Council Worksession
City Hall Council Chambers
April 22, 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
April 22, 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 - Butler

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

- *04/08/24 Worksession*
- *04/08/24 Regular Session*
- *04/08/24 EDA/Work Session*

b. Approval of Licenses

- Motion to approve the licenses as presented.

c. An Ordinance Amending Chapter 12 of the City City Relating to New Rental Licensed Properties and Nuisance Abatement Process

- Motion to approve an ordinance amending chapter 12-901, 12-1201A and

12-1206 of the City Code of Ordinances regarding rental licensing and building compliance orders. (first reading)

d. Resolution Declaring April 26, 2024, to be Arbor Day and May, 2024, to be Arbor Month in Brooklyn Center

- Motion to approve a resolution declaring April 26, 2024, to be Arbor Day and May, 2024, to be Arbor Month in Brooklyn Center

e. Resolution Declaring April 22, 2024, as Earth Day in Brooklyn Center

- Motion to approve a resolution declaring April 22, 2024, as Earth Day in Brooklyn Center.

f. Resolution Declaring April 22-28, 2024, to be Community Cleanup Week

- Motion to approve a resolution declaring April 22-28, 2024, as Community Cleanup Week.

g. Resolution Recognizing Designation of Brooklyn Center as a Tree City for the Thirty-Second Consecutive Year

- Motion to approve a resolution recognizing Brooklyn Center as a Tree City USA.

h. Resolution Approving Settlement Agreement for Brooklyn Boulevard Corridor Project Phase 2 Improvements, Project No. 2021-05

- Motion to approve a resolution approving a settlement agreement for Brooklyn Boulevard Corridor Project Phase 2 Improvements, Project No. 2021-05.

i. Resolution Authorizing Execution of a Site Lease Agreement Renewal with T-Mobile Central L.L.C on Water Tower No. 2

- It is recommended that the City Council consider approval of a resolution authorizing execution of a site lease agreement with T-Mobile Central L.L.C at Water Tower No. 2

j. Resolution Adopting No Mow May

- Motion to approve a resolution establishing "No Mow May" for the City.

k. Resolution Revising Year 2024 of the Approved 2024-2038 Capital Improvement Plan and Adopting the 2024 Capital Program CIP Revision

- Motion to approve a resolution revising Year 2024 of the 2024-2038 Capital Improvement Plan.

l. 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

- Motion to approve 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.

m. Regulation of Group Homes - Letter to Legislators

- Motion to approve the attached letter requesting Legislators vote against SF 3839 and HF3938, bills that would prohibit the rental licenses for state licensed group homes and assisted living facilities.

n. Amending the 2024 City Council Meeting Schedule

- Motion to amend the 2024 City Council meeting schedule to account for the Memorial Day holiday.

7. Presentations/Proclamations/Recognitions/Donations

a. Capital Projects Fund: A Capital Improvement Program Preview

- Motion to accept the presentation.

8. Public Hearings

9. Planning Commission Items

10. Council Consideration Items

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: 4/22/2024

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*
  - *04/08/24 Worksession*
  - *04/08/24 Regular Session*
  - *04/08/24 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
04.08.24 Worksession	4/15/2024	Backup Material
04.08.24 Regular Session	4/17/2024	Backup Material
04.08.24 EDA/Work Session	4/15/2024	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 8, 2024
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council met in Work Session called to order by Mayor April Graves at 6:11 p.m.

ROLL CALL

Mayor April Graves and Councilmembers Marquita Butler, Dan Jerzak, and Teneshia Kragness. Councilmember Kris Lawrence-Anderson was absent and excused. Also present were City Manager Reggie Edwards, Zoning Administrator Ginny McIntosh, Assistant City Manager/City Clerk Barb Suciu, and City Attorney Jason Hill.

COUNCIL MISCELLANEOUS DISCUSSION ITEMS

Councilmember Jerzak pointed out he submitted a change for the minutes to Assistant City Manager/City Clerk Barb Suciu. He clarified he didn't want homeowners to be responsible for the upkeep of medians.

Councilmember Jerzak asked if the Radisson Hotel had a new owner. He stated he hasn't received any updates on remodeling or other changes. City Manager Reggie Edwards confirmed Staff would send an update in the weekly email.

Mayor Graves stated it is an agenda item, so she would like an update from Staff. Zoning Administrator Ginny McIntosh stated she isn't aware of a new owner. The hotel went to auction, and they were looking for a Marriot operator. The same General Manager is in place. The hotel rooms are receiving new furniture, carpet, air conditioners, and new door locks. The trees in the area are in the process of abatement.

Councilmember Jerzak explained the previous changeover didn't include a licensing change. Also, the owner was in arrears for taxes. He doesn't want the taxes and licenses to be shuffled around without the issues being addressed.

Ms. Suciu confirmed the back taxes were paid.

Councilmember Kragness requested a change to the March 25, 2024 Work Session minutes. On page three, she clarified the Mayor explained her role before the appointment so that the

Commission could have a more realistic expectation of the position.

Mayor Graves stated the Minnesota Department of Education is working with the Brooklyn Bridge Alliance as they receive $1.6 million over three years. The investment in Brooklyn Center youth is exciting.

Mayor Graves pointed out she attended the Regional Mayors' Meeting earlier in the day. They discussed public safety and heard from professionals in the field. Regional crime trend data was presented, and it is down for the most part. The goal is to return to the 2019 numbers. She added she would like Brooklyn Center to work more collaboratively with jurisdictional partners to impart real change.

Mayor Graves thanked the Council for their flexibility while she was absent from recent meetings.

Mayor Graves noted they were able to speak in front of the Property Tax Committee to get support for the Opportunity Site.

CITY MANAGER MISCELLANEOUS DISCUSSION ITEMS

City Manager Reggie Edwards explained the Board of Equalization met last week. Councilmembers previously requested the appeals go to the County. He asked if that was still the consensus. There were no objections from the Council. Dr. Edwards pointed out Ms. Suciu communicated with the County, and it will be a seamless process.

Dr. Edwards noted three Councilmembers expressed interest in reviewing the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Resolution. There was also interest in reviewing the purchasing policy, beautification, special assessments, the opioid settlement, the memorial policy, and more. He requested Staff have additional time to prepare for presentations on these items. He explained the Work Session/EDA agenda items can be from a request from Staff or from the Council. The weekly update is a method to show what topics are coming up.

Mayor Graves asked if there was a question for the Council to answer. Dr. Edwards stated he didn't have a specific question.

DISCUSSION OF WORK SESSION AGENDA ITEMS AS TIME PERMITS

REGULATION OF GROUP HOMES

Dr. Edwards explained there is some coming legislation regarding group homes. He invited Ms. McIntosh to continue the Staff presentation.

Ms. McIntosh explained at the February 26, 2024, City Council meeting, a resident expressed concerns during an open forum regarding the number of group homes located in proximity to their

home and inquired as to whether or not the City had any jurisdiction over the number of group homes issued within the City or distancing requirements. In response to this, City Staff worked with City Attorney Jason Hill and Assistant City Attorney Libby Kantner to prepare a high-level memorandum that addresses the regulation of group homes.

Ms. McIntosh stated for clarification, a "group home" means those single or multi-family dwellings that are under the control of a service provider licensed by the Minnesota Department of Human Services (DHS) under Minnesota Statutes Chapter 245D and as defined in Minnesota Statutes § 245A.02, subd. 14(b) or an Assisted Living facility that is under the control of a service provider licensed by the Minnesota Department of Health (MDH) and defined in Minnesota Statutes §144G.08, subd. 7.

Ms. McIntosh noted the "group home" definition, as defined within this memorandum, does not consider dwellings intended for individuals receiving chemical dependency treatment or those licensed by the Minnesota Department of Corrections, as these dwellings are subject to different regulations under state law. For the purposes of discussion, the focus of this memorandum is specifically on MDH Assisted Living and Assisted Living with Dementia licenses with six or fewer persons, and DHS Community Residential Setting licenses with four or fewer persons. These types of group homes are most typically found in the City's single-family residential neighborhoods.

Ms. McIntosh pointed out in the City of Brooklyn Center, as of April 2, 2024, there are currently 114 MDH Assisted Living licenses with a bed capacity of six or fewer persons and 46 DHS Community Residential Setting licenses with a bed capacity of four or fewer persons for a total of 160 licenses. Since August 2023, Brooklyn Center has received 24 MDH Assisted Living applications.

Ms. McIntosh explained for perspective, when City Staff initially began tracking group homes in 2019 there were 45 Housing with Services Establishments registrations and 27 DHS Community Residential Setting licenses. In addition to the above licenses, there are three larger Assisted Living licenses of seven persons or more that were not included in the above tally. This includes the Sanctuary at Brooklyn Center, Ecumen Prairie Lodge, and Maranatha.

Ms. McIntosh stated although the number of group homes can fluctuate, the Brooklyns appear to have the highest concentration of MDH Assisted Living licensures for six or fewer persons in all of Hennepin County with almost 45 percent of all licenses. Per City Staff calculations, four cities in Hennepin County, those being Brooklyn Center, Brooklyn Park, Bloomington, and Minneapolis, held almost 73 percent of all MDH Assisted Living licenses for 6 or fewer persons as of January 2024.

Ms. McIntosh noted that the City Council highlighted group homes and Assisted Living licenses as one of the City's 2024 Legislative Priorities, specifically requesting that the State Legislature examine the impacts of the established regulations, which limit the ability of municipalities to regulate group homes and to determine if the established regulations are having a disproportionate

effect on low-income communities and communities of color. It should be noted that the only two cities in Hennepin County with BIPOC populations of over 50% are Brooklyn Center and Brooklyn Park.

Ms. McIntosh showed a pie chart of the distribution of licensures throughout the County and a table with the number of MDH Assisted Living Licenses compared to surrounding communities organized by the percentage of BIPOC population. She then showed a map of the current group home spacing in Brooklyn Center.

Ms. McIntosh explained State law mandates that persons who reside in Group Homes must not be excluded by municipal zoning ordinances or other land use regulations from the benefits of normal residential surroundings. "Small Group Homes" with a licensed capacity of six or fewer persons shall be permitted single-family residential use for the purposes of zoning. "Large Group Homes" with a licensed capacity of seven to 16 persons shall be a permitted multi-family residential use unless the City requires a conditional use permit to assure property maintenance and operation of the program, which Brooklyn Center does.

Ms. McIntosh stated for MDH Assisted Living licensures, the MDH Commissioner is required to consider population, size, land use plan, availability of community services, and the size of existing licensed Assisted Living licenses in the City where the license is intended. A Commissioner may not grant a license if it is within one-quarter mile of an existing facility unless the existing facility is in a hospital, the City grants a conditional use permit, it is a Small Group Home and not located in a city over 100,000 in population, or the facility is foster care.

Ms. McIntosh noted the City may currently require Group Homes in the City to apply for and receive City rental licenses. This helps the City ensure Group Homes are safe and habitable through regular inspections and license updates. City Staff specifically requested this work session be presented before the City Council now as there is a bill being considered in the Minnesota Legislature that would prohibit cities from applying rental licensing regulations to certain State licensed residential programs administered through the Department of Human Services and Minnesota Department of Health Assisted Living facilities with a licensed capacity of six or fewer persons.

Ms. McIntosh stated if the proposed bill were approved by the state legislature, there would potentially be at least 160 properties in Brooklyn Center that would no longer be required to hold a City rental license. The City has regularly used the rental licensing process, as with all other rentals in the City, to ensure quality rental housing is provided to residents in the City. As communication from the Minnesota Department of Health (MDH) and Department of Human Services (DHS) is minimal at best, the City has further utilized the rental licensing process to address un-permitted work and ensure minimum health, life, and safety, and general property maintenance requirements are in place. As an additional concern, City Staff has run into issues with the MDH licensure requirements and conflicting requirements with Minnesota State Building and Fire Codes.

Ms. McIntosh pointed out that the League of Minnesota Cities and Metro Cities have submitted written testimony in opposition to the proposed bill. The cities of Brooklyn Park and Bloomington have also written separate letters of opposition to the bill. Nonetheless, the proposed bill is currently being considered in the House (HF 3938) and Senate (SF 3839).

Ms. McIntosh explained as part of the legislative ask, the following justification was noted:

> "Our experience is that single-family affordable housing neighborhoods are attractive locations to investors seeking to profit from the establishment of group homes. Brooklyn Center has seen a drastic increase in the number of group homes. The concentration of these homes in low-income neighborhoods reduces homeownership opportunities and wealth accumulation for residents and the concentration of these businesses can change the character of the neighborhood. These properties are straining to our local emergency response agencies as they tend to draw service calls at a much greater rate."

Ms. McIntosh noted there are additional requests for legislative consideration. If the City wants to protect its ability to require Group Homes receive rental licenses in the City, the City could work with the League to advocate against the current bill before the legislature. While none of the City's legislators are authoring these bills, Senator John Hoffman, who represents Brooklyn Park, is one of the authors of the senate bill. Also, if the City would like to implement spacing requirements for Group Homes, a change in the current legislation is needed. As it stands, Assisted Living Facility spacing requirements are not applicable to Small Group Homes in the City, but they are applicable to Small Group Homes in cities of the first class. The City could advocate for these spacing requirements to be applicable to Brooklyn Center.

Mayor Graves asked what the original goal of the legislation is. City Attorney Jason Hill stated he is unsure about the motivation behind the bills. There is some urgency to address the potential changes. The zoning bill was taken off the table, so there could be some success in rental zoning.

Ms. McIntosh pointed out there has been a concern about discrimination regarding group homes. As it stands, the rental licensing process is the only tool available to the City. The proposed legislation may be part of the omnibus bill.

It was the majority consensus of the City Council for Brooklyn Center Staff to draft a letter to submit, similar to Brooklyn Park.

Mayor Graves asked how many sober homes and homes licensed by the DOC are in Brooklyn Center. Ms. McIntosh stated she doesn't know a specific number because there aren't local licensing requirements. There is a Bill of Rights in State Statute, but there isn't overarching regulation. Mr. Hill pointed out regulation is difficult due to the Americans with Disability Act.

Mayor Graves stated the considerations of the MDH Commissioner may be beneficial to Brooklyn Center. She asked what metrics are used and what accountability is in place. Ms. McIntosh stated there isn't a reporting process for accountability.

Mayor Graves stated it is an issue with equity. Staff also needs to explore the accountability issue and inspire change in the process to promote equity and accountability. Ms. McIntosh agreed the BIPOC percentage and the number of group homes is stark and inequitable.

Dr. Edwards suggested visiting the Commissioner or inviting him to a Council meeting.

Councilmember Jerzak stated MDH gives the licenses if the requirements are met. All cities need to be treated the same, regardless of the population size. There is also a low reimbursement rate. He added the Building Official is busy. He asked if other designated individuals can assist in the workload.

Ms. McIntosh stated the MDH regulations recently changed, so mental health homes have specific architectural guidelines. They are considered a single-family home as a commercial property, which has caused a lot of frustration. After a corporation buys a home, they apply for single-family construction permits. However, they apply for a group home license afterwards to avoid the more expensive improvements such as sprinklers.

Councilmember Kragness requested the table with the number of group homes and data about BIPOC populations along with the letter.

Mayor Graves noted her dislike for the term “First Class Cities” to refer to cities with a population of more than 100,000.

Mayor Graves asked if Councilmember Jerzak was going to cover the invocation. Councilmember Jerzak stated he hadn’t spoken to Councilmember Lawrence-Anderson. Mayor Graves stated she would handle the invocation.

ADJOURNMENT

Mayor Graves adjourned the meeting at 6:55 p.m.

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

REGULAR SESSION
APRIL 8, 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 7:00 p.m.

2. ROLL CALL

Mayor April Graves and Councilmembers Marquita Butler, Dan Jerzak, and Teneshia Kragness. Councilmember Kris Lawrence-Anderson was absent and excused. Also present were City Manager Reggie Edwards, Artist-in-Residence Raquel Goutierez, 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 an Informal Open Forum and requested each commenter limit their speaking to three minutes. Dr. Edwards pointed out that the Council had previously decided on two minutes. Mayor Graves stated three minutes seems more feasible, but she would stick to two.

Bruce H. explained an assessor visited his neighborhood because of a neighbor with unsightly vehicles and items in their yard. He stated that he has contacted to city inspectors but he is unsure if anything has been done. He also called the Fire Department on the neighbor because of a fire at the same home. The firefighters knocked on the door, but there was no answer.

Ms. Suciu noted she received a note from Mr. Knutson. He was not present.

Julie B. noted she has concerns about the same community member mentioned by Bruce H. and another person on the street. A different neighbor was moving away due to the issues. She requested an update on the actions being taken by the City.

Julie B. asked when constituents' concerns regarding the unrecorded first hour would be considered. She expressed her disappointment in how guests were treated at the previous meeting.

Multiple Councilmember cited their tiredness when speakers were trying to share with the Council, when the speakers were also likely tired.

Mayor Graves stated her allotted two minutes was over. Julie B. stated she would like an update about the Councilmember who was being investigated. Mayor Graves stated her time to speak was done. Julie B. stated she would like an update still.

Kevin S. welcomed Mayor Graves back, noting there is a great benefit in her participation in meetings. There are young children in his neighborhood, and it is lacking a playground. The nearby school has a playground, but the access is locked at all hours.

Diane S. thanked Public Works Department for cleaning up a pile of salt in her neighborhood.

Diane S. stated a year ago Councilmember Butler discussed the issue of blighting in the City. She offered to show the Council blight concerns throughout the community. She requested the Council look into the issue and educate business owners about the City's standards.

Councilmember Kragness moved and Councilmember Jerzak seconded to close the Informal Open Forum at 7:11 p.m.

Motion passed unanimously.

Mayor Graves reviewed the decorum for the meeting.

5. INVOCATION

Mayor Graves pointed out many community members are celebrating Eid this week. She suggested folks learn more about it if they aren't familiar with the holiday.

Mayor Graves shared a quote from an oracle card about beautiful peace. Peace provides clarity and promotes effective healing.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Councilmember Butler moved and Councilmember Kragness seconded to approve the Agenda and Consent Agenda, as amended, and the following consent items were approved:

6a. APPROVAL OF MINUTES

1. March 25, 2024 – Work Session
2. March 25, 2024 – Regular Session
3. March 25, 2024 – EDA/Work Session

6b. LICENSES

HOSPITALITY ACCOMMODATIONS

Brooklyn Center Hospitality dba Motel 6	2741 Freeway Boulevard
Brooklyn Center Hotel	2200 Freeway Boulevard

MECHANICAL

C & M Heating and Air Conditioning Inc.	7308 Blair Way Wahkon 56386
Myles Mechanical	17522 Concord Drive Ham Lake 55304

RENTAL

RENEWAL (TYPE IV – six-month license)

1300 67th Avenue N	Roger And Elizabeth
7230 West River Road	7230 Riverside Property Llc
707 69th Avenue N	SFR Borrower 2021-2 LLC
1713 70th Avenue N	Larkin Street Housing
2113 55th Avenue N	Ih3 Property Minnesota Lp
5949 Vincent Avenue N	Royal Priesthood Llc
6107 Emerson Avenue N	Lydia Yeboah
6424 Marlin Drive	CJ Bright & QK Fank
6701 Scott Avenue N	Royal Priesthood Llc
7156 Unity Avenue N	Michelle A Shaffer

RENEWAL (TYPE III – one-year license)

5956 Beard Avenue N	Hp Minnesota I Llc

RENEWAL (TYPE II – two-year license)

6014 Girard Avenue N	Rifive Investments LLC
7045 Unity Avenue N	Amas Investments Llc
7225 Major Avenue N	Iasis Iii Llc

RENEWAL (TYPE I – three-year license)

3025 65th Avenue N	Wilmer Alexander G Mendoza
5336 Northport Drive	TECH2 INVESTMENTS LLC
5406 70th Circle	Mohammed G Aaser
5901 Pearson Drive	Home Sfr Borrower Llc
6918 Halifax Avenue N	Gracelands Llc
6931 Toledo Avenue N	SFR II BORROWER 2021-3 LLC
7208 Dallas Road	Excel Properties Llc

SIGNHANGER

Fastsigns Maple Grove-Osseo	300 Central Ave, Osseo 55369

6c. RESOLUTION NO. 2024-43 ACCEPTING BID AND AWARDING A CONTRACT, IMPROVEMENT PROJECT NO. 2024-07, LIFT STATION #5 REHAB

6d. RESOLUTION NO. 2024-44 APPROVING MEMBERSHIP IN THE HENNEPIN COUNTY FIRE CHIEFS ASSOCIATION, INC.

6e. RESOLUTION NO. 2024-45 AUTHORIZING THE FILING OF AN APPLICATION FOR THE HENNEPIN YOUTH SPORTS PROGRAM GRANT

6f. RESOLUTION NO. 2024-46 ACCEPTING BID AND AWARDING A CONTRACT, IMPROVEMENT PROJECT NO. 2024-01 ORCHARD LANE EAST IMPROVEMENTS

Motion passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

7a. PROCLAMATION RECOGNIZING NATIONAL THERAPY ANIMAL DAY

Dr. Edwards introduced the item and noted Councilmember Jerzak brought the item to their attention. Councilmember Jerzak pointed out the valuable impact of therapy animals.

Mayor Graves read in full a Resolution recognizing National Therapy Animal Day.

Councilmember Jerzak moved and Councilmember Kragness seconded to accept the proclamation.

Motion passed unanimously.

7b. UPDATE ON HENNEPIN COUNTY'S SOLID WASTE PLANS AND ORGANICS COLLECTION

Mayor Graves noted Commissioner Lunde would also provide a short presentation on an upcoming event after discussing solid waste plans and organics collection.

Tim Pratt, HRG Recycling Manager, explained Brooklyn Center, Crystal, and New Hope have a joint agreement to administer the recycling program under Brooklyn Park. His previous visit covered the plan to act within the new ordinance. They decided the Cities would require that each garbage hauler offer a recycling service.

Mr. Pratt explained there is a State Statute that restricts additional charges for recycling on top of garbage hauling. There were also discrepancies between the charging done by haulers. The State noticed the discrepancy and pointed out that recycling only applies to organics. All haulers have to have an even playing field for charges. As of the start of 2024, the haulers rolled out a singular fee. There has been consideration of an HRG-wide contract for the organics. Some haulers are not committed to being effective in organics recycling. Coordinating resources with the other cities may alleviate the concern.

Mr. Pratt added in October, Hennepin implemented a plan to close the Hennepin Energy Recovery Center and passed a zero-waste plan.

Commissioner Lunde explained the zero-waste plan is aspirational and plans to close HERC by 2040. There is speculation that HERC may be causing issues and it isn't desirable within its current neighborhood. The community pays for excess trash and packaging initiated by manufacturers. Organics recycling needs to work and be converted. The County is committed to better communication and education regarding organics recycling. They also want to make recycling easier. HERC will likely become a sorting facility someday.

Mayor Graves asked why a plan to eliminate food waste wasn't implemented first as it is a large part of organics recycling. The food could be repurposed to address hunger issues. Commissioner Lunde stated organics has the most potential currently. They also received funding to purchase a machine that would convert organics to energy. Organics is also the heaviest part of the trash. There are other education efforts in place.

Mayor Graves stated businesses also need to take a role in organics recycling and the like. The same is true for construction and demolition materials. Mr. Pratt pointed out the County has deconstruction grants available. As for food waste, any business that produces a certain amount of organics had to have organics recycling by January 1, 2020. The County also has programs to work with restaurants and other entities. He listed additional resources in place to help reduce food waste.

Mayor Graves asked for Mr. Pratt to explain the presentations to other Councils. Mr. Pratt

reiterated the same presentation has been given to New Hope, Crystal, and Brooklyn Park. Each of the Councils has expressed distaste for the current operations. A possible solution would be an HRG-wide contract. Mayor Graves agreed they need to look into more efficient processes. Also, they were late on the bulk waste collection. Brooklyn Center needs to remain part of the conversation.
Councilmember Jerzak noted there needs to be some incentives. Many community members have old appliances sitting around. HRG could combine the services of the organic with the bulk item pickup to avoid complaints about the additional fees. He added he would like to see a consensus between the three cities for a more effective waste collection program.

Councilmember Butler stated she is open to having a conversation with Crystal and New Hope. She asked if there is a website where community members can read about the various programs mentioned by Mr. Pratt. Mr. Pratt stated the resources are listed on the County's website under the recycling and organics pages.

Mr. Pratt pointed out the HRG Board is made up of the City Managers of each City. The Council can request their City Manager report back with a presentation. He noted the curbside pickup date is soon.

Councilmember Kragness agreed the three cities need to be a united front. Brooklyn Center shouldn't be the last entity to be part of the conversation.

Councilmember Jerzak pointed out the best recyclables are usually scavenged before being picked up. He suggested a date later than April 9 be the pickup date because there could be snow in April. Mr. Pratt confirmed snow has been an issue in previous years. Unfortunately, the program requires a lot of personnel, and the operators for the equipment are limited. Therefore, the program is at the mercy of the availability of operators.

Councilmember Jerzak suggested a brochure with the cost to the City would help inform the community and promote the offering. Mr. Pratt stated the pickup date is in the newsletter and the flyer has been provided to the communications Staff.

Dr. Edwards reminded the Council Commissioner Lunde had an additional presentation. Also, Brooklyn Center is already in a contract with HRG Recycling.

There was consensus by the Council to support moving forward with the contract.

Commissioner Lunde noted the County is looking to expand the grants available for multi-family homes to retrofit the facilities to support recycling. There is an ask to set up an environmental committee that is more representative of the County and incorporates youth. He added the County has a program called Hennepin University Partnership (HUP) to bring research to the County's waste and recycling programs. He has requested HUP calculate the true cost of handling waste.

Commissioner Lunde showed a slide with his contact information and committee involvement. He pointed out he is particularly interested in public safety. There have been a number of changes

to the County's approach to public safety. In 2021, $5 million was issued for violence prevention grants. In 2022 the Safe Communities Department was created. The goal was to create a space for young people to thrive, provide resources for families, and partner for safer cities. Also in 2022, the community-led the effort for an Anti-Hate Initiative.

Commissioner Lunde pointed out in 2023, there was a continuation of the $5 million for violence prevention grants by adding it to the County's budget. There was a focus change with smaller grants to over 50 organizations; in 2021, only five organizations received funds.

Commissioner Lunde added in 2024, there was money approved for a Safe Communities Summit. The Safe Communities Summit is intended to be a catalyst around youth-centered efforts to tackle the root causes of challenges repeatedly seen in communities. The County established an agreement with Cities United for delivery of the Summit. The use of two frameworks will help cities to achieve certain outcomes. The frameworks are Reimagining Public Safety and Roadmap to Safe, Healthy, and Hopeful Communities.

Commissioner Lunde stated the Summit is May 16-18, 2024, and is free to attendees. It will be hosted in Brooklyn Park. The first two days set the stage while the third day will be the Cities United Framework Bootcamp.

Mayor Graves stated Mayor Wilson signed onto the program during his tenure after she brought forth the concept, but Brooklyn Center hasn't engaged in the space much. Brooklyn Park and Minneapolis have been longtime partners in the program. She would like to see several representatives of Brooklyn Center at the Summit and for Staff and the Council to use Cities United's free technical assistance.

Commissioner Lunde added community organizations that received funding from the County's program will be represented at the Summit along with County and State resources.

Commissioner Lunde noted during the 2023 legislative session, Hennepin leaders advocated for the creation of the Working Group on Youth Interventions. A collaborative and regional system is crucial to finding effective and lasting solutions. There is a need for expanded treatment options for justice-involved youth. Partnering with other counties and the State is fiscally and logistically efficient and will result in options benefitting all youth.

Commissioner Lunde stated the working group's recommendations focused on six primary areas. Key points include the lack of staff for existing facilities and the licensing restrictions. The legal system has a number of paths, whether through corrections or mental health provisions, that create vastly different outcomes purely due to licensing. The working group is asking the legislature to establish a joint task force and to invest in a comprehensive youth-centered data system.

Commissioner Lunde added the District suffers from a lack of transit options. He showed a map of the existing service. The Blue Line extension is underserved today, but it is the area with the most financial needs. Transportation is key to participating in society.

8. PUBLIC HEARINGS

None.

9. PLANNING COMMISSION ITEMS

None.

10. COUNCIL CONSIDERATION ITEMS

10a. RESOLUTION NO. 2024-47 FOR BROOKLYN CENTER CULTURAL ARTS COMMISSION AND DUTIES AND RESPONSIBILITIES THEREFOR

City Manager Reggie Edwards introduced the item and invited Artist-in-Residence Raquel Goutierez to continue the Staff presentation.

Ms. Goutierez explained beautification is the process of identifying and enhancing existing aesthetic conditions in the built environment, an area, or a city and creating visual improvements. Beautification can be framed as a public health issue, one that addresses mental and physical health, social well-being, economic health, environmental health, and community cultural health. It is also about attitudes and behaviors ingrained in the minds of residents and businesses.

Ms. Goutierez added public art is publicly accessible original art that enriches a city and evokes meaning. It can be permanent or temporary, visual or performance-based, installations, events or social engagement activities, artist-designed infrastructure, architectural elements, functional amenities, or wayfinding markers. It can tell our stories, improve the look and feel of our built environment, enhance our quality of life, and improve the health of communities.

Mayor Graves left the meeting at 8:13 p.m.

Ms. Goutierez pointed out that in 2018, in response to a desire to lift the City's beauty and pride and align it with the rewriting of the City's Comprehensive Plan, the City of Brooklyn Center determined a need for a Beautification and Public Art Master Plan. The City hired Forecast Public Art, a nationally acclaimed Twin Cities-based non-profit consulting firm, to create the Master Plan. During the two years spent developing a Master Plan dedicated to creating a “Healthy City” evolved as they oversaw an in-depth planning process that included engaging hundreds of community stakeholders, collecting data, reviewing plans, mapping strategic locations and opportunities, and identifying implementation strategies for Brooklyn Center.

Ms. Goutierez stated in February 2020, the City Council received an overview of the Brooklyn Center Beautification and Public Art Master Plan. In August 2020, the City Council received and accepted the Brooklyn Center Beautification and Public Art Master Plan, which outlined the establishment of an Arts and Cultural Commission. In 2022, the City onboarded a part-time Artist-in-Residence to help implement the Brooklyn Center Beautification and Public Art Master Plan. In addition, to work with departments and city partners on public art-related initiatives.

Ms. Goutierez noted during the years 2020-2023, the City engaged in public art efforts including: the 2020 Census, COVID Awareness, environmental stewardship and awareness student art collaborative, civil unrest de-escalation, transportation hub public art, Opportunity Site and Sonder House apartment public art, heritage celebration community art, BCCS outdoor mural projects, city street banner initiatives, and others.

Ms. Goutierez summarized samples of past public art engagement opportunities such as STEAM Fest, Snow Many Traditions, and Health On-the-Go.

Ms. Goutierez explained in order to create a shared vision for Brooklyn Center's Beautification and Public Art Initiative, it's critical to identify motivational factors that inspire and guide the work going forward. The following list was developed with input from a broad and diverse group of community members, stakeholders, and participants in the planning process. First, places of beauty that encourage social interactions contribute to our well-being and our quality of life. Engaging diverse cultural community members in co-creating the physical and social environments in which they can thrive fosters civic pride and increases stewardship of public spaces. Public art reflects the values of the community; residents should be able to see themselves in the art that is part of their shared daily life and feel respected and represented.

Ms. Goutierez added that if something is worth doing is worth doing well; high-quality beautification and public art efforts require adequate time and resources. Art and artists play an important role in developing, beautifying, and revitalizing cities, as well as promoting economic activity, generating pride, and building community. Cultural and community development are as important as economic development. Lastly, beautification and public art are an important part of any city's arts and cultural ecology.

Ms. Goutierez noted long-term goals are to foster civic pride and community health, grow the number of residents who become active stewards of Brooklyn Center, increase the number of volunteers in beautification projects, grow the number of residents desiring engagement in public art, increase the participation and leadership by locally based artists, residents and businesses, leverage private investment and partnership support, and build a professionally managed program.

Ms. Goutierez added short-term operation strategies include establishing an Arts and Culture Commission, building the capacity of City Staff to manage projects, considering a range of funding mechanisms, creating a reference map and Focal Areas for opportunities, retaining City Team to assist with program incubation, considering incentives to grow interest, hosting educational events and forums, growing community engagement skills and effectiveness, and developing community education strategies.

Ms. Goutierez stated the Cultural and Public Arts Commission will, hopefully, be established in April 2024. The scope of the Commission is to advise the City Council, Artist-in-Residence, and other Brooklyn Center advisory boards or commissions regarding beautification and public art initiatives. Its purpose is to guide aesthetic considerations and promote public art as a mechanism to foster civic pride, community health, diversity, equity, and inclusion. Responsibilities include

advising on public art planning, identifying public art high-priority areas, assisting the City in the adoption of related policies and procedures, assisting the City with enhancing an inclusive and cross-cultural environment, advising the City with purchases of works of public art within city facilities, assisting the City in the development of a plan and guidelines for the City's public art program, and making recommendations in the acquisition of a public art collection.

Ms. Goutierez explained the Commission will include seven members with staggered two-year terms. All voting members shall be residents of Brooklyn Center. Any affiliate members must have a strong connection with the City and the subject matter.

Ms. Goutierez concluded the goals identified in the City's Comp Plan pertain to or offer opportunities for beautification and public art, as well as arts and cultural development. Brooklyn Center is now among the most culturally diverse cities in Minnesota and the most diverse in the Metro Area. Today, the diversity of its immigrant community is among the City's greatest strengths. The plan is activated through the lens of the guiding principles distilled from the City's values.

Councilmember Jerzak stated he has some concerns that need to be addressed. Art will only have a positive impact on the community. The Council is aware of issues with litter and blight. However, few of the Commissions are meeting quorum, which negatively impacts Staff's time. He is hesitant to add responsibilities to Staff that is already stretched thin. Also, one of the bylaws is concerning because the community survey clearly opposed new programs. Not to mention, there is an issue with funding requests and impacts on the levy. He pointed out many Commission applications are not being processed as it is.

Ms. Goutierez explained a deadline was established for the applications which was communicated to the applicants. The Commission is part of the Master Plan.

Dr. Edwards stated the City can only do what is within Staff's capacity. However, this effort has been underway since 2018. If nothing gets started, then there isn't any potential. Ultimately, it is a work in progress.

Mayor Pro Tem Butler asked how the Commission is being advertised to ensure diverse applications are received. Ms. Goutierez stated diversity is a priority of the Commission. She has attended a number of events and community meetings to inform residents of the Commission. The Commission has received 14 applicants.

Mayor Graves returned at 8:27 p.m.

Councilmember Kragness stated the number of applicants is promising. Mayor Graves expressed her excitement for the Commission.

Mayor Graves moved and Councilmember Butler seconded to approve Resolution No. 2024-47 for Brooklyn Center Cultural Arts Commission and Duties and Responsibilities Therefor.

Councilmember Jerzak asked that the record show that with his concerns being addressed, he is comfortable voting in favor of this item.

Motion passed unanimously.

11. COUNCIL REPORT

None

12. ADJOURNMENT

Councilmember Kragness moved and Councilmember Jerzak seconded adjournment of the City Council meeting at 8:35 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 8, 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 8:35 p.m.

ROLL CALL

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

REGULATION OF GROUP HOMES

This item was addressed during the Work Session.

NO MOW MAY

City Manager Reggie Edwards introduced the item and invited Community Development Director Jesse Anderson to continue the presentation.

Mr. Anderson pointed out Brooklyn Center has previously participated in No Mow May. He explained many bees come out of hibernation in May and need flowers to feed on for themselves and their babies. The purpose of No Mow May is to encourage the bloom of spring flowers. As part of the program, cities are encouraged to relax lawn ordinance enforcement for the month of May.

Mr. Anderson stated the City has participated in this event in past years and Staff believes that it could be beneficial to the environment as well as provide some relief to property owners, who frequently don't have their lawn mowers in full working order yet. A relaxing of long grass enforcement until June 1, 2024 would give residents additional time for this and also allow staff to continue to educate and work with families to prepare for mowing their lawns come June.

Mr. Anderson explained in 2023, there were a total of 443 cases for tall grass and weeds opened by inspection staff. Of the total number of cases, 24 were complaint generated cases and the rest of the cases were generated by staff proactively. 12 cases were generated in the month of May,

seven of those cases were complaint cases. In June, there were a total of 259 cases, in July 60 cases, and in August 97 cases, and the remaining 15 cases were opened in September and October.

Mr. Anderson pointed out Staff's largest concern was how to address long grass complaints, as the City begins to receive these frequently beginning in May. An action by the Council/EDA to relax long grass enforcement until June 1, 2024, would provide Staff with an explanation as to why enforcement is not taking place and also provide an opportunity to educate residents about the benefits of bee-friendly lawns. This action would be for the 2024 season only. The Council/EDA may determine to review the decision next year to determine if it should be taken again.

Councilmember/Commissioner asked if the Council/EDA establishes No Mow May, why wouldn't that also establish no complaints would be received during May. Mr. Anderson stated there is an automized complaint system. Last year, the Staff didn't act on any complaints related to No Mow May. Councilmember/Commissioner asked for there to be a disclaimer on the complaint form to explain why grass may be longer in May. She also suggested more community education be completed.

Councilmember/Commissioner Jerzak stated he would like the rule to be relaxed by the Council because it makes the inspector's job easier. He added the weeds are addressed by a different ordinance than the grass length. He noted his support for a resolution for No Mow May.

There was a consensus by the Council/EDA to direct Staff to prepare a resolution in support of No Mow May.

Councilmember/Commissioner Jerzak asked for Mayor/ President Graves to address concerns about the first hour of the meeting not being recorded. Mayor/President Graves stated the Council/EDA needs time for an uninterrupted discussion. However, the meetings will be recorded for the sake of transparency, per consensus of the Council/EDA.

Dr. Edwards pointed out the meetings have been recorded, but the meetings will begin to be broadcasted via Zoom for community members to watch.

ADJOURNMENT

Councilmember/Commissioner Jerzak moved and Councilmember/Commissioner Kragness seconded adjournment of the City Council/Economic Development Authority Work Session at 8:42 p.m.

Motion passed unanimously.

Council Regular Meeting

DATE: 4/22/2024

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

Super 8
6445 James Cir N
Suburban Studios
2701 Freeway Bldv
Fairfield Inn & Suites
3020 Earle Brown Dr
Embassy Suites
6300 Earle Brown Dr
Baymont
2050 Freeway Blvd

Garbage Hauler

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

Motor Vehicle Dealerships

Luther Honda
6800 Brooklyn Blvd
Luther Mazda Mitsubishi
4435 68th Ave N

Brookdale Toyota
6700 Brooklyn Blvd
Luther Volkswagon
6801 Brooklyn Blvd
Luther Chevrolet
6701 Brooklyn Blvd
Luther Buick GMC
4301 68th Ave N

Amusement Device
American Legion
6110 Brooklyn Blvd
Community Center
6301 Shingle Creek Pkwy

Mechanical
Absolute Mechanical
7338 Ohms Lane, 55439
Advanced Heating and Air Conditioning
10550 County Rd 81, 55369
Affordable Comfort Mechanical
1167 Viking Dr E, 55109
Air Central Inc.
24663 Xeon St. NW, 55040
Air Mechanical
16411 Aberdeen St NE, 55304
Aquarius Water Conditioning
3180 Country Dr., 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 St., 55425
Bonfes Plumbing Heating & Air Service
455 Hardman Ave, 55075
Centerpoint Energy
6161 Golden Valley Rd, 55422
Centraire Htg & A/C, Inc
6811 Washington Avenue South, 55439
Comfort Matters Htg & Cooling Inc
18071 Territorial Rd, 55369
Commercial Plumbing & Heating, Inc.
24428 Greenway Ave, 55025
Daikin Applied Americas Inc
13600 Industrial Park Blvd, 55441
Deans Home Services
6701 Parkway Cir, 55430

DeZiel Heating & A/C, Inc
4375 State Hwy 55 SE, 55313
Elk Mechanical HVAC Inc.
6361 Sunfish Lake Ct., 55303
Elk River Heating & Air Conditioning Inc.
11110 Industrial Cir NW, 55330
Forced Air Inc. DBA Wenzel Heating & Air Conditioning
4145 Old Sibley Hwy, 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 Ave S, 55438
Hoffman Refrigeration & Heating
5660 Memorial Ave N, 55082
Home Energy Center
2415 Annapolis Lane N #170, 55441
HomeWorks Services LLC
915 Blue Gentian Rd, 55121
Horwitz, LLC
7400 49th Ave N, 55428
Ideal Air, LLC
17900 Aztec St NW, 55304
Joel Smith Heating & A/C
4672 236th Ln 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 Ct NW, 55303
Major Mechanical LLC
7601 Northland Drive N, 55428
Master Mechanical, Inc
1027 Gemini Rd, 55121
Metro Heating and Cooling
1220 Cope Ave E, 55109
Midwest Electric and Generator
10215 Twin Lakes Rd NW, 55330
Modern Heating & A/C
2318 First Street NE, 55418
Mr. Rooter
5155 East River Rd #418, 55421
Nac Mechanical & Electrical Services
1001 Labore Industrial Court, Ste. B, 55110

North State Mechanical
2283 Sycamore Tr, 55125
Northland Mechanical Contr
9001 Science Center Dr, 55428
Professional Mechanical Services, LLC
19640 200 Ave NW, 55309
Pronto Heating & A/C
7415 Cahill Rd, 55439
Ray Welter Htg Co
4637 Chicago Ave S, 55407
Schadegg Mechanical, Inc.
225 Bridgepoint Dr, 55075
Schwantes Heating and Air Conditioning, Inc
6080 Oren Ave S, 55082
St Marie Sheet Metal
7940 Spring Lake Road NE, 55432
St Paul Plumbing & Heating Co, (aka) MSP Plumbing
640 Grand Ave, 55105
Stafford Home Service
6225 Cambridge Street, 55416
Standard Heating & A/C
130 Plymouth Ave 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 Ave NE, 55014
Vector Services, LLC
9210 Wyoming Ave North, 55445
Wjw Company
10068 Flanders Court, 55449
Yale Mechanical
220 W 81st Street, 55420
Heating & Cooling Design
13234 Urbank Ct. NE, Blaine 55449
MN Plumbing Pro
26240 3rd St. W, Zimmerman 55398

Sign Hanger's
Indigo Signworks, Inc.
4133 Iowa St., 56308

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	4/15/2024	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 4.22.24

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, #131	Condo	Initial	Jessica Zeno	5	Type II	N/A	Type II	N/A	N/A
4418 65th Ave N	Single	Initial	Blanca S Sanchez Miranda	6	Type III	N/A	Type III	N/A	N/A
5546 Emerson Ave N	Single	Initial	Cindy & Raymond Scherbing	2	Type I	N/A	Type II	N/A	N/A
5548 Girard Ave N	Single	Initial	Hiat S Mohamoud & Ibrahim N Roble	5	Type II	N/A	Type II	N/A	N/A
3305 53rd Ave N	Multiple Family 12 Bldgs 310 Units	Renewal	Lake Point Apartments Llc	597 = 1.93 per unit	Type III	0	Type III	Type I	N/A
7240 West River Rd	Multiple Family 1 Bldg 7 Units	Renewal	Nedzad Ceric	14 = 2 per unit	Type III	0	Type III	Type I	N/A
5349 Penn Ave N	Two Family	Renewal	A M Abdullahi & Y M Noor Did not meet requirements	2	Type I	0	Type IV	Type IV	5
4207 Lakeside Ave N, #226	Condo	Renewal	The Beach Apt Owners Assn Did not meet requirements	3	Type II	0	Type IV	Type IV	2
1619 73rd Ave N	Single	Renewal	SFR ACQUISITIONS 2 LLC	15	Type IV	0	Type IV	Type II	0
3712 53rd Pl N	Single	Renewal	SFR BORROWER 2022-A LLC	12	Type IV	0	Type IV	Type II	0
4007 Joyce La	Single	Renewal	John Jorgensen	17	Type IV	0	Type IV	Type II	0
4013 65th Ave N	Single	Renewal	Gao Qiang Liu	8	Type III	0	Type III	Type II	N/A
4806 Howe La	Single	Renewal	Prosperious Property LLC	1	Type I	0	Type I	Type I	N/A
4912 Zenith Ave N	Single	Renewal	Ez-2013a Llc	6	Type III	0	Type III	Type II	N/A

5006 France Ave N	Single	Renewal	A&m Estate Services Llc Did not meet requirements	3	Type II	0	Type IV	Type IV	2
5025 Zenith Ave N	Single	Renewal	T J Armstrong/s A Armstrong	2	Type I	0	Type I	Type II	N/A
5124 66th Ave N	Single	Renewal	Dominic T Minor Met Requirements	5	Type II	0	Type II	Type IV	N/A
5325 Knox Ave N	Single	Renewal	Maria Collaguazo Did not meet requirements	3	Type II	0	Type IV	Type IV	2
5422 72nd Cir	Single	Renewal	Alkis Michaelides Et Al	1	Type I	0	Type I	Type II	N/A
5517 Knox Ave N	Single	Renewal	Roger P Harris	2	Type I	0	Type I	Type I	N/A
5556 Emerson Ave N	Single	Renewal	Thomas D Belting Met Requirements	7	Type III	0	Type III	Type IV	N/A
5601 Camden Ave N	Single	Renewal	Western Sky Properties Llc	5	Type II	0	Type II	Type II	N/A
5801 Girard Ave N	Single	Renewal	Olubunmi Agunbiade	2	Type I	0	Type I	Type II	N/A
5818 Humboldt Ave N	Single	Renewal	Jay B Olson/kristin E Olson Met Requirements	6	Type III	0	Type III	Type III	N/A
5913 Halifax Ave N	Single	Renewal	Cel Monton LLC Met Requirements	4	Type II	0	Type II	Type III	N/A
5913 Washburn Ave N	Single	Renewal	Rlr Real Estate Llc	2	Type I	0	Type I	Type I	N/A
6015 Aldrich Ave N	Single	Renewal	Lung Thi Tran Met Requirements	2	Type I	0	Type I	Type IV	N/A
6015 Dupont Ave N	Single	Renewal	HOME TRS LLC Did not meet requirements	0	Type I	0	Type IV	Type IV	3
6018 Kyle Ave N	Single	Renewal	Christina Duong & Danny Vo	3	Type II	0	Type II	Type I	N/A
6131 Bryant Ave N	Single	Renewal	Jun Wang & Jinxiu Wang Met Requirements	3	Type II	0	Type II	Type IV	N/A

6400 Fremont Ave N	Single	Renewal	Jesus Vazquez Martinez Did not meet requirements	3	Type II	0	Type IV	Type IV	2
6418 Girard Ave N	Single	Renewal	Kebede Properties Met Requirements	1	Type I	0	Type I	Type III	N/A
6712 Beard Ave N	Single	Renewal	Mlmjr Properties & Invst Llc Did not meet requirements	2	Type I	0	Type IV	Type IV	3
6725 Bryant Ave N	Single	Renewal	Vong Duong & Ngoc-keiu Huynh Did not meet requirements	10	Type IV	0	Type IV	Type IV	4
6830 Perry Ave N	Single	Renewal	AA Homes LLC Met Requirements	0	Type I	0	Type I	Type III	N/A
6919 France Ave N	Single	Renewal	Benjamin P A Hermantin Et Al Met Requirements	6	Type III	0	Type III	Type IV	N/A

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

**License type being issued

***Initial licenses will not show a Type 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: 4/22/2024

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Jesse Anderson, Community Development Director
BY: Xiong Thao, Housing and Community Standards Manager

SUBJECT: An Ordinance Amending Chapter 12 of the City City Relating to New Rental Licensed Properties and Nuisance Abatement Process

Requested Council Action:

- Motion to approve an ordinance amending chapter 12-901, 12-1201A and 12-1206 of the City Code of Ordinances regarding rental licensing and building compliance orders. (first reading)

Background:

A work session discussion was completed during the February 26, 2024 City Council meeting on the issues relating to repeat Type IV rental license, new construction rental licenses, and occupied property nuisance abatements.

Staff presented data on repeat Type IV rental licenses and provided several options that the council could choose from in further regulating repeat Type IV licenses. There was consensus among council members that there should be no changes to the current process at this time.

Staff also presented on the initial license types that were issued to new construction multi-family properties. During that presentation, staff outlined several options that the Council could choose from. There was consensus among council members that there would be no change to the way the City issues rental licenses to new multi-family construction. Staff also presented that there should be a minor change to the City Ordinance 12-901.3 language clarifying rental license types for new licenses.

Staff have prepared an ordinance update to better clarify that the maximum license category that can be obtained with the initial license. An initial license would be no better then a type II.

<u>Abatement</u>

There was consensus from City Council that the nuisance abatement process of occupied properties should be more aligned with the abatement process for vacant buildings. The nuisance abatement of occupied properties will no longer require a City Council action and would allow staff to abate the nuisance violation if proper notice was provide to the property owner/occupant of the property. The property would still have the opportunity to appeal the correction order to City Council.

Budget Issues:

The nuisance abatement of occupied properties may have some upfront costs. If the cost of the abatement

is not paid, the costs can be rolled over to special assessments.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Strengthen and diversify business development and housing

ATTACHMENTS:

Description	Upload Date	Type
Ordinance	4/11/2024	Ordinance

CITY OF BROOKLYN CENTER

Please take notice that on_____, 2024, at approximately 7:00 p.m. at Brooklyn Center City Hall, located at 6301 Shingle Creek Parkway, Brooklyn Center, Minnesota, the City Council of the City of Brooklyn Center will conduct a second reading and consider the adoption of the following ordinance amending Sections 12-901, 12-1201A and 12-1206 of the City Code of Ordinances regarding rental licensing and building compliance orders. Meeting materials can be accessed by visiting the City of Brooklyn Center's website at: https://www.ci.brooklyn-center.mn.us/. A definite time for this ordinance to be considered cannot be given as it will depend on the progression of the agenda items.

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 12-901, 12-1201A AND 12-1206 OF THE CITY CODE OF ORDINANCES REGARDING RENTAL LICENSING AND BUILDING COMPLIANCE ORDERS

THE CITY COUNCIL OF THE CITY OF BROOKLYN CENTER DOES ORDAIN AS FOLLOWS:

Article I. Brooklyn Center City Code, Section 12-901. 3. is amended by adding the following double-underlined language and deleting the following ~~stricken~~ language:

3. New Licenses. Properties that have legally not been required to have a rental license due to new construction ~~or a change from owner occupied to rental will~~ may qualify for a Type II, Type III, or Type IV License. Properties that have changed from owner occupied to rental may qualify for a Type II, Type III, or Type IV License. Properties found operating without a valid rental license from the City or failing to meet City Code requirements or that have been the subject of enforcement actions such as criminal prosecution or civil penalties for violation of this Chapter, will only qualify for a Type III or Type IV License.

Article II. Brooklyn Center City Code, Section 1201A is amended by adding the following double-underlined language and deleting the following ~~stricken~~ language:

Section 12-1201A. COMPLIANCE ORDER. Whenever the Compliance Official determines that any building or portion thereof, or the premises surrounding any of these, fails to meet the provisions of this Chapter, a compliance order shall be issued setting forth the violations of the Chapter and ordering the owner, occupant, operator, or agent to correct such violations at the expense of the owner, occupant, operator or agent~~shall be issued~~. This compliance order shall:

1. Be in writing.

2. Describe the location and nature of the violations of this Chapter.

3. Establish a reasonable time for the correction of such violation, not to exceed 10 days, and notify of appeal recourse.

4. Be served upon the owner or agent or occupant, as the case may require. Such notice shall be deemed to be properly served upon such owner or agent, or upon any such occupant, if a copy thereof is:

    a. Served upon owner, agent or occupant personally; or
    b. Sent by 1st class mail to his/her last known address; or
    c. Upon failure to effect notice through (a) and (b) as set out in this Section, posted at a conspicuous place in or about the building, or portion thereof, that is affected by the notice.

Violations may be cited by the City and prosecuted, and license suspension, revocation or non-renewal may be undertaken by the City whether or not a compliance order has been issued.

Article III. Brooklyn Center City Code, Section 12-1206 is amended by deleting the following ~~stricken~~ language:

Section 12-1206. EXECUTION OF COMPLIANCE ORDERS BY PUBLIC AUTHORITY. Upon failure to comply with a compliance order within the time set therein and no appeal having been taken, or upon failure to comply with a modified compliance order within the time set therein, the criminal penalty established hereunder notwithstanding, the City ~~Council~~ may, ~~by resolution, following a hearing~~ upon not less than ten (10) days notice to the landowner, cause the cited deficiency to be remedied as set forth in the compliance order. The cost of such remedy shall be a lien against the subject real estate and may be levied and collected as a special assessment in the manner provided by Minnesota Statutes, Chapter 429, but the assessment shall be payable in a single installment.

Article IV. Severability. Should any section or part of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision will not affect the validity of the ordinance as a whole or any part other than the part declared invalid.

Article V. Effective Date. This ordinance shall become effective after adoption and upon thirty days following its legal publication.

Adopted this ____ day of _____, 2024.

_____
April Graves, Mayor

ATTEST: _____
Barb Suciu, City Clerk

Date of Publication _____

Effective Date _____

(~~Strikeout~~ indicates matter to be deleted, double-underline indicates new matter.)

Council Regular Meeting

DATE: 4/22/2024

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Liz Heyman Public Works Director
BY: Matt Chopp, City Forester

SUBJECT: Resolution Declaring April 26, 2024, to be Arbor Day and May, 2024, to be Arbor Month in Brooklyn Center

Requested Council Action:

- *Motion to approve a resolution declaring April 26, 2024, to be Arbor Day and May, 2024, to be Arbor Month in Brooklyn Center*

Background:

Arbor Day originated in 1872 in America as a national holiday in which individuals and groups are encouraged to plant and care for trees. Each year, Brooklyn Center typically celebrates National Arbor Day and Arbor Month by hosting local volunteer/educational events with students/children from an elementary school and other groups within the City. This year's event includes 12 children and 3 troop leaders from Local Girl Scout Troop 18877 planting 10 trees in Willow Lane Park near the Willow Lane Early Childhood Development Center.

This event and resolution support the City's Forestry Program that has resulted in Brooklyn Center receiving its thirty-second consecutive national Tree City USA award and working towards its second consecutive Growth award by the National Arbor Day Foundation.

Budget Issues:

Funding for the event supplies is expected to be less than $2,000 and is included in the 2024 Forestry budget.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Maintain and enhance public places, Improve community and employee safety

ATTACHMENTS:

Description	Upload Date	Type
Arbor Day Declaration	4/9/2024	Resolution Letter

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING APRIL 26, 2024, TO BE ARBOR DAY
AND MAY 2024 TO BE ARBOR MONTH IN BROOKLYN CENTER

WHEREAS, Trees are an increasingly vital resource in Minnesota today, enriching our lives by purifying air and water, helping conserve soil and energy, serving as recreational settings, providing habitat for wildlife of all kinds and making our cities more livable; and

WHEREAS, Trees in our City increase property values, enhance the economic vitality of business areas and beautify our community; and

WHEREAS, Human activities such as pollution, as well as drought, disease and insects threaten our trees, creating the need for concerted action to ensure the future of urban and rural forests in our state, country and world; and

WHEREAS, People can contribute to the environmental stewardship of our community by locally planting trees and ensuring that these trees are nurtured, protected and wisely used in the years ahead; and

WHEREAS, The City of Brooklyn Center desires to continue its tree management efforts.

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

1. April 26, 2024, to be Arbor Day in the City of Brooklyn Center.

2. May 2024 to be Arbor Month in the City of Brooklyn Center.

3. I urge all community members to support efforts to care for our trees and woodlands and to support our City's Community Forestry Program.

April 22, 2024 _____
Date Mayor

ATTEST: _____
City Clerk

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

RESOLUTION NO. _____

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: 4/22/2024

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Elizabeth Heyman, Director of Public Works
BY: Ahmed Omer, P.E., City Engineer

SUBJECT: Resolution Declaring April 22, 2024, as Earth Day in Brooklyn Center

Requested Council Action:

- Motion to approve a resolution declaring April 22, 2024, as Earth Day in Brooklyn Center.

Background:

The name and concept of Earth Day was pioneered in 1970 in the United States. It is an annual day on which events are held worldwide to demonstrate support for environmental protection. This day of nature's balance was later sanctioned in a Proclamation at the United Nations, eventually going international in 1990.

Today, more than 192 countries coordinate and celebrate Earth Day every year. Brooklyn Center recognizes Earth Day on Monday, April 22, 2024, by taking part in celebratory events such as the Community Cleanup.

The Shingle Creek Cleanup took place on Saturday, April 20, 2024, from 9:00 a.m. to 12:00 p.m. at the Brooklyn Center's Centennial Park Amphitheater.
.

Budget Issues:

There are no budget issues to consider with this proclamation. Funding for the event is included in the 2024 budget under the Storm Drainage Utility operating budget.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Maintain and enhance public places

ATTACHMENTS:

Description	Upload Date	Type
Resolution	4/9/2024	Resolution Letter

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING APRIL 22, 2024, TO BE EARTH DAY IN BROOKLYN CENTER

WHEREAS, a sound natural environment is the foundation of a healthy society and a robust economy; and

WHEREAS, local communities can do much to reverse environmental degradation and contribute to building a healthy society by addressing such issues as energy conservation, waste prevention and sustainable practices; and

WHEREAS, Earth Day 2024 offers an unprecedented opportunity to commit to building a healthy planet and flourishing communities.

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

1. April 22, 2024, to be Earth Day in the City of Brooklyn Center.

2. The City of Brooklyn Center commits itself to undertaking programs and projects that enhance the community's natural environment.

3. The City Council hereby reaffirms its commitment and encourages residents, businesses and institutions to use Earth Day 2024 to celebrate the Earth and to commit to building a sustainable society by initiating or expanding existing programs which improve energy efficiency, reduce or prevent waste and promote recycling.

April 22, 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: 4/22/2024

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Elizabeth Heyman, Director of Public Works
BY: Ahmed Omer, P.E., City Engineer

SUBJECT: Resolution Declaring April 22-28, 2024, to be Community Cleanup Week

Requested Council Action:

- Motion to approve a resolution declaring April 22-28, 2024, as Community Cleanup Week.

Background:

Brooklyn Center will celebrate the 22nd annual "Shingle Creek Cleanup". Beginning Monday, April 22, 2024, through Sunday, April 28, 2024, volunteers from Brooklyn Center will walk the banks of Shingle Creek, as well as City parks, trails and streets, picking up everything from pop cans and auto parts, to building materials and household appliances.

The Shingle Creek Cleanup meets one of the public involvement and participation requirements of the federally mandated National Pollutant Discharge Elimination System (NPDES) permit for Brooklyn Center. The event not only educates people that trash and other contaminants in the streets, parks and shorelines eventually end up in our lakes, rivers and streams, but also provides opportunities for the public to become involved in the protection of water quality.

On Saturday, April 20, 2024, from 9:00 a.m. to 12:00 p.m. Brooklyn Center City officials and employees distributed trash bags, grabbers, safety vests and gloves as well as refreshments at Brooklyn Center's Centennial Park Amphitheater to kick off the official cleanup and commemorated Earth Day. More than 50 volunteers are expected to participate in the week-long event.

Budget Issues:

Funding for the event is included in the 2024 budget under the Storm Drainage Utility operating budget.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Maintain and enhance public places

ATTACHMENTS:

Description	Upload Date	Type

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING APRIL 22-28, 2024, TO BE COMMUNITY CLEANUP WEEK

WHEREAS, The City of Brooklyn Center is dedicated to preserving and protecting the water resources in our watersheds; and

WHEREAS, Litter and trash can be washed into our lakes, rivers and streams, polluting the water and clogging the City's storm water drainage system; and

WHEREAS, Community members can take an active role in protecting water resources by picking up litter and trash and keeping our streets, parks, neighborhoods and community clean; and

WHEREAS, The City of Brooklyn Center's annual event "Shingle Creek Cleanup" took place on April 20, 2024.

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

1. April 22-28, 2024, to be Community Cleanup Week.

2. The City Council hereby reaffirms its commitment to protecting and preserving our water resources and encourages residents, businesses and institutions to use the Community Cleanup Week 2024 to help prevent water pollution and preserve our watersheds by participating in the Shingle Creek Cleanup event or by using this time to pick up trash and cleanup our homes, businesses, streets, neighborhoods and community.

April 22, 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: 4/22/2024

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Liz Heyman Public Works Director
BY: Matt Chopp, City Forester

SUBJECT: Resolution Recognizing Designation of Brooklyn Center as a Tree City for the Thirty-Second Consecutive Year

Requested Council Action:

- *Motion to approve a resolution recognizing Brooklyn Center as a Tree City USA.*

Background:

For each of the past thirty-two years, Brooklyn Center has strived for and achieved designation as a Tree City USA by the National Arbor Day Society. The City has again been notified that Brooklyn Center has received this recognition for its 2023 efforts. This national award recognizes communities with effective community forestry programs. Also, the City has been notified that Brooklyn Center has received a Growth Award for additional commitment to expansion of its forestry efforts. The City's Forestry Program includes the following:

- Care for and planting of park and boulevard trees
- Diseased and nuisance tree removal program
- Mandatory tree contractor registrations requiring certain minimums of liability insurance
- Boulevard tree planting permits requiring proper placement of tree and selection of tree species
- A tree ordinance specifying proper standards of care for all trees
- An Arbor Day and Month Program that includes educational activities and an event to promote the planting of trees
- Awarded Canopy Grant Improvement Projects

Budget Issues:

Funding needed to support and meet goals of this program in 2024 is included in the 2024 Forestry operating budget.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Maintain and enhance public places, Improve community and employee safety

ATTACHMENTS:

Description	Upload Date	Type
Resolution	4/15/2024	Resolution Letter

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION RECOGNIZING DESIGNATION OF BROOKLYN CENTER AS A TREE CITY USA FOR THE THIRTY-SECOND CONSECUTIVE YEAR

WHEREAS, the City of Brooklyn Center is committed to preserving and enhancing its urban forest; and

WHEREAS, the National Arbor Day Society has designated the City of Brooklyn Center as a Tree City USA in recognition of 2023 forestry activities.

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

1. The City Council hereby recognizes and accepts the designation of Tree City USA for the thirty-second consecutive year.

2. The City Council hereby recognizes and accepts the designated Growth Award.

3. The City Council reaffirms its commitment to urban forestry and directs staff to continue its reforestation efforts as planned and budgeted in 2024.

4. The City Council commends Brooklyn Center residents and staff for their work in maintaining and enhancing Brooklyn Center's urban forest.

April 22, 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: 4/22/2024

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Elizabeth Heyman, Director of Public Works
BY: Ahmed Omer, P.E., City Engineer

SUBJECT: Resolution Approving Settlement Agreement for Brooklyn Boulevard Corridor Project Phase 2 Improvements, Project No. 2021-05

Requested Council Action:

- Motion to approve a resolution approving a settlement agreement for Brooklyn Boulevard Corridor Project Phase 2 Improvements, Project No. 2021-05.

Background:

On March 25, 2019, the City Council directed staff to proceed with the preliminary design, environmental documentation, easement acquisition, and final design work for the Brooklyn Boulevard Corridor Project Phase 2 Improvements (Bass Lake Road to Interstate 94), Project No. 2021-05.

In order to construct the improvements, permanent drainage, utility, sidewalk, and trail easements and/or temporary construction easements were required from 47 separate parcels adjacent to the corridor. Parcel numbers are identified on the right-of-way plan prepared for the project. Agreement for acquisition of easements was reached voluntarily with 33 affected property owners. In order to meet the anticipated development schedule condemnation was pursued on 14 parcels where no agreement could be met. The following parcels under condemnation have reached a settlement agreement.

Parcel No. 44; 6300 Brooklyn Blvd: This parcel required both permanent easements and temporary construction easements with total compensation agreed upon in the amount of $35,200.

Budget Issues:

The Brooklyn Boulevard Corridor Project Phase 2 Improvement (Bass Lake Road to Interstate 94) has a project cost estimated to be $17,355,411.92. The total appraised value for all easements on the project are estimated to be approximately $824,676. The total value of the permanent easements and temporary construction easements for Parcel 44 is $35,200 which is being funded out of the Capital Improvements Program.

The above parcel is the final agreement to have been met for this project. The total value of all permanent easements and temporary construction easements for the project is $806,758.32.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Provide quality services with fair and equitable treatment

ATTACHMENTS:

Description	Upload Date	Type
Resolution	4/9/2024	Resolution Letter
Settlement Agreement	4/9/2024	Backup Material

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING A SETTLEMENT AGREEMENT FOR BROOKLYN BOULEVARD CORRIDOR PROJECT PHASE 2 IMPROVEMENTS, PROJECT NO. 2021-05

WHEREAS, the City of Brooklyn Center and Hennepin County have planned the improvement of Brooklyn Boulevard between Bass Lake Road (County Road 10) and Interstate 94 within the City of Brooklyn Center, Minnesota in 2021; and

WHEREAS, the City, in order to acquire title and meet its anticipated development schedule, commenced a condemnation action in Hennepin County District Court, Court File No. 27-CV-20-15230 pursuant to a Petition filed November 19, 2020, as amended on January 12, 2021 (the "Action"); and

WHEREAS, to facilitate the Project, the Action included acquiring certain real property interests 6300 Brooklyn Blvd and as defined as Parcel 44 within the Action (the "Property"); and

WHEREAS, subject to approval by the City Council, representatives of the parties have negotiated a Settlement Agreement, a copy of which is attached hereto as Exhibit A, which resolves all outstanding claims and issues between the parties related to the Property; and

WHEREAS, the City Council has fully considered the terms of the Settlement Agreement and has determined that it is in the best interests of the community to approve it as presented.

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

1. The Mayor and City Manager of the City are hereby authorized and directed to execute all appropriate documents and take all necessary actions to facilitate the settlement contemplated herein, with all such actions to be in accordance with the terms and conditions set forth in this Resolution and the incorporated Settlement Agreement.

2. The Mayor and City Manager of the City, staff and consultants are hereby authorized and directed to take any and all additional steps and actions necessary or convenient in order to accomplish the intent of this Resolution.

April 22, 2024 _____
Date Mayor

RESOLUTION NO. _____

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.

STATE OF MINNESOTA

COUNTY OF HENNEPIN

IN DISTRICT COURT

FOURTH JUDICIAL DISTRICT
Case Type: Condemnation

The City of Brooklyn Center, a municipal corporation under Minnesota law,

Petitioner,

vs.

WSK Professional Bldg., L.L.C. et al.,

Respondents.

Court File No. 27-CV-20-15230
Judge: Susan N. Burke

STIPULATION OF SETTLEMENT FOR PARCEL 44

This stipulation of settlement (the "**Agreement**") is entered into by and between Petitioner City of Brooklyn Center ("**City**" or "**Petitioner**"), and Respondent AutoZone Development Corporation[1] ("**Owner**") (collectively, the "Parties") on this 27th day of March, 2024.

RECITALS:

1. The City commenced a condemnation action in Hennepin County District Court, Court File No. 27-CV-20-15230 pursuant to a Petition filed November 19, 2020, as amended on January 12, 2021 (the "**Condemnation Action**").

2. On February 23, 2021, the District Court filed the Order Approving Petition and Transfer of Title and Possession (the "**Order**") that, among other things, transferred certain property interests on Parcel 44 for the City's Brooklyn Boulevard Corridor Project Phase 2 Improvements (the "**Project**"), including without limitation a permanent easement for drainage,

[1] The entity that is exercising Owner's rights in this matter is: **AutoZone Parts, Inc., a Nevada corporation** [resulting entity after conversion from AutoZone Parts LLC, a Nevada limited liability company], transferee of AutoZone Investment Corporation, a Nevada corporation, assignee of AutoZone Development LLC, a Nevada limited liability company [surviving entity after merger with AutoZone Development Corporation, a Nevada corporation]. The Parties agree that this Stipulation is binding as to AutoZone Parts, Inc.

utility, sidewalk, and trail purposes and a temporary construction easement as described in **Exhibit A** to the Order and attached hereto (the "**Property Interests**").

3. AutoZone Development Corporation was the fee owner of record of Parcel 44 at the time of the Order. The present fee owner is AutoZone Parts, Inc., a Nevada corporation [resulting entity after conversion from AutoZone Parts LLC, a Nevada limited liability company], transferee of AutoZone Investment Corporation, a Nevada corporation, assignee of AutoZone Development LLC, a Nevada limited liability company [surviving entity after merger with AutoZone Development Corporation, a Nevada corporation].

4. No other identifiable parties have been named in the Condemnation Action as having an interest in Parcel 44.

5. On or about February 25, 2021, in accordance with the terms of the Order, the City deposited with the Court the approved appraised value of the Property Interests of $26,500.00 for Parcel 44 (the "**Quick-Take Deposit**"), and title and possession to the Property Interests transferred to the City.

6. The Parties wish to conclude matters relating to just compensation damages due and owing to all parties interested in Parcel 44 because of the Condemnation Action. To this end, the Parties enter into this Agreement.

TERMS OF THE AGREEMENT

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. RECITALS. The recitals set forth above are true and accurate and are each incorporated and are material terms of this Agreement.

2. **SETTLEMENT AMOUNT.** The Parties stipulate and agree to a full and final settlement of all claims related to and arising from the City's taking of the Property Interests from Parcel 44 in the amount of amount of $35,200.00 (the "**Settlement Amount**"), payable to the Owner as set forth in Paragraph 3 below.

3. **PAYMENT OF SETTLEMENT AMOUNT**. Within 15 business days after this Agreement is fully executed by the Parties, the City shall pay the Settlement Amount by issuing a check payable to "AutoZone Parts, Inc." and delivering it by U.S. Mail at the following address: AutoZone Parts, Inc., 123 S. Front Street, Attn: Lee McCoy, Dept. 8700, Memphis, TN 38103.

4. **QUICK TAKE DEPOSIT**. The Owner hereby assigns to the City all of its right, title and interest in the Quick-Take Deposit. The City may apply to the Court at any time after the delivery of the Settlement Check for disbursement to the City of the Quick-Take Deposit, together with any interest that has accrued thereon, without further notice to the Respondents. The City and the Owner hereby agree to the entry of a Court order directing disbursement to the City alone of the Quick-Take Deposit, together with any interest that has accrued thereon.

5. **WAIVER OF HEARING RIGHTS**. In consideration of this Agreement and settlement, the Owner agrees to waive any rights it may have to any further notices, viewings, or hearings regarding this action, including any hearing before the court-appointed Commissioners to determine just compensation damages.

6. **ENTIRE AGREEMENT & WAIVER.** Owner agrees that this Agreement, upon completion of conditions and satisfaction of contingencies, if any, fully and finally settles all claims that were made or could have been made in the Condemnation Action, including attorney's fees, interest, litigation expenses, appraisal fees, and other expert fees and related costs. Owner agrees that payment and acceptance of the Settlement Amount constitutes full accord and satisfaction for all

claims for damages, past, present, and future, of any kind or nature, occasioned by the taking, that were made or could have been made in the Condemnation Action, including without limitation for construction interference damages, and all damages, if any, to the remaining lands owned by Owner, and hereby intending to forever settle all claims that were made or could have been made in the Condemnation Action.

7. **ADDITIONAL CITY OBLIGATIONS**. After issuance of the payment as set forth in Paragraph 3, the City will file a Final Certificate in this action and record a discharge of notice of *Lis Pendens* with respect to the Property Interests in the Office of the Hennepin County Recorder or Registrar of Titles. Each party will bear its own costs in connection with this action. The district court shall retain jurisdiction to enforce the terms of this Agreement.

8. **BINDING EFFECT AND CAPACITY TO SIGN.** The persons signing this Agreement in their representative capacities represent and warrant by signing this Agreement that it is their intent to bind their respective principals to the terms and conditions set forth herein, that the persons signing in their representative capacity have been authorized to bind their respective principals to such terms, and that it is the respective principals' intent to be so bound.

9. **CITY COUNCIL APPROVAL**. This Agreement is contingent upon approval of the City Council of the City of Brooklyn Center.

10. **VOLUNTARY EXECUTION**. Owner has either consulted or had the opportunity to consult with an attorney prior to executing this Agreement. The undersigned state and represent that they have fully read this Agreement, and that each know and understand the consequences and legal effect thereof. This Agreement contains the entire agreement of the Parties with regard to the matters set forth herein.

11. ATTORNEY FEES. The parties shall be responsible for their own attorneys' fees associated with this matter.

12. MODIFICATIONS. This Agreement may only be amended in writing and signed by each party.

13. COUNTERPARTS. This Agreement may be executed in counterparts which, taken together, shall constitute one agreement.

IN WITNESS WHEREOF, the parties, intending to be legally bound, execute this Stipulation as of the corresponding date written below.

{Remainder of Page Intentionally Left Blank; Signature Pages to Follow}

{Petitioner's Signature Page to Stipulation of Settlement Agreement for Parcel 44}

Dated: _____, 2024

CITY OF BROOKLYN CENTER

By: _____
April Graves, Mayor

ATTEST: _____
Barb Suciu, City Clerk

Dated: March 29, 2024.

KENNEDY & GRAVEN, CHARTERED

By: _____
Joshua P. Weir (#0402328)
150 South Fifth Street, Suite 700
Minneapolis, MN 55402
(612) 337-9219
jweir@kennedy-graven.com

ATTORNEY FOR PETITIONER

{Owner's Signature Page to Stipulation of Settlement Agreement for Parcel 44}

AUTOZONE PARTS, INC.

Dated: March 27, 2024.

By: _____

Its: Vice President

Approved for Execution
Legal _____
Business _____
Store # 4327

By: _____

Its: Vice President

EXHIBIT A

Parcel No. 44: Property I.D. 34-119-21-42-0031, Torrens Certificate No. 1356687

Property Address: 6300 Brooklyn Boulevard, Brooklyn Center, MN 55429

Description of Subject Property:

Lot 1, Block 1, Rainbows Garden City Second Addition, Hennepin County, Minnesota.

("Subject Property").

Description of Permanent Easement:

A perpetual easement for drainage, utility, sidewalk and trail purposes over, under, across and through part of the Subject Property.

Said perpetual easement is described as the South 8.00 feet of said Lot 1.

Description of Temporary Construction Easement:

A temporary easement for construction purposes over, under, across and through part of the Subject Property.

Said temporary easement being the North 10.00 feet of the South 18.00 feet of said Lot1.

Together with a temporary easement for construction purposes over, under, across and through that part of the westerly 5.00 feet of said Lot 1 lying northerly of the South 18.00 of said Lot 1 and lying southeasterly of a line run at a right angle to the westerly line of said Lot 1 through a point on said westerly line distant 92.00 feet northwesterly from the southwest corner of said Lot 1.

Term of Temporary Easement: Said temporary easement set to expire November 30, 2022.

Subject to easements of record, except as taken herein.

Acquired or Encumbered Interests:

NAME	NATURE OF INTEREST
AutoZone Development Corporation, a Nevada corporation	Owner

Notwithstanding the foregoing attempt to identify all interests held by a party named herein, it is Petitioner's intention to acquire or encumber all interests owned or claimed by the named respondents in the Subject Property within the taking areas described above.

Council Regular Meeting

DATE: 4/22/2024

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Liz Heyman Public Works Director
BY: Michael Weber Public Utilities Supervisor

SUBJECT: Resolution Authorizing Execution of a Site Lease Agreement Renewal with T-Mobile Central L.L.C on Water Tower No. 2

Requested Council Action:

- It is recommended that the City Council consider approval of a resolution authorizing execution of a site lease agreement with T-Mobile Central L.L.C at Water Tower No. 2

Background:

T-Mobile Wireless has submitted a renewal agreement to the City for Water Tower No. 2 (1000 69th Avenue N). The draft agreement was submitted along with the required application fee and the attached site lease agreement has been reviewed by the City Attorney.

Budget Issues:

The Water Utility Fund will receive an annual fee in accordance with the site lease agreement amounting to $46,449.79, as established for 2008 with a 4% annual increase per the lease agreement.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

ATTACHMENTS:

Description	Upload Date	Type
Resolution	4/10/2024	Resolution Letter
Stamped Abstract 4.5.24	4/10/2024	Backup Material
Signature Need Stamped Amendment 4.5.24	4/10/2024	Backup Material

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION AUTHORIZING EXECUTION OF SITE LEASE AGREEMENT WITH T-MOBILE LLC ON WATER TOWER NO. 2

WHEREAS, T-Mobile Central L.L.C. has submitted to the City of Brooklyn Center a request to renew current lease agreement on Water Tower No. 2, along with the required escrow deposit; and

WHEREAS, as compensation for the use of City facilities, T-Mobile Central agrees to pay an annual lease payment of $46,449.79 (2024 rate). The payment has been received for 2024 and will increase annually by four percent for fifteen years; and

WHEREAS, the City and T-Mobile Central have negotiated a lease agreement that is consistent with the City's Policy Regarding the Use of City Water Towers for Personal Wireless Services Facilities.

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

1. The lease agreement between T-Mobile Central L.L.C and the City for the placement of antennas on Water Tower No. 2 is hereby approved. The Mayor and City Manager are hereby authorized to execute said lease agreement.

2. All lease payments collected from said lease will be deposited into the Water Utility Fund.

_____ _____

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.

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ABSTRACT & APPROVAL SHEET
EXISTING SITE /MISCELLANEOUS AGREEMENTS

Lease Amendment Reference: A1O0755A/030524.094744.LA

Submitter Details	
Name: Rich Kotite	**Email:** rich.kotite1@t-mobile.com
Phone: 6412338798	**Submitter is site acq?:** Yes
Firm Name: PBM Wireless Services	

Site Details	
Site ID: A1O0755A	**Site Name:** Brooklyn Center WT
Site Address:1000 69th Avenue North Brooklyn Center MINNESOTA 55430	**Site Type:** Watertank
	Market: MINNEAPOLIS MN
	Region: CENTRAL
	Ring ID: A1O0755
	Are the above details correct?: Yes

Lease Details
Lease ID: 112609

POR Information
This is a Non-POR Project

Request Details
Amendment Type: Renewal/Option
Amendment Template: T-Mobile Form
Amendment Summary: NO RENT INCREASE - WATER TANK LEASE RENEWAL ONLY PROJECT: Second Amendment to Site Lease Agreement entitles T-Mobile to add three (3) additional five-year terms starting 1/1/2029 (current agreement expires 12/31/2028). LL wants to change escalator from greater of CPI or 4% annually to straight 4% annually.

Landlord Information	
Landlord Entity Name: City of Brooklyn Center	**Address:** 6301 Shingle Creek Parkway
Town/City: Brooklyn Center	**State:** Minnesota
Zip Code: 55430	**Is T-Mobile paying rent to the above Landlord?:** Yes
Is the Landlord the Property Owner?: Yes	
This is a ATC/Crown Castle/Vertical Bridge/SBA Deal: No	
Landlord Type: Governmental Entities (ex. schools municipalities military)	

Business Terms	
Any change to the Lease term? : Yes	
How long is the renewal?: 5	Years

Any renewal rights?: 2	**# Renewals of:** 5	Years
Are there options?: No		
Current Rent Amount $: 47122.22	**Current Rent Frequency:** Annual	
Any change in Monthly Rent amount?: No		
Any Back Rent: No		
Any Revenue Share?: No		
Are there other fees/costs?: No		
Is a new easement required?: No		

Site Equipment Details
Any change/additional equipment?: No

Any Changes in Lease area?: No

Significant Risks
Are there any significant risks?: No

Signing Authority Level Routing

Title	Print Name	Signature	Date
L02/L01 CEO/ CFO			
L02 EVP/CAO			
L03 SVP Field Engineering; or equivalent			
L04 VP Field Engineering; or equivalent			
L04/L05 VP, Field Engineering; Sr Director, Engineering Development; or equivalent ***(Minimum signing authority)***			
L05,SL05 Sr. Director, Engineering Development; or equivalent			
L06 Market Director; or equivalent			
L06,SL06 Area Director, Network Engineering & Ops; Director, Network Engineering & Ops; or equivalent	Edward Castaneda	DocuSigned by: Edward Castaneda 926557BD49EB449...	4/5/2024
L07,SL07 Market Manager, Engineering Field; or equivalent	Prasanth Attaluri	DocuSigned by: Prasanth Attaluri 95404B67A2F74AF...	4/5/2024
L08,SL08 Manager, Engineering Field; or equivalent	BRETT PFLEGER	DocuSigned by: BRETT PFLEGER 754A1D7854A2460...	4/5/2024
Legal Summary Comments			
Approved			

Legal Approval Stamp	TMO LEGAL	This Version Approved by TMO Legal Dated: 04/05/2024 12:05:05 Name: Jennifer Dugas

DocuSign Envelope ID: BD11A6B5-1B19-4EA3-B5E7-13ADA1B7152F

Site Code: A1O0755A
Market: Minneapolis

SECOND AMENDMENT TO SITE LEASE AGREEMENT

THIS SECOND AMENDMENT TO SITE LEASE AGREEMENT ("Second Amendment") is made and entered into by and between **City of Brooklyn Center, a Minnesota municipal corporation ("Landlord") and T-Mobile Central LLC, a Delaware limited liability company ("Tenant"), collectively known as the "Parties".**

Recitals

The Parties hereto recite, declare and agree as follows:

A. Landlord and Tenant (or their predecessors-in-interest) entered into that certain Site Lease Agreement dated August 26, 2008, as amended December 19, 2014 (the "Lease"), whereby Landlord leased to Tenant certain portions of the Property located at 1000 69th Avenue, Brooklyn Center, Minnesota (the "Leased Premises");

B. Landlord and Tenant desire to enter into this Second Amendment in order to modify and amend certain provisions of the Lease.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Landlord and Tenant covenant and agree as follows:

1. This Lease shall automatically be renewed for an additional term (the "Renewal Term") of five (5) years commencing January 1, 2029, and terminating at midnight on the last day of the month of the fifth year of the term. Thereafter, the Lease shall automatically be renewed for two (2) additional and successive five-year terms ("Additional Renewal Terms") on the same terms and conditions unless either Party provides notice to the other of its intent not to renew as described in the Lease with 365 days' written notice. Section 4 of the Lease is amended accordingly.

2. Landlord and Tenant agree that the rent shall be increased by 4% on January 1, 2025 and on each successive January 1 thereafter.

3. The terms and conditions of the Lease are incorporated herein by this reference, and capitalized terms used in this Second Amendment shall have the same meanings such terms are given in the Lease. Except as specifically set forth herein, this Second Amendment shall in no way modify, alter or amend the remaining terms of the Lease, all of which are ratified by the Parties and shall remain in full force and effect. To the extent there is any conflict between the terms and conditions of the Lease and this Second Amendment, the terms and conditions of this Second Amendment will govern and control.

4. Landlord represents and warrants to Tenant that the consent or approval of no third party, including, without limitation, a lender, is required with respect to the execution of this Second Amendment, or if any such third-party consent or approval is required, Landlord has obtained any and all such consents or approvals.

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Site Code: A1O0755A
Market: Minneapolis

IN WITNESS WHEREOF, the Parties have executed this Second Amendment effective as of the date of execution by the last party to sign.

LANDLORD	**TENANT**
CITY OF BROOKLYN CENTER	T-MOBILE CENTRAL LLC
By: _____	By: DocuSigned by: Hossein Sepehr 3726A7BEC9D54FB...
Name: _____	Name: Hossein Sepehr
Title: Mayor	Title: Sr. Director of ENgineering and
Date: _____	Date: 4/7/2024
By: _____	TMO Legal Digitally signed by TMO Legal Date: 2024.04.05 12:04:42 -04'00'
Name: _____	
Title: City Clerk	
Date: _____	

Council Regular Meeting

DATE: 4/22/2024

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Jesse Anderson, Community Development Director
BY: Xiong Thao, Housing and Community Standards Manager

SUBJECT: Resolution Adopting No Mow May

Requested Council Action:

- *Motion to approve a resolution establishing "No Mow May" for the City.*

Background:

The University of Minnesota's bee lab is promoting an event called #NoMowMay, to encourage people to refrain from mowing their lawns in the month of May. The practice promotes and supports bee and other pollinator habitats.

For more information about the U of MN No Mow May event go to their website at https://beelab.umn.edu/no-mow-may

As part of the program, City Council's are encouraged to relax lawn ordinance enforcement for the month of May.

Staff reviewed the program and believes that it could be beneficial to the environment as well as provide some relief to property owners, who frequently don't yet have their lawn mowers in full working order yet. A relaxing of long grass enforcement until June 1 would give residents additional time for this.

Staff's largest concern was how to address long grass complaints, as the City begins to receive these frequently beginning in May. An action by the City Council to relax long grass enforcement until June 3 (first Monday), would provide staff with an explanation as to why enforcement is not taking place and also provide an opportunity to educate residents about the benefits of bee-friendly lawns.

This action would be for the 2024 season only. The Council can revisit the decision next year to determine if it should be taken again.

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

ATTACHMENTS:

Description	Upload Date	Type
No Mow May Resolution	4/10/2024	Cover Memo

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. 2024-___

RESOLUTION ESTABLISHING "NO MOW MAY" FOR THE CITY

WHEREAS, the City of Brooklyn Center is aware of an effort promoted by the University of Minnesota to support pollinators by encouraging people to not mow their lawns during the month of May; and

WHEREAS, the City Council understands the importance of pollinators to the environment and desires to support this "No Mow May" effort within the City; and

WHEREAS, Section 12-1507(10)(b) of the City Code prohibits owners from allowing grass at vacant building sites to exceed six inches in height and Sections 19-1601 and 19-1603 prohibits as a noxious weed any grass exceeding a height of eight inches or that has gone, or is about to go, to seed (collectively, "Lawn Regulations"); and

WHEREAS, the City Council wishes to support those residents who choose to participate in No Mow May by suspending the enforcement of the City's Lawn Regulations during May; and

WHEREAS, the City Council remains aware that unkept lawns can be unsightly and constitute a nuisance, and so the City Council wants to make it clear the enforcement of the Lawn Regulations will resume in June and throughout the remainder of the season.

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

1. The City shall suspend the enforcement of its Lawn Regulations during May 2024 to support the No Mow May effort to protect pollinators.

2. This Resolution does not prohibit the City from taking action to eradicate noxious weeds, as defined in Minnesota Statutes, section 18.77, subdivision 8, during May if it determines they may be injurious to the public.

3. Enforcement of the City's Lawn Regulations shall resume effective as of June 3, 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: 4/22/2024

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Elizabeth Heyman - Director of Public Works

SUBJECT: Resolution Revising Year 2024 of the Approved 2024-2038 Capital Improvement Plan and Adopting the 2024 Capital Program CIP Revision

Requested Council Action:

- *Motion to approve a resolution revising Year 2024 of the 2024-2038 Capital Improvement Plan.*

Background:

In 2023, Public Works undertook a Capital Maintenance Building Plan (CMBP) Evaluation study for City-owned buildings. The purpose of the study was to create a prioritized set of necessary building improvements across all City buildings. In late November 2023, Public Works staff used a first draft of the study results to inform the 2024-2038 Capital Improvement Plan (CIP). Since that time, the findings of the study have been refined. City staff are now recommending a revision to Year 2024 of the 2024-2038 CIP based on those refinements. The revisions include:

- Creating a new project to rehabilitate the City Hall boiler
- Splitting the West Fire Roof Replacement/HVAC System project into two projects
    - The HVAC portion of the project will be completed in 2024
    - The roof portion of the project will be programmed in a later year
    - Adding in grant funding secured for 2024 projects

These revisions will allow staff to better balance projects funded by the Capital Projects Fund across multiple years.

Budget Issues:

If these revisions are approved, the total appropriated amount for the 2024 Capital Projects Fund will be $1,914,767. The original amount appropriated on December 18th, 2023 was $2,482,050. The attached spreadsheet shows the proposed revisions.

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Maintain and enhance public places

ATTACHMENTS:

Description	Upload Date	Type
Exhibit A: Year 2024 CIP Revision	4/12/2024	Exhibit
Resolution	4/15/2024	Resolution Letter

2024 CIP FUNDS APPROPRIATED ON DECEMBER 18, 2023

Project	Special Assessments	Street Reconst. Fund	MSA Fund	Storm Drainage Utility	Sanitary Sewer Utility	Water Utility	Street Light Utility	Capital Projects Funds	Outside Funds	Total Project Cost	NOTES
2024											
Orchard Lane East Improvements	$1,496,129	$3,443,871	$0	$884,000	$1,990,000	$3,978,000	$0	$0	$0	$11,792,000	
Park Capital Planning Study	$0	$0	$0	$0	$0	$0	$0	$300,000	$0	$300,000	
Hazardous Tree Management and Reforestation	$0	$0	$0	$0	$0	$0	$0	$150,000	$0	$150,000	
Park Playground Equipment Replacement	$0	$0	$0	$0	$0	$0	$0	$313,000	$0	$313,000	
Basketball Courts Pavement Replacements	$0	$0	$0	$0	$0	$0	$0	$148,000	$0	$148,000	
65th Avenue Trunk Storm Sewer Rehabilitation	$0	$0	$0	$1,736,000	$0	$0	$0	$0	$0	$1,736,000	
Storm Water Pond 48-001 Rehab	$0	$0	$0	$368,000	$0	$0	$0	$0	$0	$368,000	
Lift Station No. 5 Rehabilitation	$0	$0	$0	$0	$363,000	$0	$0	$0	$0	$363,000	
Lift Station No. 9 Rehabilitation	$0	$0	$0	$0	$806,000	$0	$0	$0	$0	$806,000	
Lift Station No. 9 Force Main Replacement	$0	$0	$0	$0	$418,000	$0	$0	$0	$0	$418,000	
Well Nos. 6 and 8; Water Treatment Plant HSP No. 4	$0	$0	$0	$0	$0	$202,000	$0	$0	$0	$202,000	
I694/Dupont Ave Water Main Crossing Replacement	$0	$0	$0	$0	$0	$1,931,000	$0	$0	$0	$1,931,000	
Capital Maintenance Building Plan (CMBP) Evaluation Study	$0	$0	$0	$0	$0	$0	$0	$64,000	$0	$64,000	
Cascade System Replacement (Fire)	$0	$0	$0	$0	$0	$0	$0	$91,000	$0	$91,000	
CMBP: Police - HVAC / Electrical Systems	$0	$0	$0	$0	$0	$0	$0	$371,250	$0	$371,250	
CMBP: Public Works - Lighting System Upgrade	$0	$0	$0	$0	$0	$0	$0	$35,000	$75,000	$110,000	
CMBP: City Hall - Elevator 2	$0	$0	$0	$0	$0	$0	$0	$206,250	$0	$206,250	
CMBP: West Fire - Roof Replacement / HVAC System	$0	$0	$0	$0	$0	$0	$0	$728,550	$0	$728,550	
2024 Subtotal	$1,496,129	$3,443,871	$0	$2,988,000	$3,577,000	$6,111,000	$0	$2,407,050	$75,000	$20,098,050	

PROPOSED 2024 CIP REVISIONS

Project	Special Assessments	Street Reconst. Fund	MSA Fund	Storm Drainage Utility	Sanitary Sewer Utility	Water Utility	Street Light Utility	Capital Projects Funds	Outside Funds	Total Project Cost	
2024											
Orchard Lane East Improvements	$1,496,129	$3,443,871	$0	$884,000	$1,990,000	$3,978,000	$0	$0	$0	$11,792,000	
Park Capital Planning Study	$0	$0	$0	$0	$0	$0	$0	$300,000	$0	$300,000	
Hazardous Tree Management and Reforestation	$0	$0	$0	$0	$0	$0	$0	$150,000	$0	$150,000	
Park Playground Equipment Replacement	$0	$0	$0	$0	$0	$0	$0	$313,000	$0	$313,000	
Basketball Courts Pavement Replacements	$0	$0	$0	$0	$0	$0	$0	$36,392	$145,000	$181,392	Hennepin County Grant Secured in early 2024 for this project
65th Avenue Trunk Storm Sewer Rehabilitation	$0	$0	$0	$1,736,000	$0	$0	$0	$0	$0	$1,736,000	
Storm Water Pond 48-001 Rehab	$0	$0	$0	$368,000	$0	$0	$0	$0	$0	$368,000	
Lift Station No. 5 Rehabilitation	$0	$0	$0	$0	$363,000	$0	$0	$0	$0	$363,000	
Lift Station No. 9 Rehabilitation	$0	$0	$0	$0	$806,000	$0	$0	$0	$0	$806,000	
Lift Station No. 9 Force Main Replacement	$0	$0	$0	$0	$418,000	$0	$0	$0	$0	$418,000	
Well Nos. 6 and 8; Water Treatment Plant HSP No. 4	$0	$0	$0	$0	$0	$202,000	$0	$0	$0	$202,000	
I694/Dupont Ave Water Main Crossing Replacement	$0	$0	$0	$0	$0	$1,931,000	$0	$0	$0	$1,931,000	
Capital Maintenance Building Plan (CMBP) Evaluation Study	$0	$0	$0	$0	$0	$0	$0	$64,000	$0	$64,000	
Cascade System Replacement (Fire)	$0	$0	$0	$0	$0	$0	$0	$91,000	$0	$91,000	
CMBP: Police Station - HVAC and Plumbing	$0	$0	$0	$0	$0	$0	$0	$312,125	$0	$312,125	
CMBP: Public Works - Lighting System Upgrade	$0	$0	$0	$0	$0	$0	$0	$35,000	$15,500	$50,500	Xcel Energy rebates secured in early 2024 for this project
CMBP: City Hall - Elevator Replacement	$0	$0	$0	$0	$0	$0	$0	$206,250	$0	$206,250	
CMBP: West Fire - HVAC System	$0	$0	$0	$0	$0	$0	$0	$240,000	$0	$240,000	Rescoped project - West Fire Roof Replacement will occur in a future year
CMBP: City Hall Boiler	$0	$0	$0	$0	$0	$0	$0	$167,000	$0	$167,000	New project to address critical building infrastructure failure
2024 Subtotal	$1,496,129	$3,443,871	$0	$2,988,000	$3,577,000	$6,111,000	$0	$1,914,767	$160,500	$19,691,267	

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION REVISING YEAR 2024 OF THE APPROVED 2024-2038 CAPITAL IMPROVEMENT PLAN AND ADOPTING THE 2024 CAPITAL PROGRAM

WHEREAS, the City Council of the City of Brooklyn Center ("City") determined it is fiscally responsible and necessary to develop an infrastructure plan that coordinates the long-range municipal needs; and

WHEREAS, the City Council approved the 2024-2038 Capital Improvement Plan and adopted the 2024 Capital Program on December 18, 2023; and

WHEREAS, the City's Capital Maintenance Building Plan Evaluation Study provided the City with more refined information for inclusion in the Year 2024 Capital Improvement Program; and

WHEREAS, attached hereto and incorporated herein by reference as Exhibit A is the documentation for the above referenced revised Year 2024 Capital Improvement Plan; and

WHERAS, the City Council of the City of Brooklyn Center authorizes the revised 2024 CIP Program be included in the 2024 Annual City Budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the 2024 Capital Improvement Plan as set forth in Exhibit A to this Resolution be and hereby is adopted.

April 22, 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: 4/22/2024

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Angela Holm, Finance Director

SUBJECT: 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

Requested Council Action:

- Motion to approve 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.

Background:

Orchard Lane East Area Improvements
The proposed project includes roadway and utility improvements within the Orchard Lane East neighborhood. The project area contains a total of 21,560 linear feet of local streets. The neighborhood consists of approximately 352 residential properties, one multi-family property, and two commercial properties.

The timeline of this project up to this point is as follows:

September 25, 2023: The City Council received the project feasibility report on the proposed improvements. The project feasibility report provides a description of recommended improvements for the neighborhood and an estimated project budget.

November 13, 2023: Public Hearing on the proposed special assessments for this project.

December 11, 2023: The City Council passed a resolution certifying special assessments to Hennepin County for this project.

January 11, 20024: The City Council passed a resolution approving plans and specifications and authorized advertisement for request for bids on the project.

April 8, 2024: The City Council passed a resolution accepting the bid and awarding the contract to the lowest responsible bidder.

The estimated total cost of the project is $11,792,000. Of this total cost, $10,353,246 of street, sanitary sewer, storm water, and water infrastructure costs will be financed through bond proceeds and paid from a combination of future property taxes and utility revenues. This equates to approximately 88% of the total

project cost.

Budget Issues:

The proposed 2024A bond issue includes approximately $5.75 million in street reconstruction costs that will be repaid from an additional debt service property tax levy and $1.4 million from special assessments. The estimated required levy for the new debt service in 2025 is approximately $537,298, which equates to an approximate 2.95% levy increase for taxes payable in 2025. Staff are considering alternative payment options that will reduce the levy impact for 2025.

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 these charges. The 2024A bond issue includes $3.27 million in water utility costs, $1.6 million in storm water utility costs and $1.13 million in sanitary sewer utility costs that will be funded through water, storm water, and sanitary sewer utility fees.

We have attached a copy of the projected debt schedules for the issuance of bonds prepared by the City's financial advisor, Baker Tilly. A bond rating call is expected to take place in late April 2024 in which we anticipate that Standard & Poor's will confirm that the bonds will continue to be rated AA.

The anticipated net interest cost of the bond sale is 3.23 percent, which compares to 3.88 percent received on the 2022 bond issue. Bonds were not issued by the City in 2023. Competitive proposals will be received by the City's financial advisor, Baker Tilly at 10:30 am on May 13, 2024. Proceeds from the bonds will be received June 13, 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, Provide quality services with fair and equitable treatment

ATTACHMENTS:

Description	Upload Date	Type
Pre-Sale Summary	4/16/2024	Backup Material
Set Sale Resolution	4/16/2024	Resolution Letter

City of Brooklyn Center, Minnesota

Pre-Sale Summary for Issuance of Bonds

$12,020,000 General Obligation Improvement and Utility Revenue Bonds, Series 2024A (the "Bonds")

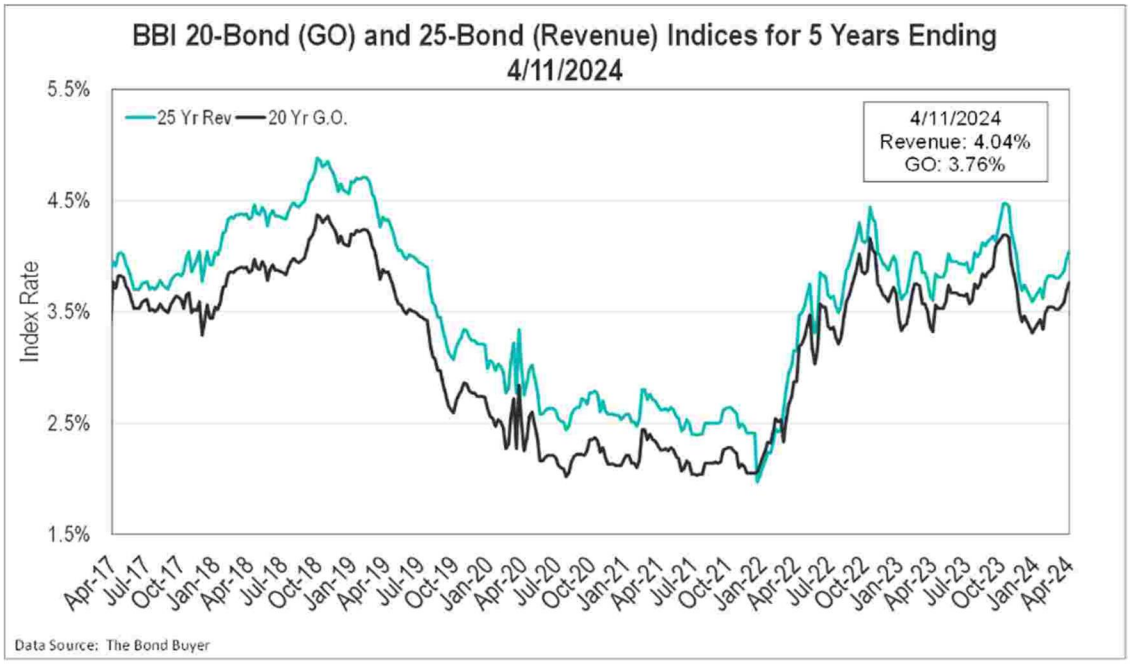
The Council has under consideration the issuance of the Bonds to finance (i) street improvements related to the Orchard Lane East Improvement project (the "Improvement Portion"), (ii) related utility projects (the "Utility Portion") and (iii) costs of issuance. This document provides information relative to the proposed issuance.

KEY EVENTS: The following summary schedule includes the timing of key events that will occur relative to the bond issuance:

April 22, 2024	Council sets sale date and terms
Week of April 22, 2024	Rating conference is conducted
May 13, 2024, 10:30 a.m.	**Competitive bids are received**
May 13, 2024, 7:00 p.m.	**Council considers award of the Bonds**
June 13, 2024	Proceeds are received

RATING: An application will be made to S&P Global Ratings (S&P) for a rating on the Bonds. The City's general obligation debt is currently rated "AA" by S&P.

THE MARKET: Performance of the tax-exempt market is often measured by the Bond Buyer's Index ("BBI") which measures the yield of high-grade municipal bonds in the 20th year for general obligation bonds rated Aa2 by Moody's or AA by S&P (the BBI 20-Bond GO Index) and the 30th year for revenue bonds rated A1 by Moody's or A+ by S&P (the BBI 25-Bond Revenue Index). The following chart illustrates these two indices over the past five years: OR



Study No.: 158894_2324387
Date: April 16, 2024

BOND SUMMARY:	The Bonds are structured as two purposes and are being issued pursuant to Minnesota Statutes Chapters 475, 429 and 444. The Bonds are a general obligation of the City, secured by its full faith and credit and taxing power and will be repaid by a combination of ad valorem tax collections, special assessments and utility funds.
SCHEDULES ATTACHED:	Schedules attached for the Bonds includes (i) sources and uses of funds, (ii) estimated net debt service as whole and by purpose, given the current interest environment; and (iii) estimated assessment collections.
RISKS/SPECIAL CONSIDERATIONS:	The outcome of this financing will rely on the market conditions at the time of the sale. Any projections included herein are estimates based on current market conditions.
SALE TERMS AND MARKETING:	Variability of Issue Size: A specific provision in the sale terms permits modifications to the issue size and/or maturity structure to customize the issue once the price and interest rates are set on the day of sale. Prepayment Provisions: Bonds maturing on or after February 1, 2034 may be prepaid at a price of par plus accrued interest on or after February 1, 2033. Bank Qualification: The City expects to issue more than $10 million in tax-exempt obligations in 2024; therefore, the Bonds are not designated as bank qualified.

$5,865,000 Improvement Portion

Description of Issue

PURPOSE:	Proceeds of the Improvement Portion will be used to finance improvements related to the Orchard Lane East Street Improvement Project.
AUTHORITY:	Statutory Authority: The Improvement Portion is being issued pursuant to Minnesota Statutes, Chapters 429 and 475. Statutory Requirements: Pursuant to Minnesota Statute, at least 20% of the City's share of the estimated costs of the projects must be paid from special assessments. The projects being financed from proceeds of the Improvement Portion of the Bonds meet this requirement.
SECURITY AND SOURCE OF PAYMENT:	The Improvement Portion of the Bonds will be repaid with a combination of ad valorem taxes and special assessments levied against benefitted properties. Special assessments in the principal amount of $1,438,753 were filed in 2024 for first collection in 2025. The assessments will be collected over the term of ten years with equal annual payments of principal. Interest on the unpaid balance will be charged at a rate of 5.00% as provided by the City.
STRUCTURING SUMMARY:	In consultation with City staff, the current principal repayment is structured over a term of ten (10) years – from 2026 to 2035 - around projected assessment revenue to achieve an approximately annual levy requirement. The City is considering principal repayments from 2027 to 2035 to level out the City's annual debt levy.

$6,155,000 Utility Portion

Description of Issue

PURPOSE:	Proceeds of the Utility Portion will be used to finance water, sanitary sewer, and storm sewer improvements related to the Orchard Lane East Street and Utility Improvements.
AUTHORITY:	Statutory Authority: The Utility Portion is being issued pursuant to Minnesota Statutes, Chapter 444 and 475. Statutory Requirements: Pursuant to Minnesota Statutes, Chapter 444 and the resolution awarding the Bonds, the City pledges to maintain user rates and charges for the sanitary sewer, storm drainage, and water utilities (collectively the "Utilities") in an amount sufficient to support operations and to pay debt service. The City is required to annually review the budget of the Utilities to determine whether current rates and charges are sufficient and to adjust them as necessary. The City currently has nine (9) outstanding bond issues that are payable from the Utilities. The table below shows the calculation of net revenues available to pay debt service for the fiscal year ending December 31, 2022. The maximum annual calendar year debt service payment, including the Utility Portion of the Bonds, is estimated to be $5,158,018.

Based on the City's 2022 audited results, the revenues of the Utilities are not sufficient to make the annual debt service payments due on all utility debt of the City. Beginning in January 2024, the City increased water, sanitary sewer and storm water utility rates 11%, 6% and 7%, respectively, which is expected to improve coverage ratios for the current year.

2022 Net Revenues - Utility Funds	Water Fund	Sanitary Sewer Fund	Storm Drainage Fund	Total
Operating Revenues	$ 4,629,601	$ 5,117,729	$ 1,887,218	$ 11,634,548
Operating Expenses	(4,582,503)	(4,584,487)	(2,285,594)	(11,452,584)
Operating Income	47,098	533,242	(398,376)	181,964
Add: Back Depreciation	1,970,439	1,092,596	1,493,669	4,556,704
Add: Interest Earnings (Loss)	(58,314)	(144,355)	(167,496)	(370,165)
Net Revenues Available for D/S	$ 1,959,223	$ 1,481,483	$ 927,797	$ 4,368,503
Projected Max Debt Service				5,158,018
Remaining Capacity				$ (789,515)
Estimated Coverage				0.85

SECURITY AND SOURCE OF PAYMENT: In addition to their general obligation pledge, the City is pledging net revenues of the Utilities to pay debt service on the Utility Portion of the Bonds.

STRUCTURING SUMMARY: In consultation with City staff, principal repayment for the Utility Portion is structured over a repayment term of ten (10) years with approximately level annual debt service payments.

Post Issuance Compliance

POST ISSUANCE COMPLIANCE:

The issuance of the Bonds will result in post-issuance compliance responsibilities. The responsibilities are in two primary areas: (i) compliance with federal arbitrage requirements and (ii) compliance with secondary disclosure requirements.

Federal arbitrage requirements include a wide range of implications that have been taken into account as this issue has been structured. Post-issuance compliance responsibilities for this tax-exempt issue include both rebate and yield restriction provisions of the IRS Code. In general terms the arbitrage requirements control the earnings on unexpended bond proceeds, including investment earnings, moneys held for debt service payments (which are considered to be proceeds under the IRS regulations), and/or reserves. Under certain circumstances any "excess earnings" will need to be paid to the IRS to maintain the tax-exempt status of the Bonds. Any interest earnings on gross bond proceeds or debt service funds should not be spent until it has been determined based on actual facts that they are not "excess earnings" as defined by the IRS Code.

The arbitrage rules provide for spend-down exceptions for proceeds that are spent within either a 6-month, 18-month or, for certain construction issues, a 24-month period each in accordance with certain spending criteria. Proceeds that qualify for an exception will be exempt from rebate. These exceptions are based on actual expenditures and not based on reasonable expectations, and expenditures, including any investment proceeds will have to meet the spending criteria to qualify for the exclusion. The City expects to meet the 18-month spending exception.

Regardless of whether the issue qualifies for an exemption from the rebate provisions, yield restriction provisions will apply to Bond proceeds (including interest earnings) unspent after three years and the debt service fund throughout the term of the Bonds. These moneys should be monitored until the Bonds are retired.

Secondary disclosure requirements result from an SEC requirement that underwriters provide ongoing disclosure information to investors. To meet this requirement, any prospective underwriter will require the to commit to providing the information needed to comply under a continuing disclosure agreement.

Baker Tilly Municipal Advisors (Baker Tilly MA) currently provides both arbitrage and continuing disclosure services to the City. Baker Tilly MA will work with City staff to include the Bonds under the existing Agreement for Municipal Advisor Services.

Baker Tilly Municipal Advisors, LLC is a registered municipal advisor and controlled subsidiary of Baker Tilly US, LLP, an accounting firm. Baker Tilly US, LLP trading as Baker Tilly, is a member of the global network of Baker Tilly International Ltd., the members of which are separate and independent legal entities. © 2024 Baker Tilly Municipal Advisors, LLC.

$12,020,000

City of Brooklyn Center, Minnesota

General Obligation Improvement and Utility Revenue Bonds, Series 2024A
Issue Summary

Total Issue Sources And Uses

Dated 06/13/2024 | Delivered 06/13/2024

	Street Improvement Portion	Sanitary Sewer Portion	Water Portion	Storm Drainage Portion	Issue Summary
Sources Of Funds					
Par Amount of Bonds	$5,865,000.00	$1,150,000.00	$3,340,000.00	$1,665,000.00	$12,020,000.00
Total Sources	**$5,865,000.00**	**$1,150,000.00**	**$3,340,000.00**	**$1,665,000.00**	**$12,020,000.00**
Uses Of Funds					
Deposit to Project Construction Fund	5,750,059.00	1,131,318.00	3,273,607.00	1,637,016.00	11,792,000.00
Total Underwriter's Discount (1.000%)	58,650.00	11,500.00	33,400.00	16,650.00	120,200.00
Costs of Issuance	52,501.99	10,294.52	29,898.84	14,904.65	107,600.00
Rounding Amount	3,789.01	(3,112.52)	3,094.16	(3,570.65)	200.00
Total Uses	**$5,865,000.00**	**$1,150,000.00**	**$3,340,000.00**	**$1,665,000.00**	**$12,020,000.00**

$12,020,000

City of Brooklyn Center, Minnesota

General Obligation Improvement and Utility Revenue Bonds, Series 2024A
Issue Summary

NET DEBT SERVICE SCHEDULE

Date	Principal	Coupon	Interest	Total P+I	Net New D/S	105% of Total	Assessment	Utility Revenue	Levy Required
02/01/2025	-	-	232,846.59	232,846.59	232,846.59	244,488.92	-	125,203.54	119,285.38
02/01/2026	1,090,000.00	3.270%	367,652.50	1,457,652.50	1,457,652.50	1,530,535.13	233,797.36	759,439.80	537,297.97
02/01/2027	1,105,000.00	3.100%	332,009.50	1,437,009.50	1,437,009.50	1,508,859.98	208,619.18	762,070.58	538,170.22
02/01/2028	1,130,000.00	2.970%	297,754.50	1,427,754.50	1,427,754.50	1,499,142.23	201,425.42	759,755.33	537,961.48
02/01/2029	1,160,000.00	2.920%	264,193.50	1,424,193.50	1,424,193.50	1,495,403.18	194,231.66	762,979.88	538,191.64
02/01/2030	1,185,000.00	2.920%	230,321.50	1,415,321.50	1,415,321.50	1,486,087.58	187,037.90	765,890.48	533,159.20
02/01/2031	1,210,000.00	2.920%	195,719.50	1,405,719.50	1,405,719.50	1,476,005.48	179,844.12	757,687.88	538,473.48
02/01/2032	1,235,000.00	2.930%	160,387.50	1,395,387.50	1,395,387.50	1,465,156.88	172,650.36	754,428.68	538,077.84
02/01/2033	1,270,000.00	2.950%	124,202.00	1,394,202.00	1,394,202.00	1,463,912.10	165,456.60	761,142.90	537,312.60
02/01/2034	1,300,000.00	3.160%	86,737.00	1,386,737.00	1,386,737.00	1,456,073.85	158,262.84	761,699.40	536,111.61
02/01/2035	1,335,000.00	3.420%	45,657.00	1,380,657.00	1,380,657.00	1,449,689.85	151,069.06	760,137.00	538,483.79
Total	**$12,020,000.00**	**-**	**$2,337,481.09**	**$14,357,481.09**	**$14,357,481.09**	**$15,075,355.14**	**$1,852,394.50**	**$7,730,435.44**	**$5,492,525.20**

Dated	6/13/2024
Delivery Date	6/13/2024
First Coupon Date	2/01/2025

Yield Statistics

Bond Year Dollars	$75,982.67
Average Life	6.321 Years
Average Coupon	3.0763346%
Net Interest Cost (NIC)	3.2345286%
True Interest Cost (TIC)	3.2512133%
Bond Yield for Arbitrage Purposes	3.0717626%
All Inclusive Cost (AIC)	3.4139511%

IRS Form 8038

Net Interest Cost	3.0763346%
Weighted Average Maturity	6.321 Years

$5,865,000

City of Brooklyn Center, Minnesota

General Obligation Improvement and Utility Revenue Bonds, Series 2024A

Street Improvement Portion

NET DEBT SERVICE SCHEDULE

Date	Principal	Coupon	Interest	Total P+I	Net New D/S	105% of Total	Assessment	Levy Required
02/01/2025	-	-	113,605.12	113,605.12	113,605.12	119,285.38	-	119,285.38
02/01/2026	555,000.00	3.270%	179,376.50	734,376.50	734,376.50	771,095.33	233,797.36	537,297.97
02/01/2027	550,000.00	3.100%	161,228.00	711,228.00	711,228.00	746,789.40	208,619.18	538,170.22
02/01/2028	560,000.00	2.970%	144,178.00	704,178.00	704,178.00	739,386.90	201,425.42	537,961.48
02/01/2029	570,000.00	2.920%	127,546.00	697,546.00	697,546.00	732,423.30	194,231.66	538,191.64
02/01/2030	575,000.00	2.920%	110,902.00	685,902.00	685,902.00	720,197.10	187,037.90	533,159.20
02/01/2031	590,000.00	2.920%	94,112.00	684,112.00	684,112.00	718,317.60	179,844.12	538,473.48
02/01/2032	600,000.00	2.930%	76,884.00	676,884.00	676,884.00	710,728.20	172,650.36	538,077.84
02/01/2033	610,000.00	2.950%	59,304.00	669,304.00	669,304.00	702,769.20	165,456.60	537,312.60
02/01/2034	620,000.00	3.160%	41,309.00	661,309.00	661,309.00	694,374.45	158,262.84	536,111.61
02/01/2035	635,000.00	3.420%	21,717.00	656,717.00	656,717.00	689,552.85	151,069.06	538,483.79
Total	**$5,865,000.00**	**-**	**$1,130,161.62**	**$6,995,161.62**	**$6,995,161.62**	**$7,344,919.70**	**$1,852,394.50**	**$5,492,525.20**

Dated	6/13/2024
Delivery Date	6/13/2024
First Coupon Date	2/01/2025

Yield Statistics

Bond Year Dollars	$36,754.50
Average Life	6.267 Years
Average Coupon	3.0748932%
Net Interest Cost (NIC)	3.2344655%
True Interest Cost (TIC)	3.2512854%
Bond Yield for Arbitrage Purposes	3.0717626%
All Inclusive Cost (AIC)	3.4153534%

IRS Form 8038

Net Interest Cost	3.0748932%
Weighted Average Maturity	6.267 Years

$1,438,753

City of Brooklyn Center, Minnesota

General Obligation Improvement and Utility Revenue Bonds, Series 2024A
Assessments

ASSESSMENT INCOME

Date	Principal	Coupon	Interest	Total P+I
12/31/2024	-	-	-	-
12/31/2025	143,875.30	5.000%	89,922.06	233,797.36
12/31/2026	143,875.30	5.000%	64,743.88	208,619.18
12/31/2027	143,875.30	5.000%	57,550.12	201,425.42
12/31/2028	143,875.30	5.000%	50,356.36	194,231.66
12/31/2029	143,875.30	5.000%	43,162.60	187,037.90
12/31/2030	143,875.30	5.000%	35,968.82	179,844.12
12/31/2031	143,875.30	5.000%	28,775.06	172,650.36
12/31/2032	143,875.30	5.000%	21,581.30	165,456.60
12/31/2033	143,875.30	5.000%	14,387.54	158,262.84
12/31/2034	143,875.30	5.000%	7,193.76	151,069.06
Total	**$1,438,753.00**	**-**	**$413,641.50**	**$1,852,394.50**

SIGNIFICANT DATES

Filing Date	10/01/2024
First Payment Date	12/31/2025

$1,150,000

City of Brooklyn Center, Minnesota

General Obligation Improvement and Utility Revenue Bonds, Series 2024A
Sanitary Sewer Portion

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	105% DS
02/01/2025	-	-	22,274.97	22,274.97	23,388.72
02/01/2026	100,000.00	3.270%	35,171.00	135,171.00	141,929.55
02/01/2027	105,000.00	3.100%	31,901.00	136,901.00	143,746.05
02/01/2028	105,000.00	2.970%	28,646.00	133,646.00	140,328.30
02/01/2029	110,000.00	2.920%	25,527.50	135,527.50	142,303.88
02/01/2030	115,000.00	2.920%	22,315.50	137,315.50	144,181.28
02/01/2031	115,000.00	2.920%	18,957.50	133,957.50	140,655.38
02/01/2032	120,000.00	2.930%	15,599.50	135,599.50	142,379.48
02/01/2033	125,000.00	2.950%	12,083.50	137,083.50	143,937.68
02/01/2034	125,000.00	3.160%	8,396.00	133,396.00	140,065.80
02/01/2035	130,000.00	3.420%	4,446.00	134,446.00	141,168.30
Total	**$1,150,000.00**	**-**	**$225,318.47**	**$1,375,318.47**	**$1,444,084.39**

SIGNIFICANT DATES

Dated	6/13/2024
Delivery Date	6/13/2024
First Coupon Date	2/01/2025

Yield Statistics

Bond Year Dollars	$7,323.33
Average Life	6.368 Years
Average Coupon	3.0767201%
Net Interest Cost (NIC)	3.2337524%
True Interest Cost (TIC)	3.2503366%
Bond Yield for Arbitrage Purposes	3.0717626%
All Inclusive Cost (AIC)	3.4119407%

IRS Form 8038

Net Interest Cost	3.0767201%
Weighted Average Maturity	6.368 Years

Interest rates are estimates. Changes in rates may cause significant alterations to this schedule. The actual underwriter's discount bid may also vary

$3,340,000

City of Brooklyn Center, Minnesota

General Obligation Improvement and Utility Revenue Bonds, Series 2024A
Water Portion

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	105% DS
02/01/2025	-	-	64,706.72	64,706.72	67,942.06
02/01/2026	290,000.00	3.270%	102,168.50	392,168.50	411,776.93
02/01/2027	300,000.00	3.100%	92,685.50	392,685.50	412,319.78
02/01/2028	310,000.00	2.970%	83,385.50	393,385.50	413,054.78
02/01/2029	320,000.00	2.920%	74,178.50	394,178.50	413,887.43
02/01/2030	330,000.00	2.920%	64,834.50	394,834.50	414,576.23
02/01/2031	335,000.00	2.920%	55,198.50	390,198.50	409,708.43
02/01/2032	345,000.00	2.930%	45,416.50	390,416.50	409,937.33
02/01/2033	360,000.00	2.950%	35,308.00	395,308.00	415,073.40
02/01/2034	370,000.00	3.160%	24,688.00	394,688.00	414,422.40
02/01/2035	380,000.00	3.420%	12,996.00	392,996.00	412,645.80
Total	**$3,340,000.00**	**-**	**$655,566.22**	**$3,995,566.22**	**$4,195,344.53**

SIGNIFICANT DATES

Dated	6/13/2024
Delivery Date	6/13/2024
First Coupon Date	2/01/2025

Yield Statistics

Bond Year Dollars	$21,300.33
Average Life	6.377 Years
Average Coupon	3.0777275%
Net Interest Cost (NIC)	3.2345326%
True Interest Cost (TIC)	3.2510894%
Bond Yield for Arbitrage Purposes	3.0717626%
All Inclusive Cost (AIC)	3.4124871%

IRS Form 8038

Net Interest Cost	3.0777275%
Weighted Average Maturity	6.377 Years

Interest rates are estimates. Changes in rates may cause significant alterations to this schedule. The actual underwriter's discount bid may also vary

$1,665,000

City of Brooklyn Center, Minnesota

General Obligation Improvement and Utility Revenue Bonds, Series 2024A
Storm Drainage Portion

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	105% DS
02/01/2025	-	-	32,259.78	32,259.78	33,872.77
02/01/2026	145,000.00	3.270%	50,936.50	195,936.50	205,733.33
02/01/2027	150,000.00	3.100%	46,195.00	196,195.00	206,004.75
02/01/2028	155,000.00	2.970%	41,545.00	196,545.00	206,372.25
02/01/2029	160,000.00	2.920%	36,941.50	196,941.50	206,788.58
02/01/2030	165,000.00	2.920%	32,269.50	197,269.50	207,132.98
02/01/2031	170,000.00	2.920%	27,451.50	197,451.50	207,324.08
02/01/2032	170,000.00	2.930%	22,487.50	192,487.50	202,111.88
02/01/2033	175,000.00	2.950%	17,506.50	192,506.50	202,131.83
02/01/2034	185,000.00	3.160%	12,344.00	197,344.00	207,211.20
02/01/2035	190,000.00	3.420%	6,498.00	196,498.00	206,322.90
Total	**$1,665,000.00**	**-**	**$326,434.78**	**$1,991,434.78**	**$2,091,006.52**

SIGNIFICANT DATES

Dated	6/13/2024
Delivery Date	6/13/2024
First Coupon Date	2/01/2025

Yield Statistics

Bond Year Dollars	$10,604.50
Average Life	6.369 Years
Average Coupon	3.0782666%
Net Interest Cost (NIC)	3.2352754%
True Interest Cost (TIC)	3.2518175%
Bond Yield for Arbitrage Purposes	3.0717626%
All Inclusive Cost (AIC)	3.4134145%

IRS Form 8038

Net Interest Cost	3.0782666%
Weighted Average Maturity	6.369 Years

Interest rates are estimates. Changes in rates may cause significant alterations to this schedule. The actual underwriter's discount bid may also vary

EXTRACT OF MINUTES OF A MEETING OF THE
CITY COUNCIL OF
THE CITY OF BROOKLYN CENTER, MINNESOTA

HELD: April 22, 2024

Pursuant to due call and notice thereof, a regular meeting of the City Council of City of Brooklyn Center, Minnesota, was duly called and held at the City Hall located at 6301 Shingle Creek Parkway in said City on Monday, the 22nd day of April, 2024, at 7:00 o'clock P.M.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION PROVIDING FOR THE COMPETITIVE NEGOTIATED SALE OF $12,020,000 GENERAL OBLIGATION IMPROVEMENT AND UTILITY REVENUE BONDS, SERIES 2024A

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

1. Finding; Amount and Purpose. It is hereby found, determined and declared that the City of Brooklyn Center, Minnesota (the "City"), should issue its $12,020,000 General Obligation Improvement and Utility Revenue Bonds, Series 2024A, to finance various street improvements and related utility improvements within the City.

2. Meeting. This City Council shall meet on the date and at the time and place specified in the form of Terms of Proposal attached hereto as **Exhibit A** for the purpose of awarding the sale of the Bonds.

3. Competitive Negotiated Sale. The City has retained Baker Tilly Municipal Advisors, LLC ("Baker Tilly MA") as an independent municipal advisor, and the City Council hereby determines to sell the Bonds by private negotiation, by way of a competitive sale in response to Terms of Proposal for the Bonds which are not published in any newspaper or journal.

4. Terms of Proposal. The terms and conditions of the Bonds and the sale thereof are fully set forth in the "Terms of Proposal" attached hereto as **Exhibit A** and hereby made a part hereof.

5. Official Statement. The City Finance Director and other officers or employees of the City are hereby authorized to participate with Baker Tilly MA in the preparation of an official statement for the Bonds.

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

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

I, the undersigned, being the duly qualified and acting Clerk of the City of Brooklyn Center (the "City"), DO HEREBY CERTIFY that I have carefully compared the attached and foregoing extract of minutes with the original minutes of a meeting of the City Council called and held on the date therein indicated, which are on file and of record in my office, and the same is a full, true and complete transcript therefrom insofar as the same relates to the City's $12,020,000 General Obligation Improvement and Utility Revenue Bonds, Series 2024A.

WITNESS my hand as such Clerk of the City this ____ day of _____, 2024.

_____
City Clerk

EXHIBIT A

THE CITY HAS AUTHORIZED BAKER TILLY MUNICIPAL ADVISORS, LLC TO NEGOTIATE THIS ISSUE ON ITS BEHALF. PROPOSALS WILL BE RECEIVED ON THE FOLLOWING BASIS:

TERMS OF PROPOSAL

$12,020,000*

CITY OF BROOKLYN CENTER, MINNESOTA

GENERAL OBLIGATION IMPROVEMENT AND UTILITY REVENUE BONDS, SERIES 2024A

(BOOK ENTRY ONLY)

Proposals for the above-referenced obligations (the "Bonds") will be received by the City of Brooklyn Center, Minnesota (the "City") on Monday, May 13, 2024 (the "Sale Date") until 10:30 A.M., Central Time (the "Sale Time") at the offices of Baker Tilly Municipal Advisors, LLC ("Baker Tilly MA"), 30 East 7th Street, Suite 3025, Saint Paul, MN 55101, after which time proposals will be opened and tabulated. Consideration for award of the Bonds will be by the City Council at its meeting commencing at 7:00 P.M., Central Time, of the same day.

SUBMISSION OF PROPOSALS

Baker Tilly MA will assume no liability for the inability of a bidder or its proposal to reach Baker Tilly MA prior to the Sale Time, and neither the City nor Baker Tilly MA shall be responsible for any failure, misdirection or error in the means of transmission selected by any bidder. All bidders are advised that each proposal shall be deemed to constitute a contract between the bidder and the City to purchase the Bonds regardless of the manner in which the proposal is submitted.

(a) ***Sealed Bidding.*** Completed, signed proposals may be submitted to Baker Tilly MA by email to bids@bakertilly.com, and must be received prior to the Sale Time.

OR

(b) ***Electronic Bidding.*** Proposals may also be received via PARITY®. For purposes of the electronic bidding process, the time as maintained by PARITY® shall constitute the official time with respect to all proposals submitted to PARITY®. *Each bidder shall be solely responsible for making necessary arrangements to access PARITY® for purposes of submitting its electronic proposal in a timely manner and in compliance with the requirements of the Terms of Proposal*. Neither the City, its agents, nor PARITY® shall have any duty or obligation to undertake registration to bid for any prospective bidder or to provide or ensure electronic access to any qualified prospective bidder, and neither the City, its agents, nor PARITY® shall be responsible for a bidder's failure to register to bid or for any failure in the proper operation of, or have any liability for any delays or interruptions of or any damages caused by the services of PARITY®. The City is using the services of PARITY® solely as a communication mechanism to conduct the electronic bidding for the Bonds, and PARITY® is not an agent of the City.

If any provisions of this Terms of Proposal conflict with information provided by PARITY®, this Terms of Proposal shall control. Further information about PARITY®, including any fee charged, may be obtained from:

PARITY®, 1359 Broadway, 2nd Floor, New York, New York 10018
Customer Support: (212) 849-5000

*Preliminary; subject to change.

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DETAILS OF THE BONDS

The Bonds will be dated as of the date of delivery and will bear interest payable on February 1 and August 1 of each year, commencing February 1, 2025. Interest will be computed on the basis of a 360-day year of twelve 30-day months.

The Bonds will mature February 1 in the years and amounts* as follows:

2026	$1,090,000	2028	$1,130,000	2030	$1,185,000	2032	$1,235,000	2034	$1,300,000
2027	$1,105,000	2029	$1,160,000	2031	$1,210,000	2033	$1,270,000	2035	$1,335,000

*The City reserves the right, after proposals are opened and prior to award, to increase or reduce the principal amount of the Bonds or the amount of any maturity or maturities in multiples of $5,000. In the event the amount of any maturity is modified, the aggregate purchase price will be adjusted to result in the same gross spread per $1,000 of Bonds as that of the original proposal. Gross spread for this purpose is the differential between the price paid to the City for the new issue and the prices at which the proposal indicates the securities will be initially offered to the investing public.

BOOK ENTRY SYSTEM

The Bonds will be issued by means of a book entry system with no physical distribution of Bonds made to the public. The Bonds will be issued in fully registered form and one Bond, representing the aggregate principal amount of the Bonds maturing in each year, will be registered in the name of Cede & Co. as nominee of The Depository Trust Company ("DTC"), New York, New York, which will act as securities depository for the Bonds. Individual purchases of the Bonds may be made in the principal amount of $5,000 or any multiple thereof of a single maturity through book entries made on the books and records of DTC and its participants. Principal and interest are payable by the registrar to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants will be the responsibility of such participants and other nominees of beneficial owners. The lowest bidder (the "Purchaser"), as a condition of delivery of the Bonds, will be required to deposit the Bonds with DTC.

REGISTRAR/PAYING AGENT

The City will name the registrar/paying agent (the "Registrar") which shall be subject to applicable regulations of the Securities and Exchange Commission. The City will pay for the services of the Registrar.

OPTIONAL REDEMPTION

The City may elect on February 1, 2033, and on any day thereafter, to redeem Bonds due 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 shall determine. If less than all Bonds of a maturity are called for redemption, the City will notify DTC of the particular amount of such maturity to be redeemed. 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. All redemptions shall be at a price of par plus accrued interest.

SECURITY AND PURPOSE

The Bonds will be general obligations of the City for which the City will pledge its full faith and credit and power to levy direct general ad valorem taxes. In addition, the City will pledge (i) Special Assessments against benefitted properties and (ii) net revenues of the City's water, sanitary sewer, and storm drainage utility funds for repayment of a portion of the Bonds. The proceeds of the Bonds will be used to finance (i) street improvements related to the Orchard Lane East improvement project and (ii) related utility improvements and (iii) costs of issuance.

NOT BANK QUALIFIED TAX-EXEMPT OBLIGATIONS

The City will not designate the Bonds as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

BIDDING PARAMETERS

Proposals shall be for not less than $11,899,800 plus accrued interest, if any, on the total principal amount of the Bonds. Rates shall be in integral multiples of 1/100 or 1/8 of 1%. The initial price to the public for each maturity as stated on the proposal must be 98.0% or greater.

Proposals for the Bonds may contain a maturity schedule providing for a combination of serial bonds and term bonds. All term bonds shall be subject to mandatory sinking fund redemption at a price of par plus accrued interest to the date of redemption scheduled to conform to the maturity schedule set forth herein. In order to designate term bonds, the proposal must specify "Years of Term Maturities" in the spaces provided on the proposal form.

No proposal can be withdrawn or amended after the time set for receiving proposals on the Sale Date unless the meeting of the City scheduled for award of the Bonds is adjourned, recessed, or continued to another date without award of the Bonds having been made. Bonds of the same maturity shall bear a single rate from the date of the Bonds to the date of maturity. No conditional proposals will be accepted.

ESTABLISHMENT OF ISSUE PRICE

In order to provide the City with information necessary for compliance with Section 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations promulgated thereunder (collectively, the "Code"), the Purchaser will be required to assist the City in establishing the issue price of the Bonds and shall complete, execute, and deliver to the City prior to the closing date, a written certification in a form acceptable to the Purchaser, the City, and Bond Counsel (the "Issue Price Certificate") containing the following for each maturity of the Bonds (and, if different interest rates apply within a maturity, to each separate CUSIP number within that maturity): (i) the interest rate; (ii) the reasonably expected initial offering price to the "public" (as said term is defined in Treasury Regulation Section 1.148-1(f) (the "Regulation")) or the sale price; and (iii) pricing wires or equivalent communications supporting such offering or sale price. Any action to be taken or documentation to be received by the City pursuant hereto may be taken or received on behalf of the City by Baker Tilly MA.

The City intends that the sale of the Bonds pursuant to this Terms of Proposal shall constitute a "competitive sale" as defined in the Regulation based on the following:

(i) the City shall cause this Terms of Proposal to be disseminated to potential bidders in a manner that is reasonably designed to reach potential bidders;
(ii) all bidders shall have an equal opportunity to submit a bid;
(iii) the City reasonably expects that it will receive bids from at least three bidders that have established industry reputations for underwriting municipal bonds such as the Bonds; and
(iv) the City anticipates awarding the sale of the Bonds to the bidder who provides a proposal with the lowest true interest cost, as set forth in this Terms of Proposal (See "AWARD" herein).

Any bid submitted pursuant to this Terms of Proposal shall be considered a firm offer for the purchase of the Bonds, as specified in the proposal. The Purchaser shall constitute an "underwriter" as said term is defined in the Regulation. By submitting its proposal, the Purchaser confirms that it shall require any agreement among underwriters, a selling group agreement, or other agreement to which it is a party relating to the initial sale of the Bonds, to include provisions requiring compliance with the provisions of the Code and the Regulation regarding the initial sale of the Bonds.

If all of the requirements of a "competitive sale" are not satisfied, the City shall advise the Purchaser of such fact prior to the time of award of the sale of the Bonds to the Purchaser. **In such event, any proposal submitted will not be subject to cancellation or withdrawal.** Within twenty-four (24) hours of the notice of award of the sale of the Bonds, the Purchaser shall advise the City and Baker Tilly MA if 10% of any maturity of the Bonds (and, if different interest rates apply within a maturity, to each separate CUSIP number within that maturity) has been sold

to the public and the price at which it was sold. The City will treat such sale price as the "issue price" for such maturity, applied on a maturity-by-maturity basis. The City will not require the Purchaser to comply with that portion of the Regulation commonly described as the "hold-the-offering-price" requirement for the remaining maturities, but the Purchaser may elect such option. If the Purchaser exercises such option, the City will apply the initial offering price to the public provided in the proposal as the issue price for such maturities. If the Purchaser does not exercise that option, it shall thereafter promptly provide the City and Baker Tilly MA the prices at which 10% of such maturities are sold to the public; provided such determination shall be made and the City and Baker Tilly MA notified of such prices whether or not the closing date has occurred, until the 10% test has been satisfied as to each maturity of the Bonds or until all of the Bonds of a maturity have been sold.

GOOD FAITH DEPOSIT

To have its proposal considered for award, the Purchaser is required to submit a good faith deposit via wire transfer to the City in the amount of $120,200 (the "Deposit") no later than 1:30 P.M., Central Time on the Sale Date. The Purchaser shall be solely responsible for the timely delivery of its Deposit, and neither the City nor Baker Tilly MA have any liability for delays in the receipt of the Deposit. If the Deposit is not received by the specified time, the City may, at its sole discretion, reject the proposal of the lowest bidder, direct the second lowest bidder to submit a Deposit, and thereafter award the sale to such bidder.

A Deposit will be considered timely delivered to the City upon submission of a federal wire reference number by the specified time. Wire transfer instructions will be available from Baker Tilly MA following the receipt and tabulation of proposals. The successful bidder must send an e-mail including the following information: (i) the federal reference number and time released; (ii) the amount of the wire transfer; and (iii) the issue to which it applies.

Once an award has been made, the Deposit received from the Purchaser will be retained by the City and no interest will accrue to the Purchaser. The amount of the Deposit will be deducted at settlement from the purchase price. In the event the Purchaser fails to comply with the accepted proposal, said amount will be retained by the City.

AWARD

The Bonds will be awarded on the basis of the lowest interest rate to be determined on a true interest cost (TIC) basis calculated on the proposal prior to any adjustment made by the City. The City's computation of the interest rate of each proposal, in accordance with customary practice, will be controlling.

The City will reserve the right to: (i) waive non-substantive informalities of any proposal or of matters relating to the receipt of proposals and award of the Bonds, (ii) reject all proposals without cause, and (iii) reject any proposal that the City determines to have failed to comply with the terms herein.

BOND INSURANCE AT PURCHASER'S OPTION

The City has **not** applied for or pre-approved a commitment for any policy of municipal bond insurance with respect to the Bonds. If the Bonds qualify for municipal bond insurance and a bidder desires to purchase a policy, such indication, the maturities to be insured, and the name of the desired insurer must be set forth on the bidder's proposal. The City specifically reserves the right to reject any bid specifying municipal bond insurance, even though such bid may result in the lowest TIC to the City. All costs associated with the issuance and administration of such policy and associated ratings and expenses (other than any independent rating requested by the City) shall be paid by the successful bidder. Failure of the municipal bond insurer to issue the policy after the award of the Bonds shall not constitute cause for failure or refusal by the successful bidder to accept delivery of the Bonds.

CUSIP NUMBERS

If the Bonds qualify for the assignment of CUSIP numbers such numbers will be printed on the Bonds; however, neither the failure to print such numbers on any Bond nor any error with respect thereto will constitute cause for failure or refusal by the Purchaser to accept delivery of the Bonds. Baker Tilly MA will apply for CUSIP numbers pursuant to Rule G-34 implemented by the Municipal Securities Rulemaking Board. The CUSIP Service Bureau charge for the assignment of CUSIP identification numbers shall be paid by the Purchaser.

SETTLEMENT

On or about June 13, 2024, the Bonds will be delivered without cost to the Purchaser through DTC in New York, New York. Delivery will be subject to receipt by the Purchaser of an approving legal opinion of Kennedy & Graven, Chartered of Minneapolis, Minnesota, and of customary closing papers, including a no-litigation certificate. On the date of settlement, payment for the Bonds shall be made in federal, or equivalent, funds that shall be received at the offices of the City or its designee not later than 12:00 Noon, Central Time. Unless compliance with the terms of payment for the Bonds has been made impossible by action of the City, or its agents, the Purchaser shall be liable to the City for any loss suffered by the City by reason of the Purchaser's non-compliance with said terms for payment.

CONTINUING DISCLOSURE

In accordance with SEC Rule 15c2-12(b)(5), the City will undertake, pursuant to the resolution awarding sale of the Bonds, to provide annual reports and notices of certain events. A description of this undertaking is set forth in the Official Statement. The Purchaser's obligation to purchase the Bonds will be conditioned upon receiving evidence of this undertaking at or prior to delivery of the Bonds.

OFFICIAL STATEMENT

The City has authorized the preparation of a Preliminary Official Statement containing pertinent information relative to the Bonds, and said Preliminary Official Statement has been deemed final by the City as of the date thereof within the meaning of Rule 15c2-12 of the Securities and Exchange Commission. For an electronic copy of the Preliminary Official Statement or for any additional information prior to sale, any prospective purchaser is referred to the Municipal Advisor to the City, Baker Tilly Municipal Advisors, LLC, by telephone (651) 223-3000, or by email bids@bakertilly.com.

A Final Official Statement (as that term is defined in Rule 15c2-12) will be prepared, specifying the maturity dates, principal amounts, and interest rates of the Bonds, together with any other information required by law. By awarding the Bonds to the Purchaser, the City agrees that, no more than seven business days after the date of such award, it shall provide to the Purchaser an electronic copy of the Final Official Statement. The City designates the Purchaser as its agent for purposes of distributing the Final Official Statement to each syndicate member, if applicable. The Purchaser agrees that if its proposal is accepted by the City, (i) it shall accept designation and (ii) it shall enter into a contractual relationship with its syndicate members for purposes of assuring the receipt of the Final Official Statement by each such syndicate member.

Dated April 22, 2024

BY ORDER OF THE CITY COUNCIL

/s/ Barb Suciu
Assistant City Manager/City Clerk

Council Regular Meeting

DATE: 4/22/2024

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH:
BY: Jesse Anderson, Community Development Director and Ginny McIntosh, Planning Manager

SUBJECT: Regulation of Group Homes - Letter to Legislators

Requested Council Action:

- Motion to approve the attached letter requesting Legislators vote against SF 3839 and HF3938, bills that would prohibit the rental licenses for state licensed group homes and assisted living facilities.

Background:

At the February 26, 2024 City Council meeting, a resident expressed concerns during open forum regarding the number of group homes located in proximity to their home and inquired as to whether or not the City had any jurisdiction on the number of group homes issued within the City or distancing requirements. In response to this, City staff worked with City Attorney Jason Hill and Assistant City Attorney Libby Kantner (Kennedy & Graven) to prepare a high-level memorandum that addresses the regulation of group homes—see attached.

On April 8, 2024 the City Council discussed the density and the proposed bills that would prohibit rental licensing of for state licensed group homes and assisted living facilities. City Council directed staff to prepare a letter for City Council to approve.

For clarification, a "group home" for these purposes means: (i) those single or multi-family dwellings that are under the control of a service provider licensed by the Minnesota Department of Human Services (DHS) under Minnesota Statutes Chapter 245D and as defined in Minnesota Statutes § 245A.02, subd. 14(b) (herein called "Community Residential Settings") or (ii) an Assisted Living facility that is under the control of a service provider licensed by the Minnesota Department of Health (MDH) and defined in Minnesota Statutes §144G.08, subd. 7 (herein called "Assisted Living Facilities" and, together with Community Residential Settings, "group homes").

State law mandates that persons who reside in group homes must not be excluded by municipal zoning ordinances or other land use regulations from the benefits of normal residential surroundings and that group homes are considered state protected housing. The "group home" definition, as defined within this memorandum, does not consider dwellings intended for individuals receiving chemical dependency treatment ("sober homes") or those licensed by the Minnesota Department of Corrections, as these dwellings are subject to different regulations under state law.

For the purposes of discussion, the focus of this memorandum is specifically on MDH Assisted Living and Assisted Living with Dementia licenses with 6 or fewer persons, and DHS Community Residential Setting

licenses with 4 or fewer persons (although there can be up to 5 persons on a temporary basis). These types of group homes are most typically found in the City's single-family residential neighborhoods.

In the City of Brooklyn Center, and as of April 2, 2024, there are currently:

- o 114 Minnesota Department of Health (MDH) Assisted Living licenses with a bed capacity of 6 or fewer persons
- o 46 Department of Human Services Community Residential Setting licenses with a bed capacity of 4 of fewer persons
- **Total: 160 licenses**

For perspective, when City staff initially began tracking group homes in 2019 there were 45 Housing with Services Establishments registrations (now MDH's Assisted Living license) and 27 DHS Community Residential Setting licenses. In addition to the above licenses, there are three (3) larger Assisted Living licenses of seven (7) persons or more that were *not* included in the above tally: the Sanctuary at Brooklyn Center, Ecumen Prairie Lodge, and Maranatha.

The League of Minnesota Cities and Metro Cities have submitted written testimony in opposition of the proposed bill. The cities of Brooklyn Park and Bloomington have also written separate letters of opposition to the bill. Nonetheless, the proposed bill is currently being considered in the House (HF 3938) and Senate (SF 3839).

If the proposed bill were approved by state legislature, there would potentially be at least 160 properties in Brooklyn Center that would no longer be required to hold a City rental license. The City has regularly used the rental licensing process, as with all other rentals in the City, to ensure quality rental housing is provided to residents in the City. As communication from the Minnesota Department of Health (MDH) and Department of Human Services (DHS) is minimal at best, the City has further utilized the rental licensing process to address un-permitted work, and ensure minimum health, life, and safety, and general property maintenance requirements are in place. As additional concern, City staff has run into issues with the Minnesota Department of Health (MDH) licensure requirements and conflicting requirements with Minnesota State Building and Fire Codes.

Although the number of group homes can fluctuate, the Brooklyns (i.e. Brooklyn Center, Brooklyn Park) appear to have the highest concentration of MDH Assisted Living licensures for 6 or fewer persons in all of Hennepin County with almost 45% of all licenses. Per City staff calculations, four cities in Hennepin County (Brooklyn Center, Brooklyn Park, Bloomington, and Minneapolis) held almost 73% of all MDH Assisted Living licenses for 6 or fewer persons as of January 2024.

City Council highlighted group homes and Assisted Living licenses as one of the City's 2024 Legislative Priorities, specifically requesting that the State Legislature examine the impacts of the established regulations, which limit the ability of municipalities to regulate group homes and to determine if the established regulations are having a disproportionate effect on low-income communities and communities of color. It should be noted that the only two cities in Hennepin County with BIPOC populations of over 50% are Brooklyn Center (64.8%) and Brooklyn Park (62.1%).

As part of the legislative ask, the following justification was noted:

Justification: Our experience is that single-family affordable housing neighborhoods are attractive locations to investors seeking to profit from the establishment of group homes.

- Brooklyn Center has seen a drastic increase in the number of group homes.

- The concentration of these homes in low-income neighborhoods reduces homeownership opportunities and wealth accumulation for residents and the concentration of these businesses can change the character of the neighborhood.
- These properties are straining to our local emergency response agencies as they tend to draw service calls at a much greater rate.

Recent Changes to MDH Assisted Living Licensure (Effective August 1, 2023)
The City was notified in August of last year that the Minnesota State Legislature had added "Assisted Living Facilities" and "Assisted Living Facilities with Dementia Care" to the group of State licensed facilities as defined in Minnesota Statutes §326B.103, subd.13.

This change stipulated that, "all buildings including **existing residential homes** that are proposed to be licensed for Assisted Living or Assisted Living with Dementia Care **must obtain plan review and permits** from the Minnesota Department of Labor and Industry (DLI), Construction Codes and Licensing Division, **or a municipality with delegation agreement on their behalf pursuant to Minnesota Statutes 326B.107**." The City of Brooklyn Center has a delegation agreement. As such, the City has taken on additional workload to fulfill the new requirements for a MDH Assisted Living or Assisted Living with Dementia Care facility, including issuance of a **new Certificate of Occupancy** in accordance with MN Rules 1300.0220 and IEBC 1001.3.

As of August, MDH Assisted Living facilities are *no longer* classified as a "single family residential" building classification type (IRC-1) as defined within Minnesota Residential Code and now require an operator to submit architectural plans to the City of Brooklyn Center for review and approval, as well as issuance of a new Certificate of Occupancy under Minnesota Building Code as a building classification type R-3, which is effectively a commercial use.

In response to this, the City recently incorporated a new Certificate of Occupancy fee ($150 plus State surcharge) into its fee schedule. Since August 2023, the City Building Official has processed or is currently in process of reviewing 24 licenses on behalf of the Minnesota Department of Health. As the City Building Official is the only staff member with State delegation, he is the only one who can process these applications.

These architectural plan reviews and the issuance of a new Certificate of Occupancy is *not* currently required as part of the DHS Community Residential Setting license. Given the similarities between the two license types, City staff has inquired with the Department of Labor and Industry (DLI) and the City attorney as to why DHS does not also require a similar review process.

Given these changes, City staff has also reached out to Hennepin County Ownership Services and Assessing regarding potential impacts to these properties' current tax classifications and property types.

Budget Issues:

None to consider at this time.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

ATTACHMENTS:

Description	Upload Date	Type
Letter	4/15/2024	Exhibit
Attorney Memorandum-Regulation of Group Homes (04.01.2024)	4/3/2024	Backup Material
Point Map-BC Group Homes (04.03.2024)	4/3/2024	Backup Material
LMC-Letter of Opposition-Prohibition Rental Licenses for Group Homes (03.07.2024)	4/3/2024	Backup Material
Bill Language-HF 3938-Prohibition Rental Licenses-Group Homes	4/3/2024	Backup Material
Bill Language-SF3839-Prohibition Rental Licenses-Group Homes	4/3/2024	Backup Material
Assisted Living Licensures-Comparison to Surrounding Communities (01.2024)	4/3/2024	Backup Material
Distribution-Assisted Living Licensures in Hennepin County (01.2024)	4/3/2024	Backup Material
Assisted Living Licensures - Surrounding Communities and Per Household Basis (01.2024)	4/3/2024	Backup Material

Honorable Legislators:

To protect the health, safety, and welfare of Brooklyn Center residents, we request that you vote against SF 3839 and HF 3938. These companion bills prohibit cities from requiring rental licenses for state licensed group homes and assisted living facilities. The City of Brooklyn Center's rental licensing program prioritizes the well-being of residents by ensuring they are living in a healthy and safe home. Please stand up for healthy and safe housing through your opposition to these bills.

Today, there are 160 state licensed facilities in Brooklyn Center that would be impacted by the companion bills. Each facility receives a thorough City interior and exterior inspection focused on life safety hazards. Common hazards identified include non-functioning smoke and CO alarms, missing outlet switch covers/exposed wiring, leaking plumbing fixtures, and blocked or non-existent escape windows. City licensure also helps facilitate communication between Brooklyn Center public safety staff and ownership.

We disagree with arguments that City licensure and inspection of state licensed group homes and assisted living facilities is redundant with state licensure and inspection. State inspections (MDH and DHS) are not consistent and focus on programmatic considerations, while City inspections focus on life safety issues and general maintenance and upkeep of the City's housing stock. Even with state licensure and inspections, facilities inspected by City staff continue to receive correction orders for identified life safety hazards. Also, staff frequently identify extensive unpermitted work performed at these properties. If SF 3839 and HF 3938 were adopted, those hazards would go unnoticed, resulting in negative health and safety outcomes for the residents residing in these housing units.

Although the number of group homes can fluctuate, the Brooklyns (i.e. Brooklyn Center, Brooklyn Park) appear to have the highest concentration of MDH Assisted Living licensures for 6 or fewer persons in all of Hennepin County with almost 50% of all licenses.

The Brooklyn Center City Council highlighted group homes and assisted living licenses as one of the City's 2024 Legislative Priorities, specifically requesting that the State Legislature examine the impacts of the established regulations, which limit the ability of municipalities to regulate group homes and to determine if the established regulations are having a disproportionate effect on low-income communities and communities of color. It should be noted that the only two cities in Hennepin County with BIPOC populations of over 50% are Brooklyn Center (64.8%) and Brooklyn Park (62.1%).

Please vote and speak against SF 3839 and HF 3938. Residents living in group homes and assisted living facilities have the same right to healthy and safe housing through City licensure and inspection that other Brooklyn Center renters enjoy.

Sincerely,
Brooklyn Center City Council

Attachments: (Distribution of Assisted Living Licenses in Hennepin County and Surrounding Communities Comparison)

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MEMORANDUM

TO: Brooklyn Center City Council
Ginny McIntosh, Planning Manager

FROM: Jason M. Hill, City Attorney
Libby J. Kantner, Assistant City Attorney

DATE: April 1, 2024

RE: Regulation of Group Homes

The City Council has asked for guidance on the regulation of group homes, specifically what the City can and cannot regulate. For the purposes of this memorandum, "group homes" mean: (i) those single or multifamily dwellings that are under the control of a service provider licensed by the Minnesota Department of Human Services ("Department of Human Services") under Minn. Stat. Chap. 245D and defined in Minn. Stat. § 245A.02, subd. 14(b) (herein called "Community Residential Settings") or (ii) an assisted living facility that is under the control of a service provider licensed by the Minnesota Department of Health ("Department of Health") and defined in Minn. Stat. §144G.08, subd. 7 (herein called "Assisted Living Facilities" and, together with Community Residential Settings, "Group Homes"). This includes dwellings that provide services to vulnerable adults and/or children who may have a disability, as well as adult foster care settings and care for elderly individuals.

For the purposes of this memorandum, "Group Homes" does not mean dwellings for individuals receiving chemical dependency treatment ("sober homes") or dwellings licensed by the Minnesota Department of Corrections; these dwellings have different regulations under state law.

I. The City may not regulate the zoning or density of Group Homes.

State law mandates that persons who reside in group homes must not be excluded by municipal zoning ordinances or other land use regulations from the benefits of normal residential surroundings.[1] State law requires that Group Homes with a licensed capacity of six or fewer persons ("Small Group Homes") be a permitted single-family residential use for the purposes of zoning and land use regulations and group homes with a licensed capacity of seven to 16 persons ("Large Group Homes") be a permitted multifamily residential use for the purposes of zoning and land use regulations.[2] The City may require a conditional use permit for Large Group Homes to

[1] Minn. Stat. § 245A.11, subd. 1.
[2] Minn. Stat. § 245A.11, subds. 2 and 3 and § 462,357, subds. 7 and 8.

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assure proper maintenance and operation of a residential program.[3] However, conditions imposed on the Large Group Homes must not be more restrictive than those imposed on other conditional uses of residential property in the same zones, unless the additional conditions are necessary to protect the health and safety of the persons being served by the program.

The respective Commissioners of the Department of Human Services and the Department of Health have primary responsibility of conducting licensing activities and enforcement of standards for group home facilities within the state.[4] However, the Commissioner of the Minnesota Department of Human Services may delegate their respective duties to the counties and private agencies.[5]

When the Commissioner of the Department of Health reviews a license application for an Assisted Living Facility, the Commissioner is required to consider the population, size, land use plan, availability of community services, and the number and size of existing licensed Assisted Living Facilities in the city in which the applicant seeks to operate the Assisted Living Facility.[6] The commissioner is not allowed to grant a license to an Assisted Living Facility if it will be within 1,320 feet (1/4 mile) of an existing Assisted Living Facility *unless* one of the following conditions apply: 1) the existing Assisted Living Facility is located in a hospital licensed by the Department of Health; 2) the City grants the Assisted Living Facility a conditional use permit; 3) it is a Small Group Home and is not located in a city of first class (over 100,000 in population); or 4) the Assisted Living Facility is foster care.[7] Thus, the spacing requirement for Assisted Living Facilities does not apply to Small Group Homes in the City.[8] Since the statute lists specific conditions upon which the spacing requirement for Assisted Living Facilities applies, the City is precluded from enacting its own regulations. Additionally, since statute requires that the City allow Group Homes to be located anywhere that a single family or multifamily use would be permitted in the City, the City would also be precluded from implementing spacing requirements on these grounds as well.

Similarly, the City may not classify Group Homes as a business or any other type of commercial use. As discussed above, Group Homes are required by state law to be residential uses and must be permitted. The City cannot therefore re-classify Group Homes as a business.

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[3] Minn. Stat. § 245A.11, subd. 3.
[4] Minn. Stat. § 145G.09, 245A.09.
[5] Minn. Stat. § 245A.16, subd. 1.
[6] Minn. Stat. § 245A.11, subd. 4.
[7] Id.
[8] A law change in 2020 requires Assisted Living Facilities to comply with State Fire Code, Minnesota Rules, Chapter 7511 (the "Fire Code"). One element of the Fire Code is that Assisted Living Facilities are required to have automatic fire sprinkler systems installed throughout the building unless the Assisted Living Facility has five or less residents and the building is less than 4,500 square feet (excluding garages). Because sprinkler systems are prohibitively expensive, most assisted living providers are focusing on licensing, constructing and operating Assisted Living Facilities that serve 5 or fewer people and are less than 4,5000 square feet. See *Fire Code, Section 903.2.8.* Thus, the majority of Assisted Living Facilities in the City are Small Group Homes.

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II. The City may currently require group homes to have a City rental license.

The City may currently require Group Homes in the City to apply for and receive City rental licenses. This helps the City ensure that Group Homes are safe and habitable through regular inspections and license updates.

The Minnesota Legislature is currently considering a bill which would prohibit cities from applying rental licensing regulations to Small Group Homes.[9] The League of Minnesota Cities is opposing this legislation.

III. Possible Legislative Requests

Protect Rental Licensing Ability

If the City wants to protect its ability to require Group Homes to receive rental licenses in the City, the City could work with League to advocate against the current bill before the legislature. While none of the City's legislators are authoring these bills, Senator John Hoffman, who represents Brooklyn Park, a city that is struggling with similar issues, is one of the authors of the senate bill. The City could work with Brooklyn Park to discuss the issue with Senator Hoffman.

Implement Spacing Requirements

If the City would like to implement spacing requirements for Group Homes, a change in the current legislation is needed. Currently, Assisted Living Facility spacing requirements are not applicable to Small Group Homes in the City, but they are applicable to Small Group Homes in cities of the first class. The City could advocate for these spacing requirements to be applicable in all cities or at the very least, in Brooklyn Center.

IV. The City may not charge special fees for service calls to Group Homes.

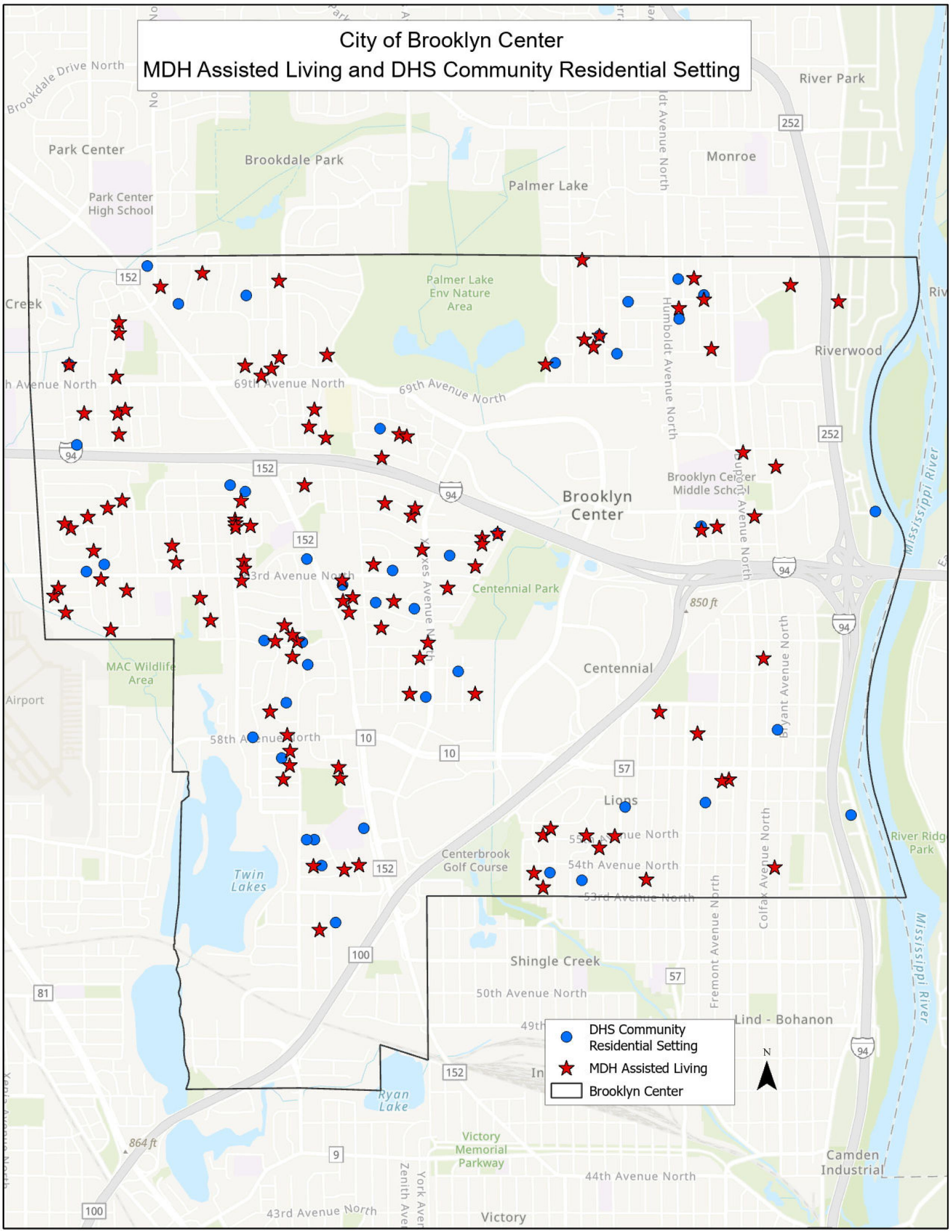
The City is likely barred from charging special fees for police or fire service calls to Group Homes by the Fair Housing Amendment Act (the "FHA"). The FHA prohibits discrimination in housing including discrimination in the form of "a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford … person[s who are handicapped an] equal opportunity to use and enjoy a dwelling."[10] A handicap is a physical or mental impairment which substantially limits one or more of a person's major life activities.[11] Many individuals who reside in Group Homes could likely qualify as someone with a

[9] HF 3938/SF 3839.
[10] 42 U.S. Code § 3604(f)(3)(B).
[11] 42 U.S. Code § 3602(h).

Kennedy & Graven
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handicap under the FHA. Disparately charging Group Homes for public police and fire services would likely be found by a court to be a refusal by the City to make reasonable accommodations.


City of Brooklyn Center
MDH Assisted Living and DHS Community Residential Setting
Brookdale Drive North
Park Center
Park Center High School
Brookdale Park
Palmer Lake
Monroe
River Park
252
Palmer Lake Env Nature Area
Humboldt Avenue North
Riverwood
69th Avenue North
152
94
Brooklyn Center
Brooklyn Center Middle School
Mississippi River
Centennial Park
850 ft
MAC Wildlife Area
Airport
Centennial
Bryant Avenue North
58th Avenue North
10
57
Lions
Centerbrook Golf Course
54th Avenue North
53rd Avenue North
Colfax Avenue North
Fremont Avenue North
River Ridge Park
Twin Lakes
100
Shingle Creek
50th Avenue North
Lind - Bohanon
81
Ryan Lake
864 ft
Victory Memorial Parkway
9
44th Avenue North
Camden Industrial
43rd Avenue North
Victory
DHS Community Residential Setting
MDH Assisted Living
Brooklyn Center
N

LEAGUE of MINNESOTA CITIES

March 7, 2024

Chair Klevorn and Members of the House State and Local Government Finance and Policy Committee:

The League of Minnesota Cities appreciates the opportunity to provide comments outlining concerns about HF 3938 (Curran) that would exempt group homes governed by Minn. Stat. § 245A.02, subd. 14(b) and assisted living facilities defined in Minn. Stat. § 144G.08, subd. 7 from municipal rental licensing.

While not every city utilizes rental licensing, for those that do, it can be an important tool to ensure that habitability and livability standards are met for a city's residents, including residents living in group homes and assisted living facilities cited in the bill. Cities are generally the closest unit of government to the resident, and through rental licensure cities are often able to respond more quickly to address issues and concerns from residents related to the livability, safety, and conditions of their housing that may arise throughout the course of the year, beyond a yearly inspection by the licensing agency or county.

Group homes are a critical component of overall housing stock in our communities, and cities have a strong interest in safeguarding the health, safety, and welfare of their residents across all ranges of housing. We look forward to working with Representative Curran and other legislators and stakeholders to find an approach that will offer residents an avenue to promptly address the conditions of their housing while ensuring that group homes and assisted living facilities can continue to serve residents in their communities of choice.

Thank you for your consideration of these concerns.

Sincerely,

Brooke Bordson
League of Minnesota Cities

Daniel Lightfoot
League of Minnesota Cities

This Document can be made available
in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3938

02/19/2024 Authored by Curran, Fischer, Pursell and Hanson, J.,
The bill was read for the first time and referred to the Committee on Human Services Policy
02/28/2024 Adoption of Report: Amended and re-referred to the Committee on State and Local Government Finance and Policy
03/11/2024 Adoption of Report: Amended and re-referred to the Committee on Health Finance and Policy

A bill for an act

relating to human services; modifying certain licensing and zoning requirements; amending Minnesota Statutes 2022, sections 144G.45, subdivision 3; 245A.11, subdivision 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2022, section 144G.45, subdivision 3, is amended to read:

Subd. 3. **Local laws apply.** Assisted living facilities shall comply with all applicable state and local governing laws, regulations, standards, ordinances, and codes for fire safety, building, and zoning requirements, except a facility with a licensed resident capacity of six or fewer is exempt from rental licensing regulations imposed by any town, municipality, or county.

Sec. 2. Minnesota Statutes 2022, section 245A.11, subdivision 2, is amended to read:

Subd. 2. **Permitted single-family residential use.** (a) Residential programs with a licensed capacity of six or fewer persons shall be considered a permitted single-family residential use of property for the purposes of zoning and other land use regulations, except that a residential program whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses shall not be considered a permitted use. This exception shall not apply to residential programs licensed before July 1, 1995. Programs otherwise allowed under this subdivision shall not be prohibited by operation of restrictive covenants or similar restrictions, regardless of when entered into, which cannot be met because of the nature of the licensed program, including provisions

which require the home's occupants be related, and that the home must be occupied by the owner, or similar provisions.

~~(b) Unless otherwise provided in any town, municipal, or county zoning regulation, licensed residential services provided to more than four persons with developmental disabilities in a supervised living facility, including intermediate care facilities for persons with developmental disabilities, with a licensed capacity of seven to eight persons shall be considered a permitted single-family residential use of property for the purposes of zoning and other land use regulations. A town, municipal, or county zoning authority may require a conditional use or special use permit to assure proper maintenance and operation of the residential program. Conditions imposed on the residential program must not be more restrictive than those imposed on other conditional uses or special uses of residential property in the same zones, unless the additional conditions are necessary to protect the health and safety of the persons being served by the program. This paragraph expires July 1, 2023.~~

(b) A residential program as defined in section 245D.02, subdivision 4a, with a licensed capacity of six or fewer persons that is actively serving residents for which it is licensed is exempt from rental licensing regulations imposed by any town, municipality, or county.

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 3839

(SENATE AUTHORS: BOLDON, Port, Abeler and Hoffman)

DATE	D-PG	OFFICIAL STATUS
02/19/2024	11632	Introduction and first reading Referred to Human Services
03/07/2024	11936	Comm report: To pass as amended and re-refer to State and Local Government and Veterans

A bill for an act

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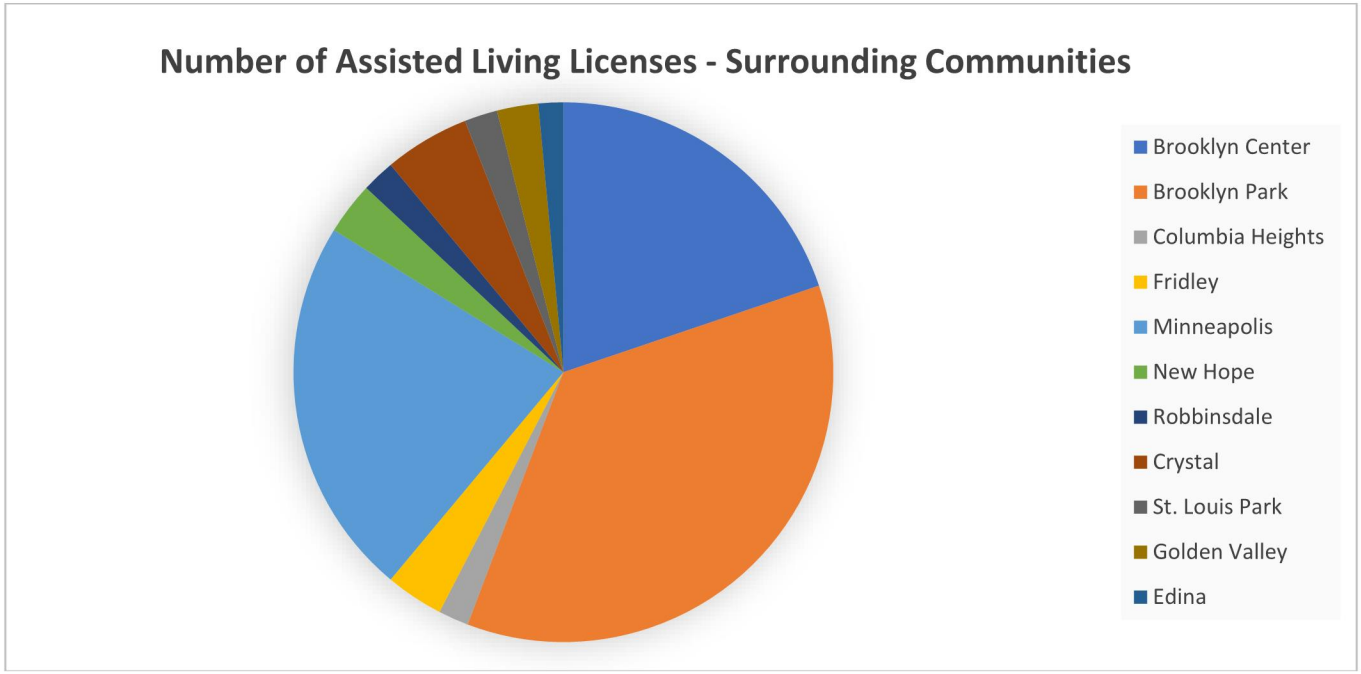
which require the home's occupants be related, and that the home must be occupied by the owner, or similar provisions.

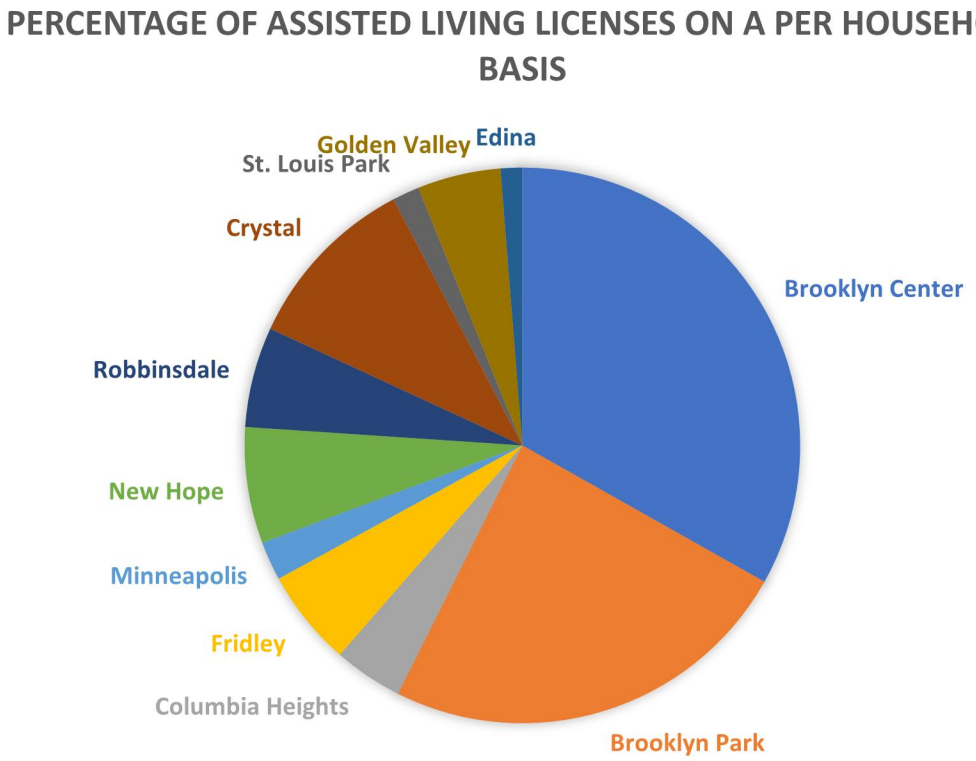
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(b) A residential program as defined in section 245A.02, subdivision 14, paragraph (b), with a licensed capacity of six or fewer persons that is actively serving residents for which it is licensed is exempt from rental licensing regulations imposed by any town, municipality, or county.

	Brooklyn Center (33,782)	**Brooklyn Park** (86,478)	**Columbia Heights** (21,973)	**Fridley** (29,590)	**Minneapolis** (429,954)	**New Hope** (21,986)	**Robbinsdale** (14,646)	**Crystal** (23,330)	**St. Louis Park** (50,010)	**Golden Valley** (22,552)	**Edina** (53,494)
Number of Assisted Living Licensures (Capacity of 6 or Fewer Persons)	**120***	218	11	21	138	19	12	31	12	15	9
# of Households (2022)	11,513	28,638	8,698	11,905	193,600	8,950	6,540	9,468	24,264	9,847	22,677
Median Housing Value (2022 dollars)	$240,800	$289,400	$242,100	$257,100	$328,700	$294,600	$266,600	$262,800	$357,900	$381,400	$601,700
Median Household Income	$70,700	$82,300	$70,500	$76,600	$76,300	$69,200	$80,100	$86,300	$94,300	$110,000	$125,500
BIPOC Population (%)	64.83%	62.05%	47.80%	42.99%	39.95%	38.95%	33.10%	29.61%	21.61%	18.75%	17.43%

Sources: Metropolitan Council Community Profiles | MDH Licensing Lookup
Note*: The City has received 14 applications for new assisted living licensures (6 or fewer persons) since August 2023. 4 applications have been processed; however, 10 application are still in review and not reflected in the above number of licenses for Brooklyn Center.


Number of Assisted Living Licenses - Surrounding Communities
Brooklyn Center
Brooklyn Park
Columbia Heights
Fridley
Minneapolis
New Hope
Robbinsdale
Crystal
St. Louis Park
Golden Valley
Edina

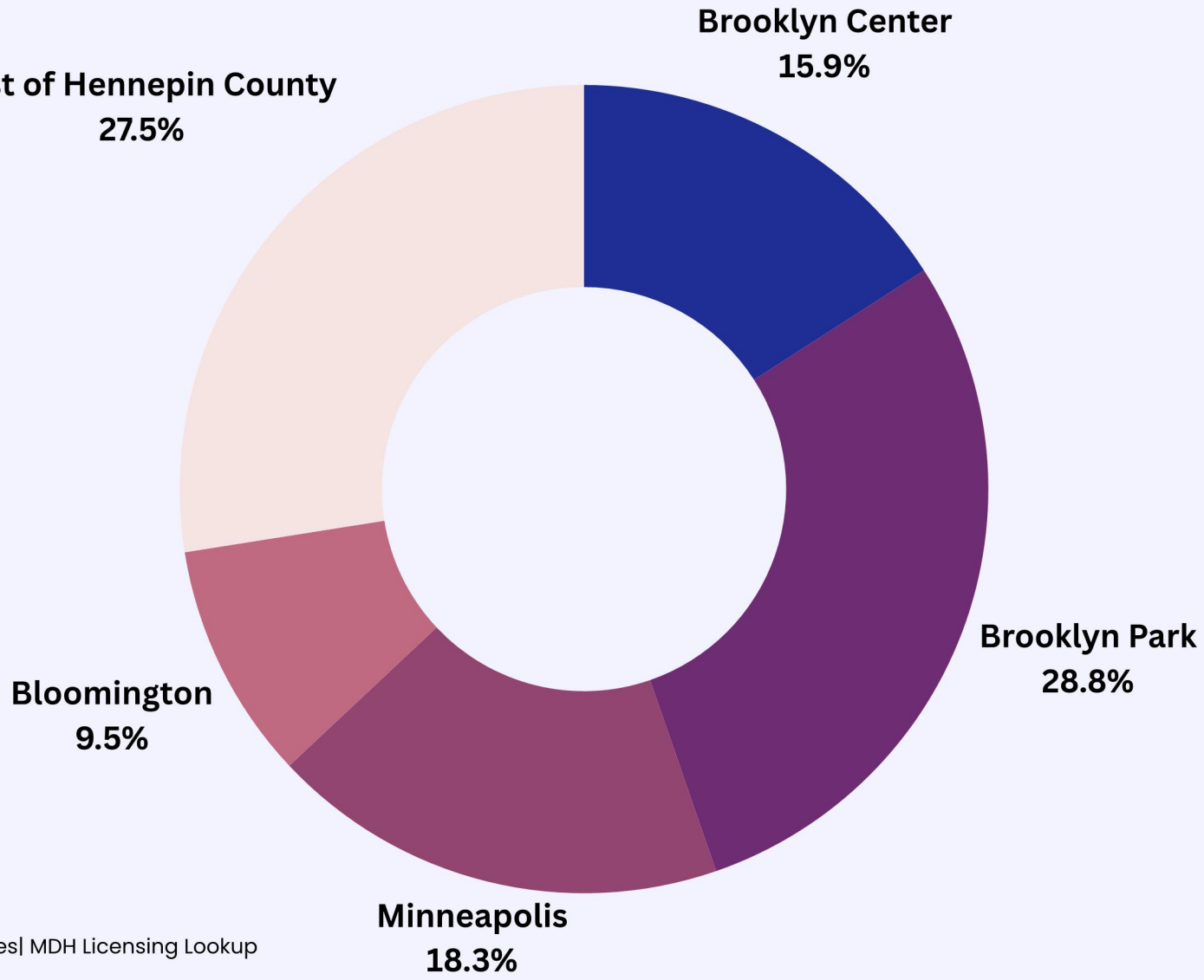

PERCENTAGE OF ASSISTED LIVING LICENSES ON A PER HOUSEHOLD BASIS
Golden Valley
Edina
St. Louis Park
Crystal
Brooklyn Center
Robbinsdale
New Hope
Minneapolis
Fridley
Columbia Heights
Brooklyn Park

By the Numbers:
Distribution of Assisted Living Licensures in Hennepin County (6 or Fewer Persons)

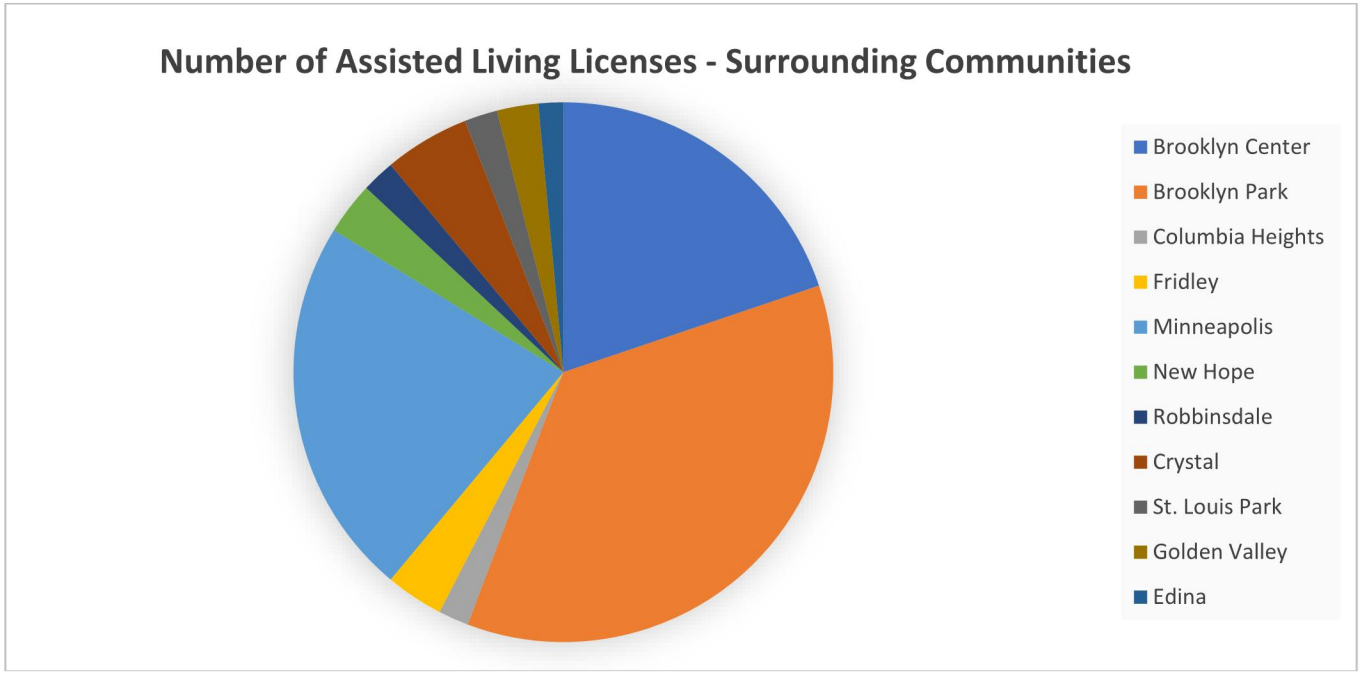
- Four Cities in Hennepin County account for 72.5% of all assisted living licensures in Hennepin County (6 or fewer persons).

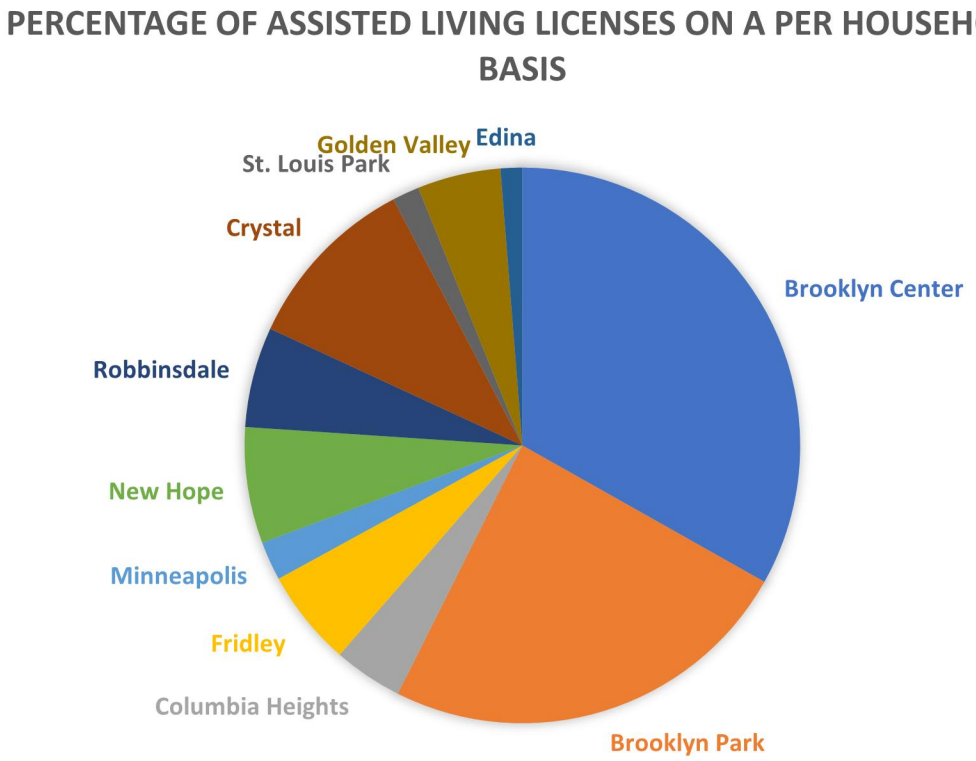
- There are only two cities in Hennepin County where over 50% of the population is BIPOC: Brooklyn Center (64.8%) and Brooklyn Park (62.1%).

- These two cities alone account for **44.7%** of all assisted living licensures.



Source: Metropolitan Council Community Profiles| MDH Licensing Lookup


Number of Assisted Living Licenses - Surrounding Communities
Brooklyn Center
Brooklyn Park
Columbia Heights
Fridley
Minneapolis
New Hope
Robbinsdale
Crystal
St. Louis Park
Golden Valley
Edina


PERCENTAGE OF ASSISTED LIVING LICENSES ON A PER HOUSEHOLD BASIS
Golden Valley
Edina
St. Louis Park
Crystal
Brooklyn Center
Robbinsdale
New Hope
Minneapolis
Fridley
Columbia Heights
Brooklyn Park

Council Regular Meeting

DATE: 4/22/2024

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Barb Suciu, Assistant City Manager/City Clerk

SUBJECT: Amending the 2024 City Council Meeting Schedule

Requested Council Action:

- *Motion to amend the 2024 City Council meeting schedule to account for the Memorial Day holiday.*

Background:

At the December 11, 2023, City Council meeting, the 2024 City Council meeting schedule was approved. Since the adoption of the schedule, there have been discussions of modifying the budget meetings format. Attached is the amended 2024 City Council meeting schedule with the revised budget meetings.

These changes reduce the original eight (8) budget meetings to three (3). These meetings will start at 5:00 p.m. and end at 9:00 p.m. If approved this evening, staff will adjust the Council's calendars and city's website to reflect the changes.

Budget Issues:

- none

Inclusive Community Engagement:

- none

Antiracist/Equity Policy Effect:

- none

Strategic Priorities and Values:

Maintain a strong financial position

ATTACHMENTS:

Description	Upload Date	Type
Updated Schedule	4/15/2024	Backup Material

REVISED 4/22/24

2024 City Council Meeting Schedule

Regular City Council Meetings
Meetings will be held in person

Study/Work Session	**6:00 p.m.**
Informal Open Forum	**6:45 p.m.**
Regular Session	**7:00 p.m.**
Work Session – After regular session	

Brooklyn Center City Council regularly meets on the 2nd and 4th **Monday** of each month, unless Monday is a holiday.

January 8	January 22
February 12	February 26
March 11	March 25
April 8	April 22
May 13	~~May 27~~ May 28
June 10	June 24
July 8	July 22
August 12	August 26
September 9	September 23
October 14	October 28
November 12	November 25
December 9	

Optional Work Session dates:
February 5
May 6
August 5

Special City Council Meetings
All dates are **Monday** unless otherwise noted

April 1	**7:00 p.m.**
Board of Appeal & Equalization	CC
April 15	**6:00 p.m.**
Board of Appeal & Equalization Reconvene	CC
May 6	**5:00 p.m.**
Capital Improvement Fund, Council Priorities, Revenues	CCR
June 26	**5:00 p.m.**
Budget - Audit Presentation	CCR
Aug. 19	**5:00 p.m.**
Dept. Budgets, Debt Serv Funds, Central Garage	CCR
Nov. 18	**5:00 p.m.**
Budget - Special Revenue Funds	CCR
Dec. 2	**6:30 p.m.**
Budget - 2025 Budget Hearing	CC

CC - Council Chambers

CCR - Council Commission room located on main level City Hall

All dates are subject to change. Contact City Hall at 763-569-3300 to verify dates and times.

Council Regular Meeting

DATE: 4/22/2024

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Elizabeth Heyman - Director of Public Works

SUBJECT: Capital Projects Fund: A Capital Improvement Program Preview

Requested Council Action:

- Motion to accept the presentation.

Background:

Staff will present an overview of the Capital Projects Fund, a fund within the Capital Improvement Program (CIP), that funds park, trail, and city building improvements. The purpose of the presentation is to give an overview of how the fund works, what types of projects it funds, as well as how staff are using the data from the Capital Maintenance Building Plan (CMBP) Evaluation to chart a path forward for investments in city buildings.

This presentation is intended to be a preview to the draft CIP presentation scheduled for the May 6, 2024 City Council meeting.

Budget Issues:

None. The draft budget for the Capital Projects Fund will be presented at the May 6, 2024 City Council meeting.

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Maintain a strong financial position, Maintain and enhance public places

Council/EDA Work Session
City Hall Council Chambers
April 22, 2024

AGENDA

ACTIVE DISCUSSION ITEMS

1. Alternative Expanded Response Pilot

   - Staff seeks a consensus of the City Council regarding a two-year pilot of an Alternative/Expanded Response program.

2. Community Development Block Grant Down Payment Funding Reallocation Discussion

   - It is recommended that the City Council provide direction to staff on the re-allocation of CDBG funding. Staff will then prepare a resolution for a future City Council Meeting.

3. Opportunity Site Phase 1 Infrastructure Financing

   - Provide direction to staff on funding options for the Opportunity Site Phase 1 infrastructure.

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
   - ARPA Funds
   - Grants: Revenues & Expenses
   - Purchasing Policy
   - Revisit Resolution 2021-73
   - Planning Application Process
   - Fences
   - Off-Street Parking of Commercial Vehicles

Council/EDA Work Session

DATE: 4/22/2024

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: Alternative Expanded Response Pilot

Requested Council Action:

- Staff seeks a consensus of the City Council regarding a two-year pilot of an Alternative/Expanded Response program.

Background:

On May 15, 2021, Resolution No. 2021-73: The Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act, called for dispatch system routing appropriate calls to a Community Response team of trained medical and mental health professionals, social workers, or other staff and volunteers.

On October 11, 2021 the Hennepin County Sheriff's Department and Dispatch Center presented the start of a pilot Alternative Response Program. The pilot was initiated with a grant by Hennepin County in Brooklyn Park.

October 4, 2022 Margretta Getaweh, FUSE Engagement Manager (Staff on loan), presented community engagement findings on Reimaging Public Safety to the City Council.

In December 2022, the City Council approved a two-year grant funded pilot mental health 911 calls and community response and initiate data analysis and communication via 2023 budget. Additional modest general fund resources were approved by the City Council in December 2023 via 2025 budget.

On March 28, 2023 the Daunte Wright and Kobe Dimock-Heisler Implementation Committee presented recommendations to the Council on the Response Engagement and Crisis Help (REACH Team Model).

In August 14, 2023 staff presented “Enhancing Public Safety Through Prevention-Focused Strategies”, which included Alternative/Enhance Response Model.
On Monday, March 25, 2024 the Council received a presentation on the BC Alternative Expanded Response Pilot. Attached is a copy of the PPT presented that evening. While council members were able to ask questions following the presentation. The Council requested additional time at a later date for further questions. Staff along with the service providers will be in attendance for the purpose of recapping the presentation and answering council’s additional questions.

Budget Issues:

This is a two year pilot. The pilot cost the City up to $90,000 in funding for the pilot. Grant funding will cover approximately 87% of the total cost, while the City's cost accounts for approximately 13%.

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Improve community and employee safety

ATTACHMENTS:

Description	Upload Date	Type
Alternative Expanded Response Pilot PPT	4/17/2024	Cover Memo

Brooklyn Center Alternative/Expanded Response Pilot

City Council Meeting, 3.25.2024

Presentation Purpose

- Brief Background
- Describe the Benefits of Alternative/Expanded Response
- Describe the Brooklyn Center Alternative/Expanded Response Model
- Description of Alternative/Expanded Response Service Providers
- Q&A

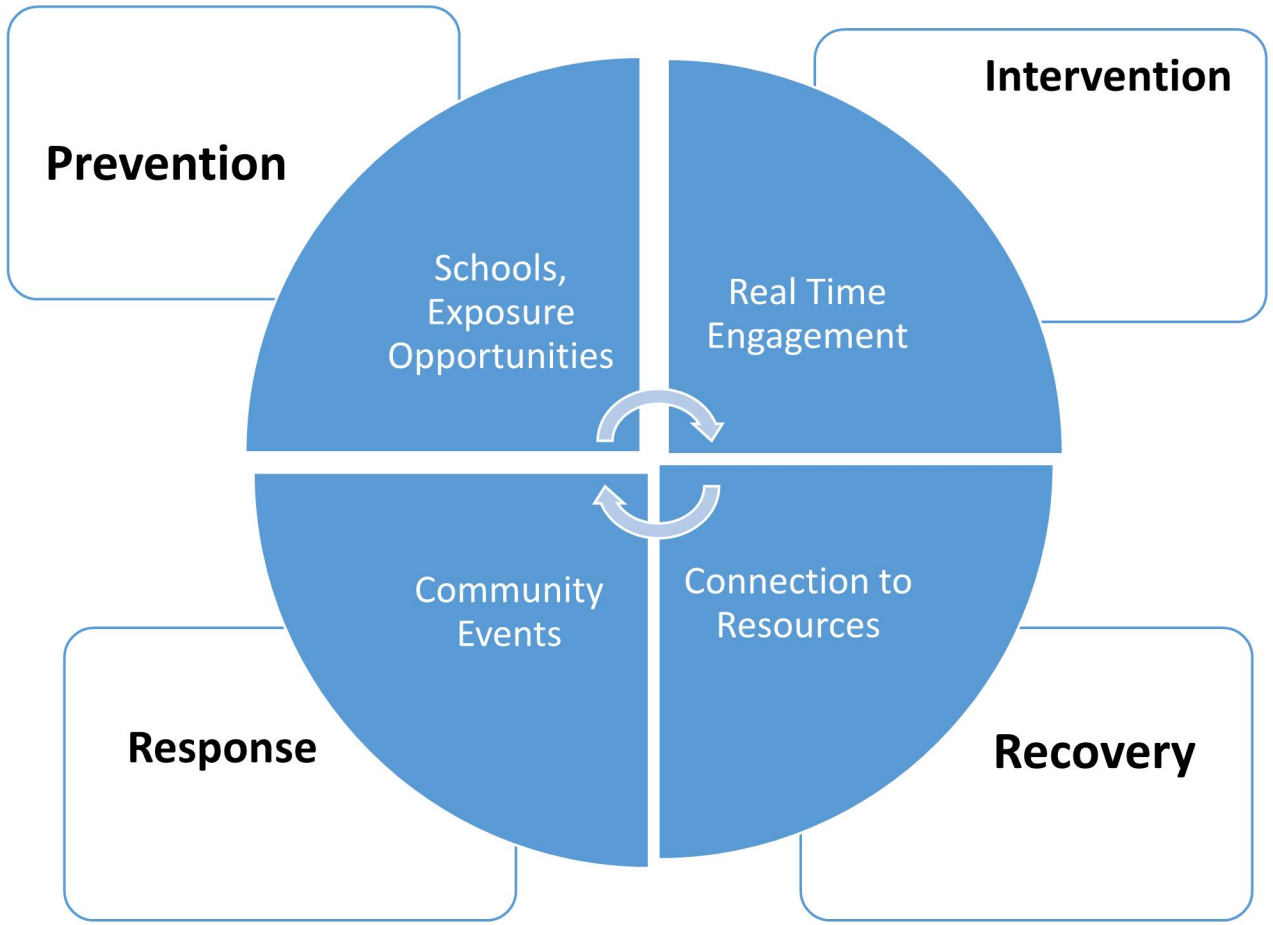
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- In August 14, 2023 staff presented “Enhancing Public Safety Through Prevention-Focused Strategies”, which included Alternative/Enhance Response Model.

Pilot Intended Outcomes

- Broadening and Skill Aligning 911 Responders
- Service Effectiveness – Impact of positive resolution of 911 calls and reduction of repeat calls.
- Service Efficiency – Reduce call load of over extended responding departments.
- Service Cost Efficiency:
  - Lower cost service provider
  - Rerouting of costly services
  - Reduce repeating service needs

COMPREHENSIVE APPROACH



Benefits of alternative response teams are often context-dependent and can vary based on the specific program design, community demographics, and local resources. Ongoing research and data collection are crucial to assess the long-term impact and effectiveness of these initiatives.

- **Reduction in Use of Force Incidents:**
  - Alternative response teams have been associated with a reduction in use of force incidents during crisis situations involving mental health or substance abuse issues.
  - Studies have shown that crisis intervention teams (CIT) comprising mental health professionals are better equipped to de-escalate situations, reducing the need for physical force.
- **Decreased Criminalization of Mental Illness:**
  - Alternative response models, such as mobile crisis teams, help divert individuals with mental health challenges away from the criminal justice system and towards appropriate treatment and support.
  - Communities with well-implemented alternative response teams have reported fewer arrests and incarcerations of individuals with mental illnesses.
- **Improved Mental Health Outcomes:**
  - Crisis intervention teams and mental health response units have led to improved mental health outcomes by providing immediate access to appropriate care, reducing the likelihood of repeated crisis episodes.
- **Enhanced Community Trust:**
  - Alternative response teams, by focusing on empathy and de-escalation, contribute to building trust between law enforcement and the community, especially marginalized or vulnerable populations.
  - Communities that utilize alternative response teams report higher levels of satisfaction and cooperation among residents.
- **Increased Community Well-Being:**
  - Communities that implement alternative response teams often experience an overall improvement in well-being, as individuals in crisis receive appropriate care and support.
- **Cost Savings:**
  - Effective alternative response models can result in cost savings for communities by reducing the strain on emergency services, emergency departments, and the criminal justice system.
  - Diverting individuals away from unnecessary arrests and detentions leads to lower criminal justice expenses.
- **Preventive Impact:**
  - By addressing the root causes of crises, alternative response teams contribute to prevention and early intervention, potentially reducing the need for more extensive and costly interventions down the line.
- **Better Allocation of Resources:**
  - When alternative response teams handle non-violent crisis situations, law enforcement officers can focus on addressing serious crimes and public safety concerns, optimizing resource allocation.
- **Holistic Approach:**
  - Alternative response teams often involve collaboration with social workers, mental health professionals, and community organizations, enabling a more holistic and comprehensive approach to crisis management.
- **Reduced Stigma:**
  - Alternative response teams help reduce the stigma associated with mental health challenges and substance abuse issues by providing a more compassionate and understanding approach.

FUSE Final Project Check-In

Date: October 4th 2022

Participants: Margretta Getaweh

Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has.
Margaret Mead

DELIVERABLES AND RESULTS

After the first initial check-in the project was scaled to focus only on community engagement for the Implementation Committee. Working with the team and multiple stakeholders we achieved the following results.

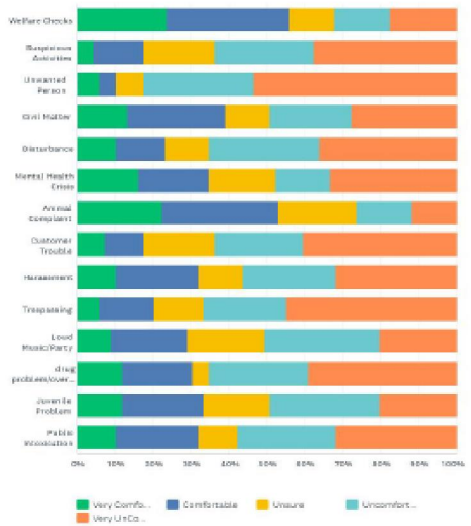
	Description	Results
1	Interviews with key stakeholders to inform and address concerns	▪ 10 group homes/assisted living ▪ 5 businesses ▪ 4 community-based organizations
2	Establish partnerships with community organizations/leaders to support community engagement process	▪ Partnership with Masjid ▪ Partnership with Brooklyn Center High School ▪ Partnership with Brookdale Covenant Church ▪ Partnership with City of Praise, Dunamis Praise, St. Alphonsus Church ▪ Partnership with BBCC ▪ Flyers at local barbershops and businesses
3	Organize and co-facilitate community conversations to gather community input and feedback on issues out of the workgroups	▪ Four community conversations
4	Provide ongoing support to the Implementation Committee and Workgroups	▪ Created content for the Implementation Committee ▪ Provide ongoing communication support for IC members
5	Survey	▪ Nvivo/Surveymonkey

Feedback and Outcomes – Calls for Service

Needs More Education

- Suspicious activity
- Unwanted person
- Civil matter
- Disturbance
- Customer trouble
- Drug overdose
- Trespassing

Q4 What types of 911 calls for service would be appropriate for Community Responders to address without law enforcement? All calls will be screened and triaged due to risk level and need for services. Know that police officers and emergency medical services can be called for backup. Express your comfort level for each issue.(Community Responders will NEVER be deployed to calls that involve active threats of violence, calls with injury, or the need for emergency medical services. Those Calls will still be deployed to Brooklyn Center Police and Fire Departments)



Needs to Address Concerns

- Welfare Checks
- Mental Health
- Animal complaints
- Loud Music

All of these situations could turn really bad really fast. Every one of these has the potential to end up as a hostage situation, weapon involved, PTSD and other things that calling for back up and waiting for a "REAL COP" to get there is a BAD Idea.

Police have a job to do, not by sending "citizen responders" in to situations where people have requested the police. Citizen/community responders are not police officers. They would be ill equipped to handle a situation that may turn into a crisis.

Distressed youth contemplating suicide, neighbors complaining about home being rundown and uncared for. Escorting for person getting personal items from property after domestic or court ordered separation

I do not know enough about the program to have been able to give strong responses.

I think such a program is absolutely needed and would be a great assistance to the Police Department, since there are many community issues that are civil in nature rather than criminal.

Can the city afford this position? Would this Community Responder have made a difference in either of the tragic losses our city has lived through?

Mental Problem and Welfare Check Calls by Hour and Day (7/28/21-7/28/23)

1-9 calls
10-19 calls
20-29 calls
30-39 calls
40-49 calls
50+ calls

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	Total
Sun	21	25	20	12	16	11	10	12	15	23	19	21	30	42	26	29	40	46	27	28	40	39	27	32	**611**
Mon	23	20	16	9	5	8	11	16	29	29	36	26	30	34	33	42	51	53	32	32	32	37	30	28	**662**
Tue	31	13	10	13	15	12	13	20	23	24	29	36	45	43	33	44	53	45	42	37	42	32	30	25	**710**
Wed	21	18	18	15	15	11	7	17	20	37	27	30	43	39	36	39	54	29	30	43	34	32	22	25	**662**
Thu	17	20	13	13	6	6	11	22	27	33	31	35	33	34	49	40	30	32	31	37	22	31	23	29	**625**
Fri	27	12	18	18	12	13	9	23	35	21	33	33	36	35	33	37	28	45	36	38	30	36	16	22	**646**
Sat	27	16	18	5	7	16	6	12	32	27	18	20	21	30	24	26	36	40	53	41	38	36	27	32	**608**
Total	**167**	**124**	**113**	**85**	**76**	**77**	**67**	**122**	**181**	**194**	**193**	**201**	**238**	**257**	**234**	**257**	**292**	**290**	**251**	**256**	**238**	**243**	**175**	**193**	**4524**

Pilot Outline (Program Elements, Operations Description & Evaluation Measures

- 2 Year Pilot – Stager start in May (Team 1) – August (Team 2)
- Grant Funded (87%) and General Fund (13%)
- Two teams covering 14 hours of the day *(not 24 hour service)* in two shifts
  - Team 1: Mon. – Fri. (10:00am – 6:30pm)
  - Team 2: Mon, Thurs, Friday (3:30pm – 12:00am)
    Sat and Sun (4:00pm – 12:30am)
    (Times are subject to slight change as finalization of services are developed)
- Team Profile:
  - Team 1: Social Worker/Paramedic
  - Team 2: Mental Health Worker/Mental Health Worker

Pilot Service Provider – Team 1 (Hennepin County)



Criminal Justice Behavioral Health Initiatives (CJBH)

Hennepin County

Working toward better outcomes, fewer disparities for residents



CJBH works to address Behavioral health needs at criminal justice intersections

Youth Justice Behavioral Health

Behavioral Health Center at 1800 Chicago

Behavioral Health Court Services

Embedded Social Work Model

Embedded Social Work Model- Services available to support mental health responses in 911

Embedded mental health expertise in police departments and 911 dispatch

Social worker and law-enforcement officer respond to mental health, substance and social service 911 calls

Social worker and medical professional respond to mental health, substance and social service 911calls

Target population:

- Individuals who are the subject of behavioral health related calls
- Repeat mental health callers to 911
- Low-level criminal behaviors
- Individuals who could benefit from social service support

Goals of layered approach:

- Timely engagement with people who need support
- Fewer arrests and jail bookings
- Fewer repeat calls
- Fewer hospitalizations
- Increased public satisfaction with the response to mental health emergencies
- Free up police resources for other types of calls

Community benefits:

Using resources effectively

- Shared financing model
- Maximized expertise of different disciplines
- Leverage resources to meet need

Addressing community needs

- Warm handoff to embedded social workers for follow up/stabilization
- Data review, care coordination, link to community resources
- Ongoing support with housing, economic benefits and mental and chemical health treatment



Alternative Response Team Overview

- Comprised of a social worker and community paramedic.
- Dispatched by Hennepin County Sheriff's Office 911 dispatch center.
- Drives an unmarked county vehicle.
- Responds to urgent 911 calls that do not require an emergency response by Police, Fire, EMS.
- Operates Monday-Friday 10:00am-6:30pm.
- Officed out of Brooklyn Park Police Department

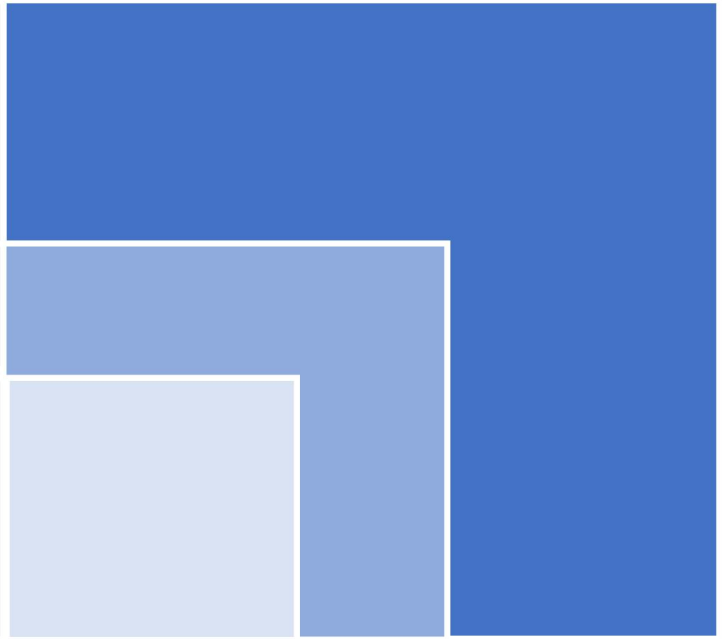
Community impact outcomes
City of Brooklyn Park

Alternative Response Team 1/1/2023-12/31/2023

Approximately 670 referrals to the program

Alternative Response Team made contact in 99% of calls dispatched to

759 referrals to services were made



Over 65% of people served identify as people of color.

Saved roughly 251 hours of officer time on calls.

Resident Highlights

Reason for 911 call: Group home resident requesting an ambulance.

- anxious and pacing because his medications had not arrived yet.
- Team helped him come up with coping skills to manage his anxiety.
- Team consulted with the group home's nurse and identified a PRN medication that resident could take.

- Reason for 911 call: Elderly man recently suffered a stroke, experiencing, restlessness, confusion, agitation, becoming threatening.
- Team met with family at their home and discussed options.
- Community paramedic checked his vital signs and reviewed medications
- Coordinated transport to hospital.
- Provided the family with information about assisted living and memory care facilitates, education about medications and provided gun locks for the client's firearms and created plan for safe storage of the guns.

Patrol Survey Results

What's the benefit of ART from the perspective of the patrol officers working alongside them?

On a scale of 1–5 (1-Unacceptable 2-Needs Improvement 3-Meets Expectations 4-Exceeds Expectations 5-Outstanding)

- Value added to patrol shift = **4.8**
- Ability to manage calls = **4.6**
- Proactivity (answering calls/replacing officers) = **4.35**
- Benefit to the community = **4.95**
- Accessibility to officers for questions/concerns = **4.8**
- Personal interactions with ART = **4.85**

"Community paramedics are a value to the team. They have decades of experience working with people in crisis, know the community, and oftentimes have interacted with individuals they are encountering in the past."

"ART is the best thing that has happened to this police department in the last few years. The needs of the public/citizens are changing as it pertains to mental health resources specifically, and the ART team is a great asset to the police department and the community."

Questions?



Thank you!

Pilot Service Provider – Team 2 (Canopy Roots)





Operating an Alternative Response Team (ART) unit

City of Brooklyn Center, MN | Presented March 25, 2024

Organizational overview



Gina Obiri
BA, MPH (she/her)

Contract Operations Manager



Candace Hanson
MA, LPCC (she/her)

Executive Director & Co-Founder



Taylor Crouch-Dodson
MPP (he/him)

Director of External Affairs

Canopy Roots is a majority Black-owned and women-led mental health agency that develops and operates innovative unarmed first responder services to Minnesota communities in contract with local governments and 911 dispatch.

Service Experience

Canopy Roots promotes safety through the use of:

- ➔ Trauma informed & culturally responsive training & development
- ➔ Emotional de-escalation strategies for service recipients
- ➔ Crisis intervention support
- ➔ Connection to community resources

Partnership highlight:

City of Minneapolis
Behavioral Crisis Response (BCR)

Our purpose *is to provide person-centered, culturally responsive crisis services to community members of all ages in Minneapolis.*

Our goals for the BCR are to:

- Decrease criminalization of mental illness
- Avoid involuntary hospitalization

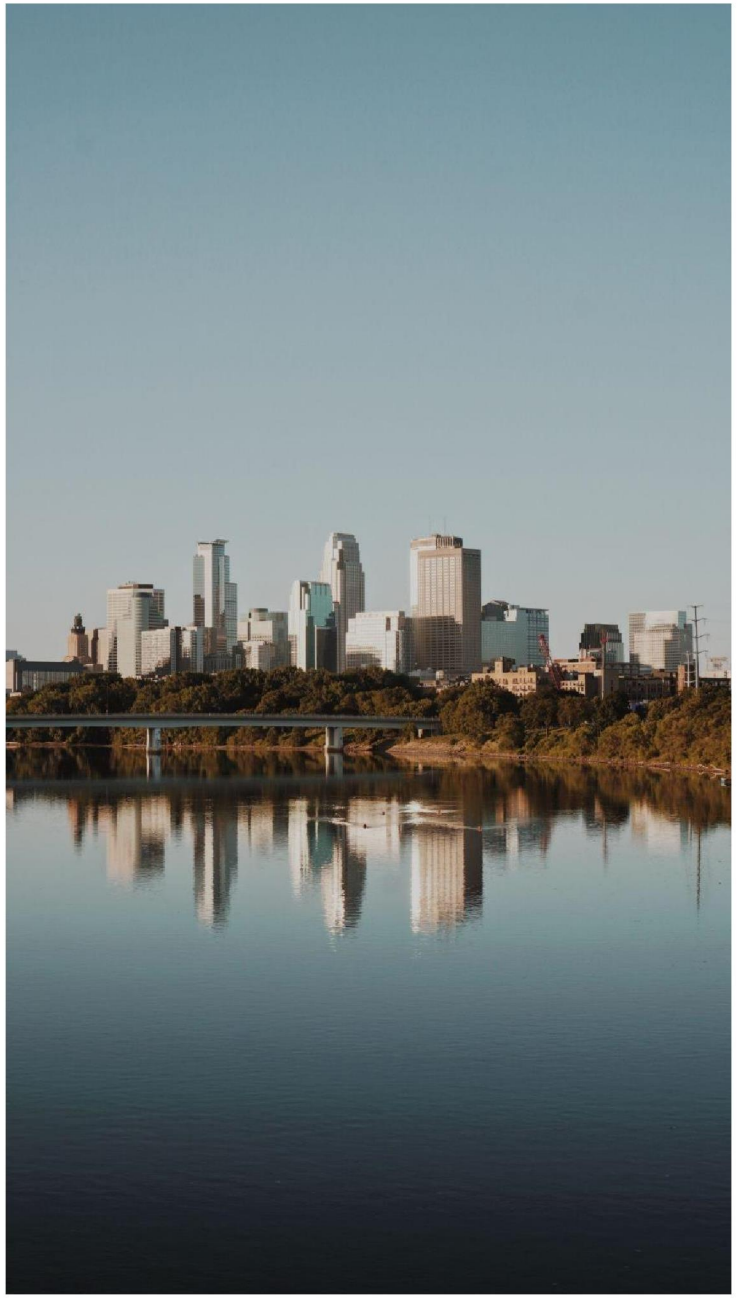
Canopy Roots & Minneapolis BCR



Our unarmed first responder service model has expanded the way Minneapolis handles mental and behavioral crisis.

Illustration source: Storyset.com

- Culturally responsive
- Unarmed civilians
- Trained & certified
- Interoperable via 911
- 24/7 mobile coverage
- Independent first responder
- Free & voluntary



Measuring our impact

From December 2021 to March 2024 we have:

- ➔ **Expanded the public safety infrastructure** by becoming Minneapolis' newest first responder alongside Fire, EMS, and Police.

- ➔ **Responded to over 20,000 calls via 911**
  - 80% of calls handled without backup
  - 0% of calls involved injuries to recipients

- ➔ **Received contract extension & budget increase** to continue 24/7 service delivery.

Image source: Unsplash.com

Interventions provided by BCR

- **Trauma-informed emotional support**
- **Crisis de-escalation**, both emotionally focused intervention and addressing practical needs
- **Psychoeducation**, for recipient and their support systems
- **Risk assessments and safety planning**
- **Service connection**, including voluntary transport as appropriate for warm hand-offs
- **Skills training**
- Additional brief interventions as needed



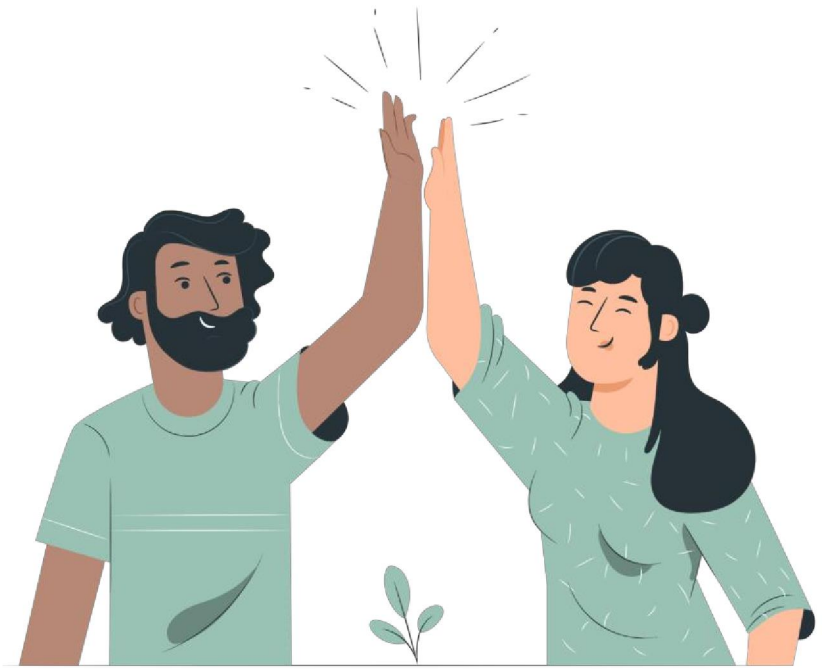
Illustration source: Storyset.com

Lessons learned via operating Mpls BCR

- **Community awareness** of unarmed first responder services by engaging with historically underserved populations
- **Collaboration with first responder colleagues** ensures highest level of quality of service for recipients
- **Ensure high job satisfaction for Crisis Responders** by:
  - Offering competitive pay and employee wellness benefits
  - Maintaining a safe and culturally affirming workplace culture
- **Barriers to connecting service recipients to community-based resources** due to lack of capacity, funding, and operational constraints (i.e. weekdays, 9a-5p)



Thank you!



We look forward to partnering with the City of Brooklyn Center to launch the Alternative Response Team

info@canopyrootsmn.com

www.canopyrootsmn.com

Illustration source: Storyset.com

Pilot Intended Outcomes

- Broadening and Skill Aligning 911 Responders
- Service Effectiveness – Impact of positive resolution of 911 calls and reduction of repeat calls.
- Service Efficiency – Reduce call load of over extended responding departments.
- Service Cost Efficiency:
  - Lower cost service provider
  - Rerouting of costly services
  - Reduce repeating service needs

Benefits of alternative response teams are often context-dependent and can vary based on the specific program design, community demographics, and local resources. Ongoing research and data collection are crucial to assess the long-term impact and effectiveness of these initiatives.

- **Reduction in Use of Force Incidents:**
  - Alternative response teams have been associated with a reduction in use of force incidents during crisis situations involving mental health or substance abuse issues.
  - Studies have shown that crisis intervention teams (CIT) comprising mental health professionals are better equipped to de-escalate situations, reducing the need for physical force.
- **Decreased Criminalization of Mental Illness:**
  - Alternative response models, such as mobile crisis teams, help divert individuals with mental health challenges away from the criminal justice system and towards appropriate treatment and support.
  - Communities with well-implemented alternative response teams have reported fewer arrests and incarcerations of individuals with mental illnesses.
- **Improved Mental Health Outcomes:**
  - Crisis intervention teams and mental health response units have led to improved mental health outcomes by providing immediate access to appropriate care, reducing the likelihood of repeated crisis episodes.
- **Enhanced Community Trust:**
  - Alternative response teams, by focusing on empathy and de-escalation, contribute to building trust between law enforcement and the community, especially marginalized or vulnerable populations.
  - Communities that utilize alternative response teams report higher levels of satisfaction and cooperation among residents.
- **Increased Community Well-Being:**
  - Communities that implement alternative response teams often experience an overall improvement in well-being, as individuals in crisis receive appropriate care and support.
- **Cost Savings:**
  - Effective alternative response models can result in cost savings for communities by reducing the strain on emergency services, emergency departments, and the criminal justice system.
  - Diverting individuals away from unnecessary arrests and detentions leads to lower criminal justice expenses.
- **Preventive Impact:**
  - By addressing the root causes of crises, alternative response teams contribute to prevention and early intervention, potentially reducing the need for more extensive and costly interventions down the line.
- **Better Allocation of Resources:**
  - When alternative response teams handle non-violent crisis situations, law enforcement officers can focus on addressing serious crimes and public safety concerns, optimizing resource allocation.
- **Holistic Approach:**
  - Alternative response teams often involve collaboration with social workers, mental health professionals, and community organizations, enabling a more holistic and comprehensive approach to crisis management.
- **Reduced Stigma:**
  - Alternative response teams help reduce the stigma associated with mental health challenges and substance abuse issues by providing a more compassionate and understanding approach.

Pilot Outline (Program Elements, Operations Description & Evaluation Measures

- 2 Year Pilot – Stager start in May (Team 1) – August (Team 2)
- Grant Funded (87%) and General Fund (13%)
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    (Times are subject to slight change as finalization of services are developed)
- Team Profile:
  - Team 1: Social Worker/Paramedic
  - Team 2: Mental Health Worker/Mental Health Worker

Council Q&A

- Does the Council have questions regarding the Alternative/Expanded Response Pilot?
- Is there a consensus of the Council regarding the Alternative/Expanded Response Pilot?

Council/EDA Work Session

DATE: 4/22/2024

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Jesse Anderson, Community Development Director

SUBJECT: Community Development Block Grant Down Payment Funding Reallocation Discussion

Requested Council Action:

- It is recommended that the City Council provide direction to staff on the re-allocation of CDBG funding. Staff will then prepare a resolution for a future City Council Meeting.

Background:

In March of 2023 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 that 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 have indicated that they will need to reallocate the remaining extra funds of $135,000.
The County is starting a new Down Payment Assistance program and have 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, 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.
City Staff have reviewed options for spending down the remaining $135,000 before the end of the year. Generally, federal funded CDBG programs have some challenging requirements and the short spend down window makes most funding options infeasible.
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 track. 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. If the Council chooses options 2 staff will work with Hennepin County staff on all federal requirements necessary for the project.
City staff is seeking a consensus of the Council to spend down the remaining $135,000 in CDBG funding.

Option 1:

Allow Hennepin County to expend the excess funds in the new Down Payment Assistance Program.

Option 2:

Spend the funds on park improvement projects in 2024.

Building	Area of work	Description of work	Resolution	Current Condition	Criticality	Total (with Inf.)
Amphitheater	05-Exterior Enclosure	Block facade. Efflorescence inside storage rooms	Tuck-pointing	3-Fair	2-Medium	$ 30,000.00
Amphitheater	02-Sitework/Building Earthwork	Retaining wall. Seam failing	Capital Replace	3-Fair	2-Medium	$ 15,000.00
Centennial West Park	06-Roof	Roof shingles	Roof- Replace	3-Fair	3-High	$ 41,250.00
Centennial West Park	05-Exterior Enclosure	Exterior facade	Tuck-pointing	3-Fair	2-Medium	$ 13,750.00
Centennial West Park	13-HVAC	Furnace	Capital Replace	3-Fair	3-High	$ 13,750.00

Centennial West Park	05-Exterior Enclosure	Windows (2) 1x3	Windows-Replace Pane/Panes/IGU	3-Fair	2-Medium	$ 619.00
Estimated Total:						$ 114,369.00

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Maintain and enhance public places

ATTACHMENTS:

Description	Upload Date	Type
County Letter to Brookyn Center	4/15/2024	Backup Material
DPA Program Overview	4/15/2024	Backup Material

HENNEPIN COUNTY
MINNESOTA

Jesse Anderson
Community Development Director, City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, MN 55430

18 March 2024

Dear Jesse,

In Spring 2020 and Spring 2021, the City of Brooklyn Center proposed to allocate CDBG funding to homebuyer assistance (Resolutions 2020-031 and 2021-38). As of March 2024, a balance of $135,000 remains ($65,000 from Program Year 2020, $70,000 from Program Year 2021).

Earlier this year, Brooklyn Center requested to re-allocate these funds to Hennepin County's Homeowner Rehabilitation program, with these funds targeted to Brooklyn Center residents (Resolution 2023-43). Although my team initially agreed, we can no longer honor that request, due to the importance of ensuring the spenddown of CDBG funds.

As you know, the Urban Hennepin County failed its federal timely CDBG spending test for a second time in 2023, putting the Urban County at risk of losing future funding. In order to meet our federal benchmarks, Hennepin County needs to prioritize activities that can fully spend within the Program Year, and thus cannot allocate the $135,000 from Program Years 2020 and 2021 to Homeowner Rehabilitation.

Please note that allocating the $135,000 to Homeowner Rehabilitation would not have impacted expenditures or homeowners served in Brooklyn Center during the 2024 program year. It would only have increased our fund balance remaining at the end of Program Year 2024.

Instead, these funds will remain allocated to homebuyer assistance, and Hennepin County will administer them as part of a joint activity, with these funds targeted and marketed to Brooklyn Center residents. This direction follows the guidance of our Joint Cooperation Agreement, which states:

> "All funds not expended pursuant to the terms of the Subrecipient Agreement will be relinquished to the COUNTY and will be transferred to a separate account for reallocation on a competitive request for proposal basis at the discretion of the COUNTY where total of such funds is $100,000 or greater. Amounts less than $100,000 shall be allocated by COUNTY to other existing activities consistent with timeliness requirements and Consolidated Plan goals." (IV.D(1))

and

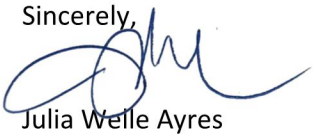
> "COOPERATING UNITS are encouraged to undertake joint activities involving the sharing of funding when such action furthers the goals of the Consolidated Plan and meets the expenditure goals." (IV.F.)

and

> "COOPERATING UNIT will take actions necessary to assist in accomplishing the community development program and housing goals, as contained in the Urban Hennepin County Consolidated Plan, and will comply with COUNTY's direction to redirect the use of funds when necessary to accomplish said goals." (IV.H)

If the city prefers to request to allocate the funds differently, please submit that request by April 29th, 2024. Without a new request, Hennepin County will engage a homebuyer assistance administrator on the City's behalf, and work with City staff to market to residents. Please don't hesitate to contact me with any questions at julia.welleayres@hennepin.us.

Sincerely,



Julia Welle Ayres
Housing Development and Finance Director
Hennepin County

CC: Doug Grout, Entitlements and Homeownership Manager

Hennepin County HRA Homebuyer Assistance Program

Eligible homebuyers in Hennepin County can receive up to $30,000 in down payment and closing cost assistance.



The guidelines below are subject to change at any time without notice. Loan funds are su availability. Call 651-292-8710 or email hello@nwhomepartners.org for complete details

Ku akhri tilmaamaha barnaamijka af-soomaali – guji halkan.

Program Overview

The Hennepin County Housing and Redevelopment Authority (HCHRA) created the Homebuyer Assistance Program to reduce racial disparities in homeownership. HCH provide down payment financing to assist buyers interested in purchasing a home t as their principal place of residence in Hennepin County.

Am I eligible?

- First-time buyer: Borrower must not have an ownership interest in another property for the last 3 years.
- Borrower can have an Individual Taxpayer Identification Number (ITIN) or Social Security Number (SSN).
- Borrower must contribute at least $1,000 of their own funds toward the purchase.
- Housing Ratios: Borrower's PITI must be within 20-35% (front end), not to exceed 50% (back-end) of gross income.

Required Education

- Certificate of Home Stretch group education within one year prior to purchase; see available workshops on Minnesota Homeownership Center website. Framework or other curriculums are not accepted. Sign up for NWHP workshops.
- Certificate of 1:1 Pre-purchase advising is required within one year of purchase. Sign up for NWHP pre-purchase advising.
- If there are two borrowers, both must complete Home Stretch and pre-purchase counseling.

Loan Terms

Forgivable 10 year term, zero-percent interest (no prorated forgiveness).

Loan Amount

- 60% AMI or below – $20,001-$30,000
- 61-80% AMI – $10,001-$20,000
- 81-115% AMI – up to $10,000

Use of Funds

- Down payment.
- Closing costs, including origination fees, credit reports, title fees, recording/filing fees, appraisal fees, attorney's fees.
- No cash back to the borrower.

Lenders

- Any lender that makes a commitment to the Program by reading the guidelines.
- First mortgage product should be 30-year fixed rate FHA, VA, Conventional, or Fannie Mae/Freddie Mac insured loan.

Eligible Properties

- Single family housing, which includes a detached single-family unit, a townhome unit, a condominium unit, a manufactured unit with the lot, or a land trust, cooperative or mutual housing unit.
- Property valued below the 2024 FHA lending insurance limit.
- Property cannot be located in a 100 year flood plain.
- Signed purchase agreement required at time of application.

How do I apply?

Click the button below to complete an intake form.

MENU

Guidelines and Documents

The current loan terms and conditions stated, including interest rates, do not constitute a commitment to lend or an offer to enter into an agreement, and that such an offer may only be made pursuant to Minnesota Statutes, Section 47.206(3) and (4).

Forms and Information

HENNEPIN COUNTY
MINNESOTA

Hennepin

Get homeowner tips & NeighborWorks news. Subscribe

NeighborWorks Home Partners

NeighborWorks Home Partners' mission is empowering individuals and communities by helping people buy, fix and keep their homes. Learn more.

651-292-8710 | Staff Directory

Main Office:
533 Dale Street N.
Saint Paul, MN 55103

Minneapolis Office:
1930 Glenwood Avenue
Minneapolis, MN 55405

hello@nwhomepartners.org

EIN 41-1386089

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Council/EDA Work Session

DATE: 4/22/2024

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Jesse Anderson, Community Development Director and Jason Aarsvold, Ehlers

SUBJECT: Opportunity Site Phase 1 Infrastructure Financing

Requested Council Action:

- Provide direction to staff on funding options for the Opportunity Site Phase 1 infrastructure.

Background:

The approved term sheet with Alatus for development of Phase 1 within the Opportunity Site contemplated Altus would complete infrastructure build out within the site. This infrastructure is planned to serve the Alatus buildings but would also serve the entire Phase 1 site. This includes the Resurrecting Fatih Conference Center and Project for Pride in Living's (PPL) affordable housing buildings.

As discussed previously with Council, Alatus is unable to proceed at this time with the project in the current financing climate. This means timing for build out of the infrastructure is unknown. PPL and Resurrecting Faith, however, are ready to proceed with their projects. 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.

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

Infrastructure Funding

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. The table below shows the funding sources that could be committed to the project.

	Baseline Funding	Additional Grants & Existing Affordable Housing Sales Tax	State Bonding Funds and Existing Affordable Housing

Source	Options	funds	Sales Tax Funds
TIF 7	$ 430,000.000	$ 430,000.000	$ 430,000.000
TEDI Grant (Infrastructure-Public)	$500,000.000	$ 500,000.000	$ 500,000.000
Hennepin County TOD (Applied)*	*$ 500,000.000*	*$ 500,000.000*	*$ 500,000.000*
Hennepin County TOD – 2023 – Expires 12/31/25	$400,000.000	$ 400,000.000	$ 400,000.000
2024 Affordable Housing Funds		$ 300,000.000	$ 300,000.000
2025 Affordable Housing Funds		$ 500,000.000	$500,000.000
TIF 3 (Housing Fund)	$ 1,200,000.000	$ 1,200,000.000	$ 900,000.000
TIF 2			
State Bonding			$ 3,000,000.000
LCDA-TOD Grant Apply Summer 2024		$1,500,000.000	
Available Funds	$ 3,030,000.000	$ 5,330,000.000	$ 6,530,000.000
Gap - Possible Bonding	$ 3,495,000.000	$ 1,195,000.000	$ (5,000.000)
TOTAL	$ 6,525,000.000	$ 6,525,000.000	$ 6,525,000.000

As the table shows, 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. Community development, public works and finance staff considered several options to fund this gap. These included:

- Secure enough additional outside funding to cover all the project costs. The city has made application for additional grant funding and Representative Vang introduced House File 5351 which would provide $3 million in state bonding for infrastructure. The outcome of all this funding will be known later this year.

- Replacing 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.

- Using 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.

- The last viable option to fund the gap is issuance of a General Obligation 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.

Options

Based on the current project status, staff is seeking direction from the Council 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 under what conditions would the Council proceed. The options include:

1. Proceed with a project only if it involves no additional debt from the City.

2. Use debt for the project if necessary but only if debt service can be repaid from a non-tax levy source.
3. Use debt for the project and consider using a tax levy to support debt service.

With option 2 and 3, 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 option 1, it is less likely that plans can be in order for construction to being in 2025.

Staff believes option 2 would be the most viable and doable option for the City.

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.

Next Steps:
If Council 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 approval in the coming months. Construction would commence early in 2025.

Budget Issues:

This item is for discussion only will have no immediate effect on the budget.

Inclusive Community Engagement:

The Opportunity Site project represents four years of intensive and inclusive community-lead engagement that resulted in a community benefits plan drafted by a citizen advisory taskforce, informed by a community-driven engagement model.

Antiracist/Equity Policy Effect:

The community benefits plan is intended to promote investment in community without displacement and includes provisions for deeply affordable housing.

Strategic Priorities and Values:

Maintain a strong financial position, Maintain and enhance public places, Strengthen and diversify business development and housing

ATTACHMENTS:

Description	Upload Date	Type
Opp Site Infrastructure Phase 1 Phasing	4/15/2024	Backup Material
Affordable Housing Sales Tax Info	4/16/2024	Backup Material

DRAFT

N

0 60 120
SCALE FEET

SHINGLE CREEK PARKWAY

OPPORTUNITY PARKWAY

FUTURE OPPORTUNITY PARKWAY

JOHN MARTIN DRIVE

STORM SEWER, RIGHT TURN LANE,AND SURFACE WORK WITH PHASE 1. SIGNAL IMPROVEMENTS IN FUTURE.

SITE 1A
ALATUS-MULTIFAMILY HOUSING 1
FIRST FFE VARIES=849.0-852.0

SITE 1B
ENTREPRENEURIAL MARKET
FIRST FFE=849.0

SITE 2
RFWM-EVENT CENTER
FIRST FFE=849.0

SITE 3
ALATUS-MULTIFAMILY HOUSING 2 FIRST FFE VARIES=849.0-852.0

SITE 4
PPL & RFWM-FAMILY HOUSING FIRST FFE=849.0

SITE 5
PPL & RFWM-WORKFORCE HOUSING FIRST FFE=849.0

SITE 6
PPL & RFWM-FAMILY HOUSING FIRST FFE=849.0

SITE 7
PPL & RFWM-FAMILY HOUSING FIRST FFE=849.0

BASS LAKE ROAD

LEGEND

- BIT PAVEMENT
- BIT TRAIL
- CONCRETE WALK
- CONCRETE CURB & GUTTER
- PROPOSED POND/INFILTRATION BASIN
- EXISTING STORM SEWER
- EXISTING WATERMAIN
- EXISTING SANITARY SEWER
- PROPOSED STORM SEWER
- PROPOSED WATERMAIN
- PROPOSED SANITARY SEWER

OPPORTUNITY PARKWAY

CITY OF BROOKLYN CENTER

PHASE 1 LAYOUT

FEBRUARY 2024

BOLTON & MENK

\\ramsev4\h\BRCN\0R1125493\CAD\C3D\2023 Phasing Update\FIGR-125493-PHASE 1 TEMP CUL-DA-SAC LAYOUT_2023.dwg 2/6/2024 3:46:11 PM

Local and Statewide Affordable Housing Aid: Frequently Asked Questions

In 2023, the Minnesota Legislature authorized aid payments to counties, cities and Tribal Nations. The goal is to fund affordable housing projects and help organizations provide affordable and supportive housing.

Local Affordable Housing Aid (LAHA) is aid to metropolitan local governments. LAHA is funded through a new dedicated sales tax in the seven-county metropolitan area. As sales taxes will vary, the amount of LAHA distributed will also vary.

Statewide Affordable Housing Aid (SAHA) is funded by state funds appropriated to the Department of Revenue. All Minnesota counties, seven Tribal Nations and 37 cities will receive this aid.

Aid payments are made directly to local governments. In the metro, aid is funded by the sales tax for housing. Statewide, aid is funded by state appropriations.

Throughout the document, “housing aid” is used when the response applies to both LAHA and SAHA.

Note: The information provided in this document does not constitute legal advice and is subject to change. If there are questions regarding how program requirements or criteria apply in specific circumstances, please consult with your own legal counsel.

Overview and Requirements

Why is there a difference between SAHA and LAHA?

The primary differences between LAHA and SAHA are the way they are funded, when funding will be disbursed and to whom.

Both aid projects have the same eligible uses and requirements except for market rate housing. This is only available in certain non-metropolitan areas using SAHA.

What are the eligible uses of housing aid programs?

Qualifying projects are:

- Emergency rental assistance for households earning less than 80% of area median income (AMI) as determined by the U.S. Department of Housing and Urban Development (HUD)
- Financial support to nonprofit affordable housing providers in their mission to provide safe, dignified, affordable and supportive housing
- Development of market rate residential rental properties outside of the metro area if certain conditions are met
- Projects designed for the purpose of construction, acquisition, rehabilitation, demolition or removal of existing structures, construction financing, permanent financing, interest rate reduction, refinancing and gap financing of affordable housing

For more information, Minnesota Statute has the complete list of LAHA qualifying projects (see subdivision 4) and SAHA qualifying project (see subd. 4).

What is gap financing?

Gap financing is the difference between the property costs (including acquisition, demolition, rehabilitation and construction) and

- The market value of the property upon sale

OR

- The amount the target household can afford for housing (based on industry standards and practices)

What are the affordability requirements of LAHA and SAHA?

Specific income requirements are provided for:

- Emergency Rental Assistance
  - Less than 80% of AMI
- Homeownership
  - At or below 115% of the greater of state or area median income
  - Priority for those at or below 80%
- Rental Housing
  - At or below 80% of the greater of state or area median income
  - Priority for those at or below 50%

State and area median incomes are determined by HUD.

While there are no income requirements or income qualification for projects supporting nonprofits, organizations should be providing affordable or supportive housing.

Some non-metropolitan communities may be eligible to spend aid on market rate developments. There are no income requirements for market rate housing under this category.

Are there other requirements if using these funds?

Yes. If LAHA or SAHA is used for new construction or substantial rehabilitation of a building with more than four units, the building must be constructed, converted or otherwise adapted to include accessibility features, such as sensory-accessible (see subd. 4). Documentation will be required for reporting and compliance.

State Agency Roles and Reporting Requirements

What roles do the Department of Revenue and Minnesota Housing play in distributing and tracking local housing aid?

The Department of Revenue calculates and distributes the amount of aid available to each government. Revenue also accepts applications from eligible Tribal Nations.

Minnesota Housing's statutory role relates to reporting and compliance. First reports are due by December 1, 2025. While not required by the legislation, Minnesota Housing is hiring staff to support housing aid programs with technical assistance and coordination.

Does a city, county or Tribe need to apply to receive the funds?

For cities and counties there is no application process. Revenue will distribute aid according to statutory requirements.

Tribal Nations eligible for SAHA must apply to receive funds annually. Tribes should work with Revenue to meet this annual requirement.

Does a city, county or Tribe need to seek preapproval before spending the funds?

No. Approval is not needed before spending funds. However, funds must be used on qualifying projects and expenditures should be documented to avoid repayment or recapture.

Will Minnesota Housing be developing a program guide for housing aid?

No. Housing aid is not a grant or loan program and is not subject to a program guide.

Minnesota Housing will support housing aid programs through guidance and staff support.

What are the reporting requirements for the funds?

Beginning in 2025, housing aid recipients must submit a report to Minnesota Housing every year by December 1.

The report must include documentation (see subd. 6(b)) of:

- Qualifying projects completed or planned with the funds
- Location of unspent funds
- Inability to spend on a qualifying project prior to the deadline (if funds deposited into a local housing trust fund)
- Accessibility requirements (for project of four or more units)
- Relevant resolution and certifications for market rate developments in non-metropolitan communities

Additional guidance on the report's format will be provided in the future.

Do metropolitan counties need to submit a report for LAHA and one for SAHA?

Minnesota Housing is determining if the reports must remain separate. However, if they do, the report format will be the same or substantially similar for LAHA and SAHA.

What happens if a city, county or Tribal Nation does not submit a report or does not spend the funds?

Reports are due by December 1 every year. The first report is due on December 1, 2025.

If the aid recipient fails to submit a report, does not spend funds during the required timeframe, or spends funds on an ineligible project, they must repay the funds. Revenue may also suspend payments to these entities.

Find details on LAHA timelines (see subd. 6) and SAHA timelines (see subd. 6).

What happens to the aid funds if they are returned or recaptured?

If returned, aid funds would be deposited with one or more of Minnesota Housing's programs. This includes Family Homeless Prevention and Assistance Program (FHPAP), the Economic Development and Housing Challenge Program (Challenge), and the Workforce and Affordable Homeownership Development Program as specified in law.

Will Minnesota Housing be monitoring the use of housing aid prior to the reporting deadline for cities and counties?

Minnesota Housing will not require reporting prior to December 1, 2025, when the first report is due from cities and counties.

However, Minnesota Housing will be checking in with local governments to offer support and track spending progress.

Definitions and Clarifications

What is a Tier I and a Tier II city?

The terms Tier I and Tier II are used to determine cities that will receive aid.

A Tier I city is a statutory or home rule charter city that is a city of the first, second or third class. For LAHA, it must be in a metropolitan county. For SAHA, it must not be in a metropolitan county. Read the full definition of cities and classes.

A Tier II city is a statutory or home rule charter city that is a city of the fourth class and not located in a metropolitan county (see subd. 4).

The bill requires aid be spent on a qualified project. What is the definition of spent? If a project is started but not completed, are the funds considered to be spent?

Minnesota Housing is seeking clarification on the definition of spent.

Is SAHA funding from appropriations ongoing?

The following table reflects amounts appropriated to SAHA through the fiscal year ending in 2027. The appropriations are set at a base level with one-time increases in the first two years.

SAHA Appropriations	Fiscal Year Ending 6/30/24	FYE 6/30/2025	FYE 6/30/2026	FYE 2027 and each year after
To the 87 counties in Minnesota	$ 13,050,000	$ 13,050,000	$ 5,550,000	$ 5,550,000
To the 37 cities in Greater Minnesota	$ 4,500,000	$ 4,500,000	$ 2,000,000	$ 2,000,000
To the 7 eligible Tribal Nations	$ 2,700,000	$ 2,700,000	$ 1,200,000	$ 1,200,000
To Minnesota Housing for the Tier II Cities Grants program	$ 2,250,000	$ 2,250,000	$ 1,250,000	$ 1,250,000

SAHA Appropriations	Fiscal Year Ending 6/30/24	FYE 6/30/2025	FYE 6/30/2026	FYE 2027 and each year after
TOTAL	$ 22,500,000	$ 22,500,000	$ 10,000,000	$ 10,000,000

How were the funding allocations determined?

Revenue determined allocations based on distribution formulas.

For counties and cities, these formulas consider cost-burdened households and total population. For Tribal Nations, funds are divided equally between eligible Tribes that apply by the deadline.

Will Tier II cities receive a disbursement of SAHA?

Tier II cities will not receive a direct disbursement of SAHA.

However, the Legislature appropriated $4.5 million for Tier II cities. Funds will be available as grants in the competitive process for a range of rental, homeownership and housing stability activities with a minimum award size of $25,000.

Minnesota Housing will be preparing a program guide, a list of eligible Tier II cities and a request for proposals (RFP) in 2024.

Qualifying Projects and Expenses

What portion of the housing aid funds can be used for staffing costs and administrative costs?

Administrative costs and staffing costs are not listed as a qualifying project. Therefore, the funds are not able to be used for these costs.

If funds are used for Emergency Rental Assistance (ERA), what portion can be used for navigation, services and administration related to ERA provision and programs?

Minnesota Housing is seeking clarification on how funds for ERA can be used.

If aid funds are used for demolition or removal of existing structures, does affordable housing need to be constructed on the site?

Yes. The expense must be tied to affordable housing for eligible households. Demolition or clearing of land alone, including for speculative or future development of eligible housing, is not a qualifying project.

Can funds be used for planning activities (soft costs) for new construction and preservation affordable housing projects?

Soft costs are only eligible as part of a qualifying project. General or speculative planning activities unrelated to a qualifying project are not an allowed use of funds.

Can funds be used for downpayment assistance for homebuyers?

Qualifying projects include homeownership projects for income-eligible households.

Downpayment assistance may be provided as permanent financing or gap financing, depending on program requirements established by the aid recipient.

Can the housing aid funds immediately be deposited into a Local Housing Trust Fund?

Funds can be held in a local housing trust fund while recipients determine if a project qualifies.

Funds must be spent on a qualifying project by the deadline in statute. Funds remaining in a local housing trust fund past the deadline will only be considered "spent" on a qualifying project if the aid recipient demonstrates that it could not spend funds by the deadline due to factors outside their control.

Can funds be transferred to a county or regional Housing and Redevelopment Authority (HRA) if they are spent on qualifying projects?

Yes. Funds can be transferred to a county or regional HRA if they are spent on qualifying projects.

The original aid recipient is still responsible for all requirements related to the funds, including reporting.

Can funds be used for developing new infrastructure, such as utilities and roads, or upgrading existing infrastructure if the infrastructure serves affordable housing?

Potentially. The infrastructure would need to be part of a qualifying project. All requirements related to project type, income affordability and other accessible requirements would also need to be met. Speculative site and infrastructure development would not be eligible.

Infrastructure development or improvement for sites that include development uses not allowed under this aid program would not be eligible.

What are some examples of expenditures ineligible for housing aid?

Housing aid should be used for projects that create and preserve affordable housing or stabilize the housing of low-income people. This does not include:

- Shelter and other non-permanent housing options for people experiencing homelessness, including operating costs and services
- Conducting a housing or zoning study
- Costs to create a Housing Improvement Area
- Staff and services related to general housing quality and licensure, such as code enforcement
- Staff and administrative costs for operation of an HRA or county or city housing department
- Commercial, industrial or public space development projects
- Projects located outside of Minnesota

If funds are used to support a nonprofit organization, do they need to be tracked to qualifying projects?

Housing aid can be used to provide financial support to a nonprofit affordable housing provider in their mission to provide safe, dignified, affordable and supportive housing.

If aid is used in this manner, providing support to the eligible nonprofit is the qualifying project. The aid recipient should document that the funds were used to support the organization's mission.

Can a county or city use other state or federal funding as part of a development financing package that includes housing aid funds?

Yes. State and federal funding can be used as a part of the project's development financing package.

If the funds are held in a Local Housing Trust Fund, can they be used as a match in Minnesota Housing's Local Housing Trust Funds Matching Grants program?

No. Housing aid cannot be used as matching funds in the Local Housing Trust Fund Grants program. Only new public revenue, defined as local income committed to the Local Housing Trust Fund on or after June 29, 2021, can be used as matching funds.

Can a county use its funds within cities that have also received housing aid?

Yes. Counties can spend the funds on qualifying projects anywhere in the county, including cities that directly receive aid. Regional collaboration is encouraged to maximize the aid's impact.

A county receiving aid should consult with the cities where projects are planned (see subd. 7).

Will the aid funds trigger other state funding requirements, such as prevailing wage?

For questions on labor and wage requirements, contact the Department of Labor and Industry.

For questions on fund allocation, visit Local Affordable Housing Aid and Statewide Affordable Housing Aid.

Council/EDA Work Session

DATE: 4/22/2024

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
- ARPA Funds
- Grants: Revenues & Expenses
- Purchasing Policy
- Revisit Resolution 2021-73
- Planning Application Process
- Fences
- Off-Street Parking of Commercial Vehicles

Background:

Budget Issues:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values: