSPITALITY ACCOMMODATIONS

Super 8 6445 James Circle N

Suburban Studios 2701 Freeway Boulevard

Fairfield Inn & Suites	3020 Earle Brown Drive
Embassy Suites	6300 Earle Brown Drive
Baymont	2050 Freeway Boulevard

GARBAGE HAULER

Ace Solid Waste, Inc.	6601 Mckinley Street NW Ramsey, MN 55303
Aspen Waste Systems, Inc.	2951 Weeks Avenue SE Minneapolis, MN 55414
Suburban Waste	7125 126th Street W #500 Savage, MN 55378

MOTOR VEHICLE DEALERSHIPS

Luther Honda	6800 Brooklyn Boulevard
Luther Mazda Mitsubishi	4435 68th Avenue N
Brookdale Toyota	6700 Brooklyn Boulevard
Luther Volkswagon	6801 Brooklyn Boulevard
Luther Chevrolet	6701 Brooklyn Boulevard
Luther Buick GMC	4301 68th Avenue N

AMUSEMENT DEVICE

American Legion	6110 Brooklyn Boulevard
Community Center	6301 Shingle Creek Parkway

MECHANICAL

Absolute Mechanical	7338 Ohms Lane, 55439
Advanced Heating and Air Conditioning	10550 County Road 81, 55369
Affordable Comfort Mechanical	1167 Viking Drive E, 55109
Air Central Inc.	24663 Xeon Street NW, 55040
Air Mechanical	16411 Aberdeen Street NE, 55304

Aquarius Water Conditioning	3180 Country Drive, 55117
Avid Heating & Cooling	9180 County Road 11, 55359
B & D Plbg, Htg & A/C	4145 Mackenzie Court, 55376
Blue Ox Heating and Air	5720 International Parkway, 55428
Blue Yeti Services LLC	4205 Branson Street, 55425
Bonfes Plumbing Heating & Air Service	455 Hardman Avenue, 55075
Centerpoint Energy	6161 Golden Valley Road, 55422
Centraire Htg & A/C, Inc	6811 Washington Avenue South, 55439
Comfort Matters Htg & Cooling Inc	18071 Territorial Road, 55369
Commercial Plumbing & Heating, Inc.	24428 Greenway Avenue, 55025
Daikin Applied Americas Inc	13600 Industrial Park Boulevard, 55441
Deans Home Services	6701 Parkway Circle, 55430
DeZiel Heating & A/C, Inc	4375 State Highway 55 SE, 55313
Elk Mechanical HVAC Inc.	6361 Sunfish Lake Court, 55303
Elk River Heating & Air Conditioning Inc.	11110 Industrial Circle NW, 55330
Forced Air Inc. DBA Wenzel Heating & Air Conditioning	4145 Old Sibley Highway, 55122
Gr Mechanical	12401 Ironwood Circle #500, 55374
GTS HVAC, Inc.	4018 Joyce Lane, 55429
Harris St. Paul Inc.	909 Montreal Circle, 55102
Hearth & Home Technologies LLC	7571 215th Street W, 55044
Hero Home Services	10900 Hampshire Avenue S, 55438

Hoffman Refrigeration & Heating	5660 Memorial Avenue N, 55082
Home Energy Center	2415 Annapolis Lane N #170, 55441
HomeWorks Services LLC	915 Blue Gentian Road, 55121
Horwitz, LLC	7400 49th Avenue N, 55428
Ideal Air, LLC	17900 Aztec Street NW, 55304
Joel Smith Heating & A/C	4672 236th Lane NE, 55005
Kraft Contracting LLC	2415 Ventura Drive, Suite 100, 55125
Larson Plumbing Inc.	PO Box 459, 55040
Majestic Custom Heating & Air Conditioning	8800 Royal Court NW, 55303
Major Mechanical LLC	7601 Northland Drive N, 55428
Master Mechanical, Inc	1027 Gemini Road, 55121
Metro Heating and Cooling	1220 Cope Avenue E, 55109
Midwest Electric and Generator	10215 Twin Lakes Road NW, 55330
Modern Heating & A/C	2318 First Street NE, 55418
Mr. Rooter	5155 East River Road #418, 55421
Nac Mechanical & Electrical Services	1001 Labore Industrial Court, Ste. B, 55110
North State Mechanical	2283 Sycamore Trail, 55125
Northland Mechanical Contr	9001 Science Center Drive, 55428
Professional Mechanical Services, LLC	19640 200 Avenue NW, 55309
Pronto Heating & A/C	7415 Cahill Road, 55439
Ray Welter Htg Co	4637 Chicago Avenue Street, 55407

Schadegg Mechanical, Inc.	225 Bridgepoint Drive, 55075
Schwantes Heating and Air Conditioning, Inc	6080 Oren Ave Street, 55082
St Marie Sheet Metal	7940 Spring Lake Road NE, 55432
St Paul Plumbing & Heating Co, (aka) MSP Plumbing	640 Grand Avenue, 55105
Stafford Home Service	6225 Cambridge Street, 55416
Standard Heating & A/C	130 Plymouth Avenue N, 55411
Street Plumbing Inc.	1201 Cliff Road East, 55337
Uhl Company Inc	9065 Zachary Lane N, 55369
United Heating & A/C Inc	PO Box 17, 55340
United States Mechanical, Inc	3526 88th Avenue NE, 55014
Vector Services, LLC	9210 Wyoming Avenue North, 55445
Wjw Company	10068 Flanders Court, 55449
Yale Mechanical	220 W 81st Street, 55420
Heating & Cooling Design	13234 Urbank Court NE, Blaine 55449
MN Plumbing Pro	26240 3rd Street W, Zimmerman 55398

RENTAL

INITIAL (TYPE III – one-year license)

4418 65 th Avenue N	Blanca S Sanchez Miranda
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INITIAL (TYPE II – two-year license)

4207 Lakeside Avenue N	Jessica Zeno
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5546 Emerson Avenue N	Cindy & Raymond Scherbing
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5548 Girard Avenue N	Hiat S Mohamoud & Ibrahim N Roble
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RENEWAL (TYPE IV – six-month license)

5349 Penn Avenue N	A M Abdullahi & Y M Moor
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4207 Lakeside Avenue N, #226	The Beach Apt Owners Assn
1619 73 rd Avenue N	SFR ACQUISITIONS 2 LLC
3712 53 rd Place N	SFR BORROWER 2022-A LLC
4407 Joyce Lane	John Jorgensen
5006 France Avenue N	A&m Estate Services Llc
5325 Knox Avenue N	Maria Collaguazo
6015 Dupont Avenue N	HOME TRS LLC
6400 Fremont Avenue N	Jesus Vasquez Martinez
6712 Beard Avenue N	Mlmjr Properties & Invst Llc
6725 Bryant Avenue N	Vong Duong & Ngoc-keiu Huynh

RENEWAL (TYPE III – one-year license)

3305 53 rd Avenue	Lake Point Apartments Llc
7240 West River Road	Nedzad Cedric
4013 65 th Avenue N	Gao Qiang Liu
4219 Zenith Avenue N	Ex-2013a Llc
5556 Emerson Avenue N	Thomas D Belting
5818 Humboldt Avenue N	Jay B Olson/Kristin E Olson
6919 France Avenue N	Benjamin P A Hermantin Et Al

RENEWAL (TYPE II – two-year license)

5124 66 th Avenue N	Dominic T Minor
5601 Camden Avenue N	Western Sky Properties Llc
5913 Halifax Avenue N	Cel Monton LLC
6018 Kyle Avenue N	Christina Duong & Danny Vo
6131 Bryant Avenue N	Jun Wang & Jinxiu Wang

RENEWAL (TYPE I – three-year license)

4806 Howe Lane	Prosperous Property LLC
5025 Zenith Avenue N	T J Armstrong/s A Armstrong
5422 72 nd Circle	Alkis Michaelides Et Al
5517 Knox Avenue N	Roger P Harris
5801 Girard Avenue N	Olubunmi Agunbiade
5913 Washburn Avenue N	Rlr Real Estate Llc
6015 Aldrich Avenue N	Lung Thi Tran
6418 Girard Avenue N	Kebede Properties
6830 Perry Avenue N	AA Homes LLC

SIGNHANGER

Indigo Signworks, Inc.	4133 Iowa St., 56308
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- 6c. AN ORDINANCE AMENDING CHAPTER 12 OF THE CITY RELATING TO NEW RENTAL LICENSED PROPERTIES AND NUISANCE ABATEMENT PROCESS**
- 6d. RESOLUTION DECLARING APRIL 26, 2024, TO BE ARBOR DAY AND MAY, 2024, TO BE ARBOR MONTH IN BROOKLYN CENTER**
- 6e. RESOLUTION DECLARING APRIL 22, 2024, AS EARTH DAY IN BROOKLYN CENTER**
- 6f. RESOLUTION DECLARING APRIL 22-28, 2024, TO BE COMMUNITY CLEANUP WEEK**
- 6g. RESOLUTION RECOGNIZING DESIGNATION OF BROOKLYN CENTER AS A TREE CITY FOR THE THIRTY-SECOND CONSECUTIVE YEAR**
- 6h. RESOLUTION APPROVING SETTLEMENT AGREEMENT FOR BROOKLYN BOULEVARD CORRIDOR PROJECT PHASE 2 IMPROVEMENTS, PROJECT NO. 2021-05**

- 6i. RESOLUTION AUTHORIZING EXECUTION OF A SITE LEASE AGREEMENT RENEWAL WITH T-MOBILE CENTRAL L.L.C ON WATER TOWER NO. 2**
- 6j. RESOLUTION ADOPTING NO MOW MAY**
- 6k. RESOLUTION REVISING YEAR 2024 OF THE APPROVED 2024-2038 CAPITAL IMPROVEMENT PLAN AND ADOPTING THE 2024 CAPITAL PROGRAM CIP REVISION**
- 6l. RESOLUTION SETTING THE DATE OF THE SALE OF \$12,020,000 GENERAL OBLIGATION IMPROVEMENT AND UTILITY REVENUE BONDS, SERIES 2024A TO FINANCE THE CONSTRUCTION OF ORCHARD LANE EAST AREA IMPROVEMENTS FOR MAY 13, 2024**
- 6m. REGULATION OF GROUP HOMES - LETTER TO LEGISLATORS**
- 6n. AMENDING THE 2024 CITY COUNCIL MEETING SCHEDULE**

Motion passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

7a. CAPITAL PROJECTS FUND: A CAPITAL IMPROVEMENT PROGRAM PREVIEW

City Manager Reggie Edwards introduced the item and invited Public Works Director Elizabeth Heyman. Ms. Heyman explained the presentation is merely a preview of a specific fund in order to make the May 6 meeting shorter.

Ms. Heyman stated the Capital Improvement Plan (CIP) is a plan for major improvements throughout the City such as street improvements, public utilities, park and trail improvements, and the Capital Maintenance Building Program (CMBP). It is prioritized based on the anticipated year of need and available funding. The plan focuses on the first three to four years and expects fluidity.

Ms. Heyman noted the Capital Projects Fund is a \$50,000 threshold for park, trail, and City building improvements. It is funded through a portion of Local Government Aid, liquor operations, and end-of-year Operating Fund surplus.

Ms. Heyman stated the CIP grant strategy is to leverage capital funding as grant-matching dollars. There have been multiple successes with this strategy. For example, the Lions Park Playground received \$47,221, there was \$145,000 received for new basketball courts, and then there was almost \$20,000 for a critical lighting upgrade at the Public Works Garage. She added it is important to use placeholder projects.

Ms. Heyman pointed out that the goals of the Park Investment Plan include a better understanding of residents' current and future recreational needs as well as identifying and prioritizing projects that can be implemented over the next 10 years. The Plan waits to fully flesh out investments in the park system until the planning process is complete. The placeholder projects kept the CIP the same.

Ms. Heyman showed a table with details of the CMBP. There is a recommendation to collapse the line items into a program for greater flexibility. The narrative will still provide details, but it will be one larger line item to better address critical needs.

Ms. Heyman explained in 2023 the CIP funded a full facility condition assessment. The City includes 27 facilities for a total of 340,964 square feet. She noted that non-CMBP buildings include the Heritage Center, the Golf Course Club House, and the Golf Course Maintenance Building. The evaluation identified a number of needs such as \$6.8 million for roof replacements, \$5 million for exterior enclosure improvements, \$4.5 million for interior renovations, \$4 million for site work on parking lots, and \$3.6 million for HVAC replacements. The Community Center is the building with the largest need at \$4 million. She noted the referendum related to the Community Center was lost in November 2024.

Ms. Heyman pointed out the Public Works Garage has an outstanding need of \$3.5 million. The building was built in 1970 and had a 2019 renovation of office areas. The CMDP evaluation shows a need for \$1 million for a new roof. In 2023, a detailed building condition and assessment report was completed to analyze its ability to support efficient and safe delivery of Public Works operations. Ultimately, the Garage does not meet the needs of modern Public Works operations and has major space constraints.

Ms. Heyman showed a video depicting the space constraints such as the difficulty operating snow removal equipment within inches of creating damage. She showed images of the space constraints when creating the mixture used on snow and ice. Another constraint is serving the workforce of the future. For example, there wasn't a space for breastfeeding and many offices had to be rearranged to support that use.

Ms. Heyman stated Public Works is looking for an entirely new building and will be holding off on the much-needed roof replacement. The project will cost \$38 to \$45 million, and they are looking into alternative funding options.

Councilmember Kragness asked if the City Hall would receive an upgraded security system. Ms. Heyman stated there is not currently a line item for a new security system in the 2024 to 2028 CIP.

Councilmember Kragness asked how they could add in a security system. Ms. Heyman stated if that is requested by the Council, then Staff would look for ways to add it to the plans. The CIP doesn't get approved until the end of the year. Councilmember Kragness stated the item has been put off for years.

Mayor Graves asked how much the Water Treatment Facility was. Ms. Heyman stated she believed it was around \$20 million.

Councilmember Lawrence-Anderson noted she would have liked solar panels on the Water Treatment Facility. Ms. Heyman stated there are a number of new roofs needed throughout the City, and Staff hopes to leverage matching dollars for solar panels. Councilmember Lawrence-Anderson pointed out the solar panels were around \$70,000 at the time of the Water Treatment Facility project. If the City is to spend millions on a new facility, then solar panels would need

Councilmember Kragness moved and Councilmember Lawrence-Anderson seconded to accept the presentation.

The motion passed unanimously.

8. PUBLIC HEARINGS

None.

9. PLANNING COMMISSION ITEMS

None.

10. COUNCIL CONSIDERATION ITEMS

None.

11. COUNCIL REPORT

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

- Noted she attended the Firefighter Association Dinner recently, and it was a nice event. Councilmembers Jerzak and Kragness were in attendance as well. Mayor Graves stated she looks forward to the Fire Department's upcoming anniversary celebrations.

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

- Explained she met with local business owners and the idea of the City offering security services. Mayor Graves stated she spoke with a business owner about a similar concept, and she requested the business owner put together a proposal.

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

- Participated in a Brooklyn Bridge Alliance meeting.
- Attended a meeting with the Minneapolis Northwest Tourism Board.
- Attended a Gala for Big Brothers Big Sisters.

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

- Agreed the Firefighter Association Dinner was a great event.
- Met with local business owners. He suggested a business improvement district be a topic for a future Work Session. Minneapolis has a downtown improvement district.
- Continued meeting with the Hwy 252 Task Force and representatives of the Minnesota Department of Transportation (MnDOT). Mayor Graves pointed out MnDOT is continuing with their public comment period.

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

- Met with executives from Task Force Inc.
- Attended the Northside Achievement Zone (NAZ) Gala.

12. ADJOURNMENT

Councilmember Lawrence-Anderson moved and Councilmember Kragness seconded adjournment of the City Council meeting at 7:50 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
APRIL 22, 2024
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 April Graves at 7:50 p.m.

ROLL CALL

Mayor/President April Graves and Councilmembers/Commissioners Marquita Butler, Kris Lawrence-Anderson, Dan Jerzak, and Teneshia Kragness. Also present were City Manager Reggie Edwards, Community Development Director Jesse Anderson, and Assistant City Manager and City Clerk Barb Suciu.

ALTERNATIVE EXPANDED RESPONSE PILOT

City Manager Reggie Edwards explained a few speakers had yet to arrive to address the item. He suggested they address the Opportunity Site Phase 1 Infrastructure Financing item first. Mayor/President Graves agreed to the suggestion.

This item was addressed after Opportunity Site Phase 1 Infrastructure Financing.

**COMMUNITY DEVELOPMENT BLOCK GRANT DOWN PAYMENT FUNDING
REALLOCATION DISCUSSION**

This item was addressed during the Worksession.

OPPORUTNITY SITE PHASE 1 INFRASTRUCTURE FINANCING

Dr. Edwards introduced the item and invited Community Development Director Jesse Anderson to continue the Staff presentation.

Mr. Anderson showed a rendering of the Phase 1 project. The two larger buildings on the left belong to Alatus. The building in the back belongs to Resurrecting Faith World Ministries which includes an event center, an around-the-clock daycare center, some commercial space, and more. The building toward the front is an affordable housing opportunity offered by Project for Pride in Living (PPL). The building on the right does not have a current plan. There is also some infrastructure throughout the site.

Mr. Anderson showed a table breaking down the sites by name and details of the buildings.

Mr. Anderson explained the approved term sheet with Alatus for the development of Phase 1 within the Opportunity Site and contemplated Alatus would complete the infrastructure build-out within the site. This infrastructure was planned to serve the Alatus buildings but would also serve the entire Phase 1 site. As discussed previously with Council/EDA, Alatus is unable to proceed at this time with the project in the current financing climate. This means the timing for build-out of the infrastructure is unknown.

Mr. Anderson noted PPL and Resurrecting Faith, however, are ready to proceed with their projects. For these projects to proceed, much of the infrastructure within Phase 1 would need to be built. Since Alatus is stalled, and PPL and Resurrecting Faith cannot finance the infrastructure cost, options are limited. PPL received an allocation of tax credits through MN Housing's competitive process in 2023. In order to keep that tax credit allocation, PPL needs to begin construction as soon as possible. In addition, Resurrecting Faith indicates its financing is in place and they are ready to move forward.

Mr. Anderson added Staff committed to working with the development team to bring forward an option for Council/EDA consideration that involves the City constructing and paying for infrastructure now, rather than waiting for Alatus to move forward.

Mr. Anderson noted Staff worked with Bolton & Menk to evaluate what a "minimum build" scenario would look like for infrastructure on the site. This would include enough infrastructure investment to allow both PPL and Resurrecting Faith to proceed. In addition, it would ready the sites around the Alatus projects so those would eventually have an easier time moving forward. The current estimated cost of this scenario is approximately \$6.5 million. Staff worked to identify options for covering this cost.

Mr. Anderson showed a table detailing the funding sources that could be committed to the project. As shown in the table, there is a gap in funding for the project of between \$0 and \$3.45 million, depending on the outcome of grant applications currently under consideration and the potential for a state bonding allocation. There is \$430,000 available from Tax Increment Financing (TIF) District 7, \$500,000 in grant funding from TEDI for infrastructure, and a \$400,000 Transit-Oriented Development (TOD) grant from the County, another potential \$500,000 TOD grant from the County.

Mr. Anderson explained there was a recent sales tax passed, and the City is slotted to receive \$300,000 in 2024 to put toward affordable housing. The anticipated 2025 amount from the sales tax is \$500,000. He added there is \$1.2 million left in the TIF District 3 fund that also must go toward affordable housing.

Mr. Anderson stated in partnership with Representative Vang, the City is seeking \$3,000,000 in State bonding. The Bill is sitting in the Senate and the House, and they don't know the result of the request. Lastly, the City is seeking a Livable Communities Demonstration Account Transit-

Oriented Development (LCDA-TOD) grant which would provide an additional \$1.5 million.

Mayor Graves asked why the TIF District 3 funds are reduced from \$1.2 million to \$300,000 in the scenario with housing funds and State bonding. Mr. Anderson explained he didn't believe they would need to use all of the TIF District 3 funds in that scenario.

Mr. Anderson stated Community Development, Public Works, and Finance Staff considered several options to fund this gap. The first option was to secure enough additional outside funding to cover all the project costs. The outcome of all this funding will be known later this year. Another idea was to replace another CIP project in the City's existing plans with this infrastructure project. There is not a project to replace, however, until 2026, which would be too late for PPL and Resurrecting Faith. Staff also considered using the existing City fund balance to internally finance the gap and assume repayment from a combination of the City's annual affordable housing sales tax revenues and tax increment financing from the project. Staff determined the City's fund balances aren't sufficient to finance this cost internally.

Mr. Anderson concluded the last viable option to fund the gap is the issuance of a General Obligation (G.O.) bond. In this scenario, the annual debt service would need to be repaid from some annual revenue other than a new tax levy. This would involve a combination of the City's annual affordable housing sales tax revenues, potential special assessments, and tax increment financing from the project.

Mr. Anderson stated that based on the current project status, Staff is seeking direction from the Council/EDA about proceeding with infrastructure for the project. The most significant policy question is whether or not there is a desire to proceed with a City-financed infrastructure project before Alatus can move forward. If the answer to that question is yes, then Staff needs to know under what conditions would the Council/EDA proceed.

Mr. Anderson noted the first option is to proceed with a project only if it involves no additional debt from the City. The second option is to use debt for the project if necessary but only if debt service can be repaid from a non-tax levy source. The third option is to use debt for the project and consider using a tax levy to support debt service.

Mr. Anderson pointed out there are a couple of positive aspects of infrastructure financing. First, it would allow two buildings within Phase 1 to proceed. The infrastructure investment is necessary at some point, and completion now will cost less than completion later on due to inflation. The financing would increase site readiness for the two primary multi-family buildings. Plus, it may help push other phases forward, though it is not guaranteed. Additionally, less subsidy would be needed for future projects.

Mr. Anderson noted there are also negative aspects of infrastructure funding. First, G.O. borrowing adds risk to the City. Planned repayment sources may be insufficient and there could be a potential need to repay the bonds from another source. The infrastructure financing would deplete some of the City's redevelopment and housing funding sources. Lastly, there is no guarantee that the construction of the infrastructure will spur the development of the remaining Phase 1 buildings.

Mr. Anderson stated with the second and third options, Staff would continue to pursue additional funding sources in hopes that no debt is required. However, these options would allow Staff to pursue a plan to begin construction in 2025. With the first option, it is less likely that plans can be in order for construction to begin in 2025. Ultimately, Staff believes the second option would be the most viable and doable option for the City.

Mr. Anderson added Resurrecting Faith World Ministries and Project for Pride and Living have approximately 4-6 months of design work needed before construction can begin. They are awaiting, an approved plan for the infrastructure before they proceed with the full design phase of the project.

Mr. Anderson pointed out that if the Council/EDA does decide to proceed with a project, Staff will work to prepare a more formal and detailed financing plan and enter into agreements with the various parties. This detailed financing plan as well as those agreements will need to be brought back for City Council/EDA approval in the coming months. Construction would commence early in 2025.

Resurrecting Faith World Ministries and Project for Pride and Living have approximately 4-6 months of design work needed before construction can begin. They are awaiting, an approved plan for the infrastructure before they proceed with the full design phase of the project.

Councilmember/Commissioner Jerzak stated that Alatus was initially supposed to fund the infrastructure. To help with that, Brooklyn Center wrote down the land to \$1. He asked what role Alatus would have going forward. If the City finances the infrastructure, there is no guarantee for more than the two buildings with PPL and Resurrecting Faith World Ministries. A prime portion of the lot would remain unused.

Councilmember/Commissioner Jerzak asked if there would be any market-rate housing. Mr. Anderson stated PPL's project is affordable housing. Alatus' projects would be market-rate housing.

Councilmember/Commissioner Jerzak asked if the City has any guarantees. There is a chance to use some leverage at the state level to ensure Alatus builds the next portion. Mr. Anderson agreed there isn't a guarantee with Alatus. If the rest of the funding lined up, Staff would work with Alatus to move the project forward.

Mr. Anderson pointed out the land wasn't written down to \$1. It was actually set up as a deferred payment for \$4 million. In the proposed scenario with special legislation, the agreement would have to be altered. It is likely the City could still collect on TIF with Alatus' building to pay the City back for their expenses.

Councilmember/Commissioner Jerzak explained it is ultimately the role of the Council/EDA to decide if the City should abandon the vision of the Opportunity Site altogether. At this time, the long-term plan has already been abandoned due to a variety of issues.

Mr. Anderson stated it is the same plan, but the options at hand would move forward a smaller portion of the project. If Alatus couldn't continue with development, the parcels would be attractive to other potential developers.

Councilmember/Commissioner Lawrence-Anderson stated she thought the beginning of the project was intended to be market-rate housing. She asked when it was decided the first buildings would be affordable housing. Mr. Anderson stated that Alatus' projects would be market-rate, but their financing isn't ready. PPL and Resurrecting Faith have their finances in line to move forward on their respective buildings.

Mayor/President Graves pointed out she testified to the House and the Senate twice to request an extended timeline for TIF. She doesn't want to overly subsidize a large developer. The City should be open to other opportunities and look to make the site more attractive for development. At the same time, she doesn't want to make the site too specific and limit development prospects.

Councilmember/Commissioner Jerzak stated he would like some sort of commitment from Alatus in order to vote in favor of building the infrastructure. The City has responsibly responded to the changes in the market. It would be problematic if the project were too different from its original intentions.

Mr. Anderson stated he would work with Alatus to obtain some sort of commitment to future development. Also, Staff will continue looking into financing options without considering debt.

ALTERNATIVE EXPANDED RESPONSE PILOT

City Manager Reggie Edwards introduced the item and explained on Monday, March 25, 2024, the Council/EDA received a presentation on the Alternative Expanded Response Pilot. The Council/EDA was able to ask questions following the presentation. However, the Council/EDA requested additional time at a later date for further questions.

Dr. Edwards explained on May 15, 2021, Resolution No. 2021-73: The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act, called for the creation of the Department of Community Response. The Department would consist of trained medical and mental health professionals, social workers, or other staff and volunteers, and a dispatch system routing appropriate calls to the Community Response Department rather than the Police Department. At the time of its adoption, the City didn't have the capacity to fully implement the programming and sought out a pilot opportunity.

Dr. Edwards stated in October 2021, the Hennepin County Sheriff's Department and Dispatch Center presented the start of a pilot Alternative Response Program which was initiated with a grant in Brooklyn Park. In October 2022, Margretta Getaweh, FUSE Engagement Manager, presented community engagement findings on Reimagining Public Safety to the City Council/EDA.

Dr. Edwards noted from there, in December 2022, the Council/EDA approved a two-year, grant-funded pilot program to address mental health emergency calls with community responders. Data

analysis and communication were initiated via the 2023 budget. Additional modest resources were approved by the Council/EDA in December 2023 via the 2025 budget.

Dr. Edwards stated on March 28, 2023, the Implementation Committee presented their recommendations to the Council/EDA on the Response Engagement and Crisis Help (REACH) Team Model. In August 2023, Staff presented “Enhancing Public Safety Through Prevention-Focused Strategies” which included an alternative response model.

Dr. Edwards explained the intended outcomes of the pilot project include broadening the skills of 911 responders, improved service effectiveness through the reduction of 911 calls, improved service cost efficiency through a lower-cost service provider, rerouting of costly services, and reduced repeated services.

Dr. Edwards showed a graphic detailing a comprehensive approach, which was previously presented to the Council/EDA. The approach consists of prevention, intervention, response, and recovery. He noted Director of Community Prevention, Health and Safety LaToya Turk also previously presented a number of benefits of alternative response teams such as reduction in use of force incidents, decreased criminalization of mental illness, improved mental health outcomes, enhanced community trust, increased community well-being, cost savings, preventative impact, better allocation of resources, a holistic approach, and reduced stigma associated with mental health.

Dr. Edwards noted FUSE Engagement Manager Margretta Getaweh oversaw community engagement efforts during her time with Brooklyn Center. She conducted interviews, established partnerships within the community, organized and co-facilitated four community conversations, provided ongoing support to the Implementation Committee, and conducted a survey.

Dr. Edwards showed a chart reflecting mental problems and welfare check calls by hour and day over a two-year period. The information guided the development of the project.

Dr. Edwards provided an overview of the pilot program. It would be a two-year program with a staggered start. The first team would start in May and the second in August. 87 percent of the program is funded by grants and the remaining portion is from the General Fund. The two teams would cover 14 hours of the day. There has been a concern about the timing of the services, but Dr. Edwards believes the 14 hours of service will meet the needs of the community. The first team will work from 10:00 a.m. to 6:30 p.m. during weekdays while the other team will work evenings on Monday, Thursday, Friday, Saturday, and Sunday. The first team consists of pairs of social workers and paramedics and the second team would consist of pairs of mental health workers.

Dr. Edwards stated the County’s Alternative Response Team in Brooklyn Center will be comprised of a social worker and a community paramedic. The team would be dispatched by the County’s dispatch center. The team drives an unmarked County vehicle and responds to 911 calls that do not require emergency response by law enforcement, fire personnel, or emergency medical services. The team will operate Monday through Friday from 10:00 a.m. to 6:30 p.m. and is housed out of the Brooklyn Park Police Department.

Dr. Edwards pointed out that the Alternative Response Team is already in place in Brooklyn Park. In 2023, the program received 670 referrals. The Team made contact in 99 percent of the calls they were dispatched to and 759 service referrals were made. Over 65 percent of people served identify as people of color and approximately 251 hours of police officer time was saved thanks to the alternative response.

Dr. Edwards pointed out that from December 2021 to March 2024, Minneapolis BCR has expanded the public safety infrastructure by becoming Minneapolis' newest first responder alongside Fire, EMS, and Police and has responded to over 20,000 calls via 911. 80 percent of the calls were handled without backup and there were no injuries to service recipients. He added the program received a contract extension and budget increase to continue nonstop service delivery.

Dr. Edwards stated that BCR provides trauma-informed emotional support, crisis de-escalation, psychoeducation for the recipient and their support systems, risk assessments, safety planning, service connection including voluntary transport as appropriate for warm hand-offs, skills training, and additional brief interventions as needed.

Dr. Edwards asked if there are certain measurements or data points the Council/EDA would like to receive regular reports on regarding the alternative response effort. He also asked the Council/EDA if there is a consensus by the Council/EDA regarding the proposed program.

Councilmember/Commissioner Kragness noted there are far more than monetary benefits to the programs. She stated she would like to know the amount of money saved with the programs to ensure the pilot is paying for itself. Mayor/President Graves noted her agreement with Councilmember/Commissioner Kragness.

Councilmember/Commissioner Jerzak asked how often the Council/EDA would receive updates. Also, the service providers seem to be flexible. He asked how the responders can adapt to trends.

Taylor Crouch-Dodson, Director of External Affairs with Canopy Roots, stated they presented to the Council/EDA on a quarterly basis. It seemed to be a good frequency. Outside of that, there were weekly meetings with key responders and monthly with leadership. He stated they are flexible and open to other options.

Adesola Oni, a representative of Hennepin County Behavioral Health, stated they had been offering quarterly reports of aggregate data. There are also bi-weekly planning meetings with internal staff. Also, they regularly reconsider the meeting timing based on consistency and flow. There are still frequent check-ins with Brooklyn Park and reviews of the data.

Councilmember/Commissioner Jerzak asked if data by location could be tracked. He explained he would like to see a reduction in calls to certain areas or facilities.

Tony Martin, Director of Emergency Communications with the Hennepin County Sheriff's Office, stated the dispatch system is based on geography. As for the specific calls, they are primarily name-driven, but they may also be location-driven.

Councilmember/Commissioner Kragness asked for an update on the liability portion of the contract. City Attorney Jason Hill stated any agreement would include indemnification language.

Councilmember/Commissioner Kragness stated, for example, that the responders have the ability to transport. If something were to happen in transport, she asked if the City, the client, or the program would be sued. Mr. Hill stated the person could sue the City, but if there is a contractual agreement of indemnification, then the program provider would have to defend the City. The programs have their own levels of defense through insurance requirements such as car insurance.

Councilmember/Commissioner Butler requested the service providers be amenable to potential requests for additional data collection. Dr. Edwards pointed out it is positive that the programs have already been operating in other areas and have likely considered additional data points to collect.

Councilmember/Commissioner Lawrence-Anderson asked what the operating hours are for the program in Brooklyn Park. Ms. Oni explained the team would be comprised of a social worker and a community paramedic. The team will be Monday through Friday from 10:00 a.m. to 6:30 p.m.

Councilmember/Commissioner Lawrence-Anderson noted she is worried the City is overcommitting themselves. She stated she is sold on the County's model, but she is hesitant about the other one.

Dr. Edwards stated there is no greater burden on the City to do both projects. Each team is already operating elsewhere and would merely expand their service areas. The programs have different service times. Also, the Brooklyn Park program is expanding to a second team to add even more hours.

Councilmember/Commissioner Lawrence-Anderson stated she has concerns about funding the programs once the grants expire. Dr. Edwards stated the funding for both programs relies on grants. Staff would not recommend implementing programs the City could not afford, and they plan to build capacity to support the programs beyond the life of the grants. They won't know the need or the cost-savings of the programs without piloting them first.

Councilmember/Commissioner Kragness stated she looks at the programs as a two-for-one option as they offer resources at different times. It is an opportunity to maximize the use of the grants and determine the best option for the City. He doesn't anticipate a need for twenty-four-seven service in Brooklyn Center, and the pilot programs will provide more insight into the timing needs of the City.

Councilmember/Commissioner Butler noted her appreciation for the two-pronged approach. Brooklyn Center is taking the opportunity to try something that may work better for their community by combining programs from different cities.

Councilmember/Commissioner Jerzak pointed out he had a long discussion with Dr. Edwards

about the program previously. He noted all of the calls are still reactive, and he would like there to be more proactive efforts to address mental health and repeat calls. Councilmember/Commissioner Jerzak stated mental health problems are an issue that needs to be addressed, whether or not there is grant funding available to address it. It is concerning to set up a service the community relies upon that doesn't have a clear funding path, but the programming is needed.

Mayor/President Graves noted her excitement for the programs. There is more and more funding being made available at all levels of government. She pointed out the importance of offering the services at the times they are most needed.

Mayor/President Graves asked if the County plans to expand their hours. Ms. Oni stated there isn't a current plan to expand the hours, but it ultimately depends on the needs revealed by the data.

Mayor/President Graves explained she appreciates the location tracking opportunity and the data that will show the cost-savings to the City. She noted her appreciation of ongoing meetings and updates, as well as the flexibility of the programs.

Mayor/President Graves asked how calls for service that don't require a mental health worker or a police officer might be handled. It is important to consider the spectrum of response options. She asked if other types of teams have been considered.

Candace Hanson, Executive Director of Canopy Roots, agreed there are a number of calls that could use a different type of responder. She explained some programs are being rolled out throughout the County with community responders. The community responders tend to have a background in mental health work and are regularly trained in de-escalation and other first responder skills. She stated she is working on a proposal for a response program that isn't a mental health professional but also isn't a police officer.

Mr. Martin stated the 911 system is only as good as the information provided by the caller. Dispatchers have to be consistent across the board with the number of calls and various teams they dispatch. Part of the service they offer the County is listening. Some calls are transferred to more appropriate parties such as COPE before sending out a responder.

Ms. Oni added they are trying to create layers of response. Most people know to call 911 in case of emergency, and they are trying to put people in that space. They are also trying to do outreach, promote prevention strategies, and build relationships throughout the community. Mayor/President Graves noted she is aware of some outreach programs, due in part to her full-time career.

Councilmember/Commissioner Kragness thanked Staff for obtaining the grants for the programs. Mayor/President Graves noted her agreement with Councilmember/Commissioner Kragness and thanked the Implementation Committee for their input as well.

It was the consensus of the City Council/EDA to move forward with the proposed pilot programs.

UPCOMING ITEMS

- Memorial Policy
- Special Assessment Policy/Franchise Fees (referred to Financial Commission)
- Emerald Ash Borer Policy Review (referred to Park & Rec Commission November)
- Opioid Settlement
- ARPA Funds
- Grants: Revenues & Expenses
- Purchasing Policy
- Revisit Resolution 2021-73
- Planning Application Process
- Fences
- Off-Street Parking of Commercial Vehicles

ADJOURNMENT

Councilmember/Commissioner Jerzak moved and Councilmember/Commissioner Kragness seconded adjournment of the City Council/Economic Development Authority Work Session at 8:52 p.m.

Motion passed unanimously.

Council Regular Meeting

DATE: 5/13/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Barb Suciu, Assistant City Manager/City Clerk

BY: Shannon Pettit, Deputy City Clerk

SUBJECT: Approval of Licenses

Requested Council Action:

- Motion to approve the 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.

Hospitality Accommodations

Quality Inn
1600 James Cir N
Travelodge by Wyndam
6415 James Cir N

Gasoline Service Station

Christy's Auto Service
5300 Dupont Ave N

Garbage Hauler

Walters Recycling & Refuse
2830 101st Ave NE, Blaine, MN 55449
Midwest Grease
220 Ponderosa Rd, Redwood Falls, MN 56283

Mechanical

ANC HVAC LLC
4249 Edinbrook Terrace, Brooklyn Park 55443
Affordable Comfort Mechanical
1167 Viking Dr E., Maplewood 55109
All Climate Mechanical
298 Coon Rapids Blvd NW, Coon Rapids 55435
Anderson's Residential Heating & A/C
1628 County Rd 10 #34, Spring Lake Park 55432

Associated Mechanical
1257 Marschall Rd, Shakopee 55379
Boys Electric LLC & Boys Mechanical
9609 Girard Ave S, Bloomington 55431
BWS Plumbing Heating and Air
6321 Bury Drive, Eden Prairie 55346
CB Mechanical LLC
15658 150th Ave, Foreston 56330
Endless Quality And Comfort
1010 Newton Ave N, Minneapolis 55411
GV Heating & Air Inc.
5182 West Broadway, Crystal 55429
Heating & Cooling Design Inc.
13234 Urbank Ct NE, Blaine 55449
Marsh Heating & A/C
6248 Lakeland Ave N, Brooklyn Park 55428
McQuillan Home Services LLC
1727 highway 36 E, St. Paul 55109
Northern Heating & A/C Inc.
9431 Alpine Drive NW, Ramsey 55303
Northern Plumbing & Softening
7401 Central Ave NE, Fridley 55432
Perfection Heating & Air
1770 Gervais Ave N, Maplewood 55109
Preventive Mechanical Service
1875 Buerkle Rd, White Bear Lake 55110
South-town Refrigeration
6325 Welcome Ave N, Ste 200, Brooklyn Park 55429
Sun Mechanical Inc.
10834 178th Circle, Elk River 55330

-
Sign Hanger's

Resolution Graphics, Inc.
3770 Dunlap Street N, Arden Hills 55112
Veo Sign LLC
6353 Martin Ave NE, Otsego 55301

Budget Issues:

- None

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

ATTACHMENTS:

Description	Upload Date	Type
Rental Criteria	6/20/2023	Backup Material
Rentals	5/6/2024	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 5.13.24

Location Address	License Subtype	Renewal/Initial	Owner	Property Code Violations	License Type	Police CFS*	Final License Type**	Previous License Type***	Consecutive Type IV's
4207 Lakeside Ave N, #331	Condo	Initial	KATHERINE E VALENTINE	5	Type II	N/A	Type II	N/A	N/A
3301 62nd Ave N	Single	Initial	The TDW Organization LLC	6	Type III	N/A	Type III	N/A	N/A
3713 54th Ave N	Single	Initial	Abdullahi Maow	11	Type IV	N/A	Type IV	N/A	0
3906 61st Ave N	Single	Initial	Zinfandel Properties LLC	28	Type IV	N/A	Type IV	N/A	0
4510 Kathrene Dr	Single	Initial	Mekic Adis	5	Type II	N/A	Type II	N/A	N/A
5419 Morgan Ave N	Single	Initial	NORTHDALE HOME HEALTH LLC	9	Type III	N/A	Type III	N/A	N/A
6000 Girard Ave N	Single	Initial	ROBERT FORD & JAYNE FORD	1	Type I	N/A	Type II	N/A	N/A
6424 Perry Ave N	Single	Initial	Raphael Bidahor	24	Type IV	N/A	Type IV	N/A	0
6633 Xerxes Pl N	Single	Initial	BEREKET S GEBREMARIAM	6	Type III	N/A	Type III	N/A	N/A
6801 Ewing Ave N	Single	Initial	ANTOINETTE S/HAROLD A BARRY	16	Type IV	N/A	Type IV	N/A	0
7121 Knox Ave N	Single	Initial	Seigonghyr W Korti	18	Type IV	N/A	Type IV	N/A	0
7237 Oliver Ave N	Single	Initial	Sukurat Oparemi	6	Type III	N/A	Type III	N/A	N/A
5601 Lyndale Ave N	Multiple Family 1 Bldg 4 Units	Renewal	Zoe M Hildreth	0	Type I	0	Type I	Type I	N/A
6001 Earle Brown Dr	Multiple Family 3 Bldgs 60 Units	Renewal	Evercare Senior Living Llc	61 = 1.02 per unit	Type II	0	Type II	Type II	N/A
6737 Humboldt Ave N	Multiple Family 2 Bldgs 18 Units	Renewal	Humboldt Square Ventures Llc Did not meet requirements	14 = 0.77 per unit	Type II	0	Type III	Type III	N/A
1217 54th Ave N	Two Family	Renewal	Jackson Hurst & Cierra Hurst Met Requirements	1	Type I	0	Type I	Type III	N/A
3012 51st Ave N	Two Family	Renewal	Sri Lakshmi Valiveti Did not meet requirements	26	Type IV	0	Type IV	Type IV	2
4708 Twin Lake Ave N	Two Family	Renewal	Michael N Mohs	8	Type III	0	Type III	Type II	N/A

5200 France Ave N	Two Family	Renewal	Christian D Knutson	1	Type I	0	Type I	Type I	N/A
6819 Noble Ave N	Two Family	Renewal	Dandrew LLC	1	Type I	0	Type I	Type I	N/A
7212 West River Rd	Two Family	Renewal	Jason L Ingbreton Met Requirements	1	Type I	0	Type I	Type III	N/A
1612 69th Ave N	Single	Renewal	Prosperous Property LLC	0	Type I	0	Type I	Type II	N/A
2613 65th Ave N	Single	Renewal	Stephen Zekpa/gregory Slah Did not meet requirements	7	Type III	0	Type IV	Type IV	3
3207 67th Ave N	Single	Renewal	Elijah G Nyambane Did not meet requirements	4	Type II	0	Type IV	Type IV	3
3307 63rd Ave N	Single	Renewal	Rosemond Coleman Met Requirements	5	Type II	0	Type II	Type III	N/A
3701 Woodbine La	Single	Renewal	Rose Blalock	12	Type IV	0	Type IV	Type II	0
5327 Colfax Ave N	Single	Renewal	Pensco Trust Co Custodian	6	Type III	0	Type III	Type II	N/A
5332 Morgan Ave N	Single	Renewal	Jmw Investments LLC Met Requirements	8	Type III	0	Type III	Type III	N/A
5410 Girard Ave N	Single	Renewal	Cel Monton LLC Met Requirements	8	Type III	0	Type III	Type IV	N/A
6018 Admiral Pl	Single	Renewal	Lutheran Social Srvc Of Mn Did not meet requirements	6	Type III	0	Type III	Type III	N/A
6100 Girard Ave N	Single	Renewal	Peter Hoebe & Maria Hoebe	4	Type II	0	Type II	Type II	N/A
6324 Scott Ave N	Single	Renewal	Sayndee Sando Met Requirements	29	Type IV	0	Type IV	Type IV	3
6430 Major Ave N	Single	Renewal	CHRISTAL PACHEE HER	6	Type III	0	Type III	Type II	N/A
6437 Kyle Ave N	Single	Renewal	UNITED HMONG INVESTMENT Met Requirements	2	Type I	0	Type I	Type IV	N/A
6809 Fremont Pl N	Single	Renewal	786 Homes-f09 LLC	4	Type II	0	Type II	Type I	N/A
7001 Perry Ave N	Single	Renewal	Fred Hanus LLC	2	Type I	0	Type I	Type II	N/A
7019 Morgan Ave N	Single	Renewal	CANDLEWOOD HOME BUYERS	11	Type IV	0	Type IV	Type II	0

*CFS = Calls for Service for renewal licenses only (Initial licenses are not applicable to calls for service, and will be listed as N/A)

**License type being issued

***Initial licenses will not show a Type I = 3 year, Type II = 2 year, Type III = 1 year, Type IV = 6 months

All properties are current on City utilities and property taxes

Council Regular Meeting

DATE: 5/13/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Jesse Anderson, Community Development Director

SUBJECT: Resolution Approving the Participation of the Hennepin County Housing and Redevelopment Authority in an Affordable Housing Project

Requested Council Action:

- Motion to adopt a resolution approving the participation of the Hennepin County Housing and Redevelopment Authority in an affordable housing project

Background:

Hennepin County recently awarded Aeon \$490,000 in funding for Carrington Drive Apartments located in Brooklyn Center. The funds are for roof replacement, boiler system replacement and fire alarm panel replacement.

As a condition of awarding the funds, Hennepin County requires the City to pass a resolution in support of the grant uses. The Council is being asked to approve the attached resolution indicating City support for the grant funds to be used in the proposed manner.

Budget Issues:

There are no budget issues to consider.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Strengthen and diversify business development and housing

ATTACHMENTS:

Description	Upload Date	Type
Resolution	5/3/2024	Resolution Letter
Aeon Grant Application to HC	5/3/2024	Backup Material
Grant Approval letter	5/3/2024	Backup Material

Member
resolution and moved its adoption:

introduced the following

RESOLUTION NO. 2024-__

RESOLUTION APPROVING THE PARTICIPATION OF THE HENNEPIN
COUNTY HOUSING AND REDEVELOPMENT AUTHORITY IN AN
AFFORDABLE HOUSING PROJECT

WHEREAS, the Hennepin County Housing and Redevelopment Authority ("HCHRA") has allocated funds from its Naturally Occurring Affordable Housing (NOAH) funding to assist Aeon, LLC with the development of Carrington Drive Apartments in the City of Brooklyn Center ("Projects"); and

WHEREAS, proposed housing or redevelopment projects undertaken by the HCRA pursuant to authority established at Minnesota Statutes, Section 383B.77, subdivision 3 ("Statute") require approval of the local governing body where the project(s) will be located; and

WHEREAS, the HCHRA intends to rely on the Statute to assist the Project.

NOW, THEREFORE, BE IT RESOLVED that the City of Brooklyn Center hereby grants its approval of the Projects under the Statute.

BE IT FURTHER RESOLVED that nothing in this Resolution shall create a pecuniary obligation of the City to assist the Projects, nor shall the City be in any way responsible for any financing obligation or agreement of the HCHRA with respect to its provision of financial assistance to the Projects.

BE IT FURTHER RESOLVED this Resolution shall neither serve to endorse the Projects nor operate as a substitute for any other required City approvals required for the Projects.

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.

Hennepin County Affordable Housing Programs

Rental Project Application

Application Instructions

Please read the 2023 Fall Coordinated Affordable Housing RFP Request for Proposals (RFP) for important information about this funding opportunity.

Applications must be submitted following the checklists in the specified format with all application material items named to correspond with the Application Checklist. Incomplete applications will not be accepted. The Rental Application includes several forms found on the Minnesota Housing website:

<https://mnhousing.gov/rental-housing/housing-development-and-capital-programs/rfps/consolidated-rfp-htc/round-1-application-materials.html>

All requests for funding via this RFP must be received via the Hennepin County Supplier Portal with the required application and all required attachments, no later than 3:00 p.m. Thursday, September 7, 2023.

Applications must be submitted through the Hennepin County [Supplier Portal](#). In order to submit an application, you must first register with the Supplier Portal. For more information on how to register, please go to the [Supplier Portal Information Page](#). Please allow time to register with the Supplier Portal. There will be separate sections for uploading specific files:

1. This application form - in Word format
2. A .zip file, containing:
 - a. MHFA Multifamily Workbook - in unprotected Excel format
 - b. All remaining required materials in the order and format requested in the application checklist. Please label all files with the relevant section label from the below checklist (e.g. "C – Applicant Affidavit" or "F- Tax Credit Investor Term Letter", etc.)

For questions regarding accessing the Hennepin County Supplier Portal (including log-in or password help), please contact the Supplier Portal help line at: supplierportal@hennepin.us or 612-543-5412 (open Monday-Friday, 8am to 4:30pm).

For all other questions regarding this RFP or application details, please email Ian Clobes (Ian.Clobes@hennepin.us). **The closing date for all questions is August 31 at 3 pm.**

Application Checklist

Section Label	✓/NA		DESCRIPTION and INSTRUCTIONS
A	x		This completed 2023 Rental Application Form Upload original Word document (not a scanned copy)
B	x	Find at MHFA link provided above	Minnesota Housing Multifamily Workbook Upload in Excel format (unprotected)
C	x	Find template on Hennepin County Supplier Portal	Applicant Certification of Unit Commitments, Affidavit and Release Upload this document as both an Excel file and a signed PDF
D	x	Find at MHFA link provided above	Organizational Chart identifying ownership structure and members of the limited partnership or limited liability company, if applicable.
E	x	Find forms at MHFA link provided above	For New Construction Projects: - Market Study (if available) and Construction Cost Estimate . For Rehabilitation Projects: Three years of audited financials , a current rent roll , current year operating budget , a Physical Needs Assessment , rehabilitation Scope of Work , and Construction Cost Estimate .
F	N/A		Commitments for Financing. Commitment letters and letters of intent must include the name of the contact person, contact person phone number, eligible uses of committed funds, terms and conditions of the financing (including but not limited to repayment provisions, loan period, interest rate, and loan-to-value and debt coverage ratios, expiration date of the commitment), and must be signed by an authorized official of the organization. If a LIHTC project, include term letter or letter of interest from tax credit investor.
G	N/A	Find forms at MHFA link provided above or City of Minneapolis website	MHFA and/or City of Minneapolis Self-Scoring Worksheet(s). Submit the following self-scoring worksheets (using the most recent version of the form available) for any of the below funding identified as potential sources in your capital budget <u>and that is not yet secured</u> . If tax credits and/or other MHFA or City of Mpls funding has already been secured by the project and no additional will be requested, OR if the project does not require tax credits, do not submit the self-scoring worksheets.

Section Label	✓/ NA	MINNESOTA HOUSING APPLICATION FORMS	DESCRIPTION and INSTRUCTIONS
H	N/A		Municipal Notification Letter and/or Support Letters. Include any letter(s) of community and project support or notification to/from the municipality, neighborhood, or community groups. NOT REQUIRED FOR NOAH PROPOSALS.
I	x		A Project Schedule , including estimated dates for completed and upcoming milestones including funding applications/commitments, site acquisition, land use entitlements, financial closing, construction start, construction completion, and initial occupancy.
J	x		Site Location Documentation. Map identifying location of site and nearby services, schools, shopping, transportation, etc. Include photographs of the project site and surrounding context. Site plan and renderings. Provide site and floor plans and building renderings, including (if available) at least one high quality color exterior rendering suitable for use in county communications. FOR NOAH PROPOSALS: SITE LOCATION DOCUMENTATION IS REQUIRED, SITE PLAN AND RENDERINGS ARE NOT REQUIRED.
K	x		Site Control Documentation. Provide documentation of site control in the form of a copy of the deed, long-term lease, and/or contract for purchase option or other documentation.
L	N/A		Land Use Approvals. Provide documentation of any land use, historic review, or demolition approvals that have been granted/completed. NOT REQUIRED FOR NOAH PROPOSALS.
M	N/A	Find forms at MHFA link provided above	MHFA's Applicant Certification of Environmental Issues Form. If multiple sites, include one for each site. NOT REQUIRED FOR NOAH PROPOSALS.
O	N/A		If the project will require temporary or permanent relocation of residential and/or commercial tenants provide Relocation Plan AND URA Documentation , the General Information Notice (GIN) and proof delivery of notice to tenants, if applicable. Rent Rolls from the three months prior to this application for existing rental property.
P	N/A		Rental Assistance/Subsidy Contract or Commitment Letters from the administering agency or copy of existing HAP/subsidy contract.
Q	x		Written Tenant Selection Plan
R	N/A	Find forms at MHFA link provided above	Supportive Housing: If the proposal includes supportive housing, provide the relevant completed supportive housing narrative.

Applicant Information

Applicant:	Aeon		
Affiliated Ownership Entity for the Project (if known):			
Contact Name:	Kelli Collison	Type of Applicant (check one):	
Contact Title:	Director of Philanthropy	Nonprofit	☒
Mailing Address:	901 North Third Street, Suite 150	For-profit	
Street Address: <i>(if different from mailing)</i>		Local Government or Public Agency	
City/State/Zip:	Minneapolis, MN 55401	CHDO	
Telephone:	(612) 341-3148	Other	
Federal Tax ID No.:	41-155711	<i>If other, specify below:</i>	
Email Address:	grantwriter@aeon.org		
Co-Applicant: <i>(if applicable)</i>	N/A		
Contact Name:		Type of Co-Applicant (check one):	
Contact Title:		Nonprofit	
Mailing Address:		For-profit	
Street Address: <i>(if different from mailing)</i>		Local Government, or Public Agency	
City/State/Zip:		CHDO	
Telephone:		Other	
Federal Tax ID No.:		<i>If other, specify below:</i>	
Email Address:			

Third-Party Consultant Information

If application is being completed and submitted by a consultant, enter contact info here:

Contact Name:	N/A
Company Name:	
Phone:	
Email:	

Project Information

Project Name:	Carrington Drive
Project Address(es):	6910 N Humboldt Ave, Minneapolis MN 55430
Total Number of Affordable Units (with income and rent restrictions)	127 units, all affordable up to 60% AMI
Total Number of Housing Units (including market-rate, if any)	127
Total Development Cost	\$13,145,000

FUNDING REQUEST

Hennepin County Capital Funding Request*	\$490,000
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* Do not include any amounts requested/received through other county programs (such as the Environmental Response Fund, or service funding).

Identify the desired terms of the financial assistance. Funds are typically awarded in the form of a deferred low-interest loan, paired with a deed restriction and/or declaration of restrictive covenants. Final terms will be determined by Hennepin County.

For NOAH proposals, in addition to identifying the desired terms of the financial assistance, describe the types of costs for which the proposal will be requesting reimbursement through County financial assistance, and the anticipated timing for incurring costs and disbursing County funds.

Aeon is requesting a grant of \$490,500. We are requesting costs for capital improvements for Carrington Drive, a NOAH property located in Brooklyn Center. As soon as we have an agreement in place, Aeon plans to submit quarterly invoices for work (e.g. down payments, work completed, etc.) until the full award amount is done.

All work is expected to be completed by December 2025.

PROJECT TEAM

In addition to the Developer, Management Company, and Sponsor (if applicable) Qualification forms and Organizational Chart requested in **Section D**, summarize the development team, how long the development team has been working together, and provide examples of similar projects on which the team has similarly worked on together in the past. Include description of project architect, general contractor, consultant, and legal counsel, if those parties have been engaged. Please specify whether any entities in the project team are owned or managed by a Small Business Enterprise, Women-Owned and/or Minority-Owned Business Enterprise.

Please describe this team's past performance in:

- Providing low-barrier affordable housing
- Promoting stable housing for households with barriers to housing stability
- Maintaining properties as affordable housing for long durations

Aeon was founded in 1986 to replace housing lost in the construction of the Minneapolis Convention Center. Our first building, Buri Manor, provided 38 homes for low-wage workers; since then, Aeon's Housing Development team has worked to increase our portfolio to 5,945 affordable apartment homes for more than 17,300 Twin Cities renters each year. We own and manage multi-family apartment buildings in Minneapolis, St. Paul, Bloomington, Brooklyn Center, Brooklyn Park, Chaska, Columbia Heights, Edina, Little Canada, Maplewood, Mound, New Hope, Ramsey, Richfield, and Roseville. Currently, we have 4,688 affordable homes housing more than 13,300 residents each year in Hennepin County.

Our consistent growth speaks for itself; Aeon's Housing Development and Asset Management teams are persistent and well-versed in acquiring, preserving, rehabilitating, and constructing affordable housing. In the last six years, these teams have been instrumental in acquiring and preserving more than 3,100 NOAH homes, allowing over 10,000 people to remain housed; of this number, approximately 85% (8,500 residents) call Hennepin County home.

Today, this work is led by a Chief Real Estate Officer, who oversees all facets of development, asset management, and property operations for Aeon. The Housing Development team has 5 full time staff, including Construction Managers, Real Estate Project Manager, Director of Acquisition and Special Projects, and a Development Strategist. Our staff has more than 36 years' experience in the industry, with real estate, construction, and development. The Director of Asset Management and the Director of Capital Improvements report directly to the Chief Real Estate Officer; additionally, there are two Asset Managers, an Asset Management Associate, and Executive Assistant. Collectively, this team has more than 51 years' experience with asset management, engineering, and capital improvements.

Aeon is the only housing nonprofit in Minnesota incorporating NOAH into our development strategy; we have done so since 2016. As such, over the past few years, if Aeon does not acquire housing, it is in danger of being sold and converted to market-rate housing, displacing low-income residents in the process. To this end, our initial focus was to save as much NOAH housing as possible. In addition, at an average cost of \$175,000 per unit to preserve, versus \$350,000 per unit to build, saving NOAH homes is significantly more cost-effective than new construction.

Now, Aeon is transitioning into ensuring these homes (often not up to date, and in need of major renovations/repairs) are up to Aeon standards and remain affordable for the long-term. We are making methodical, cost-effective improvements, ensuring the long-term affordability and quality of each home.

For many Aeon residents, accessing affordable housing is only the first step to maintaining stability. Most of our residents (97%) are considered low-income, with about 22% considered extremely low-

income. More than 80% identify as Black, Indigenous, or person of color (BIPOC). Many are recent immigrants, or have experienced homelessness, prior incarceration, chronic health conditions, or past trauma. Without the right level of services, these barriers can threaten their long-term housing stability.

Aeon takes a holistic approach to resident services, focusing on keeping our low-income families safe and housed, ensuring each resident has the right level of support they need to maintain stability. For residents with the highest barriers to stability (e.g. serious and persistent mental health challenges or substance use disorder, emerging from long-term homelessness some) receive 1:1 case management and holistic wrap-around services through external Community Service Providers. Current Providers include Avivo, Cabrini Partnership, Carver County Community Social Services, Haven Housing, Oak Grove Care Center, People Inc., ResCare Human Services, RS Eden, RADIAS Health, Simpson Housing, Touchstone, and YMCA of the North.

Many residents who face less daunting barriers also need access to resources and assistance to maintain stability – just not at the same level as ones who work with Community Service Providers. This lesson was driven home for us during the pandemic; as residents grappled with the COVID-19's economic impact, our Resident Connections and Property Operations team worked together to connect over 1,900 families with more than \$12.6 million in direct rent assistance, as well as assisting over 8,000 residents per year with accessing food and other basic needs, implementing regular wellness checks, navigating distance/virtual learning, maintaining a sense of community via safe, socially distanced activities like poem distribution and hallway bingo, and more.

With long-term resident stability as our greatest priority, we have incorporated learnings from the pandemic and are revamping Resident Services for maximum impact and to ensure all our 17,300+ residents are able to access the right level of support needed to remain safe and housed.

PROJECT DESCRIPTION

Summarize the proposed project (include any unique features, description of the targeted population(s) served and specific breakdown of the proposed income levels), and why it is an important project.

Your response to this question may not exceed 300 words.

Aeon acquired Carrington Drive in 2018. Carrington Drive is a 128-unit property comprised of four efficiency units, 83 one-bedroom apartments and 42 two-bedroom apartments spread across four buildings and housing up to 332 residents. One unit is used as an office.

The majority of residents identify as Black, Indigenous, or people of color. Of known demographics, 63% identify as Black/African American; 8% as White; 2% as Native American; 1% as Asian/Pacific Islander; 1% as Hispanic; and 25% as other. More than half (63%) identify as female, with 37% identifying as male. All residents are below 60% AML, earning far less than \$74,950 per year for a family of four. The average household income is around 36% of AML. This equates to earnings lower than \$34,800/year for a single adult, or \$49,675 for a family of four. Approximately 16% of Carrington Drive households rely on a housing subsidy.

When Aeon acquires a NOAH community, we immediately begin completing necessary upgrades and deferred maintenance. Because of the unexpected level of updates needed at Carrington Drive, we have not been able to fund all these improvements through reserves or the operating budget. The roofs are nearing the end of their useful life. Minor repairs may extend their life, but at the expense of potential leaks, water damage, and displacement of residents while repairs are made. As well, the boilers have reached the end of their useful life. We plan to replace them to prevent a failure of the system which could cause a catastrophic loss of heat.

The projects included in the budget for this request are essential to not only address current issues, but also to proactively prevent future issues that could negatively impact our residents and maintain Carrington Drive as a sustainable NOAH property for many years to come.

Describe the market need for the project. Explain how the project serves households not able to access other housing, and/or how the project creates opportunities for underserved populations. Attach documentation of project need, such as market studies, in **Section E**.

Aeon's 17,300 residents are diverse in identities and life experiences, though the vast majority are low-income earners. For our residents, access to an affordable home is foundational to success in all other areas of life. Residents who are not cost burdened by their housing can spend more on healthy food and healthcare, while saving for long-term goals like education, homeownership, and retirement.

But with long-stagnant wages and rapidly escalating housing costs across the metro, affordable apartments are in short supply. Aeon confronts this crisis by through NOAH preservation as well as new construction. Without Aeon filling this niche, existing affordable apartments homes continue at risk of being "flipped": sold to investors who make modest improvements and quickly increase rents and economically evict existing residents. Even though we must match the market's higher acquisition pricing when we purchase NOAH, we do so knowing we will maintain low rents long-term, ensuring affordability for existing residents and preventing displacement. Additionally, we make improvements to ensure each apartment is a decent, affordable home for the long term.

Carrington Drive is the second opportunity Aeon had to partner with the City and Hennepin County

to preserve a NOAH property in Brooklyn Center. When Aeon purchased Carrington Drive, we did so to save more than 300 residents' homes and keep them affordable, knowing that market investors would have otherwise upscaled or demolished the property as they have done with countless other NOAH properties in our community. NOAH affordability is threatened in the Twin Cities' strong estate market where a growing number of building sales are leading to increased rents, pricing out current residents. When Carrington Drive was acquired, Minneapolis alone was losing more than 1,800 NOAH apartment homes (Minnesota Housing Partnership, 2018 Market Watch report).

This project will benefit the current residents of Carrington Drive, but it will also provide benefits to the community for years to come. By completing necessary deferred maintenance and proactively replacing systems that have reached the end of their useful life, we maintain the community as an attractive and safe home for our residents. We also support its financial sustainability and long-term ability to keep functioning as affordable by relieving excess pressure on the operating budget, allowing funds to be used for unit and common space maintenance and upgrades and preventing catastrophic hits to the budget that will be created by the unexpected failure of a major system.

Describe the length of the minimum affordability period the project will commit to, in years. If selected for funding, this affordability period will be enforced through a declaration of covenants and restrictions and a mortgage, both recorded against the property, and through annual compliance.

Per our loan agreement with Hennepin County, Carrington Drive will remain affordable for 30 years from the date of our loan agreement, which is November 30, 2048. Per our mission, Aeon's goal is to keep all Aeon homes affordable forever.

TARGET POPULATION

Describe target population(s) for the project **and** explain the outreach activities and engagement strategies that will be used to reach the proposed population(s). Address how tenant turnovers will be avoided and how housing stability for the occupants will be supported.

Target Population. The target population for new tenants would be Brooklyn Park residents. The city's population of approximately 31,000 individuals is 39% white and 61% people of color, with the largest group identifying as Black or African American (32%). The overall poverty rate is 12.15%, with those 32% of those identifying as Hispanic below the poverty level. The average household income is \$76,448, which is just above the 60% AMI for a family of four.

The majority of Carrington Drive residents identify as Black, Indigenous, or people of color. Of known demographics, 63% identify as Black/African American; 8% as White; 2% as Native American; 1% as Asian/Pacific Islander; 1% as Hispanic; and 25% as other. More than half (63%) identify as female, with 37% identifying as male. All residents are below 60% AMI, earning far less than \$74,950 per year for a family of four. The average household income is around 36% of AMI. This equates to earnings lower than \$34,800/year for a single adult, or \$49,675 for a family of four. Approximately 16% of Carrington Drive households rely on a housing subsidy.

Outreach. Outreach to prospective residents is done by Aeon's Marketing team and Property Operations team. Vacancies are promoted through external signage (such as banners, yard signs, flags); through current resident referrals; digital ads; digital listings; and targeted promotions. If there is an identified need to market in two or more languages, based on demographics, Aeon will translate materials as well. Outreach to current residents is done by our Property Operations team and Resident Services team, and can include email; in person; fliers; MyHome messages; phone calls; and more. At properties where 10 or more households use the same primary non-English language, we automatically translate all communications to that language as well as English.

Engagement, Turnover, and Stability. We know resident engagement, increased stability, and decreased turnover are intertwined. Thus, our approach is intermingled. First, Aeon knows the importance of centering resident voice and choice in all aspects of our operations. In both formal and informal ways, resident voices guide the direction of our organization and help us understand how to best serve them. Residents serve on our board and work as Aeon staff. Many act as floor captains, serve on resident leadership councils, and oversee a wide range of informal activities to support their neighbors, such as volunteering at community gardens. We also solicit feedback through informal conversations and a formal Home Score Survey (annual). Their feedback, whether good or bad, provides us with insight to make our organization and programs better. We believe this helps lead to increased resident satisfaction, greater stability, and decreased turnover.

Second, Aeon supports these through Resident Services. Currently, we are in the beginning phases of transitioning to serve our entire portfolio of homes. During the first phase, we will bring both Community Service Providers and Resident Connections to Aeon properties deemed high priority (including Carrington Drive). Phase 2 will then extend these services to all Aeon managed properties; phase 3 will extend services to all current and future Aeon properties.

At the beginning of the phase 1, we have done the following:

- Increased capacity for expanding our Community Service Providers through hiring a Director of Service Partnerships. This position will increase effectiveness with our current external service partners, add new service partners (focusing on partners that are culturally specific to the communities of our residents) and expand the models that work best for our resident communities; all work will allow more households below 30% AMI to receive the appropriate level of service to maintain housing.
- As aforementioned, the pandemic showed us the importance of integrating property operations and Resident Connections to reach more residents and help with stability. To this end, our Coordinators are now reporting directly to Portfolio Directors (each Director is over a number of Aeon properties). This allows Coordinators to understand more deeply what the barriers of each property are, and to form productive relationships with onsite staff.

Once services are fully integrated at Carrington Drive, resident will benefit from support that includes the core set of resources and referrals related to living with low and very low-incomes, such as assistance accessing basic needs, utility payment assessment, help with rent payments, and resources to build financial stability such as workshops and groups focused on budgeting, wealth building, and advancing income through employment.

Describe any set-aside units for a priority population or need, such as permanent supportive housing for specific populations and/or committed units to provide housing for people experiencing homelessness. Describe the service needs and preferences of the target population(s) and address how housing stability for these specific populations will be supported.

Carrington Drive offers 127 units to those whose income level are at 60% AMI or below. Of note, the average household AMI is about 36% AMI. Although none of these units are specifically set aside for a priority population, the very low incomes of Carrington Drive residents in itself presents a barrier to stability. Our revamped Resident Services program, once fully integrated at Carrington Drive, will allow us to provide the right level of resources, referrals, and connections to help families address their barriers and achieve housing stability.

COUNTY PRIORITIES AND COMMUNITY SUPPORT

Describe how the project aligns with county priorities (as identified in the RFP) and supports the goals of the Consolidated Plan.

The Consolidated Plan identifies preserving and creating rental opportunities as a high-level priority. This project aligns with county priorities and supports the goals of the Consolidated Plan by preventing the loss of existing viable affordable housing units and connecting affordable housing to local employment opportunities, schools, transit corridor development, and supportive services. In addition, this project aligns with the Consolidated Plan's identification of multifamily housing as a high priority.

In addition to including the required (and any optional) letters of support in **Section H**, describe the extent to which the project has local community support (community meetings, businesses, employer, in-kind value, local funding, etc.). **NOT REQUIRED FOR NOAH PROPOSALS.**

N/A

Describe the proposed procurement/contacting process for the construction of the project and include any proposed outreach and/or inclusion of Davis Bacon; Section 3 contractors and/or residents; Small Business Enterprises, Women-Owned and Minority-Owned Business Enterprises (SBEs/WBEs/MBEs). Describe the project team's intentions to incorporate workforce training programs, including Hennepin County's Workforce Entry Program, and/or other mentorship or training programs, into the process of creation of this new housing.

Aeon has a strong commitment to diversity, equity, and inclusion. Many of our new builds and acquisitions include use of public dollars, which have a minimum woman-owned/minority-owned business enterprise (WBD/MBE) requirement. However, Aeon goes above and beyond this requirement. We not only look for how to directly work with WBE/MBE general contractors, but

WBE/MBE general contractors who care about bringing in WBE/MBE subcontractors. Organizationally, we are also looking at where we currently spend dollars overall, and how we can shift more business to women-owned businesses and minority-owned businesses.

For all renovations that need a contractor, Aeon ensures all known WBE/MBE vendors have the opportunity to bid. In addition to publicly posting, we send this opportunity to those on our vendor list whom we know do the type of work specified in our RFP. This list includes WBE/MBE status, which is constantly updated as new vendors are added.

Aeon does not incorporate workforce training programs into renovation work.

FINANCIAL FEASIBILITY

Describe the level of financial commitment needed to complete the activity (include the financial viability, demonstrate that proforma or financial schedules are consistent with industry standards, including but not limited to fees, cost per unit, rents, expenses, projected revenue, operation costs and depreciation allowances). Summarize and document anticipated funding sources, indicating exact level of commitment, conditions, and time frame for expending funds, (include copies of funding commitment letters with the application, requested in **Section F**). If pursuing MHFA funding or City of Minneapolis 9% LIHTC, include applicable self-scoring worksheet(s) at **Section G**. If pursuing a 4% LIHTC structure, indicate the bond issuer and the anticipated timeline for obtaining an allocation of tax-exempt bonding.

For NOAH proposals:

- Describe the acquisition and/or rehab cost for the project;
- Describe the financing plan envisioned to implement the housing development and the level of funding secured to date; and
- If housing with support services is included in the project, describe who will provide support services and how services will be funded.

Project Cost. We are requesting \$490,500 from Hennepin County for renovations at Carrington Drive, based on the following:

- \$225,000 for roof replacement of the 1308, 6920, and 6910 buildings.
- \$180,000 for boiler system replacement for 6910 and 1308 buildings
- \$45,000 for fire alarm panels.
- Aeon's project management fee, calculated at 4% of the contracted costs (\$18,000).
- A 5% contingency rate, to account for increased material and other costs (\$22,500).

Financing Plan. Carrington Drive has limited existing capital reserves to finance many of the vital improvements required to preserve the property. Support from Hennepin County would allow us to stretch these dollars further for additional needed improvements, such as unit upgrades, sprinkler systems, and parking lot repairs. Without County support, we do not have the funds to make the additional improvements needed to make Carrington Drive home for our residents.

Services. As discussed above, we are currently in the beginning of phase 1, which will eventually bring the right level of services to Aeon's identified high needs properties (of which Carrington Drive is one). We have created a new role, the Director of Service Partnerships, who is our main point of contact in managing our Community Service Provider relationships. As part of her work, the new Director is creating performance benchmarks and collecting data on the degree of impact each of our external partners are achieving. With this data in hand, we plan to expand partnerships with our most effective providers and pilot ways to connect additional residents, who may qualify for services but not be aware of this, to appropriate service providers.

At the same time, we are reorganizing our internal Resident Connections team, who provide resources and referrals to Aeon residents who face less challenging barriers to stability. We expect this new model to lead to more targeted, effective services being available to residents of Carrington Drive.

Describe the specific impacts of pandemic-related cost increases, interest rate increases, and/or other financial impacts on the project's ability to make this housing available to new residents. Include a line-item breakdown of specific project cost categories and/or impacts to funding sources, comparing the original budgeted cost (or mortgage amount) and the current estimated cost (or funding source.)

The largest impact to the property due to the pandemic was loss of income due to higher bad debt and legal and turnover costs at the property. Physically, the property was also struggling with adequate funds to replace the windows that were in critical need for replacement in order to keep our rental license with the City. We were able to work with Hennepin County to get the funds needed to replace the windows (\$600,493) and maintain the rental license with the City. However, Carrington Drive continues to have large capital needs to keep the building operational and to provide safe, healthy, affordable housing.

PROJECT TIMELINE

Please provide a timeline schedule for the completion of the project that lists the anticipated month and year of major project activities and execution dates, including property acquisition, land use entitlement, funding applications/awards, financial closing, construction, and lease-up. Timeline may be described below and/or provided in an additional attachment at **Section I**.

Estimated timeline for completion of our proposed renovations includes the following:

- November/December 2023: Recommendation of Hennepin County award for renovation work at Carrington Drive.
- By November 2024: Hennepin County grant agreement signed and executed.
- January – February 2025: Aeon puts forth RFP(s) for roof, fire alarm, parking lot, and boiler work.
- March 2025: Aeon selects a contractor(s); contract(s) signed.
- April 2025: Aeon sends reimbursement for initial work to County.
- April – October 2025: Aeon schedules work completion with vendor based on availability; we anticipate more work will be in Q2 and Q3 due to weather requirements of work.
- July 2025: Aeon sends quarterly reimbursement for work completed to County.
- October 2025: Aeon sends quarterly reimbursement for work completed to County.

- December 2025: All work completed.
- January 2026: If needed, Aeon sends final reimbursement request for work to County.

Please note that timeline is subject to change due to availability of materials and vendors. However, all work funded by this Hennepin County RFP will be completed on or before the award requirement end date of November 30, 2026.

What are the biggest challenges to meeting the proposed timeline?

We expect the project's biggest challenge to be availability of contractors and staffing in general. However, we have built additional time into our project schedule to ensure that we are able to complete the project and expend funds within the grant period.

PROJECT LOCATION AND SITE INFORMATION

Submit location maps, site photographs, and site plan and building renderings at **Section J**.

Describe the location(s) of the project and note specifically how the site location promotes greater choice of housing for the target population. Explain the benefits of the project site location for the population served.

Carrington Drive is located at the intersection of North Humboldt Avenue and 69th Avenue North, in the City of Brooklyn Center within Hennepin County. The complex sits just north of I-694W and west of highway 252. It is composed of four buildings.

Carrington Drive's address is 6910 Humboldt Drive, 55430, in Hennepin County's Qualified Census Tract in Brooklyn Center.

Brooklyn Center has significant opportunities for Carrington Drive residents.

- The property is located close to major highway systems (such as I694 and highway 252) as well as four bus transit stops. The City also has a 20 mile trail system extending to all neighboring communities, making walking or bicycling many places easily accessible for residents.
- The city has many job opportunities for all. Within walking distance of Carrington Drive, opportunities include schools, the Earle Brown Heritage Center, city run organizations like fire/police, hotels, restaurants, and retail stores.
- There are 522 acres of parkland and nature areas; Palmer Lake Environmental Area, East and West Palmer Lake Park, Firehouse Park, and Evergreen Park are all within walking distance of Carrington Drive.
- The city's community center is located less than 1.5 miles from Carrington Drive; the center offers access to a pool, fitness center, community spaces, and classes.
- The Brooklyn Center Police Department, Brooklyn Center Fire Department, Brooklyn Center High School, City Hall and Brookdale Library are all within two miles of the property.

Furthermore, many residents have lived Carrington Drive for years and have roots there. They have

built internal support systems and community. If we are not able to keep operating Carrington Drive, these residents will likely be displaced. They could lose contact with supportive institutions like churches, friends, local businesses, and neighborhood groups. This could result in poorer health outcomes. At worst, this could result in a family's eventual transition to homelessness, as they are priced out of alternative places to live.

SITE CONTROL

Proposals must have documented site control; provide documentation at **Section K**. If different for multiple sites this information should be provided for each site. Note whether the site contains land in excess of what is needed to complete the project, and if so, explain what is envisioned for the future use or disposition of the excess land.

Carrington Drive Preservation JV LLC, held under Aeon Management, owns the site. Aeon Management is a property management subsidiary operating entity under Aeon. The site does not contain land in excess of what is needed for the project.

ZONING, STORMWATER, AND LAND USE ENTITLEMENT

Describe the current zoning and comprehensive plan designation of the site and whether the project conforms to those designations. Note whether the project would require any land use, zoning, or historic approvals, describing the specific approvals that would be required (e.g. variance, rezoning, comp plan amendment, etc.), the anticipated timeline for obtaining those entitlements, and any progress to date. Note whether any demolition or building permits have been obtained. Attach documentation of any approvals already obtained at **Section L**.

NOT REQUIRED FOR NOAH PROPOSALS.

N/A

Describe any conversations or feedback that has been received from city planning staff, planning commission, city council representative, neighborhood groups, or other relevant municipal bodies, including any negative/opposing feedback that has been received.

NOT REQUIRED FOR NOAH PROPOSALS.

N/A

Please list the name, email, and phone number of the primary city planning staff contact assigned to the project for the municipality responsible for land use approval for the project.

NOT REQUIRED FOR NOAH PROPOSALS.

N/A

Name the watershed district within which the project is located. Describe the status of conversations, reviews and/or approvals from the watershed district for the proposed project. Please note any particular concerns regarding flooding or other stormwater requirements/impacts for the project site.

Carrington Drive is in the Shingle Creek/West Mississippi watershed district. Per the scope of this project, there is no need for a review or approval from the watershed district for implementation.

ENVIRONMENTAL ISSUES

Summarize any known environmental issues at the site, steps that must be taken to resolve those issues, the current status of assessment/mitigation work, and anticipated timeline for any future steps. (Note that a Phase I, and if needed, a Phase II may be required prior to closing on the financing.)

Aeon conducted a Phase I Environmental Site Assessment on March 11, 2019. There were no significant findings from the Phase I. Critical repairs such as roof repairs and asphalt repairs stated in the 2019 Environmental were completed in 2019.

ACQUISITION AND RELOCATION

Yes or Maybe	No	N/A	
	X		Does this project involve buying property?
	X		Will this project involve the need for temporary AND/OR permanent relocation of any of current occupants (<i>i.e. will the occupants have to move/be out (even for just a day) of their current unit in the property in order for the project to be completed?</i>)?
		X	Have the required acquisition or relocation notice(s) been provided to the owner and any property occupants?
			If yes , should be attached at Section P for each site.
			If no , when will the notices be provided?
	X		Will this project include the demolition, conversion or change in use of any existing affordable housing unit(s)? <i>An affordable housing unit is any unit</i>

			<i>that could be rented for an amount including tenant paid utilities (calculated using an approved Utility Allowance sheet) at or below the current HUD established Fair Market Rent (FMR), regardless if the unit is rental or owner-occupied at the time of the application.</i>
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If **yes or maybe**, please ensure that:

- Relocation costs are reflected in the Program Budget; and
- A Relocation Consultant is listed as part of the Project Team; and
- A Relocation Plan is completed and attached at **Section P**; and
- Rent Rolls for any existing rental units for the three months prior to the application are attached at **Section P**.

PLANS, FEATURES, AND AMENITIES

Will funded units be provided high-quality wi-fi at no cost? Are there plans to provide this service? Describe if the physical infrastructure allows, or will allow, for high-quality internet access. Describe who (landlord or tenant) is responsible for contracting for internet service.

Aeon's current internet provider is Comcast. In 2021, Comcast generously awarded Aeon an in-kind gift of 4 GB highspeed internet at 14 Aeon sites for three years; Carrington Drive is one of those sites. Residents are able to access free wireless through any device in the computer lab. Additionally, Aeon provides residents with four computers in the computer lab they may use for personal reasons (such as distance learning, job applications, etc.)

For internet in apartments, Carrington Drive residents must contact Comcast or another provider and pay for service directly.

At this time, we are not planning to upgrade this service or provide property wide wi-fi internet access.

Yes	No	
x		Will funded units be substantially equivalent to market-rate/non-assisted units?
x		Will they have the same fixtures and finishes?
x		Will funded units be the same size and have access to the same amenities?
If no to any of the questions, briefly explain the differences below:		

ACCESSIBLE UNITS

Yes	No	
	x	Is the project new construction, rehabilitation or substantial rehabilitation (<i>cost of rehabilitation is 75 percent or more of the after rehabilitation value, as evidenced by an appraisal</i>)?
For all projects: List the number of units that will be accessible to mobility		28 – hard surface floors

impairments (physically handicapped) – “Type A units”		instead of carpeting for those who need it
For all projects: List the number of Type A units that will also include measures for residents with sensory (vision or hearing) impairments		0 – However, we accept reasonable accommodation request if a resident did need these accommodations
For all projects: List the number of Type B units		127
Yes	No	
x		Are there five or more units in the project? If yes , all new construction and rehabilitation projects involving buildings with four or more units must comply with the minimum accessibility requirements of the Fair Housing Act, in addition to any other local regulations and/or funding requirements

RENTAL ASSISTANCE/TENANT SUBSIDIES

If a project will include any sources of project-based rental assistance or subsidy (Section 8, Shelter+Care, 811, Housing Support, VASH, etc.), please provide letters of commitment and/or the current subsidy agreement(s) (e.g. HAP contract) at **Section P**.

Additionally, please summarize any sources of project-based rental subsidy that are anticipated to be incorporated in the project. Note whether those sources are secured, the administering agency, and how many units would be covered. If unsecured, describe the anticipated timeline and process or securing those sources and any challenges to doing so. If Housing Support is anticipated to be included, please note how many units would be Rate I (aka Housing Rate, Base Rate) or Rate II (aka Supplemental Service Rate), and whether this would require an application to the County for new or expanded capacity. If the project has an existing HAP contract, please note the term of the current contract, anticipated timeline for renewal, and any challenges to doing so. Additionally, if not clearly identified in the Workbook, please describe the unit type/types to which the rental subsidy would apply.

Carrington Drive does not provide any direct project-based rental assistance for residents. Currently, we accept Section 8 vouchers for rent, and approximately 16% of Carrington Drive residents have some form of rental support.

SUPPORTIVE AND SENIOR HOUSING

If applicable to the project, please answer the following questions in addition to providing completed Permanent Supportive Housing Narrative Questions, Qualifications of Service Provider, Support Services Budget, People with Disabilities Narrative, and/or Senior Housing Narrative forms at **Section R**.

Yes	No	
	X	Will there be tenant-based services or assistance?
What kind?		
What entity will provide services?		

How many beds/slots?	
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Describe service participation requirements for occupancy, if any.

N/A

SCREENING CRITERIA

Describe the proposed tenant screening criteria in the below questions. When applicable, describe whether flexible tenant screening criteria will be adopted for set-aside units for priority populations, supportive units, and/or units committed for county clients. Include relevant supporting documents in **Section S**.

Explain your general philosophy and processes for screening applicants for housing vacancies (i.e. appeals, application fees. Will there be any differences across unit types? (e.g. for supportive set-aside units versus general occupancy affordable units). Describe any ways in which the project will reduce barriers to housing access, noting in particular any flexible, low-barrier minimum criteria that will apply to the project (as opposed to “case by case” evaluation or applicant appeal processes).

Aeon takes a low-barrier approach to resident screening. In general, Aeon’s approach is that everyone is welcome. We do not put up barriers to tenancy that make it difficult to rent. The only criteria we have for denial is criminal criteria (please see attachments for details) and owing fees to previous landlords.

The application process does not vary across units at Carrington Drive.

How do you consider arrests/incidents without formal convictions or that resulted in expungement, vacation, or enrollment in a diversion program?

Arrests/incidents without formal convictions are not considered in reviewing applications.
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Are there any characteristics that will automatically disqualify potential residents? What will be the lookback period for “automatic disregard” of misdemeanors? Felonies? Other distinctions?

Applicants will be disqualified if they owe money for rent to previous landlords, except in cases where a third party subsidy is paying a portion of rent. Applicants will be denied if they owe money to utility companies, if the home requires resident-paid utilities. Applicants will be denied if they owe money for damages to a previous landlord or if they have evictions/UDs within two years of the applicant date.

Lookback periods for convictions are detailed in the Criminal Criteria chart, which is included in the attachments as part of S. BMS Tenant Selection Plan. The only convictions that result in a lifetime ban from Aeon homes are manufacturing meth, felony arson, sex-related crimes that require current
--

registration in any jurisdiction's sex offender registry program, murder and manslaughter. Aeon will not deny applicants as a result of open charges, unless the open charge would result in rejection based on the Criminal Criteria. In these cases, the applicant would be invited to reapply once the case was closed.

How will rental and living history be considered? How do you consider Unlawful Detainers, the result of the Unlawful Detainer, the age of the Unlawful Detainer?

Applicants will be denied if they have evictions/UDs within the past two years from the application date. Applicants with UD's greater than two years are considered on a case by case basis, often not counting against the applicant unless it is significant. Applicant age does not factor in. Applicants with negative rental history within the past two years (such as lease violations, police calls, damages) may be accepted with Portfolio Director approval. A lack of living history is not viewed as negative; applications can begin establishing their living history with Aeon.

Applicants will be denied if they owe money to previous landlords, including utilities and damages/other charges.

What credit and income requirements will apply?

At minimum, applicants must have income two and a half times (2.5x) the rent. A Section 8 voucher or funding from a comparable third-party subsidy source also may be acceptable. The maximum household income cannot exceed 60% Multifamily Tax Subsidy Program (MTSP) Income limits, based on household size.

What will be the appeal process for any denied rental applicants?

Applicants who are denied can undergo an appeal process. The appeal form may be requested from Carrington Drive site staff. Applicants must put together a completed appeal packet. A completed appeal packet includes (1) a signed appeal form, (2) a copy of the original denial letter, and (3) supporting documentation. Applicants have fourteen (14) days to submit an appeal packet.

Applicants must submit a completed appeal packet via email (applicationappeals@aeon.org) or via US mail to the Aeon Central office. Completed appeal packets will be date-stamped by Aeon once received. A written or emailed confirmation will be provided to the applicant. Incomplete packets will be returned to the denied applicant, who may resubmit when all materials are complete. Incomplete packets will not be accepted.

The applicant will be notified of the result of their appeals within five (5) days of Aeon receiving the completed appeal packet unless extenuating circumstances require additional time.

Council Regular Meeting

DATE: 5/13/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Tony Gruenig, Interim Police Chief

SUBJECT: Resolution Recognizing May 12 through May 18, 2024, as Police Week and May 15, 2024, as Police Officers Memorial Day

Requested Council Action:

- Motion to approve a resolution May 12 through May 18, 2024, as Police Week and May 15, 2024, as Police Officers Memorial Day

Background:

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

ATTACHMENTS:

Description	Upload Date	Type
Resoution	5/8/2024	Resolution Letter

Member
moved its adoption:

introduced the following resolution and

RESOLUTION NO. _____

RESOLUTION RECOGNIZING MAY 12 THROUGH MAY 18, 2024, AS
POLICE WEEK AND MAY 15, 2024, AS POLICE OFFICERS MEMORIAL
DAY

WHEREAS, the Congress and President of the United States has designated
May 15 as Peace Officers Memorial Day, and the week in which it falls as Police Week; and

WHEREAS, the members of the law enforcement agency of Brooklyn Center
play an essential role in safeguarding the rights and freedoms of the citizens of Brooklyn Center;
and

WHEREAS, it is important that all citizens know and understand the problems,
duties and responsibilities of their police department, and that members of our police department
recognize their duty to serve the people by safeguarding life and property, by protecting them
against violence or disorder, and by protecting the innocent against deception and the weak against
oppression or intimidation; and

WHEREAS, the police department of Brooklyn Center has grown to be a modern
and scientific law enforcement agency which unceasingly provides a vital public service.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
Brooklyn Center, Minnesota, that the citizens of Brooklyn Center and all patriotic, civil and
educational organizations be called upon to observe the week of May 9 through 18, 2024, as Police
Week with appropriate ceremonies in which all of our people may join in commemorating police
officers, past and present, who by their faithful and loyal devotion to their responsibilities have
rendered a dedicated service to their communities and, in doing so, have established for themselves
an enviable and enduring reputation for preserving the rights and security of all citizens.

FURTHER, be it resolved that all citizens of Brooklyn Center be called upon to
observe Wednesday, May 15, 2024, as Peace Officers Memorial Day in honor of those peace
officers who, through their courageous deeds, have lost their lives or have become disabled in the
performance of duty.

Date

Mayor

ATTEST: _____
City Clerk

RESOLUTION NO. _____

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 Regular Meeting

DATE: 5/13/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH:

BY: Elizabeth Heyman, Director of Public Works

SUBJECT: Resolution Declaring May 19-24, 2024, National Public Works Week in the City of Brooklyn Center

Requested Council Action:

- Motion to approve a resolution declaring May 19 through May 24, 2024, as National Public Works Week in Brooklyn Center

Background:

National Public Works Week is a celebration of the tens of thousands of people in North America who provide and maintain the infrastructure and services collectively known as public works. Instituted as a public education campaign by the American Public Works Association (APWA) in 1960, the weeklong celebration calls attention to the importance of public works in community life. The week seeks to enhance the prestige of professionals who serve the public good every day with quiet dedication. The theme for 2024 is "Connecting the World Through Public Works".

The Public Works Department employs 42 full-time and 19 seasonal employees in the six divisions of the department - engineering, street maintenance, park maintenance, public utilities, central garage, and building and grounds maintenance. All divisions work together as a team to provide high-quality service for people who visit, live, or work in Brooklyn Center.

Many of the tasks like plowing streets, mowing parks, putting up signs, pumping water, maintaining large equipment, maintaining all City facilities and grounds, and improvement projects are high profile. Many more tasks are completed almost unnoticed except in their absence.

Many people do not realize that significant efforts of the department take place while everyone else is sleeping. It is not unusual for street or park employees to get called out in the middle of the night after a storm to clear fallen trees from the road, to plow or provide ice control during a winter storm, or utility employees to be called out to respond to a sewer backup or water main break. Our Public Works employees take great pride in their work.

Budget Issues:

There are no budget issues to consider.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Maintain and enhance public places, Provide quality services with fair and equitable treatment

ATTACHMENTS:

Description	Upload Date	Type
Resolution	5/7/2024	Resolution Letter

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING MAY 19-24, 2024 NATIONAL PUBLIC WORKS WEEK IN THE CITY OF BROOKLYN CENTER

WHEREAS, Public Works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as engineering, water, wastewater, storm drainage, streets and highways, parks and central vehicle fleet maintenance; and

WHEREAS, the health, safety and comfort of this community greatly depend on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities including their planning, design, construction, operation and maintenance are vitally dependent upon the efforts and skill of Public Works personnel.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that May 19-24, 2024, as "National Public Works Week" in the City of Brooklyn Center, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which Public Works personnel make every day to our health, safety, comfort and quality of life.

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 Regular Meeting

DATE: 5/13/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: LaToya Turk, Director of the Office of Community Prevention, Health and Safety

SUBJECT: Proclamation Acknowledging and Proclaiming the Month of May 2024 as "Mental Health Awareness Month"

Requested Council Action:

- Motion to approve a resolution acknowledging and proclaiming the month of May 2024 as "Mental Health Awareness Month"

Background:

Every day, millions of people face stigma related to mental illness, causing many to face their mental health challenges for years without help. Each May, Mental Health Awareness Month provides the opportunity for communities to come together to illuminate mental health awareness in an effort to stop the stigma. Bringing forth this awareness is crucial to helping people reach out for the assistance they deserve.

By officially recognizing May as Mental Health Awareness Month, we believe we can help unite our community members with a shared vision of improved mental health and equality.

This is a time to amplify the voices of all people who want to put an end to the stigma and create a community where everyone feels comfortable reaching out for help, taking this step to declare May as Mental Health Awareness Month will show that the City of Brooklyn Center is an ally and supportive leader in awareness efforts.

Budget Issues:

None

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Improve community and employee safety

ATTACHMENTS:

Description	Upload Date	Type
Proclamation	5/8/2024	Proclamation



**PROCLAMATION RECOGNIZING AND ACKNOWLEDGING MAY 2024 AS
“MENTAL HEALTH AWARENESS” MONTH**

WHEREAS, mental health is essential to everyone’s overall health and wellbeing. Every day, millions of people face stigma related to mental health and may feel isolated and alone, going years before receiving any help; and

WHEREAS, Half of the United States’ population will experience some type of mental health challenge over the course of a lifetime. Mental health challenges are one of the most common health conditions in Minnesota; and

WHEREAS, One out of every twenty Minnesota adults and one out of every six (age 6-17) youth have an experience with a serious mental illness or disorder and if left untreated, have life expectancies 25 years shorter than the general population; and

WHEREAS, Prevention is an effective way to reduce the burden of mental health conditions. Recovery can and does happen, and all Brooklyn Center residents should know that support and help is available regardless of any individual’s situation; and

WHEREAS, Mental health conditions are real and prevalent in our country, creating a community where everyone feels comfortable reaching out for the support they deserve is crucial to ending the stigma around mental health; and

WHEREAS, Access to support and ending the stigma is of paramount importance; and

WHEREAS, The City of Brooklyn Center wishes to enhance public awareness of mental health;
and

NOW, THEREFORE, I, April Graves, Mayor of the City of Brooklyn Center, do hereby proclaim May 2024, as “Mental Health Awareness Month” in the City of Brooklyn Center, and encourage our residents to educate themselves and show compassion for others who are navigating mental health challenges. Further, I publicly commend the service of staff and community partners who center mental health well-being for all.

May 13, 2024

Date

Mayor

ATTEST: _____
City Clerk

Council Regular Meeting

DATE: 5/13/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Dr. Reggie Edwards, City Manager

SUBJECT: Resolution Recognizing the Contributions and Service Completed by the Daunte Wright and Kobe Dimock-Heisler Implementation Committee

Requested Council Action:

- Approve a resolution directing the adoption of the recognition, contributions and service completion of the Daunte Wright and Kobe Heisler-Dimock Implementation Committee.

Background:

In 2021, the City Council adopted Resolution No. 2021-73 establishing the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act ("Act").

The Act provides for the establishment of an Implementation Committee ("Daunte Wright and Kobe Heisler-Dimock Implementation Committee and/or DKIC") to assist in the development of public safety measures, including authority to propose amendments, ordinances, resolutions, policies, guidelines or other recommendations for the review, adoption or implementation by the City Council or City staff, as appropriate, that would fully implement the will and intent of City Council as expressed in the Act.

The Daunte Wright and Kobe Heisler-Dimock Implementation Committee have dedicated their time, expertise, and passion to this important endeavor, demonstrating a deep commitment to the well-being of Brooklyn Center residents. The committee has presented to the Council on policies such as traffic stops, consent searches, and alternative response service delivery.

The City Council has considered the recommendation of the Daunte Wright and Kobe Heisler-Dimock Implementation Committee and is committed to acting to implement recommendations that will enhance public safety and build trust between law enforcement and community.

On behalf of the City of Brooklyn Center, the City Council hereby expresses its deepest gratitude and appreciation to the members of the Daunte Wright and Kobe Heisler-Dimock Implementation Committee for their dedication, valued work, and invaluable contributions to the City of Brooklyn Center.

Budget Issues:

None

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:**Strategic Priorities and Values:**

Improve community and employee safety, Provide quality services with fair and equitable treatment, Strengthen community and employee engagement in key decisions

ATTACHMENTS:

Description	Upload Date	Type
Resolution	5/9/2024	Resolution Letter

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2024-_____

RESOLUTION RECOGNIZING THE CONTRIBUTIONS AND SERVICE
COMPLETED BY THE DAUNTE WRIGHT AND KOBE DIMOCK-HEISLER
IMPLEMENTATION COMMITTEE

WHEREAS, the Brooklyn Center City Council adopted Resolution No. 2021-73 establishing the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act (“Act”), in May of 2021, to direct the development and implementation of various reforms to improve the delivery of public safety services in the community; and

WHEREAS, the Act provided for the establishment of an Implementation Committee (“Daunte Wright and Kobe Dimock-Heisler Implementation Committee and/or DKIC”) to assist in the development of public safety measures, including authority to propose amendments, ordinances, resolutions, policies, guidelines or other recommendations for the review, adoption or implementation by the City Council or City staff; and

WHEREAS, the City of Brooklyn Center, Minnesota, is committed to ensuring the safety and well-being of all its residents: and

WHEREAS, in the wake of past events of the tragic deaths of Daunte Wright and Kobe Heisler-Dimock, there was heightened awareness of the need for meaningful reforms to address issues related to traffic stops and alternatives responses: and

WHEREAS, members of the Daunte Wright and Kobe Heisler-Dimock Implementation Committee dedicated their time, expertise, and passion to this important endeavor; and

WHEREAS, the recommendations put forth by the Committee reflected extensive research, thoughtful deliberation, and meaningful community engagement; and

WHEREAS, the City Council has considered the recommendations of the Daunte Wright and Kobe Heisler-Dimock Implementation Committee and was committed to examining the recommendations for implementation that would enhance public safety and build trust between the City’s law enforcement and community; and

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

1. The City Council hereby expresses its deepest gratitude and appreciation to the members of the Daunte Wright and Kobe Dimock-Heisler Implementation Committee for their dedication, valued work, and invaluable contributions to the City of Brooklyn Center.
2. The City Council hereby acknowledges the important role that the Daunte Wright and Kobe Dimock-Heisler Implementation Committee has played in advancing the City's efforts to address issues related to the public safety, health, and well-being.
3. The City Council will continue reviewing public safety, health, and well-being policies and practices and analyze ways to improve safety issues and foster trust and collaboration between the City's law enforcement and the community.
4. The City shall transmit a copy of this resolution to each member of the Daunte Wright and Kobe Dimock-Heisler Implementation Committee, with heartfelt expressions of gratitude for the completion of service on behalf of the City Council and the residents of Brooklyn Center, Minnesota.

May 13, 2024

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 Regular Meeting

DATE: 5/13/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Angela Holm, Finance Director

SUBJECT: Resolution Awarding the Sale of \$12,020,000 General Obligation Improvement and Utility Revenue Bonds, Series 2024A Fixing Their Form and Specifications; Directing Their Execution and Delivery; and Providing for Their Payment

Requested Council Action:

- Motion to approve a resolution awarding the sale of \$12,020,000 General Obligation and Utility Revenue Bonds, Series 2024A fixing their form and specifications; directing their execution and delivery; and providing for their payment.

Background:

On April 22, 2024 the City Council adopted a resolution setting the date for the competitive negotiated sale of \$12,020,000 General Obligation Improvement and Utility Revenue Bonds. The bond proceeds will be used to finance the construction of Orchard Lane East Improvements including street reconstruction and utility infrastructure improvements.

The Orchard Lane East project area extends primarily from Indiana Avenue North to Orchard Avenue North and from, but not including, 63rd Avenue North to 66th Avenue North. The project area contains a total of 21,560 linear feet (4.08 miles) of local streets. The neighborhood consists of approximately 355 residential properties and 3 commercial properties.

The following Council actions have been taken in regard to this project:

- September 25, 2023 - the Council received and accepted the Engineer's Feasibility Report for the Orchard Lane East area improvements
- October 23, 2023 - the Council approved a resolution ordering improvements and authorizing preparation of plans and specifications for the Orchard Lane East street, storm drainage, and utility improvements
- December 11, 2023 - the Council approved a resolution certifying the special assessments for this project
- April 8, 2024 - the Council accepted the bid and awarded the contract of the Orchard Avenue East project to the lowest responsible bidder

The estimated total cost of the project is \$12,020,000. Of this cost, \$10,581,247, or approximately 88%, will be financed through bond proceeds and paid from a combination of future property taxes and utility revenues.

Budget Issues:

The proposed 2024A bond issue includes approximately \$4.43 million in street reconstruction that will be repaid from an additional debt service property levy and \$1,438,753 that will be repaid with special assessments. The estimated new debt service in 2024 is approximately \$537,298.

The utility funds pay for infrastructure replacement costs through utility charges. Issuing debt to provide funding for the infrastructure improvements will allow the City to minimize the impact on those charges. The 2024A bond includes \$3.34 million in water utility costs, \$1.67 million in storm water utility costs, and \$1.15 million in sanitary sewer utility costs that will be funded through water, storm water, and sanitary sewer utility fees.

Standard and Poors has rated these bonds as AA. The outlook remains stable. A copy of this document is attached.

The City's financial adviser, Baker Tilly, will receive competitive proposals at 10:00 am on May 13, 2024. Staff have been advised that the interest rate will be approximately 3.4%, although that exact amount won't be known until the actual bids are received. Proceeds from the bond will be received on June 20, 2024.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Maintain a strong financial position, Maintain and enhance public places, Improve community and employee safety

ATTACHMENTS:

Description	Upload Date	Type
S & P Ratings Report	5/7/2024	Backup Material
DRAFT award resolution	5/7/2024	Resolution Letter

RatingsDirect®

Summary:

Brooklyn Center, Minnesota; Appropriations; General Obligation

Primary Credit Analyst:

Helen Samuelson, Chicago + 1 (312) 233 7011; helen.samuelson@spglobal.com

Secondary Contact:

Emma Drilias, Madison (1) 312-233-7132; emma.drilias@spglobal.com

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Credit Highlights

Outlook

Related Research

Summary:

Brooklyn Center, Minnesota; Appropriations; General Obligation

Credit Profile		
US\$12.02 mil GO imp and util rev bnds ser 2024A due 02/01/2035		
Long Term Rating	AA/Stable	New
Brooklyn Ctr APPROP		
Long Term Rating	AA-/Stable	Affirmed
Brooklyn Ctr GO		
Long Term Rating	AA/Stable	Affirmed

Credit Highlights

- S&P Global Ratings assigned its 'AA' long-term rating to Brooklyn Center, Minn.'s anticipated \$12.02 million series 2024A general obligation (GO) improvement and utility bonds.
- At the same time, we affirmed our 'AA' rating on the city's outstanding GO debt and our 'AA-' rating on the city's outstanding series 2019B lease revenue bonds.
- The outlook is stable.

Security

The series 2024A bonds are secured by the city's full faith and credit pledge and ability to levy unlimited ad valorem property taxes. The city is also pledging special assessment revenue and net revenue from its utility systems; however, the rating is based on the unlimited ad valorem tax pledge because the bond provisions supporting the other pledges are insufficient to rate pursuant to our other criteria. City officials will use bond proceeds to finance a neighborhood improvement project. The outstanding lease revenue bonds are secured by lease payments made by the city to the economic development authority pursuant to the lease, which is subject to annual appropriation. We rate the lease revenue bonds one notch lower than the city's GO rating to account for annual appropriation risk.

Credit overview

Brooklyn Center is located roughly nine miles from the downtown Minneapolis/St. Paul metropolitan statistical area (MSA) in Hennepin County and encompasses an area of roughly 8.5 square miles. The city is a mature community that attracts many first-time homebuyers and redevelopment, benefitting from its favorable location.

We believe strong management practices and conservative budget practices will continue to support balanced financial operations and very strong reserves and liquidity. Fiscal 2022 ended with an essentially breakeven general fund result. Although, like many municipalities, it faces rising personnel and related expenses, management indicates these remain aligned with recurring revenue. Officials expect to report a roughly breakeven result for fiscals 2023 and its 2024 budget is balanced with no use of general fund reserves.

In our view, capital needs and debt burden remain manageable despite debt plans given the rate of amortization. Officials plan \$15 million for additional neighborhood development purposes and for various capital projects in the near term.

The rating further reflects our view of the city's:

- Stable local economy with steady growth likely in the near term;
- Very strong liquidity and general fund reserves in accordance with its 52% fund balance policy;
- Very strong management and strong institutional framework score. While the city does not maintain a formal long-term financial plan, it prepares a thorough two-year budget for all departments, revenue, and funds, which is discussed with the council. The council receives monthly budget to actual reports and investment holdings reports. The city annually produces a 15-year formal long-term capital plan that includes funding sources. The city has its own investment, debt, and reserve policies. The city's official reserve policy is to maintain a general fund unassigned fund balance of 52% of the ensuing year's budgeted general fund expenditures to ensure sufficient cash-flow needs; and
- Manageable debt burden with manageable additional debt plans and pension and other postemployment benefits (OPEB) liabilities.

Environmental, social, and governance

We view Brooklyn Center's environmental, social, and governance (ESG) factors as neutral within our credit rating analysis.

Outlook

The stable outlook reflects our expectation that Brooklyn Center will maintain very strong budgetary flexibility and liquidity positions, with continued steady tax base growth. We do not anticipate changing the rating within the two-year outlook period, as we anticipate that the city will maintain balanced financial operations as officials adjust the budget to sustainably absorb rising expenditures within its recurring revenue.

Downside scenario

We could take negative rating action if the city's budgetary performance were to worsen, leading to significant deterioration in budgetary flexibility and liquidity.

Upside scenario

We could take positive rating action if Brooklyn Center's wealth and income levels improve, all other credit factors remaining equal.

Brooklyn Center, Minnesota--key credit metrics				
	Most recent	Historical information		
		2022	2021	2020
Strong economy				
Projected per capita EBI % of U.S.	71			
Market value per capita (\$)	103,307			

Brooklyn Center, Minnesota--key credit metrics (cont.)				
	Most recent	Historical information		
		2022	2021	2020
Population		32,482	32,211	31,935
County unemployment rate(%)		2.5		
Market value (\$000)	3,355,633	3,021,576	2,756,950	
Ten largest taxpayers % of taxable value	8.9			
Strong budgetary performance				
Operating fund result % of expenditures		(0.5)	(4.3)	7.5
Total governmental fund result % of expenditures		(6.7)	(1.3)	2.3
Very strong budgetary flexibility				
Available reserves % of operating expenditures		55.5	57.9	69.4
Total available reserves (\$000)		14,085	13,937	15,563
Very strong liquidity				
Total government cash % of governmental fund expenditures		137	144	161
Total government cash % of governmental fund debt service		1018	1288	1306
Very strong management				
Financial Management Assessment	Strong			
Adequate debt & long-term liabilities				
Debt service % of governmental fund expenditures		13.5	11.1	12.3
Net direct debt % of governmental fund revenue	103			
Overall net debt % of market value	4.0			
Direct debt 10-year amortization (%)	93			
Required pension contribution % of governmental fund expenditures		3.6		
OPEB actual contribution % of governmental fund expenditures		0.4		
Strong institutional framework				
EBI--Effective buying income. OPEB--Other postemployment benefits. Data points and ratios may reflect analytical adjustments.				

Related Research

Through The ESG Lens 3.0: The Intersection Of ESG Credit Factors And U.S. Public Finance Credit Factors, March 2, 2022

Ratings Detail (As Of May 2, 2024)		
Brooklyn Ctr GO		
Long Term Rating	AA/Stable	Affirmed
Brooklyn Ctr GO		
Long Term Rating	AA/Stable	Affirmed
Brooklyn Ctr GO		
Long Term Rating	AA/Stable	Affirmed

Summary: Brooklyn Center, Minnesota; Appropriations; General Obligation

Certain terms used in this report, particularly certain adjectives used to express our view on rating relevant factors, have specific meanings ascribed to them in our criteria, and should therefore be read in conjunction with such criteria. Please see Ratings Criteria at www.spglobal.com/ratings for further information. Complete ratings information is available to RatingsDirect subscribers at www.capitaliq.com. All ratings affected by this rating action can be found on S&P Global Ratings' public website at www.spglobal.com/ratings.

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Extract of Minutes of Meeting
of the City Council of the City of
Brooklyn Center, Hennepin County, Minnesota

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Brooklyn Center, Minnesota, was duly called and held in the City Hall in said City on Monday, the 13th day of May, 2024, commencing at 7:00 P.M.

The following members were present:

and the following were absent:

* * *

* * *

* * *

The Mayor announced that the next order of business was the consideration of the proposals which had been received for the purchase of the City's \$12,020,000 General Obligation Improvement and Utility Revenue Bonds, Series 2024A.

The City Manager presented a tabulation of the proposals that had been received in the manner specified in the Official Terms of Proposal for the Bonds. The proposals were as set forth in **EXHIBIT A** attached hereto.

After due consideration of the proposals, Councilmember _____ introduced the following resolution, and moved its adoption:

RESOLUTION _____

**RESOLUTION AWARDING THE SALE OF \$12,020,000
GENERAL OBLIGATION IMPROVEMENT AND
UTILITY REVENUE BONDS, SERIES 2024A
FIXING THEIR FORM AND SPECIFICATIONS;
DIRECTING THEIR EXECUTION AND DELIVERY;
AND PROVIDING FOR THEIR PAYMENT**

BE IT RESOLVED By the City Council of the City of Brooklyn Center, Hennepin County, Minnesota (the “City”) as follows:

Section 1. Background.

1.01. The City is authorized by Minnesota Statutes, Chapters 429 and Minnesota Statutes, Chapter 475, as amended (collectively, the “Improvement Act”) to provide financing for various public street improvements in the City (the “Assessable Improvements”).

1.02. The City is authorized by Minnesota Statutes, Section 444.075 and Minnesota Statutes, Chapter 475, as amended (collectively, the “Utility Act”), to finance all or a portion of the cost of certain utility improvements, including without limitation improvements to the water, sanitary sewer, and storm drainage systems of the City related to the Assessable Improvements (the “Utility Improvements”) by the issuance of general obligation bonds of the City payable from the net revenues of the water, sanitary sewer, and storm drainage utility systems of the City.

1.03. The City is authorized by Minnesota Statutes, Section 475.60, subdivision 2(9) to negotiate the sale of the Bonds if the City has retained an independent municipal advisor in connection with such sale. The City has retained Baker Tilly Municipal Advisors, LLC as an independent municipal advisor in connection with the sale of the Bonds. The actions of the City staff and the City’s municipal advisor in negotiating the sale of the Bonds are ratified and confirmed in all aspects.

Section 2. Sale of Bonds.

2.01. Authorization. It is hereby determined that it is necessary to provide financing for the Assessable Improvements and the Utility Improvements and to finance those improvements through the issuance of the City’s \$12,020,000 General Obligation Improvement and Utility Revenue Bonds, Series 2024A (the “Bonds”).

2.02. Acceptance of Offer. The proposal of _____, _____, _____ (the “Purchaser”) to purchase the Bonds of the City described in the Terms of Proposal thereof is hereby found and determined to be a reasonable offer and is hereby accepted, the proposal being to purchase the Bonds at a price of \$_____ (\$12,020,000.00 par amount, plus a premium of \$_____, less an underwriter’s discount of \$_____), for Bonds bearing interest as follows:

<u>Year of Maturity</u>	<u>Interest Rate</u>	<u>Year of Maturity</u>	<u>Interest Rate</u>
2026	____%	2031	____%
2027	____	2032	____
2028	____	2033	____
2029	____	2034	____
2030	____	2035	____

2.03. Purchase Contract. Any amount paid by the Purchaser over the minimum purchase price shall be credited to the Debt Service Fund hereinafter created, or deposited in the accounts in the Construction Fund hereinafter created, as determined by the City Finance Director after consultation with the City’s municipal advisor. The City Finance Director is directed to retain the good faith deposit of the Purchaser, pending completion of the sale of the Bonds. The Mayor and City Manager are authorized to execute a contract with the Purchaser on behalf of the City, if requested by the Purchaser.

2.04. Terms and Principal Amount of Bonds. The City will forthwith issue and sell the Bonds pursuant to the Improvement Act and the Utility Act (collectively, the “Act”), in the total principal amount of \$12,020,000, originally dated the date of delivery, in fully registered form, in denominations of \$5,000 each or any integral multiple thereof, numbered No. R-1 and upward, bearing interest as above set forth, and maturing serially on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2026	\$1,090,000	2031	\$1,210,000
2027	\$1,105,000	2032	\$1,235,000
2028	\$1,130,000	2033	\$1,270,000
2029	\$1,160,000	2034	\$1,300,000
2030	\$1,185,000	2035	\$1,335,000

\$5,865,000 of the Bonds (the “Assessable Improvement Bonds”) maturing in the amounts and on the dates set forth below are being issued to finance the cost of the Assessable Improvements:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2026	\$555,000.00	2031	\$590,000.00
2027	550,000.00	2032	600,000.00
2028	560,000.00	2033	610,000.00
2029	570,000.00	2034	620,000.00
2030	575,000.00	2035	635,000.00

\$6,155,000 of the Bonds (the “Utility Improvement Bonds”) maturing in the amounts and on the dates set forth below are being issued to finance the cost of the Utility Improvements:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2026	\$100,000.00	2031	\$115,000.00
2027	105,000.00	2032	120,000.00
2028	105,000.00	2033	125,000.00
2029	110,000.00	2034	125,000.00
2030	115,000.00	2035	130,000.00

As may be requested by the Purchaser, one or more term Bonds (the “Term Bonds”) may be issued having mandatory sinking fund redemption and final maturity amounts conforming to the foregoing principal repayment schedule, and corresponding additions may be made to the provisions of the applicable Bond(s).

2.05. Optional Redemption. The City may elect on February 1, 2033, and on any day thereafter to prepay Bonds maturing on or after February 1, 2034. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify DTC (as defined in Section 7 hereof) of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant’s interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

Section 3. Registration and Payment.

3.01. Registered Form. The Bonds will be issued only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof is payable by check or draft issued by the Registrar described herein.

3.02. Dates; Interest Payment Dates. Each Bond will be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond will be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case the Bond will be dated as of the date of original issue. The interest on the Bonds is payable on February 1 and August 1 of each year, commencing February 1, 2025, to the registered owners thereof of record as of the close of business on the 15th day of the immediately preceding month, whether or not that day is a business day.

3.03. Registration. The City will appoint, and will maintain, a bond registrar, transfer agent, authenticating agent and paying agent (the “Registrar”). The effect of registration and the rights and duties of the City and the Registrar with respect thereto are as follows:

(a) Register. The Registrar will keep at its principal corporate trust office a bond register in which the Registrar provides for the registration of ownership of Bonds

and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of any Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar will authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the 15th day of the month preceding each interest payment date and until that interest payment date.

(c) Exchange of Bonds. Whenever any Bonds are surrendered by the registered owner for exchange the Registrar will authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner's attorney in writing.

(d) Cancellation. All Bonds surrendered upon any transfer or exchange will be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When a Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar will incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name a Bond is at any time registered, as of the applicable record date, in the bond register as the absolute owner of such Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond and for all other purposes, and payments so made to a registered owner or upon the owner's order will be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. The Registrar may impose a charge upon the owner thereof for a transfer or exchange of Bonds, sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. If a Bond becomes mutilated or is destroyed, stolen or lost, the Registrar will deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to the Registrar that the Bond was destroyed, stolen or lost, and of

the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to the Registrar and as provided by law, in which both the City and the Registrar must be named as obligees. Bonds so surrendered to the Registrar will be cancelled by the Registrar and evidence of such cancellation must be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it is not necessary to issue a new Bond prior to payment.

(i) Redemption. In the event any of the Bonds are called for redemption, written notice thereof identifying the Bonds to be redeemed will be given by the Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) at least 30 days prior to the redemption date to the registered owner of each Bond to be redeemed at the address shown on the registration books kept by the Registrar and by publishing the notice if required by law. Failure to give notice by publication or by mail to any registered owner, or any defect therein, will not affect the validity of the proceedings for the redemption of Bonds. Bonds so called for redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

3.04. Appointment of Initial Registrar. The City appoints Zions Bancorporation, National Association, Chicago, Illinois, as the initial Registrar. The Mayor and the City Manager are authorized to execute and deliver, on behalf of the City, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, the resulting corporation is authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the services performed. The City reserves the right to remove the Registrar upon 30 days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar must deliver all cash and Bonds in its possession to the successor Registrar and must deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of this Council, the City Finance Director must transmit to the Registrar moneys sufficient for the payment of all principal and interest then due.

3.05. Execution, Authentication and Delivery. The Bonds will be prepared under the direction of the City Finance Director and executed on behalf of the City by the signatures of the Mayor and the City Manager, provided that all signatures may be printed, engraved or lithographed facsimiles of the originals. If an officer whose signature or a facsimile of whose signature appears on the Bonds ceases to be such officer before the delivery of any Bond, that signature or facsimile will nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery. Notwithstanding such execution, a Bond will not be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on a Bond is conclusive evidence that it has been authenticated and delivered under this Resolution. When the Bonds have been so prepared, executed and authenticated, the City Finance Director will deliver the same to the Purchaser thereof upon payment of the purchase price in accordance with the

contract of sale heretofore made and executed, and the Purchaser is not obligated to see to the application of the purchase price.

3.06. Form of Bonds. The Bonds will be printed or typewritten in substantially the form set forth in **Exhibit B** attached hereto.

3.07. Approving Legal Opinion. The City Finance Director is authorized and directed to obtain a copy of the proposed approving legal opinion of Kennedy & Graven, Chartered, Minneapolis, Minnesota, which will be complete except as to dating thereof and will cause the opinion to be printed on or accompany each Bond.

Section 4. Payment; Security; Pledges; and Covenants.

4.01. Debt Service Fund and Accounts Maintained Therein. For the convenience and proper administration of the moneys to be borrowed and repaid on the Bonds, and to provide adequate and specific security for the Purchaser and holders from time to time of the Bonds, there is hereby created a special fund to be designated the “General Obligation Improvement and Utility Revenue Bonds, Series 2024A Debt Service Fund” (the “Debt Service Fund”). The Debt Service Fund shall be administered and maintained by the Finance Director as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The Debt Service Fund will be maintained in the manner herein specified until all of the Bonds and the interest thereon have been fully paid. The City will maintain the following accounts in the Debt Service Fund: the “Assessable Improvements Account” and the “Utility Improvements Account.” Amounts in the Assessable Improvements Account are irrevocably pledged to the Assessable Improvement Bonds and amounts in the Utility Improvements Account are irrevocably pledged to the Utility Improvement Bonds.

(a) Assessable Improvements Account. To the Assessable Improvements Account in the Debt Service Fund there is hereby pledged and irrevocably appropriated and there will be credited: (i) proceeds of the ad valorem taxes levied under Section 4.03(a) or hereafter levied (the “Taxes”) and, subject to Section 4.02(a) special assessments levied or to be levied against the property specially benefited by the Assessable Improvements (the “Assessments”), which ad valorem taxes and Assessments are pledged to the Assessable Improvements Account; (ii) capitalized interest financed from the proceeds of the Assessable Improvement Bonds, if any; (iii) a pro rata portion of the amount over the minimum purchase price paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 2.03 hereof; (iv) all investment earnings on amounts in the Assessable Improvements Account of the Debt Service Fund; and (v) any other funds appropriated for the payment of principal or interest on the Assessable Improvement Bonds. The Finance Director must report to the City Council any current or anticipated deficiency in the Assessable Improvements Account in the amount necessary to pay principal of and interest on all of the Assessable Improvement Bonds when due. If a payment of principal or interest on the Assessable Improvement Bonds becomes due when there is not sufficient money in the Assessable Improvements Account in the Debt Service Fund to pay the same, the City Finance Director is directed to pay such principal or interest from the general fund of the City, and the

general fund will be reimbursed for the advances out of the proceeds of Taxes and Assessments when collected.

(b) Utility Improvements Account. The City will continue to maintain and operate its water, sanitary sewer, and storm drainage utility fund or funds, to which will be credited all gross revenues of the water, sanitary sewer, and storm drainage utility systems (collectively, the “Utility Systems”), and out of which will be paid all normal and reasonable expenses of current operations of such Utility Systems. Any balances therein are deemed net revenues (the “Net Revenues”) and will be transferred, from time to time, to the Utility Improvements Account of the Debt Service Fund in an amount sufficient to pay the principal of and interest on the Utility Improvement Bonds, which Utility Improvements Account will be used only to pay principal of and interest on the Utility Improvement Bonds, and any other bonds similarly authorized. There is also appropriated to the Utility Improvements Account (i) any collections of taxes hereafter levied for the payment of the Utility Improvement Bonds and interest thereon, (ii) a pro rata portion of any amount over the minimum purchase price paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 2.03 hereof, (iii) all investment earnings on funds in the Utility Improvements Account of the Debt Service Fund; and (iv) any and all other moneys which are properly available and are appropriated by the City Council to the Utility Improvements Account of the Debt Service Fund or in the availability of Net Revenues to pay principal of and interest, when due, on the Utility Improvement Bonds and any other bonds similarly authorized. The Finance Director must report to the City Council any current or anticipated deficiency in the Utility Improvements Account in the amount necessary to pay principal of and interest on all of the Utility Improvement Bonds when due. If a payment of principal or interest on the Utility Improvement Bonds becomes due when there is not sufficient money in the Utility Improvements Account in the Debt Service Fund to pay the same, the City Finance Director is directed to pay such principal or interest from the general fund of the City, and the general fund will be reimbursed for the advances out of the proceeds of Net Revenues and taxes when collected.

4.02. Construction Fund. The City hereby creates the “General Obligation Improvement and Utility Revenue Bonds, Series 2024A Construction Fund” (the “Construction Fund”) to be administered and maintained by the Finance Director as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The City will maintain the following accounts in the Construction Fund: the “Assessable Improvements Account” and the “Utility Improvements Account.” Amounts in the Assessable Improvements Account will be used to construct the Assessable Improvements and amounts in the Utility Improvements Account will be used to construct the Utility Improvements.

(a) Assessable Improvements Account. Proceeds of the Assessable Improvement Bonds, less the appropriations made in Section 4.01(a) hereof, together with any other funds appropriated for the Assessable Improvements and the Assessments and Taxes collected during the construction of the Assessable Improvements, will be deposited in the Assessable Improvements Account of the Construction Fund to be used solely to defray expenses of the Assessable Improvements and the payment of principal of and interest on the Assessable Improvement Bonds prior to the completion and payment of all costs of the

Assessable Improvements. Any balance remaining in the Assessable Improvements Account after the Assessable Improvements are completed and the cost thereof have been paid may be used to pay the cost in whole or in part of any other improvement instituted under the Improvement Act under the direction of the City Council or may be used as provided in Minnesota Statutes, section 475.65, under the direction of the City Council. Thereafter, the Assessable Improvements Account of the Construction Fund is to be closed and any balance remaining therein and any subsequent collections of the Assessments and Taxes for the Assessable Improvements are to be deposited in the Assessable Improvements Account of the Debt Service Fund.

(b) Utility Improvements Account. Proceeds of the Utility Improvements Bonds, less the appropriations made in Section 4.01(b) hereof, will be deposited in the Utility Improvements Account of the Construction Fund to be used solely to defray expenses of the Utility Improvements. Any balance remaining in the Utility Improvements Account after the Utility Improvements are completed and the cost thereof have been paid may be used as provided in Minnesota Statutes, section 475.65, under the direction of the City Council. Thereafter, the Utility Improvements Account of the Construction Fund is to be closed and any balance remaining therein is to be deposited in the Utility Improvements Account of the Debt Service Fund.

4.03. Tax Levy for Assessable Improvement Bonds. For the purpose of paying the principal of and interest on the Assessable Improvement Bonds, there is hereby levied a direct annual irrepealable ad valorem property tax upon all of the taxable property in the City, which Taxes will be spread upon the tax rolls and collected with and as part of other general taxes of the City. Such Taxes will be credited to the Assessable Improvements Account of the Debt Service Fund above provided and will be in the years and amounts as set forth in **Exhibit C**.

The tax levy herein provided will be irrepealable until all of the Assessable Improvement Bonds are paid, provided that the City Finance Director may annually, at the time the City makes its tax levies, certify to the County Auditor/Treasurer of Hennepin County the amount available in the Assessable Improvements Account of the Debt Service Fund to pay principal and interest due during the ensuing year on the Assessable Improvement Bonds, and the County Auditor/Treasurer will thereupon reduce the levy collectible during such year by the amount so certified.

4.04. City Covenants with Respect to the Assessable Improvement Bonds. It is hereby determined that the Assessable Improvements will directly and indirectly benefit certain abutting and other benefited property in the City, and the City hereby covenants with the holders from time to time of the Assessable Improvement Bonds as follows:

(a) The City has caused or will cause the Assessments for the Assessable Improvements to be promptly levied so that the first installment will be collectible not later than 2024 and will take all steps necessary to assure prompt collection, and the levy of the Assessments is hereby authorized. The City Council will cause to be taken with due diligence all further actions that are required for the construction of each Improvement financed wholly or partly from the proceeds of the Assessable Improvement Bonds, and will take all further

actions necessary for the final and valid levy of the Assessments and the appropriation of any other funds needed to pay the Assessable Improvement Bonds and interest thereon when due.

(b) In the event of any current or anticipated deficiency in the Assessments and Taxes, the City Council will levy additional ad valorem taxes in the amount of the current or anticipated deficiency.

(c) The City will keep complete and accurate books and records showing: receipts and disbursements in connection with the Assessable Improvements, Assessments and Taxes levied therefor and other funds appropriated for their payment, collections thereof and disbursements therefrom, monies on hand and, the balance of unpaid Assessments.

(d) The City will cause its books and records to be audited at least annually and will furnish copies of such audit reports to any interested person upon request.

(e) At least 20% of the cost to the City of the Assessable Improvements described herein has been or will be specially assessed against benefited properties.

4.05. City Covenants with Respect to the Utility Improvement Bonds. The City Council covenants and agrees with the holders of the Bonds that so long as any of the Utility Improvement Bonds remain outstanding and unpaid, the City will keep and enforce the following covenants and agreements:

(a) The City will continue to maintain and efficiently operate the Utility Systems as public utilities and conveniences free from competition of other like municipal utilities and will cause all revenues therefrom to be deposited in bank accounts and credited to the accounts of the Utility Systems as hereinabove provided, and will make no expenditures from those accounts except for a duly authorized purpose and in accordance with this resolution.

(b) The City will also maintain the Utility Improvements Account of the Debt Service Fund as a separate account in the accounts for the Utility Systems and will cause money to be credited thereto from time to time, out of Net Revenues from the Utility Systems in sums sufficient to pay principal of and interest on the Utility Improvement Bonds when due.

(c) The City will keep and maintain proper and adequate books of records and accounts separate from all other records of the City in which will be complete and correct entries as to all transactions relating to the Utility Systems and which will be open to inspection and copying by any bondholder, or the bondholder's agent or attorney, at any reasonable time, and it will furnish certified transcripts therefrom upon request and upon payment of a reasonable fee therefor, and said account will be audited at least annually by a qualified public accountant and statements of such audit and report will be furnished to all bondholders upon request.

(d) The City Council will cause persons handling revenues of the Utility Systems to be bonded in reasonable amounts for the protection of the City and the

bondholders and will cause the funds collected on account of the operations of the Utility Systems to be deposited in a bank whose deposits are guaranteed under the Federal Deposit Insurance Law.

(e) The City Council will keep the Utility Systems insured at all times against loss by fire, tornado and other risks customarily insured against with an insurer or insurers in good standing, in such amounts as are customary for like plants, to protect the holders, from time to time, of the Utility Improvement Bonds and the City from any loss due to any such casualty and will apply the proceeds of such insurance to make good any such loss.

(f) The City and each and all of its officers will punctually perform all duties with reference to the Utility Systems as required by law.

(g) The City will impose and collect charges of the nature authorized by Minnesota Statutes, Section 444.075 at the times and in the amounts required to produce Net Revenues adequate to pay all principal and interest when due on the Utility Improvement Bonds and to create and maintain such reserves securing said payments as may be provided in this resolution.

(h) The City Council will levy general ad valorem taxes on all taxable property in the City, when required to meet any deficiency in pledged Net Revenues.

(i) The City hereby determines that the estimated collection of Net Revenues herein pledged for the payment of principal and interest on the Utility Improvement Bonds will produce at least 5% in excess of the amount needed to meet, when due, the principal and interest payments on the Utility Improvement Bonds.

4.06 Registration of Resolution. The City Clerk is directed to file a certified copy of this resolution with the Auditor/Treasurer of Hennepin County and to obtain the certificate required by Minnesota Statutes, Section 475.63.

4.07. Debt Service Coverage. It is hereby determined that the estimated collection of the foregoing Taxes levied under Section 4.03 and the Assessments herein pledged will produce at least 5% in excess of the amount needed to pay when due, the principal and interest payments on the Assessable Improvement Bonds and the Net Revenues herein pledged will produce at least 5% in excess of the amount needed to pay when due the principal and interest payments on the Utility Improvement Bonds.

4.08. General Obligation Pledge. For the prompt and full payment of the principal of and interest on the Bonds, as the same respectively become due, the full faith, credit and taxing powers of the City will be and are hereby irrevocably pledged. If the balance in the Debt Service Fund is ever insufficient to pay all principal and interest then due on the Bonds and any other bonds payable therefrom, the deficiency will be promptly paid out of monies in the general fund of the City which are available for such purpose, and such general fund may be reimbursed with or without interest from the Debt Service Fund when a sufficient balance is available therein.

Section 5. Authentication of Transcript.

5.01. City Proceedings and Records. The officers of the City are authorized and directed to prepare and furnish to the Purchaser and to the attorneys approving the Bonds, certified copies of proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds and such instruments, including any heretofore furnished, may be deemed representations of the City as to the facts and representations stated therein as it relates to the City.

5.02. Certification as to Official Statement. The Mayor, City Manager and Finance Director, or any of them, are hereby authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is, as of the date thereof, a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement as it relates to the City.

5.03. Other Certificates. The Mayor, City Manager, and Finance Director, or any of them, are hereby authorized and directed to furnish to the Purchaser at the closing such certificates as are required as a condition of sale. Unless litigation shall have been commenced and be pending questioning the Bonds or the organization of the City or incumbency of its officers, at the closing the Mayor, City Manager, and Finance Director, or any of them, shall also execute and deliver to the Purchaser a suitable certificate as to absence of material litigation, and the Finance Director shall also execute and deliver a certificate as to payment for and delivery of the Bonds.

5.04 Electronic Signatures. The electronic signature of the Mayor, the City Manager, and the Finance Director, or any of them, to this resolution and to any certificate authorized to be executed hereunder shall be as valid as an original signature of such party and shall be effective to bind the City thereto. For purposes hereof, (i) "electronic signature" means (a) a manually signed original signature that is then transmitted by electronic means or (b) a signature obtained through DocuSign or Adobe or a similarly digitally auditable signature gathering process; and (ii) "transmitted by electronic means" means sent in the form of a facsimile or sent via the internet as a portable document format ("pdf") or other replicating image attached to an electronic mail or internet message.

Section 6. Tax Covenants.

6.01 Tax-Exempt Bonds. The City covenants and agrees with the holders from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees, or agents any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (the "Code"), and the Treasury Regulations promulgated thereunder, in effect at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary to ensure that such interest will not become subject to taxation under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bonds. To that end, the City will comply with all requirements necessary under the Code to

establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments and limitations on amounts invested at a yield greater than the yield on the Bonds.

6.02. Rebate. The City will comply with requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments, limitations on amounts invested at a yield greater than the yield on the Bonds, and the rebate of excess investment earnings to the United States (unless the City qualifies for any exception to the rebate requirements based on timely expenditure of proceeds of the Bonds, in accordance with the Code and applicable Treasury Regulations).

6.03. Not Private Activity Bonds. The City further covenants not to use the proceeds of the Bonds, or the Assessable Improvements and the Utility Improvements financed by the Bonds, or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be “private activity bonds” within the meaning of Sections 103 and 141 through 150 of the Code.

6.04. No Designation of Qualified Tax-Exempt Obligations. The Bonds have not been designated as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code.

6.05. Procedural Requirements. The City will use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designations made by this section.

Section 7. Book-Entry System; Limited Obligation of City.

7.01. DTC. The Bonds will be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth in Section 2.04 hereof. Upon initial issuance, the ownership of each Bond will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, and its successors and assigns (DTC). Except as provided in this section, all of the outstanding Bonds will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC.

7.02. Participants. With respect to Bonds registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, the City, the Registrar and the Paying Agent will have no responsibility or obligation to any broker dealers, banks and other financial institutions from time to time for which DTC holds Bonds as securities depository (the “Participants”) or to any other person on behalf of which a Participant holds an interest in the Bonds, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any Participant or any other person (other than a registered owner of Bonds, as shown by the registration books kept by the Registrar,) of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The City, the Registrar and the Paying Agent may treat

and consider the person in whose name each Bond is registered in the registration books kept by the Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes. The Paying Agent will pay all principal of, premium, if any, and interest on the Bonds only to or on the order of the respective registered owners, as shown in the registration books kept by the Registrar, and all such payments will be valid and effectual to fully satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, or interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, as shown in the registration books kept by the Registrar, will receive a certificated Bond evidencing the obligation of this resolution. Upon delivery by DTC to the City Manager of a written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words "Cede & Co.," will refer to such new nominee of DTC; and upon receipt of such a notice, the City Manager will promptly deliver a copy of the same to the Registrar and Paying Agent.

7.03. Representation Letter. The City has heretofore executed and delivered to DTC a Blanket Issuer Letter of Representations (the "Representation Letter") which will govern payment of principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds. Any Paying Agent or Registrar subsequently appointed by the City with respect to the Bonds will agree to take all action necessary for all representations of the City in the Representation Letter with respect to the Registrar and Paying Agent, respectively, to be complied with at all times.

7.04. Transfers Outside Book-Entry System. In the event the City, by resolution of the City Council, determines that it is in the best interests of the persons having beneficial interests in the Bonds that they be able to obtain Bond certificates, the City will notify DTC, whereupon DTC will notify the Participants, of the availability through DTC of Bond certificates. In such event the City will issue, transfer and exchange Bond certificates as requested by DTC and any other registered owners in accordance with the provisions of this Resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the City will issue and the Registrar will authenticate Bond certificates in accordance with this resolution and the provisions hereof will apply to the transfer, exchange and method of payment thereof.

7.05. Payments to Cede & Co. Notwithstanding any other provision of this Resolution to the contrary, so long as a Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bond and all notices with respect to the Bond will be made and given, respectively in the manner provided in DTC's Operational Arrangements, as set forth in the Representation Letter.

Section 8. Continuing Disclosure.

8.01. City Compliance with Provisions of Continuing Disclosure Certificate. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this Resolution, failure of the City to comply with the Continuing Disclosure Certificate is not an event of default with

respect to the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this section.

8.02. Execution of Continuing Disclosure Certificate. “Continuing Disclosure Certificate” means that certain Continuing Disclosure Certificate executed by the Mayor and City Manager and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

Section 9. Defeasance. When all Bonds (or all of either the Assessable Improvement Bonds or Utility Improvement Bonds portion thereof) and all accrued interest thereon have been discharged as provided in this section, all pledges, covenants and other rights granted by this resolution (with respect to the Assessable Improvement Bonds or Utility Improvement Bonds portion of the Bonds, as the case may be) to holders of the Bonds will cease, except that the pledge of the full faith and credit of the City for the prompt and full payment of the principal of and interest on the Bonds will remain in full force and effect. The City may discharge all Bonds (or all of either the Assessable Improvement Bonds or Utility Improvement Bonds portion thereof) which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full or by depositing irrevocably in escrow, with a suitable institution qualified by law as an escrow agent for this purpose, cash or securities which are backed by the full faith and credit of the United States of America, or any other security authorized under Minnesota law for such purpose, bearing interest payable at such times and at such rates and maturing on such dates and in such amounts as shall be required and sufficient, subject to sale and/or reinvestment in like securities, to pay said obligation(s), which may include any interest payment on such Bond and/or principal amount due thereon at a stated maturity (or if irrevocable provision shall have been made for permitted prior redemption of such principal amount, at such earlier redemption date). If any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

May 13, 2024

Date

April Graves, Mayor

ATTEST: _____
City Clerk

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

_____ and, after full discussion thereof and upon a 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.

EXHIBIT A
PROPOSALS

**EXHIBIT B
FORM OF BOND**

No. R-_____ UNITED STATES OF AMERICA \$_____
STATE OF MINNESOTA
COUNTY OF HENNEPIN
CITY OF BROOKLYN CENTER

GENERAL OBLIGATION IMPROVEMENT AND UTILITY REVENUE
BOND, SERIES 2024A

Rate	Maturity Date	Date of Original Issue	CUSIP
%	February 1, 20____	June 13, 2024	

Registered Owner: Cede & Co.

The City of Brooklyn Center, Minnesota, a duly organized and existing municipal corporation in Hennepin County, Minnesota (the “City”), acknowledges itself to be indebted and for value received hereby promises to pay to the Registered Owner specified above or registered assigns, the principal sum set forth above on the Maturity Date specified above, unless called for earlier redemption, with interest thereon from the date hereof at the annual Rate specified above (calculated on the basis of a 360-day year of twelve 30-day months), payable February 1 and August 1 in each year, commencing February 1, 2025, to the person in whose name this Bond is registered at the close of business on the 15th day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by Zions Bancorporation, National Association, Chicago, Illinois, as Registrar, Paying Agent, Transfer Agent and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the City have been and are hereby irrevocably pledged.

This Bond is one of an issue in the aggregate principal amount of \$12,020,000, all of like original issue date and tenor, except as to number, denomination, maturity date, redemption privilege, and interest rate, all issued pursuant to a resolution adopted by the City Council on May 13, 2024 (the “Resolution”), for the purpose of providing monies in part for various street improvements and improvements to the City’s water, sanitary sewer, and storm drainage utility systems and pursuant to and in full conformity with its home rule charter, the Constitution, and the laws of the State of Minnesota, including Minnesota Statutes, Chapters 429, 444 and 475. The principal hereof and interest hereon are payable from certain special assessments against property specially benefited by local improvements, net revenues of the water, sanitary sewer, and storm drainage utility systems and from ad valorem taxes, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the

City are irrevocably pledged for payment of this Bond and the City Council has obligated itself to levy additional ad valorem taxes on all taxable property in the City in the event of any deficiency in special assessments, net revenues and ad valorem taxes pledged, which additional taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in denominations of \$5,000 or any integral multiple thereof of single maturities.

The City may elect on February 1, 2033, and on any date thereafter to prepay Bonds maturing on or after February 1, 2034. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify the Depository Trust Company (“DTC”) of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant’s interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

The City has not designated the Bonds as “qualified tax-exempt obligations” pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED AND RECITED that in and by the Resolution, the City has covenanted and agreed that it will continue to own and operate the water, sanitary sewer, and storm drainage systems free from competition by other like municipal utilities; that adequate insurance on said systems and suitable fidelity bonds on employees will be carried; that proper and adequate books of account will be kept showing all receipts and disbursements relating to the Utility Systems fund, into which it will pay all of the gross revenues from the water, sanitary sewer, and storm drainage systems; that it will also create and maintain a Utility Improvements Account within the General Obligation Improvement and Utility Bonds, Series 2024A Debt Service Fund, into which it will pay, out of the net revenues from the water, sanitary sewer, and storm drainage systems, a sum sufficient to pay principal of and interest on the Utility Improvement Bonds when due; and that it will provide, by ad valorem tax levies, for any deficiency in required net revenues of the water, sanitary sewer, and storm drainage systems.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Registrar, by the registered owner hereof in person or by the owner’s attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the owner’s attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the City will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Registrar will be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the City in accordance with its terms, have been done, do exist, have happened and have been performed in regular and due form, time and manner, that prior to the issuance of this bond the City Council of the City has provided funds for the payment of principal and interest on the bonds of this issue as the same become due, but the full faith and credit of the City is pledged for their payment and additional taxes will be levied, if required for such purpose, without limitation as to the rate of amount; and that this bond, together with all other indebtedness of the City outstanding on the date of its issuance, does not exceed any constitutional or statutory limitation of indebtedness.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of Brooklyn Center, Hennepin County, Minnesota, by its City Council, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Mayor and City Manager and has caused this Bond to be dated as of the date set forth below.

Dated: June 13, 2024

CITY OF BROOKLYN CENTER, MINNESOTA

City Manager

Mayor

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

**ZIONS BANCORPORATION,
NATIONAL ASSOCIATION**

By _____
Its Authorized Representative

ABBREVIATIONS

The following abbreviations, when used in the inscription on the face of this Bond, will be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants
in common

TEN ENT -- as tenants
by entireties

JT TEN -- as joint tenants
with right of
survivorship and
not as tenants in
common

UNIF GIFT MIN ACT
____ Custodian ____
(Cust) (Minor)
under Uniform Gift or Transfer to
Minors Act
of.....
(State)

Additional abbreviations may also be used though not in the above list.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by a financial institution that is a member of the Securities Transfer Agent Medallion Program (“STAMP”), the Stock Exchange Medallion Program (“SEMP”), the New York Stock Exchange, Inc. Medallion Signatures Program (“MSP”) or other such “signature guarantee program” as may be determined by the Registrar in addition to, or in substitution for, STAMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address: _____

(Include information for all joint owners
if this Bond is held by joint account)

Please insert social security or
other identifying number of assignee

PROVISIONS AS TO REGISTRATION

The ownership of the principal of and interest on the within Bond has been registered on the books of the Registrar in the name of the person last noted below.

<u>Date of Registration</u>	<u>Registered Owner</u>	<u>Signature of Registrar</u>
June 13, 2024	Cede & Co. Federal ID #13-2555119	_____

EXHIBIT C

ASSESSABLE IMPROVEMENT BONDS TAX LEVY

STATE OF MINNESOTA
COUNTY OF HENNEPIN

CERTIFICATE OF COUNTY
AUDITOR/TREASURER AS TO
TAX LEVY AND REGISTRATION

I, the undersigned Auditor/Treasurer of Hennepin County, Minnesota, hereby certify that a certified copy of a resolution adopted by the governing body of the City of Brooklyn Center, Minnesota, on May 13, 2024, levying taxes for the payment of \$12,020,000 General Obligation Improvement and Utility Revenue Bonds, Series 2024A, of said municipality, dated June 13 , 2024 has been filed in my office and said bonds have been registered on the register of obligations in my office and that such tax has been levied as required by law.

WITNESS My hand and official seal this _____ day of _____, 2024.

(SEAL)

Auditor/Treasurer
Hennepin County, Minnesota

Deputy County Auditor

Council/EDA Work

Session

City Hall Council Chambers

May 13, 2024

AGENDA



ACTIVE DISCUSSION ITEMS

1. Discuss amendments to Chapter 12 and Chapter 19 (Fences, Commercial Vehicles, Firewood, Mailboxes, and Commercial Addressing))
- Requesting feedback from the City Council regarding propose changes to Chapter 12 and Chapter 19 of the City Code
2. Project Update and Consideration for Potential Rezoning of 1297 Shingle Creek Crossing (Former Sears)
- Consider whether the property located at 1297 Shingle Creek Crossing and commonly known as the former Sears site should be re-zoned from Planned Unit Development/Business Mixed-Use (PUD/MX-B) to Transit-Oriented Development (TOD) District

PENDING LIST FOR FUTURE WORK SESSIONS

1. Upcoming Items
 - Memorial Policy
 - Special Assessment Policy/Franchise Fees (*referred to Financial Commission*)
 - Emerald Ash Borer Policy Review (*referred to Park & Rec Commission November*)
 - Opioid Settlement - 6/24
 - ARPA Funds - 6 /10
 - Grants: Revenues & Expenses
 - Purchasing Policy
 - Revisit Resolution 2021-73
 - Planning Application Process

Council/EDA Work Session

DATE: 5/13/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Jesse Anderson, Community Development Director

BY: Xiong Thao, Housing and Community Standards Manager

SUBJECT: Discuss amendments to Chapter 12 and Chapter 19 (Fences, Commercial Vehicles, Firewood, Mailboxes, and Commercial Addressing))

Requested Council Action:

- Requesting feedback from the City Council regarding propose changes to Chapter 12 and Chapter 19 of the City Code

Background:

Commercial Vehicle

Commercial vehicle storage in a residential district is enforced in both Chapter 19 Public Nuisance and Petty Offenses and Chapter 35 Unified Development. Since the adoption of the Unified Development code in 2023, the definition of a commercial vehicles do not match. The purpose of bringing this forward is to ensure that both definitions would be identical and allow for smaller commercial vehicles to be stored in a residential district.

Currently, Chapter 19-103.12 identities a commercial vehicle as a vehicle that is" ... a length greater than 21 feet, or a height greater than 8 feet, or a gross vehicle weight greater than 9,000 pounds..."

The newly adopted definition in chapter 35-5512.c only allows vehicles identified as class 1-4 by the Minnesota's Department of Transportation.

The proposed language would allow small box trucks, step vans, and cube vans to be parked/stored in an R1 and R2 district. The language would continue to prohibit the storage of construction equipment, farm vehicles, dump trucks, construction trailers, back hoes, front-end loaders, bobcats, well drilling equipment, farm trucks, combines, thrashers, tractors, tow trucks, and truck-tractors.

Below is the proposed language:

Commercial vehicles will be defined as a vehicle length greater than 22 feet, a height greater than 10 feet (measured from grade), or a gross vehicle weight more than 20,000 pounds.

Exception: Grease exhaust vents or ladder racks permanently installed on the top of the truck will not be included in the measurement of the commercial vehicle height. Any equipment/material stored on top of the vehicle will not be allowed.

Fence

In a previous discussion with City Council, it was asked that staff bring back an overview of the residential fence requirements for further discussion. This is a comparison of the city code pertaining to residential fence requirements before the adoption of the new zoning ordinance in 2023.

In the previous zoning ordinance, there were very few fence requirements in residential districts. Some of these requirements defaulted to the MN Building Codes and property maintenance standards. The fence requirements in a residential district were:

- Fence height is limited to 7ft tall (MN building code maximum).
- Fence in the front yard must be no taller than 4ft tall or allowed in the Clear View Triangle.
- Fence can be installed up to the property line. There is no setback requirement.
- Fence must be maintained and in good repair.

The current zoning code added a few more restrictions. Some of the additions to residential fence requirements are:

- A building permit is required with a site plan of the location of the fence. The permit fee is \$25.00
- Fence height is limited to 6ft tall.
- The finish side of the fence must face the adjacent property or public right of way.
- Fence must be constructed of wood, metal, bricks, masonry, or other similar material. No more than two (2) different materials can be used.
- Fence must be uniform in color with the exception of hardware or fasteners.

Firewood Storage

Inspection staff is encountering an increase in the desire to store firewood in R1 and R2 districts. The city does not have any language/regulation on firewood storage. The ordinance we have under Chapter 5 Fire Prevention restricts what can be burned but does not address the storage of firewood. The proposed language would give inspection staff clear direction on how to enforce firewood storage. The new ordinance would be inserted into Chapter 19 Public Nuisance and Petty Offenses.

Below is the proposed language:

Firewood storage must meet the following

1. Firewood must be stored 8" off the ground using a non-rotting base.
2. Firewood storage on the property solely for the use on the premise and not for resale.
3. Firewood must be cut/split and stored in a neat, secure stack.
4. Firewood shall not be stored taller than five (5) feet in height and no wider than four (4) feet wide and a length not to exceed eight (8) feet long.
5. Firewood must be stored in the rear yard, five (five) feet away from the rear and side property line. Firewood cannot be stored on the side yard of a property.

Mailbox Requirement

The city does not have an ordinance requiring rental licensed properties to have mailboxes. Federal and State regulations dictate the size, location, and type of mailbox but does not require properties to have a mailbox. Inspection staff has encounter multiple situations where the property owner is refusing to provide

a mailbox for the tenant and the post office holds the mail at the local post office which requires the tenant to go down and pick up their mail.

The proposal would be for the City to require that all rental properties are required to provide a mailbox that meets Federal and State requirements for their tenants. The ordinance would be inserted into Chapter 12 – Building Maintenance and Occupancy Ordinance.

Commercial Addressing

The city does not have an ordinance that specify a size for the addressing of a commercial or retail building. Residential buildings have requirements outlined in the Building Code and in the International Property Maintenance Code (IPMC). Staff has looked in the building code and the building code is silent on the matter. Due to the inability for staff to identify retail and commercial properties and a lack of uniformity, staff would like to propose that the City adopt an ordinance that specify the minimum size for addressing a commercial or retail building. Many of the commercial and industrial buildings already meet the proposed requirement, it would be more targeted towards the retail businesses that would be impacted by an ordinance change.

The propose changes would only impact retail and commercial properties and inserted into Chapter 12. The proposed language would be:

The owner or occupant of any retail or commercial building fronting upon any street shall place and maintain on the front of the building the property building number assigned by the City.

Building Type	Address Size Specifications
1 Story Commercial, retail, industrial	12 inches
2 Story Commercial, retail, industrial	18 inches
3+ Story Commercial, retail, industrial	24 inches

1. The numbers shall be conspicuously posted in a location on the front of the building so as to be readily identifiable for all purposes.
2. The numbers shall be placed in the upper corner of a building, if possible, so as to be clearly seen from the street or at or near the building entrance in such a suitable location that it can be clearly seen from the street.
3. The building number shall be clearly displayed, of a color in contrast with the color of the building to which it is attached and of a color contrast with any advertisement, in such a manner that the number may be easily and clearly seen and read during the hours of darkness as well as daylight.
4. On multi-tenant commercial structures, rear entry access doors must display with a minimum 4 inch letter and/or number, the tenant business name and unit number, address of the commercial space, and indicate access doors to mechanical, electrical, or sprinkler rooms.

Budget Issues:

There are no budget issues to consider at this time.

Antiracist/Equity Policy Effect:

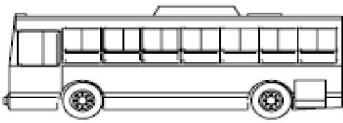
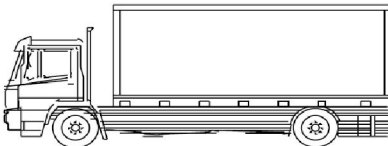
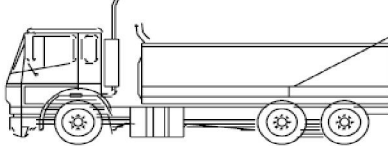
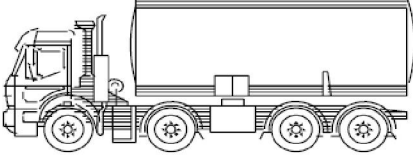
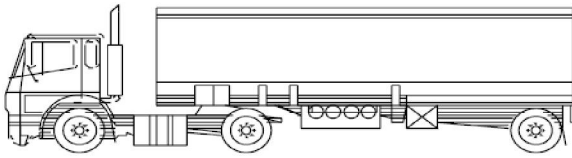
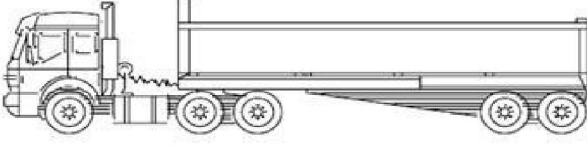
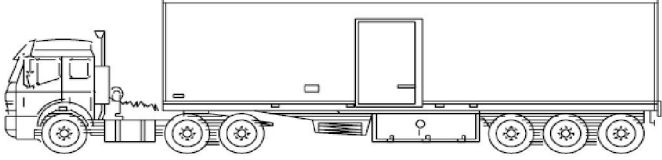
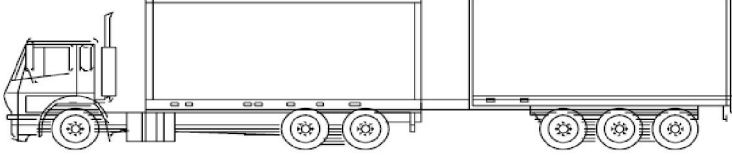
Strategic Priorities and Values:

Strengthen and diversify business development and housing

ATTACHMENTS:

Description	Upload Date	Type
MN DOT Vehicle Description	4/30/2024	Cover Memo

MnDOT VEHICLE CLASSIFICATION SCHEME

TYPE	PASSENGER VEHICLES	
1	Motorcycle	
2	Car	
3	Truck Van	
SINGLE UNITS		
4	Bus Truck with trailer	
5	2 Axle Single Unit	
6	3 Axle Single Unit	
7	4+ Axle Single Unit	
COMBO UNITS		
8	3 & 4 Axle Semi	
9	5 Axle Semi	
10	6+ Axle Semi	
11, 12, 13	Twin Trailer Semi	

Council/EDA Work Session

DATE: 5/13/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Jesse Anderson, Community Development Director

BY: Ginny McIntosh, Planning Manager

SUBJECT: Project Update and Consideration for Potential Rezoning of 1297 Shingle Creek Crossing (Former Sears)

Requested Council Action:

- Consider whether the property located at 1297 Shingle Creek Crossing and commonly known as the former Sears site should be re-zoned from Planned Unit Development/Business Mixed-Use (PUD/MX-B) to Transit-Oriented Development (TOD) District

Background:

Although the Sears Department Store and Sears Auto Center closed their doors in 2018, it was not until late 2020 that the Property Owner initiated a formal process to solicit offers from private parties to acquire or enter into a joint venture agreement on the approximately 15-acre Subject Property. It was during this time that a market analysis was conducted by the Property Owner in partnership with local brokers to determine a feasible re-use for the Subject Property, and a Request for Proposals (RFP) was circulated in late 2020. Ultimately, Scannell Properties, Inc. and their proposal of a speculative light industrial redevelopment on the Subject Property was selected and they entered into an option agreement with the Property Owner to forward the project.

City Council held a number of concept reviews in 2021 with Scannell Properties, Inc. and as part of those discussions requested a greater mix of uses, a site layout and design that would add value to the adjacent Shingle Creek Crossing shopping center, and an overall high finish level on the buildings, with four-sided architecture and focus on enhancing the Highway 100 frontage.

In April 2021, City Council authorized an application to the Metropolitan Council's Tax Base Revitalization Account (TBRA) for funding to assist with the environmental remediation of the Subject Property (e.g. asbestos, petroleum), and despite not receiving funding the first round, TBRA funding was eventually awarded to the City of Brooklyn Center in the amount of \$863,400 in January 2023. An application to the Hennepin County Environmental Response Fund (ERF) was also awarded in the amount of \$163,000 for assistance in preparing a Phase I Environmental Site Assessment (ESA), a Phase II ESA, a Response Action Plan (RAP), and associated consulting and Minnesota Pollution Control Agency fees.

In August 2022, City Council approved Planning Commission Application No. 2022-004 (City Council Resolution No. 2022-76), which was an application request submitted by developer Scannell Properties, Inc. on behalf of Property Owner Transformco for a re-plat, re-zoning, and establishment of a Planned Unit Development, and recommended approval of a Comprehensive Plan Amendment for a speculative, approximately 230,000-square foot light industrial/business park complex at 1297 Shingle Creek Crossing.

Later that month, City Council approved an ordinance amendment to formally re-zone the Subject Property, as PUDs required a formal rezoning under the City's preceding zoning code. The new Unified Development Ordinance and zoning provisions, effective as of January 2023, now consider PUDs as Conditional Use Permits (CUPs). A resolution approving a Planned Unit Development Agreement was also approved by City Council.

In those following months, City staff worked between Scannell Properties, Inc. and neighboring property owner Gatlin Development Company to sort through certain easement parking that was required on the Shingle Creek Crossing property to make the minimum parking for the Subject Property and light industrial development work.

In December 2022, City staff was contacted by Applicant Scannell Properties, Inc. with a request for consideration of tax increment financing (TIF) as the Applicant relayed that construction costs and interest rate increases had made the project financially infeasible. This was despite over \$1 million in grant funding being committed to forwarding the Subject Property's redevelopment.

Following another lull in communication with Scannell Properties, Inc. a City Council work session was held in July 2023 on the request for TIF and the Applicant's initial request for up to \$4 million in a pay-as-you-go (PAYGO) TIF which assumed a 26-year Redevelopment TIF District. It was in those discussions that City municipal financial consultant, Ehlers, indicated that the project was likely to only generate \$3 million in present value assuming a 26-year District and that following a review of the Applicant's proforma, the project would likely be feasible at \$2 to \$2.3 million in total assistance and a 12 to 15-year District. It was later determined after the Council meeting and after new assumptions were provided that any District would likely be less than 10 years.

During the same Council meeting, City staff formally requested and received approval to ratify the plat approved by City Council in August 2022. This request was made as Section 35-8107 (*Final Plat*) stipulates that, "if the final plat is approved by the City Council, the subdivider shall record it with the Hennepin County Recorder or Registrar of Titles within 1 year after the date of approval; **otherwise, the approval of the combined preliminary and final plat shall be considered void.**"

- Since July 2023, City staff has had minimal contact with Scannell Properties, Inc. and they never moved forward with the TIF request. Despite a Planned Unit Development Agreement being approved by City Council, the Applicant never executed the agreement. Given the lack of communication and discussions on potentially requesting a major amendment to the approved site and building plan for the Subject Property and lot line adjustments with the neighboring Property Owner, City staff did not formally proceed with the request to re-guide the Subject Property under the 2040 Comprehensive Plan, so the Subject Property, as of today, is still future guided as "Transit Oriented Development."

Updates

In March 2024, City staff was contacted by another developer who indicated interest in taking over the project and informed staff that Scannell Properties, Inc. no longer held the option agreement with Property Owner Transformco on the Subject Property. City received no communication from Scannell Properties; however, the Property Owner and their broker, Jones Lang Lasalle (JLL) confirmed the situation and that they were looking to re-list the property and were hoping for a quick sale.

City staff has since received interest from not only industrial developers looking to take over the project, but also other interested parties looking to do other types of projects (e.g. entertainment, grocery, multi-family residential).

Request for Council Direction

When the project was approved in August 2022, it was in advance of the City's adoption of the new Unified Development Ordinance, which became effective in 2023. As such, the Subject Property was re-zoned to Planned Unit Development/Business Mixed-Use (PUD/MX-B) to reflect the new zoning district. The Subject Property had been previously been zoned Planned Unit Development/Commerce (PUD/C2) District as the former Sears site is the last piece of Brookdale Mall and as the site had a number of nonconformities given the redevelopment of the surrounding property to what is now Shingle Creek Crossing retail center.

As the Scannell project received approval under the preceding code, City staff reviewed its provisions for Planned Unit Developments with the City Attorney and under the preceding zoning code and determined the following under Section 35-355 (*Planned Unit Development*):

"If within 12 months following approval by the City Council of the development plan, no building permits have been obtained or, if within 12 months after the issuance of building permits no construction has commenced on the area approved for the PUD district, **the City Council may initiate rezoning of the property.**"

If the Subject Property were to follow the future land use designation identified in the City of Brooklyn Center's 2040 Comprehensive Plan and not the PUD it currently exists under, the Subject Property would have been re-zoned to Transit-Oriented Development (TOD) District.

This particular district is a new zoning district as of January 2023 and is intended to, "support opportunities for dense, transit-supportive and transit-oriented development." This district, "intends to promote sustainable urban places that include places to live, work, shop, and recreate, reduce reliance on automobiles, and encourage the use of public transit. The district intends to foster job creation and economic growth in near-proximity to transit, and provides citizens with new housing and lifestyle choices with a high level of amenities and spaces for social interaction."

Policy Issues:

City Council may initiate the rezoning of a property in instances where no building permits have been obtained or construction started within 12 months post Council approval.

- Does City Council still see the Subject Property located at 1297 Shingle Creek Crossing as a viable light industrial property with a zoning designation of Business Mixed-Use (MX-B)? As approved by City Council, the development would have contained certain additional restrictions under the approved Planned Unit Development, including:
 - No outdoor storage or display of materials, equipment, or products accessory and necessary to a principal and permitted use is permitted;
 - Warehousing and wholesaling shall not exceed 80-percent of the total floor area. The remaining 20-percent of the total floor area shall be non-warehouse uses, such as a combination of uses including, but not limited to: office, manufacturing, production, research and development, and lab and/or showroom; and
 - Distribution facilities are not a permitted use. For the purposes of this Planned Unit Development (PUD), a distribution facility is defined as a business that received packages, sorts, and delivers them without product storage. Distribution as an accessory use is permitted only when it occurs from a manufacturing facility or warehouse where a produce is made or packaged on-site.
- If not, does City Council wish to initiate a rezoning of 1297 Shingle Creek Crossing? The Applicant

received City Council approval nearly two years ago on August 8, 2022.

- If a re-zoning is desired by City Council City staff recommends the Subject Property be re-zoned to align with the City's 2040 Comprehensive Plan future land use designation. Does the Council have any concerns with a re-zoning to Transit-Oriented Development (TOD) District?

Budget Issues:

None to consider at this time.

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Strengthen and diversify business development and housing

ATTACHMENTS:

Description	Upload Date	Type
City Council Resolution_2022-076	5/6/2024	Backup Material
Section 35-355_Planned Unit Development	5/6/2024	Backup Material

Member Elliott introduced the following resolution and moved its adoption:

RESOLUTION NO. 2022-76

RESOLUTION REGARDING THE RECOMMENDED DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2022-004 FOR A RE-PLAT, REZONING, AND ESTABLISHMENT OF A PLANNED UNIT DEVELOPMENT AND AMENDMENTS TO THE ZONING CODE AND 2040 COMPREHENSIVE PLAN TO ALLOW FOR REDEVELOPMENT OF THE FORMER SEARS SITE AND CONSTRUCTION OF TWO BUSINESS PARK BUILDINGS OF APPROXIMATELY 230,000-SQUARE FEET COMBINED AND RELATED SITE IMPROVEMENTS (1297 SHINGLE CREEK CROSSING)

WHEREAS, Planning Commission Application No. 2022-004, submitted by Scannell Properties, Inc. and on behalf of Transformco (“the Applicant”) requests review and consideration for the re-plat, re-zoning, and establishment of a Planned Unit Development and an amendment to the City’s Zoning Code that would allow for redevelopment of the former Sears site located at 1297 Shingle Creek Crossing (“the Subject Property”) and subsequent construction of two business park buildings of approximately 110,000 and 120,000-square feet, respectively (230,000-square feet combined), and related site improvements; and

WHEREAS, the Subject Property is situated in the Central Commerce Overlay District and pursuant to a determination by City staff, the proposed use is not clearly defined as a use within the District; and

WHEREAS, on June 23, 2022, the Planning Commission of the City of Brooklyn Center, Minnesota received and reviewed a planning report on the requested re-plat, site and building plan, re-zoning, and establishment of a Planned Unit Development, which would re-zone the Subject Property from PUD/C2 (Planned Unit Development/Commerce) District to a new Planned Unit Development with an underlying Business Mixed-Use District designation (PUD/MX-B), and an amendment to the Zoning Code to remove the Subject Property from the Central Commerce Overlay District for the proposed new construction and related site improvements on the approximately 15-acre Subject Property; and

WHEREAS, said Planning Commission Application No. 2022-004 also addresses a request to re-designate the Subject Property under the City’s 2040 Comprehensive Plan future land use designation from “Transit-Oriented Development (TOD),” which the Subject Property is currently designated as, to “Business-Mixed Use (B-MU),” which guides for a mix of business, light industrial, and supporting retail/service uses, and is intended to create a more dynamic and connected experience for potential workers in these areas; and

WHEREAS, this request is made in light of the fact that the Subject Property was still in operation as a department store and auto center when the 2040 Comprehensive Plan process was initiated, had been in continuous operation since around 1962, and upon closure of the aforementioned businesses, the City of Brooklyn Center was nearing completion of its

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Comprehensive Plan update with no clear direction on a potential re-use of the Subject Property, nor guidance in the form of a market study; and

WHEREAS, given these uncertainties, the City of Brooklyn Center designated the Subject Property to its current TOD future land use designation provided its proximity to Bus Rapid Transit, and its ability to offer a broader mix of land use options; and

WHEREAS, the Applicant conducted a market analysis for a feasible re-use of the Subject Property, held concept reviews with the City Council in May and November 2021, as well as a virtual community meeting to gauge interest in the potential re-development of the Subject Property to accommodate an office/warehouse (business park) use; and

WHEREAS, the Planning Commission of the City of Brooklyn Center, Minnesota held a duly noticed and called public hearing on June 23, 2022, whereby a planning report was presented and public testimony regarding the proposal were received, and notice of such public hearing was published in the official newspaper and mailed to the Applicant and adjacent property owners as required by the City and Minnesota State Statutes, and development proposal signage was installed on the Subject Property by the City; and

WHEREAS, the Planning Commission of the City of Brooklyn Center, Minnesota considered the application requests in light of all testimony received, and the guidelines and standards as outlined under Sections 15 (*Platting*), 35-202 (*Comprehensive Planning*) 35-208 (*Rezoning Evaluation Policy and Review Guidelines*), 35-210 (*Rezoning Application Procedures and Reconsideration*), 35-230 (*Plan Approval*), and 35-355 (*Planned Unit Development*) of the City's Zoning Ordinance, and draft provisions of the Business-Mixed Use (MX-B) District, as contemplated in the City's draft Zoning Code update and forthcoming Unified Development Ordinance, and the request complies with the general goals and objectives of the City's 2040 Comprehensive Plan, with exception to the requested amendment to the Comprehensive Plan to re-designate the Subject Property to move the project forward, and of which requires final determination by the Metropolitan Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota to recommend that Planning Commission Application No. 2022-004, submitted by Scannell Properties, LLC, and on behalf of Transformco, be approved based upon the findings of fact in the June 23, 2022, planning report, and submitted documents and plans as amended by the following conditions of approval:

1. The building plans are subject to review and approval by the Building Official as noted in the memorandum dated June 21, 2022, and with respect to applicable codes prior to the issuance of permits; and the final location or placement of any fire hydrants or other fire-related building code items shall be reviewed and approved by the Fire Inspector.
 - a. Any major changes or modifications made to this Site and Building Plan can only be made by an amendment to the approved Site and Building Plan as approved by

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- the City Council.
- b. The building plans are subject to review and approval by the Building Official with respect to applicable codes prior to the issuance of permits.
 - c. The Applicant shall work to ensure all applicable Minnesota Fire Code requirements have been met as part of any site plan approval.
 - d. A fire sprinkler system is required to be installed and shall be maintained on a consistent basis per City Code requirements.
 - e. A SAC Determination shall be submitted by the Applicant to the Metropolitan Council and any associated fees paid at time of any permit issuance.
 - f. The Applicant shall provide any final site and building plans to City staff for a CPTED review and make alterations as necessary prior to permit release.
 - g. The submitted landscape plans shall be revised to meet City's minimum Landscape Point System policy requirements and an identified "office/industrial" use.
 - h. The Applicant shall install irrigation systems where necessary to facilitate maintenance of site landscaping and green areas, and irrigation shop drawings shall be provided for review and approval prior to installation.
 - i. The Applicant shall revise the submitted photometric plan to reflect minimum, maximum, and average foot-candles per fixture, and clearly identify all property lines.
 - i. The Applicant shall work with the adjacent Shingle Creek Crossing property owner to ensure consistency in lighting and landscaping along the north drive between the Subject Property and Shingle Creek Crossing.
 - ii. Photometric plans shall be revised as needed to incorporate additional pedestrian-level lighting for main building entrance points and sidewalk connections.
 - j. Any outside trash disposal facilities and rooftop or ground mechanical equipment shall be appropriately screened from view per City Code requirements and with materials complementary to the principal building, and an updated details sheet provided.
 - k. The Applicant shall submit a Sign Permit Application for any proposed signage and receive issuance of a permit prior to any installation. All signage shall conform to City requirements.
2. The Applicant agrees to comply with all conditions or provisions noted in the City Engineer's review memorandum, dated June 17, 2022.
- a. Final grading, drainage, utility, and erosion control plans and any other site engineering related issues are subject to review and approval by the City Engineer for City site and building plan approval and prior to the issuance of permits.
 - b. Any requirements as outlined in reviews conducted by Hennepin County, the Minnesota Department of Transportation (MnDOT), and the Watershed Commission.

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3. Agreements:

- a. The Applicant shall enter into a PUD agreement with the City of Brooklyn Center. This agreement is to be reviewed and approved by the City Attorney prior to the issuance of building permits. The agreement shall further assure compliance with the development plans submitted with this application.
 - i. No outdoor storage or display of materials, equipment, or products accessory and necessary to a principal and permitted use is permitted;
 - ii. Warehousing and wholesaling shall not exceed 80-percent of the total floor area. The remaining 20-percent of the total floor area shall be non-warehouse uses, such as a combination of uses including, but not limited to: office, manufacturing, production, research and development, and lab and/or showroom; and
 - iii. Distribution facilities are not a permitted use. For the purposes of this Planned Unit Development (PUD), a distribution facility is defined as a business that receives packages, sorts, and delivers them without product storage. Distribution as an accessory use is permitted only when it occurs from a manufacturing facility or a warehouse where a product is made or packaged on-site.
- b. A Performance Agreement with supporting financial guarantee approved by the City shall be executed upon any approval of the to-be submitted building permit for site improvements, which ensures the Subject Property will be constructed, developed, and maintained in conformance with the plans, specifications, and standards.
- c. The Developer shall submit an as-built survey of the property, improvements, and utility service lines prior to release of any Performance Agreement financial guarantee.
- d. A Utility Facilities Easement Agreement is required for submittal to the City prior to issuance of any permits.
- e. A Construction Management Plan and Agreement and associated escrow are required for submittal prior to the City prior to issuance of any permits.
- f. The Applicant shall coordinate with adjacent property owners and the City to execute any cross access and parking agreements for the proposed site improvements. No building permits shall be issued until such determination is made and any agreements are recorded with Hennepin County.
- g. The Applicant shall work with the City for dedication of the proposed trail easement and provision of trail profile and plans.

4. Platting:

- a. Approval of the preliminary and final plat for NORTH 100 BUSINESS PARK ADDITION are contingent upon the addressing of comments by City Engineer Mike Albers in the memorandum dated June 17, 2022.
 - i. A 10-foot drainage and utility easement shall be dedicated on the plat around the entire perimeter of the Subject Property and centered on other

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- lot lines.
- ii. All utilities and storm water management facilities to be located within said drainage and utility easement.
 - iii. Additional dedication of a utility easement is requested on the plat for the private water main and sanitary to allow for maintenance access per the Utility Facilities Easement Agreement.
- b. Final plat and mylar shall be subject to the provisions of Chapter 15 of the City Code of Ordinances (*Platting*).
 - c. Any final plat comments and/or requirements as provided by Hennepin County.
 - d. Any final plat comments and/or requirements from the City Attorney's office, and specifically regarding an updated certified abstract of title.
 - e. The successful recording of said plat (mylar) ~~with Hennepin County.~~

August 8, 2022

Date

Mayor

ATTEST:


City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member
Graves
and upon vote being taken thereon, the following voted in favor thereof:
Butler, Elliott, Graves, Lawrence-Anderson, Ryan
and the following voted against the same: None
whereupon said resolution was declared duly passed and adopted.

- 3) Signs as permitted in the Brooklyn Center Sign Ordinance.

Section 35-341. O-2 PUBLIC AND PRIVATE OPEN SPACE DISTRICT.

1. Permitted Uses

- a. Public parks, playgrounds, athletic fields and other recreational uses of a noncommercial nature.
- b. Commercial recreational facilities of a semi-open nature such as golf courses and golf driving ranges.
- c. Accessory uses incidental to the foregoing principal uses when located on the same property with the use to which it is accessory but not including any business or industrial uses. Such accessory uses to include but not be restricted to the following:
 - 1) Off-street parking.
 - 2) Public recreational buildings and parks, playgrounds and athletic fields.
 - 3) Signs as permitted in the Brooklyn Center Sign Ordinance.

Section 35-355. PLANNED UNIT DEVELOPMENT.

Subdivision 1. Purpose.

The purpose of the Planned Unit Development (PUD) district is to promote flexibility in land development and redevelopment, preserve aesthetically significant and environmentally sensitive site features, conserve energy and ensure a high quality of design.

Subdivision 2. Classification of PUD Districts; Permitted Uses; Applicable Regulations.

- a. Upon rezoning for a PUD, the district shall be designated by the letters "PUD" followed by the alphanumeric designation of the underlying zoning district which may be either the prior zoning classification or a new classification. In cases of mixed use PUDs, the City Council shall, whenever reasonably practicable, specify underlying zoning classifications for the various parts of the PUD.

When it is not reasonably practicable to so specify underlying zoning classifications, the Council may rezone the district, or any part thereof, to "PUD-MIXED."

- b. Regulations governing uses and structures in PUDs shall be the same as those governing the underlying zoning district subject to the following:
 - 1. Regulations may be modified expressly by conditions imposed by the Council at the time of rezoning to PUD.
 - 2. Regulations are modified by implication only to the extent necessary to comply with the development plan of the PUD.
 - 3. In the case of districts rezoned to PUD-MIXED, the Council shall specify regulations applicable to uses and structures in various parts of the district.
- c. For purposes of determining applicable regulations for uses or structures on land adjacent to or in the vicinity of the PUD district which depend on the zoning of the PUD district, the underlying zoning classification of PUD districts shall be deemed to be the zoning classification of the district. In the case of a district zoned PUD-MIXED, the underlying zoning classification shall be deemed to be the classification which allows as a permitted use any use which is permitted in the PUD district and which results in the most restrictive regulation of adjacent or nearby properties.

Subdivision 3. Development Standards.

- a. A PUD shall have a minimum area of one acre, excluding land included within the floodway or flood fringe overlay districts and excluding existing rights-of-way, unless the City finds that at least one of the following conditions exists:
 - 1. There are unusual physical features of the property or of the surrounding neighborhood such that development as a PUD will conserve a physical or terrain feature of importance to the neighborhood or community;
 - 2. The property is directly adjacent to or across a public right-of-way from property which previously was developed as a PUD and the new PUD will be perceived as and function as an extension of that previously approved development; or
 - 3. The property is located in a transitional area between different land uses and the development will be used as a buffer between the uses.
- b. Within a PUD, overall density for residential developments shall be consistent with Section 35-400 of this ordinance. Individual buildings or lots within a PUD may exceed these standards, provided that density for the entire

PUD does not exceed the permitted standards.

- b. Setbacks, buffers and greenstrips within a PUD shall be consistent with Section 35-400 to 35-414 and Section 35-700 of this ordinance unless the developer can demonstrate to the City's satisfaction that a lesser standard should be permitted with the addition of a screening treatment or other mitigative measures.
- d. Parking provided for uses within a PUD shall be consistent with the parking requirements contained in Section 35-704 of this ordinance unless the developer can demonstrate to the City's satisfaction that a lesser standard should be permitted on the grounds of the complementarity of peak parking demands by the uses within the PUD. The City may require execution of a restrictive covenant limiting future use of the property to those uses which will continue this parking complementarity, or which are otherwise approved by the City.

Subdivision 4. General Standards.

- a. The City may allow more than one principal building to be constructed on each platted lot within a PUD.
- b. A PUD which involves only one land use or a single housing type may be permitted provided that it is otherwise consistent with the purposes and objectives of this section.
- c. A PUD may only contain uses consistent with the City's Comprehensive Plan.
- d. All property to be included within a PUD shall be under unified ownership or control or subject to such legal restrictions or covenants as may be necessary to ensure compliance with the approved development plan and site plan.
- e. The uniqueness of each PUD requires that specifications and standards for streets, utilities, public facilities and the approval of land subdivision may be subject to modifications from the City ordinances generally governing them. The City Council may, therefore, approve streets, utilities, public facilities and land subdivisions which are not in compliance with usual specifications or ordinance requirements where it is found that such are not required in the interests of the residents or of the City, except that these subdivisions and plans must be in conformance with all watershed, state, and federal storm water, erosion control, and wetlands requirements.

Subdivision 5. Application and Review.

- a. Implementation of a PUD shall be controlled by the development plan. The development plan may be approved or disapproved by the City Council after

evaluation by the Planning Commission.

Submission of the development plan shall be made to the Director of Planning and Inspection on such forms and accompanied by such information and documentation as the City may deem necessary or convenient, but shall include at a minimum the following:

1. Street and utility locations and sizes;
2. A drainage plan, including location and size of pipes and water storage areas;
3. A grading plan, including temporary and permanent erosion control provisions;
4. A landscape plan;
5. A lighting plan;
6. A plan for timing and phasing of the development;
7. Covenants or other restrictions proposed for the regulation of the development;
8. A site plan showing the location of all structures and parking areas;
9. Building renderings or elevation drawings of all sides of all buildings to be constructed in at least the first phase of development; and
10. Proposed underlying zoning classification or classifications.

Such information may be in a preliminary form, but shall be sufficiently complete and accurate to allow an evaluation of the development by the City.

- b. The Planning Commission shall hold a public hearing on the development plan. Notice of such public hearing shall be published in the official newspaper and actual notice shall be mailed to the applicant and adjacent property owners as required by Section 35-210 of this ordinance. The Planning Commission shall review the development plan and make such recommendations as it deems appropriate regarding the plan within the time limits established by Section 35-210 of this ordinance.
- c. Following receipt of the recommendations of the Planning Commission, the City Council shall hold such hearing as it deems appropriate regarding the matter. The City Council shall act upon the development plan within the time limits established by Section 35-210 of this ordinance.

Approval of the development plan shall constitute rezoning of the property to PUD and conceptual approval of the elements of the plan. In addition to the guidelines provided in Section 35-208 of this ordinance, the City Council shall base its actions on the rezoning upon the following criteria:

1. Compatibility of the plan with the standards, purposes and intent of this section;
2. Consistency of the plan with the goals and policies of the Comprehensive Plan;
3. The impact of the plan on the neighborhood in which it is to be located; and
4. The adequacy of internal site organization, uses, densities, circulation, parking facilities, public facilities, recreational areas, open spaces, and buffering and landscaping.

The City Council may attach such conditions to its approval as it may determine to be necessary to better accomplish the purposes of the PUD district.

- d. Prior to construction on any site zoned PUD, the developer shall seek plan approval pursuant to Section 35-230 of this ordinance. In addition to the information specifically required by Section 35-230, the developer shall submit such information as may be deemed necessary or convenient by the City to review the consistency of the proposed development with the approved development plan.

The plan submitted for approval pursuant to Section 35-230 shall be in substantial compliance with the approved development plan. Substantial compliance shall mean that buildings, parking areas and roads are in essentially the same location as previously approved; the number of dwelling units, if any, has not increased or decreased by more than 5 percent; the floor area of nonresidential areas has not been increased or decreased by more than 5 percent; no building has been increased in the number of floors; open space has not been decreased or altered from its original design or use, and lot coverage of any individual building has not been increased or decreased by more than 10 percent.

- e. Prior to construction on any site zoned PUD, the developer shall execute a development agreement in a form satisfactory to the City.
- f. Applicants may combine development plan approval with the plan approval required by Section 35-230 by submitting all information required for both

simultaneously.

- g. After approval of the development plan and the plan approval required by Section 35-230, nothing shall be constructed on the site and no building permits shall be issued except in conformity with the approved plans.
- h. If within 12 months following approval by the City Council of the development plan, no building permits have been obtained or, if within 12 months after the issuance of building permits no construction has commenced on the area approved for the PUD district, the City Council may initiate rezoning of the property.
- i. Any major amendment to the development plan may be approved by the City Council following the same notice and hearing procedures specified in this section. An amendment shall be considered major if it involves any change greater than that permitted by Subdivision 5d of this section. Changes which are determined by the City Council to be minor may be made if approved by the Planning Commission after such notice and hearing as may be deemed appropriate by the Planning Commission.

Council/EDA Work Session

DATE: 5/13/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Dr. Reggie Edwards, City Manager

SUBJECT: Upcoming Items

Requested Council Action:

- Memorial Policy
- Special Assessment Policy/Franchise Fees (*referred to Financial Commission*)
- Emerald Ash Borer Policy Review (*referred to Park & Rec Commission November*)
- Opioid Settlement - 6/24
- ARPA Funds - 6 /10
- Grants: Revenues & Expenses
- Purchasing Policy
- Revisit Resolution 2021-73
- Planning Application Process

Background:

Budget Issues:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values: