

CITY COUNCIL MEETING

VIRTUAL meeting being
conducted by electronic
means in accordance with
Minnesota Statutes, section
13D.021 Public portion
available for connection via
telephone Dial: 1-312-626-
6799 Meeting ID:
92710125463# Passcode:
7635693300#
March 22, 2021

AGENDA



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

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

I will first call on those who notified the Clerk that they would like to speak during open forum, and then I will ask if anyone else connected to this meeting would like to speak. When I do, please indicate your name and then proceed when I call on you. Please be sure to state your name and address before speaking.

2. Invocation - Elliott - 7 p.m.

3. Call to Order Regular Business Meeting

This meeting is being conducted electronically under Minnesota Statutes, section 13D.021 due to the pandemic. For those who are connected to this meeting, please keep your microphone muted. If there is an opportunity for public comment, you may unmute and speak when called upon. Please do not talk over others and anyone being disruptive may be ejected from the meeting. The packet for this meeting is on the City's website, which is linked on the calendar or can be found on "City Council" page.

4. Roll Call

5. Pledge of Allegiance

6. Approval of Agenda and Consent Agenda

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

a. Approval of Minutes

- Motion to approve the minutes from the following meetings:

- *March 8, 2021 Study Session*
 - *March 8, 2021 Regular Session*
 - *March 8, 2021 Work Session*
- b. Approval of Licenses
- Motion to approve the licenses as presented.
- c. Consideration of a Resolution Calling for a Public Hearing on the Issuance of Conduit Revenue Bonds and Authorizing the Publication of a Notice of Hearing (Tesfa International School Project)
Motion to approve Resolution Calling for a Public Hearing on the Issuance of Conduit Revenue Bonds and Authorizing the Publication of a Notice of Hearing (Tesfa International School Project)

7. Presentations/Proclamations/Recognitions/Donations

- a. JO Properties Project Update
- b. Opportunity Site Presentation Series: Process and Milestones
- c. City Beautification and Stewardship (Litter Update)
- Staff ask the Council to hear a presentation on City efforts regarding City Beautification and Stewardship (Litter Update).

8. Public Hearings

The public hearing on this matter is now open. I will first call on those who notified the Clerk that they would like to speak to this matter, then I will ask if anyone else on this meeting would like to speak during this hearing. When I do, please indicate your name and then proceed when I call on you. Please be sure to state your name and address before speaking.

9. Planning Commission Items

10. Council Consideration Items

- a. Resolution Condemning the Use of Discriminatory Covenants, Discharging Discriminatory Covenants on City-Owned Property, and Approving Participating in the Just Deeds Coalition
- Motion to pass a resolution condemning the use of discriminatory covenants, discharging discriminatory covenants on City-owned property, and approving participation in the Just Deeds Coalition
- b. Mayoral Appointments to City Commissions

11. Council Report

12. Adjournment

Council Regular Meeting

DATE: 3/22/2021

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

BY: Barb Suciu, City Clerk

SUBJECT: Approval of Minutes

Requested Council Action:

- *Motion to approve the minutes from the following meetings:*

- *March 8, 2021 Study Session*
- *March 8, 2021 Regular Session*
- *March 8, 2021 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:

Community Engagement Efforts:

Antiracist/Equity Policy Effect:

ATTACHMENTS:

Description	Upload Date	Type
3-8 Study Session	3/17/2021	Backup Material
3-8 Regular Session	3/17/2021	Backup Material
3-8 Work Session	3/17/2021	Backup Material

nyMINUTES 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 8, 2021

CALL TO ORDER

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

ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Curt Boganey, Director of Public Works Doran Cote, City Clerk Barb Suci, and City Attorney Troy Gilchrist.

CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

Mayor Elliott requested that the last Work Session Item, Policy Aide Position, be moved to the second item so that there is adequate time to discuss it and make a decision at tonight's meeting.

Councilmember Ryan requested clarification regarding the Policy Aide Position discussion on the Work Session Agenda. He asked whether the Mayor wants to move the discussion on the Work Session Agenda, and then also move it to tonight's Regular Session Agenda. Mayor Elliott confirmed this.

Councilmember Ryan stated he is fine with moving the Policy Aide Position discussion up in the Work Session to be addressed as the second Agenda item.

Mayor Elliott stated he would like to have a discussion regarding the law enforcement labor contract. He asked whether it is a time-sensitive issue, or if it can be removed from the Consent Agenda.

City Manager Curt Boganey stated any Consent Agenda item can be moved to the Regular Agenda. City Staff are available to answer any questions the City Council may have. He added he would hope that this item would not be delayed to a future meeting date, as good faith negotiations have been ongoing for a long time, and a fair agreement has been reached with the union. He noted delaying a decision might send a negative message to the union.

Councilmember Graves stated she is fine with moving the law enforcement labor contract to the Regular Session Agenda to get more thorough reporting, but with the intention of approving it this evening.

Mayor Elliott stated he would like to have a discussion regarding the agreement with the Minnesota Department of Transportation (MnDOT).

Mr. Boganey asked whether Mayor Elliott is referring to Item F on the Consent Agenda. Mayor Elliott confirmed this.

Mr. Boganey stated the agreement provides access to federal funding for the City of Brooklyn Center.

Public Works Director Doran Cote stated the proposed agreement is the same as the agreement provided for Brooklyn Boulevard Phase 1 and allows MnDOT to convey federal funding to Brooklyn Center. He added federal regulations require that federal funding is channeled to the City through MnDOT to be passed on to the contractor.

MISCELLANEOUS

SET DATE AND TIME FOR MEETING WITH COMMON SENSE

Mr. Boganey stated Common Sense consultants have completed one-on-one meetings with most of the City Council and would like to schedule a first meeting with the City Council as a whole. They have provided some dates, which are listed in the Staff Memo in the meeting packet. Common Sense can provide a 45-minute update at a Regular Session City Council meeting, or host a 1.5-hour session, which would be their preference as they can be more thorough, and do the subject more justice.

Mr. Boganey stated the consultants are available for any City Council meeting date, as well as some additional dates. They will try to accommodate the City Council's schedule, but they would like to have more than 45 minutes together.

Mayor Elliott stated it would make sense to schedule a meeting outside of a Regular Session meeting, of 1.5-2 hours.

Councilmember Butler stated the memo only lists City Council meeting dates and no additional dates. Mr. Boganey stated the consultants have indicated that if the City Council wishes to choose a date other than a City Council meeting date, they will do their best to accommodate the request.

Councilmember Ryan stated he agrees with Mayor Elliott that it would be better to devote a meeting exclusively to Common Sense, and he is in favor of finding a date that works for everyone.

Councilmember Graves stated the City Council should go ahead and set a date. She added she is anxious to get back into this work and she is not opposed to dedicating more time to the issues. She added, if it is difficult to find a time that works for everyone, the work can begin at regular meetings, but only as a last resort.

Trash Clean-up

Councilmember Butler stated she would like to bring up the trash issue again. She added she knows City Staff is working on some initiatives that they will roll out soon, but she does not

remember if the City Council has seen those plans. She noted the trash situation is so bad right now with snow melting, and many residents are commenting on Facebook, and want to know what the initiatives will be for cleaning up the City.

Mr. Boganey stated that issue is high on the minds of City Staff, and there are meetings planned this week. He added he will include something in the weekly update to let the City Council know of upcoming plans to address trash.

Mayor Elliott requested that this issue be added to the City Council's next meeting agenda.

DISCUSSION OF WORK SESSION AGENDA ITEMS AS TIME PERMITS

USE OF THE CHAT ROOM DURING COUNCIL MEETINGS

Mayor Elliott stated the City Council previously talked about the Zoom chat function by people who have joined the meeting. He added he sees the chat function as useful for participation in the governing process and should be kept so the public will be able to continue to participate.

Councilmember Lawrence-Anderson stated she finds it to be a distraction. She added she appreciates City Staff's report on surrounding cities and how they have handled the chat function issue. She added the chat function should be allowed during the Open Public Forum, but not constantly throughout the meeting.

Councilmember Ryan stated he agrees that it is a distraction. He added a public system called Intercall is recommended in the staff materials, which allows listeners to call in during a meeting for any agenda item and leave their comments. He noted he feels that would be a good approach and would remove the distraction of the chat bar.

Councilmember Graves stated she initially liked the chat function because it encouraged more ideas, but she now sees that it can be a distraction at times. She added some of the chat content has become rude or condescending. She noted she does not think the chat function should be removed entirely, but if there are ground rules, the function can be managed better.

Councilmember Graves stated maybe a chat monitor would be required. She added people are probably not listening if they are busy typing a question or comment. She stressed the importance of active listening, which is a big part of learning and making decisions.

Councilmember Butler stated she agrees with Councilmember Graves. She added she does not have a strong feeling for or against the chat function, although she is always encouraged to see residents showing up and participating, whether she agrees with them or not. She noted she would prefer to keep it this way.

Councilmember Ryan stated he is always interested in what constituents are thinking on any subject. He added he recommends the Intercall system, which manages and preserves people's comments. He noted this will allow Councilmembers to focus on the discussion and still have access to the comments and observations of constituents.

MAYOR'S SENIOR AIDE POSITION

Mayor Elliott stated he has requested consideration of the hiring of a senior policy aide to handle policy, administrative, and constituent services, and to support the duties of the Mayor's Office and City Council. He added over the past few years that he has had this role he has found a grave need for additional support and assistance for the reasons outlined in the memo. He noted the community expects a lot from the mayor, and in a typical week, he responds to constituents' inquiries and needs, works with the City Council and City Staff on housing and public safety, as well as being involved with a number of external organizations, committees, and groups on behalf of Brooklyn Center.

Mayor Elliott stated there are times when it becomes difficult to keep track of all the meetings he needs to attend and to ensure that he is fully prepared, representing the City, and doing a good job of it.

Mayor Elliott stated he put together a job description based on similar positions in other cities that support the Mayor's office and Councilmembers. He added he emailed the job description to the City Manager in September 2020 and met with the City Manager and Finance Director to review the position description and consider annual costs. He requested City Council consideration of a Resolution to provide support for the establishment of a senior policy aide position.

Mayor Elliott stated the proposed policy aide staff would improve policy development, including research and documentation. The policy aide would support the Mayor in preparation for meetings as well as tracking and following up on issues brought forward at City Council meetings. The policy aide position would support improved constituent services and engage with residents in helping to resolve issues and provide access to local government.

Mayor Elliott stated the proposed policy aide staff would support and manage the duties of the Office of Mayor, including managing calendars and scheduling meetings, as well as reviewing documents that require the Mayor's signature. The position would increase capacity to retain relationships and communicate with organizations and provide support in the identification of legislative agenda items that align with the City Council's priorities.

Mayor Elliott stated he reviewed other cities that have a similar position, including the City of Minneapolis, which has multiple similar positions. He asked whether the City of Brooklyn Center, which has a City Manager and a strong City Council, needs this type of position, and the answer is yes. He noted the City of Berkeley, California, up until recently had a part-time mayor and 5 dedicated staff that focused on similar issues. He requested the City Council's consideration of supporting this much-needed position.

Councilmember Butler stated the City is undertaking a lot of development, issues, and projects, including the 252 conversions, Opportunity Site development, and addressing issues related to the pandemic and what will be on the other side of it, as well as overall City operations. She added the policy aide position would give the City's leaders the opportunity to look at things they are passionate about that City Staff may not have time to look into. She added, for instance, she would

like to look into environmental issues, but she does not have time to do that type of research. She noted this sounds like a great opportunity for the City Council.

Councilmember Ryan stated he appreciates Councilmember Butler's remarks regarding the many challenges faced by the City of Brooklyn Center. He added he agrees the City Council would benefit from the additional capacity to support decision-making on difficult and challenging issues. He noted, however, this position should be for the benefit of the whole City Council, and not for the selective advantage of one member.

Councilmember Ryan expressed concern that the proposed duties of the policy aide, as noted in the Mayor's memo, are currently the direct responsibility of the City Manager. He stated, if the City Council moves forward with this position, it could create duplication of efforts, as well as a potential waste of time and funds. He asked whether Mr. Boganey could comment on these issues.

Councilmember Lawrence-Anderson stated it is 6:45 p.m.

Mayor Elliott asked for Mr. Boganey's response.

Mr. Boganey stated, regarding the issue of policy work attracting more financial resources to the community, all those items fall under the category of the City Manager. More can be done in these areas, and there are two solutions in particular: reprioritization of what the City Council wants from the City Manager; or the City Manager can add staff whose duties it will be to assist in those areas. That would avoid any duplication of efforts and keeps that area of responsibility where it should be, in serving the City Council as a whole.

Mr. Boganey stated support for constituent services and scheduling and coordinating the mayor's schedule does not fall under the responsibilities of the City Manager. He added, however, the City Manager is responsible for ensuring that the elected official's needs are being met, either by assigning duties to an existing staff person who has the time and ability to provide that support or through hiring an additional staff person to complete related assigned duties to support the Mayor and City Council.

Mayor Elliott stated, to underscore the point, this position would work cooperatively to support all Council Members in their respective roles. He added the position would support the Mayor and City Council and would report to the elected officials rather than City staff due to oversight responsibility to encourage strong support and relationships. He noted the staff person would handle communication and accountability for which elected officials are responsible and having the staff person report to the City Manager would leave us where we are now.

Discussion of this item continued and reached conclusion at the March 8, 2021, Work Session.

ADJOURNMENT

Mayor Elliott closed the Study Session at 6:54 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 8, 2021

1. INFORMAL OPEN FORUM WITH CITY COUNCIL

CALL TO ORDER INFORMAL OPEN FORUM

The Brooklyn Center City Council met in Informal Open Forum called to order by Mayor Mike Elliott at 6:54 p.m. The meeting was conducted via Zoom.

ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Director of Public Works Doran Cote, Community Development Director Meg Beekman, City Clerk Barb Suciu, and City Attorney Troy Gilchrist.

Mayor Mike Elliott opened the meeting for the purpose of the Informal Open Forum. He added the Informal Open Forum would be extended until 7:10 p.m.

Dr. Stephanie Burrage, Interim Superintendent of Robbinsdale Area Schools, stated she wanted to join the meeting to greet Brooklyn Center City Councilmembers, to let them know they have her full support, and to make a connection as partners. She stressed the importance of ensuring that families and students have all the information they need.

Mayor Elliott welcomed Dr. Burrage and thanked her for joining the meeting.

Councilmember Butler thanked Dr. Burrage for joining the meeting and for all the work she is doing in navigating Covid and educating our children. She added she has noticed the food distribution efforts have been successful.

Dr. Burrage stated over 1.5 million meals have been provided to families in the last year. She added the School District spent \$1.6 million in technology to ensure that students have access to technology and the internet, so they can be successful during the pandemic.

Councilmember Graves thanked Dr. Burrage for joining the meeting. She stated she recently heard about the vaccine clinic hosted by the School District over the weekend, and she appreciates these efforts in the ongoing fight against the pandemic. She added she goes into Cooper High School once a week to provide a curriculum through the Minneapolis Health Department on violence prevention for student-athletes. She noted she is pleased to meet Dr. Burrage and hopes to work with her more in the future.

Councilmember Lawrence-Anderson expressed her appreciation of Dr. Burrage for joining tonight's meeting. She added she appreciates all educators and everything Dr. Burrage is doing for the community.

Dr. Burrage stated she plans to attend meetings from time to time to ensure that everyone stays connected.

Councilmember Ryan stated he appreciates that Dr. Burrage took the time to join the meeting. He added, years ago, he participated in the downsizing of properties in the Robbinsdale School District. He noted as the community has changed and grown, he appreciates how well the leaders of the Robbinsdale District have always been forward-looking.

Mayor Elliott invited Dr. Burrage to come back and be on the City Council agenda. He thanked her for her hard work.

Kamate Diem, Executive Director of Liberians in Minnesota, stated the organization has approximately 15,000 members in Brooklyn Center and Brooklyn Park. He thanked the City and Councilmembers for their cooperation and looks forward to continuing the relationship. He reviewed various programs offered by the Liberian organization: senior programs, after-school and youth programs, online tutorials, and in-service navigation. Many members have been in great need of support due to the impact of the pandemic. He expressed the importance of the sustainability of services.

Arvid Sorensen stated, regarding the Assistant Policy Aide position, the duties of the Mayor and City Council have increased over the past few years, and it would be better to add a person to City Staff that would support the entire City Council. He added the Mayor would not have to manage the position.

Alfred Daniels stated she has not received an update from City Staff on the issue of accountability for City Councilmembers during meetings. She added she is committed to ensuring that residents who attend meetings are comfortable, and to ensure there are steps to hold City Councilmembers accountable. She asked whether there are any updates.

Mayor Elliott stated this is an important issue for the City Council, and they are engaging with a consulting team, Common Sense, to address how the City Council will accelerate its ability to work together and deliver results, as well as how to be held accountable and interact with the public during meetings. He noted this continues to be on the City Council's agenda.

Ms. Daniels asked whether there are any updates. She added the City Manager had indicated that other options were being considered.

Mayor Elliott stated City Staff are putting together some dates for a possible meeting with the consulting team, and the meeting will hopefully be scheduled at tonight's meeting.

Mr. Boganey stated, since the City Council's last meeting, Common Sense consultants have met with almost every Councilmember individually, gathering feedback on this and other issues. He added a meeting will be scheduled with the City Council as soon as it can be scheduled.

Ms. Daniels stated she had hoped that individual citizens could receive updates on these types of matters, but she will continue to attend meetings and ask for updates.

Mohammed Dukuly thanked the City Council, City Manager, and City Staff, especially Community Development Director Meg Beekman, for their support for the acquisition of the property on France Avenue. He added it is truly an exercise in equity and fair play. He noted they are currently engaging an architect to review design and construction for submittal to the City for approval.

Mr. Dukuly stated, about the Policy Aide position, if the workload is heavy, it is important to find someone to be responsible for those issues, enhance the work of the City, and increase productivity. He reiterated his thanks and gratitude.

Shantel stated she has been a resident of Brooklyn Center for over 20 years. She added she would like to speak about the Senior Aide Policy position. During the pandemic, residents have found it very difficult to connect with each other and with City Hall. There has been a major communication gap, although she was finally able to speak with the Mayor, and learned that this was not a full-time position. Whatever the role of that position will be, the City needs someone to make connections and to be of service to people who do not know how to reach out. If this new position will help bridge that gap then she highly recommends hiring someone for this position, and she is sure other residents would want it to. She offered her help and support to get a petition going, or whatever other help is needed.

Ms. Daniels stated, about the chat room issue, she understands there are challenges with managing the chat room. She added when residents go to City Council meetings in person, they have the opportunity to meet each other and speak in private. She noted, in the chat room, residents are not even allowed to send private messages to one another. She requested that this issue be addressed so residents can speak to each other in private chat.

Councilmember Ryan moved and Councilmember Lawrence-Anderson seconded to close the Informal Open Forum at 7:20 p.m.

Motion passed unanimously.

2. INVOCATION

Councilmember Graves read an article, “Our Desperate Need for Reviving the Divine Feminine” by Deepak Chopra as an Invocation, in commemoration of Women’s History Month and International Women’s Day. She wished everyone a Happy International Women’s Day and expressed her hope that all will recognize the divine feminine within themselves.

3. CALL TO ORDER REGULAR BUSINESS MEETING

The Brooklyn Center City Council met in Regular Session called to order by Mayor Mike Elliott at 7:30 p.m.

4. ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Director of Public Works Doran Cote, Community Development Director Meg Beekman, City Clerk Barb Suciu, and City Attorney Troy Gilchrist.

5. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Councilmember Ryan moved and Councilmember Graves seconded to approve the Agenda and Consent Agenda, as amended, with Consent Agenda Item 6g to be addressed under Council Consideration Items, and the following consent items were approved:

6a. APPROVAL OF MINUTES

1. February 1 – Work Session
2. February 8 - Study Session
3. February 8 – Regular Session
4. February 8 – Work Session
5. February 22 – Regular Session

6b. LICENSES

Gasoline Service Station Licenses

Boulevard Enterprises Inc
DBA Christy's Auto Service

5300 Dupont Ave N
Brooklyn center MN 55430

Mechanical Licenses

Aqualine Mechanical

20785 Idlewild Path
Shorewood MN 55331

Endless Quality and Comfort

1010 Newton Ave N
Minneapolis MN 55411

Ike's Plumbing and Drain Cleaning, Inc

9046 North Highway Dr
Lexington MN 55014

Perfection Heating & Air

1770 Gervais Ave
Minneapolis MN 55109

Signhanger's Licenses

Spectrum Systems

8786 W. 35th Service Rd
Blaine MN 55449

Rental Licenses*INITIAL (TYPE III – one-year license)*

5357 71st Cir Randy E White
6804 Fremont Pl Michelle Shaffer

INITIAL (TYPE II – two-year license)

1600 Amy La HPA US2 LLC / Pathlight Mgt

RENEWAL (TYPE III – one-year license)

2318 55th Ave N Helen Osonowo
819 Woodbine La FYR SFR Borrow LLC
6116 Aldrich Ave N MNSF II LLC - met requirements
5553 Aldrich Dr. N Geri Williams/NJERI Enterprises
5606 Bryant Ave N MNSF II W1 LLC - met requirements
6628 Camden Dr. Marie Rickmyer

RENEWAL (TYPE II – two-year license)

4201 Winchester La Theresa Burns & Eric Poehler
2100 55th Ave N Raymond & Cindy Scherbing - met requirements

RENEWAL (TYPE I – three-year license)

6907 Logan Ave N Paul Gathumbi - Met Requirements
541 Lyndale Ave N Brett Hildreth/Dragon Properties Mgt - met requirements
3312 65th Ave N Charles E Kaatz
5549 Brooklyn Blvd Mike L Pederson
6915 Logan Ave N ATV LLC
5901 Pearson Ave N FYR SFR Borrower

**6c. RESOLUTION NO. 2021-39 ESTABLISHING A PARKING
MORATORIUM ON TOWING DURING SNOW EVENTS**

6d. AMENDMENT TO THE 2021 CITY COUNCIL MEETING SCHEDULE

**6e. RESOLUTION NO. 2021-40 ACCEPTING WORK PERFORMED AND
AUTHORIZING FINAL PAYMENT, IMPROVEMENT PROJECT NO.
2018-10, LIFT STATION 2 REHABILITATION**

**6f. RESOLUTION NO. 2021-41 APPROVING AND AUTHORIZING
EXECUTION OF AGREEMENT BETWEEN THE MINNESOTA
DEPARTMENT OF TRANSPORTATION AND THE CITY OF
BROOKLYN CENTER FOR FEDERAL PARTICIPATION IN ADVANCE
CONSTRUCTION – MNDOT AGREEMENT NO. 1046069**

**6g. RESOLUTION NO. 2021-42 APPROVING THE LABOR AGREEMENT
FOR LAW ENFORCEMENT LABOR SERVICES (LELS) LOCAL 82**

(POLICE OFFICERS AND DETECTIVES) AND THE CITY OF BROOKLYN CENTER FOR THE CALENDAR YEAR 2021) – This item was considered as Agenda Item 10b.

- 6h. RESOLUTION NO. 2021-43 ACCEPTING BID AND AWARDING A CONTRACT, IMPROVEMENT PROJECT NOS. 2021-01, 02, 03, 04 AND 12, GRANDVIEW SOUTH AREA STREET, STORM DRAINAGE, AND UTILITY IMPROVEMENTS AND 53RD AVENUE UTILITY IMPROVEMENTS**
- 6i. RESOLUTION NO. 2021-44 APPROVING AND AUTHORIZING EXECUTION OF COOPERATIVE CONSTRUCTION AGREEMENT FOR BROOKLYN BOULEVARD CORRIDOR PROJECT PHASE 2 IMPROVEMENTS (BASS LAKE ROAD TO INTERSTATE 94), PROJECT NO. 2021-05, BETWEEN HENNEPIN COUNTY AND CITY OF BROOKLYN CENTER**
- 6j. RESOLUTION NO. 2021-45 APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS, 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 passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

7a. BBA YOUTH SURVEY REPORT

Ivan Lui, the Data and Quality Coordinator for Brooklyn Bridge Alliance for Youth, gave a presentation on the results of the Alliance's 2020 Youth Survey Report. He introduced two members of the Youth Data Squad. Tiffany Nyamao stated she is a senior at Osseo High School and lives in Brooklyn Park. Alex Garduno Garcia stated he is a junior at Brooklyn Center High School and lives in Brooklyn Center.

Mr. Lui stated there are three other members of the Youth Data Squad who represent local schools. The Survey was completed with generous grant support from the Forum for Youth Investment. The Alliance has received recognition from national organizations for their work on the Youth Survey.

Mr. Lui stated the Data Squad surveyed 766 youth residents from both Brooklyn Center and Brooklyn Park, which provided a good sample of what youth are thinking about in the community. The survey then moved into peer interviews, an online survey, adult staff interviews, and interpretation and reporting. The data were interpreted to determine survey results.

The surveyed youth were asked about their lives in the current environment. A full report and executive summary are available on the Alliance website.

Mr. Lui, Ms. Nyamao, and Mr. Garduño Garcia reviewed the research findings: the survey showed local youth want an increase in youth-led research and engagement, to be centered in education and programs; prepare for young adulthood; create belonging in spaces for youth; maintain mental health, and combat systemic racism.

Mr. Lui stated the findings were shared at an online event on December 11, 2020, that included Alliance staff and members, community partners, and youth. They were asked to think about the survey results and what actions the Alliance should take. The results were shared with Board Members, City Councilmembers, City Managers, Parks & Recreation Directors, Police Chiefs, and others.

Mr. Luis stated a short-term strategic plan was created, which includes priorities to help partners respond to the survey results; continue to work to increase student-centered pathways to college and careers; amplify youth voices through youth boards, leadership, and engagement; and accelerate equity by addressing disparities in hiring, retention, and results for youth-serving programs.

Councilmember Graves complimented the youth leaders for their hard work on the survey, in coming up with questions and compiling results. She added it will take some time for her to digest all the information contained in the report. She noted youth are tuned in to what is happening and are tuned in to social and racial justice. She expressed her appreciation for the successful survey, which shows a statistically significant number of young people in the community who are saying the same thing about what they want.

Mr. Garduño Garcia thanked Councilmember Graves for the compliment. He asked what ways the City of Brooklyn Center may want to respond to the key findings of the 2020 youth to youth survey.

Councilmember Graves stated the City must continue to support the Youth Council and find new ways to engage, collaborate and cooperate with them while continuing to build the partnership. The survey shows that the community has many young leaders, who are ready to take the reins.

Councilmember Butler thanked Alliance representatives for their presentation. She added she is very impressed that they were able to get over 700 respondents to the survey. She noted she echoes Councilmember Graves' comments about being intentional in engaging the City's youth, which needs to be an ongoing thing, to ensure that young people are at the table for relevant discussions.

Councilmember Ryan expressed his appreciation for all the hard work that the young folks have done. He echoed the previous comments of his colleagues. He stated this has been a terrific learning experience, by being engaged and completing this work for the community and lay the groundwork for future community leaders. He commended the Youth Data Squad and expressed his support for them in the future.

Mr. Boganey stated the recently approved budget includes funding for a pilot with the Brooklyn Bridge Alliance for Youth to elevate youth voices. He added the newly created Office of Anti-Racist Policies practice staff when hired will collaborate with the Alliance to improve equity and combat racism.

Mayor Elliott thanked the Alliance representatives for the presentation and interesting information. He added the young people are demonstrating leadership skills and will someday be community leaders. He urged them to keep up the good work.

Councilmember Butler moved and Councilmember Graves seconded to receive the Brooklyn Bridge Alliance Youth Survey Report and Presentation.

Motion passed unanimously.

8. PUBLIC HEARINGS

8a. RESOLUTION NO. 2021-38 APPROVING THE PROJECTED USE OF FUNDS FOR THE 2021 URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AUTHORIZING SIGNATURE OF A SUBRECIPIENT AGREEMENT WITH HENNEPIN COUNTY

Community Development Director Meg Beekman provided an overview of the Community Development Block Grant (CDBG) funding allocation from the Department of Housing and Urban Development (HUD) administered by Hennepin County, through which Brooklyn Center will receive an estimated \$258,000. This funding is used to support down payment assistance and home rehab programs. The City Council and Hennepin County are comfortable with proposed changes expanding eligibility to those who work, go to school, or own a business in Brooklyn Center. The minimum debt and citizenship requirements were eliminated.

Ms. Beekman stated City Staff are requesting City Council feedback and comment regarding the homeownership requirement, and whether 2nd or 3rd time home buyers will be eligible for these funds. This discussion can be deferred but the allocation decision requires attention.

Ms. Beekman stated City Staff recommends the continuation of existing programs with \$100,000 for homeownership assistance and \$158,000 for the home rehab program. The City's Housing Study that is currently underway may identify potential areas of need.

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

Motion passed unanimously.

Zarita asked a question in the chat function: "Is there any thought to raising the grant amount for the homeownership program? Is the maximum amount \$10,000?"

Ms. Beekman stated the current cap is \$7,500 and the intention is to increase that amount to \$10,000.

Mayor Elliott moved and Councilmember Graves seconded to close the Public Hearing.

Motion passed unanimously.

Mayor Elliott stated Councilmember Ryan had indicated that he wanted to have a robust discussion on this issue.

Councilmember Ryan stated he was pleased to hear the City would have the option to reallocate between the down payment assistance fund and home rehab fund, depending upon demand. Ms. Beekman confirmed this, stating the City Council can choose to reallocate funds at any time.

Councilmember Ryan stated he was concerned about ensuring that the most efficient application of these limited resources is determined. Over the last year, there has been limited success with the down payment assistance program, with only a few loans closed, but there are over 100 parties on the waiting list for home rehab funds. The City Council should have a discussion when there is more information from the Housing Study.

Mayor Elliott agreed, adding rehab grants helps residents who already have homes build additional wealth. He added the results of the Housing Study should be reviewed before a decision is made. He asked that Ms. Beekman communicates to Dr. Lewis that the City Council hopes the Housing Study will inform this policy.

Councilmember Graves stated she agrees with Councilmember Ryan, to reassess the program when more information is available from the Housing Study.

Councilmember Ryan stated the down payment assistance program has relatively narrow eligibility in terms of applicant income. The market can be a positive or negative aspect related to down payment assistance, and the City should do whatever possible for hardworking families that want to own a home and start to build equity and wealth.

Mayor Elliott stressed the importance of getting the word out to people who need these programs the most, which will have the biggest impact on whether the policy works and how it affects the community.

Councilmember Ryan moved and Mayor Elliott seconded to adopt RESOLUTION NO. 2021-38 Approving the Projected Use of Funds for the 2021 Urban Hennepin County Community Development Block Grant Program and Authorizing Signature of a Subrecipient Agreement with Hennepin County.

Motion passed unanimously.

9. PLANNING COMMISSION ITEMS

-None.

10. COUNCIL CONSIDERATION ITEMS

10a. APPOINTMENTS TO COMMISSIONS

Mayor Elliott reviewed three proposed Commission appointments:

Housing Commission – Deja Carter is a 4-year resident of Brooklyn Center, interested in serving on the Housing Commission. She believes the city needs more diversity and inclusion in leadership. She has a passion for equitable housing and wants to be a positive change for the City of Brooklyn Center.

Housing Commission – Michael Dunley has lived in Brooklyn Center for 15 years and has worked in the mortgage and title industry. He wants to serve and be more involved in the City government and see the City improve. He would like to see vacant lots be filled more quickly. He would like to bring in more middle-class families to support retail.

Parks & Recreation Commission – Natalie Branch offers a new and innovative voice. She is a 5-year resident and mother of 3, looking for ways to get involved with the community and set an example for her daughters while bringing about change that will impact them.

Councilmember Graves thanked Mayor Elliott for his efforts to add diversity to the City's Commission. She asked that outgoing Commissioners are acknowledged and thanked appropriately for their contributions. She stated Jill Delton served on the Parks & Recreation Commission for several years and added an important voice to the Commission. She was instrumental in the implementation of Earth Day celebrations, Spring Clean-Up, and advocating for expanded recycling bins. Councilmember Graves expressed her appreciation for Ms. Delton and requested that City Staff follow up with some sort of recognition.

Mayor Elliott stated the work that Commissioners have done cannot be overstated. He added he is grateful for their work and dedication.

Councilmember Ryan moved and Councilmember Graves seconded to ratify the Mayoral Reappointments to City Advisory Commissions as presented

Motion passed unanimously.

10b. RESOLUTION NO. 2021-42 APPROVING THE LABOR AGREEMENT FOR LAW ENFORCEMENT LABOR SERVICES (LELS) LOCAL 82 (POLICE OFFICERS AND DETECTIVES) AND THE CITY OF BROOKLYN CENTER FOR THE CALENDAR YEAR 2021)

Mr. Boganey stated City Staff negotiated a 2-year agreement in 2019 with Patrol Officers and Detectives Union. Due to the pandemic, a decision was agreed upon to consider only the first year of that agreement, through December 2020. Another 1-year agreement is proposed for 2021 that provides vacation time for instructors for the additional use of force training as required. Health insurance will be the same as all other employees, and wages will be adjusted 2.75% as of January 1, 2021, effective July 1, 2021, with an additional .25% increase at that time. The full cost of these changes is covered under the Police Department budget allocation.

Councilmember Graves thanked Mr. Boganey for the additional information, adding she is satisfied.

Mayor Elliott stated it is helpful for the public to hear about the agreement.

Councilmember Ryan moved and Councilmember Butler seconded to adopt RESOLUTION NO 2021-42 Approving the Labor Agreement for Law Enforcement Labor Services (LELS) Local 82 (Police Officers and Detectives) and the City of Brooklyn Center for the Calendar Year 2021).

Motion passed unanimously.

11. COUNCIL REPORT

Mayor Elliott stated he is attending the National League of Cities conference this week, March 7-10, 2021. He added he is involved in equity work with the Regional Council of Mayors, and he is honored to help lead that process.

12. ADJOURNMENT

Councilmember Graves moved and Councilmember Butler seconded 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 8, 2021

CALL TO ORDER

The Brooklyn Center City Council/Economic Development Authority (EDA) met in Work Session called to order by Mayor/President Mike Elliott at 9:03 p.m. The meeting was conducted via Zoom.

ROLL CALL

Mayor/President Mike Elliott and Councilmembers/Commissioners Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Curt Boganey, Community Development Director Meg Beekman, City Clerk Barb Suciu, and City Attorney Troy Gilchrist.

MAYOR'S SENIOR AIDE POSITION (CONT'D)

City Attorney Troy Gilchrist stated he has reviewed the City Charter about the structuring of employment outside the City Manager. He expressed concern that this proposal does not square with the City Charter, which states, "The City Manager appoints all officers and employees of the City," and in another provision, "No member of the Council shall dictate the appointment of any person to the office or employment by the City Manager." He added he wanted to raise this as a concern and look into it further. He noted he would like to review the City of Minneapolis, and the California city referenced by the Mayor/President and provide a more complete review for the City Council/EDA's consideration.

Commissioner/Councilmember Ryan stated he has done some general reading of the Charter as an amateur, so he appreciates Mr. Gilchrist's points. He added he supports a more thoroughly researched review of this issue to ensure compliance with the City Charter. He noted he has concerns about how the position would be organized, in terms of fairness for all Commissioner/Councilmembers, and the organization of the added capacity to support Commissioner/Councilmembers in the exercise of our duty as policymakers, not as administrators or functionaries of the City. He reiterated his support of deferring any decisions until a review by the City Attorney is completed.

Commissioner/Councilmember Graves stated she tends to agree with comments she has already heard. She added her initial reaction was that this position would help do policy research and assist the City Council/EDA in working more intentionally. She noted she also felt the position was not meant for the City Council/EDA at large, and some of the duties are already undertaken by the City Manager and Community Engagement.

Commissioner/Councilmember Graves stated the City is engaged in current contracts with other organizations, like the housing study and the City Council/EDA's work with Common Sense. She added it will be helpful to look at this more holistically and hear more information from the City Attorney. She noted she does not feel ready to approve the position as it is proposed today.

Commissioner/Councilmember Lawrence-Anderson stated she agrees with Commissioner/Councilmember Graves that this issue should be reviewed holistically. She expressed concern about who the person would report to, and whether this is the right way to go about it. She asked whether the person would be accountable to the Mayor/President as well as the City Council/EDA.

Mayor/President Elliott stated the position would serve not only the Mayor/President but the City Council/EDA as a whole. He added he is just presenting this and some questions need to be answered about the City Charter. He added he is passionate about supporting the community and moving people forward. He noted he is appreciative of the City Council/EDA's comments.

OPPORTUNITY SITE ENGAGEMENT STRATEGY FOLLOW-UP DISCUSSION

Ms. Beekman reviewed the Opportunity Site Master Plan, on which planning began in 2006. In 2018, a partnership was formed with Alatus LLC for the development of City-owned parcels. Community engagement workshops and pop-up meetings were held in 2018, but the pandemic disrupted the process, which was put on hold in April 2020.

Ms. Beekman stated City Staff intends to reboot the strategy work and engagement efforts and ensure community involvement. The City has engaged with NEOO Partners, led by D'Angelos Svenkeson, to represent the EDA with Alatus.

D'Angelos Svenkeson, the co-Founder of NEOO Partners, stated his firm has worked on many economic development place-based initiatives in Ramsey County. He added the goal for the City of Brooklyn Center and the EDA is to determine how to create pathways for direct communication and participation in the planning process, and for community partners to lead the engagement work.

Mr. Svenkeson reviewed roles and responsibilities for community partners, a task force, and an engagement manager, as well as a timeline and budget, adapted from the community engagement document. The goal would be to start engagement in April 2021 to continue through May and July with completion in August.

Mr. Svenkeson stated the reality of the moment has meant that large, multi-year conversations must be grounded with something that is tangible and current. People are dealing with the pandemic, civil unrest, and a recession, so asking them to think about 15 years in the future may not be fruitful. A strategy can be implemented to pilot engagement work on the first 15 acres and determine priorities within an investment timeline focused on Blocks 11, 12, and 13.

Mr. Svenkeson stated a potential development is being planned for Blocks 11, 12, and 13. Alatus has partnered with Project for Pride in Living (PPL) and Resurrecting Faith World Ministries

(RFBM). The proposed planned development includes roughly 750 units of housing in a combination of market-rate, mixed-income and affordable housing spectrum units.

Mr. Svenkeson opened the discussion for questions from the City Council/EDA.

Mayor/President Elliott stated he is glad to hear Mr. Svenkeson talk about a community-driven approach, as he has been thinking about the concept of human-centered development. He stressed the importance of asking what problem needs to be solved, for whom, and what does the community need to thrive. The frustration we have had with this development is that it has been largely designed by City Staff, and then taken to the community for input. Human-centered development would involve going to communities for input and using that information to drive the development and design of what ultimately gets built.

Mayor/President Elliott stated the City Council/EDA should be driven by the needs of the community and not the developer's timeline. He stressed the importance of identifying the community's needs and then identifying the right developer. He added he is not sure if this is the right developer, but he is glad to hear that the consultants intend to take a community-driven approach to this work.

Commissioner/Councilmember Ryan thanked the Mayor/President for being open and direct. He stated it is foolish and naïve to be indifferent to the timeline for Alatus. Planning for this site has been going on since 2006, and many other local sites including the former Armory site in Arden Hills, have languished with economic potential that was not being realized. This developer has been willing to commit time and resources to this development, and the City should not be insensitive to Alatus's timeline, especially as they only plan to build three blocks. There is a burden of proof on the part of the City that we are prepared to move forward with something tangible, and that has been demonstrated at the former Jerry's Food Site, where we built Sonder House despite strong skepticism from surrounding communities.

Commissioner/Councilmember Ryan stated he is pleased to see that NEOO has been brought in as they appear to have the necessary expertise.

Mayor/President Elliott stated, for the record, the Arden Hills site has been under lawsuit related to lack of affordability and lack of engagement. He added that is what happens when you move ahead without addressing critical issues. He noted he does not support rushing unnecessarily, and a lot has changed since the RFP went out. He added he begs to differ that there will not be any other suitable developers.

Mayor/President Elliott stated he is looking forward to this plan being developed in a way that it will be embraced by a community. He expressed concern that young people do not have places to go in the community. He stressed the importance of engaging the community fully to provide a design based on the needs of the community.

Ms. Beekman stated City Staff are seeking City Council/EDA direction on timeline strategies, budget allocation, and level of engagement, as well as a potential community advisory task force.

Mayor/President Elliott stated there is value in having a community advisory group, but the City Council/EDA should talk about who will be in that group. He added it should be mostly Brooklyn Center residents. He noted he needs more time to look at the timeline and to get back to D'Angelos.

Commissioner/Councilmember Graves stated she supports what has gone into the engagement process so far, and efforts can be made to expand on those efforts and figure out how to best serve the people with who the city needs to engage with. She added it will be a matter of being involved and moving into collaboration, working with a smaller but well-resourced group within the task force, to make sure all the demographic and stakeholder groups are present. She added she is excited to see these efforts move forward and appreciates the work that has gone into the presentation, and she fully supports moving forward while listening to staff about capacity and strategies.

Commissioner/Councilmember Butler stated she agrees with Commissioner/Councilmember Graves about being intentional about who is involved in the engagement. She added a large segment of the community has no idea what the tentative plans are for the Opportunity Site. She stressed the importance of making sure everyone knows the plans and ensuring that youth are brought to the table.

Commissioner/Councilmember Graves referred to “defer,” which says “ongoing.” She added the process needs to be ongoing regardless of the focus area, as this is a pilot, and an iterative process and the City can learn from it and inform community engagement in general on an ongoing basis.

Commissioner/Councilmember Ryan stated he is less concerned about money than about the time factor, and the City Council/EDA should listen to City Staff for recommendations regarding the pilot project, which is only 3 blocks of the vast site which is the future of the City. With additional engagement, we will have the opportunity to move forward. He added he is not supportive of community advisory groups for the pilot project, as the engagement work has been done. He added he would consider a community advisory committee to guide that more in-depth discussion on the Master Plan, for the balance of the site.

Mayor/President Elliott stated he vehemently disagrees with Commissioner/Councilmember Ryan’s statement. Advisory groups are incredibly important when talking about human-centered development. He stressed the importance of hearing from the community, regarding what do we need to do to serve the people who live here. He noted he agrees strongly with Commissioner/Councilmember Butler that we have not done enough work to engage the community properly.

Mayor/President Elliott stated 3 blocks is 15 acres, which is about half of the land the City owns. And that is a lot of lands. He added the City needs to take a step back and do this right. Ms. Beekman stated the total City-owned property is 45 acres, with 35 contiguous acres.

Commissioner/Councilmember Ryan stated, so his remarks are not misrepresented, he is absolutely in favor of robust community engagement, which is what he observed in 2019. He added he hopes as we move forward that we learn more about effective community engagement.

Mayor/President Elliott stated the time is 10:05 p.m. and a motion is needed to continue the meeting.

Commissioner/Councilmember Ryan asked City Staff whether they feel they have received enough input and adequate direction.

Ms. Beekman stated City Staff hoped to receive feedback about the approach and focusing on the pilot project as a way to ground engagement work and content and use it as an opportunity to learn from the process and inform the larger master planning work. City Staff is also seeking direction concerning the budget, which can be sought later when community partners are identified.

Ms. Beekman asked whether the City Council/EDA is comfortable with City Staff seeking out community partners. She added it is hoped that the City Council/EDA will agree to have 20-30 minutes set aside at each City Council/EDA meeting to focus on the Opportunity Site and receive regular updates.

Mayor/President Elliott stated he is not comfortable discussing community engagement after 10:00 p.m. He added a Work Session should be scheduled during the daytime to focus on the community engagement plan.

Commissioner/Councilmember Graves stated she felt that consensus was reached 15 minutes ago. She expressed her appreciation for Ms. Beekman's clarifying comments. She added she is ready to move forward. She noted her main concern is about getting regular updates rather than stalling the process before it gets started.

Mayor/President Elliott stated there are many parts of this engagement plan that he likes. He added, however, if we do not get the community's voice in this, people will say they were not engaged.

Commissioner/Councilmember Graves stated the City Council/EDA and City Staff have been interacting with people and meeting with stakeholders. She added another meeting about the same thing is not necessary before any action can be taken.

Commissioner/Councilmember Ryan stated we have a consensus.

Mayor/President Elliott stated people come to him to say that this is not what they have in mind. He added he has been involved in this effort for a few years, and a follow-up discussion will help if we can have it during the daytime.

Commissioner/Councilmember Ryan stated he appreciates the comments of Commissioner/Councilmember Graves. He added we are arguing circularly, saying we should delay this until we have engagement, but trying to move forward with the next stage of engagement. He added the Development Director has a better understanding of time constraints and if she is confident this process can be put into operation then he supports it, and the City Council/EDA has a consensus and should move on.

Commissioner/Councilmember Lawrence-Anderson stated she appreciates Commissioner/Councilmember Grave's comments. She added she believes we need to move forward and that is her comment.

Mayor/President Elliott stated he agrees we need to move forward, but this meeting needs to occur during the day so the community can give input in the community engagement plan.

Commissioner/Councilmember Graves stated there are ways to get community input moving forward. City Staff can hear what is currently being discussed and ensure that feedback can be taken. She added she is trying to put her confidence in City Staff, and what has been presented tonight. She stressed the importance of moving this forward.

Commissioner/Councilmember Graves asked whether the next agenda item can be moved to the next meeting. Mr. Boganey agreed.

Mr. Boganey stated it seems there is a majority consensus of the City Council/EDA to move forward.

FRANCHISE FEES – AGREEMENTS AND PROGRAM

-Postponed.

ADJOURNMENT

Councilmember/Commissioner Graves moved and Councilmember/Commissioner Ryan seconded adjournment of the City Council/Economic Development Authority Work Session at 10:15 p.m.

Motion passed unanimously.

Council Regular Meeting

DATE: 3/22/2021

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

BY: Alix Bentrud, Deputy City Clerk

SUBJECT: Approval of Licenses

Requested Council Action:

- Motion to approve the licenses as presented.

Background:

Hospitality Accommodations License

Brooklyn Center Hotel Group 6250 Earle Brown Dr
DBA Fairfield Inn & Suites Brooklyn Center 55430

Liquor-Intoxicating

Jammin' Wings 2590 Freeway Blvd
Brooklyn Center 55430

Liquor-Sunday Sales

Jammin' Wings 2590 Freeway Blvd
Brooklyn Center 55430

Mechanical Licenses

Hertz Mechanical Inc. 19561 Vernon St.
Elk River 55303

Mike's Custom Mechanical, Inc. PO Box 171
Champlin 55316

Sign Hangers License

Albrecht Sign Company Inc. 7775 Main Street NE
Fridley 55432

Twin Cities Sign Installations 8889 140th St N
Hugo 55038

Tobacco

Jammin' Wings 2590 Freeway Blvd
Brooklyn Center 55430

Budget Issues:

Community Engagement Efforts:

Antiracist/Equity Policy Effect:

ATTACHMENTS:

Description	Upload Date	Type
3-22-2021 Rental Licenses	3/16/2021	Backup Material
Rental Criteria	3/16/2021	Backup Material

Rental Licenses for Council Approval on March 22, 2021								
Property Address	Dwelling Type	Renewal or Initial	Owner	Property Code Violations	License Type	Police CFS *	Final License Type **	Previous License Type ***
5209 Xerxes Ave N	Multi 1 Bldg 12 Units	Initial	BMW Holdings c/o Halverson Blaiser Group	33 2.75 per unit	III	N/A	III	
4500 58th Ave N Twin Lake North Apartments	Multi 46 Bldg 276 Units	Renewal	TLN LN NEL - Met Requirements	81 1.16 per unit 70 units inspected	II	.08 per unit 4522 58th Ave N 4/13/2020 theft, 4564 58th Ave N 4/14/2020 disturbance, 4526 58th Ave N 4/17/2020 theft 1/8/2021 disturbance, 4548 58th Ave N 5/16/2020 burglary 9/24/2020 vandalism, 4510 58th Ave N 5/19/2020 vandalism, 4508 58th Ave N 6/10/2020 theft, 4566 58th Ave N 7/21/2020 theft vehicle, 4518 58th Ave N 7/26/2020 theft, 4582 58th Ave N 7/29/2020 theft, 4580 Ave N 8/18/2020 robbery 10/19/2020 theft 1/18/2021 vandalism 4576 58th Ave N 10/25/2020 stolen property 10/31/2020	II	III
1100 69th Ave N	Multi 1 Bldg 7 Units	Renewal	Evangelical Church of the Master - Met Require	4 .57 per unit	I	0	I	III
6109-13 Beard	Multi 1 Bldg 3 Units	Renewal	James & Bobbie Simons	7 2.3 per unit	III	0	III	I
6821 Noble Ave N	2 Family 2 Units	Renewal	Reuben & Diane Ristrom	0	I	0	I	I
1605 56th Ave N	Single	Renewal	FYR SFR Borrower LLC	7	III	0	III	I
2900 67th Ln N	Single	Renewal	Dolores Fischer	0	I	0		I
6029 Bryant Ave N	Single	Renewal	Stephen Yeboah - Met requirements	0	I	0	I	III

Rental Licenses for Council Approval on March 22, 2021

[illegible]

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

**** License Type Being Issued**

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

All properties are current on City utilities and property taxes

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

Council Regular Meeting

DATE: 3/22/2021

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: N/A

BY: Mark Ebensteiner, Finance Director

SUBJECT: Consideration of a Resolution Calling for a Public Hearing on the Issuance of Conduit Revenue Bonds and Authorizing the Publication of a Notice of Hearing (Tesfa International School Project)

Requested Council Action:

Motion to approve Resolution Calling for a Public Hearing on the Issuance of Conduit Revenue Bonds and Authorizing the Publication of a Notice of Hearing (Tesfa International School Project)

Background:

Spark Youth, a Minnesota nonprofit corporation (or a nonprofit limited liability company to be formed by and the sole member of which is Spark Youth, the "Borrower"), has proposed that the City of Brooklyn Center (the "City") issue conduit revenue bonds in one or more series (the "Bonds") pursuant to Minnesota Statutes, Sections 469.152-469.1655, as amended (the "Act") and loan the proceeds of the Bonds to the Borrower to: (i) finance the acquisition and improvement of an existing approximately 65,000 square foot school building, approximately 13 combined acres of land and related facilities located at 6201 Noble Avenue North in the City for use as a public charter schoolhouse for kindergarten through 6th grade (the "School Facility"), (ii) fund a debt service reserve fund, if necessary; (iii) pay a portion of the interest on the Bonds, if necessary; and (iv) pay the costs of issuing the Bonds (the "Project"). The School Facility will be owned by the Borrower, but may be transferred at later date to a building company affiliated with the School. The School Facility will be leased to and operated as a kindergarten through 8th grade school facility by Tesfa International School Inc., a Minnesota nonprofit corporation and public charter school ("School"). The City previously issued conduit revenue bonds in 2013 for this facility when it was acquired for use as the Odyssey Academy charter school facility. The City subsequently approved an assignment and assumption of those obligations in connection with the transfer of the School Facility for use by Noble Academy (under the name Nompeng Academy). Those prior bonds will be paid off in connection with this acquisition.

Option 1: Approve the Resolution and proceed with consideration of the issuance of conduit revenue bonds.

"I move to approve the Resolution Calling for a Public Hearing on the Issuance of Conduit Revenue Bonds and Authorizing the Publication of a Notice of Hearing (Tesfa International School Project)."

Option 2: Deny the request to issue conduit revenue bonds and direct staff to proceed with steps necessary for consideration of host approval of issuance of conduit revenue

bonds for the Project by a different issuer.

“I move to deny the request to issue conduit revenue bonds for the Tesfa international School Project and direct staff to proceed with steps necessary for consideration of host approval of issuance of conduit revenue bonds for the Project by a different issuer.”

ATTACHMENTS:

Resolution Calling for a Public Hearing on the Issuance of Conduit Revenue Bonds and Authorizing the Publication of a Notice of Hearing (Tesfa International School Project)

Budget Issues:

The total administrative fee that the City will receive for the issuance will be approximately \$45,000. The Bonds will not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of Brooklyn Center. The issuance of the Bonds will not affect the City's credit rating.

The City's governmental purpose bonds issued in 2021 cannot be designated as "bank qualified" if issued in the same calendar year as the proposed conduit revenue bonds because the aggregate principal amount will exceed \$10,000,000. Staff has discussed this with Baker Tilly, the City's municipal advisor, and the impact is expected to be minimal. The Borrower has agreed to compensate the City for the inability to designate its bonds as "bank qualified" in an amount determined by Baker Tilly, if the loss of the designation is determined to have a financial cost.

Community Engagement Efforts:

N/A

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Targeted Redevelopment, Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Resolution	3/17/2021	Resolution Letter
Resolution/Public Hearing Notice	3/17/2021	Resolution Letter

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

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Brooklyn Center, Minnesota, was duly called and held via teleconference in said City on Monday, March 22, 2021, commencing at 7:00 P.M. The teleconference was held in accordance with Minnesota Statutes, Section 13D.021.

The following Members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION CALLING FOR A PUBLIC HEARING ON
THE ISSUANCE OF CONDUIT REVENUE BONDS AND
AUTHORIZING THE PUBLICATION OF A NOTICE OF HEARING
(TESFA INTERNATIONAL SCHOOL PROJECT)

WHEREAS, Minnesota Statutes, Sections 469.152 through 469.1655, relating to municipal industrial development (the “Act”), gives municipalities the power to issue revenue obligations for the purpose of promoting the welfare of the state by the active attraction and encouragement and development of economically sound industry and commerce to prevent so far as possible the emergence of blighted and marginal lands and areas of chronic unemployment; and

WHEREAS, the City of Brooklyn Center (the “City”), has received from Spark Youth, a Minnesota nonprofit corporation and 501(c)(3) organization (or a nonprofit limited liability company to be formed by and the sole member of which is Spark Youth, the “Borrower”), a proposal that the City assist in financing a Project hereinafter described, through the issuance of conduit revenue bonds or obligations (in one or more series) (the “Bonds”) pursuant to the Act; and

WHEREAS, before proceeding with consideration of the request of the Borrower it is necessary for the City to hold a public hearing on the proposal pursuant to the Act:

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

1. A public hearing on the proposal of the Borrower will be held at the time and place set forth in the form of Notice of Public Hearing attached hereto as **Exhibit A** or on a date to be determined by the City Manager in order to meet publication requirements in accordance with applicable law. The general nature of the Project and an estimate of the aggregate principal amount of revenue bonds or other obligations to be issued to finance the proposal are described in the Notice of Public Hearing.

2. The City Clerk of the City is hereby authorized and directed to cause notice of the hearing to be given one publication in the official newspaper of the City and a newspaper of general circulation available in the City, not less than 14 days nor more than 30 days prior to the date fixed for the hearing, substantially in the form of the attached Notice of Public Hearing.

The motion for the adoption of the foregoing resolution was duly seconded by member _____, and after full discussion thereof and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA
COUNTY OF HENNEPIN
CITY OF BROOKLYN CENTER

I, the undersigned, being the duly qualified and acting City Clerk of the City of Brooklyn Center, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of said City duly called and held on the date therein indicated, insofar as such minutes relate to calling for a public hearing on the issuance of conduit revenue bonds to finance the acquisition and improvement of an existing charter school facility for Tesfa International School Inc.

WITNESS my hand this ____ day of March, 2021.

City Clerk

EXHIBIT A

NOTICE OF PUBLIC HEARING ON A PROPOSAL FOR ISSUANCE OF CONDUIT CHARTER SCHOOL LEASE REVENUE BONDS (TESFA INTERNATIONAL SCHOOL PROJECT)

Notice is hereby given that the City Council of the City of Brooklyn Center (the “City”) will hold a public hearing on Monday, April 12, 2021 at 7:00 P.M. or as soon thereafter as the matter may be heard, to consider the proposal for the issuance by the City of conduit revenue bonds in one or more series (the “Bonds”) pursuant to Minnesota Statutes, Sections 469.152-469.1655, as amended (the “Act”). The proceeds of the Bonds will be loaned to a nonprofit limited liability company to be formed by and the sole member of which is Spark Youth, a Minnesota nonprofit corporation (the “Borrower”), to (i) finance the acquisition and improvement of an existing approximately 65,000 square foot charter school building, approximately 13 combined acres of land and related facilities located at 6201 Noble Avenue North in the City for use as a public charter schoolhouse for kindergarten through 8th grade (the “School Facility”), (ii) fund a debt service reserve fund, if necessary; (iii) pay a portion of the interest on the Bonds, if necessary; and (iv) pay the costs of issuing the Bonds (the “Project”). The School Facility will be owned by the Borrower, but may be transferred at later date to a building company affiliated with the School. The School Facility will be leased to and operated as a kindergarten through 8th grade school facility by Tesfa International School Inc., a Minnesota nonprofit corporation and public charter school (“School”).

Following the public hearing, the City will consider adopting a resolution approving the Project and the issuance of the Bonds to finance the Project. The aggregate face amount of the Bonds proposed to be issued is presently estimated not to exceed \$10,000,000. The Bonds if and when issued will not constitute a charge, lien or encumbrance upon any property of the City except its interest in the Project and revenues to be paid by the Borrower. Such Bonds will be special, limited revenue obligations of the City payable solely from the revenues expressly pledged to the payment thereof, and will not constitute a general or moral obligation of the City, and will not be a charge against the City’s general credit or taxing powers, but will be payable solely from revenues or collateral to be paid or provided by the Borrower pursuant to a revenue agreement.

A draft copy of the proposed application to the Commissioner of the Department of Employment and Economic Development, State of Minnesota, for approval of the Project, together with all attachments and exhibits thereto, is available for public inspection during normal business hours, Monday through Friday, at the City Hall in the City.

At the time and place fixed for the public hearing, the City will give all persons who appear at the hearing an opportunity to express their views with respect to the proposal. In addition, interested persons may file written comments respecting the proposal with the City Clerk at or prior to the public hearing.

Due to the emergency declared under Minn. Stat. Chapter 12 by the Governor of Minnesota and the Mayor regarding the COVID-19 health pandemic, some or all members of the City Council may participate in this public hearing by telephone or videoconference, in accordance with Minnesota Statutes, Section 13D.021. It is not feasible for members of the public to attend the meeting at its regular location due to the health pandemic and emergency. Accordingly, no meeting will be held in Council Chambers at 6301 Shingle Creek Parkway in the City.

Members of the public may monitor this meeting remotely at by accessing the link at <http://www.cityofbrooklyncenter.org/Calendar> and choosing the meeting date and clicking on the Zoom link. Public comment can be submitted via voicemail at _____ or via email to bsuciu@ci.brooklyn-center.mn.us. Any comments and materials submitted by _____ on _____, 2021 will be provided to the City Council for their consideration. The public may also listen to the meeting and provide comments during the public hearing by dialing US/CAN Toll Free: 1-877-820-7831; Passcode: 180664.

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

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Brooklyn Center, Minnesota, was duly called and held via teleconference in said City on Monday, March 22, 2021, commencing at 7:00 P.M. The teleconference was held in accordance with Minnesota Statutes, Section 13D.021.

The following Members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION CALLING FOR A PUBLIC HEARING ON
THE ISSUANCE OF CONDUIT REVENUE BONDS AND
AUTHORIZING THE PUBLICATION OF A NOTICE OF HEARING
(TESFA INTERNATIONAL SCHOOL PROJECT)

WHEREAS, Minnesota Statutes, Sections 469.152 through 469.1655, relating to municipal industrial development (the “Act”), gives municipalities the power to issue revenue obligations for the purpose of promoting the welfare of the state by the active attraction and encouragement and development of economically sound industry and commerce to prevent so far as possible the emergence of blighted and marginal lands and areas of chronic unemployment; and

WHEREAS, the City of Brooklyn Center (the “City”), has received from Spark Youth, a Minnesota nonprofit corporation and 501(c)(3) organization (or a nonprofit limited liability company to be formed by and the sole member of which is Spark Youth, the “Borrower”), a proposal that the City assist in financing a Project hereinafter described, through the issuance of conduit revenue bonds or obligations (in one or more series) (the “Bonds”) pursuant to the Act; and

WHEREAS, before proceeding with consideration of the request of the Borrower it is necessary for the City to hold a public hearing on the proposal pursuant to the Act:

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

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and the following voted against the same:

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COUNTY OF HENNEPIN
CITY OF BROOKLYN CENTER

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Members of the public may monitor this meeting remotely at by accessing the link at <http://www.cityofbrooklyncenter.org/Calendar> and choosing the meeting date and clicking on the Zoom link. Public comment can be submitted via voicemail at 763-569-3306 or via email to bsuciu@ci.brooklyn-center.mn.us. Any comments and materials submitted by 4:30 p.m. on April 6, 2021 will be provided to the City Council for their consideration. The public may also listen to the meeting and provide comments during the public hearing by dialing US/CAN Toll Free: 1-877-820-7831; Passcode: 180664.

Council Regular Meeting

DATE: 3/22/2021

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: N/A

BY: Meg Beekman, Community Development Director

SUBJECT: JO Properties Project Update

Requested Council Action:

Background:

On January 27th JO Companies concept plan was presented to the City Council for Concept Review. The proposal was for a development on four EDA-owned properties located at the northwest corner of 61st Avenue North and Brooklyn Boulevard, which total a combined 1.79 acres.

The configuration proposed on the site plan contemplated the redevelopment of the northwest corner of 61st Avenue North and Brooklyn Boulevard into a four story apartment building with up to 88 units. At the time the developer intended that at least half of the units in the building would be three-bedrooms. As such, the project would address a gap in larger rental units in the community. As the project is intended to provide housing options to those making 50 to 60% AMI (Area Median Income), the larger three-bedroom units would be attractive for families looking for rental options in Brooklyn Center. The developer also stated he was seeking project-based Section 8 vouchers for up to 25 percent of the building, which if received, would provide housing options at even more deeply affordable rents.

The developer submitted an initial proforma which indicated a total project cost of approximately \$22.5 million. The proforma indicated that there would be a gap in the financing and the developer anticipated applying for public subsidy to make the project feasible.

On February 28, 2020, The EDA authorized staff to enter into a Preliminary Development Agreement (PDA) with JO properties on the four EDA-owned lots that the project would be built on. The PDA will expire on February 28, 2022. Additional time was granted to the developer due to delays in the project related to the pandemic. The PDA allows time to conduct a review of the property, obtain financing for the project, prepare appropriate plans, obtain necessary City approvals for the development, and negotiate with the EDA on an agreement for the sale of the Property.

The developer also discussed wanting to explore opportunities to leverage a direct connection to Wangstad Park, which is located immediately to the west, as well as utilize partnerships with neighboring properties to allow space for community gardens or other community-based amenities.

The developer has asked to come before the EDA this evening to provide an update on the project.

Project Update

The developer was able to obtain, with City support, a predevelopment grant from the Metropolitan Council to assist with site planning and financial analysis of the project. The developer has engaged Pope Architects and Baker Tilly to complete the work.

As the project team has progressed with developing the site plan and financial proforma, the development program has changed a bit. The developer is now contemplating 54 units on the site, as opposed to the initial 88 units. The building is still planned to be four stories in height. The smaller footprint has expanded the amount of greenspace and community amenities that fit on the property as well.

The unit mix has been adjusted to increase the likelihood that the project will be awarded tax credits from Minnesota Housing Finance Agency. One of the scoring criteria on the application is cost per unit, which makes three-bedroom units more difficult to incorporate. The project now contemplates 25% one-bedrooms, 50% two-bedrooms and 26% three-bedrooms. 96 parking stalls are provided in a mix of below grade and surface parking. This would equate to a ratio of 1.78 stalls per unit, an increase from the previous plan.

The developer has also supplied an updated proforma and sources and uses. There are assumptions in the financial plan that include grant awards from Hennepin County and the Metropolitan Council. Assuming that these grants are awarded at the projected amount, the developer is anticipating a financial gap of approximately \$1million, which would need to be filled with TIF. The project site is currently in a Housing TIF District that was created when the Sanctuary was developed.

The developer as also met with public works and recreation staff to discuss a direct connection to Wangstead Park from the site.

The developer will provide an overview of their project and be available to answer any questions from the EDA. No action is required at this time; however, the EDA may want to provide any feedback on the project as it stands today.

A revised site plan, elevations, financial proforma and unit mix table are attached to this report.

Budget Issues:

There are no budget issues to consider at this time.

Community Engagement Efforts:

The developer has reached out to staff to gather information to aid their community engagement activities. They anticipate working with LISC to lead their community engagement activities.

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
-------------	-------------	------

Site Plan and Elevations	3/16/2021	Backup Material
Unit Mix Table	3/16/2021	Backup Material
Financial Model	3/16/2021	Backup Material
Preliminary Development Agreement	3/16/2021	Backup Material



WANGSTEAD COMMONS

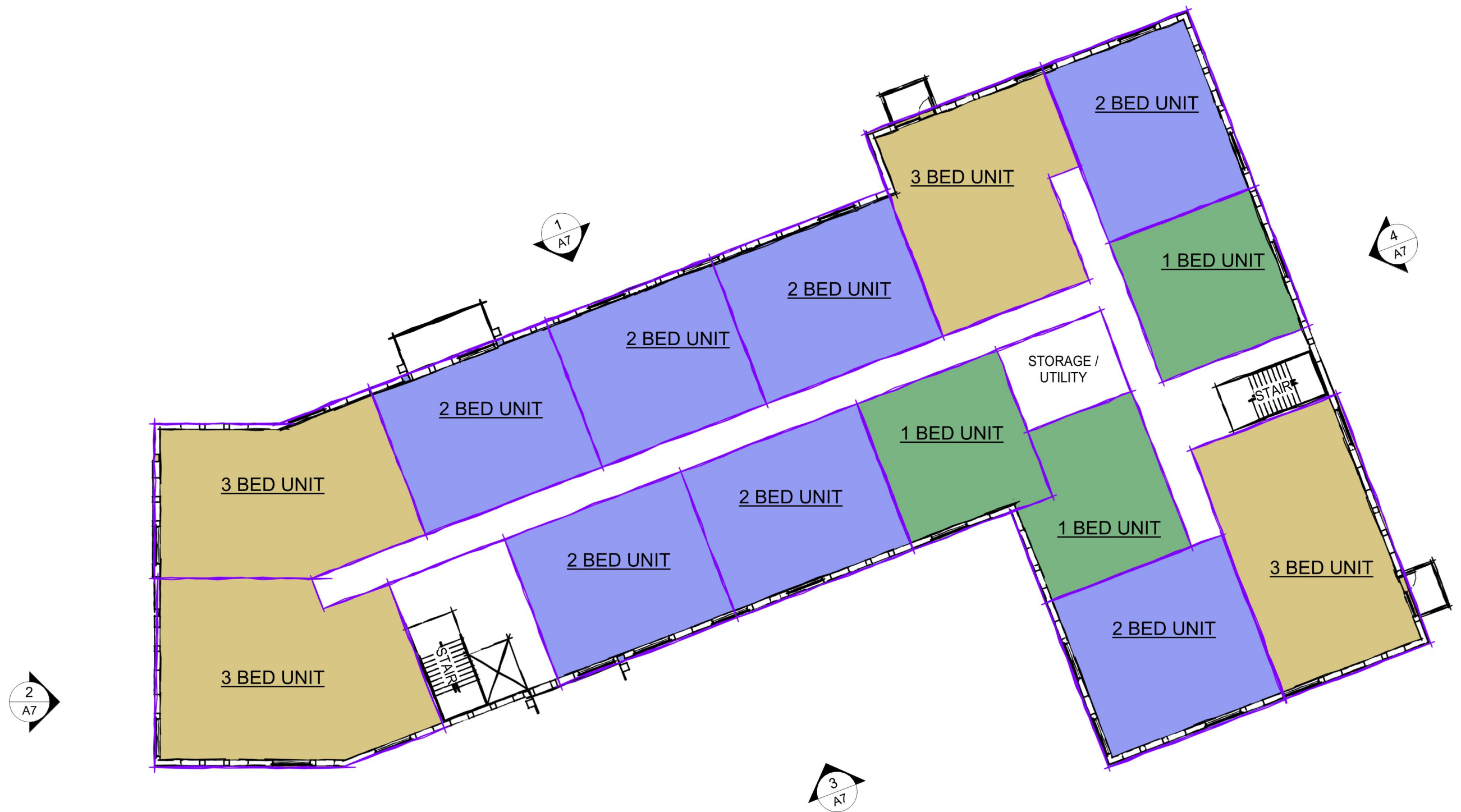
BROOKLYN CENTER, MN

03/11/21 | COMM#45359-21014

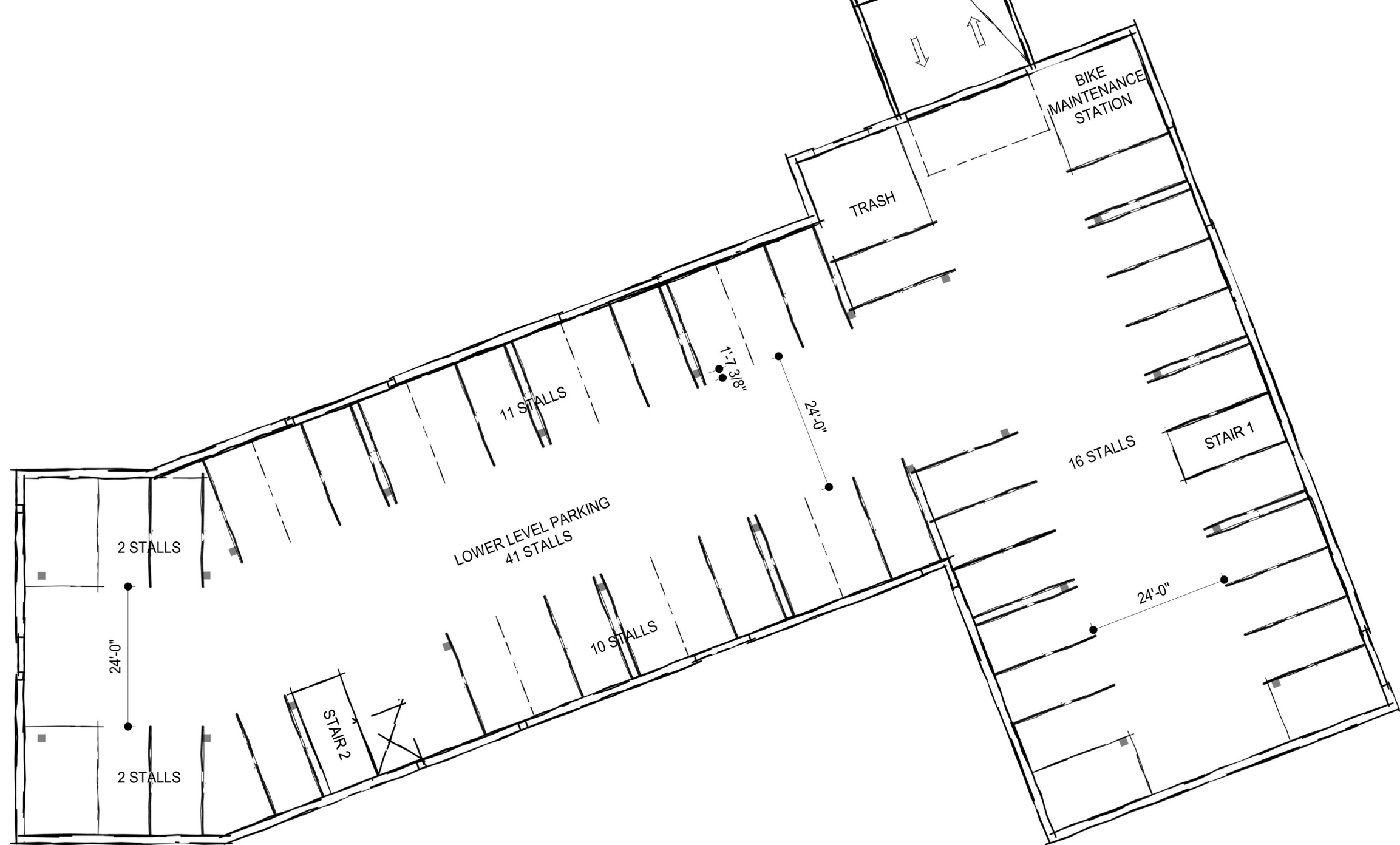




1
A2 FIRST LEVEL AREA PLAN
1" = 20'-0"



1
A3 SECOND, THIRD, & FORTH LEVEL AREA PLAN
1" = 20'-0"



1
A4

LOWER LEVEL PARKING

1" = 20'-0"

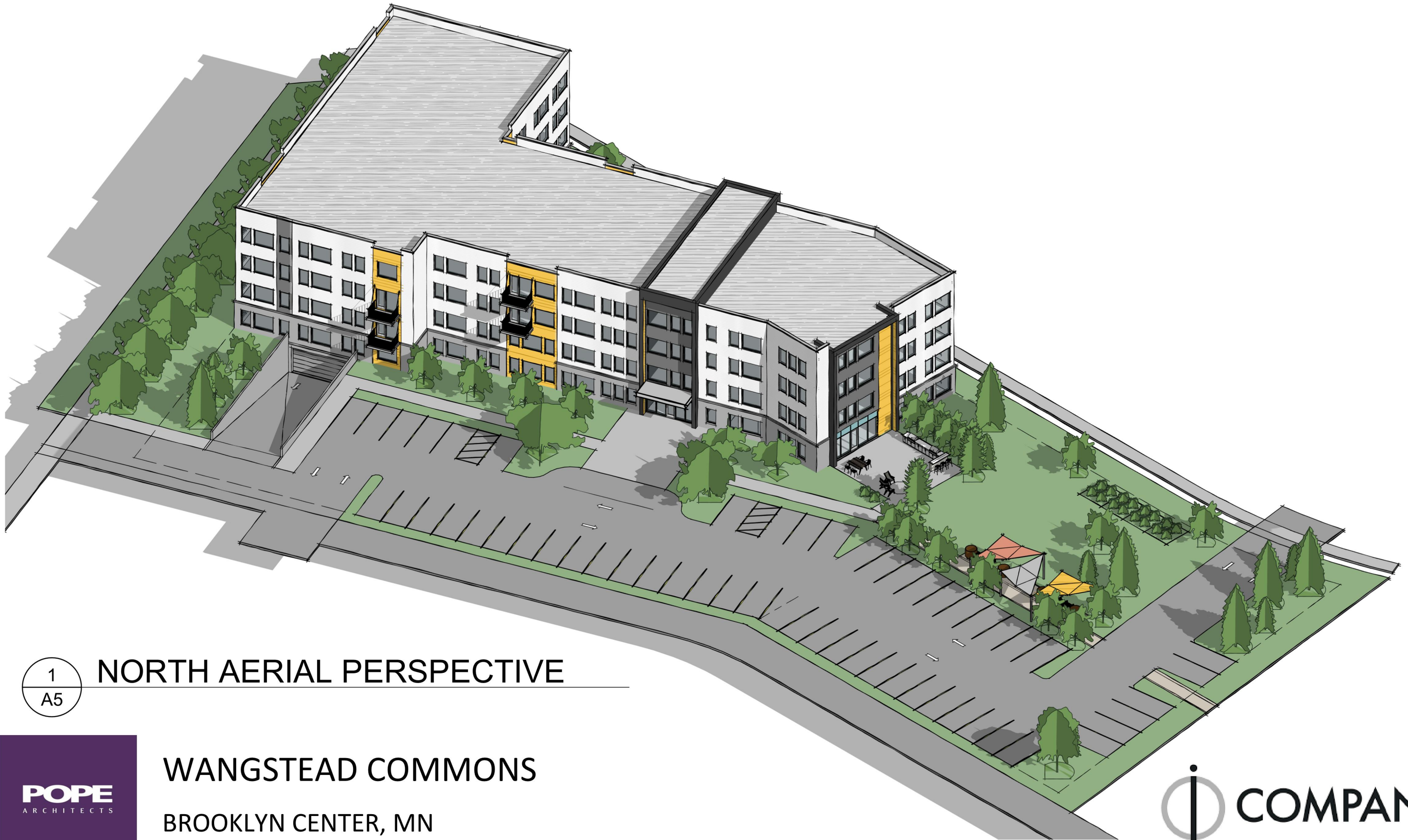
POPE
ARCHITECTS

WANGSTEAD COMMONS

BROOKLYN CENTER, MN

03/11/21 | COMM#45359-21014





1
A5

NORTH AERIAL PERSPECTIVE

POPE
ARCHITECTS

WANGSTEAD COMMONS

BROOKLYN CENTER, MN

03/11/21 | COMM#45359-21014





NORTH EAST PERSPECTIVE



PERSPECTIVE AT OUTDOOR GATHERING



WANGSTEAD COMMONS

BROOKLYN CENTER, MN

03/11/21 | COMM#45359-21014





NORTH ELEVATION

1/32" = 1'-0"



WEST ELEVATION

1/32" = 1'-0"



SOUTH ELEVATION

1/32" = 1'-0"



EAST ELEVATION

1/32" = 1'-0"



WANGSTEAD COMMONS

BROOKLYN CENTER, MN

03/11/21 | COMM#45359-21014



JO Companies

Wangstead Commons Housing Data

11-Mar-21



Apartments	0.80 Eff				1br	2 br	3 br	unit type
	floor area gross gsf / floor	floor area net nsf / floor	# floors	total area	800 sf/unit	1020 sf/unit	1150 sf/unit	unit area
					25%	50%	25%	TOTAL percentage
Main Fl	14,500	11,600	1	11,600	4	6	3	12
Second Fl	18,000	14,400	1	14,400	3	7	4	14
Third Fl	18,000	14,400	1	14,400	3	7	4	14
Fourth Fl	18,000	14,400	1	14,400	3	7	4	14
subtotal					13 25%	27 50%	14 26%	54
Office	200							
Lobby	1,000							
Community Room	1,200							
Fitness Room	900							
Business Center	200	3,500						
subtotal FLOOR 1 AMENITIES								

Parking - 18,000 41 cars LOWER LEVEL / BELOW GRADE

TOTAL AREA 90,000

TOTAL UNITS 54

Parking requirements as per MHFA

	units	1 per unit	2 per unit	stalls
1 bedrooms	13	13		13
2 and 3 bedrooms	41		81.31	82
staff				1
				96

Parking provided

garage	41
surface	55
	96

BROOKLYN CENTER
GENERAL INFORMATION

Entity Information

Project Name	Brooklyn Center
Address	3606 61st Ave North
City	St. Paul
State	MN
Zip Code	55429
Census Tract	
Developer Entity	JO Companies

Project Information

Total Number of Residential Units	54
Total Commercial Square Feet	0
Price Per Low Income Housing Tax Credit	\$0.88
Low Income Housing Type	9%
Low Income Housing %	9.00%
QCT/State Designated Basis Boost	130%
Applicable Fraction	100.00%
Calculated Annual LIH Credit	1,350,000
Opporutnity Zone (Y/N)	Y

Date Information

	Months	
Date of Projections		3/10/2021
Admission / Investor Closing		7/1/2022
Construction Start		7/1/2022
Construction Completion	12	6/30/2022
Placed In Service - Residential		7/1/2023
Lease Up Starts	6	7/1/2023
Stablization	3	4/1/2024
Permanent Conversion		4/1/2024
8609s	3	7/1/2024

Structure

Ownership

Managing Member	0.01%
Investor Member	99.99%

Cash Flow Distributions

Managing Member	0.01%
Investor Member	99.99%

LIHTC Investor Equity

		%	Date	Amount
1st Payment	Closing	20.00%	7/1/2022	2,375,762
2nd Payment	Substantial Completion	25.00%	7/1/2023	2,969,703
3rd Payment	Stablization	53.00%	4/1/2024	6,295,770
4th Payment	8609s	2.00%	7/1/2024	237,576
Total		100.00%		11,878,812

Managing Member Equity

		%	Date	Amount
1st Installment	Closing	100.00%	7/1/2022	100
2nd Installment	Substantial Completion	0.00%	7/1/2023	-
3rd Installment	Stablization	0.00%	4/1/2024	-
4th Installment	8609s	0.00%	7/1/2024	-
Total		100.00%		100

Developer Fee

		%	Date	Amount
1st Installment	Closing	20.00%	7/1/2022	342,734
2nd Installment	Substantial Completion	25.00%	7/1/2023	428,417
3rd Installment	Stablization	53.00%	4/1/2024	908,245
4th Installment	8609s	2.00%	7/1/2024	34,273

Total Paid	85.68%	1,713,670
Deferred Payments	14.32%	286,330
Total Developer Fee		2,000,000

Cash Flow

Tax Equivalency Payment	100%
Asset Management Fee	\$ 5,000 escalates 3% annually
Deferred Development Fee	100%
Subordinate Debt Payments	100%
Incentive Management Fee	90%

BROOKLYN CENTER
PROJECTED RENTAL INCOME

Residential									
Unit Type	Income	# of Units	SF Per Unit	Monthly Base Rent	Rent PSF	Utility Allowance	Monthly Gross Rent*	Total Monthly Rent	Total Annual Rent
1 BR/1BA - 30% AMI - HPH	30%	4	700	656	0.94	78	734	2,624	31,488
1 BR/1BA - 30% AMI - PWD	30%	6	700	656	0.94	78	734	3,936	47,232
1 BR/1BA - 50% AMI	60%	3	700	844	1.21	78	922	2,531	30,366
2 BR/1BA - 50% AMI	60%	16	1,050	1,010	0.96	95	1,105	16,158	193,891
2 BR/1BA - 60% AMI	60%	11	1,050	1,231	1.17	95	1,326	13,543	162,518
3 BR/1BA - 50% AMI	60%	8	1,200	1,164	0.97	113	1,277	9,310	111,725
3 BR/1BA - 60% AMI	60%	6	1,200	1,419	1.18	113	1,532	8,516	102,193
		54	54,250	1.04				56,618	679,414

*95% of Max LIHTC Rents

Income Averaging Analysis	Units	Weighted Ave.	SF	Weighted Ave
30%	10	5.56%	7,000	3.87%
50%	27	25.00%	28,500	26.27%
60%	17	18.89%	18,750	20.74%
Total	54	49.44%	54,250	50.88%

Other Income - Residential				
Type	Monthly	Annual	PUPA	PUPM
Tenant Fees	450	5,400	100	8.33
Parking	2,450	29,400	544	45.37
	2,900	34,800		53.70

Stalls

49

				Escalation Assumptions			
Income				Year 1	Year 2	Year 3	Thereafter
Residential Rents	\$	679,414		2.0%	2.0%	2.0%	2.0%
Less Vacancy		(47,559)		7.0%	7.0%	7.0%	7.0%
Commercial Rents - CSF		-		2.0%	2.0%	2.0%	2.0%
Less Vacancy		-		20.0%	20.0%	20.0%	20.0%
Gross Rental Income		631,855					
Other Income - Residential							
Tenant Fees		5,400		2.0%	2.0%	2.0%	2.0%
Less Vacancy		(378)		7.0%	7.0%	7.0%	7.0%
Parking		29,400		1.5%	2.0%	2.0%	2.0%
Less Vacancy		(2,058)		7.0%	7.0%	7.0%	7.0%
Total Other Income		32,364					
Effective Gross Income		664,219					
TIF Reimbursements		62,676					
Effective Gross Income with TIF		726,894					
Expenses			PUPA				
Administrative							
Advertising & Marketing	\$	6,210	\$ 115.00	3.0%	3.0%	3.0%	3.0%
Property Management Fee	6.00%	39,853	738				
Professional Fees		15,930	295	3.0%	3.0%	3.0%	3.0%
Applicant Screening/Collection Expense		-	-	3.0%	3.0%	0.0%	0.0%
Site Office Expense		4,860	90	3.0%	3.0%	3.0%	3.0%
On-Site Management Payroll		32,523	602	3.0%	3.0%	3.0%	3.0%
Other Administration		15,930	295	3.0%	3.0%	3.0%	3.0%
Maintenance							
Elevator Maintenance/Contract		2,970	55	3.0%	3.0%	3.0%	3.0%
Security		-	-	3.0%	3.0%	3.0%	3.0%
Rubbish Removal		4,590	85	3.0%	3.0%	3.0%	3.0%
Other Contract Services (Includes Exterminating)		4,590	85	3.0%	3.0%	3.0%	3.0%
Maintenance/Janitor Supplies		2,052	38	3.0%	3.0%	3.0%	3.0%
Grounds Maintenance		2,160	40	3.0%	3.0%	3.0%	3.0%
Snow Removal		3,672	68	3.0%	3.0%	3.0%	3.0%
Heat & A/C Repair Services		2,160	40	3.0%	3.0%	3.0%	3.0%
General Repair Services		7,290	135	3.0%	3.0%	3.0%	3.0%
Painting/Decorating Materials		1,890	35	3.0%	3.0%	3.0%	3.0%
Maintenance/Janitor Payroll		24,545	455	3.0%	3.0%	3.0%	3.0%
Other Maintenance and Operating		-	-	3.0%	3.0%	3.0%	3.0%
Utilities							
Electricity		9,180	170	3.0%	3.0%	3.0%	3.0%
Water & Sewer		52,110	965	3.0%	3.0%	3.0%	3.0%
Gas and Oil and Other Utilities		10,800	200	3.0%	3.0%	3.0%	3.0%
Supportive Housing							
Unique Operating Expenses		-	-	3.0%	3.0%	3.0%	3.0%
Insurance							
Property and Liability Insurance Expense		45,000	833	3.0%	3.0%	3.0%	3.0%
Agency Management and Operating Adjustment							
Agency Management and Operating Adjustment		-	-	3.0%	3.0%	3.0%	3.0%
Real Estate Taxes							
Real Estate Taxes		94,150	1,744	3.0%	3.0%	3.0%	3.0%
Replacement Reserve		24,300	450	3.0%	3.0%	3.0%	3.0%
Miscellaneous Reserves		-	-	3.0%	3.0%	3.0%	3.0%
Total Expenses		406,765	7,533				
Net Operating Income (Not Inclusive of TIF Income)		257,454	4,768				

0.00% % of EGI

BROOKLYN CENTER STATEMENT OF FORCASTED SOURCES AND USES

Sources of Funds	Construction	Post Construction	Permanent
Perm Loan		5,007,786	5,007,786
TIF Loan	-	935,272	935,272
Seller Loan	712,000	-	712,000
Met Council LCDA	998,857	-	998,857
Energy Rebates	-	15,000	15,000
LIHTC Equity	2,375,762	9,503,050	11,878,812
Deferred Developer Fee	-	286,330	286,330
Construction Loan	13,997,794	(13,997,794)	-
Total Sources of Funds	18,084,413	1,749,644	19,834,057
	-	-	(0)

Uses of Funds	Construction	Post Construction	Permanent
Acquisition & Site Costs			
Land	712,000	-	712,000
Legal - Acquisition	10,000	-	10,000
		-	-
Construction Costs			
Hard Costs-Unit Construction	12,815,534		12,815,534
Construction - Other - Hazardous Materials (Civil)	990,287	-	990,287
Contingency - Owner's Construction	690,291	-	690,291
GC - P&P Bonds/LOC	138,058	-	138,058
		-	-
Engineering & Architectural			
Architecture - Design	336,517		336,517
Architecture - Supervision	112,172	-	112,172
Architecture - Reimburse	7,500	-	7,500
Civil Engineering - Geotech/Soils Report/Boring	4,000	-	4,000
Building Permits and Plan Check Fee	100,000	-	100,000
SAC WAC, Park Dedication Fees	134,190	-	134,190
Other Local Fees: Zoning	15,000	-	15,000
Energy Audit/Consultant			
Construction Material Testing	15,000	-	15,000
Environmental Phase I and II (update)	4,000	-	4,000
ALTA Survey	12,500	-	12,500
Construction Interest & Fees			
Construction Lender Origination Fee	139,978		139,978
Construction Lender Counsel	25,000	-	25,000
Construction Lender Inspection Fees	18,000	-	18,000
Title/Recording/Escrow	65,000	-	65,000
Construction Interest	590,902	-	590,902
Permanent Financing			
1st Mortgage Origination Fee	-	50,078	50,078
TIF Application Fee (n/a) & Attorney Fees	1,500	-	1,500
TIF Fees	9,353	-	9,353
Soft Costs			
Audit/Cost Certification	-	18,000	18,000
Market Study	7,500	-	7,500
Appraisal	7,500		7,500
Furnishings and Equipment	54,000	-	54,000
Tax Credit Application Fee	800	-	800
Tax Credit Reservation, Carryover and Special Counsel	94,500	-	94,500
Tax Credit - MHFA Monitoring Fee (First Year)	1,620	-	1,620
Soft Funding: Application Fees	5,000	-	5,000
Soft Cost Contingency	25,000	-	25,000
Legal Fees - Developer (Local)	90,000	-	90,000
Syndication Costs			-
Legal (Owner): Syndication - LP	55,000	-	55,000
Developer Fees / Reserves			
Developer Fee	342,734	1,657,266	2,000,000
Operating Reserve (6 mos.)	342,477	-	342,477
Replacement Reserve	-	24,300	24,300
Lease Up Reserve	25,000		25,000
Insurance (GL & Umbrella) and Taxes Escrow	86,500	-	86,500
		-	-
Total Uses of Funds	18,084,413	1,749,644	19,834,057

Building 30 SL	Land Improvements 15 SL	Personal Property 5 200% DB	Amortizable	Non Depreciable	Expense
-	-	-	-	712,000	-
10,000	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
12,815,534	-	-	-	-	-
990,287	-	-	-	-	-
690,291	-	-	-	-	-
138,058	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
336,517	-	-	-	-	-
112,172	-	-	-	-	-
7,500	-	-	-	-	-
4,000	-	-	-	-	-
100,000	-	-	-	-	-
134,190	-	-	-	-	-
15,000	-	-	-	-	-
15,000	-	-	-	-	-
4,000	-	-	-	-	-
12,500	-	-	-	-	-
139,978	-	-	-	-	-
25,000	-	-	-	-	-
18,000	-	-	-	-	-
65,000	-	-	-	-	-
239,522	-	-	-	-	351,380
-	-	-	50,078	-	-
-	-	-	1,500	-	-
-	-	-	9,353	-	-
18,000	-	-	-	-	-
7,500	-	-	-	-	-
7,500	-	-	-	-	-
-	-	54,000	-	-	-
-	-	-	800	-	-
-	-	-	94,500	-	-
-	-	-	1,620	-	-
-	-	-	5,000	-	-
25,000	-	-	-	-	-
90,000	-	-	-	-	-
-	-	-	-	-	-
-	-	-	55,000	-	-
2,000,000	-	-	-	-	-
-	-	-	-	-	-
25,000	-	-	-	24,300	-
-	-	-	-	-	-
-	-	-	-	86,500	-
18,045,550	-	54,000	217,851	822,800	351,380

Low-Income Housing Eligible Basis	
LIHTC Construction Eligible	LIHTC Acquisition Eligible
-	-
-	-
-	-
-	-
11,548,034	-
990,287	-
690,291	-
138,058	-
-	-
-	-
336,517	-
112,172	-
7,500	-
4,000	-
100,000	-
134,190	-
15,000	-
-	-
15,000	-
4,000	-
12,500	-
-	-
-	-
139,978	-
25,000	-
18,000	-
32,500	-
239,522	-
-	-
-	-
-	-
15,000	-
7,500	-
7,500	-
27,000	-
-	-
-	-
-	-
-	-
25,000	-
45,000	-
-	-
-	-
-	-
2,000,000	-
-	-
-	-
25,000	-
-	-
14,689,549	

BROOKLYN CENTER
TAX CREDIT CALCULATION

Low Income Housing Tax Credit

	Acquisition Credit	Construction/Rehab Credit
Eligible Basis	-	14,689,549
Less: Other	-	15,000
Adjusted Eligible Basis	-	14,674,549
QCT/ State Basis Boost Adjustment	100.00%	130.00%
Eligible Basis	-	19,076,914
Applicable Fraction	100.00%	100.00%
Qualified Basis	-	19,076,914
Credit Percentage	9.00%	9.00%
Annual Credit	-	1,716,922
Max Credit Request/Award (Manual)		1,350,000
Annual Credit		1,350,000
Total Tax Credits	-	13,500,000
Investor Percentage	99.99%	99.99%
Tax Credits for Syndication	-	13,498,650
Price Per Credit	\$0.8800	\$0.8800
Net Tax Credit Equity Raised	-	11,878,812
Total Tax Credit Equity Raised		11,878,812

Excess Credits
366,922

BROOKLYN CENTER
PROJECTED CASH FLOW

			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
			2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037
Income																	
Gross Residential Rent			198,162	693,002	706,862	720,999	735,419	750,128	765,130	780,433	796,041	811,962	828,201	844,765	861,661	878,894	896,472
Less Vacancy	7%		(13,871)	(48,510)	(49,480)	(50,470)	(51,479)	(52,509)	(53,559)	(54,630)	(55,723)	(56,837)	(57,974)	(59,134)	(60,316)	(61,523)	(62,753)
Total Gross Rental Income			184,291	644,492	657,382	670,529	683,940	697,619	711,571	725,802	740,318	755,125	770,227	785,632	801,344	817,371	833,719
Other Income																	
Tenant Fees			1,575	5,508	5,618	5,731	5,845	5,962	6,081	6,203	6,327	6,453	6,583	6,714	6,849	6,985	7,125
Less Vacancy	7%		(110)	(386)	(393)	(401)	(409)	(417)	(426)	(434)	(443)	(452)	(461)	(470)	(479)	(489)	(499)
Parking			8,575	29,841	30,588	31,200	31,824	32,460	33,109	33,771	34,447	35,136	35,838	36,555	37,286	38,032	38,793
Less Vacancy	7%		(600)	(2,089)	(2,141)	(2,184)	(2,228)	(2,272)	(2,318)	(2,364)	(2,411)	(2,460)	(2,509)	(2,559)	(2,610)	(2,662)	(2,715)
Total Other Income			9,440	32,875	33,672	34,345	35,032	35,732	36,447	37,176	37,920	38,678	39,452	40,241	41,045	41,866	42,704
Effective Gross Income			193,730	677,366	691,053	704,874	718,972	733,351	748,018	762,978	778,238	793,803	809,679	825,872	842,390	859,238	876,422
TIF Reimbursement			18,280	62,676	62,676	62,676	62,676	62,676	62,676	62,676	62,676	62,676	62,676	62,676	62,676	62,676	62,676
Expenses																	
Administrative			22,007	77,716	80,048	82,449	84,923	87,470	90,095	92,797	95,581	98,449	101,402	104,444	107,578	110,805	114,129
Maintenance			16,310	57,597	59,325	61,105	62,938	64,826	66,771	68,774	70,837	72,962	75,151	77,406	79,728	82,120	84,583
Utilities			21,026	74,253	76,480	78,775	81,138	83,572	86,079	88,662	91,321	94,061	96,883	99,789	102,783	105,867	109,043
Property Management Fee	6.00%		11,624	41,049	41,463	42,292	43,138	44,001	44,881	45,779	46,694	47,628	48,581	49,552	50,543	51,554	52,585
Insurance			13,125	46,350	47,741	49,173	50,648	52,167	53,732	55,344	57,005	58,715	60,476	62,291	64,159	66,084	68,067
Real Estate Taxes			27,460	96,974	99,883	102,880	105,966	109,145	112,420	115,792	119,266	122,844	126,529	130,325	134,235	138,262	142,410
Replacement Reserve			7,088	25,029	25,780	26,553	27,350	28,170	29,015	29,886	30,783	31,706	32,657	33,637	34,646	35,685	36,756
Total Expenses			118,640	418,968	430,720	443,227	456,101	469,352	482,993	497,034	511,487	526,365	541,680	557,444	573,672	590,377	607,572
Net Operating Income			93,371	321,074	323,009	324,323	325,546	326,674	327,701	328,620	329,426	330,114	330,675	331,104	331,394	331,537	331,526
Cash Flow			93,371	296,045	297,229	297,770	298,197	298,504	298,685	298,734	298,644	298,408	298,018	297,467	296,748	295,851	294,770
Debt Service																	
1st Mortgage			-	167,905	223,816	223,739	223,659	223,577	223,492	223,404	223,313	223,219	223,122	223,022	222,918	222,811	222,701
TIF Loan			-	40,875	54,479	54,449	54,418	54,386	54,353	54,320	54,284	54,248	54,211	54,172	54,132	54,091	54,048
			-	208,780	278,295	278,188	278,077	277,963	277,845	277,723	277,597	277,467	277,333	277,194	277,050	276,902	276,749
Debt Service Coverage Ratio (1st)			N/A	1.91	1.44	1.45	1.46	1.46	1.47	1.47	1.48	1.48	1.48	1.48	1.49	1.49	1.49
Debt Service Coverage Ratio (All)			N/A	1.54	1.16	1.17	1.17	1.18	1.18	1.18	1.19	1.19	1.19	1.19	1.20	1.20	1.20
Cash Flow			93,371	87,265	18,934	19,581	20,119	20,541	20,840	21,011	21,047	20,941	20,685	20,273	19,697	18,949	18,021
Asset Management Fee	3%		5,000	5,150	5,305	5,464	5,628	5,796	5,970	6,149	6,334	6,524	6,720	6,921	7,129	7,343	7,563
Cash Flow			88,371	82,115	13,629	14,118	14,492	14,744	14,870	14,862	14,713	14,417	13,966	13,352	12,569	11,607	10,458
Deferred Development Fee	100%	Payment	88,371	82,115	13,629	14,118	14,492	14,744	14,870	14,862	14,713	14,417	-	-	-	-	-
	286,330	Balance	197,959	115,844	102,215	88,097	73,605	58,861	43,991	29,130	14,417	-	-	-	-	-	-
Cash Flow			-	-	-	-	-	-	-	-	-	-	13,966	13,352	12,569	11,607	10,458
Subordinate Debt																	
City Loan			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
HOME/AHIF Loan			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Seller Loan			-	-	-	-	-	-	-	-	-	-	13,966	13,352	12,569	11,607	10,458
			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Cash Flow for Distribution			-	-	-	-	-	-	-	-	-	-	13,966	13,352	12,569	11,607	10,458
Allocated As Follows																	
Managing Member	0.01%		-	-	-	-	-	-	-	-	-	-	1	1	1	1	1
Federal Investor Member	99.99%		-	-	-	-	-	-	-	-	-	-	13,964	13,351	12,567	11,605	10,457
			-	-	-	-	-	-	-	-	-	-	13,966	13,352	12,569	11,607	10,458

PRELIMINARY DEVELOPMENT AGREEMENT

PRELIMINARY DEVELOPMENT AGREEMENT dated this 24th day of February, 2020, by and between the Economic Development Authority of Brooklyn Center, a Minnesota body corporate and politic, 6301 Shingle Creek Parkway, Brooklyn Center, MN 55430 (the "Authority") and JO Companies, LLC, a Minnesota limited liability company, 3640 Dunbar Knoll, Brooklyn Park, MN 55443 (the "Developer").

WHEREAS, the Authority is the fee owner of property located in the City of Brooklyn Center (the "City") at 6101, 6107 Brooklyn Blvd and 3600 61st Ave North (the "Property") which Property the Authority is willing to consider selling for purposes of development of an approximately 83-88 unit multi-family affordable housing apartment building (the "Development");

WHEREAS, the Developer desires to explore the possibility of acquiring the Property together with additional adjoining private property ("Additional Property") to combine with the Property (together, the "Property" and "Additional Property" are referred to herein as the "Development Property") for development of the Development;

WHEREAS, the Authority's Board of Commissioners has reviewed the Development concept and is interested in development of the Property as proposed by the Developer;

WHEREAS, if the Developer is successful in obtaining the necessary financing and commitments to construct the Development and agrees to construct the Development, then the Authority would be willing to enter into an agreement with the Developer for the conveyance of the Property and construction of the Development at a mutually agreed upon price together with other negotiated conditions for conveyance of the Development Property;

WHEREAS, the Developer has requested that the Authority execute this Preliminary Development Agreement ("PDA") agreeing to work solely with the Developer during the term hereof on negotiations for acquisition of the Development Property by the Developer to provide the Developer with time to conduct review of the Development Property, obtain financing for the proposed Development, prepare appropriate plans for the Property, obtain necessary City approvals for the Development, and negotiate with the Authority on an agreement for the sale of the Development Property;

WHEREAS, the Authority is willing to enter into this PDA for such purposes upon the terms and conditions provided herein.

NOW THEREFORE the parties agree as follows:

1. In consideration of the processing of the Development under the terms of this PDA, the Authority agrees that it will negotiate and work solely with the Developer on negotiations for sale of the Property to the Developer for the Developer's proposed Development until February 28, 2022 ("Term"). Further, the Authority agrees to cooperate with the Developer or a successor in evaluating any development proposal submitted by the Developer, including

whether any public financial assistance is warranted in connection with that effort. If the Developer and the Authority reasonably determine that tax increment assistance is necessary in order to induce the proposed development of the Development Property, with the Developer's assistance, begin the process to create a tax increment financing district encompassing the Development Property, including the preparation of a tax increment financing plan, pursuant to Minnesota Statutes Sections 469.174 through 469.1794, as amended (collectively, the "TIF Act"). The Developer will be responsible for entering into an escrow agreement to finance the Authority's costs for creating a Tax Increment Financing District.

2. During the Term of this PDA, Developer agrees to use its best efforts to:

- a. make application for Low Income Housing Tax Credits to Minnesota Housing Financing Agency to obtain financing for the development;
- b. complete site planning and site engineering;
- c. complete architectural concept plans;
- d. submit application for a business subsidy request to the City and all necessary financial documentation needed for review;
- e. submit application, and receive all necessary City approvals related to the subdivision and development of the Development Property;
- f. secure construction financing necessary to construct a project consistent with the terms of this PDA;
- g. negotiate a Contract for Private Development for acquisition and development of the Development Property and construction of an approved Development.

3. During the Term of this PDA, the Developer and the Authority agree to use their best efforts to resolve property acquisition issues related to the Development Property and to attempt to bring fruition to the proposed Development through a Contract for Private Development for conveyance of the Property and development of the Development Property; provided, however, that the Developer acknowledges that the Authority will not exercise the power of eminent domain with respect to the acquisition of any property in connection with the Development or this PDA.

4. The Developer may assign this PDA to an affiliate controlled by or under common control by the Developer without consent but with written notice to the Authority or to an Authority approved successor upon written notification and approval by the City.

5. The Developer will provide the Authority with a written progress report on the status of the goals identified in Paragraphs 2 and 3 every 90 days following the date of this PDA.

6. This PDA represents the entire understanding of the parties regarding the Development Area and any amendment to this PDA shall be in writing and be executed by both parties.

7. Both Parties are aware of and acknowledge that contingencies and unknowns presently exist, any one or more of which could make the Development cost prohibitive, and that both parties are expending sums of money and time with full knowledge of the risks involved

and that neither party shall be liable for any of the other party's expenses in any event, except (i) as otherwise provided pursuant to a separate agreement between the parties, (ii) in connection with an application for a public subsidy, or (iii) pursuant to required fees or costs related to applications made to the City or under City Code.

8. The parties agree that this PDA is not intended to bind the parties to enter into an agreement for the sale and acquisition of the Property, but is merely intended to set forth the parties' intent to proceed with the process of (i) negotiating an agreement for the sale of the Development Property and development of the Development Property and (ii) resolving certain pre-development issues related to the Development Property and Development.

9. No approval given by the Authority hereunder or in connection herewith shall be deemed to constitute an approval of the Development for any purpose other than as stated herein and the process outlined in this Agreement shall not be deemed to supersede any concept review, conditional use permit, vacation, subdivision, or other zoning or planning approval process of the Authority or the City relative to the development of real estate.

10. This PDA may be amended by mutual written agreement of the parties.

11. This Agreement may be terminated by the Developer at any time. The Authority may terminate this Agreement upon 30 days prior notice and opportunity to cure if it reasonably determines that the Developer is not using its best efforts to progress the Development and bring it to fruition. In either case, notice to terminate shall be provided in writing to the other party.

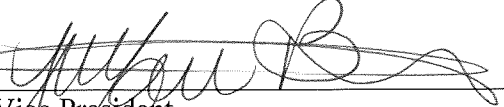
12. If any portion of this Agreement is held invalid by a court of competent jurisdiction, such decision shall not affect the validity of any remaining portion of this Agreement.

13. Notice, demand, or other communication from one party to the other shall be deemed effective if sent by certified mail, postage prepaid, return receipt requested or delivered personally to a party at its address in the first paragraph of this Agreement, or at such other address as such party may designate in writing to the other party.

14. The Authority and the Developer agree that this Agreement is intended to be preliminary in nature and will be superseded by one or more definitive contracts, mutually satisfactory to the Authority and the Developer, which shall be negotiated, approved and executed by the Authority and the Developer and no obligation regarding the conveyance of property or provision of any Public Subsidy shall exist with respect to the Development prior the approval and execution of such definitive contract(s).

IN WITNESS WHEREOF, the Authority has caused this Agreement to be duly executed in its name and behalf and the Developer has caused this Agreement to be duly executed in its name and behalf on or as of the date first above written

**ECONOMIC DEVELOPMENT AUTHORITY
OF BROOKLYN CENTER, MINNESOTA**

By 
Its Vice President

By 
Its Executive Director

JO COMPANIES, LLC

By 
Its President & CEO

Council Regular Meeting

DATE: 3/22/2021

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: N/A

BY: Meg Beekman, Community Development Director

SUBJECT: Opportunity Site Presentation Series: Process and Milestones

Requested Council Action:

Background:

At the March 8 Work Session, the City Council provided direction to staff to begin implementing an engagement strategy related to the Opportunity Site Master Plan. The engagement strategy is centered around a process to work through existing community agencies, organizations and individuals to implement specific tools and strategies to engage a broad spectrum of the community as it relates to this project. Staff will issue a community-wide RFQ to identify potential community partners to deliver the engagement activities. The City Council will make the final selection of community partners and identify a total budget for the project once submissions are made.

City staff and the consultant team will provide technical support to the selected community partners as well as acting as collecting, collating and disseminating information to all stakeholders. As part of providing ongoing and regular information as it relates to this project, staff will provide informational materials and technical documents as needed for the community partners and City Council as well as regular updates to the City Council on a wide variety of topics related to the Opportunity Site.

The purpose of the regular updates to City Council will be to focus in on particular topics in short 20-30 minutes work session updates that can be recorded and further shared out to the community on the dedicated project website as well as through regular virtual meeting events that will encourage discussion and dialogue with the community. The goal is to provide more transparent and timely information on the project as it moves forward and evolves.

Staff will offer a short presentation at each subsequent Council meeting in order to facilitate this information sharing.

Opportunity Site Work Session Series: Process and Milestones

As part of preparing the current engagement strategy, staff met with community members, past engagement partners, former members of the Engagement Working Group as well as Council members. Many questions and concerns were raised as part of those discussions. One frequently asked question was on the topic of the decision making process related to both the Opportunity Site Master plan as well as the development proposal Alatus is working on. Questions included:

1. How are these two process related and how are they different?
2. What are the project milestones for each, and when will various decisions be made?

3. How will community engagement inform each step in the process?

Staff has prepared informational one-pagers intended to answer these questions. These are attached to this report, and will be made available to community partners as well as on the project websites. In addition, staff has put together tables that identify major project milestones for each process as well as the subsequent council action and community input that will be needed for each step.

Process Distinction

While the Opportunity Site Master Plan and the Alatus development proposal are related, they are not the same. The content of the Master Plan and the process to approve it is separate and distinct from the Alatus development project. The Master Plan does not specifically include any particular development project and approval of the Master Plan does not grant approval for any development. Rather, the Master Plan lays out a high level vision that includes a range of land uses, an infrastructure framework for how roads and stormwater will be managed, and goals for the number of housing units, affordability and other community benefits.

The process to approve any specific development will need to follow the typical legal process laid out by state statute and the City Code. Depending on the size of the project, an environmental review process may also be needed. In the case of an environmental review, the city is the responsible governmental unit (RGU), that accepts the environmental review findings, receives public comment, and ultimately approves the final report and mitigation strategies that come out of the process.

The presentation will outline the two processes and the significant milestones as well as the decisions and considerations for each milestone and the community engagement that will be needed. A more detailed outline of these processes is attached to this report.

Budget Issues:

Community Engagement Efforts:

Community engagement is imbedded into the two process as will be outlined as part of the presentation. The purpose of this presentation is to outline the community engagement that is needed for each decision point and milestone.

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Inclusive Community Engagement

ATTACHMENTS:

Description	Upload Date	Type
Master Plan Process - One-page informational Sheet	3/16/2021	Backup Material
Private Development - One page informational Sheet	3/16/2021	Backup Material
Project Approval Process	3/16/2021	Backup Material

MASTER PLAN DECISION PROCESS



What is the Opportunity Site Master Plan Process?

The City and project partners began engagement for the Master Plan in 2019 to understand community needs and desires. The resulting Master Plan Guiding Principles (see [Opportunity Site Master Plan FAQ](#)) have directed all steps of the planning process, including ongoing outreach with community partners. At this point, the expected timeline for plan completion is as follows:

The draft Opportunity Site Master Plan was informed by a full year of local engagement and includes specific goals and principles to benefit local residents. The second round of engagement is currently underway, and will inform final plan metrics and community benefits.

How is the Opportunity Site Master Plan Different from Other Development?

The Master Plan is a big picture vision that will guide future site-specific development applications as well as other site improvements. It is as the preferred framework or approach that future development should adhere to for the area to be successful and meet community goals. As such, development proposals within the Opportunity Site area will be assessed based on how well they adhere to the values and Community Benefits outlined in the Master Plan.

OPPORTUNITY SITE MASTER PLAN TIMELINE

Spring 2021

- Complete Technical Studies
- Preferred Development Scenario Identified
- Final Master Plan Draft
- Continued Engagement



Spring-Summer 2021

- Public Comment and Review
- Planning Commission and City Council Review
- Finalize Updates and Edits



Summer 2021

- Finalize Land Use Plan
- Begin Rezoning Process
- Begin Approval Process with City Council

ALATUS DEVELOPMENT PROPOSAL



What Is the Alatus Project?

Alatus is a Minneapolis-based developer who is pursuing a project in the southwest corner of the Opportunity Site, which could be the first phase of development based on the vision in the Master Plan. Alatus shares the City of Brooklyn Center's goal of creating a downtown center that serves all people in Brooklyn Center – a diverse, evolving, and entrepreneurial community.

The Alatus project is the first proposed development within the Opportunity Site that implements the current vision for the site.

Alatus and Project for Pride in Living (PPL) are proposing to build three multi-family residential buildings with a wide range of price points. The concept includes residential units with a local business incubator, public plazas, and pedestrian-scale streets. While this project is within the Opportunity Site footprint, the Alatus project will follow the city's standard Development Application approval process, which is separate from the Opportunity Site Master Plan process. In addition to meeting regular standards, the City will be looking for final designs and deliverables that adhere to the community-driven goals outlined in the Master Plan.

What is the Relationship to the Master Plan?

Alatus has been involved in the development of the Master Plan for the past couple years. This partnership originated after Alatus was selected out of several developers who proposed concepts for the site. The graphic on the next page shows the relationship between the Master Plan and the development proposal in terms of content and review process.



DOWNTOWN BROOKLYN CENTER MASTER PLAN



DEVELOPMENT APPLICATIONS

	WHAT IS IT?	A big picture, values-driven plan that will inform the development of a future Downtown Brooklyn Center.	A specific proposal for what a developer wants to build on a specific site.
	WHAT IS INCLUDED?	A guiding vision for community goals, principles, and benefits that future development should support.	Details and required city forms on what a developer would build on a site if approved build.
	WHAT IS NOT INCLUDED	Does <u>not</u> grant anyone permission to build here.	<u>Only</u> authorizes a developer to build specifically what they propose.
	WHAT DOES "APPROVAL" MEAN	The community agrees to a <i>shared vision</i> for the area that will guide future development.	City approves what a developer proposes to build here, as allowed by local and state policies.

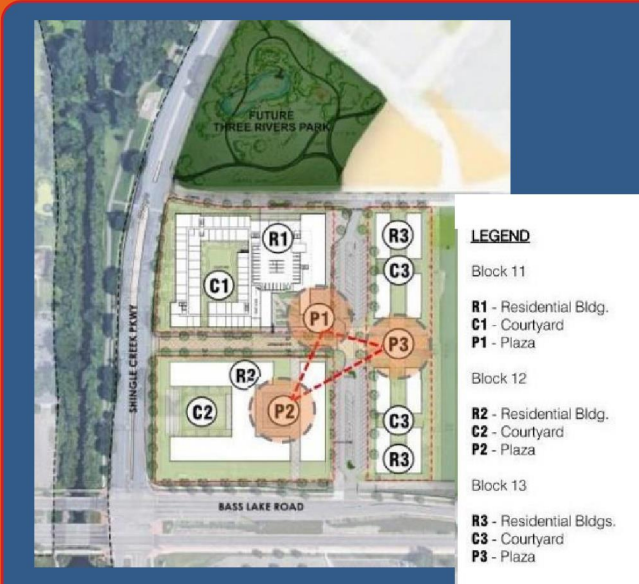
How Are Community Goals Being Reflected in The Project?

Alatus is committed to creating a strong project to anchor the Opportunity Site, pave the way for future compatible development, and achieve other community benefits. As currently conceived, community benefits and amenities in the Alatus project may include:

- Public green spaces
- Public art
- Variety of housing choices including affordable and market rate
- Neighborhood scale streets
- A business incubator for local business development
- Pedestrian and bike connections to surrounding amenities
- Orientation to and support for future Opportunity Site buildout

What is the timeline for the Alatus Project?

Alatus is working on necessary studies, funding, and approvals, and anticipates submitting a development application in August of 2021.



Alatus Proposal Concept

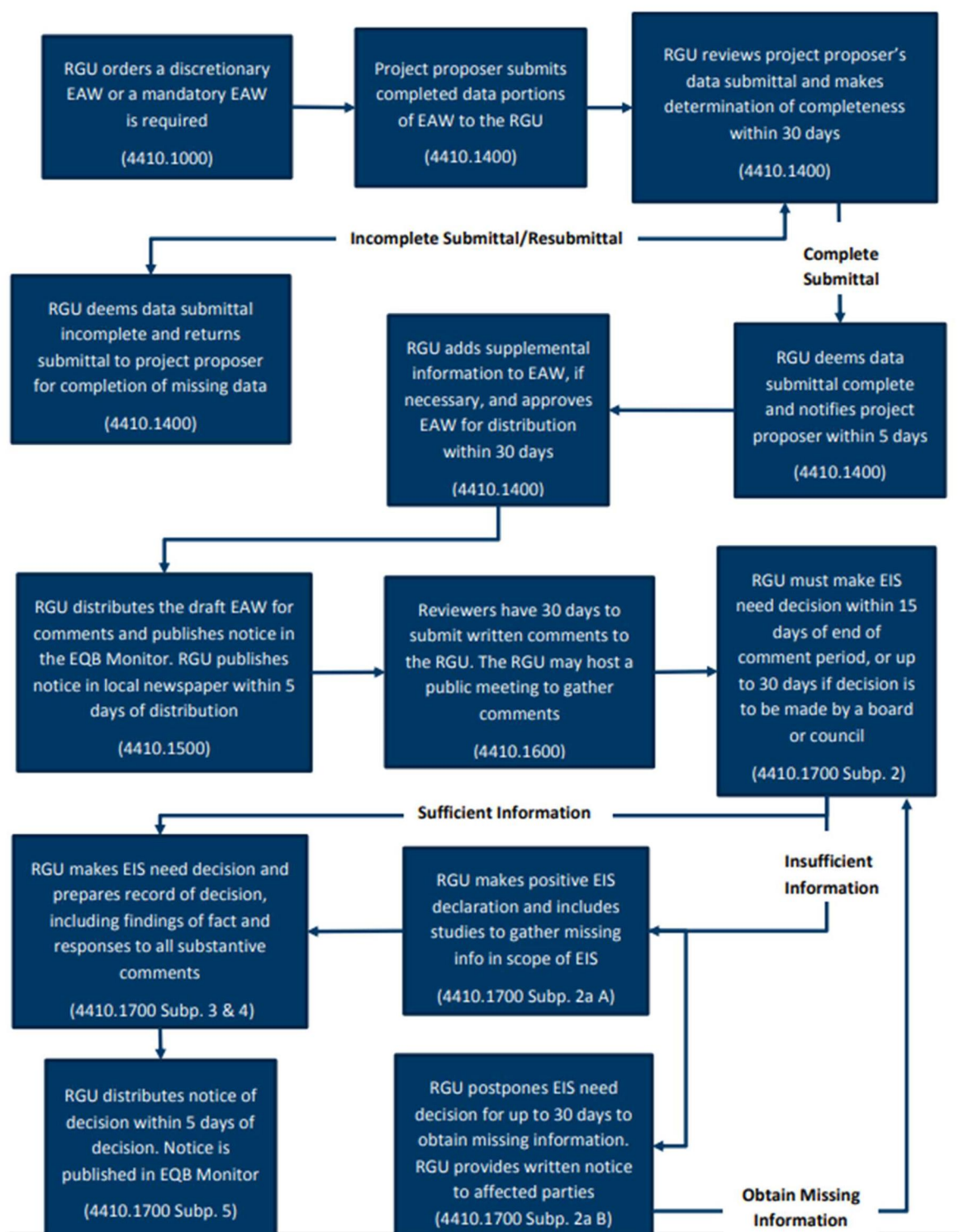
Brooklyn Center: Council Roles and Decisions Process

Opportunity Site Master Plan – Tasks and Decision Points

Step	Council Action	Community Input	Considerations
Review and refine community engagement process	Council provides consensus supporting engagement strategy and process moving forward	Communicate with community partners and leaders to gather input and direction on engagement strategy.	Impact on City budget and project timelines, consistency with City goals and priorities.
Implement engagement strategy	Provide regular updates to Council on progress – No Council action required	Community partners and leaders lead work to design and implement tools and specific engagement strategies	Clarity on roles and responsibilities between Council, community partners, and staff/consulting team
Series of Council work sessions to go through components of master plan	No official action needed. Review and provide input.	Parallel community presentations on same content: Review and comment	Is the content of the document consistent with community goals and vision?
Review draft and final technical reports (e.g., traffic, stormwater, housing, others TBD)	No official action needed. Review and provide input.	Review content as part of larger plan engagement process.	Clarity of relationship between technical studies.
Housing study input: coordinate with RIA/CURA to include early research into master plan	No official action needed. Review and provide input.	Review content as part of larger plan engagement process.	Provide research questions to CURA
Community Benefits Plan: refine and complete, may include Equity Development Scorecard based on community input	Review and provide direction on final documents.	Community Advisory Taskforce: review engagement reports from Community Partners, identify informed options for Council consideration	Final Community Benefits Plan will be incorporated into final Master Plan as part of the implementation strategy
Refine and complete master plan	Review final draft and provide comments and direction	Review final draft and provide comments and recommendation. Provide input on all plan elements in terms of vision/direction.	incorporate community input, land use plan, technical studies and housing research
Master plan, including appendix documents, if applicable	Adopt as policy document		Potentially amend comprehensive plan to incorporate this.
Zoning and other ordinance updates	Review and approve, incorporating into city code.	Review and comment on draft ordinance.	Must be consistent with adopted policy and comp plan.

Alatus Development Proposal – Tasks and Decision Points

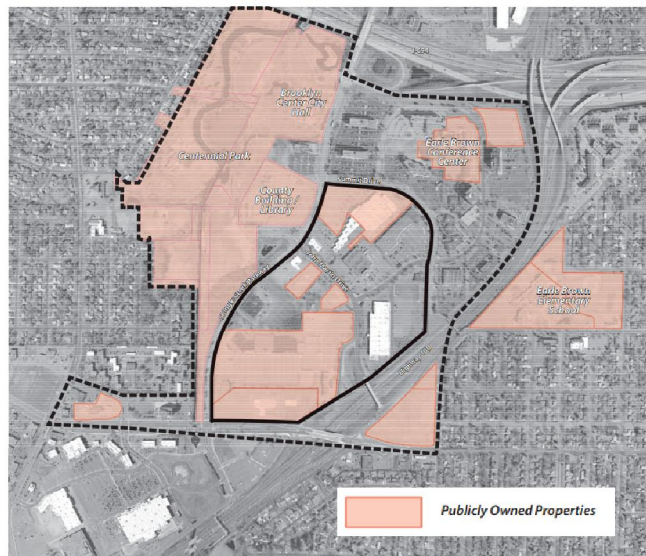
Step	Council Action	Community Input	Considerations
Update on project elements and early development program	Review early concept and provide input and feedback	Review early concept and provide input and feedback	Are the program elements in alignment community goals and vision?
Incubator/public market update: Complete feasibility study and visioning work	Review feasibility study and visioning work. Provide input and direction on concept. Accept feasibility study.	Review feasibility study and visioning work. Provide input and direction on concept.	Is the public market/incubator feasible and continue to be a goal for the community?
Environmental Assessment (EAW) for development area	As RGU, review and make determinations based on statute (see attached flow chart)	Provide input on environmental review contents.	Consistency with local regulations and state statute. For those tied to developments, finalize prior to development approval.
Public Market/incubator architectural and program design	Update provided to City Council. No action needed	Work with local businesses to identify needs and collaborate on program and architectural design	Identify the operating and ownership model for the market. Design interior and exterior to serve stated vision and purpose.
Implement Community Engagement Strategy: Pilot Approach	Provide regular updates to Council on progress – No Council action required	Issue RFQ: Community partners and leaders lead work to design and implement tools and specific engagement strategies	Engagement reports will be presented to City Council and Community Advisory Taskforce. Engagement process will be a pilot to test strategies to inform future engagement processes
Design and program public spaces/plazas	Update provided to City Council. No action needed	Provide input on programming and design elements	Are the public spaces and plazas within the development serving community needs?
Refine Concept Plan	Review concept plan and provide input and feedback	Review concept plan and provide input and feedback	Is the development proposal in alignment with the community goals and vision?
Development applications by developers	Approval process based on policy and ordinance standards.	Review and comment on draft development plan.	Planning Commission also involved in review and approval process.
Community benefits plan	Incorporate into development agreement and approve as part of the project approval.	Community Advisory Taskforce: review engagement reports from Community Partners, identify informed options for Council consideration	Review based input received from the community partners and based on policy guidance, zoning, other regulatory standards.





Opportunity Site Study Area -
approx. 80 acres

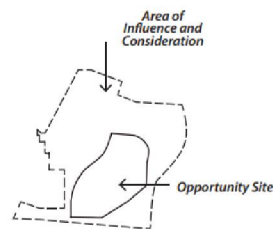
- North of Bass Lake Road
- East of Shingle Creek Parkway
- South of Summit Drive
- West of State Highway 100.



Land Acquisition

EDA has acquired approximately 44 acres of the Opportunity Site since 2008:

- 2008 – former 8.4 acre Brookdale Ford Site
- 2013 – 23.2 acre Brookdale Square site
- 2018 – two additional vacant parcels
- 2019 – former 9 acre Target site



3

Developer Selection

- Since 2007, several development concepts have been considered but for various reasons none have moved forward
- In early 2018, the City invited master developers to propose concepts for the 35-acres of city-owned land on the south half of the Opportunity Site
- Three concepts were received, and Alatus was selected based on their vision for the site most closely aligning with the city's
- In April 2018, City and Alatus entered into a preliminary development agreement for the 35-acre city-owned portion



4

2019 Master Plan and Implementation

- April 2019 – Preliminary Development Agreement renewed with Alatus. The agreement included:
 - City taking lead on the master planning work, and expanding the focus to the full 80-acre Opportunity Site
 - Alatus to focus on implementing an initial phase of development on the site
- The City engaged Bolton & Menk and Cuningham Group to update the 2006 Master Plan. The work included:
 - Community engagement
 - Existing conditions and market feasibility analysis
 - Land use concepts (high level mix of uses)
 - Infrastructure assessment and cost estimates
 - Implementation framework (lay out approval process and zoning)



5



DOWNTOWN BROOKLYN CENTER MASTER PLAN



DEVELOPMENT APPLICATIONS

	WHAT IS IT?	A big picture, values-driven plan that will inform the development of a future Downtown Brooklyn Center.		WHAT IS IT?	A specific proposal for what a developer wants to build on a specific site.
	WHAT IS INCLUDED?	A guiding vision for community goals, principles, and benefits that future development should support.		WHAT IS INCLUDED?	Details and required city documents covering what a developer would build on a site if approved.
	WHAT IS NOT INCLUDED	Does <u>not</u> grant anyone permission to build here without a separate approval process.		WHAT IS NOT INCLUDED	<u>Only</u> authorizes a developer to build specifically what they propose.
	WHAT DOES "APPROVAL" MEAN	The community agrees to a <i>shared vision</i> for the area that will guide future development.		WHAT DOES APPROVAL MEAN	City approves what a developer proposes to build here, as allowed by local and state policies and regulations.



6

Open Space

Land Use

Access and Connection

Main Street

Recreation

Greenway

Each framework forms a layer and together they define the overall master plan

Each block has guidelines for land use, density, building height, and orientation – intended to be modular and flexible

The details and final development project will be determined with each development application

Build-out anticipated to be 15-20 years

MASTER PLAN

Goals and Targets

Approximate Development Program					
Block	Area (acres)	Housing units range			SF Non Residential
		Low (-20%)	Average	High (+20%)	
1	4.5	164	205	246	5,000 - 15,000
2	2.6	124	155	186	
3	4.0	192	240	288	
4	3.0	76	96	115	5,000 - 15,000
5	3.3	178	223	267	5,000 - 15,000
6	3.0	144	180	216	Hotel
7	2.4	62	77	93	10,000 - 20,000
8	2.3	59	73	88	10,000 - 20,000
9	4.1	105	131	158	
10	3.0	82	103	123	
11	3.3	106	132	159	20,000 - 40,000
12	3.4	66	82	99	Theater, entrepreneurial market
13	3.7	178	222	266	5,000 - 15,000
TOTAL	40.1	1535	1919	2303	

- 1500-2,300 housing units
- 60,000-140,000 square feet of commercial
- 30% affordable housing, with further refined affordability bands (below 30%, 50-60%, 80%)
- Inclusion of affordable commercial spaces
- Community Benefits Plan – detailing community benefits goals

MASTER PLAN



MISSION STATEMENT:

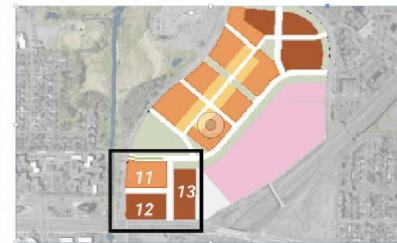
To create a sustainable and equitable housing spectrum with ancillary growth and economic prosperity tools that are supportive of the diverse, evolving, and entrepreneurial community that is the City of Brooklyn Center.



Overall Illustrative Master Plan



Publicly Owned Property (in red)



Block Plan



+/- 750 Residential Units



- +/-25% of the units at households earning 30%-60% AMI
- +/-39% of the units at households market rate
- +/-36% of the units for households earning at 60% - 100% AMI

ADDITIONAL COMMUNITY BENEFITS



- ~20,000 sq. ft. community-directed accelerator/incubator space



- 1 - 3 acres of programmed outdoor public spaces, facilities, etc. with local-use priority and regional oversight from City of Brooklyn Center.



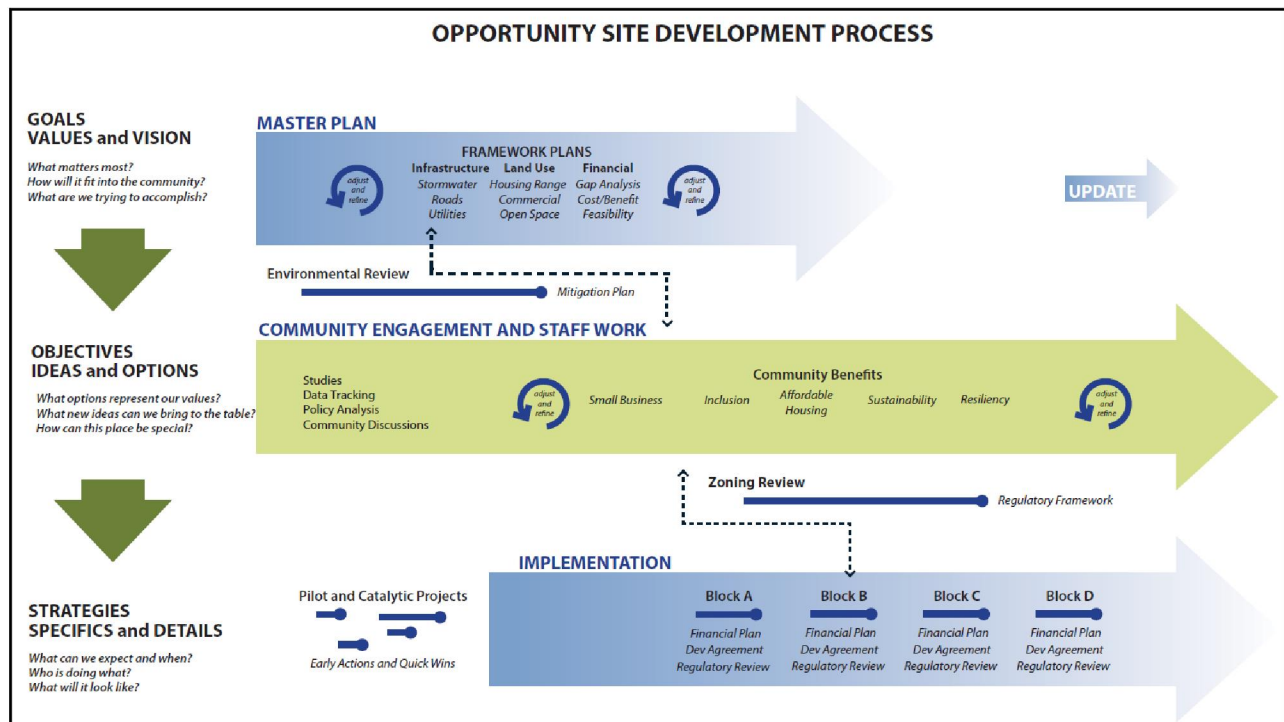
- Creation of Community Benefits Plan paired with Opportunity Zone mandates under Biden Administration



- Creation of Accountability Board and funding of \$750,000 to support investment into community benefits



- Sustainability enhancements



Pilot Project – Process and Milestones

Spring 2021

- Implement Community Engagement Plan
- Complete pre-development due diligence
- Review early development program
- Incubator/public market: feasibility, design, programming

Council Action

Review and provide direction

Review and provide direction

Summer 2021

- Continue incubator/public market planning and financing
- Environmental Assessment Worksheet
- Refine Concept Plan: Development program, design of public spaces/plazas, circulation

Review and provide direction

RGU – Review and Approve based on statute

Review and provide direction

Community Engagement Process



Pilot Project – Process and Milestones Cont.

August-October 2021

- Council received engagement reports
- Citizen Advisory Taskforce provides recommended options
- Land Use Entitlements – City approvals
- Negotiate Development Agreement, Purchase Agreement and Community Benefits Plan
- Approve TIF Plan

Council Action

Council Approval

Council Approval

Council Approval

November-January 2021/22

- Closing
- Construction Start
- Continued incubator and Public market planning and implementation

Review and providing ongoing direction

Ongoing Engagement



13

Master Plan – Process and Milestones

Spring 2021

- Complete Technical Studies
- Identify preferred development scenario
- Final Draft Master Plan

Council Action

Review and provide direction

Review and provide direction

Summer 2021

- Incorporate community engagement (Pilot)
- Continued public comment and review
- Review with Planning Commission and City Council
- Finalize updates and Edits

Review and provide direction



14

Master Plan – Process and Milestones Cont.

Fall 2021

- Incorporate Community input
- Review and assess Pilot Engagement Strategy – identify gaps
- Equity Development Scorecard development
- Finalize Land Use Plan
- Begin Rezoning Process
- Begin Approval process with Planning Commission and City Council

Council Action

Review and provide direction

Review and provide direction

Review and provide direction

Winter 2021

- Final Approval of Master Plan and Zoning

Council Approval

Ongoing Community Engagement



Council Regular Meeting

DATE: 3/22/2021

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: N/A

BY: Dr. Reggie Edwards, Deputy City Manager

SUBJECT: City Beautification and Stewardship (Litter Update)

Requested Council Action:

- Staff ask the Council to hear a presentation on City efforts regarding City Beautification and Stewardship (Litter Update).

Background:

Over the past few years, the residents and the City have expressed concerns about litter and trash scattered throughout business areas in the City.

In July 2020, staff presented various strategies deliberated and discussed by staff related to City Beautification and Stewardship (Litter Control). During the presentation staff indicated that:

- The City experienced an increase in vacant commercial properties further added to the problem.
- The City experienced a steep increase in the number of illegal dumpings. Code Enforcement along has overseen the clean-up of 44 illegal dumpings since January 2020 just on EDA-owned and EDA-adjacent property alone.
- During the COVID-19 Pandemic, commercial property managers are feeling overwhelmed with the increase in litter, combined with fewer staff due to the pandemic and recent civil unrest. Several of the City's larger anchor stores have reported being down over 20 percent of their normal staff from people who are not coming into work or have quit. Which, contributes to toward the sense of being overwhelmed.

The full onset of the COVID-19 Pandemic and the Governor's Declaration of Emergency caused all such efforts to be placed on hold with minimum staffing levels and workloads. However, in the recent months staff have started to re-initiate efforts to address the litter problem throughout the City particularly in business districts.

Efforts that are underway to address littering include:

- Additional code enforcement staff have been allocated to focus on commercial properties.
- Vong Thao, Economic Development Coordinator, has started one-on-one meetings with commercial property managers and business owners to discuss both their needs as well as the city's concern regarding litter and clean-up.
- Staff has developed an evaluation matrix based on common exterior code violations and evaluated every commercial property in the city using the scoring methodology.

- Staff have been meeting with Walmart, Cub Foods and Sun Foods to discuss cart storage and clean-up. Staff is working with Walmart and Cub Foods to help them collaborate on a solution to the problem.
- Based on the results of the commercial property evaluation, staff will prepare specific educational materials and resources to assist commercial property owners with identifying top priorities for clean-up and property maintenance.
- Staff is developing a matching grant program to provide matching micro-grants to support commercial property owners with exterior property maintenance and beautification as well enhancing safety and security.
- The City executed a contract this past week for boulevard and median maintenance on Bass Lake Road and Brooklyn Boulevard including trash pickup and haul away, shopping cart pickup and general maintenance.
- MadVac mobile garbage vacuum is on order but delays in manufacturing due to COVID results in delay of delivery until late April.
- Daily street sweeping began this week.
- Trash pickup at bus stops and in parks is ongoing.
- Shingle Creek Cleanup on April 24, 2021.
- Stormwater Drain Art Initiative – The purpose of this effort is to bring attention to the impacts of littering, reduce litter in the business district and Beautifies and educates the community. Thereby, creating a sense of pride in place.

Going forward staff will endeavor to implement a three-prong approach including:

1. Creating value based spaces (sense of pride and value)
2. Developing of litter and trash prevention measures (incentives for people to dispose of litter and trash prior to or instead tossing them on the ground)
3. Employing clean-up actions (should litter and trash occur, design means to quickly address the poor environment)

We believe that the solutions to addressing litter in the City rest on the environmental stewardship of residents, visitors, business owners, and the City. Environmental Stewardship is everyone's responsibility.

Budget Issues:

Community Engagement Efforts:

Efforts going forward will include participation and engagement in the following ways:

- Information and education
- Idea generation for solution activities
- Active involvement in solution activities

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Enhanced Community Image, Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Presentation	3/29/2021	Presentation

Brooklyn Center Beautification & Environmental Stewardship



City Council Meeting - 3.22.2021

Over the past few years, the residents and the City have expressed concerns about litter and trash scattered throughout business areas in the City.



Current Situation

- In July 2020, staff presented various strategies deliberated and discussed by staff related to City Beautification and Stewardship (Litter Control). During the presentation staff indicated that:
 - The City experienced an increase in vacant commercial properties further added to the problem.
 - The City experienced a steep increase in the number of illegal dumpings. Code Enforcement along has overseen the clean-up of 44 illegal dumpings since January 2020 just on EDA-owned and EDA-adjacent property alone.
 - During the COVID-19 Pandemic, commercial property managers are feeling overwhelmed with the increase in litter, combined with fewer staff due to the pandemic and recent civil unrest. Several of the City's larger anchor stores have reported being down over 20 percent of their normal staff from people who are not coming into work or have quit. Which, contributes to toward the sense of being overwhelmed.



Current Situation

- The full onset of the COVID-19 Pandemic and the Governor's Declaration of Emergency caused much of the City's clean-up efforts to be placed on hold primarily due to limited workers (i.e. reduced hours, no hours, etc.). While staff have regularly cleaned up various areas of the City via contractual services, there continues to be an high level of litter in highly visible areas. In addition, staff have recently initiated some of the efforts outlined prior to the COVID-19 Pandemic to address the litter problem throughout the City, particularly in business districts.



Current City Clean-Up Actions

Brooklyn Center Beautification & Environmental Stewardship



Current Situation City Clean-Up Actions

- Additional code enforcement staff has been allocated to focus on commercial properties.
- Vong Thao, Economic Development Coordinator, has started one-on-one meetings with commercial property managers and business owners to discuss both their needs as well as the city's concern regarding litter and clean-up.
- Staff has developed an evaluation matrix based on common exterior code violations and evaluated every commercial property in the city using the scoring methodology.
- Staff have been meeting with Walmart, Cub Foods and Sun Foods to discuss cart storage and clean-up. Staff is working with Walmart and Cub Foods to help them collaborate on a solution to the problem.



Current Situation City Clean-Up Actions

- Based on the results of the commercial property evaluation, staff will prepare specific educational materials and resources to assist commercial property owners with identifying top priorities for clean-up and property maintenance.
- Staff is developing a matching grant program to provide matching micro-grants to support commercial property owners with exterior property maintenance and beautification as well enhancing safety and security.



Current Situation City Clean-Up Actions

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- MadVac mobile garbage vacuum is on order but delays in manufacturing due to COVID results in delay of delivery until late April.
- Daily street sweeping started last week.
- Trash pickup at bus stops and in parks is ongoing.
- Shingle Creek Cleanup on April 24, 2021.



Current Situation City Clean-Up Actions

- Stormwater Drain Art Initiative – The purpose of this effort is to educate, raise awareness and bring attention to the impacts of littering, reduce litter in the business district and Beautify the community. Thereby, creating a sense of pride in place.



Moving Forward

Strategies

- Creating value based spaces (sense of pride and value)
- Developing of litter and trash prevention measures (incentives for people to dispose of litter and trash prior to or instead tossing them on the ground)
- Employing clean-up actions (should litter and trash occur, design means to quickly address the poor environment)

We believe that the solutions to addressing litter in the City rest on the environmental stewardship of residents, visitors, business owners, and the City. Environmental Stewardship is everyone's responsibility.



Questions?



Council Regular Meeting

DATE: 3/22/2021

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: N/A

BY: Dr. Reggie Edwards, Deputy City Manager

SUBJECT: Resolution Condemning the Use of Discriminatory Covenants, Discharging Discriminatory Covenants on City-Owned Property, and Approving Participating in the Just Deeds Coalition

Requested Council Action:

- Motion to pass a resolution condemning the use of discriminatory covenants, discharging discriminatory covenants on City-owned property, and approving participation in the Just Deeds Coalition

Background:

In March 2020, staff held a discussion with the City's Inclusion, Diversity and Equity consultant, Mr. Bill Wells and Dr. Kirsten Delegard who is Director and one of the co-founders of the Mapping Prejudice Project (<https://www.mappingprejudice.org/>). The Mapping Prejudice Project has shown what communities of color have known for decades. Structural barriers stopped many people who were not white from buying property and building wealth for most of the last century.

Based on the Mapping Prejudice Project the Just Deeds Project has emerged for several cities. Just Deeds was the name of a project launched by the Golden Valley Human Rights Commission (the "HRC") to provide free legal assistance to homeowners who want to research and discharge discriminatory covenants from their property titles.

The Just Deeds Project is a shared name with a coalition of cross-disciplinary organizations whose goal is to acknowledge the harm caused by discriminatory covenants and actively work to dismantle structural and institutional racism through education and action. Coalition participants include City of Golden Valley, Mapping Prejudice, the Minnesota Association of City Attorneys, Edina Realty Title, the Minneapolis Area Association of Realtors, and the St. Paul Area Association of Realtors.

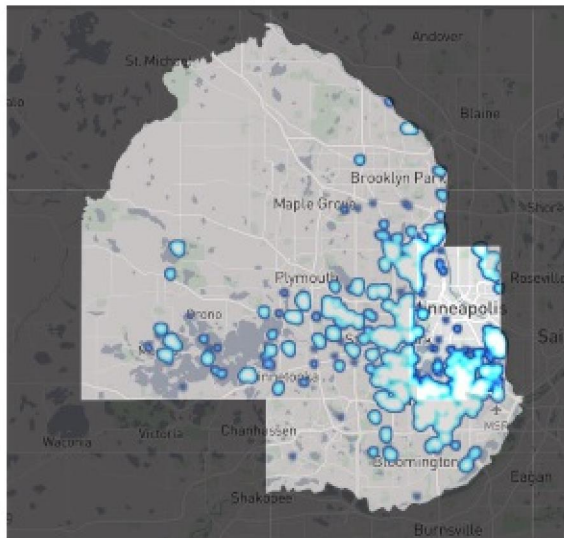
The City of Golden Valley staff is working with staff members from Hennepin County and neighboring cities to further the work of the Just Deeds Coalition. Brooklyn Center's staff proposes that the City of Brooklyn Center join the Just Deeds Coalition.

The Coalition is actively working to educate Minnesotans about: (1) historically racist practices; (2) the deliberate, pervasive damage discriminatory covenants have caused to communities of color and other traditionally marginalized groups of people; and (3) how these systems directly benefited white persons. Additionally, the Coalition aims to take an active role in identifying discriminatory systems and devote resources toward creating equity for all persons. See Just Deeds Coalition Mission Statement (see hyperlink above).

Staff recommends:

1. Adoption of a resolution committing to the Coalition and it's Mission (see attached)
2. Identify all City owned properties that may have such restrictive covenants and discharge those restrictive covenants (see map below and the attached preliminary City owned properties with restrictive covenants)
3. Provide communication (i.e. print, social media or virtual forum, etc.) and assistance to residents who may desire to remove such restrictive covenants from their property

By starting the Just Deeds project and joining the Coalition, the City is taking a step to mitigate its historic role in systemic racism in housing. The Just Deeds project acknowledges that discriminatory covenants are one part of a racist system that intentionally excluded Black, Indigenous and People of Color from social, economic, and political benefits associated with homeownership generally and living in Brooklyn Center specifically. In order to address all matters of racial inequity, the lasting impacts of racial segregation must be addressed through the public denouncement of this historical practice.



Budget Issues:

N/A

Community Engagement Efforts:

Participating in Just Deeds Project will include residents/business owners participation and engagement in the following ways:

- Information and education
- Active involvement in solution activities

Antiracist/Equity Policy Effect:

The Just Deeds Project is intended to eliminate racist and discriminatory housing policies and practices. The participation in project would result in a reduced number of properties within the City of Brooklyn Center with racially and discriminatory restrictive covenants. Participation in this project would result in increased knowledge and education for residents regarding such harmful practices.

Strategic Priorities and Values:

Enhanced Community Image, Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Attachment 1	3/16/2021	Exhibit
Attachment 2	3/16/2021	Exhibit
Attachment 3	3/16/2021	Exhibit
Attachment 4	3/16/2021	Exhibit
Resolution	3/16/2021	Resolution Letter

[Go to Property links](#)

Clear results

PID: 25119214300507110 Camden Ave N
Brooklyn Center, MN 55430

Owner/Taxpayer

Owner:	City Of Brooklyn Center
Taxpayer:	CITY OF BROOKLYN CENTER 6301 SHINGLE CREEK PKWY BROOKLYN CENTER MN 55430

Tax Parcel

Parcel Area:	8.95 acres 389,860 sq ft
Torrens/Abstract:	Both
Addition:	Thomas Construction Co 2nd Addn
Lot:	001
Block:	002
Metes & Bounds:	Ex Parcels 29 And 29AAs Shown On Mn/Dot R/W Plat No 27-19

Tax Data (Assessed 2019, Payable 2020)

Market Value:	\$0
Total Tax:	\$0.00
Property Type:	Industrial-Preferred
Homestead:	Non-Homestead
Year Built:	2015

Tax Data (Assessed 2020, Payable 2021)

Market Value:	\$0
Property Type:	Industrial
Homestead:	Non-homestead
Year Built:	

[Go to... +](#)

Property

Go to Property links

Clear results

PID: 2511921430041

7031 Dallas Rd
Brooklyn Center, MN 55430

Owner/Taxpayer

Owner:	City Of Brooklyn Center
Taxpayer:	CITY OF BROOKLYN CENTER 7100 BROOKLYN BLVD BROOKLYN CENTER MN 55429

Tax Parcel

Parcel Area:	3.6 acres 156,849 sq ft
Torrens/Abstract:	Abstract
Addition:	North River Estates
Lot:	
Block:	001
Metes & Bounds:	Lots 3 To 8 Incl And Lots 13 To 18 Incl

Tax Data (Assessed 2019, Payable 2020)

Market Value:	\$0
Total Tax:	\$0.00
Property Type:	Commercial-Preferred
Homestead:	Non-Homestead
Year Built:	

Tax Data (Assessed 2020, Payable 2021)

Market Value:	\$0
Property Type:	Commercial

Go to... +





Property

[Go to Property links](#)

[Clear results](#)

PID: 0111821340141

22 Address Unassigned
Brooklyn Center, MN 00000

Owner/Taxpayer

Owner: Econ Devel Auth Brooklyn Ctr
Taxpayer: ECON DEVEL AUTH BROOKLYN CTR
6301 SHINGLE CREEK PKWY
BROOKLYN CENTER MN 55430

Tax Parcel

Parcel Area: 0.69 acres
29,962 sq ft
Torrens/Abstract: Abstract
Addition: Bellvue Lane Addn
Lot:
Block:
Metes & Bounds: Outlot A

Tax Data (Assessed 2019, Payable 2020)

Market Value: \$0
Total Tax: \$0.00
Property Type: Vacant Land-Residential
Homestead: Non-Homestead
Year Built:

Tax Data (Assessed 2020, Payable 2021)

Market Value: \$0
Estimated Taxes: Estimated 1 and 2nd year estimated

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Map layers



Property

Go to Property links

Clear results

PID: 0111821430111

22 Address Unassigned
Brooklyn Center, MN 00000

Owner/Taxpayer

Owner:	Econ Devel Auth Brooklyn Ctr
Taxpayer:	ECON DEVEL AUTH BROOKLYN CTR 6301 SHINGLE CREEK PKWY BROOKLYN CENTER MN 55430

Tax Parcel

Parcel Area:	0.75 acres 32,564 sq ft
Torrens/Abstract:	Abstract
Addition:	Bellvue Lane Addn
Lot:	
Block:	
Metes & Bounds:	Outlot B

Tax Data (Assessed 2019, Payable 2020)

Market Value:	\$0
Total Tax:	\$0.00
Property Type:	Vacant Land-Residential
Homestead:	Non-Homestead
Year Built:	

Tax Data (Assessed 2020, Payable 2021)

Market Value:	\$0
Property Type:	Unassessed

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Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION CONDEMNING THE USE OF DISCRIMINATORY COVENANTS
DISCHARGING DISCRIMINATORY COVENANTS ON CITY-OWNED PROPERTY,
AND APPROVING PARTICIPATION IN THE JUST DEEDS COALITION

WHEREAS, discriminatory covenants were tools used by real estate developers to prevent Black/Indigenous People of Color (BIPOC) and non-Christian individuals from buying or occupying property in certain areas, and they were common throughout the United States from the early 1900s to the 1960s; and

WHEREAS, the purpose of discriminatory covenants was to racially and religiously homogenize communities by excluding BIPOC and non-Christian individuals from Brooklyn Center. These tools segregated the metro area and built a hidden system of apartheid; and

WHEREAS, in 2016, the University of Minnesota founded Mapping Prejudice to expose the racist practices that shaped the landscape of the metro area. Mapping Prejudice researched restrictive covenants in Hennepin County and created the first-ever comprehensive map of racial covenants in an American city. The project mapped 24,131 covenants in Hennepin County, including 150 covenants in Brooklyn Center; and

WHEREAS, an example of a common covenant in Brooklyn Center declared that “No part of said premises shall ever be used or occupied by or sold, conveyed, leased, rented or given to Negroes, or Mongolians or Hebrews or any person or persons of the negro race, or Mongolian race or Hebrew race or blood; and

WHEREAS, the discriminatory covenants in Brooklyn Center are concentrated along its borders with Minneapolis and Robbinsdale, and in other desirable areas in the City, such as near downtown, around parks and open spaces, and near the private golf course; and

WHEREAS, the City of Brooklyn Center has identified four City-owned parcels of land that may contain a discriminatory covenant, including Water Treatment Plant, Riverdale Park, and two EDA properties; and

WHEREAS, restrictive covenants are no longer enforceable. Legal efforts to eliminate Discriminatory Covenants include *Shelley v. Kraemer*, 334 U.S. 1 (1948), in which the United States Supreme Court prohibited courts from enforcing Discriminatory Covenants and the Minnesota legislature in 1953 enacted statutes that prohibited new covenants, but existing covenants were still legal in Minnesota until 1962; and

WHEREAS, as a result of these judicial and legislative actions, today, Minnesota law and federal law prohibit discrimination in the sale or lease of housing based on race, color, creed, religion, national origin, sex, marital status, status concerning public assistance, disability, sexual orientation, or familial status, and those state and federal prohibitions extend to the

refusal to sell or to circulate, post or cause to be printed, circulated, or posted, any limitation, specification, or discrimination as to race, color, creed, religion, national origin, sex, marital status, status concerning public assistance, disability, sexual orientation, or familial status; and

WHEREAS, in 2019, the Minnesota Legislature passed a law authorizing property owners to individually discharge or renounce discriminatory covenants by recording a discharge form in the county property records; and

WHEREAS, discriminatory covenants promoted and established residential racial segregation, which historically and currently has impacted property ownership, accumulation of wealth, property transfers, mortgage eligibility, rental eligibility, property values, property tax base, internet access, and more. Discriminatory covenants fortified systemic racism and compounded economic divestment in specific communities within Hennepin County; and

WHEREAS, the State of Minnesota, including the City of Brooklyn Center, recognizes the harm that Discriminatory Covenants—and the racial, religious, and other discriminatory practices that they represent—cause to society in general and to the individuals who are adversely affected by racial, religious, and other discrimination through the presence of discriminatory covenants in the public land records.

BE IT RESOLVED by the City Council of the City of Brooklyn Center that:

1. The City of Brooklyn Center disavows and condemns the past use of discriminatory covenants and prohibits discriminatory covenants from being used in the future.
2. City Staff and the City Attorney is directed to investigate and to identify any real property owned or leased by the City that contains discriminatory covenants and to prepare and record an affidavit or request an examiner's directive discharging such discriminatory covenants pursuant to Minnesota Statute § 507.18, subd. 5.
3. City Staff is directed to participate in the work of the Just Deeds Coalition to educate the community about this and other historically discriminatory practices; to identify contemporary discriminatory systems, policies, and practices; and to take action to dismantle racist systems, practices, and policies in the City of Brooklyn Center to create equity for all.
4. Complete the City Housing Study with recommendations of strategies that would eliminate racist and discriminatory practices and policies in housing.

March 22, 2021

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: 3/22/2021

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: N/A

BY: Mayor Mike Elliott

SUBJECT: Mayoral Appointments to City Commissions

Requested Council Action:

Background:

Budget Issues:

Community Engagement Efforts:

Antiracist/Equity Policy Effect: