Council Study Session
City Hall Council Chambers
April 10, 2023

AGENDA

1. **City Council Discussion of Agenda Items and Questions - 6 p.m.**
2. **Miscellaneous**
   a. Discussion on City Council/Financial Commission Budget Meetings
   - Discussion on preferred scheduling for City Council/Financial Commission Budget Meetings
3. **Discussion of Work Session Agenda Item as Time Permits**
4. **Adjourn**

Council Study Session

DATE: 4/10/2023

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

SUBJECT: Discussion on City Council/Financial Commission Budget Meetings

Background:

Historically, the City Council and Financial Commission budget meetings have been held over a series of Monday nights starting in June and continuing through October. See the proposed schedule below:

- June 5 - Capital Improvement
- June 28 - Audit Presentation/Revenue Review
- July 31 - Dept. - Admin/City Clerk/Elections/Communications/Finance
- Aug. 7 - Dept. OCPHS/Engagement/Recreation
- Aug. 21 - Dept. Police/Fire
- Sept. 18- Public Works/Community Development
- Oct. 2 - Special Revenue Funds
- Oct. 16 - Enterprise Funds

There has been some discussion of condensing the budget schedule to the following. Example schedule could be:

June 28 Audit Presentation/Revenue Review (same as above)

July 15 or 22 Dept. - (30 - 45 minutes presentations)
8:30 am - Admin (Council, City Manager, HR, IT)
9:15 am - City Clerk/Elections/Communications
10:00 am - Finance
10:45 am - OCPHS/Engagement
11:15 am - Recreation

Aug. 19 or 26 Dept.- (30 - 45 minutes presentations)
8:30 am - Fire
9:15 am - Police
10:00 am - Community Development
10:45 am - Public Works

Oct. 21 or 28
8:30 am - Capital Improvement Plan
9:30 am - Special Revenue Funds
10:30 am - Enterprise Funds

We are asking for your thoughts on this new process.

CITY COUNCIL MEETING
City Hall Council Chambers
April 10, 2023

AGENDA

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

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 is not televised, and 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, rather, 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 and address before speaking.

2. Invocation - Graves - 7 p.m.

3. Call to Order Regular Business Meeting

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.

4. Roll Call

5. Pledge of Allegiance

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 the following meetings:

- *March 27 Study Session*
- *March 27 Regular Session*
- *March 27 Work Session*

b. Approval of Licenses

- Motion to approve the licenses as presented.

c. Resolution Accepting Work Performed and Authorizing Final Payment, Improvement Project Nos. 2021-06,07,08,09,10, and 11, Ryan Lake Industrial Park Area Street, Storm Drainage and Utility Improvements, and Northwest Area and Lyndale Avenue Area Mill and Overlay.

Motion to approve a resolution accepting work performed and authorizing final payment, Improvement Project Nos. 2021-06, 07, 08, 09, 10, and 11,

Ryan Lake Industrial Park Area Street, Storm Drainage and Utility Improvements, and Northwest Area and Lyndale Avenue Area Mill and Overlay.

d. Resolution Declaring April 21-28, 2023, to be Community Cleanup Week

Motion to approve a resolution declaring April 21-28, 2023, as Community Cleanup Week.

e. Resolution Declaring April 22, 2023, as Earth Day in Brooklyn Center

Motion to approve a resolution declaring April 22, 2023, as Earth Day in Brooklyn Center.

f. Resolution Authorizing the City Manager to Execute All Necessary Documents to Ensure the City of Brooklyn Center's Participation in the Multistate Settlements Relating to Opioid Supply Chain Participants, and Minnesota Opioids State-Subdivision Memorandum of Agreement

- Motion to approve a resolution authorizing the City Manager to execute all necessary documents to ensure the City of Brooklyn Center's participation in the multistate settlements relating to opioid supply chain participants, and Minnesota opioids state-subdivision Memorandum of Agreement.

7. Presentations/Proclamations/Recognitions/Donations

a. Highway 252/I-94 Environmental Review: Presentation by the Minnesota Department of Transportation

- Motion to accept the presentation from the Minnesota Department of Transportation

8. Public Hearings

9. Planning Commission Items

10. Council Consideration Items

a. Commission Appointments

- motion to approve the Mayor's recommendations to city commissions

11. Council Report

12. Adjournment

Council Regular Meeting

DATE: 4/10/2023

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

SUBJECT: Approval of Minutes

Requested Council Action:

- motion to approve the following meetings:

- *March 27 Study Session*
- *March 27 Regular Session*
- *March 27 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:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

ATTACHMENTS:

Description	Upload Date	Type
3.27 Study Session	4/6/2023	Backup Material
3.27 Council meeting	4/5/2023	Backup Material
3.27 Work Session	4/5/2023	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

STUDY SESSION
MARCH 27, 2023
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council met in Study Session called to order by Mayor April Graves at 6:04 p.m.

ROLL CALL

Mayor April Graves and Councilmembers Marquita Butler, Kris Lawrence-Anderson, Dan Jerzak, and Teneshia Kragness. Also present were City Manager Reggie Edwards, Interim Director of Community Development Jess Anderson, City Clerk Barb Suciu, and City Attorney Jason Hill.

CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

Mayor Graves asked if there was any discussion of the agenda or agenda items.

Councilmember Lawrence-Anderson stated she had a change to the minutes for the Study Session on page 1, second paragraph housing provider should read "provide better housing through code enforcement."

Councilmember Lawrence-Anderson asked if Consent Agenda Item 6j., Resolution Acknowledging Awarded Funds for Livable Communities Act's Livable Communities Demonstration Account Funding and Transit Oriented Development Funding Authorizing Acceptance of Grant Funds for Opportunity Site Development Projects, was appropriate to accept before discussing the Opportunity Site during the Work Session. City Manager Reggie Edwards stated Staff has been looking for resources to assist in the development of the Opportunity Site. He stated the discussion on the Opportunity Site wouldn't be impacted by Consent Agenda Item 6j. Resolution Acknowledging Awarded Funds for Livable Communities Act's Livable Communities Demonstration Account Funding and Transit Oriented Development Funding Authorizing Acceptance of Grant Funds for Opportunity Site Development Projects and vice versa.

Councilmember Kragness stated on page 2 of the March 13, 2023, Regular Session minutes, there is an error that she mentioned previously that was not corrected accurately regarding feeling conflicted. It was Councilmember Lawrence-Anderson who stated she was conflicted and not Councilmember Butler.

MISCELLANEOUS

Councilmember Jerzak noted he previously stated he would not be comfortable accepting any grants until there is a grant policy in place. In the interest of being collaborative, he will no longer pull grant items from the Consent Agenda as Staff is working toward a grant policy.

Councilmember Jerzak noted that in the agenda there are several time-sensitive items, but there needs to be a time set to discuss the increase in the number of violent crimes in Brooklyn Center. The community needs to hear from the Council, and they should schedule a meeting within the week.

Councilmember Lawrence-Anderson stated she can make herself available for a meeting.

Mayor Graves stated she plans to attend a regional meeting on violent crime on Wednesday, March 29, 2023. It would make sense for her to attend that meeting so they understand how Brooklyn Center can work with jurisdictional partners.

Councilmember Jerzak noted his understanding of Mayor Graves' perspective. However, it is very pressing to address the issue of violent crime, particularly with the shooting events of March 26, 2023, in mind.

Mayor Graves stated she shares Councilmember Jerzak's concerns, noting the City is in a better place than last year as there are more officers in the City as the Police Department is fully funded. Also, there is value in continuing to collaborate across cities.

Councilmember Butler agreed she has concerns about violent crime. The Council may not be able to find a shared availability and Staff would be pressed for time to prepare for a meeting. The Council needs to lean on the professionals, so it may be appropriate to schedule a meeting for the following week.

Councilmember Kragness stated the Council needs to make crime a priority. It is an urgent matter that needs to be discussed right away, but the discussion must include action items.

Mayor Graves stated she will share details of the meeting with the Council and Staff to help develop a meeting agenda.

Councilmember Butler suggested each Councilmember email their availability to the Clerk to find a shared time to meet.

Councilmember Lawrence-Anderson noted there is a Board of Appeals meeting on April 3, 2023. The meeting is at 7:00 p.m. Mayor Graves asked if members of the Council would be available at 6:00 p.m. on that date. Various Councilmembers nodded regarding their availability.

Councilmember Jerzak stated part of the urgency issue is to respond to the community and explain what efforts the City is taking. The Council and Staff need to have a united front.

DISCUSSION OF WORK SESSION AGENDA ITEMS AS TIME PERMITS

WANGSTAD COMMONS RENTAL HOUSING DEVELOPMENT PROJECT

Dr. Edwards noted Jason Aarsvold of Ehlers is temporarily assisting Brooklyn Center as they transition into a new permanent Community Development Director.

Mr. Aarsvold stated the purpose of the presentation is to revisit terms approved in June 2022 for public assistance for the Wangstad housing project, review the status and increased financial gap, and consider the option to help solve the project's gap.

Mr. Aarsvold stated in June 2022, the City approved a Term Sheet and purchase agreement option where the land would be sold for $225,000, a Tax Increment Funding (TIF) commitment for the project totaled $482,000, and TIF assistance was pay-as-you-go, meaning the developer finances 100% of TIF portion and is reimbursed with increment generated by the project. The City's support was necessary for the developer to successfully obtain tax credits through MN Housing's competitive process. Wangstad Commons received an allocation of tax credits at the end of 2022 after multiple attempts.

Mr. Aarsvold explained like other projects, Wangstad is challenged with inflation in projects and an increasing interest rate environment. The developer is working to solve this and has managed to deal with most of these challenges but is still coming up short of full financing. The developer approached the City to request assistance to close the remaining gap of over $600,000. City Staff and Ehlers worked with the developer to consider the option to assist with the remaining gap.

Mr. Aarsvold pointed out the developer worked to solve much of the gap through the assumption of additional tax credits from MN Housing, which still requires approval from MN Housing. They have also increased first mortgage proceeds based on updated financials. Based on a review of updated financials, staff and Ehlers concluded that the project does have a financial gap and that additional assistance for the project is warranted.

Mr. Aarsvold stated the proposed City contribution to solve the gap includes writing down the cost of the land to $1. This would provide a $225,000 benefit to the project. Any land sale proceeds would have to be put back into TIF #3 and used for a project like this anyway. This method is viewed as the most efficient and least impactful to the City. This would help solve some, but not all the gap. This option also keeps new TIF assistance at the previously agreed-upon level. Increasing the TIF amount from the new district means the project would have to stay in the district longer, and the goal was to be sure the project could come out as soon as possible to help the tax base.

Mr. Aarsvold showed a few tables with the financials of the project. He showed the increased cost of the project due to the increased cost of construction.

Mr. Aarsvold stated if the Council wishes to continue based on revised terms, Staff will continue with the following steps: final land use approvals for the project, Planning Commission on April 13, 2023, and City Council consideration on May 8, 2023. As for the creation of a new TIF district for the project, initial notices would be sent for this district to keep the schedule. The TIF district would need approval by EDA and City Council; it is currently scheduled for May 8, 2023. Additionally, Staff would draft a final purchase and development agreement to sell the property and outline the specifics of EDA assistance. The agreement requires EDA approval, and that is planned for May 8, 2023.

Councilmember Kragness asked for clarification on the First Mortgage. Mr. Aarsvold stated the First Mortgage is a calculated amount based on income from the project, and it doesn't need to be approved. The Tax Credits would need to be approved by Minnesota Housing.

Mayor Graves asked what happens if the developer can't get additional tax credits. Mr. Aarsvold stated then the gap would be larger. Changing the purchase agreement wouldn't guarantee a project, but it would help them to move in the right direction.

Councilmember Jerzak stated his concern about such projects is the added cost to the City for more Staff services such as inspections and public safety. Those costs are not reflected in the City's budget at all. He asked if there is a backup plan to obtain additional funding for the remaining gap.

Mr. Aarsvold agreed any new development has ongoing costs. That is a primary reason for getting TIF moving along. Rentals are fee-based, so that would allow for some funding to the City. Also, the tax base would assist with those increases.

Mr. Aarsvold stated as a backup plan, the Staff and the developer have not discussed another plan. The first plan was to bring the issue to the Council to create a new development agreement. Councilmember Jerzak stated his point is there is a lot of ask for the Council, and they only have so much financial bandwidth.

Councilmember Kragness asked for more information on the purpose of writing the land down to $1. Mr. Aarsvold stated the City had committed the $225,000 and the TIF. The City has the options of increasing the TIF, waiving the purchase price, or looking to other financial resources in the City. Out of those options, the land write-down would be the best option. It wouldn't impact taxpayers, it would get the TIF off the tax rolls sooner, and it wouldn't cost the City anything. The money for the sale of the land would go back to EDA's TIF 3 which would only go toward assisting another housing project. Therefore, Staff recommended continued support of the project as it has already been approved. Also, the tax credits are hard to come by and fund the majority of the credits.

Johnny Opara, President and CEO of JO Companies explained Wangstad Commons has been very successful in obtaining tax credits. The company is also considering re-engineering the project, although they are very happy with the current amenities and plan. The project has also included a

large amount of community engagement efforts and seen community support for the project.

Councilmember Jerzak stated he is neutral on the project. The devil is in the details. They discussed the numerous cameras that are planned for the project, but there still needs to be good management to make proper use of cameras. He added it is hard to add another project when the City hasn't completed other commitments.

Mr. Opara noted he has a representative of the management company present. They just received feedback from a resident of development in St. Paul where they expressed their feeling of safety. The developer cannot ensure safety, but they can put safety measures in place. For example, a FOB is required for access to any amenities and the elevator.

Councilmember Butler thanked Mr. Opara for his commitment to the project and his passion for quality housing. Mayor Graves noted her agreement.

Mayor Graves stated she is comfortable moving forward with the Staff suggestion.

Councilmember Jerzak asked if the final details will still be presented to the Council. If that is the case, then he would be comfortable moving forward.

It was the majority consensus of the City Council to direct Staff to move forward with the next steps regarding the Wangstad Commons Development.

ADJOURNMENT

Mayor Graves adjourned the Study Session at 6:40 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
MARCH 27, 2023
CITY HALL – COUNCIL CHAMBERS

1. INFORMAL OPEN FORUM WITH THE CITY COUNCIL

CALL TO ORDER INFORMAL OPEN FORUM

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

ROLL CALL

Mayor April Graves and Councilmembers Marquita Butler, Kris Lawrence-Anderson, Dan Jerzak, and Teneshia Kragness. Also present were City Manager Reggie Edwards, Director of Public Works Elizabeth Heyman, Interim Community Development Director Jesse Anderson, Director of Community Prevention, Health, and Safety LaToya Turk, Police Chief Kellace McDaniel, Assistant City Manager/City Clerk Barb Suciu, and City Attorney Jason Hill.

Mayor April Graves opened the meeting with Informal Open Forum.

Jeff L. noted he has been a Brooklyn Center resident for 44 years. He is upset with some people keeping police busy while another crime occurs. With the closing of Walmart and the recent daytime shooting impacting six people, the Council must stand firmly behind the Police Department. The newly elected Council can return the City from the brink of disaster.

Jeff L. added the Implementation Committee is very anti-police. Using the term "murderers" to refer to law enforcement is inappropriate. Such language makes him question the Implementation Committee's motives. The real problem is the criminals and not the police officers. The policy to not enforce laws should be rescinded, no matter how trivial the laws may be. Safety should be the priority of the Council.

John S. stated several community members have come to him and complimented the City Clerk Barb Suciu. He added he didn't want to miss Women's History Month without recognizing the impact of women in Brooklyn Center, such as through City Staff and City Council.

John S. stated the Implementation Committee has never explicitly said they are anti-police. He explained he is not anti-police, and calling one person a "murderer" does not mean they are referring to all police officers.

Julie B. noted she attended the beginning of the Housing and Planning Commission last week. She asked for the Council to consider all Commissions and Committees to be streamed using the Owl to allow for more access.

Julie B. added no one on the Implementation Committee is anti-police. Being critical of an entity doesn't necessarily mean opposition to the entity.

Janice N. stated her family moved to Brooklyn Center in the 1940s. She saw someone stealing from the store in Brooklyn Center today, and Staff told her they don't intervene in shoplifting. That is hard for the parent companies.

Kevin S. agreed the Owls are essential to include all community members. He stated he recently walked to the Legion. He suggested there be more accessibility in that area. Also, there should be flags up and have that be a meeting point for different groups.

Joylenna G. stated the NYU School of Law – Barry Friedman, is a great resource regarding policing and how laws have changed. She added venting online does not build community, and she encouraged everyone to get to know their neighbors.

Joylenna G. stated many of the conversations of the Council are regarding rental units. She asked when the Council will address the issue of homeownership. Homeownership is vital and also allows people to feel ownership of their lives and their community.

Joylenna G. noted there is excess in the State budget. She asked how the Finance Commission is supposed to access that if they aren't meeting until the end of the legislative session. That is a disservice to the City.

Joylenna G. added there is a speed limit in which police officers can drive places. She heard police officers racing down the street before 7:00 a.m. when children are waiting to get on the bus. She asked where the accountability is for police officers.

Mayor Graves stated the police are not needlessly constrained by something the Council is doing. The Police Department has increased staffing, and they have no direction to not enforce certain laws. Also, the Implementation Committee has not done anything to stop law enforcement from enforcing any laws.

Councilmember Jerzak moved and Councilmember Butler seconded to close the Informal Open Forum at 6:07 p.m.

Motion passed unanimously.

2. INVOCATION

Councilmember Butler stated it is Women's History Month which pays homage to women who have made an impact. She read a quote from Ruth Bader Ginsburg, "As women achieve power,

the barriers will fall. As society sees what women can do, as women see what women can do, there will be more women out there doing things, and we'll all be better off for it."

3. CALL TO ORDER REGULAR BUSINESS MEETING

The Brooklyn Center City Council met in Regular Session called to order by Mayor April Graves at 7:08 p.m.

4. ROLL CALL

Mayor April Graves and Councilmembers Marquita Butler, Kris Lawrence-Anderson, Dan Jerzak, and Teneshia Kragness. Also present were City Manager Reggie Edwards, Director of Public Works Elizabeth Heyman, Interim Community Development Director Jesse Anderson, Director of Community Prevention, Health, and Safety LaToya Turk, Police Chief Kellace McDaniel, City Clerk Barb Suciu, and City Attorney Jason Hill.

5. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Councilmember Butler moved and Councilmember Jerzak seconded to approve the Agenda and Consent Agenda, as amended, with amendments to the Regular Session minutes of March 13, 2023, and the following consent items were approved:

6a. APPROVAL OF MINUTES

1. March 13, 2023 – Study Session
2. March 13, 2023 – Regular Session
3. March 13, 2023 – Work Session

6b. LICENSES

MECHANICAL

Absolute Mechanical	7338 Ohms Lane, Edina 55439
Residential Heating and Air Conditioning	7454 Washington Avenue S, Eden Prairie 55391
St. Cloud Refrigeration	604 Lincoln Avenue NE, St. Cloud 56304

RENTAL

INITIAL (TYPE IV – six-month license)

5322 Irving Ave N	Peter Phuong Nguyen

RENEWAL (TYPE IV – six-month license)

5301 Russell Avenue N	Amax Sommerset Llc
1605 56th Avenue N	Fyr Sfr Borrower Llc
3207 67th Avenue N	Elijah G Nyambane
3701 66th Avenue N	Victor O Ogunbanwo
6018 Camden Avenue N	Crystal Clear Investment Llc
6725 Bryant Avenue N	Vong Duong & Ngoc-Kieu Huynh
6749 Humboldt Avenue N	Patrick Nguyen
7018 Girard Avenue N	Carmen Ganga
7225 Kyle Avenue N	Bikona Ontime Service Inc

RENEWAL (TYPE II – two-year license)

3907 65th Avenue N	Granite Peaks Llc
5548 Lilac Drive N	Prosperous Property Llc
5959 Camden Avenue N	D & T Properties Llc
6207 Chowen Avenue N	Doreen Kalema
6342 June Avenue N	D A Swartout Jr/t L Swartout
6736 Perry Avenue N	Ccf2 Mn Llc
7143 France Avenue N	Caml Llc

RENEWAL (TYPE I – three-year license)

6835 Noble Avenue N	Robert J Berglund
3000 64th Avenue N	Infinite Property Llc
3218 63rd Avenue N	Madison Ave Homes Llc
5715 Emerson Avenue N	J And M Homes Ii Llc
5808 Fremont Avenue N	Cosco Property 5 Llc

6c. RESOLUTION NO. 43; APPROVING THE REALLOCATION OF FUNDS FOR THE 2020 AND 2021 URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

6d. RESOLUTION NO. 2023-44; APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS, IMPROVEMENT PROJECT NOS. 2023-01, 02, AND 03 KNOX JAMES, AND 54TH AVE, 50TH AVE, AND 51ST AVE IMPROVEMENTS.

6e. RESOLUTION NO. 2023-45; APPROVING AGREEMENT BETWEEN MINNESOTA DEPARTMENT OF TRANSPORTATION AND THE CITY OF BROOKLYN CENTER FOR FEDERAL PARTICIPATION IN CONSTRUCTION – AGENCY AGREEMENT NO. 1052186

6f. RESOLUTION NO. 2023-46; APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS, IMPROVEMENT PROJECT NOS. 2023-04, 05 MISCELLANEOUS PARK PARKING LOT MILL AND OVERLAY AND TRAIL REPLACEMENTS

6g. RESOLUTION NO. 2023-47; ESTABLISHING "NO MOW MAY" FOR THE CITY

6h. RESOLUTION NO. 2023-48; IDENTIFYING THE NEED FOR LCDA DEVELOPMENT FUNDING AND AUTHORIZING AN APPLICATION FOR GRANT FUNDS TO NEW GENERATIONS LLC

6i. RESOLUTION NO. 2023-49; ACKNOWLEDGING AWARDED FUNDS FOR THE LIVABLE COMMUNITIES ACT'S TAX BASE REVITALIZATION ACCOUNT AUTHORIZING ACCEPTANCE OF GRANT FUNDS FOR NORTH 100 BUSINESS PARK REDEVELOPMENT PROJECT

6j. RESOLUTION NO. 2023-50; ACKNOWLEDGING AWARDED FUNDS FOR LIVABLE COMMUNITIES ACT'S LIVABLE COMMUNITIES DEMONSTRATION ACCOUNT FUNDING AND TRANSIT-ORIENTED DEVELOPMENT FUNDING AUTHORIZING ACCEPTANCE OF GRANT FUNDS FOR OPPORTUNITY SITE DEVELOPMENT PROJECTS

Motion passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

7a. PROCLAMATION RECOGNIZING DEAN VANDERWERF, FINANCE COMMISSIONER

Mayor Graves read in full a Resolution recognizing Dean Vanderwerf Finance Commissioner. She noted he always had great attendance and thanked Councilmember Lawrence-Anderson for bringing forward the proclamation.

Councilmember Lawrence-Anderson noted Mr. Vanderwerf has had some ailing health, so she wanted him to know the Council's appreciation of his commitments to the City.

Councilmember Jerzak added he had an important opinion at Finance Commission meetings.

7b. COMMUNITY MONARCH PLEDGE DAY

Mayor Graves read in full a Proclamation declaring March 27, 2023, as Community Monarch Pledge Day. She thanked Councilmember Lawrence-Anderson for introducing the proclamation.

Councilmember Lawrence-Anderson stated any community members can email her if they want to get involved in a monarch project.

7c. HIGHWAY 252/I-94 ENVIRONMENTAL REVIEW: PRESENTATION BY THE 252 SAFETY TASKFORCE

City Manager Reggie Edwards introduced the item and invited Director of Public Works Elizabeth Heyman to continue the presentation.

Ms. Heyman explained the Minnesota Department of Transportation (MnDOT), along with local and federal project partners, are currently studying proposals to reduce congestion, improve safety, and address reliability on Hwy 252 between Hwy 610 in Brooklyn Park and I-694 in Brooklyn Center, and on I-94 from I-694 in Brooklyn Center to downtown Minneapolis. As part of this effort, MnDOT is preparing a multi-year environmental impact statement (EIS), that outlines the impact a potential construction project could have on the surrounding area, including effects on the social, historical, and natural environment in the proposed project area.

Ms. Heyman stated on March 21, 2023, MnDOT released the project's draft Scoping Decision Document which describes the elements and alternatives evaluated as part of the scoping process for the Hwy 252/I-94 project. In this draft document, MnDOT identifies ten Hwy 252/I-94 corridor alternatives for further study in the draft EIS. MnDOT is currently seeking public comment on this document for 60 days.

Ms. Heyman stated in January 2020, the Brooklyn Center City Council designated the "252 Safety Taskforce" as an independent task force of concerned Brooklyn Center citizens, to examine the impacts of the project and consider the best solution for the City of Brooklyn Center regarding all aspects of the project. She introduced members of the Task Force and invited them to continue the presentation.

David Mulla, the representative of the Highway 252 Safety Task Force and the University of Minnesota Professor, introduced himself. He explained the Highway 252 Safety Task Force assists the City Council and educates the public about safer, healthier, and more equitable alternatives to the existing Hwy 252 / I-94 routes to promote better community livability, connectivity, and cohesion for the people of our City. The Hwy 252 Safety Task Force rejects the No-Build as an alternative for Hwy 252.

Mr. Mulla stated MnDOT recommends less safe, high property damage alternatives for Hwy 252. MnDOT's recommended six-lane freeway alternative with bus or toll lanes has lower safety than other freeway alternatives, higher traffic volumes and worse pollution and health impacts, and worse local damages, including adverse impacts on property and equity.

Mr. Mulla stated traffic unnecessarily doubles with the six-lane freeway. MnDOT's six-lane freeway alternative on Hwy 252 doubles traffic relative to 2016-2019 traffic, diverts car and heavy diesel-burning freight truck traffic from Hwy 169, Hwy 610, I-694, I-94 and I-35W, and Hwys 10, 47 and 65 onto Hwy 252, and increases traffic on local roads at 66th, 73rd, 85th and Noble Aves.

Mr. Mulla noted MnDOT's Purpose and Need Statement sacrifices safety for traffic volume and speed. The six-lane freeway is not as safe as the low-speed four-lane freeway alternative rejected by MnDOT. The six-lane freeway be replaced by the low-speed four-lane freeway. In MnDOT Meeting discussions, a member commented, "Anticipate questions from Brooklyn Center about why (MnDOT is) proposing to advance an alternative that performs more poorly in mainline crashes."

Mr. Mulla explained MnDOT places heavier importance on increasing traffic speed and traffic numbers than on safety for Hwy 252. The maximum difference is two minutes between the four-lane and six-lane options. MnDOT should eliminate less safe six-lane freeway alternatives because they have only a "fair" rating on safety, while the safer four-lane freeway alternatives have a "good" rating. Network crash rates are "poor" for every alternative.

Mr. Mulla stated mainline traffic doubled, a 94% increase, for a six-lane freeway due to cars and a dramatic increase in diesel-burning 18-wheel heavy freight trucks diverted to Hwy 252 from outside the Brooklyn Center community. Large traffic increases are NOT safe, healthy, or equitable for residents of Brooklyn Center and Brooklyn Park. MnDOT's six-lane freeway alternatives will carry as much traffic through residential communities as I-94 does today, which is an eight-lane freeway. By eliminating all lower traffic alternatives before studying air pollution impacts, MnDOT is giving false choices to the public.

Mr. Mulla added that traffic-induced air pollution kills people. Damaging air pollution travels up to 1 mile from freeways, affecting all of Brooklyn Center and large areas in Brooklyn Park. High air pollution occurs 500-1,000 feet from freeways. Traffic-induced air pollution causes illness and death in children with delayed prenatal development, preterm births, delayed brain development, asthma, bronchitis, lung infections, adults with heart and lung disease, exacerbated diabetes, cancer, dementia, premature death, and older adults with respiratory and heart diseases, cancer,

strokes, dementia, death. Death rates from traffic-induced air pollution in the three zip codes along Hwy 252/I-94 are 2-3 times higher today than the death rates from COVID at the peak of the epidemic from 2020-2021.

Mr. Mulla stated in the Twin Cities, asthma death and hospitalization rate is highest along Hwy 252/I-94. Each year, five people from Brooklyn Center, two from Brooklyn Park, and four from North Minneapolis from traffic-induced air pollution deaths, which is 11 times higher than car crash deaths. MnDOT's Towards Zero Deaths goal should be to reduce these deaths along with crash deaths. It is crucial to reduce vehicle traffic on Hwy 252 to improve respiratory health for community members.

Mr. Mulla pointed out that the risk of respiratory deaths and hospitalizations will increase with a six-lane Fwy at houses and apartment buildings such as Riverwood, Melrose, Georgetown Park, River Glen, Evergreen Park, parks such as Evergreen, Firehouse, Riverdale, and the West Mississippi River Regional Trail, schools such as Evergreen and Monroe Elementary and Brooklyn Center Middle and High Schools, churches, and 66th Avenue businesses, including Topgolf. Also, exercising will be very unhealthy for residents and their children living near Hwy 252 / I-94 due to air pollution, including West Mississippi River Trail & Topgolf.

Mr. Mulla added an interchange at 66th ignores Federal and MnDOT safety rules and increases crashes. The absolute minimum distance of 2,000 feet is required between an on-ramp (66th) and an off-ramp (I-694), but MnDOT is proposing only 830 feet. This would likely become one of the most dangerous interchanges in Minnesota.

Mr. Mulla explained MnDOT has steadfastly downplayed the poor safety of this interchange and justifies it by saying that interchange spacings less than 1 mile apart have fewer severe crashes than interchange spacings greater than one mile. A one-mile spacing is not relevant, as the distance at 66th Avenue is much less than 3,000 feet. MnDOT's graph shows a 45 percent increase in crashes at a spacing of 830 feet.

Mr. Mulla noted the unsafe interchange on Hwy 252 at 66th Avenue and an interchange at 73rd Avenue is within Brooklyn Center's Drinking Water Source Management and Groundwater Emergency Response Areas. Crashes between diesel trucks carrying toxic substances and cars at these interchanges risk polluting soil near Brooklyn Center's groundwater well drinking supply, possibly leading to a shutdown of the main drinking water source. The Minneapolis drinking water supply on the Mississippi River in Fridley is also at risk from truck crash spills at 66th Avenue.

Mr. Mulla stated the freeway interchange construction has an adverse impact on the property. The largest number of direct property impacts 98 houses, 3 multi-family, 11 businesses, 1 church, and 3 parks occur with interchange combo 2. The fewest direct property impacts only 29 houses and occurs with combo 5. Seizures of houses, apartments, businesses, and churches have costs ranging from $10 million at 66th Avenue to over $1 million at 85th Avenue. None of their graphs show the additional property impacts such as widening roads.

Mr. Mulla explained a single-minded MnDOT focus on freeway alternatives and their interchanges

imposes inequitable property loss on Brooklyn Center and Brooklyn Park. All interchange options result in large property impacts on both sides of Hwy 252, reduce the city tax base, and destroy community livability, connectivity, and cohesion. An interchange at 66th Ave impacts: 27 houses, of which 10 are seizures, 5 businesses, two of which are BIPOC-owned, the West Mississippi River Regional Trail, and the Mississippi National River and Recreation Area. Thousands of cars a day from northbound I-94 will misuse this interchange to access SB Hwy 100 by using two successive interchanges as there would no longer be a U-turn option. Instead, MnDOT needs to build a direct connection between northbound I-94 and southbound Hwy 100.

Mr. Mulla stated a six-lane expressway with permanent safety measures, there are no property seizures at most intersections, except at Brookdale includes eight homes, which is the same as the freeway, and 66th would impact one business. The number of property encroachments is less with this alternative compared with encroachments caused by building freeway interchanges. Additionally, this alternative would reduce crash costs at 70th, Humboldt, and, 85th Avenues, each by more than 25 percent.

Mr. Mulla noted building a freeway will decrease property values. Property values and City tax revenues in Brooklyn Center and Brooklyn Park will decrease near a six-lane freeway. For example, Zillow property values as affected by I-694 are lowest in the first block near the freeway. Property values begin to increase beyond 3 blocks from I-694. Expanding Hwy 252 to a six-lane freeway will decrease property values by up to 12 percent and lower City tax revenues in the first 1-2 blocks on both sides of Hwy 252 over a four-mile stretch from I-694 to Hwy 610.

Mr. Mulla explained MnDOT weighs transportation high at the sacrifice of health, environment, and equity. MnDOT should eliminate the six-lane freeway with the four-lane low-speed freeway and the six-lane expressway with permanent safety measures. Both alternatives should maintain bus service.

Mr. Mulla pointed out US Environmental Protection Agency (EPA) review comments on the draft SDD show that they have serious reservations about MnDOT's narrow focus on transportation goals and criteria in their Purpose and Need statement, leading to a lack of attention to providing benefits for our local communities, particularly, low-income and BIPOC populations with respect to health, environment, and equity. US EPA recommends that MnDOT revise its Purpose and Need statement to include protecting human health, community livability, and equity so that underserved and overburdened populations are fully considered when decisions are made regarding the range of alternatives.

Mr. Mulla stated US EPA recommends that MnDOT re-evaluate alternatives and evaluation criteria to include more alternatives that perform well on health, livability, and equity criteria US EPA recommendations to revise the Purpose and Need statement and add back alternatives that MnDOT eliminated are consistent with recommendations of the Hwy 252 Safety Task Force.

Mr. Mulla stated the most diverse and disadvantaged cities in Minnesota would be negatively impacted by the current plan. Brooklyn Center, Brooklyn Park, and North Minneapolis are majority People of Color communities according to the U.S. Census Bureau, 2021. Residents are

more likely to be low-income, less educated, dependent on public transit, and less likely to own cars. Residents have very high rates of hospitalization and death from asthma, COPD, and respiratory disease.

Mr. Mulla noted if freeway interchanges are built, they will result in the encroachment/seizure of many homes and businesses owned by BIPOC families. Also, Southeast and East Asian origin and African origin immigrant families are disproportionately impacted. These impacts affect homeowners with affordable housing. MnDOT has a history of taking advantage of and destroying disadvantaged communities, and they cannot let it happen again.

Mr. Mulla explained freeways inflict harm on BIPOC communities. Construction of I-94 in the Rondo Neighborhood of St. Paul destroyed 433 houses, displaced 1,523 people, and lost $57 million in home equity. Construction of I-35W in S. Minneapolis destroyed 50 city blocks and 827 houses, duplexes, and apartment buildings was destroyed. The construction impact history of I-94 in Brooklyn Center and North Minneapolis has not been recorded but also inflicted harm on BIPOC communities.

Mr. Mulla stated further expansion of I-94 by MnDOT is unwarranted and will add to cumulative adverse air pollution and poor health in nearby neighborhoods of Brooklyn Center and North Minneapolis. The destructive history of MnDOT freeway projects in predominantly BIPOC neighborhoods in the Twin Cities should not be repeated in North Minneapolis, Brooklyn Center, and Brooklyn Park.

Mr. Mulla suggested adding the safer four-lane low-speed freeway alternative for Hwy 252 segment and adding a lower property-damaging six-lane expressway alternative with permanent safety improvements for Hwy 252 segment. He explained these additions would allow the Council to compare tradeoffs of health, environment, equity, and property in comparison to transportation.

Mayor Graves thanked the 252 Safety Taskforce for their work. She noted she has requested more safety measures be put back into the MnDOT plan, and she would make sure to follow up on it.

Councilmember Butler thanked the 252 Safety Taskforce for their time and energy. She stated it is frustrating for MnDOT to not be more excited about passionate community members and prioritize health and safety. The 252 Safety Taskforce has shown immense perseverance.

Councilmember Lawrence-Anderson stated the presentation was concise and extremely informational yet easy to follow. She asked for Staff to put upcoming meetings regarding the 252 projects be put on the City calendar. She asked what the next steps are as MnDOT would be present in two weeks.

Ms. Heyman stated on April 10, 2023, MnDOT, will be making a presentation to the Council. Staff is planning on returning to Council on the matter on April 24, 2023, to consider how to respond to the public comment period. Lastly, the public comment would need to be passed on May 8, 2023.

Ms. Heyman added April 18, 2023, MnDOT will be hosting an open house, and more information is available on their website. There is also a slate of pop-up events, some of which will be hosted at the Community Center. The dates will be made available on the City website.

Councilmember Jerzak thanked Mr. Mulla for his information and preparedness. He stated he will listen to both presentations before forming an opinion. Councilmember Jerzak noted Mr. Mulla has extreme tenacity and knowledge.

Councilmember Kragness thanked Mr. Mulla for the presentation. She asked Staff if the four-lane option was rejected because it would reach capacity in just a few years. Ms. Heyman stated MnDOT has a multi-faceted approach to moving forward options. That was a portion of the concern regarding the four-lane option. A four-lane option including a bus line is still an option. A four-lane option without a bus route was rejected because it had limited options for public transportation.

Councilmember Kragness asked how Staff would suggest handling losing such a large portion of the tax base. Ms. Heyman stated Staff would need to discuss the issue further with MnDOT.

Councilmember Butler moved and Councilmember Jerzak seconded to accept of the presentation from the 252 Safety Task Force.

Motion passed unanimously.

RECESS AND RECONVENE

Mayor Graves recessed the meeting at 7:48 p.m. The meeting was reconvened at 7:56 p.m.

7d. DKIC EXPANDED RESPONSE CITY COUNCIL PRESENTATION

Dr. Edwards introduced the item and explained the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Implementation Committee along with community partners and public safety consultants have prepared a presentation to present to the City Council to address #2 of resolution 2021-73. He invited the Director of Community Prevention, Health, and Safety LaToya Turk to continue the presentation.

Ms. Turk explained she is the assigned liaison to the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Implementation Committee. The presentation was created in collaboration between several local organizations and entities, Staff, and community members. There was facilitation and assistance provided by Law Enforcement Action Partnership (LEAP).

Ms. Turk stated there is an Implementation Committee, and the presentation is from a subset of the group, the Expanded Response Work Group. The Implementation Committee is chaired by Mayor Graves and co-chaired by Bishop Julia Gibson. There are several professionals in the group. Amity Dimock is the Chair of the Expanded Response Work Group. Other members of

the Work Group include John Solomon, Mark Viste, Julie Bourque, and the Implementation Committee Manager Amina Dedefo.

Expanded Response Work Group Chair Amity Dimock introduced herself and stated the Work Group has created an expanded response recommendation called Response Engagement and Crisis Help (REACH Team). The name can be changed if desired. Brooklyn Center should create the REACH team to improve community and police relations, connect calls for service with an appropriate responder, allow police to focus on serious crime, and increase cost efficiency. For example, CAHOOTS has saved millions of dollars annually on public safety costs.

Ms. Dimock stated the Work Group researched several community responder programs throughout the country. After an incident occurs and 911 is called, the call can be dispatched to the police or community responders. REACH is intended to be a first responder rather than after police clear a scene. Responders would be trained on police radio dispatch to call for backup if needed.

Ms. Dimock showed a list of current community responder teams in cities such as Eugene, Olympia, Denver, Albuquerque, San Francisco, San Diego, Rochester, Amherst, Dayton, Minneapolis, and Madison. CAHOOTS of Eugene has been around for over 30 years and has the support of law enforcement. There is a community in California where the police union has called for an alternative response program. Brooklyn Park is also planning an alternative response team in collaboration with Hennepin County.

Ms. Dimock noted only 2.2 percent of CAHOOTS calls required any police follow-up, and only 0.2 percent required immediate police backup. In 30 years of operation, PERT of San Diego has never had a responder injury of any kind. Denver's STAR is in its first year, and no calls have required additional police support.

Ms. Dimock pointed out, Eugene, Denver, and Olympia use a regular 911 dispatch. Durham, Houston, and Austin have a specialized dispatcher embedded in the 911 call center. Baltimore uses an outside agency for dispatch. The Work Group recommends using the regular 911 dispatch as it is the simplest and most efficient way to integrate alternative response to the current method.

Ms. Dimock showed a slide with two ways calls are screened for community responders. There would be several call types meant for community responders such as suicide, housing crisis, mediation, noise complaint, and welfare checks. The call taker would check for red flags such as a weapon present, serious injury, or for a police report to be filed. Any red flags would warrant transfer to Brooklyn Center Police Department. The same method would be used for Brooklyn Park.

Ms. Dimock stated the categories of calls that are handled by alternative response groups throughout the United States are for mental or behavioral health, intoxicated persons, homelessness, verbal disputes, noise complaints, or a suspicious person. Different jurisdictions have specific terms that fall under various categories. Verbal disputes could include disputes at businesses or within a family unit or with a loud dog.

Ms. Dimock added some programs to supervise custody exchanges and perform death notifications. Mental health calls require a particular response to be following State Statute, which would require the REACH Team to be led by a mental health professional and include mental health response training.

Ms. Dimock showed a slide with call narratives that could have been rerouted to REACH in a given year. The REACH Team would generally handle calls for a welfare check, unwanted person, civil matters, assistance/police, disturbance, suspicious act, mental problem, narcotics complaints, harassment, customer trouble, loud music, animal complaint, trespassing, drunk problem, juvenile problem, safety check, drug overdose, runaway, escort, and unknown problem. Thousands of calls would fall under these categories in a given year. She pointed out some of the call types have an offensive name and are not necessarily supported by the Work Group, but it is how certain calls are referred to.

Ms. Dimock stated LEAP created a call analysis to determine which primary responder skills are required by Brooklyn Center calls. 74 percent of the calls required conflict resolution. Almost 10 percent of calls required mental health skills. Around 5 percent of calls required skills regarding substance use, medical, and case management.

Ms. Dimock stated training required for responders would include operational training, scenario-based training, mental health assessment, substance use disorder assessment, mediation, restorative justice, and cultural competency. Not every responder would be proficient in every training type previously mentioned. Instead, it would be a team effort.

Ms. Dimock pointed out community responders would not need specific academic qualifications. Mental health responders will need qualifications as outlined in Minnesota Statute 256B.0624. The team should also be reflective of Brooklyn Center's demographics.

Ms. Dimock noted LEAP analyzed call data, and the REACH Team could be eligible to respond to almost 7,000 of the 29,000 calls for service. That is approximately 24 percent of the calls. Police could focus their efforts on investigations and engage in other calls.

Ms. Dimock explained Minnesota requires emergency response services be all hours of the day. She showed a graph of how many calls were received per hour in 2019. The Work Group recommends the REACH Team be available at all hours, but with minimal or on-call staffing when there are the fewest calls. The graph showed the fewest calls are between 2:00 a.m. and 8:00 a.m. If the REACH Team isn't available at certain hours, it would ultimately hurt the community's trust in the program.

Ms. Dimock stated the overwhelming majority of alternative response teams have a two-responder model. The only exception is a few that have a three-person team. The Work Group recommends a two-person team for the REACH program.

Ms. Dimock showed a graph with the annual operating budget for community response programs in Portland, Austin, Eugene, and Rochester. The operating expenses are only a fraction of their

respective city's public safety budget.

Ms. Dimock showed a slide with the expected operating budget for REACH's first year. The first six months would be training and the second six months would be operational. The total cost for paying responders, a manager, office space, vehicle purchase and maintenance, training, and other supplies are estimated to be $729,567 for the first year. Almost three-fourths of the costs go to training and paying responders. The approximate budget is less than other response teams across the nation.

Ms. Dimock stated the REACH Team would be on the same operating channel as law enforcement. Co-Response involves a response by both law enforcement and mental health crisis responders who arrive together and collaborate on-scene. Law enforcement clears the scene and turns over the call to mental health crisis responders.

Ms. Dimock noted alternative response teams are so effective in part because of case management services for high utilizers. Such services exist in Hennepin County. REACH responders would in stabilizing people in their homes, arrange admission into 24-hour stabilization centers or drug treatment facilities, follow up later with people involved in calls, and refer frequent utilizers to county social services.

Ms. Dimock stated if the Council were to move forward with the recommendation, there are a series of next steps. April and May 2023 would include gathering feedback from the community. The final approval by the Council would be in May. June would be the time to hire a manager. July would be onboarding the manager and integration with County dispatch. August-September would be the hiring of responders, equipment acquisition, and planning of the training. October-November would be the training for new responders. December 2023 would be a soft launch and community marketing. The official launch would be in January 2024.

Mayor Graves thanked Ms. Dimock for the presentation.

Councilmember Kragness noted the pie chart budget is missing a label on the 1.4 percent portion. She asked what it was referring to. City Clerk Barb Suciu stated the portion applies to other supplies for the program.

Councilmember Butler thanked Ms. Dimock and the Work Group for their time and effort. The Council received a presentation from the County about a similar program. She asked if the City would receive funding from the County at all. Dr. Edwards stated Staff wanted to receive the presentation, discuss options with the County, and Staff will return opportunities to collaborate with the County and better leverage resources.

Mayor Graves pointed out Brooklyn Park's community response program is called ART for Alternative Response Team. Brooklyn Center has the opportunity to learn from Brooklyn Park and other programs to make the best program for Brooklyn Center.

Mayor Graves asked how Brooklyn Park is handling the 24-hour response requirement. Police

Chief Kellace McDaniel stated Ms. Dimock did a great job with the presentation. Brooklyn Park is doing a similar staffing model as what Ms. Dimock presented.

Mayor Graves asked how expensive Brooklyn Park's ART program will be. Chief McDaniel stated Brooklyn Park's is slightly cheaper due to grants and the embedded social worker. However, Brooklyn Center may be able to access similar resources.

Julie Bourque apologized for not being present. She was supposed to present the recommendations to Ms. Dimock. However, she had a personal conflict. She asked Dr. Edwards to provide more information on the grant money that is available for the REACH program.

Dr. Edwards stated Brooklyn Center has money from Blue Cross Blue Shield and Pohlad that is intended for a pilot alternative response program or other recommendations from the Duante Wright and Kobe Dimock-Heisler Implementation Committee. There is around $550,000 in funds available from those grants for the alternative response team. Staff is trying to determine the best method to obtain grant dollars and leverage long-term resources to share programming with the County or other programs.

Councilmember Butler noted it would be difficult to have thorough conversations with the County before the proposed May decision date proposed by Ms. Dimock. Also, the Council would need to know the final cost to prepare for the 2024 budget discussions which start in June, along with the long-term costs of the program.

Mayor Graves thanked the Expanded Response Work Group and the Implementation Committee for their hard work. She stated the Council asked for additional community engagement after the other Implementation Committee presentation. She asked if the Council would like additional engagement regarding the expanded response.

Councilmember Kragness stated she would like there to be additional community engagement. Councilmember Butler added it is important to have input and final answers regarding the program before budget discussions.

Mayor Graves asked Ms. Turk if community engagement could be completed and presented to the Council before May. Ms. Turk confirmed that could be completed and asked how many meetings.

Mayor Graves stated only one would be needed as there is more community buy-in on this topic. Ms. Turk stated she would work to have a community engagement session held by the end of April.

Councilmember Butler moved and Councilmember Kragness seconded to accept of The Duante Wright and Kobe Dimock-Heisler Implementation Committee Expanded Response Work Group presentation.

Motion passed unanimously.

8. PUBLIC HEARINGS

None.

9. PLANNING COMMISSION ITEMS

None.

10. COUNCIL CONSIDERATION ITEMS

10a. RESOLUTION NO. 2023-51; APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF BROOKLYN CENTER AND NORTH METRO CONVENTION & VISITORS BUREAU

Dr. Edwards introduced the item and explained Brooklyn Center has been a part of the Minneapolis Northwest Tourism Board (MNTB) for several decades. The primary purpose of the organization is to promote travel and tourism to the northwest metro area. Over the years, the organization's membership has morphed and changed. In December 2021, the City of Maple Grove exited the organization and opted to create its tourism bureau. At that time, the cities of Brooklyn Park and Brooklyn Center were the only remaining cities in the Minneapolis Northwest Tourism Board (MNTB).

EDA Project Management Consultant Jason Aarsvold explained in June 2021, both Brooklyn Center and Brooklyn Park passed resolutions to withdraw from Minneapolis Northwest Tourism. This was done in reaction to Maple Grove's decision to leave the organization and allowed the city time to understand its options before making a final decision to ultimately stay in the organization or create a new organization.

Mr. Aarsvold stated City Council directed staff to study the options available and come back for further discussion. Since that time, the Minneapolis Northwest Tourism Board in partnership with the two cities contracted with Clarity of Place, a consulting firm specializing in convention and visitor's bureaus.

Mr. Aarsvold stated in June 2022, Clarity of Place provided an update to the City Council and asked for direction on how to proceed. The recommendation at the June meeting from the consultant was to continue in partnership with Brooklyn Park, utilizing the existing framework of the existing MNTB organization to create a new tourism bureau that would better serve the two cities. The Council at that meeting directed staff and the consultant to move forward with that path.

Mr. Aarsvold noted on August 22, 2022, the City Council passed a resolution that outlined the conditions under which the City of Brooklyn Center would remain with MNTB. Having determined the conditions were being met, the City Council passed a resolution on December 12, 2022, rescinding withdrawal from the MNTB and approval of a temporary amendment to the existing professional services agreement. The temporary amendment approved on December 12, 2022, provided time through the end of March 2023 for the parties to work out a final professional

services agreement with updated business terms.

Mr. Aarsvold stated the final terms of this revised agreement are drafted and being considered by the MNTB on Wednesday, March 22, 2023. The revised agreement includes some clarifications and necessary updates from the old agreement. The revision includes the following more substantive changes such as greater specificity around the services to be provided, enhanced and detailed requirements around board reporting back to each City, the term extending through the end of 2026, and inclusion of a provision for termination with 9 months' notice, rather than 18 months in the previous agreement.

Mr. Aarsvold added City representation is modified to ensure the Board of Directors of the Tourism Bureau consists of a majority of members that are appointed by member cities. Each member city shall appoint at least one elected official from the member city, one staff member of the member city, and one representative from a business paying the lodging tax from each member city. The change must be reflected in a modification of the MNTB by-laws by October 1, 2023.

Councilmember Kragness asked if it is standard for there to be an automatic renewal at the end of the defined time. Mr. Aarsvold stated the contract would be renewed if no other action is taken by the Council, but it does not require it be renewed.

Matt Oquist noted they looked at several other contracts in the region, and it is standard for automatic renewal. A termination could take place at any time if all parties are in agreement. Alternatively, one party could leave with nine months of notice.

Mayor Graves noted the changes were to focus more on the needs of Brooklyn Park and Brooklyn Center. The two cities could market themselves as a cultural corridor and as an entrepreneurial area. Also, it was thoroughly reviewed by multiple staff from Parks and Recreation and the legal team.

Mr. Aarsvold pointed out the same item was already approved by Brooklyn Park.

Councilmember Jerzak moved and Councilmember Lawrence-Anderson seconded to direct Staff to return to the Council with an agreement for professional services between the City of Brooklyn Center and the North Metro Convention & Visitors Bureau.

City Attorney Jason Hill stated there is a resolution before the Council that needs to be approved that evening.

The motion failed (0-5).

Councilmember Jerzak moved and Councilmember Lawrence-Anderson seconded to adopt an agreement for professional services between the City of Brooklyn Center and the North Metro Convention & Visitors Bureau.

Motion passed unanimously.

11. COUNCIL REPORT

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

- Met with 29 businesses discussing crime and how to help the businesses survive.
- Noted Brooklyn Center has been selected to receive funds from the Metropolitan Council.
- Continued holding office hours to meet with constituents.
- Attended Brooklyn Park press conference regarding the alternative response program and spoke with Staff and community members involved in the effort. Currently, the program is only during the week from 10:30 a.m. to 5:00 p.m. However, many people have asked for the program to be expanded as it has been well-received. The program is averaging about two calls per day.
- Met with Minnesota Multi-Housing regarding Statewide tenant protection rights.
- Attended a naloxone training with 22 others. He encouraged everyone to take the training as opioid overdose is extremely high.

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

- Attended one-on-one with Common Sense to debrief the Council retreat.
- Met with Dr. Edwards.
- Met with Ms. Heyman.
- Attended the Parks and Recreation Commission meeting.

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

- Met with the new Joint Community Police Partnership Liaison.
- Met with the Program Director for Treehouse which serves youth in Brooklyn Center and Brooklyn Park. She plans to speak with the youth at an upcoming meeting.
- Met with a community resident who is a banker that is interested in providing financing for BIPOC small business owners.
- Met with the family of Joyce Acosta regarding building upon her legacy and the descendants of enslaved folks and telling their stories.
- Participated in a meeting with Director's Staff to discuss some items and encourage them.
- Conducted opening remarks at an event with ACER.
- Met with Economic Development Coordinator Vong Thao.
- Met with the Department of Justice as they were in town for training.
- Met with the Brooklyn Park Mayor at their monthly meeting.
- Held a discussion with Walmart and Staff regarding ways to move forward with the closing of Walmart.

12. ADJOURNMENT

Councilmember Lawrence-Anderson moved and Councilmember Jerzak seconded the adjournment of the City Council meeting at 8:55 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
MARCH 27, 2023
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 8:55 p.m.

ROLL CALL

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

WANGSTAD COMMONS RENTAL HOUSING DEVELOPMENT PROJECT

This item was addressed during the Study Session.

OPPORTUNITY SITE PHASE 1 FINANCING

Dr. Edwards introduced the item and invited EDA Project Management Consultant Jason Aarsvold to continue the presentation.

Mr. Aarsvold explained on September 26, 2022, the EDA approved a Term Sheet with Alatus for the development of a first phase within the Opportunity Site. The term sheet includes the construction of multiple buildings containing approximately 613 multi-family rental units with varying levels of affordability within each building, the inclusion of space for an Entrepreneurial Market Plaza (EMP) building, construction of an approximately 26,500 square feet privately owned conference center, construction of approximately $13.9 million in infrastructure, and related structured and surface parking.

Mr. Aarsvold noted many projects are facing construction cost increases and interest rate increases. Therefore, Alatus has asked the City to provide some financing for the project to alleviate some of the financial burdens on the project.

Mr. Aarsvold showed an image of the first phase of the Opportunity Site, which is the area up for discussion currently. He showed a chart with the costs of property acquisition for each of the five buildings according to the Term Sheet. He pointed out the first building is for the entrepreneurial market, the second is a conference center with 24-hour childcare and wellness suites. Buildings 3,

4, and 5 are for apartments, 28 percent of which would be affordable at various Area Median Income (AMI) percentages.

Ms. Aarsvold stated the Term Sheet also included that Alatus will construct all public and private infrastructure, including Shingle Creek Parkway improvements, construction of a new east/west parkway connecting Shingle Creek Parkway to John Martin Drive, signal and intersection improvements at Shingle Creek and new east/west Parkway, regional Stormwater Pond system and associated utilities. It was also agreed that the EDA will waive Alatus' stormwater impact fee and reimburse Alatus for a portion of the stormwater pond attributable to future development parcels. Total infrastructure costs are currently estimated at $14.8 million.

Mr. Aarsvold noted the community benefits are detailed in Appendix B of the Term Sheet and include delivery of all the project elements, cash contributions for EMP and Housing, contractor goals, hiring goals based on residency, race, and gender, various lighting, infrastructure, public art, Park and Trail enhancements, and sustainability elements.

Mr. Aarsvold pointed out maintenance was also considered in the Term Sheet. As it stands, the developer will be responsible for the maintenance of all the private areas and infrastructure around the buildings, to be specified in a formal agreement. The city will maintain public infrastructure, including a parkway and regional stormwater pond. The City can create a storm sewer improvement taxing district, and there is a need to plan for future maintenance of the parkway.

Mr. Aarsvold added the Term Sheet included that the EDA would provide up to $30,209,000 for Qualified Costs and Public Improvements. The funding source is Tax Increment Financing (TIF) District #7, and there is a separate Pay As You Go TIF notes anticipated for each building. Other funding will be sought and can substitute for the TIF. The contract will contain a "look back" provision to ensure the assistance amount is accurate based on actual project costs. Also, Alatus will contribute to the escrow account to cover EDA costs.

Mr. Aarsvold explained Tax Increment Financing (TIF) is the ability to capture and use most of the increased local property tax revenues from new development within a defined geographic area for a defined period without the approval of the other taxing jurisdictions. He showed a slide with a graph depicting a TIF example.

Mr. Aarsvold stated a Pay-as-you-go TIF Note requires no up-front funds from the City. Then the developer funds eligible expenses and is repaid with interest, over time, for available tax increments or abatement. There is no risk to TIF or abatement authority if the term expires before a note is retired. G.O. or Revenue Bonds are bond proceeds that fund up-front project costs and TIF revenue is used to repay bonds. This is a higher-risk financing option.

Mr. Aarsvold stated there are several current financing challenges. Inflation in development costs, both public and private, is affecting the Alatus project. Also, increasing interest rates are eroding sources for the project, and the ability to raise funds for the project from investors is diminished. Alatus feels it can still raise most of the funding for the project, but cannot raise one hundred percent as originally envisioned. Alatus is committed to the project, but cannot proceed as

approved. Their request is for some up-front financing from the City to help pay for project costs.

Mr. Aarsvold explained the only feasible source for up-front assistance would be the issuance of General Obligation TIF bonds. The current ask is $8-$9 million for Alatus' market rate building and $7-$8 million for the mixed-income building. The bonds would still be paid back with revenue from the project, but if the revenue does not materialize, then then the City must pay the bonds from other City sources. Ultimately, this shifts some of the risks of the project to the City.

Mr. Aarsvold added details would need to be negotiated and approved by the City Council/EDA, but generally this risk would be mitigated with a few steps. First, they could start with one building. Also, the City could defer the $3,780,000 land payment for building 1, as it reduces the size of the bond needed. This can be paid back over time, rather than upfront. Additionally, the City could include a special assessment for the public improvements on Alatus' property and use special assessments and potentially some of the tax increment to repay bonds. There would be no additional tax levy necessary to repay debt in this scenario. Plus, the City would have priority on tax increments. A pay-as-you-go TIF note would still be issued to Alatus.

Mr. Aarsvold noted there are potential benefits of the approach. First off, the project is more likely to proceed this year; the project will be put on hold indefinitely under the current financing scenario. It could be any number of years until the financial climate improves. Assuming the project gets built as planned, special assessments and TIF will repay the bonds and there will be no additional City or taxpayer risk. Public infrastructure is also installed along with Alatus' buildings, providing for the additional development envisioned in Phase 1 of the Opportunity Site.

Mr. Aarsvold explained there are also potential risks to the proposed approach. Issuance of general obligation bonds does shift some of the risks onto the City. If the City issued bonds and the project did not get built, there would be no assessment revenue or TIF to repay the bonds; the City would then need to repay the bonds from another City source. This risk will be mitigated through the agreement with Alatus, which means there would no City debt until they are certain they have all the other funding to build the project. The investment would not be "lost" as the City funding would be paying for the installation of new infrastructure needed to rebuild the site.

Mr. Aarsvold stated this financing model is conceptual at this point. The City Council/EDA is not being asked to approve anything this evening. Before proceeding further with Alatus on this financing alternative, Staff wanted to check with City Council/EDA about their willingness to consider this option. If given the okay to continue, a full, detailed financing plan with necessary agreements would be brought back for City Council/EDA consideration. All the detailed assumptions and specific numbers would be presented at that time.

Councilmember/Commissioner Jerzak noted it is a heavy lift for a City. He explained his concerns about inflation, labor changes, and more. There are several asks for Brooklyn Center right now between the Sears site, the liquor store, and Wangstad Commons. It would also be difficult to implement the infrastructure and the first building with no assurance the additional building could be built.

Councilmember/Commissioner Kragness stated she is anxious for the Opportunity Site to break ground. She stated she has concerns about the shift from no upfront to the City to taking on $8 million of risk. Also, the City is losing time on TIF. She asked if the City would ask for a TIF modification.

Mr. Aarsvold stated TIF #7 already exists, and it is a redevelopment district with a minimum of 26 years. There wouldn't be revenue on the proposed project for at least two years, and they are already three years into the district. That means the City would get a minimum of 20 years out of the district. However, a new TIF wouldn't be an option on the site. Therefore, Brooklyn Center would have to ask for special legislation. Alatus has to show it can deliver on the project, and it can with the proposed changes.

Councilmember/Commissioner Butler agreed the proposal is a risk. She noted the community has stated again and again that there is not a range of housing in Brooklyn Center, and the apartment would meet the lack of a luxury apartment. It would also promote more businesses such as restaurants and entertainment in the area.

Councilmember/Commissioner Lawrence-Anderson asked if the change would have an adverse effect on the City's bond rating. Mr. Aarsvold confirmed it would not impact Brooklyn Center's bond rating.

Councilmember/Commissioner Lawrence-Anderson asked if the Finance Department has provided input. Mr. Aarsvold confirmed they have discussed options with the Finance Department and the Administrative Department as it impacts all aspects of the City.

Councilmember/Commissioner Lawrence-Anderson noted the plan is for the Entrepreneurial Market would be handed over to the EDA. She asked if that is because Alatus doesn't support that project.

Mr. Aarsvold noted there are changes proposed for the Entrepreneurial Market. Originally, it was listed as a 30,000-square-foot building. Staff began working on financing details following term sheet approval. Capital costs for 30,000 square feet building are more than the project can support. Building size and inefficiency also led to a projected operating cost subsidy of between $100,000 and $250,000 annually. Size and design needed to change for feasibility. Size is reduced to just around 17,000 square feet, about 3,000 of which could be for a market rate anchor tenant. The shell would be built and delivered by Alatus to the EDA with tenant allowance and the interior buildout will rely on third-party expertise for operational efficiency. The change would allow the revenue to be neutral rather than a deficit. The changes are more efficient while still meeting the community benefit agreement requirements.

Councilmember/Commissioner Lawrence-Anderson agreed the community needs market-rate housing, and she would like to see the housing proceed. She asked what the City can do to maintain the relationship with Alatus and maintain the housing projects as a priority. Mr. Aarsvold stated the Entrepreneurial Market doesn't have to be built first. The staff was just trying to respond to the requests of the community and Council/EDA.

Councilmember/Commissioner Jerzak stated the City needs to focus on what will work rather than what won't work. Brooklyn Center just faced a blow with Walmart. Issues are filling current rental spaces in the City, and there are several delays in the Opportunity Site project. The Target building is unused. There are several open spots on Earle Brown Drive, and the liquor store is still up in the air. As much as he wants development, they need to concentrate on what will work rather than what won't. It would be nice to bring more higher-paid individuals to the City, but they don't know that they will come.

Mayor/President Graves asked if there would only be able half the risk with the GO bonds. Mr. Aarsvold stated the amount of the bond will be substantially lower than the $16 million cost shown. The City isn't going to borrow for the cost of the land, and they are going to work through some efficiencies with Alatus. For the first building, they would need about $4 million. However, it is ultimately for a $95 million development. Absent that, they don't have any investment there. The next building would cost less but be a similar proportion.

Councilmember/Commissioner Jerzak noted the development would require closing down a minority-owned business and shutting down one of the only sit-down restaurants in the City. He asked if that is correct. Mr. Aarsvold confirmed that is correct as the land is already owned by the City. He explained business owners would receive a $300,000 payment for relocation, but they would still be displaced.

Councilmember/Commissioner Jerzak stated the business owner hasn't paid rent over the last year due to business struggles, but they have an opportunity to renew a five-year lease if they don't close. Mr. Aarsvold explained they expected the Opportunity Site to have been started by now, so they were working with the business for relocation. The closing has been extended, so the current agreement with the business has also been extended.

Mayor/President Graves agreed there are concerns. She doesn't want to lose any community benefits for the benefit of a large developer such as Alatus. However, the City has been working on the Opportunity Site for a very long time, and they have made progress. The Council/EDA needs to do something to promote businesses in the City, especially in light of losing many businesses recently. She added she is weary and hesitant, but not to the point where the conversations need to stop.

Councilmember/Commissioner Lawrence-Anderson noted her agreement that she is not ready to give up. Staff needs to be creative and not lose sight of the vision.

Councilmember/Commissioner Jerzak stated he could see moving forward with caution to see the numbers. He does not want to kill the proposal, but the Council/EDA will scrutinize the solution as it is risky.

Councilmember/Commissioner Kragness added she is interested in the financing options. She wants to see something happen with the site, but she doesn't want a halfway-done project. The City needs

The majority consensus of the City Council/EDA was to direct Staff to continue working with Alatus to deliver a financing option regarding the Opportunity Site.

UPCOMING ITEMS

- Grant Discussion (referred to Financial Commission)
- Special Assessment Policy/Franchise Fees (referred to Financial Commission)
- Emerald Ash Borer Policy Review (referred to Park & Rec Commission)
- Memorial Policy (referred to Park & Rec Commission)
- Establishing a Beautification and Public Art Commission
- Liquor Store 2 - (April)
- 252/94 Report - (potential separate work session)
- Organizational Chart
- Rental License Review (referred to Housing Commission)
- Tenant Protection Data presentation
- THC Moratorium

ADJOURNMENT

Councilmember/Commissioner Kragness moved and Councilmember/Commissioner Jerzak seconded the adjournment of the City Council/Economic Development Authority Work Session at 9:41 p.m.

Motion passed unanimously.

Council Regular Meeting

DATE: 4/10/2023

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

Budget Issues:

- None

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Rental Criteria	3/16/2021	Backup Material
Rental 3.15 - 3.29	4/7/2023	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 Licences for Council Approval 4.10.23

Location Address	License Subtype	Renewal/Initial	Owner	Property Code Violations	License Type	Police CFS*	Final License Type**	Previous License Type***	Consecutive Type IV's
3821 Oak St	Single	Initial	Biota Holdings, LLC	0	Type I	N/A	Type II	N/A	N/A
6424 Toledo Ave N	Single	Initial	HENNEPIN RP FUNDING LLC	5	Type II	N/A	Type II	N/A	N/A
6907 Perry Ave N	Single	Initial	Angela Famata Sumo	5	Type II	N/A	Type II	N/A	N/A
7013 Knox Ave N	Single	Initial	HPA II BORROWER 2021-1 LLC	16	Type IV	N/A	Type IV	N/A	0
3401 47th Ave N	Multiple Family 2 Bldgs 22 Units	Renewal	Bmw Holding Llc Et Al Did not meet requirements	60 = 2.72 per unit	Type III	0	Type IV	Type IV	4
4110 Lakebreeze Ave N	Multiple Family 1 Bldg 3 Units	Renewal	Jakai Taylor Did not meet requirements	9 = 3 per unit	Type III	0	Type IV	Type IV	2
4200 Lakebreeze Ave N	Multiple Family 1 Bldg 4 Units	Renewal	Todd M Bertelson Met Requirements	15 = 3.75 per unit	Type IV	0	Type IV	Type IV	2
5239 Drew Ave N	Two Family	Renewal	Jay N & Gina L Battenberg	0	Type I	0	Type I	Type I	N/A
1600 69th Ave N	Single	Renewal	Hieu C Vo	15	Type IV	0	Type IV	Type II	0
2412 Ericon Dr	Single	Renewal	Kurt Templin & Mary Templin	2	Type I	0	Type I	Type I	N/A
3000 64th Ave N	Single	Renewal	Infinite Property Llc	1	Type I	0	Type I	Type I	N/A
3018 Nash Rd	Single	Renewal	T R Cavanaugh/c F Cavanaugh	5	Type II	0	Type II	Type II	N/A
4906 Howe La	Single	Renewal	Mccloud Llc	6	Type III	0	Type III	Type II	N/A
5160 Drew Ave N	Single	Renewal	Lancelot Properties Llc	3	Type II	0	Type II	Type I	N/A
5214 Ewing Ave N	Single	Renewal	J And M Homes Ii Llc	0	Type I	0	Type I	Type II	N/A
5314 71st Cir	Single	Renewal	WEBB Met Requirements	2	Type I	0	Type I	Type III	N/A
5350 Logan Ave N	Single	Renewal	CCF3 LLC Did not meet requirments	10	Type IV	0	Type IV	Type III	0

5419 Humboldt Ave N	Single	Renewal	Cecilia Pineda	3	Type II	0	Type II	Type II	N/A
5442 James Ave N	Single	Renewal	Gerald R Stigsell Met Requirements	0	Type I	0	Type I	Type III	N/A
5530 James Ave N	Single	Renewal	Pro Operam Sub Iv Llc	1	Type I	0	Type I	Type II	N/A
5820 Logan Ave N	Single	Renewal	Farnaz Toussi Met Requirements	0	Type I	0	Type I	Type IV	N/A
5900 Pearson Dr	Single	Renewal	Mary T Properties Llc Did not meet requirements	2	Type I	0	Type IV	Type IV	2
5937 York Ave N	Single	Renewal	KEY LIME REALTY LLC, Attn: Alyson Mccoy Did not meet requirements	9	Type IV	0	Type IV	Type IV	2
6220 Perry Ave N	Single	Renewal	M F & R M Remtula Did not meet requirements	15	Type IV	0	Type IV	Type IV	2
6349 Halifax Dr	Single	Renewal	Qiang Kevin Fang	14	Type IV	0	Type IV	Type I	0
6800 Bryant Ave N	Single	Renewal	Peter Nguyen Did not meet requirements	6	Type III	0	Type IV	Type IV	2
6800 Dupont Ave N	Single	Renewal	Caml Llc Met Requirements	3	Type II	0	Type II	Type IV	0
7024 Morgan Ave N	Single	Renewal	Mcclure Properties Llc Did not meet requirements	6	Type III	0	Type IV	Type IV	2
7025 Logan Ave N	Single	Renewal	Summit Properties Llc Did not meet requirements	2	Type I	0	Type IV	Type IV	3
7119 Halifax Ave N	Single	Renewal	Hpa Jv Borrow 2019-1 Ath Llc Did not meet requirements	8	Type III	0	Type IV	Type IV	3
7200 Lee Ave N	Single	Renewal	LSF9 MASTER PARTICIPATION TR Did not meet requirements	3	Type II	0	Type IV	Type IV	2

*CFS = Calls for service for Renewal Licenses Only (Initial licenes are not applicalbe to calls for service and will be listed as N/A)

**License type being issued

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

All properties are current on City utilities and property taxes

Council Regular Meeting

DATE: 4/10/2023

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 Accepting Work Performed and Authorizing Final Payment, Improvement Project Nos. 2021-06,07,08,09,10, and 11, Ryan Lake Industrial Park Area Street, Storm Drainage and Utility Improvements, and Northwest Area and Lyndale Avenue Area Mill and Overlay.

Requested Council Action:

Motion to approve a resolution accepting work performed and authorizing final payment, Improvement Project Nos. 2021-06, 07, 08, 09, 10, and 11, Ryan Lake Industrial Park Area Street, Storm Drainage and Utility Improvements, and Northwest Area and Lyndale Avenue Area Mill and Overlay.

Background:

On May 10, 2021, the City Council awarded Improvement Project Nos. 2021-06, 07, 08, 09, 10, and 11, Ryan Lake Industrial Park Area Street, Storm Drainage and Utility Improvements, and Northwest Area and Lyndale Avenue Area Mill and Overlay. New Look Contracting has successfully completed the construction work and is requesting final payment for the project.

Budget Issues:

The original contract amount with New Look Contracting for the project improvements was $2,362,116.25. The total value of work certified for final payment is $2,307,660.52. The total project cost including contingencies/administration/engineering/legal is $2,604,772.18 and was completed 12.1 percent under budget in the amount of $359,110.07. The attached resolution provides a summary of the final amended costs and funding sources for the project.

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
Resolution	4/3/2023	Resolution Letter

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ACCEPTING WORK PERFORMED AND AUTHORIZING FINAL PAYMENT, IMPROVEMENT PROJECT NOS. 2021-06, 07, 08, 09, 10 AND 11, RYAN LAKE INDUSTRIAL PARK AREA STREET, STORM DRAINAGE AND UTILITY IMPROVEMENTS AND NORTHWEST AREA AND LYNDALE AVENUE AREA MILL AND OVERLAY

WHEREAS, pursuant to a written contract signed with the City of Brooklyn Center, Minnesota, New Look Contracting, Inc. of Rogers, Minnesota has completed the following improvements in accordance with said contract:

Improvement Project Nos. 2021-06,07,08,09,10, and 11, Ryan Lake Industrial Park Area Street, Storm Drainage and Utility Improvements, and Northwest Area and Lyndale Avenue Area Mill and Overlay.

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

1. Final payment shall be made on Improvement Project Nos. 2021-06,07,08,09,10, and 11, Ryan Lake Industrial Park Area Street, Storm Drainage and Utility Improvements, and Northwest Area and Lyndale Avenue Area Mill and Overlay, taking the contractor's receipt in full. The total amount to be paid for said improvements under said contract shall be $2,307,660.52.

2. The estimated project costs and revenues are hereby amended as follows:

COSTS	As Original Award	As Final
Contract	$ 2,362,116.25	$ 2,307,660.52
Lighting	$ 15,666.00	$ 15,666.00
Contingency	$ 238,600.00	$ -0-
Subtotal Construction Cost	$ 2,616,382.25	$ 2,323,326.52
Admin/Legal/Engr.	$ 347,500.00	$ 281,445.66
Total Estimated Project Cost	$ 2,963,882.25	$ 2,604,772.18

RESOLUTION NO. _____

REVENUES	As Original Award	As Final
2021-06,07,08,09,10 & 11: Ryan Lake Industrial Park Area Recon, Northwest Area Mill and Overlay, Lyndale Avenue Area Mill and Overlay		
Street Assessment	$ 491,746.22	$ 491,746.22
Storm Drainage Assessment	$ 96,421.01	$ 96,421.01
Sanitary Sewer Utility	$ 394,000.00	$ 338,142.63
Water Utility Fund	$ 546,961.00	$ 504,292.57
Storm Drainage Utility Fund	$ 376,455.99	$ 327,303.66
Street Light Utility	$ 18,266.00	$ 17,400.51
Street Reconstruction Fund	$ 881,895.78	$ 680,713.10
Municipal State Aid (MSA) Fund	$ 129,036.25	$ 129,492.48
CenterPoint Energy	$ 28,500.00	$ 18,660.00
Miscellaneous (plan sales)	$ 600.00	$ 600.00
Total Estimated Revenue	$ 2,963,882.25	$ 2,604,722.18

_____ _____

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: 4/10/2023

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 21-28, 2023, to be Community Cleanup Week

Requested Council Action:

Motion to approve a resolution declaring April 21-28, 2023, as Community Cleanup Week.

Background:

Brooklyn Center will celebrate the 21st annual "Shingle Creek Cleanup". Beginning Friday, April 21, 2023, through Friday, April 28, 2023, 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.

Many of the groups affiliated with the Brooklyn Center Adopt-a-Park/Trail/Street/Flower Garden Programs will concentrate on a cleanup of their assigned sites during the week. Groups and individuals not already connected with a park, trail or street will be assigned to a nearby park, creek, open space or parkway to pick up trash and debris. On Saturday, April 22, 2023, from 9:00 a.m. to 12:00 p.m. Brooklyn Center City officials and employees will be distributing 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 commemorate 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 2023 budget under the Storm Drainage Utility operating budget.

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Enhanced Community Image

ATTACHMENTS:

Description	Upload Date	Type
Resolution - Shingle Creek Cleanup	4/4/2023	Resolution Letter

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING APRIL 21-28, 2023, 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, Citizens 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" will take place April 22, 2023.

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

1. April 21-28, 2023, 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 2023 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 10, 2023
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: 4/10/2023

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, 2023, as Earth Day in Brooklyn Center

Requested Council Action:

Motion to approve a resolution declaring April 22, 2023, 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 Saturday, April 22, 2023, by taking part in celebratory events such as the Community Cleanup.

The Shingle Creek Cleanup takes place on Saturday, April 23, 2022, from 9:00 a.m. to 12:00 p.m. and will commence by gathering 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 2023 budget under the Storm Drainage Utility operating budget.

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Enhanced Community Image

ATTACHMENTS:

Description	Upload Date	Type
Resolution - Earth Day	4/4/2023	Resolution Letter

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING APRIL 22, 2023, 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 2023 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, 2023, 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 2023 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 10, 2023
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: 4/10/2023

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

SUBJECT: Resolution Authorizing the City Manager to Execute All Necessary Documents to Ensure the City of Brooklyn Center's Participation in the Multistate Settlements Relating to Opioid Supply Chain Participants, and Minnesota Opioids State-Subdivision Memorandum of Agreement

Requested Council Action:

- Motion to approve a resolution authorizing the City Manager to execute all necessary documents to ensure the City of Brooklyn Center's participation in the multistate settlements relating to opioid supply chain participants, and Minnesota opioids state-subdivision Memorandum of Agreement.

Background:

In 2021, nationwide settlements were reached to resolve all opioids litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors—McKesson, Cardinal Health, and AmerisourceBergen ("Distributors")—and against manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson (collectively, "J&J"). These "2021 National Settlements" have been finalized, and payments have already begun. In all, the Distributors will pay up to $21 billion over 18 years, and J&J will pay up to an additional $5 billion over no more than nine years.
In late 2022, agreements were announced with three pharmacy chains—CVS, Walgreens, and Walmart—and two additional manufacturers—Allergan and Teva. In January 2023, each of those pharmacy chains and manufacturers confirmed that a sufficient number of states had agreed to the settlements to move forward. As with the 2021 National Settlements, states and local governments that want to participate in the 2022 National Settlements now will have the opportunity to "opt in." The greater the level of subdivision participation, the more funds will ultimately be paid out for abatement.
Since the State of Minnesota has elected to participate in this additional settlement, the City of Brooklyn Center also has the opportunity to "opt-in". Documents authorizing participation by the City must be executed by April 18, 2023.
The Council authorized participation in the first settlement by Resolution 2022-016. A copy of that resolution is included as back up material.

Budget Issues:

Participation in this second settlement award will provide additional funding that can be used to address health and public safety impacts of opioid use in the community.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Amended Minnesota Memorandum of Agreement	4/6/2023	Exhibit
Resolution	4/6/2023	Resolution Letter
Resolution 2022-016	4/6/2023	Backup Material

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AMENDED MINNESOTA OPIOIDS STATE-SUBDIVISION MEMORANDUM OF AGREEMENT

WHEREAS, the State of Minnesota, Minnesota counties and cities, and their people have been harmed by misconduct committed by certain entities that engage in or have engaged in the manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic;

WHEREAS, certain Minnesota counties and cities, through their counsel, and the State, through its Attorney General, are separately engaged in ongoing investigations, litigation, and settlement discussions seeking to hold opioid manufacturers and distributors accountable for the damage caused by their misconduct;

WHEREAS, the State and Local Governments share a common desire to abate and alleviate the impacts of the misconduct described above throughout Minnesota;

WHEREAS, while the State and Local Governments recognize the sums which may be available from the aforementioned litigation will likely be insufficient to fully abate the public health crisis caused by the opioid epidemic, they share a common interest in dedicating the most resources possible to the abatement effort;

WHEREAS, the investigations and litigation with several companies have resulted in National Settlement Agreements with those companies, which the State has already committed to join;

WHEREAS, Minnesota's share of settlement funds from the National Settlement Agreements will be maximized only if all Minnesota counties, and cities of a certain size, participate in the settlements;

WHEREAS, the National Settlement Agreements will set a default allocation between each state and its political subdivisions unless they enter into a state-specific agreement regarding the distribution and use of settlement amounts;

WHEREAS, this Amended Memorandum of Agreement is intended to facilitate compliance by the State and by the Local Governments with the terms of the National Settlement Agreements and is intended to serve as a State-Subdivision Agreement under the National Settlement Agreements;

WHEREAS, this Amended Memorandum of Agreement is also intended to serve as a State-Subdivision Agreement under resolutions of claims concerning alleged misconduct in the manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic entered in bankruptcy court that provide for payments (including payments through a trust) to both the State and Minnesota counties and cities and allow for the allocation between a state and its political subdivisions to be set through a state-specific agreement; and

WHEREAS, specifically, this Amended Memorandum of Agreement is intended to serve under the Bankruptcy Resolutions concerning Purdue Pharma, Mallinckrodt, and Endo as a qualifying Statewide Abatement Agreement.

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I. Definitions

As used in this MOA (including the preamble above):

"Approved Uses" shall mean forward-looking strategies, programming, and services to abate the opioid epidemic that fall within the list of uses on **Exhibit A.** Consistent with the terms of the National Settlement Agreements and Bankruptcy Resolutions, "Approved Uses" shall include the reasonable administrative expenses associated with overseeing and administering Opioid Settlement Funds. Reimbursement by the State or Local Governments for past expenses are not Approved Uses.

"Backstop Fund" is defined in Section VI.B below.

"Bankruptcy Defendants" mean any Opioid Supply Chain Participants that have filed for federal bankruptcy protection, including, but not limited to, Purdue Pharma L.P., Mallinckrodt plc, and Endo International plc.

"Bankruptcy Resolution(s)" means resolutions of claims concerning alleged misconduct in manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic by the Bankruptcy Defendants entered in bankruptcy court that provide for payments (including payments through a trust) to both the State and Minnesota counties and municipalities and allow for the allocation between the state and its political subdivisions to be set through a state-specific agreement.

"Counsel" is defined in Section VI.B below.

"County Area" shall mean a county in the State of Minnesota plus the Local Governments, or portion of any Local Government, within that county.

"Governing Body" means (1) for a county, the county commissioners of the county, and (2) for a municipality, the elected city council or the equivalent legislative body for the municipality.

"Legislative Modification" is defined in Section II.C below.

"Litigating Local Governments" mean a Local Government that filed an opioid lawsuit(s) on or before December 3, 2021, as defined in Section VI.B below.

"Local Abatement Funds" are defined in Section II.B below.

"Local Government" means all Minnesota political subdivisions within the geographic boundaries of the state of Minnesota.

"MDL Matter" means the matter captioned *In re National Prescription Opiate Litigation*, MDL 2804, pending in the United States District Court for the Northern District of Ohio.

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"Memorandum of Agreement" or "MOA" means this agreement, the Amended Minnesota Opioids State-Subdivision Memorandum of Agreement.

"National Settlement Agreements" means a national opioid settlement agreement with the Parties and one or more Opioid Supply Chain Participants concerning alleged misconduct in manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic, which includes structural or payment provisions requiring or anticipating the participation of both the State and its political subdivisions in the national opioid settlement agreement and allows for the allocation of Opioid Settlement Funds between the State and its political subdivisions to be set through a state-specific agreement.

"Opioid Settlement Funds" shall mean all funds allocated by the National Settlement Agreements and any Bankruptcy Resolutions to the State and Local Governments for purposes of opioid remediation activities or restitution, as well as any repayment of those funds and any interest or investment earnings that may accrue as those funds are temporarily held before being expended on opioid remediation strategies.

"Opioid Supply Chain Participants" means entities that engage in, have engaged in, or have provided consultation services regarding the manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic, including, but not limited to, Janssen, AmerisourceBergen, Cardinal Health, McKesson, Teva Pharmaceuticals, Allergan plc, CVS Health Corporation, Walgreens Boots Alliance, Inc., and Walmart Inc. "Opioid Supply Chain Participants" also means all subsidiaries, affiliates, officers, directors, employees, or agents of such entities.

"Parties" means the State and the Participating Local Governments.

"Participating Local Government" means a political subdivision within the geographic boundaries of the State of Minnesota that has signed this Memorandum of Agreement and has executed a release of claims by signing on to the National Settlement Agreements. For the avoidance of doubt, a Local Government must sign this MOA to become a "Participating Local Government."

"Region" is defined in Section II.H below.

"State" means the State of Minnesota by and through its Attorney General, Keith Ellison.

"State Abatement Fund" is defined in Section II.B below.

II. Allocation of Settlement Proceeds

A. Method of distribution. Pursuant to the National Settlement Agreements and any Bankruptcy Resolutions, Opioid Settlement Funds shall be distributed directly to the State and directly to Participating Local Governments in such proportions and for such uses as set forth in this MOA, provided Opioid Settlement Funds shall not be considered funds of

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the State or any Participating Local Government unless and until such time as each distribution is made.

B. Overall allocation of funds. Opioid Settlement Funds will be initially allocated as follows: (i) 25% directly to the State ("State Abatement Fund"), and (ii) 75% directly to abatement funds established by Participating Local Governments ("Local Abatement Funds"). This initial allocation is subject to modification by Sections II.F, II.G, and II.H, below.

C. Statutory change.

1. The Parties agree to work together in good faith to propose and lobby for legislation in the 2022 Minnesota legislative session to modify the distribution of the State's Opiate Epidemic Response Fund under Minnesota Statutes section 256.043, subd. 3(d), so that "50 percent of the remaining amount" is no longer appropriated to county social services, as related to Opioid Settlement Funds that are ultimately placed into the Minnesota Opiate Epidemic Response Fund ("Legislative Modification").[1] Such efforts include, but are not limited to, providing testimony and letters in support of the Legislative Modification.

2. It is the intent of the Parties that the Legislative Modification would affect only the county share under section 256.043, subd. 3(d), and would not impact the provision of funds to tribal social service agencies. Further, it is the intent of the Parties that the Legislative Modification would relate only to disposition of Opioid Settlement Funds and is not predicated on a change to the distribution of the Board of Pharmacy fee revenue that is deposited into the Opiate Epidemic Response Fund.

D. Bill Drafting Workgroup. The Parties will work together to convene a Bill Drafting Workgroup to recommend draft legislation to achieve this Legislative Modification. The Workgroup will meet as often as practicable in December 2021 and January 2022 until recommended language is completed. Invitations to participate in the group shall be extended to the League of Minnesota Cities, the Association of Minnesota Counties, the Coalition of Greater Minnesota Cities, state agencies, the Governor's Office, the Attorney General's Office, the Opioid Epidemic Response Advisory Council, the Revisor's Office, and Minnesota tribal representatives. The Workgroup will host meetings with Members of the Minnesota House of Representatives and Minnesota Senate who have been involved in this matter to assist in crafting a bill draft.

E. No payments until August 1, 2022. The Parties agree to take all steps necessary to ensure that any Opioid Settlement Funds ready for distribution directly to the State and Participating Local Governments under the National Settlement Agreements or

[1] It is the intent of the Parties that counties will continue to fund child protection services for children and families who are affected by addiction, in compliance with the Approved Uses in **Exhibit A**.

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Bankruptcy Resolutions are not actually distributed to the Parties until on or after August 1, 2022, in order to allow the Parties to pursue legislative change that would take effect before the Opioid Settlement Funds are received by the Parties. Such steps may include, but are not limited to, the Attorney General's Office delaying its filing of Consent Judgments in Minnesota state court memorializing the National Settlement Agreements. This provision will cease to apply upon the effective date of the Legislative Modification described above, if that date is prior to August 1, 2022.

F. Effect of no statutory change by August 1, 2022. If the Legislative Modification described above does not take effect by August 1, 2022, the allocation between the Parties set forth in Section II.B shall be modified as follows: (i) 40% directly to the State Abatement Fund, and (ii) 60% to Local Abatement Funds. The Parties further agree to discuss potential amendment of this MOA if such legislation does not timely go into effect in accordance with this paragraph.

G. Effect of later statutory change. If the Legislative Modification described above takes effect after August 1, 2022, the allocation between the Parties will be modified as follows:
(i) 25% directly to the State Abatement Fund, and (ii) 75% to Local Abatement Funds.

H. Effect of partial statutory change. If any legislative action otherwise modifies or diminishes the direct allocation of Opioid Settlement Funds to Participating Local Governments so that as a result the Participating Local Governments would receive less than 75 percent of the Opioid Settlement Funds (inclusive of amounts received by counties per statutory appropriation through the Minnesota Opiate Epidemic Response Fund), then the allocation set forth in Section II.B will be modified to ensure Participating Local Governments receive 75% of the Opioid Settlement Funds.

I. Participating Local Governments receiving payments. The proportions set forth in **Exhibit B** provide for payments directly to: (i) all Minnesota counties; and (ii) all Minnesota cities that (a) have a population of more than 30,000, based on the United States Census Bureau's Vintage 2019 population totals, (b) have funded or otherwise managed an established health care or treatment infrastructure (e.g., health department or similar agency), or (c) have initiated litigation against AmerisourceBergen, Cardinal Health, McKesson, or Janssen as of December 3, 2021.

J. Allocation of funds between Participating Local Governments. The Local Abatement Funds shall be allocated to Participating Local Governments in such proportions as set forth in **Exhibit B**, attached hereto and incorporated herein by reference, which is based upon the MDL Matter's Opioid Negotiation Class Model.[2] The proportions shall not change based on population changes during the term of the MOA. However, to the extent

[2] More specifically, the proportions in Exhibit B were created based on Exhibit G to the National Settlement Agreements, which in turn was based on the MDL Matter's allocation criteria. Cities under 30,000 in population that had shares under the Exhibit G default allocation were removed and their shares were proportionally reallocated amongst the remaining subdivisions.

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required by the terms of the National Settlement Agreements, the proportions set forth in **Exhibit B** must be adjusted: (i) to provide no payment from the National Settlement Agreements to any listed county or municipality that does not participate in the National Settlement Agreements; and (ii) to provide a reduced payment from the National Settlement Agreements to any listed county or city that signs on to the National Settlement Agreements after the Initial Participation Date.

K. Redistribution in certain situations. In the event a Participating Local Government merges, dissolves, or ceases to exist, the allocation percentage for that Participating Local Government shall be redistributed equitably based on the composition of the successor Local Government. In the event an allocation to a Local Government cannot be paid to the Local Government, such unpaid allocations will be allocated to Local Abatement Funds and be distributed in such proportions as set forth in Exhibit B.

L. City may direct payments to county. Any city allocated a share may elect to have its full share or a portion of its full share of current or future annual distributions of settlement funds instead directed to the county or counties in which it is located, so long as that county or counties are Participating Local Governments[s]. If a city is located in more than one county, the city's funds will be directed based on the MDL Matter's Opioid Negotiation Class Model.

III. Special Revenue Fund

A. Creation of special revenue fund. Every Participating Local Government receiving Opioid Settlement Funds through direct distribution shall create a separate special revenue fund, as described below, that is designated for the receipt and expenditure of Opioid Settlement Funds.

B. Procedures for special revenue fund. Funds in this special revenue fund shall not be commingled with any other money or funds of the Participating Local Government. The funds in the special revenue fund shall not be used for any loans or pledge of assets, unless the loan or pledge is for an Approved Use. Participating Local Governments may not assign to another entity their rights to receive payments of Opioid Settlement Funds or their responsibilities for funding decisions, except as provided in Section II.L.

C. Process for drawing from special revenue funds.

1. Opioid Settlement Funds can be used for a purpose when the Governing Body includes in its budget or passes a separate resolution authorizing the expenditure of a stated amount of Opioid Settlement Funds for that purpose or those purposes during a specified period of time.

2. The budget or resolution must (i) indicate that it is an authorization for expenditures of opioid settlement funds; (ii) state the specific strategy or strategies the county or city intends to fund, using the item letter and/or number in **Exhibit A** to identify each funded strategy, if applicable; and (iii) state the amount dedicated to each strategy for a stated period of time.

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D. Local government grantmaking. Participating Local Governments may make contracts with or grants to a nonprofit, charity, or other entity with Opioid Settlement Funds.

E. Interest earned on special revenue fund. The funds in the special revenue fund may be invested, consistent with the investment limitations for local governments, and may be placed in an interest-bearing bank account. Any interest earned on the special revenue funds must be used in a way that is consistent with this MOA.

IV. Opioid Remediation Activities

A. Limitation on use of funds. This MOA requires that Opioid Settlement Funds be utilized only for future opioid remediation activities, and Parties shall expend Opioid Settlement Funds only for Approved Uses and for expenditures incurred after the effective date of this MOA, unless execution of the National Settlement Agreements requires a later date. Opioid Settlement Funds cannot be used to pay litigation costs, expenses, or attorney fees arising from the enforcement of legal claims related to the opioid epidemic, except for the portion of Opioid Settlement Funds that comprise the Backstop Fund described in Section VI. For the avoidance of doubt, counsel for Litigating Local Governments may recover litigation costs, expenses, or attorney fees from the common benefit, contingency fee, and cost funds established in the National Settlement Agreements, as well as the Backstop Fund described in Section VI.

B. Public health departments as Chief Strategists. For Participating Local Governments that have public health departments, the public health departments shall serve as the lead agency and Chief Strategist to identify, collaborate, and respond to local issues as Local Governments decide how to leverage and disburse Opioid Settlement Funds. In their role as Chief Strategist, public health departments will convene multi-sector meetings and lead efforts that build upon local efforts like Community Health Assessments and Community Health Improvement Plans, while fostering community focused and collaborative evidence-informed approaches that prevent and address addiction across the areas of public health, human services, and public safety. Chief Strategists should consult with municipalities located within their county in the development of any Community Health Assessment, and are encouraged to collaborate with law enforcement agencies in the county where appropriate.

C. Administrative expenses. Reasonable administrative costs for the State or Local Government to administer its allocation of the Opioid Settlement Funds shall not exceed actual costs, 10% of the relevant allocation of the Opioid Settlement Funds, or any administrative expense limitation imposed by the National Settlement Agreements or Bankruptcy Resolution, whichever is less.

D. Regions. Two or more Participating Local Governments may at their discretion form a new group or utilize an existing group ("Region") to pool their respective shares of settlement funds and make joint spending decisions. Participating Local Governments may

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choose to create a Region or utilize an existing Region under a joint exercise of powers under Minn. Stat. § 471.59.

E. Consultation and partnerships.

1. Each county receiving Opioid Settlement Funds must consult annually with the municipalities in the county regarding future use of the settlement funds in the county, including by holding an annual meeting with all municipalities in the county in order to receive input as to proposed uses of the Opioid Settlement Funds and to encourage collaboration between Local Governments both within and beyond the county. These meetings shall be open to the public.

2. Participating Local Governments within the same County Area have a duty to regularly consult with each other to coordinate spending priorities.

3. Participating Local Governments can form partnerships at the local level whereby Participating Local Governments dedicate a portion of their Opioid Settlement Funds to support city- or community-based work with local stakeholders and partners within the Approved Uses.

F. Collaboration. The State and Participating Local Governments must collaborate to promote effective use of Opioid Settlement Funds, including through the sharing of expertise, training, and technical assistance. They will also coordinate with trusted partners, including community stakeholders, to collect and share information about successful regional and other high-impact strategies and opioid treatment programs.

V. Reporting and Compliance

A. Construction of reporting and compliance provisions. Reporting and compliance requirements will be developed and mutually agreed upon by the Parties, utilizing the recommendations provided by the Advisory Panel to the Attorney General on Distribution and Allocation of Opioid Settlement Funds.

B. Reporting Workgroup. The Parties will work together to establish a Reporting Workgroup that includes representatives of the Attorney General's Office, state stakeholders, and city and county representatives, who will meet on a regular basis to develop reporting and compliance recommendations. The Reporting Workgroup must produce a set of reporting and compliance measures by June 1, 2022. Such reporting and compliance measures will be effective once approved by representatives of the Attorney General's Office, the Governor's Office, the Association of Minnesota Counties, and the League of Minnesota Cities that are on the Workgroup.

C. Application of Reporting Addendum and State Law. The requirements of the Reporting and Compliance Addendum agreed to by the Minnesota Governor's Office, the Minnesota Attorney General's Office, the Association of Minnesota Counties, the League of Minnesota Cities, and members of the Minnesota Opioid Epidemic Response Advisory

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Council, as well as the requirements of Minnesota Statutes section 256.042, subdivision 5(d), apply to Local Governments receiving Opioid Settlement Funds under National Settlement Agreements and Bankruptcy Resolutions within the scope of this MOA.

VI. Backstop Fund

A. National Attorney Fee Fund. When the National Settlement Agreements provide for the payment of all or a portion of the attorney fees and costs owed by Litigating Local Governments to private attorneys specifically retained to file suit in the opioid litigation ("National Attorney Fee Fund"), the Parties acknowledge that the National Settlement Agreements may provide for a portion of the attorney fees of Litigating Local Governments.

B. Backstop Fund and Waiver of Contingency Fee. The Parties agree that the Participating Local Governments will create a supplemental attorney fees fund (the "Backstop Fund") to be used to compensate private attorneys ("Counsel") for Local Governments that filed opioid lawsuits on or before December 3, 2021 ("Litigating Local Governments"). By order[3] dated August 6, 2021, Judge Polster capped all applicable contingent fee agreements at 15%. Judge Polster's 15% cap does not limit fees from the National Attorney Fee Fund or from any state backstop fund for attorney fees, but private attorneys for local governments must waive their contingent fee agreements to receive payment from the National Attorney Fee Fund. Judge Polster recognized that a state backstop fund can be designed to incentivize private attorneys to waive their right to enforce contingent fee agreements and instead apply to the National Attorney Fee Fund, with the goals of achieving greater subdivision participation and higher ultimate payouts to both states and local governments. Accordingly, in order to seek payment from the Backstop Fund, Counsel must agree to waive their contingency fee agreements relating to these National Settlement Agreements and first apply to the National Attorney Fee Fund.

C. Backstop Fund Source. The Backstop Fund will be funded by seven percent (7%) of the share of each payment made to the Local Abatement Funds from the National Settlement Agreements (annual or otherwise), based upon the initial allocation of 25% directly to the State Abatement Fund and 75% directly to Local Abatement Funds, and will not include payments resulting from the Purdue, Mallinckrodt, or Endo Bankruptcies. In the event that the initial allocation is modified pursuant to Section II.F. above, then the Backstop Fund will be funded by 8.75% of the share of each payment made to the Local Abatement Funds from the National Settlement Agreements (annual or otherwise), based upon the modified allocation of 40% directly to the State Abatement Fund and 60% directly to the Local Abatement Funds, and will not include payments resulting from the Purdue, Mallinckrodt, or Endo Bankruptcies. In the event that the allocation is modified pursuant to Section II.G. or Section II.H. above, back to an allocation of 25% directly to the State Abatement Fund and 75% directly to Local Abatement Funds, then the Backstop Fund will be funded by 7% of the share of each payment made to the Local Abatement

[3] Order, In re: Nat'l Prescription Opiate Litig., Case No. 17-MD-02804, Doc. No. 3814 (N.D. Ohio August 6, 2021).

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Funds from the National Settlement Agreements (annual or otherwise), and will not include payments resulting from the Purdue, Mallinckrodt, or Endo Bankruptcies.

D. Backstop Fund Payment Cap. Any attorney fees paid from the Backstop Fund, together with any compensation received from the National Settlement Agreements' Contingency Fee Fund, shall not exceed 15% of the total gross recovery of the Litigating Local Governments' share of funds from the National Settlement Agreements. To avoid doubt, in no instance will Counsel receive more than 15% of the amount paid to their respective Litigating Local Government client(s) when taking into account what private attorneys receive from both the Backstop Fund and any fees received from the National Settlement Agreements' Contingency Fee Fund.

E. Requirements to Seek Payment from Backstop Fund. A private attorney may seek payment from the Backstop Fund in the event that funds received by Counsel from the National Settlement Agreements' Contingency Fee Fund are insufficient to cover the amount that would be due to Counsel under any contingency fee agreement with a Litigating Local Government based on any recovery Litigating Local Governments receive from the National Settlement Agreements. Before seeking any payment from the Backstop Fund, private attorneys must certify that they first sought fees from the National Settlement Agreements' Contingency Fee Fund, and must certify that they agreed to accept the maximum fees payments awarded to them. Nothing in this Section, or in the terms of this Agreement, shall be construed as a waiver of fees, contractual or otherwise, with respect to fees that may be recovered under a contingency fee agreement or otherwise from other past or future settlements, verdicts, or recoveries related to the opioid litigation.

F. Special Master. A special master will administer the Backstop Fund, including overseeing any distribution, evaluating the requests of Counsel for payment, and determining the appropriate amount of any payment from the Backstop Fund. The special master will be selected jointly by the Minnesota Attorney General and the Hennepin County Attorney, and will be one of the following individuals: Hon. Jeffrey Keyes, Hon. David Lillehaug; or Hon. Jack Van de North. The special master will be compensated from the Backstop Fund. In the event that a successor special master is needed, the Minnesota Attorney General and the Hennepin County Attorney will jointly select the successor special master from the above-listed individuals. If none of the above-listed individuals is available to serve as the successor special master, then the Minnesota Attorney General and the Hennepin County Attorney will jointly select a successor special master from a list of individuals that is agreed upon between the Minnesota Attorney General, the Hennepin County Attorney, and Counsel.

G. Special Master Determinations. The special master will determine the amount and timing of any payment to Counsel from the Backstop Fund. The special master shall make one determination regarding payment of attorney fees to Counsel, which will apply through the term of the recovery from the National Settlement Agreements. In making such determinations, the special master shall consider the amounts that have been or will be received by the private attorney's firm from the National Settlement Agreements' Contingency Fee Fund relating to Litigating Local Governments; the contingency fee contracts; the dollar amount of recovery for Counsel's respective clients who are

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Litigating Local Governments; the Backstop Fund Payment Cap above; the complexity of the legal issues involved in the opioid litigation; work done to directly benefit the Local Governments within the State of Minnesota; and the principles set forth in the Minnesota Rules of Professional Conduct, including the reasonable and contingency fee principles of Rule 1.5. In the interest of transparency, Counsel shall provide information in their initial fee application about the total amount of fees that Counsel have received or will receive from the National Attorney Fee Fund related to the Litigating Local Governments.

H. Special Master Proceedings. Counsel seeking payment from the Backstop Fund may also provide written submissions to the special master, which may include declarations from counsel, summaries relating to the factors described above, and/or attestation regarding total payments awarded or anticipated from the National Settlement Agreements' Contingency Fee Fund. Private attorneys shall not be required to disclose work product, proprietary or confidential information, including but not limited to detailed billing or lodestar records. To the extent that counsel rely upon written submissions to support their application to the special master, the special master will incorporate said submission or summary into the record. Any proceedings before the special master and documents filed with the special master shall be public, and the special master's determinations regarding any payment from the Backstop Funds shall be transparent, public, final, and not appealable.

I. Distribution of Any Excess Funds. To the extent the special master determines that the Backstop Fund exceeds the amount necessary for payment to Counsel, the special master shall distribute any excess amount to Participating Local Governments according to the percentages set forth in **Exhibit B**.

J. Term. The Backstop Fund will be administered for (a) the length of the National Litigation Settlement Agreements' payments; or (b) until all Counsel for Litigating Local Governments have either (i) received payments equal to the Backstop Fund Payment Cap above or (ii) received the full amount determined by the special master; whichever occurs first.

K. No State Funds Toward Attorney Fees. For the avoidance of doubt, no portion of the State Abatement Fund will be used to fund the Backstop Fund or in any other way to fund any Litigating Local Government's attorney fees and expenses. Any funds that the State receives from the National Settlement Agreements as attorney fees and costs or in lieu of attorney fees and costs, including the Additional Restitution Amounts, will be treated as State Abatement Funds.

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VII. General Terms

A. Scope of agreement.

1. This MOA applies to the National Settlement Agreements and the Bankruptcy Resolutions.[4]

2. This MOA will also apply to future National Settlement Agreements and Bankruptcy Resolutions with Opioid Supply Chain Participants that include structural or payment provisions requiring or anticipating the participation of both the State and its political subdivisions, and allows for the allocation between the State and its political subdivisions to be set through a state-specific agreement.

3. The Parties acknowledge that this MOA does not excuse any requirements placed upon them by the terms of the National Settlement Agreements or any Bankruptcy Resolution, except to the extent those terms allow for a State-Subdivision Agreement to do so.

B. When MOA takes effect.

1. This MOA shall become effective at the time a sufficient number of Local Governments have joined the MOA to qualify this MOA as a State-Subdivision Agreement under the National Settlement Agreements or as a Statewide Abatement Agreement under any Bankruptcy Resolution. If this MOA does not thereby qualify as a State-Subdivision Agreement or Statewide Abatement Agreement, this MOA will have no effect.

2. The Parties may conditionally agree to sign on to the MOA through a letter of intent, resolution, or similar written statement, declaration, or pronouncement declaring their intent to sign on to the MOA if the threshold for Party participation in a specific Settlement is achieved.

C. Dispute resolution.

1. If any Party believes another Party has violated the terms of this MOA, the alleging Party may seek to enforce the terms of this MOA in Ramsey County District Court, provided the alleging Party first provides notice to the alleged offending Party of the alleged violation and a reasonable opportunity to cure the alleged violation.

2. If a Party believes another Party, Region, or individual involved in the receipt,

[4] For the avoidance of doubt, this includes settlements reached with AmerisourceBergen, Cardinal Health, McKesson, Janssen, Teva Pharmaceuticals, Allergan plc, CVS Health Corporation, Walgreens Boots Alliance, Inc., and Walmart Inc., and Bankruptcy Resolutions involving Purdue Pharma L.P., Mallinckrodt plc, and Endo International plc.

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distribution, or administration of Opioid Settlement Funds has violated any applicable ethics codes or rules, a complaint shall be lodged with the appropriate forum for handling such matters.

3. If a Party believes another Party, Region, or individual involved in the receipt, distribution, or administration of Opioid Settlement Funds violated any Minnesota criminal law, such conduct shall be reported to the appropriate criminal authorities.

D. Amendments. The Parties agree to make such amendments as necessary to implement the intent of this MOA.

E. Applicable law and venue. Unless otherwise required by the National Settlement Agreements or a Bankruptcy Resolution, this MOA, including any issues related to interpretation or enforcement, is governed by the laws of the State of Minnesota. Any action related to the provisions of this MOA must be adjudicated by the Ramsey County District Court. If any provision of this MOA is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision which can be given effect without the invalid provision.

F. Relationship of this MOA to other agreements and resolutions. All Parties acknowledge and agree that the National Settlement Agreements will require a Participating Local Government to release all its claims as provided in the National Settlement Agreements to receive direct allocation of Opioid Settlement Funds. All Parties further acknowledge and agree that based on the terms of the National Settlement Agreements, a Participating Local Government may receive funds through this MOA only after complying with all requirements set forth in the National Settlement Agreements to release its claims. This MOA is not a promise from any Party that any National Settlement Agreements or Bankruptcy Resolution will be finalized or executed.

G. When MOA is no longer in effect. This MOA is effective until one year after the last date on which any Opioid Settlement Funds are being spent by the Parties pursuant to the National Settlement Agreements and any Bankruptcy Resolution.

H. No waiver for failure to exercise. The failure of a Party to exercise any rights under this MOA will not be deemed to be a waiver of any right or any future rights.

I. No effect on authority of Parties. Nothing in this MOA should be construed to limit the power or authority of the State of Minnesota, the Attorney General, or the Local Governments, except as expressly set forth herein.

J. Signing and execution. This MOA may be executed in counterparts, each of which constitutes an original, and all of which constitute one and the same agreement. This MOA may be executed by facsimile or electronic copy in any image format. Each Party represents that all procedures necessary to authorize such Party's execution of this MOA have been performed and that the person signing for such Party has been authorized to execute the MOA in an official capacity that binds the Party.

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This **Amended Minnesota Opioids State-Subdivision Memorandum of Agreement** is signed on by Reginald Edwards:

Signature: _____

Name: _____

Title: _____

Date: _____

On behalf of: Brooklyn Center city

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EXHIBIT A

List of Opioid Remediation Uses

Settlement fund recipients shall choose from among abatement strategies, including but not limited to those listed in this Exhibit. The programs and strategies listed in this Exhibit are not exclusive, and fund recipients shall have flexibility to modify their abatement approach as needed and as new uses are discovered.

PART ONE: TREATMENT

A. TREAT OPIOID USE DISORDER (OUD)

Support treatment of Opioid Use Disorder ("*OUD*") and any co-occurring Substance Use Disorder or Mental Health ("*SUD/MH*") conditions through evidence-based or evidence- informed programs[5] or strategies that may include, but are not limited to, those that:[6]

1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, including all forms of Medication for Opioid Use Disorder ("MOUD")[7] approved by the U.S. Food and Drug Administration, including by making capital expenditures to purchase, rehabilitate, or expand facilities that offer treatment.

2. Support and reimburse evidence-based services that adhere to the American Society of Addiction Medicine ("*ASAM*") continuum of care for OUD and any co- occurring SUD/MH conditions.

3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, including MOUD, as well as counseling, psychiatric support, and other treatment and recovery support services.

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[5] Use of the terms "evidence-based," "evidence-informed," or "best practices" shall not limit the ability of recipients to fund innovative services or those built on culturally specific needs. Rather, recipients are encouraged to support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions.

[6] As used in this Exhibit, words like "expand," "fund," "provide" or the like shall not indicate a preference for new or existing programs.

[7] Historically, pharmacological treatment for opioid use disorder was referred to as "Medication-Assisted Treatment" ("MAT"). It has recently been determined that the better term is "Medication for Opioid Use Disorder" ("MOUD"). This Exhibit will use "MOUD" going forward. Use of the term MOUD is not intended to and shall in no way limit abatement programs or strategies now or into the future as new strategies and terminology evolve.

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4. Improve oversight of Opioid Treatment Programs ("*OTPs*") to assure evidence-based or evidence-informed practices such as adequate methadone dosing and low threshold approaches to treatment.

5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions and for persons who have experienced an opioid overdose.

6. Provide treatment of trauma for individuals with OUD (*e.g.*, violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (*e.g.*, surviving family members after an overdose or overdose fatality), and training of health care personnel to identify and address such trauma.

7. Support detoxification (detox) and withdrawal management services for people with OUD and any co-occurring SUD/MH conditions, including but not limited to medical detox, referral to treatment, or connections to other services or supports.

8. Provide training on MOUD for health care providers, first responders, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.

9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH or mental health conditions.

10. Offer fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.

11. Offer scholarships and supports for certified addiction counselors, licensed alcohol and drug counselors, licensed clinical social workers, licensed mental health counselors, and other mental and behavioral health practitioners or workers, including peer recovery coaches, peer recovery supports, and treatment coordinators, involved in addressing OUD and any co-occurring SUD/MH or mental health conditions, including, but not limited to, training, scholarships, fellowships, loan repayment programs, continuing education, licensing fees, or other incentives for providers to work in rural or underserved areas.

12. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 ("*DATA 2000*") to prescribe MOUD for OUD, and provide technical assistance and professional support to clinicians who have obtained a DATA 2000 waiver.

13. Dissemination of web-based training curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service–Opioids web-based training curriculum and motivational interviewing.

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14. Develop and disseminate new curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service for Medication–Assisted Treatment.

B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY

Support people in recovery from OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the programs or strategies that:

1. Provide comprehensive wrap-around services to individuals with OUD and any co-occurring SUD/MH conditions, including housing, transportation, education, job placement, job training, or childcare.

2. Provide the full continuum of care of treatment and recovery services for OUD and any co-occurring SUD/MH conditions, including supportive housing, peer support services and counseling, community navigators, case management, and connections to community-based services.

3. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions.

4. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, including supportive housing, recovery housing, housing assistance programs, training for housing providers, or recovery housing programs that allow or integrate FDA-approved medication with other support services.

5. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions.

6. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions.

7. Provide or support transportation to treatment or recovery programs or services for persons with OUD and any co-occurring SUD/MH conditions.

8. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions.

9. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.

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10. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.

11. Provide training and development of procedures for government staff to appropriately interact and provide social and other services to individuals with or in recovery from OUD, including reducing stigma.

12. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.

13. Create or support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions, including but not limited to new Americans, African Americans, and American Indians.

14. Create and/or support recovery high schools.

15. Hire or train behavioral health workers to provide or expand any of the services or supports listed above.

C. CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED (CONNECTIONS TO CARE)

Provide connections to care for people who have—or are at risk of developing—OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OUD treatment.

2. Fund Screening, Brief Intervention and Referral to Treatment ("SBIRT") programs to reduce the transition from use to disorders, including SBIRT services to pregnant women who are uninsured or not eligible for Medicaid.

3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.

4. Purchase automated versions of SBIRT and support ongoing costs of the technology.

5. Expand services such as navigators and on-call teams to begin MOUD in hospital emergency departments.

6. Provide training for emergency room personnel treating opioid overdose patients on post-discharge planning, including community referrals for MOUD, recovery case management or support services.

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7. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, or persons who have experienced an opioid overdose, into clinically appropriate follow-up care through a bridge clinic or similar approach.

8. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions or persons that have experienced an opioid overdose.

9. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.

10. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions or to persons who have experienced an opioid overdose.

11. Expand warm hand-off services to transition to recovery services.

12. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.

13. Develop and support best practices on addressing OUD in the workplace.

14. Support assistance programs for health care providers with OUD.

15. Engage non-profits and the faith community as a system to support outreach for treatment.

16. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions.

D. ADDRESS THE NEEDS OF CRIMINAL JUSTICE-INVOLVED PERSONS

Address the needs of persons with OUD and any co-occurring SUD/MH conditions who are involved in, are at risk of becoming involved in, or are transitioning out of the criminal justice system through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Support pre-arrest or pre-arraignment diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, including established strategies such as:

    1. Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative ("*PAARI*");

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2. Active outreach strategies such as the Drug Abuse Response Team ("*DART*") model;

3. "Naloxone Plus" strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;

4. Officer prevention strategies, such as the Law Enforcement Assisted Diversion ("*LEAD*") model;

5. Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative; or

6. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise.

2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions to evidence-informed treatment, including MOUD, and related services.

3. Support treatment and recovery courts that provide evidence-based options for persons with OUD and any co-occurring SUD/MH conditions.

4. Provide evidence-informed treatment, including MOUD, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are incarcerated in jail or prison.

5. Provide evidence-informed treatment, including MOUD, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are leaving jail or prison or have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.

6. Support critical time interventions ("*CTI*"), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.

7. Provide training on best practices for addressing the needs of criminal justice-involved persons with OUD and any co-occurring SUD/MH conditions to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, harm reduction, case management, or other services offered in connection with any of the strategies described in this section.

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E. ADDRESS THE NEEDS OF THE PERINATAL POPULATION, CAREGIVERS, AND FAMILIES, INCLUDING BABIES WITH NEONATAL OPIOID WITHDRAWAL SYNDROME.

Address the needs of the perinatal population and caregivers with OUD and any co-occurring SUD/MH conditions, and the needs of their families, including babies with neonatal opioid withdrawal syndrome ("*NOWS*"), through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Support evidence-based or evidence-informed treatment, including MOUD, recovery services and supports, and prevention services for the perinatal population—or individuals who could become pregnant—who have OUD and any co-occurring SUD/MH conditions, and other measures to educate and provide support to caregivers and families affected by Neonatal Opioid Withdrawal Syndrome.

2. Expand comprehensive evidence-based treatment and recovery services, including MOUD, for uninsured individuals with OUD and any co-occurring SUD/MH conditions for up to 12 months postpartum.

3. Provide training for obstetricians or other healthcare personnel who work with the perinatal population and their families regarding treatment of OUD and any co-occurring SUD/MH conditions.

4. Expand comprehensive evidence-based treatment and recovery support for NOWS babies; expand services for better continuum of care with infant-caregiver dyad; and expand long-term treatment and services for medical monitoring of NOWS babies and their caregivers and families.

5. Provide training to health care providers who work with the perinatal population and caregivers on best practices for compliance with federal requirements that children born with NOWS get referred to appropriate services and receive a plan of safe care.

6. Provide child and family supports for caregivers with OUD and any co-occurring SUD/MH conditions, emphasizing the desire to keep families together.

7. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.

8. Offer home-based wrap-around services to persons with OUD and any co-occurring SUD/MH conditions, including, but not limited to, parent skills training.

9. Provide support for Children's Services—Fund additional positions and services, including supportive housing and other residential services, relating to children

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being removed from the home and/or placed in foster care due to custodial opioid use.

PART TWO: PREVENTION

F. PREVENT OVER-PRESCRIBING AND ENSURE APPROPRIATE PRESCRIBING AND DISPENSING OF OPIOIDS

Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Funding medical provider education and outreach regarding best prescribing practices for opioids consistent with the Guidelines for Prescribing Opioids for Chronic Pain from the U.S. Centers for Disease Control and Prevention, including providers at hospitals (academic detailing).

2. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.

3. Continuing Medical Education (CME) on appropriate prescribing of opioids.

4. Providing Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.

5. Supporting enhancements or improvements to Prescription Drug Monitoring Programs ("*PDMPs*"), including, but not limited to, improvements that:

    1. Increase the number of prescribers using PDMPs;

    2. Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs, by improving the interface that prescribers use to access PDMP data, or both; or

    3. Enable states to use PDMP data in support of surveillance or intervention strategies, including MOUD referrals and follow-up for individuals identified within PDMP data as likely to experience OUD in a manner that complies with all relevant privacy and security laws and rules.

6. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation's Emergency Medical Technician overdose database in a manner that complies with all relevant privacy and security laws and rules.

7. Increasing electronic prescribing to prevent diversion or forgery.

8. Educating dispensers on appropriate opioid dispensing.

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G. PREVENT MISUSE OF OPIOIDS

Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Funding media campaigns to prevent opioid misuse, including but not limited to focusing on risk factors and early interventions.

2. Corrective advertising or affirmative public education campaigns based on evidence.

3. Public education relating to drug disposal.

4. Drug take-back disposal or destruction programs.

5. Funding community anti-drug coalitions that engage in drug prevention efforts.

6. Supporting community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction—including staffing, educational campaigns, support for people in treatment or recovery, or training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration ("*SAMHSA*").

7. Engaging non-profits and faith-based communities as systems to support prevention.

8. Funding evidence-based prevention programs in schools or evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.

9. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.

10. Create or support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions.

11. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.

12. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses, behavioral health

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workers or other school staff, to address mental health needs in young people that (when not properly addressed) increase the risk of opioid or another drug misuse.

H. PREVENT OVERDOSE DEATHS AND OTHER HARMS (HARM REDUCTION)

Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Increased availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, individuals with OUD and their friends and family members, schools, community navigators and outreach workers, persons being released from jail or prison, or other members of the general public.

2. Public health entities providing free naloxone to anyone in the community.

3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, community support groups, and other members of the general public.

4. Enabling school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.

5. Expanding, improving, or developing data tracking software and applications for overdoses/naloxone revivals.

6. Public education relating to emergency responses to overdoses.

7. Public education relating to immunity and Good Samaritan laws.

8. Educating first responders regarding the existence and operation of immunity and Good Samaritan laws.

9. Syringe service programs and other evidence-informed programs to reduce harms associated with intravenous drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, connections to care, and the full range of harm reduction and treatment services provided by these programs.

10. Expanding access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.

11. Supporting mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions.

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12. Providing training in harm reduction strategies to health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD and any co-occurring SUD/MH conditions.

13. Supporting screening for fentanyl in routine clinical toxicology testing.

PART THREE: OTHER STRATEGIES

I. FIRST RESPONDERS

In addition to items in section C, D and H relating to first responders, support the following:

1. Law enforcement expenditures related to the opioid epidemic.

2. Education of law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.

3. Provision of wellness and support services for first responders and others who experience secondary trauma associated with opioid-related emergency events.

J. LEADERSHIP, PLANNING AND COORDINATION

Support efforts to provide leadership, planning, coordination, facilitations, training and technical assistance to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Statewide, regional, local or community regional planning to identify root causes of addiction and overdose, goals for reducing harms related to the opioid epidemic, and areas and populations with the greatest needs for treatment intervention services, and to support training and technical assistance and other strategies to abate the opioid epidemic described in this opioid abatement strategy list.

2. A dashboard to (a) share reports, recommendations, or plans to spend opioid settlement funds; (b) to show how opioid settlement funds have been spent; (c) to report program or strategy outcomes; or (d) to track, share or visualize key opioid- or health-related indicators and supports as identified through collaborative statewide, regional, local or community processes.

3. Invest in infrastructure or staffing at government or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of preventing overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.

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4. Provide resources to staff government oversight and management of opioid abatement programs.

5. Support multidisciplinary collaborative approaches consisting of, but not limited to, public health, public safety, behavioral health, harm reduction, and others at the state, regional, local, nonprofit, and community level to maximize collective impact.

K. TRAINING

In addition to the training referred to throughout this document, support training to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, those that:

1. Provide funding for staff training or networking programs and services to improve the capability of government, community, and not-for-profit entities to abate the opioid crisis.

2. Support infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, or implement other strategies to abate the opioid epidemic described in this opioid abatement strategy list (*e.g.*, health care, primary care, pharmacies, PDMPs, etc.).

L. RESEARCH

Support opioid abatement research that may include, but is not limited to, the following:

1. Monitoring, surveillance, data collection and evaluation of programs and strategies described in this opioid abatement strategy list.

2. Research non-opioid treatment of chronic pain.

3. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.

4. Research on novel harm reduction and prevention efforts such as the provision of fentanyl test strips.

5. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.

6. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (*e.g.*, Hawaii HOPE and Dakota 24/7).

7. Epidemiological surveillance of OUD-related behaviors in critical populations, including individuals entering the criminal justice system,

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including, but not limited to approaches modeled on the Arrestee Drug Abuse Monitoring ("*ADAM*") system.

8. Qualitative and quantitative research regarding public health risks and harm reduction opportunities within illicit drug markets, including surveys of market participants who sell or distribute illicit opioids.

9. Geospatial analysis of access barriers to MOUD and their association with treatment engagement and treatment outcomes.

M. POST-MORTEM

1. Toxicology tests for the range of opioids, including synthetic opioids, seen in overdose deaths as well as newly evolving synthetic opioids infiltrating the drug supply.

2. Toxicology method development and method validation for the range of synthetic opioids observed now and in the future, including the cost of installation, maintenance, repairs and training of capital equipment.

3. Autopsies in cases of overdose deaths resulting from opioids and synthetic opioids.

4. Additional storage space/facilities for bodies directly related to opioid or synthetic opioid related deaths.

5. Comprehensive death investigations for individuals where a death is caused by or suspected to have been caused by an opioid or synthetic opioid overdose, whether intentional or accidental (overdose fatality reviews).

6. Indigent burial for unclaimed remains resulting from overdose deaths.

7. Navigation-to-care services for individuals with opioid use disorder who are encountered by the medical examiner's office as either family and/or social network members of decedents dying of opioid overdose.

8. Epidemiologic data management and reporting to public health and public safety stakeholders regarding opioid overdose fatalities.

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EXHIBIT B

Local Abatement Funds Allocation

Subdivision	Allocation Percentage
AITKIN COUNTY	0.5760578506020%
Andover city	0.1364919450741%
ANOKA COUNTY	5.0386504680954%
Apple Valley city	0.2990817344560%
BECKER COUNTY	0.6619330684437%
BELTRAMI COUNTY	0.7640787092763%
BENTON COUNTY	0.6440948102319%
BIG STONE COUNTY	0.1194868774775%
Blaine city	0.4249516912759%
Bloomington city	0.4900195550092%
BLUE EARTH COUNTY	0.6635420704652%
Brooklyn Center city	0.1413853902225%
Brooklyn Park city	0.2804136234778%
BROWN COUNTY	0.3325325415732%
Burnsville city	0.5135361296508%
CARLTON COUNTY	0.9839591749060%
CARVER COUNTY	1.1452829659572%
CASS COUNTY	0.8895681513437%
CHIPPEWA COUNTY	0.2092611794436%
CHISAGO COUNTY	0.9950193750117%
CLAY COUNTY	0.9428475281726%
CLEARWATER COUNTY	0.1858592042741%
COOK COUNTY	0.1074594959729%
Coon Rapids city	0.5772642444915%
Cottage Grove city	0.2810994719143%
COTTONWOOD COUNTY	0.1739065270025%
CROW WING COUNTY	1.1394859174804%
DAKOTA COUNTY	4.4207140602835%
DODGE COUNTY	0.2213963257778%
DOUGLAS COUNTY	0.6021779472345%
Duluth city	1.1502115379896%
Eagan city	0.3657951576014%
Eden Prairie city	0.2552171572659%
Edina city	0.1973054822135%
FARIBAULT COUNTY	0.2169409335358%
FILLMORE COUNTY	0.2329591105316%
FREEBORN COUNTY	0.3507169823793%
GOODHUE COUNTY	0.5616542387089%

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Subdivision	Allocation Percentage
GRANT COUNTY	0.0764556498477%
HENNEPIN COUNTY	19.0624622261821%
HOUSTON COUNTY	0.3099019273452%
HUBBARD COUNTY	0.4582368775192%
Inver Grove Heights city	0.2193400520297%
ISANTI COUNTY	0.7712992707537%
ITASCA COUNTY	1.1406408131328%
JACKSON COUNTY	0.1408950443531%
KANABEC COUNTY	0.3078966749987%
KANDIYOHI COUNTY	0.1581167542252%
KITTSON COUNTY	0.0812834506382%
KOOCHICHING COUNTY	0.2612581865885%
LAC QUI PARLE COUNTY	0.0985665133485%
LAKE COUNTY	0.1827750320696%
LAKE OF THE WOODS COUNTY	0.1123105027592%
Lakeville city	0.2822249627090%
LE SUEUR COUNTY	0.3225703347466%
LINCOLN COUNTY	0.1091919983965%
LYON COUNTY	0.2935118186364%
MAHNOMEN COUNTY	0.1416417687922%
Mankato city	0.3698584320930%
Maple Grove city	0.1814019046900%
Maplewood city	0.1875101678223%
MARSHALL COUNTY	0.1296352091057%
MARTIN COUNTY	0.2543064014046%
MCLEOD COUNTY	0.1247104517575%
MEEKER COUNTY	0.3744031515243%
MILLE LACS COUNTY	0.9301506695846%
Minneapolis city	4.8777618689374%
Minnetonka city	0.1967231070869%
Moorhead city	0.4337377037965%
MORRISON COUNTY	0.7178981419196%
MOWER COUNTY	0.5801769148506%
MURRAY COUNTY	0.1348775389165%
NICOLLET COUNTY	0.1572381052896%
NOBLES COUNTY	0.1562005111775%
NORMAN COUNTY	0.1087596675165%
North St. Paul city	0.0575844069340%
OLMSTED COUNTY	1.9236715094724%
OTTER TAIL COUNTY	0.8336175418789%
PENNINGTON COUNTY	0.3082576394945%
PINE COUNTY	0.5671222706703%

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Subdivision	Allocation Percentage
PIPESTONE COUNTY	0.1535154503112%
Plymouth city	0.1762541472591%
POLK COUNTY	0.8654291473909%
POPE COUNTY	0.1870129873102%
Proctor city	0.0214374127881%
RAMSEY COUNTY	7.1081424150498%
RED LAKE COUNTY	0.0532649128178%
REDWOOD COUNTY	0.2809842366614%
RENVILLE COUNTY	0.2706888807449%
RICE COUNTY	0.2674764397830%
Richfield city	0.2534018444052%
Rochester city	0.7363082848763%
ROCK COUNTY	0.2043437335735%
ROSEAU COUNTY	0.2517872793025%
Roseville city	0.1721905548771%
Savage city	0.1883576635033%
SCOTT COUNTY	1.3274301645797%
Shakopee city	0.2879873611373%
SHERBURNE COUNTY	1.2543449471994%
SIBLEY COUNTY	0.2393480708456%
ST LOUIS COUNTY	4.7407767169807%
St. Cloud city	0.7330089009029%
St. Louis Park city	0.1476314588229%
St. Paul city	3.7475206797569%
STEARNS COUNTY	2.4158085321227%
STEELE COUNTY	0.3969975262520%
STEVENS COUNTY	0.1439474275223%
SWIFT COUNTY	0.1344167568499%
TODD COUNTY	0.4180909816781%
TRAVERSE COUNTY	0.0903964133868%
WABASHA COUNTY	0.3103038996965%
WADENA COUNTY	0.2644094336575%
WASECA COUNTY	0.2857912156338%
WASHINGTON COUNTY	3.0852862512586%
WATONWAN COUNTY	0.1475626355615%
WILKIN COUNTY	0.0937962507119%
WINONA COUNTY	0.7755267356126%
Woodbury city	0.4677270171716%
WRIGHT COUNTY	1.6985269385427%
YELLOW MEDICINE COUNTY	0.1742264836427%

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO ENSURE THE CITY OF BROOKLYN CENTER'S PARTICIPATION IN THE MULTISTATE SETTLEMENTS RELATING TO OPIOID SUPPLY CHAIN PARTICIPANTS, AND MINNESOTA OPIOIDS STATE-SUBDIVISION MEMORANDUM OF AGREEMENT

WHEREAS, the State of Minnesota and numerous Minnesota cities and counites are engaged in a nationwide civil litigation against opioid supply chain participants related to the opioid crisis; and

WHEREAS, the Minnesota Attorney General has signed on to multistate settlement agreements with several opioid supply chain participants, but those settlement agreements are still subject to sign-on by local governments and final agreement by the companies and approval by the courts; and

WHEREAS, for the April 2023 agreements there is a deadline of April 18, 2023, for a sufficient threshold of Minnesota cities and counties to sign on to the above-referenced multistate settlement agreements, and failure to timely sign on may diminish the amount of funds received by not only that city or county but by all Minnesota cities and counties from the settlement funds; and

WHEREAS, representatives of Minnesota's local governments, the Office of the Attorney General, and the State of Minnesota have reached agreement on the intrastate allocation of these settlement funds between the State, and the counties and cities, as well as the permissible uses of these funds, which will memorialized in the Minnesota Opioids State-Subdivision Memorandum of Agreement, as amended (the "State-Subdivision Agreement"); and

WHEREAS, the State-Subdivision Agreement creates an opportunity for local governments and the State to work collaboratively on a unified vision to deliver robust abatement and remediation plan to address the opioid crisis in Minnesota;

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

1. The City of Brooklyn Center supports and agrees to the State-Subdivision Agreement; and
2. The City of Brooklyn Center supports and opts in to the April 2023 multistate agreement and all future multistate agreements with opioid supply chain participants; and
3. The City Manager is authorized to execute all necessary documents to ensure the City of Brooklyn Center's participation in the multistate settlement agreements, including

RESOLUTION NO. _____

Participation Agreement(s) and accompanying Release(s), and the State-Subdivision Agreement(s), unless and until such authority is revoked.

April 10, 2023
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.

Mem

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RESOLUTION

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Council Regular Meeting

DATE: 4/10/2023

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

SUBJECT: Highway 252/I-94 Environmental Review: Presentation by the Minnesota Department of Transportation

Requested Council Action:

- *Motion to accept the presentation from the Minnesota Department of Transportation*

Background:

The Minnesota Department of Transportation (MnDOT), along with local and federal project partners, are currently studying proposals to improve safety, address reliability, and reduce congestion on Hwy 252 between Hwy 610 in Brooklyn Park and I-694 in Brooklyn Center, and on I-94 from I-694 in Brooklyn Center to downtown Minneapolis.

As part of this effort, MnDOT is preparing a multi-year Environmental Impact Statement (EIS), that outlines the impact a potential construction project could have on the surrounding area, including effects to the social, economic, and environmental in the proposed project area.

On March 21, 2023, MnDOT released the project's draft Scoping Decision Document which describes the elements and alternatives evaluated as part of the scoping process for the Hwy 252/I-94 project. In this draft document, MnDOT identifies ten Hwy 252/I-94 corridor alternatives for further study in the draft EIS. MnDOT is currently seeking public comments on this document.

MnDOT has previously presented to the council six times since the project moved into the EIS process including most recently in April 2022. Previously MnDOT has focused on the purpose and need and objectives of the project as well as the universe of elements and alternatives.

At this meeting, MnDOT will be summarizing the project process and the recommendations around which alternatives are recommended to move forward and which alternatives are recommended to not move forward into the draft EIS.

Budget Issues:

N/A

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Key Transportation Investments

Council Regular Meeting

DATE: 4/10/2023

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

SUBJECT: Commission Appointments

Requested Council Action:

- motion to approve the Mayor's recommendations to city commissions

Background:

In January, Mayor Graves appointed several people to fill open positions on city commissions. With these appointments, there were still openings on the Financial Commission. Since then the Financial Commission has had two commissioners resign. Tonight, Mayor Graves is appointing the following to the Financial and Housing Commission:

Financial Commission	Housing Commission
Laurie Moore	Gretchen Enger
	Laurie Moore

Budget Issues:

None

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

Strategic Priorities and Values:

Enhanced Community Image, Inclusive Community Engagement