

AGENDA



The City Council requests that attendees turn off cell phones and pagers during the meeting. A copy of the full City Council packet is available to the public. The packet ring binder is located at the entrance of the council chambers.

- 1. City Council Discussion of Agenda Items and Questions - 6 p.m.**
- 2. Miscellaneous**
 - a. Meeting with Representative Ilhan Omar
- Set a date for the City Council to meet with Representative Ilhan Omar
- 3. Discussion of Work Session Agenda Item as Time Permits**
- 4. Adjourn**

Council Study Session

DATE: 2/10/2020

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: N/A

BY: Curt Boganey, City Manager

SUBJECT: Meeting with Representative Ilhan Omar

Background:

A staff member from Representative Omar has contacted me about scheduling a meeting with the City Council during the week of February 17th 2020. We will need to determine a date that works for all parties. The preferred time provided is Tuesday February 18th from 6 p.m. to 7 p.m.

Budget Issues:

- None

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

**CITY COUNCIL
MEETING**

City Hall Council Chambers
February 10, 2020

AGENDA



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

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

2. Invocation - 7 p.m.

3. Call to Order Regular Business Meeting

The City Council requests that attendees turn off cell phones and pagers during the meeting. A copy of the full City Council packet is available to the public. The packet ring binder is located at the entrance of the council chambers.

4. Roll Call

5. Pledge of Allegiance

6. Approval of Agenda and Consent Agenda

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

a. Approval of Minutes

- Motion to approve the following minutes:

- *January 27, 2020, Study Session*
- *January 27, 2020, Regular Session*
- *January 27, 2020, Work Session*

b. Approval of Licenses

- Motion to approve licenses as presented

c. Resolution Approving the State of Minnesota Joint Powers Agreement with the City of Brooklyn Center on Behalf of its Police Department Regarding the Minnesota Human Trafficking Investigators Task Force (MNHITF)

- Motion to approve the Joint Powers Agreement between the Brooklyn Center Police Department and the State of MN to investigate and prosecute human trafficking and sexual exploitation of children

d. Approval of 2020 Legislative Priorities

- It is recommended that the City Council consider approval of the proposed

2020 State and Federal Legislative Priorities.

7. Presentations/Proclamations/Recognitions/Donations

- a. Brooklyn Center 2020 Census Update
- Hear and accept a presentation of the Brooklyn Center 2020 Census update

8. Public Hearings

- a. An Ordinance Establishing the Eastbrook Estates 2nd Addition Storm Sewer Improvement Tax District
Motion to:
 - *Open the Public Hearing;*
 - *Take public comment;*
 - *Close Public Hearing;*
 - *Approve on second reading an Ordinance Establishing the Eastbrook Estates 2nd Addition Storm Sewer Improvement Tax District*

9. Planning Commission Items

10. Council Consideration Items

11. Council Report

12. Adjournment

Council Regular Meeting

DATE: 2/10/2020

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

BY: Barb Suciu, City Clerk

SUBJECT: Approval of Minutes

Background:

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

Budget Issues:

- None

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
January 27 Study Session	2/4/2020	Backup Material
January 27 Regular Session	2/4/2020	Backup Material
January 27 Work Session	2/4/2020	Backup Material

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

STUDY SESSION
JANUARY 27, 2020
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

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

ROLL CALL

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

CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

Mayor Elliott requested clarification regarding the City's underpayment ratio of 109.1% in the Equity Compliance Report.

City Manager Curt Boganey stated cities are required by State statute to comply with pay equity requirements, that the difference between male and female-dominated employment positions cannot be less than 80%. He added the City is currently at 101% and well above the minimum.

Mayor Elliott referred to Consent Agenda Item H related to the Memorandum of Understanding (MOU) between the City of Brooklyn Center and Mound Cemetery. He added Exhibit A relates to the proposed park layout. He noted it was discussed at a previous City Council meeting that the MOU would not prescribe a specific plan for the park.

City Attorney Troy Gilchrist stated the parties discussed the MOU several times and agreed that Mound Cemetery would not have control over or be involved in the planning of the park.

Mayor Elliott stated the MOU refers to the hiring of a consultant to work on the park plan. He added the City Council has discussed ensuring that the contractor hiring policy includes local businesses as well as minority and women-run businesses. He requested that the City Council direct City Staff to hire a WBE/DBE business for this work.

Mr. Boganey requested clarification regarding which section of the MOU states that a consultant was to be hired. Mayor Elliott said it is in the second paragraph of the resolution.

City Engineer Doran Cote stated that it is a typo, which should say that the City has hired a consultant. He apologized for the error.

MISCELLANEOUS

2020 LEGISLATIVE POLICIES

Mr. Boganey stated City Staff is requesting City Council direction regarding 2020 legislative priorities. He added a list of 2019 priorities is included in the meeting packet, and Deferred Enforced Departure (DED) is recommended for removal, but other than that, City Staff does not have any additional recommendations. He noted this issue could be reviewed at the next City Council meeting to provide time to consider other priorities.

Mayor Elliott suggested the League of Minnesota Cities' language regarding resources for affordable housing should be adopted. He requested that the word "League" be replaced with "City," in the Housing and Development section, and bolded.

Mayor Elliott stated he supports Priority #4, funding for cultural centers, and community building assets. He added he considers Priority #3, DED, a success, and a pathway to being a participant in that process. He suggested language related to Priority #3 to the effect that the City of Brooklyn Center supports the efforts of federal legislators in enacting the DED, as well as local organizations seeking to provide support and assistance for individuals who are affected by these laws.

Mr. Boganey agreed, adding City Staff will provide this information to State and Federal legislators, asking them to be supportive of local organizations.

Mayor Elliott asked whether a draft of this document can be provided for presentation at the legislative breakfast. Mr. Boganey agreed to include updates that have been proposed. He added there had not been a vote of the City Council. He noted official action could be taken at the next City Council meeting.

Councilmember Ryan stated he is considering attending the National League of Cities Congress of Cities in Washington D.C. and could present this priority list.

Councilmember Ryan stated the City Council received notification regarding the Local Board of Appeals training. He added he will be taking the training and encouraged other Councilmembers to pursue that as well.

Councilmember Ryan expressed his appreciation to Mr. Boganey, City Staff, and Mr. Gilchrist for responding to requests for information about Work Session items.

DISCUSSION OF WORK SESSION AGENDA ITEMS AS TIME PERMITS

CONCEPT REVIEW FROM J O COMPANIES, LLC FOR THE EDA-OWNED PROPERTIES LOCATED AT THE NORTHWEST CORNER OF 61ST AVENUE NORTH AND BROOKLYN BOULEVARD

Community Development Director Meg Beekman gave a presentation of a concept review for development at 61st Avenue North and Brooklyn Boulevard, just south of the Sanctuary development. She added the developer and team were present to provide additional information.

Ms. Beekman stated the subject property is four EDA-owned parcels, acquired under the City's policy of land acquisition along Brooklyn Boulevard with the intention of conversion to higher density uses. She added the properties are located within TIF District 6, which is a housing district set up for the Sanctuary development. She requested City Council consideration and review of the concept plan, which will be a non-binding review process.

Ms. Beekman stated another development plan for a 110-unit market-rate apartment development on this site was planned, and TIF funding was sought to meet affordability requirements. She added the development was unsubsidized, and a funding gap caused complications for the developer.

Ms. Beekman stated the current proposal is a 4-story multi-family development with 83-88 units in a mix of 1, 2, and 3-bedroom units. She added 53% of the units would be 3-bedroom units, for which there is a need, and both underground and surface parking is proposed. She noted the developer, J O Developer, is proposing to leverage federal and state funding to assist in subsidy, which would allow for 100% affordability of units for a longer period of time.

Ms. Beekman presented renderings of the concept plan and proposed site. She stated the financial details have been provided by the developer but have not been reviewed or confirmed by the City. She added the project cost is approximately \$22.5 million, with a \$4.5 million funding gap to be filled with a combination of TIF financing and grants from Hennepin County and the Metropolitan Council. She noted the developer is seeking funding through Hennepin County's Home Grant fund.

Ms. Beekman stated the developer is looking for the City Council's guidance, so a decision can be made about how to proceed. She added the EDA-owned property would be sold to the developer and a preliminary development agreement approved, giving the developer rights to the site. She noted a planning application with preliminary and final plat would be approved under a building plan review, and the final step would be a formal review of the planning application and public subsidy request by the City Council and EDA.

Ms. Beekman requested the City Council's input and comments are asked regarding the development plan for the site. She added the developer hopes to move forward with the preliminary development agreement.

Councilmember Ryan stated the previous proposal was for 110 units, so there are a fewer number of units in this proposal. He added this is feasible due to the possible federal tax credits and public subsidy.

Discussion of this item continued and more extended at the January 27, 2020, Work Session.

ADJOURN STUDY SESSION TO INFORMAL OPEN FORUM WITH CITY COUNCIL

Mayor Elliot closed the Study Session at 6:45 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
JANUARY 27, 2020
CITY HALL – COUNCIL CHAMBERS

1. INFORMAL OPEN FORUM WITH CITY COUNCIL

CALL TO ORDER INFORMAL OPEN FORUM

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

ROLL CALL

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

Mayor Elliott opened the meeting for Informal Open Forum.

A resident, Dwayne, stated he and his wife have concerns about the condition of local businesses and that their parking lots full of trash. He added they believe it should be enforced that businesses clean up their storefront areas and their parking lots. He noted he and his wife do their shopping in Maple Grove.

Dwayne expressed concern about kids hanging out at the transit center, which is an unsafe situation. He added he understands that the police do the best they can with the resources they have, and he thanked the Police Department for their hard work and efforts.

Mr. Boganey asked that Dwayne and his wife leave their contact information so that City Staff can follow up with them, get specific details, and provide updates and information. He thanked Dwayne for coming forward with his comments.

Mayor Elliott stated this issue is of great concern and a high priority for the City Council. He added the City Council and City Staff respond to citizens who come and express their concerns and will respond to Dwayne and his wife directly.

Mayor Elliott stated there is a group of residents who spend one Saturday morning each month doing clean-up around the transit center. He added the group meets at 8:00 a.m. and spends the

morning picking up trash and cleaning up the area. He noted plans are underway for improvements at the transit center.

Mike Howe, representing Mound Cemetery Association, thanked City Staff and City Manager Boganey for the hard work and efforts in working with the Association on a plan for the future of the Cemetery property. He added he wanted to ensure that they are recognized formally.

Councilmember Ryan moved, and Councilmember Graves seconded to close the Informal Open Forum at 6:50 p.m.

Motion passed unanimously.

2. INVOCATION

Councilmember Graves read an excerpt from the book Daring Greatly by Dr. Brene Brown as an invocation.

“Scarcity thrives in a culture where everyone is hyperaware of lack. Everything from safety and love to money and resources feels restricted or lacking. We spend inordinate amounts of time calculating how much we have, want, and don't have, and how much everyone else has, needs, and wants.”

3. CALL TO ORDER REGULAR BUSINESS MEETING

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

4. ROLL CALL

Mayor Mike Elliott and Councilmembers April Graves and Dan Ryan. Councilmembers Marquita Butler and Kris Lawrence-Anderson were absent and excused. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Community Development Director Meg Beekman, Deputy Director of Building and Community Standards Jesse Anderson, 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 Graves moved, and Councilmember Ryan seconded to approve the Agenda and Consent Agenda, and the following consent items were approved:

6a. APPROVAL OF MINUTES

1. January 13, 2020, Study Session
2. January 13, 2020, Regular Session
3. January 13, 2020, Work Session

6b. LICENSES

INTOXICATING LIQUOR AND SUNDAY SALES

Bayou Crab Shack	1360 Shingle Creek Crossing Brooklyn Center, MN
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SIGN HANGERS LICENSE

Mathey Sign	831 Coon Rapids Blvd NW Coon Rapids 55433
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RENTAL

INITIAL (TYPE III – one-year license)

3401-3413 47th Ave N	BMW/Halverson Group M Wallman
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INITIAL (TYPE II – two-year license)

1113 73rd Ave N	Mary Carroll
4911 Brooklyn Blvd	Eugene Bryskin
5800 Girard Ave N	Cassia & Todd Bardal
5701 James Ave N	Jagdeep Arora
6319 Scott Ave N	Adegbola Ongudipe

RENEWAL (TYPE IV – one-year license)

6614 Bryant Ave N	Yi Lin / Khai Hong Lim Properties - did not meet the mitigation plan, missing CPTED follow up
1112 Emerson Lane	Mark Ronea / Bodhi Tree – did not meet the mitigation plan, missing CPTED follow up
4746 Lakeview Ave	Sara Meltzer
7025 Logan Ave N	Fatou Jallow/Summitt Properties - Met Mitigation Plan
6101 Xerxes Ave N	Govan Singh - Met Mitigation Plan

RENEWAL (TYPE III – one-year license)

2100 55th Ave N	Cindy & Raymond Scherbing
5321 71st Cir	Pramod Khakural - Met Mitigation Plan
6936 Unity Ave N	Paul Johnson
7021 Unity Ave N	NJERI Enterprises

RENEWAL (TYPE II – two-year license)

7112 France Ave N	Rachel & Patrick Higgins
6406 Indiana Ave N	William Coleman

5900 Washburn Ave N
4714 Wingard LA

Lance Nordia
Hee Yoon Kim - Met Mitigation Plan

RENEWAL (TYPE I – three-year license)

5524 Dupont Ave N
6353 Halifax Dr
5842 York Ave N

Nicholas Manthey
Charles Anderson
Melissa Hood - Met Mitigation Plan

- 6c. RESOLUTION NO. 2020-017 REMOVING THE FEE FOR A PUBLIC DANCE LICENSE, ESTABLISHING A FEE FOR AN ENTERTAINMENT LICENSE, AND UPDATE THE 2020 FEE SCHEDULE**
- 6d. RESOLUTION NO. 2020-018 APPOINTING BROOKLYN CENTER REPRESENTATIVES TO EXECUTIVE COMMITTEE AND/OR BOARD OF DIRECTORS OF THE BROOKLYN BRIDGE ALLIANCE FOR YOUTH, HENNEPIN RECYCLING GROUP, LOCAL GOVERNMENT INFORMATION SYSTEMS, MINNEAPOLIS NORTHWEST CONVENTION & VISITORS BUREAU, NORTH METRO MAYORS ASSOCIATION, NORTHWEST SUBURBS CABLE COMMUNICATIONS COMMISSION, PETS UNDER POLICE SECURITY, AND TWIN LAKE JOINT POWERS ORGANIZATION**
- 6e. RESOLUTION NO. 2020-019 APPOINTING ELECTION JUDGES FOR THE 2020 PRESIDENTIAL NOMINATION PRIMARY**
- 6f. PAY EQUITY COMPLIANCE REPORT 2019**
- 6g. RESOLUTION NO. 2020-020 AMENDING THE 2020 FEE SCHEDULE FOR PLANNING INSPECTION FEES FOR ELECTRICAL PERMITS**
- 6h. RESOLUTION NO. 2020-021 AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF BROOKLYN CENTER AND THE MOUND CEMETERY ASSOCIATION OF BROOKLYN CENTER**

Motion passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

7a. RENTAL LICENSING PROGRAM YEAR-END REVIEW

Community Development Deputy Director/HRA Specialist Jesse Anderson reviewed the recently updated Rental Licensing Program, which went into effect on December 1, 2018. He added program modifications consisted of removing ARM meeting requirements and monthly meeting requirements. He said an inspector consultation for repeat Type 4 licenses was added, and the

Ordinance modified to allow mitigation plans to be approved by City Staff. He noted the number of permitted violations per license type was increased by one for single and two-family dwellings.

Mr. Anderson stated there had not been a significant change in the number of Type 4 licenses, but there was an increase in Type 1 licenses, which resulted in a decrease in Type 2 and Type 3 licenses. He added an increase in ARM meeting participation was noted, as well as an increase in the productivity of the meetings and a positive attitude of attendees. He said inspection consultations had been a positive change and renters appreciate the opportunity to prepare for inspections. City Staff plans to add the consultation date to the approved mitigation plan, so it is recommended earlier in the process.

Mr. Anderson stated City Staff noted that 86% of Type 4 licenses were improving on their inspections each time they occurred. He added, at the same time, only 44% were still repeating their Type 4 license. He noted this indicates that Type 4 rental properties were doing better, but fewer properties are repeating Type 4 licensing.

Mr. Anderson stated the following conclusions can be drawn from the data that was collected: a high rate of improvement on Type 4 rental properties; 90% of properties are doing better on their first inspection while decreasing the number of properties repeating Type 4 licensing; ARM meetings are more engaging; a reduction in the number of extended repeat Type 4 licenses; and an overall improvement in the program.

Councilmember Graves thanked Mr. Anderson for his report. She stated she has been anxious to see the results of the rental licensing program changes. She added it is evident that rental properties feel like they are moving forward and being rewarded. She noted a positive development is the more productive use of the ARM meetings, and the increase in the positivity of attendees.

Councilmember Graves stated she would like to see something in the mitigation plans to accommodate tenant feedback. She added that it is an important way of assessing available rental housing.

Mr. Anderson agreed to look into that possibility. He added City Staff encourages rental inspectors to engage with tenants during inspections.

Councilmember Ryan thanked Mr. Anderson for his report, and his hard work. He added the adjustments are important and help make the inspection process less administratively onerous. He noted the overall objective is to ensure a better rental product for our residents, and that renters can enjoy a better rental experience.

Councilmember Graves moved, and Councilmember Ryan seconded to adopt the Rental Licensing Program Year-End Review.

Motion passed unanimously.

8. PUBLIC HEARINGS

-None.

9. PLANNING COMMISSION ITEMS

-None.

10. COUNCIL CONSIDERATION ITEMS

10a. RESOLUTION NO. 2020-022 APPOINTING CITY COUNCIL MEMBERS TO SERVE AS LIAISONS TO CITY ADVISORY COMMISSIONS AND AS CITY REPRESENTATIVES/VOTING DELEGATES FOR OTHER ORGANIZATIONS FOR 2020

Councilmember Graves moved, and Councilmember Ryan seconded to adopt RESOLUTION NO. 2020-XX Appointing City Council Members to Serve as Liaisons to City Advisory Commissions and as City Representatives/Voting Delegates for Other Organizations for 2020.

Motion passed unanimously.

10b. ORDINANCE 2020-03 AMENDING CHAPTER 12 OF THE CITY CODE OF ORDINANCES REGARDING ACCESS TO MULTI-UNIT HOUSING STRUCTURES BY THE UNITED STATES CENSUS BUREAU EMPLOYEES – 1ST READING

Assistant City Manager Reggie Edwards reviewed a proposed Ordinance amending Chapter 12 of the City Code to allow access to multi-unit housing structures for United States Census Bureau employees. He added this would be the first reading of this Ordinance amendment, and the second reading would be held on February 24, 2020. He noted the Census count begins on April 1, 2020, so there is some time sensitivity with this approval.

Dr. Edwards stated there are populations within Brooklyn Center that have historically been under-counted and have a greater propensity to not be counted moving forward. He added it is estimated that 7,156 Brooklyn Center residents or 23% of the population will not self respond to the initial Census request. He noted the effort going forward is to engage that 23% as much as possible, as the City receives 28,000 in federal funding for every person counted. He stressed the importance of counting all residents for political representation, community empowerment, and a sense of ownership and pride.

Dr. Edwards stated the proposed ordinance amendment would allow local government to give Census workers access to multi-unit properties, and Brooklyn Park and other jurisdictions have already started this process. He noted the Ordinance amendment would prohibit denial of access

of a Census worker to any multi-unit apartment. He stressed the importance of attempting to ensure that all residents are counted.

Dr. Edwards stated, in terms of exceptions, Census workers do not have the right to access people's homes, and access can be denied if a resident has health issues. He added apartment owners might limit the number of times a Census worker can visit, or request notification before being allowed to enter.

Dr. Edwards stated City Staff would seek out rental property owners through ARM meetings to get feedback and comment about the proposed Ordinance amendment and provide information. He added City staff recommends approval of the first reading of the Ordinance and schedule the second reading on February 24, 2020.

Councilmember Graves thanked Dr. Edwards for his presentation. She added she fully supports the Ordinance amendment. She noted she attended the Brooklyn Census meeting, which was well attended, and Dr. Edwards covered all the issues raised at that meeting. She asked how Census workers will contact property owners and whether they receive the contact information to let them know they are coming.

Councilmember Ryan stated he also supports the Ordinance amendment, which is important as it can be challenging to get into multi-family apartments. He added the State of Minnesota historically sends more money to the federal government through income tax and other taxes than it receives back in federal aid. He noted it is incumbent upon the City Council to pass this Ordinance and attempt to count all residents of Brooklyn Center and support Census activity.

Mayor Elliott stated he supports the Ordinance amendment, which will help increase the count for Brooklyn Center. He asked whether a building owner could limit the number of times a Census worker can enter their property. He added Census workers should have full continuous access and not be denied unless there is a good cause.

City Attorney Troy Gilchrist stated the Ordinance amendment reflects sample language provided by the State of Minnesota, which refers to limiting visits to a reasonable number of Census employees. He added the Ordinance amendment could require that a written explanation of and the basis for denial.

Mr. Boganey explained the benefit of making access upon request is that the City does not assume that the property owner or manager has read the Ordinance and would know that it is necessary to put a denial in writing.

Mayor Elliott asked whether a time requirement could be added for providing written request that makes sense. Mr. Gilchrist stated a time limit is not overly burdensome but should be related to the building and not the individual unit.

Councilmember Ryan asked whether federal law mandates that Census workers are allowed to enter a building. Mr. Gilchrist confirmed this, adding the Ordinance amendment creates an enforcement duty for the City that should be considered.

Councilmember Ryan stated he supports the modification, with the expectation that the person objecting to access is speaking on behalf of building management.

Mr. Gilchrist agreed, adding the modifications can be included in the motion approving the first reading, with language added to the Ordinance amendment before the second reading.

Councilmember Ryan moved, and Councilmember Graves seconded to approve first reading of Ordinance Amending Chapter 12 of the City Code of Ordinances Regarding Access to Multi-Unit Housing Structures by the United States Census Bureau Employees, as amended.

Motion passed unanimously.

Mr. Boganey thanked the City Council for their consideration of this time-sensitive issue without previous Work Session review.

11. COUNCIL REPORT

The City Council agreed to forego Council Reports in the interest of time.

12. ADJOURNMENT

Councilmember Graves moved, and Councilmember Ryan seconded adjournment of the City Council meeting at 7:52 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
JANUARY 27, 2020
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council/Economic Development Authority (EDA) met in Work Session called to order by Mayor/President Mike Elliott at 7:53 p.m.

ROLL CALL

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

**CONCEPT REVIEW FROM J O COMPANIES, LLC FOR THE EDA-OWNED
PROPERTIES LOCATED AT THE NORTHWEST CORNER OF 61ST AVENUE
NORTH AND BROOKLYN BOULEVARD (cont'd)**

Community Development Director Meg Beekman stated she completed her presentation during the Study Session. She asked whether the City Council/EDA had questions or comments.

Mayor/President Elliott asked for clarification regarding the time frame for 100% affordability of the apartments. Ms. Beekman stated the length of affordability depends upon the source of the subsidy, as they have requirements and regulations. She added federal funding, a common form of financing for legally binding affordable housing has specific requirements. She noted, for instance, the developer of the Jerry's Foods site received federal tax credits that were sold to private investors to buydown their tax base, and they have a 15-year requirement that can be extended and refinanced.

The developer, representing J O Companies, LLC, thanked the City Council/EDA for their consideration of the proposed project. He introduced other members of the design team. He thanked Ms. Beekman and City Staff for their help and support. He thanked Ms. Beekman and City Staff for their help and support. He noted this would be a significant development and an opportunity to provide families with a new, attractive place to live.

The developer stated he has been working with the City of St. Paul for the past two years on a 91-unit development similar to that which is currently being proposed. He expressed the importance

of engaging the community to get their support and perspective. He added his development partners bring years of experience in development to this proposal. He noted the development team believes this unique development, with many 3-bedroom units, is something the City of Brooklyn Center needs, and will be a benefit to the community.

Mayor/President Elliott thanked the developer for bringing the proposal to the City Council/EDA. He added he believes the project meets many of the community's needs.

Councilmember/Commissioner Graves stated she is excited about the proposed development, and she likes that there are many 3-bedroom units. She added she supports the affordability of the development, which makes the availability of TIF funding more palatable.

Councilmember/Commissioner Graves asked whether the proposed building would be four stories. Mr. Park stated he has met with the developers of the Sanctuary to find what worked for them and what was not feasible. He added they are supportive of this type of proposal as there is a lack of this type of affordable housing in the community.

Councilmember/Commissioner Ryan thanked the developer for his presentation. He added he is very interested in the proposal, and it is similar in many ways to what the City Council/EDA had expressed as priorities for the previous proposal for this site. He noted the proposed architectural design fits well with the location, and the inclusion of many 3-bedroom units fills a need within the community.

Councilmember/Commissioner Ryan stated the proposed projected rents are not very different from rents in other cities, except for the 3-bedroom units, of which there are very few precedents. Ms. Beekman agreed, adding market rents in Brooklyn Center is affordable at 50% Area Median Income (AMI). She said there is stability in this type of development, and it is difficult to make comparisons as most apartment buildings in Brooklyn Center were built between 1961-1971.

Mayor/President Elliott asked whether the developer intends to include energy-saving components and sustainability measures. He added he is in favor of moving forward with the project.

The developer confirmed that sustainability would be a priority with this development. He added it is an essential focus at the State level as well as within communities.

Councilmember/Commissioner Ryan asked whether the developer will maintain ownership of the building. He added renters have often expressed that they have a better rental experience if the developer owns and manages the property over a long time period.

The developer stated he intends to be a long-term owner/operator.

Mayor/President Elliott thanked the developer for his presentation.

Mayor/President Elliott stated Ramsey County funding requests would be reviewed tomorrow at 1:00 p.m. He asked whether any of the Councilmembers/Commissioners would be able to attend to represent the City regarding the need for County funding.

Councilmember/Commissioner Graves stated she could attend the Ramsey County meeting.

Mayor/President Elliott called for adjournment as he was not feeling well.

ADJOURNMENT

Mayor/President Elliott moved, and Councilmember/Commissioner Graves seconded adjournment of the City Council/Economic Development Authority Work Session at 8:30 p.m.

Motion passed unanimously.

Council Regular Meeting

DATE: 2/10/2020

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

Background:

The following businesses/persons have applied for City licenses as noted. Each business/person has fulfilled the requirements of the City Ordinance governing respective licenses, submitted appropriate applications, and paid proper fees.

Applicants for rental dwelling licenses are in compliance with Chapter 12 of the City Code of Ordinances, unless comments are noted below the property address on the attached rental report.

INTOXICATING & SUNDAY SALE LIQUOR

Minn Hotels, LLC 2200 Freeway Blvd
DBA Radisson Brooklyn Center Brooklyn Center 55430

MECHANICAL LICENSE

7 Metro Heating & A/C 609 150th Ave NE
Ham Lake 55304

Air Comfort Specialists Inc 662 116th Lane NE
Blaine 55434

Amp's Future Inc 5155 East River Rd
DBA Mr Rooter Plumbing of the Ste 418
Twin Cities Fridley 55421

SIGN HANGERS LICENSE

Leroy Signs Inc 6325 Welcome Ave N
Brooklyn Park 55429

TEMPORARY ON-SALE LIQUOR LICENSE

St. Alphonsus Catholic Church 7025 Halifax Ave N
Event Date: April 18, 2020 Brooklyn Center 55429

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Rental Criteria	5/7/2019	Backup Material
2-10-2020 Rentals	2/4/2020	Cover Memo

Property Code and Nuisance Violations Criteria		
License Category (Based on Property Code Only)	Number of Units	Property Code Violations per Inspected Unit
Type I – 3 Year	1-2 units	0-2
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than 2 but not more than 5
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than 5 but not more than 9
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than 9
	3+ units	Greater than 3

b. Police Service Calls.

Police call rates will be based on the average number of valid police calls per unit per year. Police incidences for purposes of determining licensing categories shall include disorderly activities and nuisances as defined in Section 12-911, and events categorized as Part I crimes in the Uniform Crime Reporting System including homicide, rape, robbery, aggravated assault, burglary, theft, auto theft and arson.

Calls will not be counted for purposes of determining licensing categories where the victim and suspect are “Family or household members” as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (b) and where there is a report of “Domestic Abuse” as defined in the Domestic Abuse Act, Minnesota Statutes, Section 518B.01, Subd. 2 (a).

License Category	Number of Units	Validated Calls for Disorderly Conduct Service & Part I Crimes (Calls Per Unit/Year)
No Category Impact	1-2	0-1
	3-4 units	0-0.25
	5 or more units	0-0.35
Decrease 1 Category	1-2	Greater than 1 but not more than 3
	3-4 units	Greater than 0.25 but not more than 1
	5 or more units	Greater than 0.35 but not more than 0.50
Decrease 2 Categories	1-2	Greater than 3
	3-4 units	Greater than 1
	5 or more units	Greater than 0.50

Rental Licenses for Council Approval on February 10, 2020								
Property Address	Dwelling Type	Renewal or Initial	Owner	Property Code Violations	License Type	Police CFS *	Final License Type **	Previous License Type ***
3213 62nd Ave N	Single	Initial	Sara Brang / Easton Homes	0	II	N/A	II	
6626 Camden Dr	Single	Initial	Xifeng Zhang	1	II	N/A	II	
3812 Commodore Dr	Single	Initial	David Koenig	0	II	N/A	II	
6100 Girard Ave N	Single	Initial	Peter Hoebe	2	II	N/A	II	
6051 Halifax Ave N	Single	Initial	Oyewale Ilesanmi / Supreme Living Homes	7	III	N/A	III	
5419 Morgan Ave N	Single	Initial	Nimo Ahmed	1	II	N/A	II	
6407 Orchard Ave N	Single	Initial	HPA Borrower 2018-1 MS LLC	8	III	N/A	III	
201 65th Ave N Riverwood Estates	Multi 7 Bldgs 84 Units	Renewal	Riverwood Estates LLC	228 2.7 Per Unit	III	9 valid 0.1 per unit 2/21/2019 Auto Theft 3/20/2019 Auto Theft 5/4/2019 Burglary 9/30/2019 Auto Theft 10/6/2019 Auto Theft 11/16/2019 Aggravated Assault 12/9/2019 Theft 1/25/2020 Aggravated Assault 1/26/2020 Theft	III	II
5519-23 Lyndale Ave B	2 Family 2 Units	Renewal	Brett Hildreth / Dragon Property Mgt Met Mitigation Plan	0	I	0	I	IV
2012 55th Ave N	Single	Renewal	IH3 Management - Met Mitigation Plan	2	I	1 valid, 8/26/19 theft from auto	I	IV
3808 61st Ave N	Single	Renewal	Adedamola Ogundipe / Goodness & Mercy Health Services	4	II	0	II	II
4101 70th Ave N	Single	Renewal	Paul Pham	13	IV	0	IV	II
6605 Camden Dr	Single	Renewal	Calvin Johnson	0	I	0	I	II
6213 Chowen Ave N	Single	Renewal	Nazneen Khatoon	9	III	0	III	I
6724 France Ave N	Single	Renewal	Jessica Stohl Van Elsen - Missing CPTED	9	III	0	III	III
5600 Judy La	Single	Renewal	Nita Morlock - Met Action Plan	5	II	0	II	III
4201 Lakeside Ave #311	Single	Renewal	Mohamed Sagal / Guardian Property Mgt	3	II	0	II	II

Rental Licenses for Council Approval on February 10, 2020

Property Address	Dwelling Type	Renewal or Initial	Owner	Property Code Violations	License Type	Police CFS *	Final License Type **	Previous License Type ***
5548 Lilac Dr	Single	Renewal	Prosperous Property / Xian Lin	2	I	1 valid, 6/7/19 disturbing peace	I	I
5509 Lyndale Ave N	Single	Renewal	Brett Hildreth / Dragon Property Mgt	4	II	0	II	II
6907 Palmer Lake Dr	Single	Renewal	FYR SFR Borrow LLC - Met Action Plan	5	II	0	II	III
6307 Scott Ave N	Single	Renewal	Kin Chew / Urban Enterprises	11	IV	0	IV	II
6807 Scott Ave N	Single	Renewal	Gao Qiang Liu / Sam Liew	2	I	0	I	II
3613 Violet Ave	Single	Renewal	Gao Qiang Liu / Sam Liew	1	I	0	I	I

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

** License Type Being Issued

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

All properties are current on City utilities and property taxes

Council Regular Meeting

DATE: 2/10/2020

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: N/A

BY: Tim Gannon, Chief of Police

SUBJECT: Resolution Approving the State of Minnesota Joint Powers Agreement with the City of Brooklyn Center on Behalf of its Police Department Regarding the Minnesota Human Trafficking Investigators Task Force (MNHITF)

Background:

Under Minnesota Statutes, § 471.59, the BCA and the Governmental Unit are empowered to engage in agreements that are necessary to exercise their powers. The parties wish to work together to investigate and prosecute human trafficking and sexual exploitation of children. The Governmental Unit wants to participate in the Minnesota Human Trafficking Investigators Task Force ("MNHITF") as an affiliate member.

The Brooklyn Center Police Department and BCA enter into this Agreement to make the Police Department part of the Minnesota Human Trafficking Investigators Task Force that will use a three-pronged approach to combat human trafficking and the sexual exploitation of children: **prevention, education and enforcement**. The BCA will provide a Senior Special Agent who will serve as the Commander of the task force.

Budget Issues:

There are no budget issues to consider.

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Human Trafficking JPA	1/28/2020	Cover Memo
Resolution	5/28/2019	Cover Memo



STATE OF MINNESOTA HUMAN TRAFFICKING INVESTIGATORS TASK FORCE JOINT POWERS AGREEMENT

This Joint Powers Agreement ("Agreement") is between the State of Minnesota, acting through its Commissioner of Public Safety on behalf of the Bureau of Criminal Apprehension ("BCA"), and the City of Brooklyn Center on behalf of its Police Department, 6645 Humboldt Ave. N., Brooklyn Center, MN 55430 ("Governmental Unit").

Recitals

Under Minnesota Statutes § 471.59, the BCA and the Governmental Unit are empowered to engage in agreements that are necessary to exercise their powers. The parties wish to work together to investigate and prosecute human trafficking and sexual exploitation of children. The Governmental Unit wants to participate in the Minnesota Human Trafficking Investigators Task Force ("MNHITF") as an affiliate member.

Agreement

1. Term of Agreement

- 1.1 Effective Date.** This Agreement is effective on the date BCA obtains all required signatures pursuant to Minnesota Statutes § 16C.05, subdivision 2.
- 1.2 Expiration Date.** This Agreement expires five (5) years from the Effective Date unless terminated earlier pursuant to clause 12.

2. Purpose

The Governmental Unit and BCA enter into this Agreement to make the Governmental Unit part of the Minnesota Human Trafficking Investigators Task Force that will use a three-pronged approach to combat human trafficking and the sexual exploitation of children: **prevention, education, and enforcement**. The BCA will provide a Senior Special Agent who will serve as the Commander of the task force.

3. Standards

The Governmental Unit will adhere to the MNHITF Standards identified below.

- 3.1** Investigate human trafficking crimes committed by organized groups or individuals related to child sexual exploitation, sex trafficking with a focus on minors being trafficked, and labor trafficking.
- 3.2** Investigators will follow appropriate state and/or federal laws in obtaining arrest warrants, search warrants and civil and criminal forfeitures. Investigators will follow proper legal procedures in securing evidence, including electronic devices.
- 3.3** Investigators will understand and use appropriate legal procedures in the use of informants including documentation of identity, monitoring of activities, and use and recordation of payments.
- 3.4** Investigators will use, as appropriate, a broad array of investigative technologies and techniques.
- 3.5** Investigators will interview and prepare reports of victim rescues and be able to direct those victims to appropriate public and private resources to help ensure their safety and integration back into society.
- 3.6** Affiliate Task Force members must be willing to respond and/or work jointly on human trafficking crimes within their jurisdiction and complete their assigned duties for the duration of

the term of this Agreement.

- 3.7 Investigators must be licensed peace officers.
- 3.8 Affiliate members will investigate cases involving cross-jurisdictional, high impact and/or organized groups involving human trafficking. The assignment may require investigators to travel to neighboring jurisdictions as investigations expand or as assigned by the task force commander.
- 3.9 Affiliate members will be asked to participate in pro-active operations deterring sexual exploitation of children and rescuing victims of human trafficking primarily focused on minors with the goal of identifying their traffickers.
- 3.10 Affiliate Task Force members will prepare an operational briefing sheet for each active operation, to be approved by the task force commander.
- 3.11 Affiliate Task Force members will prepare investigative reports to be submitted to the task force commander. Affiliate members must submit statistics to the task force commander on a quarterly basis.
- 3.12 Affiliate members are assigned to their home agencies and may request assistance and resources on a case-by-case basis as approved by the task force commander.
- 3.13 Affiliate Task Force members will utilize the MNHITF deconfliction system to share and receive information to promote deconfliction with other agencies.

4. Responsibilities of the Governmental Unit and the BCA

- 4.1 The Governmental Unit will:
 - 4.1.1 Conduct investigations in accordance with provisions of the MNHITF Standards, identified in clause 3 above, and conclude such investigations in a timely manner.
 - 4.1.2 Maintain accurate records of prevention, education, and enforcement activities, to be collected and forwarded quarterly to the BCA for statistical reporting purposes.
 - 4.1.3 Assign, on a part-time basis, one or more employees of the Governmental Unit as members to the MNHITF. All employees of the Governmental Unit assigned as members, and while performing MNHITF assignments, shall continue to be employed and directly supervised by the same Governmental Unit currently employing that member. All services, duties, acts or omissions performed by the MNHITF member will be within the course and duty of the member's employment and therefore covered by the Workers Compensation and other compensation programs of the Governmental Unit including fringe benefits.
 - 4.1.4 Make a reasonable good faith attempt to be represented at all scheduled MNHITF meetings in order to share information and resources among the MNHITF members.
 - 4.1.5 Participate fully in any audits required by the Minnesota Human Trafficking Task Force.
 - 4.1.6 Maintain an electronic deconfliction system for use by MNHITF Affiliate members.
- 4.2 The BCA will:
 - 4.2.1 Provide a Senior Special Agent who will serve as the Commander of the Task Force.
 - 4.2.2 Review and approve or decline reimbursement requests under clause 5.1 within three (3) business days of the reimbursement request.
- 4.3 Nothing in this Agreement shall otherwise limit the jurisdiction, powers, and responsibilities normally possessed by a member as an employee of the Governmental Unit.

5. Payment

- 5.1 Governmental Unit must first submit a written request for funds and receive written pre-approval for the funds from BCA.
- 5.2 Governmental Unit must supply original receipts to be reimbursed on pre-approved requests. Approved reimbursement will be paid directly by the BCA to the Governmental Unit within thirty (30) calendar days of the invoice date with payment made to the Governmental Unit Authorized Representative's address listed below.

6. Authorized Representatives

The BCA's Authorized Representative is the following person or his successor:

Name: Jeffrey Hansen, Deputy Superintendent
 Address: Department of Public Safety; Bureau of Criminal Apprehension
 1430 Maryland Street East
 Saint Paul, MN 55106
 Telephone: 651.793.7000
 E-mail Address: jeff.hansen@state.mn.us

The Governmental Unit's Authorized Representative is the person below or his successor:

Name: Tim Gannon, Chief
 Address: 6645 Humboldt Ave. N.
 Brooklyn Center, MN 55430
 Telephone: 763.569.3333
 E-mail Address: tgannon@ci.brooklyn-center.mn.us

If the Governmental Unit's Authorized Representative changes at any time during this Agreement, the Governmental Unit must immediately notify the BCA in writing/email.

7. Assignment, Amendments, Waiver, and Agreement Complete

- 7.1 Assignment.** The Governmental Unit may neither assign nor transfer any rights or obligations under this Agreement.
- 7.2 Amendments.** Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Agreement, or their successors in office.
- 7.3 Waiver.** If the BCA fails to enforce any provision of this Agreement, that failure does not waive the provision or its right to enforce it.
- 7.4 Agreement Complete.** This Agreement contains all negotiations and agreements between the BCA and the Governmental Unit. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

8. Liability

The BCA and the Governmental Unit agree each party will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of any others and the results thereof. The BCA's liability shall be governed by provisions of the Minnesota Tort Claims Act, Minnesota Statutes § 3.736, and other applicable law. The Governmental Unit's liability shall be governed by provisions of the Municipal Tort Claims Act, Minnesota Statutes §§ 466.01-466.15, and other applicable law.

9. Audits

Under Minnesota Statutes § 16C.05, subdivision 5, the Governmental Unit's books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by the BCA and/or the State Auditor and/or Legislative Auditor, as appropriate, for a minimum of six (6) years from the end of this Agreement.

10. Government Data Practices

The Governmental Unit and the BCA must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, and other applicable law, as it applies to all data provided by the BCA under this Agreement and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Governmental Unit under this Agreement. The civil remedies of Minnesota Statutes § 13.08 apply to the release of the data referred to in this clause by either the Governmental Unit or the BCA.

If the Governmental Unit receives a request to release the data referred to in this Clause, the Governmental Unit must immediately notify the State. The State will give the Governmental Unit instructions concerning the release of the data to the requesting party before the data is released.

11. Venue

The venue for all legal proceedings out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

12. Expiration and Termination

12.1 Either party may terminate this Agreement at any time, with or without cause, upon 30 days written notice to the other party. To the extent funds are available, the Governmental Unit shall receive reimbursement in accordance with the terms of this Agreement through the date of termination.

12.2 Upon expiration or earlier termination of this Agreement, the Governmental Unit shall provide the MNHITF Commander all investigative equipment that was acquired under this Agreement.

13. Continuing Obligations

The following clauses survive the expiration or cancellation of this Agreement: 8, Liability; 9, Audits; 10, Government Data Practices; and 11, Venue.

The parties indicate their agreement and authority to execute this Agreement by signing below.

1. STATE ENCUMBRANCE VERIFICATION

Individual certifies that funds have been encumbered as required by Minnesota Statutes §§ 16A.15 and 16C.05.

Signed: _____

Date: _____

SWIFT PO Number: _____

**3. DEPARTMENT OF PUBLIC SAFETY;
BUREAU OF CRIMINAL APPREHENSION**

By: _____
(with delegated authority)

Title: _____

Date: _____

2. GOVERNMENTAL UNIT

Governmental Unit certifies that the appropriate person(s) has(have) executed this Agreement on behalf of the Governmental Unit and its jurisdictional government entity as required by applicable articles, laws, by-laws, resolutions or ordinances.

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

**4. COMMISSIONER OF ADMINISTRATION
As delegated to the Office of State Procurement**

By: _____

Date: _____

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING THE STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE CITY OF BROOKLYN CENTER ON BEHALF OF ITS POLICE DEPARTMENT REGARDING THE MINNESOTA HUMAN TRAFFICKING INVESTIGATORS TASK FORCE (MNHITF")

WHEREAS, it has been proposed that the City on behalf of its Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, and Bureau of Criminal Apprehension to utilize applicable state and federal laws to investigate and prosecute human trafficking and sexual exploitation.

WHEREAS, Minnesota Human Trafficking Investigators Task Force officers collaborate with and obtain information from other agencies to improve the safety of the City of Brooklyn Center; and

WHEREAS, Minnesota Human Trafficking Investigators Task Force can extend the range of intelligence to better prevent sexual exploitation and violence; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Brooklyn Center that the City Manager and Police Chief, are designated as the Authorized Representatives of the Police Department be and hereby are authorized to accept and implement the proposed Minnesota Human Trafficking Investigators Task Force Joint Powers Agreement. The Authorized Representatives are also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.

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: 2/10/2020

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: N/A

BY: Cornelius L. Boganey, City Manager

SUBJECT: Approval of 2020 Legislative Priorities

Background:

The 91st Minnesota Legislature will reconvene in regular session on February 11, 2020, and will adjourn not later than May 18th 2020.

Each year the City Council determines what legislative issues hold the greatest interest and priority for the City of Brooklyn Center.

At the last regular Council meeting the Council reviewed priorities from last year and recommended modification to those priorities. Specifically BCLG 03 has been modified to implore the Legislature to provide funding to public and private efforts underway to assist residents applying for permanent status under the provisions of Liberian Refugee Immigration Fairness Act (LRI FA).

BCLG 05 is a new priority in support of programs to provide affordable housing opportunities in the State.

Emphasis has been added to BCLG 13 regarding sales tax simplification and BCLG 14 local government aid.

BCLG 15 is a new priority in support of Cop Autism response Education and Vital App as away of improving the efficacy and effectiveness of emergency response to persons living with diagnosed Autism Spectrum Disorder.

Budget Issues:

There are no budget issues directly associated with this action.

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Legislative Priorities 2020	2/5/2020	Cover Memo

City of Brooklyn Center 2020 Legislative Agenda



February 2020

Administration

- BCLG 01-2020 (Official Notifications / Information Access) – The City of Brooklyn Center supports the State eliminating outdated and unnecessary publication requirements that are no longer relevant or representative of the City’s technological capabilities.

Justification – Currently the State has laws mandating the City establish an “official” or “qualified” newspaper for formal city notifications. The law specifies that cities designate only “one” newspaper, it must be printed in English and if it is a daily newspaper it must be distributed at least five days each week, etc. While the notification standards established in 1949 were well intended, they may not be complete or applicable to contemporary methods of communication or cost efficient.

- BCLG 02-2020 (Election Judge Recruitment and Retention) – The City of Brooklyn Center supports efforts by the State to amend regulations to eliminate the party balance requirement of appointed and hired staff administering absentee balloting prior to Election Day and for city special elections. We further recommend that the legislature authorize time off for college students if they have been appointed to serve as an election judge.

Justification – City elections are non-partisan and govern elections in a non-partisan manner. One of the City’s strategic priorities is “community engagement across all segments of the City”. The City desires to engage as many residents as possible in the election process.

- **BCLG 03-2020 (Liberian Refugee Immigration Fairness Act)** – **The City of Brooklyn Center supports the efforts of public and private organizations seeking to assist residents apply for permanent status under the LRIFA. We implore the State Legislature to provide funding in support of these efforts.**

Justification – We estimate that there are more than 30,000 Liberians living in the State of Minnesota of which 4,000 or more would be subject to deportation if their current DED status is not changed. The LRIFA recently approved by Congress will provide individuals with DED extensions, one final year to complete their application for a change in their immigrant status. Failure to complete a qualifying application is likely to result in deportation of these individuals, many of whom have been residents for more than a decade. Historically the State Legislature, Governor and State Officials have supported Brooklyn Center and other communities in the efforts that have led to passage of the LRIFA. Now it is critical that every effort be made to assure that each eligible person is able to take advantage of this opportunity. There are several organizations planning to provide the necessary legal and other assistance required for individuals to submit a qualifying application under the Act. We urge the legislature to provide financial support to these organizations.

- **BCLG 04-2020 Funding for Cultural Centers/Museums and other Community Building Assets-** **The City of Brooklyn Center encourages the Legislature to provide funding and provide new rules that will support the establishment of Cultural Museum/Centers that reflect the unique traditions and values provided by immigrants, new Americans and diverse communities; thereby enriching the lives of all Minnesotans.**

Justification – As one of the most ethically and cultural diverse communities in the State of Minnesota. We believe that this strength should be valued and shared. A variety of cultural organizations and groups would love the opportunity to collaborate with government, non-profits and others to share the benefits of their culture. We believe the State can play an extremely valuable role by providing funding to build capacity and facilitate opportunities for these groups to add to the culture of Minnesota in a lasting and meaningful way. We believe existing Grant Programs should be modified or new funding should be approved to encourage Cultural Centers, Museums, and Arts to support the goal of cultural inclusion and diversity in the State.

Housing and Development

- **BCLG 05-2020 (Affordable Housing) - The City of Brooklyn Center supports the creation of additional local tools and funding for workforce housing and affordable housing programs, including resources in a bonding bill. Specifically the State should establish a housing tax credit contribution fund, create a state funding match for local housing trust funds, increase funding for Economic Development and Challenge Fund Grant program and support dedicated funding for housing through bonding and general fund revenue.**

Justification – The lack of workforce housing makes it difficult for employers to attract workers and for cities to attract new residents. Vacancy rates remain low and the market is not keeping up with demand for affordable housing options. Cities want to play a role in addressing this issue, but lack the resources and the flexible tools to create partnerships with public and private entities to ensure an adequate supply of affordable housing options

- **BCLG 06-2020 (Group Homes and Housing with Services Establishments)- The City of Brooklyn Center requests the Legislature to examine the impacts of the established regulations, which limit the ability of municipalities to regulate group homes and housing with services establishments to determine if regulations are having a disproportionate effect on low-income communities and communities of color.**

Justification our experience is that single-family affordable housing neighborhoods are attractive locations to investors seeking to profit from the establishment Group Home and Housing with Services. The concentration of these homes in low-income neighborhoods reduces home ownership opportunities and wealth accumulation for residents and the concentration of these business can change the character of the neighborhood.

- BCLG 07-2020 (Building Officials) – The City of Brooklyn Center supports efforts of the State to increase its efforts to train new and diverse building officials, and provide sufficient education to help local officials administer and enforce construction regulations.

Justification – The City has established city priorities related to resident economic stability and a value of diversity and inclusion. There is a shortage of building officials in the State and greater shortage of building officials of color. Sufficient funding and support by the state would permit the City and other cities to have access to a broader pool of candidates for building official in the future.

Business and Economic Development

- BCLG 08-2020 (Youth Tax Credit) – The City of Brooklyn Center supports efforts by the State to create an internship to work tax credit for organizations hosting young workers in Brooklyn Center. This type of tax credit program exists now, but is targeted to Greater Minnesota.

Justification – One of the City’s strategic priorities is “Resident Economic Stability”. This program would provide an incentive for businesses to participate in the BrookLynk Program of the Brooklyn Bridge Alliance.

- BCLG 09-2020 (Workforce Readiness) – The City of Brooklyn Center supports efforts of the State to fully fund the Minnesota Job Skills Partnership and other workforce training programs. The City also supports the State providing flexible funding to local workforce councils and pursuing creative programming and funding. Finally, the City supports efforts to design and implement programs designed to address youth employment and workforce readiness.

Justification – One of the City’s strategic priorities is “Resident Economic Stability”. This program would provide an incentive for businesses to participate in the BrookLynk Program of the Brooklyn Bridge Alliance. This effort would also, support the City’s strategic priority of “Resident Economic Stability”.

- BCLG 10-2020 (Tax Increment Financing - TIF) – The City of Brooklyn Center supports efforts of the State to increase the ability of TIF to facilitate redevelopment and housing activities, The State should allow term extensions for redevelopment districts, which are taking longer to develop; amend Minn. Stat. § 469.1763, subdivision 3 to eliminate the “Five-Year Rule” for districts that are taking longer to develop; and modify the housing district income qualification level requirements to allow the levels to vary according to individual communities.

Justification – The City would benefit by having the ability to extend the term for its redevelopment districts, which could have a positive impact on the financial stability and effectiveness of the districts.

- BCLG 11-2020 (Land Recycling and Redevelopment) – The City of Brooklyn Center supports the creation of a “land assembly grant or loan program” to assist cities and economic development authorities assemble small parcels for redevelopment. In addition, the City supports efforts by the State to amend the definition of redevelopment district under TIF Act to include the obsolescence and incompatible land use.

Justification – Due to the City being a fully developed city, the City would benefit from more resources and greater flexibility of existing economic development tools to redevelopment deteriorated, obsolete and vacant structures and contaminated land.

Financial

- BCLG 12-2020 (Metro Area Fiscal Disparities) - Brooklyn Center was once a net contributor to the Fiscal Disparities pool. Today as a net recipient, Fiscal Disparities is a major factor contributing to the fiscal stability of the City and our taxpayers. Without Fiscal Disparities, the property tax burden in Brooklyn Center would escalate dramatically, perhaps more than 25%. We strongly encourage continued legislative support for Metro Area Fiscal Disparities.
- BCLG 13-2020 (Sales Tax Exemption Simplification) - **We advocate for a way to simplify the utility of the current sales tax exemption for construction materials. The process for using the current sales tax exemption on construction is so complicated, risky, and burdensome to contractors and cities that we are aware of no city that has decided to use this exemption. In Brooklyn Center, we estimate savings of \$300-\$400 thousand annually for our neighborhood street and utility construction projects if the sales tax exemption was viable.**
- BCLG 11-2020 (Property Tax Relief) – The City of Brooklyn Center supports efforts of the State increase property tax relief for property owners experiencing high tax burdens due to property tax shifts.

Justification - The City has experienced significant shifts in tax capacity growth from commercial to residential properties throughout the years of the most recent economic recession. As a result, residential property owners have endured a tax shift burden. We expect this trend to continue for the coming years as housing values continue to recover and commercial and industrial market values normalize.

- BCLG 14-2020 (Local Government Aid - LGA) – **The City of Brooklyn Center supports the existing LGA funding formula as an appropriate mechanism to distribute LGA and opposes special funding using LGA funds.**

Justification – LGA has been cut for many years. The City’s budget stability continues to be dependent on LGA funding. Any changes in the formula or siphoning of funds from the overall pool for special projects may be detrimental to the City’s financial stability.

Law Enforcement & Public Safety

- **BCLG 15-2020 (Cop Autism Response Education and Vitals App)** The City of Brooklyn Center supports legislative funding for the expansion of the COP Autism Response Education (CARE) training model and VITALs app to better meet the needs of individuals on the Autism Spectrum and build more inclusive communities

Justification- Each year globally, an increasing number of children are being diagnosed with autism spectrum disorders. The State of Minnesota has the second highest autism prevalence rate in the United States. Individuals with Autism Spectrum Disorder are valued members of our community and help to strengthen the City of Brooklyn Center. Unfortunately individuals on the Autism Spectrum face significant barriers in utilizing emergency services due to sensory processing and other characteristics that are included in the diagnosis of Autism Spectrum Disorder. CARE and Vitals App are two significant tools that may be used improve efficacy and effectiveness of emergency response to persons living in our community diagnosed with Autism Spectrum Disorder.

- **BCLG 16-2020 (T-21 Raising the Age for Purchasing Tobacco Products to Age Twenty One)** - The City of Brooklyn Center supports a legislative change to increase the age of tobacco product purchases to twenty-one.

Justification - Brooklyn Center along with several Cities throughout the State of Minnesota has adopted local ordinance regulations increasing the legal age to purchase tobacco products to 21 because overwhelming evidence demonstrates the younger a person is when they begin smoking the more likely they will become addicted and suffer physically resulting from this addiction. Likewise, vaping and other caffeine delivery devices should be regulated, as there is growing evidence that they too are addicting and physically harmful to young people.

- **BCLG 17-2020 (Juveniles in Municipal Jails)** – The City of Brooklyn Center supports efforts by the State to clarify state statute that would allow juveniles to be held for questioning and booking in the City jail for up to six hours.

Justification – The City would have more of an opportunity and time to work with a juvenile to resolve or remedy their situations prior to being transported to Hennepin County Jails should the state increase the max time juveniles may be held in a licensed municipal jail.

- **BCLG 18-2020 (21st Century Policing)** – The City of Brooklyn Center supports action by the State to increase funding for peace officer training, peace officer wellness activities, and grants to the cities to deploy technologies such as dash and body worn cameras, all of which align with the President's Task Force 21st Century Policing Report.

Justification - The City initiated efforts to implement 21st Century Policing soon after the report was published. The City continues to develop and train peace officers in accordance with the report. Funding support from the State would help advantage and stretch the use of City resources. To date the City has taken on the expense of such efforts at the City's expense.

Transportation

- **BCLG 19-2020 (MVLST Funding) - The City of Brooklyn Center supports including Hennepin County in the distribution of motor vehicle lease sales tax (MVLST).**

Justification - Hennepin County residents contribute substantially to the MVLST but State Law excludes the county from receiving funding from this transportation source. If included, Hennepin County would receive \$10.7 million annually for roads, bridges, and pedestrian and bikeway projects. The rationale to exclude Hennepin and Ramsey counties from receiving MVLST formula funds was based on enabling of new taxing authority through the creation of the Counties Transit Improvement Board (CTIB). With CTIB's dissolution in 2017, this rationale for excluding Hennepin and Ramsey counties from receiving MVLST Formula funds has ceased to exist.

- **BCLG 12-2020 (Transportation Funding) – The City of Brooklyn Center supports the State providing more funding, including bonding, for improvements to all components of the transportation system. The City specifically supports The Blue Line Light Rail Extension. In addition, the City's highest State transportation priority is the much needed improvements to and conversion of TH 252 to a freeway with the addition of MnPASS lanes.**

Justification – The City has various transportation needs ranging from constructing highway overpasses to upgrading Trunk Highway 252 to a freeway, as well as, transit related needs. Additional funding by the legislature would permit the City to access various funding sources from the Minnesota Department of Transportation for city projects. Improvements and conversion of Trunk Highway 252 to a freeway would benefit city residents and regional travelers with improved safety and less congestion on a corridor that lays claim to two of the top 10 and 5 of the top 100 intersections in statewide crash cost rankings.

Council Regular Meeting

DATE: 2/10/2020

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: N/A

BY: Dr. Reggie Edwards, Deputy City Manager

SUBJECT: Brooklyn Center 2020 Census Update

Background:

In 2019, the City of Brooklyn Center established participation in the 2020 Census by becoming a Complete Count Committee (CCC). The City also aligned with the City of Brooklyn Park to lead the Brooklyns 2020 Census Coalition. The purpose of the CCC and the Brooklyns 2020 Census Coalition is to conduct activities or efforts in order to increase participation by Brooklyn Center residents in the 2020 Census.

In May, 2019, staff presented information on the 2020 Census to the City Council including: its purpose, timeline, challenges and efforts of the City. Staff also presented the challenges of achieving high or full participation in the 2020 Census by historically under-counted populations.

The purpose of this presentation is to:

1. Provide a general overview of the 2020 Census process
2. Share the City's approach to generating greater resident participation in the 2020 Census particularly with historically undercounted populations
3. Highlight of efforts taken by the City over the past 12 months
4. Highlight some of the anticipated efforts to be completed by the City leading up to and through the 2020 Census.

The 2020 Census count will officially start on Wednesday, April 1, 2020.

Budget Issues:

Staff prepared to expended between \$10,000 and \$15,000 on 2020 Census efforts during the 2020 fiscal year.

Strategic Priorities and Values:

Inclusive Community Engagement

BC COUNTS CAMPAIGN

CENSUS 2020 UPDATE



City Council Meeting

Dr. Reggie Edwards, Deputy City Manager, 2/10/2020

Request of Action

Recommend the City Council receive a Census 2020 update of efforts by the city staff.



Principal Staff – Census 2020 Campaign

- *Dr. Angel Smith, Communications & Community Engagement Manager*
- *Cindy Devonish, Community Engagement Specialist*
- *Dr. Reggie Edwards, Deputy City Manager*



2

Background

- In 2019, the City of Brooklyn Center established participation in the 2020 Census by becoming a Complete Count Committee (CCC).
- In 2019, the City also aligned with the City of Brooklyn Park to lead the Brooklyns 2020 Census Coalition. The purpose of the CCC and the Brooklyns 2020 Census Coalition is to conduct activities or efforts in order to increase participation by Brooklyn Center residents in the 2020 Census.
- In May, 2019, staff presented information on the 2020 Census to the City Council including: its purpose, timeline, challenges and efforts of the City. Staff also presented the challenges of achieving high or full participation in the 2020 Census by historically under-counted populations.
- In January, 2020, staff presented an ordinance amendment regarding access to Multi-Unit Housing Structures by United States Census Bureau Employees.



2

A Constitutional Mandate

The U.S. Constitution (Article 1, Section 2) mandates a headcount every 10 years, of everyone residing in the United States

50 states, Puerto Rico and the Island areas
People of all ages, races, ethnic groups,
citizens, and noncitizens



2

A Constitutional Mandate

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers...

1. “Representatives” = Distribution of political boundaries

2. “Taxes” = Distribution of federal funds



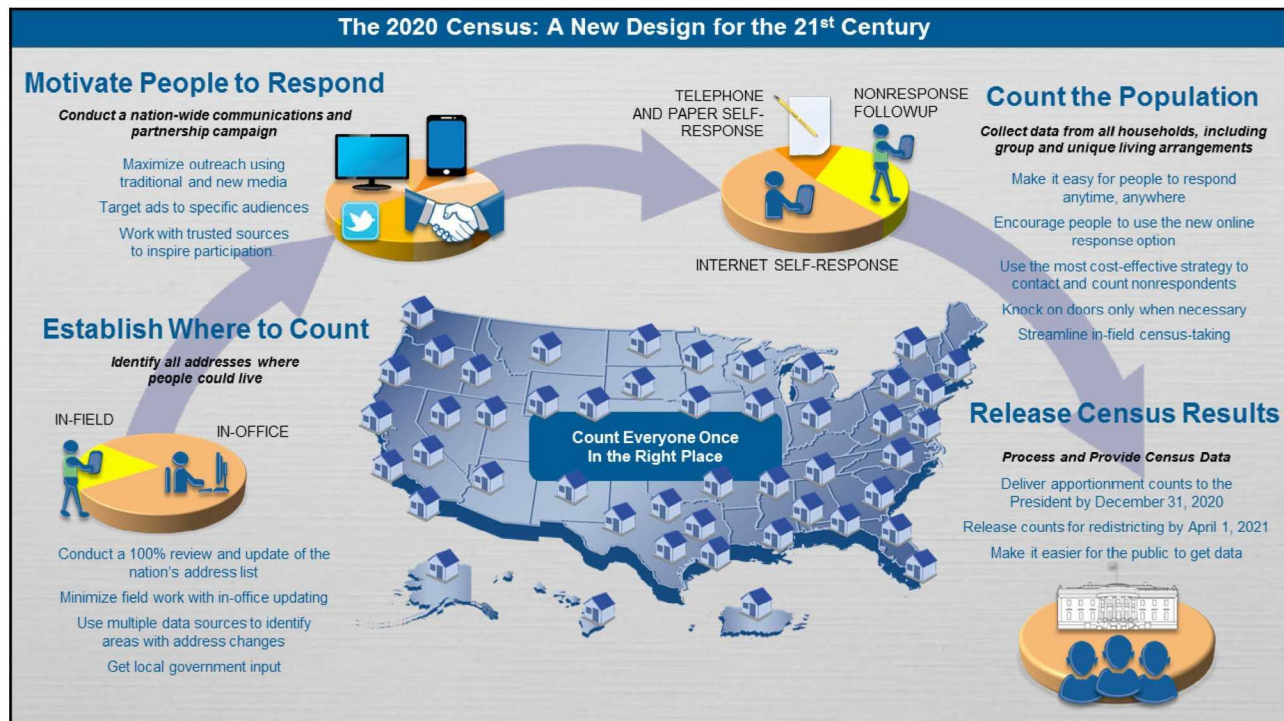
2

Census Opportunities/Benefits

- Estimated \$28,000 per Minnesotan counted in federal dollars for programs over 10 years
- Disaggregated data for racial/ethnic groups
- Political representation – State of MN projected to lose a Congressional rep (~26,000 people), county and city districts will likely change
- Community empowerment – civic ownership and government accountability of data



2



2020 Operational Schedule - Key Operational Milestones

Date	Activity
January 2018	Regional Census Center Opens (Chicago, IL)
January 2019	Open Area Census Offices (Field Offices)
2019	Complete Count Committees Active (Current Status)
August 2019	Begin In-Field Address Canvassing (Process by which the U.S. Census Bureau validates, corrects, or deletes existing Census Bureau addresses)
February 2020	Group Quarters Operations Begin
End of March 2020	Self-Response
End of March-July 2020	Field Enumeration (in Selected Areas)
April 1, 2020	2020 Census Day!
Late April-August 2020	Conduct Nonresponse Follow-Up (NRFU)
August 2020	Complete NRFU
December 31, 2020	Deliver Apportionment Counts to President
March 31, 2021	Deliver Redistricting Counts to States



2

Background - Previous Hard-To-Count Demographics



- Veterans
- People with disabilities
- Farm workers
- Homeless
- Renters
- College Students
- Immigrants/Minorities
- Snowbirds
- Senior citizens
- Language constrained
- Children under five
- People living in poverty



2

Background - Brooklyn Center Reflection of Historically Undercounted Populations

- 7,156 estimated to not self-respond (23.15% of population)
- 57.24 people of color
- 24.1 foreign-born
- 74% children of color under age of 5
- 34.3% speak a language other than English at home
- 37% of total households are rentals (11,510 people)



2

Brooklyns Count



Brooklyn Park 
Unique. Unified. Undiscovered.



Complete Count Committees (CCC) – Brooklyn Coalition

Roles

- Organized at the county and municipal levels
- Formed by local official proclamation or passage of ordinance and selected/appointed by local units of government
- Committee organizes local outreach efforts
- Provide leadership and support for local participation

Members

- Members of state, local or tribal government agencies
- Schools/Colleges
- Faith-based Institutions
- Community organizations
- Non-Profit Organizations
- Local Businesses
- Local Media
- Special Housing Groups



2

Brooklyn Center Census 2020 Count Appro



- Convene
- Coordinate
- Educate, inspire and motivate
- Activate



2

Year 2019 - Census 2020 Activities

- 9 Brooklyn Coalition Trainings and Collaboration Sessions (Approx. 300 Coalition Participants) in partnership with the City of Brooklyn Park
- 24 Newsletters and flyer prints
- 500 Immigrant Community Members - 2 Tabling and presentation (African Minnesota Women Awareness Group Annual Gala and the Brooklyn Center Immigration Celebration)



2

Year 2019 - Census 2020 Activities

- 7 School Event Presentations (i.e. Northport and Earle Brown Elementary Schools, Nompeng Academy, and Brooklyn Center Middle/High School) (Approximately 300 Youth Reached)
- Presentation to BC Rental Mangers (ARMS Meeting – 40 Attendees)



2

Year 2019 - Census 2020 Activities

- 1 Hosted Hennepin County Census Employment Fair Day
- 50 social media postings
- 32 weeks of Census Day Count Down on City Website
- 400 Census items distributed (i.e. buttons, phone holders, pens, water bottles, bags, and pens)



2

Year 2019 - Census 2020 Activities

- 13 Registered Complete Count Committees (CCC) and 4 in process in the Brooklyns
- 500 residents called for various Census events
- 200 residents reached in presentations City Neighborhood Meetings and National Night Out



2

Year 2020 - Census 2020 Activities

- 15 Planned Hosting of Census Worker Training
- Cities United/Brothers Keeper Census Presentation (Approx. 250 youth reached)
- Census Kickoff Campaign – Feb. 28
- 5 Rental Campaign Rallies
- Transit Hub Campaign Rally



2



Meet with a census recruiter and apply on the spot

Minneapolis

NorthPoint Health & Wellness
10 a.m. – noon
1313 Penn Avenue North

Hennepin County Government Center
Skyway Level
11 a.m. – 1 p.m.
300 South Sixth Street

Hennepin Healthcare Clinic & Specialty Center
1 – 3 p.m.
715 South 8th Street

Hennepin County Human Service Center
South Minneapolis
10 a.m. – noon
2215 East Lake Street

Brooklyn Center

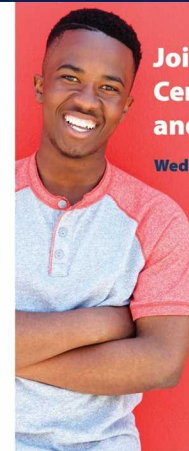
Northwest Family Service Center
10 a.m. – noon
7051 Brooklyn Boulevard

Maple Grove

Hennepin County Library
Maple Grove
10 a.m. – noon
8001 Main Street North

Bloomington

Hennepin County Library
Oxboro
3 – 5 p.m.
8801 Portland Avenue South



Join the 2020 Census team and earn \$20/hr

Wednesday, December 4

• 7 locations throughout Hennepin County

• Can't make it? Apply online at 2020census.gov/jobs



This event is hosted by



2



CITY OF BROOKLYN CENTER

PRESENTS

The Green Lights Initiative

“BC COUNTS CENSUS CAMPAIGN”

Minnesota's Projected Census 2020 undercount for Brooklyn Center is 7,156. As part of our effort to prevent an undercount in our community we are initiating an engagement program to bring friends, neighbors, businesses and families together from all walks of life in support of the 2020 Census. Anyone choosing to participate (resident, property owner, building manager, business, renter, etc.) will receive a Green LED light bulb, while supplies last. The free green light bulb will be available at various city buildings, schools and partnering non-profits for residents to pick up so that they may switch out their porch lights starting Friday, February 28. Each evening beginning in February through April, green lights will be lit around the Brooklyn Center community.

The lights are a symbol that the Brooklyn Center community:

- Believes everyone matters and will be counted starting April 1
- Encourages an open dialogue about Census 2020

The entire community is invited to join the Mayor, City Council and staff at “The Green Lights Initiative” kickoff celebration on **Friday, February 28, 2020** from 6 pm to 7:30 pm in front of Brooklyn Center City Hall. During that time we will be lighting various city buildings green in recognition of Census 2020. Please dress for the weather and prepare to have fun.

Community • Hot Beverages • S'mores • Prizes • Entertainment



Year 2020 - Census 2020 Activities

- **Green Light** (Light Up Homes, Apartments, businesses and city facilities) Initiative (Distribute over 7000 green LED light bulbs)
- April 1, **Census Day** Activity – Signage, Coffee and Bagels at Major Intersections
- 12 Additional Weeks of Social Media, Website, and Media **Count Down**
- Introduced City Ordinance for **Census Worker Access** to Multi-Unit Facilities
- Flyers translated into **multiple languages** (Confidentiality, How Everyone is Invited, Complete Census 2020 and Green Light Initiative)
- Planning **Partnership Activities** with Crest and Twin Lake Apartments, CEAP and CAPI
- Partner with MN Chapter of National Forum For Black Public Administrators (NFBPA), registered CCC and Brooklyn Center Daycare Centers to reach families with **kids 0-5yrs old** in Brooklyn Center.



2

Questions?



2

Council Regular Meeting

DATE: 2/10/2020

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: Doran Cote, P.E., Public Works Director

BY: Andrew Hogg, P.E, Assistant City Engineer

SUBJECT: An Ordinance Establishing the Eastbrook Estates 2nd Addition Storm Sewer Improvement Tax District

Background:

As a part of the subdivision agreement for the Eastbrook Estates development, the City is requiring a Storm Sewer Improvement Tax District for the properties that are part of the Eastbrook Estates 2nd Addition, excluding Lots 13 & 14, Block 1.

The establishment of the district is as follows; the City Council would hold a first reading of the ordinance per its usual procedure. At least two weeks prior to the second reading and hearing a published notice is required, with the last publication occurring at least seven days prior the day of the hearing. The City Council would hold the hearing, conduct the second reading, and adopt the ordinance by at least a 2/3 vote. The ordinance must be recorded with the county auditor and county recorder. The City is then authorized to “acquire, construct, reconstruct, extend, maintain, and otherwise improve storm sewer systems and related facilities within the district.”

Importantly, the district allows for “[t]he cost of the systems and facilities described in this subdivision may be recovered by the tax authorized in section 444.20.” Prior to issuing a contract for any improvement within the district, the city must obtain a feasibility report and hold a public hearing. The city must provide two published notices of the hearing that are a week apart and the last must be at least three days after the second publication. Notice must also be mailed to the owners in the district at least 10 days prior to the hearing. The notices must include a description of the improvement, the estimated cost, and the estimated tax to be imposed. Once the hearing is held, the City Council can adopt a resolution ordering the improvement. The city may issue bonds for the improvement. The city is authorized to levy a tax on taxable property within the district to pay for the improvement and its maintenance.

This district is way of protecting the city for the inevitable improvements to this private pond that in the future. Creating the district does not compel the city to utilize the district to pay for improvements but it provides the city the option of paying for improvements by taxing the benefitting properties in the district.

Consistent with the City Charter, at its January 13, 2020, meeting, the City Council approved the first reading of this ordinance and notice of the Public Hearing was published in the official newspaper on January 23, 2020. The second reading and Public Hearing are scheduled for February 10, 2020. If adopted by the City Council, the ordinance would be effective after thirty days following legal publication.

Budget Issues:

There are no budget issues to consider.

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Ordinance	2/3/2020	Cover Memo
Exhibit 12.23.19	2/3/2020	Cover Memo
powerpoint	2/5/2020	Presentation

CITY OF BROOKLYN CENTER

Notice is hereby given that a public hearing will be held on the ____ day of _____, 2019, at 7:00 p.m. or as soon thereafter as the matter may be heard at City Hall, 6301 Shingle Creek Parkway, to consider an ordinance establishing a storm sewer improvement tax district.

Auxiliary aids for handicapped persons are available upon request at least 96 hours in advance. Please contact the City Clerk at 763-569-3300 to make arrangements.

ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING THE EASTBROOK ESTATES
2ND ADDITION STORM SEWER IMPROVEMENT TAX DISTRICT**

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

Article I. Background; Findings.

1.01. The City of Brooklyn Center (the “City”) is authorized by Minnesota Statutes, sections 444.16 – 444.21 (the “Act”) to establish a storm sewer improvement tax district in connection with the Eastbrook Estates 2nd Addition plat (the “District”) to acquire, construct, reconstruct, extend, maintain and otherwise improve storm sewer systems and related facilities within the District and to acquire, construct, maintain and improve stormwater holding areas and ponds outside of the District which are for the benefit of the District in accordance with the Act and to levy a tax on all taxable property within the District to finance such activities.

1.02. The establishment of the District to address repairs and improvements to the stormwater pond and related facilities within the plat that may be needed if the owners within the plat fail to keep such facilities adequately maintained and functioning was addressed in the development agreement and the stormwater agreement entered into with the developer of the plat. Both agreements are being recorded against the property to help ensure those who purchase lots within the plat are aware of their shared obligation to keep the stormwater pond and related facilities properly maintained and that the City may, but is not obligated, to repair or improve the stormwater pond and charge the costs back against the lots within the District.

1.03. It is found and determined that it is in the best interests of the City and its taxpayers that the District be established to ensure the costs generated by the storm water facilities associated with the Eastbrook Estates 2nd Addition development are paid for by the property owners within the plat. The District shall be comprised of all lots within the plat of Eastbrook Estates 2nd Addition as shown on the map attached as Exhibit A and legally described in the attached Exhibit B.

Article II. Establishment; Authorizations.

2.01. The Eastbrook Estates 2nd Addition Storm Sewer Improvement Tax District is hereby established. The City shall have all powers and authority conferred by the Act in the operation and financing of the activities of the District.

2.02. The boundaries of the District include all properties within the plat of Eastbrook Estates 2nd Addition, excluding Lots 13 & 14, Block 1 as shown on the map attached as Exhibit A and legally described in the attached Exhibit B.

2.03. The City Clerk is authorized and directed to file a certified copy of this ordinance with the Auditor and Recorder of Hennepin County.

Article III. This ordinance shall become effective after adoption and upon thirty days following its publication.

Adopted this ____ day of _____, 2019.

Mike Elliott, Mayor

ATTEST: _____
City Clerk

Date of Publication _____

Effective Date _____

EXHIBIT A
Map of District

(attached hereto)

EXHIBIT B

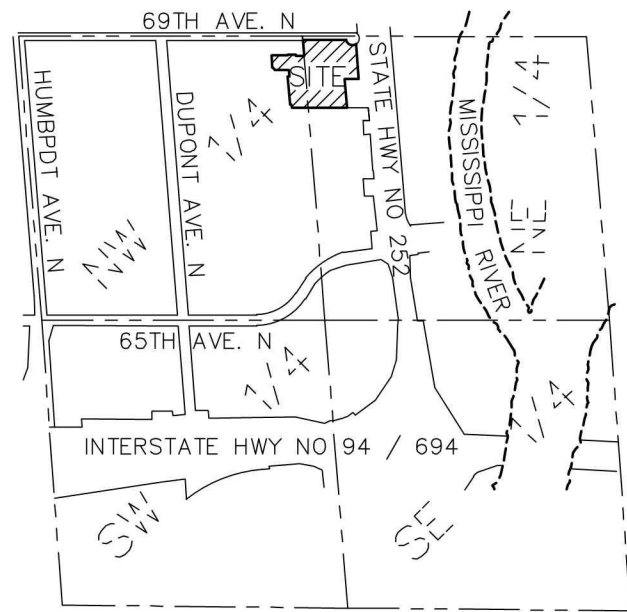
Legal description of properties contained within boundaries of
Eastbrook Estates 2nd Addition Storm Sewer Improvement Tax District

Lots 1-12, Lot 15-19, Block 1;
Lots 1-5, Block 2; and
Lots 1-8, Block 3;

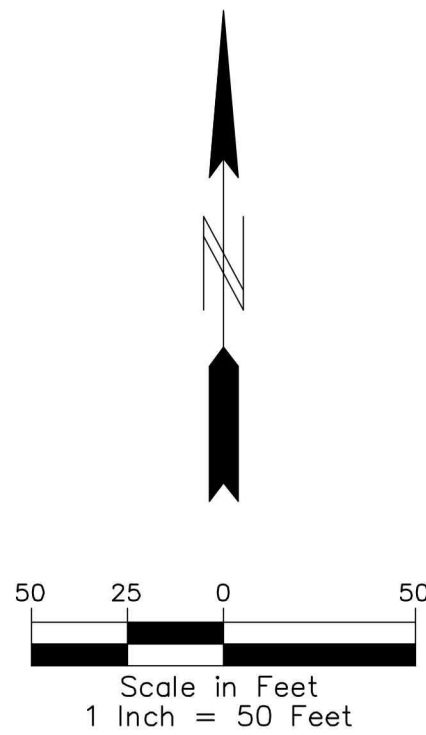
all in Eastbrook Estates 2nd Addition, Hennepin County, Minnesota.

EASTBROOK ESTATES 2ND ADDITION

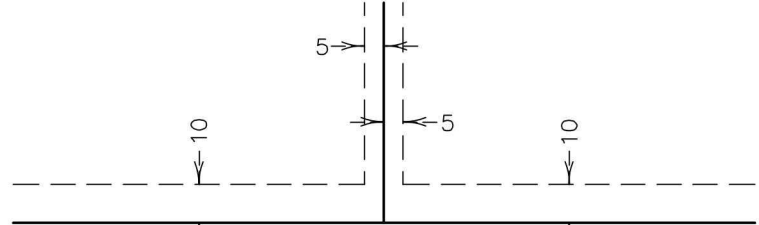
C.R. DOC. NO. _____



SECTION 36, TWP. 119, RGE. 21
LOCATION MAP
NOT TO SCALE



DRAINAGE AND UTILITY
EASEMENTS ARE SHOWN THUS:



Being 5 feet in width, and adjoining lot lines
unless otherwise indicated, and 10 feet in width
and adjoining right of way unless otherwise
indicated on the plat.

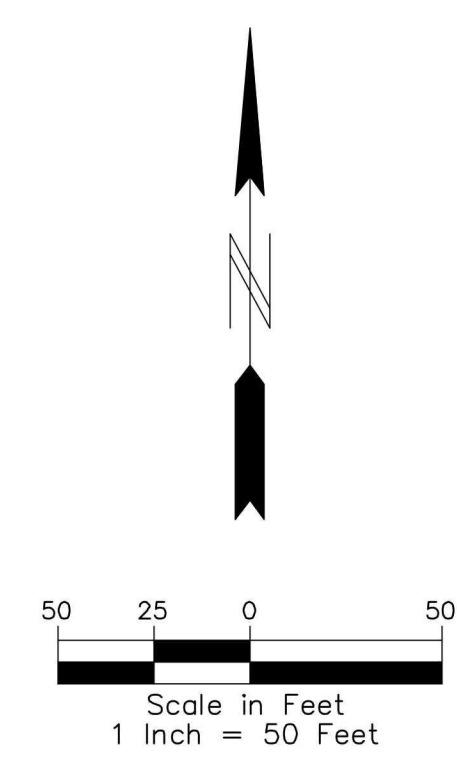
THE ORIENTATION OF THIS BEARING SYSTEM IS BASED ON
THE xxxx LINE OF xxxxxxxxxx, WHICH IS ASSUMED TO HAVE
A BEARING OF NORTH xx°xx'xx" WEST.

- DENOTES FOUND CAST IRON MONUMENT
- DENOTES 1/2 INCH BY 14 INCH IRON PIPE MONUMENT SET AND MARKED BY LICENSE NUMBER 42299.
- DENOTES FOUND 1/2 INCH IRON MONUMENT MARKED BY LICENSE NUMBER 42299 UNLESS OTHERWISE NOTED.
- △ DENOTES RESTRICTED ACCESS TO HENNEPIN COUNTY HIGHWAY PER THE HENNEPIN COUNTY CONTIGUOUS PLAT ORDINANCE.



MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT 27-20
(TRUNK HIGHWAY NO. 252)(WEST RIVER ROAD)

EASTBROOK ESTATES 2ND ADDITION



AREA SUMMARY		
BLOCK 1 =	182,465 SF.	4.1888 AC.
BLOCK 2 =	38,440 SF.	0.8825 AC.
BLOCK 3 =	76,851 SF.	1.7642 AC.
TOTAL LOT AREA =	297,756 SF.	6.8355 AC.
TOTAL OUTLOT AREA =	0 SF.	0 AC.
TOTAL R/W AREA =	69,181 SF.	1.5882 AC.
TOTAL AREA =	366,937 SF.	8.4237 AC.



An Ordinance Establishing the Eastbrook Estates 2nd Addition Storm Sewer Improvement Tax District



Public Hearing, Feb. 10, 2020
Doran Cote, Public Works Director

An Ordinance Establishing the Eastbrook Estates 2nd Addition Storm Sewer Improvement Tax District

This district is way of protecting the city for the inevitable improvements to this private pond that in the future. Creating the district does not compel the city to utilize the district to pay for improvements but it provides the city the option of paying for improvements by taxing the benefitting properties in the district.

The ordinance must be recorded with the county auditor and county recorder. The City is then authorized to “acquire, construct, reconstruct, extend, maintain, and otherwise improve storm sewer systems and related facilities within the district.”



An Ordinance Establishing the Eastbrook Estates 2nd Addition Storm Sewer Improvement Tax District

Prior to issuing a contract for any improvement within the district, the city must;

- Obtain a feasibility report and hold a public hearing.
- The city must provide two published notices of the hearing that are a week apart and the last must be at least three days after the second publication. Notice must also be mailed to the owners in the district at least 10 days prior to the hearing. The notices must include a description of the improvement, the estimated cost, and the estimated tax to be imposed.
- Once the hearing is held, the City Council can adopt a resolution ordering the improvement. The city may issue bonds for the improvement. The city is authorized to levy a tax on taxable property within the district to pay for the improvement and its maintenance.



69TH AVE. N

11
1862 SF
0.0229 AC

12
1853 SF
0.0213 AC

15
1898 SF
0.0226 AC

16
1525 SF
0.035 AC

1
1708 SF
0.0392 AC

2
1702 SF
0.0394 AC

3
1880 SF
0.0430 AC

4
1747 SF
0.0401 AC

5
1880 SF
0.0429 AC

6
1708 SF
0.0392 AC

7
1702 SF
0.0394 AC

8
1702 SF
0.0394 AC

9
1880 SF
0.0429 AC

10
1880 SF
0.0429 AC

1
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0.0422 AC

17
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0.0422 AC

18
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0.0422 AC

19
1822 SF
0.0422 AC

68TH LANE N
1525 SF

1
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0.0422 AC

2
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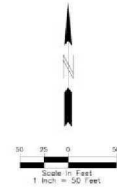
17
1822 SF
0.0422 AC

18
1822 SF
0.0422 AC

19
1822 SF
0.0422 AC

5TH ST. N

CAMDEN AVE. N



AREA SUMMARY			
1 =	182,465 SF.	4.1858 AC	
2 =	39,440 SF.	0.8825 AC	
3 =	76,851 SF.	1.7642 AC	
LOT AREA =	297,756 SF.	6.8355 AC	
OUTLOT AREA =	0 SF.	0 AC	
R/W AREA =	89,181 SF.	1.5882 AC	
AREA =	366,937 SF.	8.4237 AC	



Requested Council Action

- Motion to open Public Hearing
- Motion to take public input
- Motion to close Public Hearing
- Motion to adopt Resolution



**Council/EDA Work
Session**

City Hall Council Chambers
February 10, 2020

AGENDA



The City Council requests that attendees turn off cell phones and pagers during the meeting. A copy of the full City Council packet is available to the public. The packet ring binder is located at the entrance of the council chambers.

ACTIVE DISCUSSION ITEMS

1. Community Development Block Grant Funding Allocation Discussion (20 minutes)
2. Environmental Sustainability Report (30 minutes)
3. Trunk Highway 252/I-94 Environmental Review – Project Update 2

PENDING LIST FOR FUTURE WORK SESSIONS

1. Pending Items
 - Metro Transit Bus Hub - (*upcoming CC presentation*)
 - Commemoration of 400 years of Slavery Activities - 2/24
 - Livable Wages - 2/24
 - Use of EDA Owned Property - 2/24
 - Food Trucks - 3/9
 - Options for Use of Adjacent Space to Liquor Store - 3/9
 - Discussion of Mayor/City Council roles & responsibilities (CommonSense Inc.)

MEMORANDUM - COUNCIL WORK SESSION

DATE: 2/10/2020

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

BY: Jesse Anderson, Deputy Director of Community Development

SUBJECT: Community Development Block Grant Funding Allocation Discussion (20 minutes)

Recommendation:

- It is recommended that the City Council consider providing direction to staff regarding the Community Development Block Grant (CDBG) funding allocations.

Background:

City Staff is seeking direction from the City Council on the allocation of 2020-2021 Community Development Block Grants (CDBG) funds.

CDBG funds are provided by the U.S. Department of Housing and Urban Development (HUD) to help with community development activities that benefit low and moderate income persons. The funds are primarily intended for bricks and mortar improvements, as opposed to public service activities.

Hennepin County receives CDBG funds directly from HUD as part of a consolidated pool of funds, which is administered on behalf of participating suburban Hennepin County communities. Boomington, Eden Prairie, Minnetonka and Plymouth do not participate in the consolidated pool and receive CDBG funds directly from HUD. Brooklyn Center is considered a Direct Allocation City and is a sub-recipient of the funds through Hennepin County.

CDBG Statutory and Administrative Requirements

The Federal Authorizing Statute for the CDBG program requires that each funded CDBG activity meet one of three national objectives:

1. Benefiting low income persons
2. Preventing or eliminating slums and/or blight
3. Meeting urgent community needs.

The Federal Law also specifies that each recipient receiving funds must insure at least 70 percent of the CDBG expenditures during the program year be used for activities benefiting low and/or very low income persons. Each city must meet this requirement at the local level.

As part of the administration of the CDBG funds, Hennepin County adopts a 5-year funding plan, which further defines the priority needs of the program and clarifies what activities are eligible for funding. This year Hennepin County will adopt a new 5-year funding plan. While a new plan has not yet been finalized, Hennepin County has provided a draft to cities. Overall, the priority needs are around continuing what's working, while shifting the focus to preserving affordability and reducing disparities in housing stability.

These include:

Priority Need 1: Focus home ownership activities on creation; on preserving affordability of home ownership; on reducing disparities

Priority Need 2: Rehab multifamily rentals (especially for smaller NOAH / duplexes)

Priority Need 3: Increase funding and impact of emergency assistance / homeless prevention

Priority Need 4: Increase rental inspections (code enforcement)

Priority Need 5: Create deeply affordable senior rentals

Because Hennepin County is responsible for the monitoring and reporting of the CDBG funds, the County oversees the use of funds within the consolidated pool. Cities that wish to diverge from the typical use of funds must seek permission from the County.

Prior to 2018, cities were allowed to allocate up to 15 percent of their CDBG funding to public services. While Brooklyn Center regularly did so, other communities chose not to. In addition, the reporting requirements for the funds are onerous, and the County determined that it would be easier to pool the public service allocation and administer the distribution of those funds internally. Each city is now asked to send a representative to a committee, which reviews public service funding requests and makes a determination as a whole as to which public service organizations get funding and how much.

Previous CDBG Allocation

CDBG funding allocations run from July 1st-June 30th each year. The 2019-2020 CDBG funding round was allocated by the City Council in February 2019 and is set through June 30, 2020. The funding was allocated as follows:

2019 CDBG Amount	Allocation determination	Program
\$75,000	\$75,000	Code Enforcement and Neighborhood Revitalization
\$50,000	\$50,000	Down Payment Assistance
\$132,550	Remaining	The remaining funds were allocated to the Hennepin County Home rehab program

The use of the funds is limited to allowed uses under HUD program eligibility and further narrowed by Hennepin County's 5-year funding plan. Most cities utilize CDBG to fund their housing rehab programs. These are programs that provide deferred/forgivable loans to low income home owners to make needed repairs and maintenance to their homes. For communities with an aging housing stock such as Brooklyn Center's, this is the only source of funds available to assist with the maintenance and upkeep of homes.

Brooklyn Center has allocated roughly \$85,000 to \$132,550 annually to its housing rehab program. The funds assist 8-10 households annually. There is currently a waiting list of 61 people seeking funding from the housing rehab program as additional funds become available.

Brooklyn Center has allocated \$150,000 of funds towards supporting the Code Enforcement and Neighborhood Revitalization Program since 2009, with 2019 funds being reduced to \$75,000. The 2020 budget removed CDBG funding for Code Enforcement Activity as anticipated revenue.

2019-2020 CDBG Allocation

Typically Hennepin County notifies communities by December as to their anticipated CDBG allocation for the following cycle and provides information about the upcoming consolidated RFP for public service applications. To date, the city has not yet received this information. Nevertheless, the city's resolution allocating its 2020-2021 CDBG funds is anticipated to be due by the end of February, and therefore staff did not want to wait to bring this discussion forward.

While we do not yet know the exact amount of CDBG allocation for the next cycle, we have been advised by Hennepin County to use the estimate of \$258,000, based off last year's allocation, for the purposes of determining the allocation of funds. However, this allocation amount could be adjusted once HUD provides final amounts.

Hennepin County receives the lump sum from HUD and determines the allocation among the participating cities based on a formula that takes into account population and need.

City	2020 Estimated Allocations	2019 Direct Allocation
Brooklyn Center	\$258,000	\$257,550
Brooklyn Park	\$381,000	\$394,400
Edina	\$116,000	\$128,350
Hopkins	\$124,000	\$134,300
Maple Grove	\$157,000	\$161,500
Minnetonka	\$120,000	\$131,750
New Hope	\$91,000	\$92,650
Richfield	\$210,000	\$192,100
St. Louis Park	\$147,000	\$155,550

Funding Allocation Options

Housing Rehab Program - As CDBG funds are the only source of funding to maintain the City's existing single family housing stock, one option would be to increase the allocation of CDBG funds to this use. 86 percent of Brooklyn Center's housing supply is single family homes, nearly all of which were constructed prior to 1975. Many of these homes are in need of maintenance, and for low income home owners this cost can be overly burdensome. Maintaining the city's housing stock through this program not only provides stable home ownership for low income home owners, but also maintains an affordable housing stock for new buyers as well.

Down Payment Assistance - Brooklyn Center allocated \$50,000 towards home buyer assistance with the 2019 CDBG funding. The City is contracting with Center for Energy and Environment (CEE) to administer the program. It is anticipated that loan applications will begin being accepted toward the end of February. Loans of up to \$7,500 towards down payment assistance for Brooklyn Center residents looking to buy a home in Brooklyn Center would be forgivable after 10 years of home ownership.

Direct affordable apartment assistance - Brooklyn Park offers a program that supports existing naturally occurring affordable multi-family buildings with maintenance and rehab. One challenge with this program is that the cost of rehabilitation is generally quite high, which limits the use of the funds to one or two properties a year.

Scattered site acquisition/rehab - The scattered site acquisition is done in New Hope. It is similar to the City's previous buy and replace program. It allows for the purchase and renovation or demo of a blighted structure, which is then sold to a low/moderate income household. The individual cost per unit is high, minimizing the impact of this program.

Infrastructure improvements - These are physical improvements to community or public facilities that are utilized by low and moderate income residents. Some cities have use CDBG funds to purchase play ground equipment or make other physical improvements. One challenge with the use of CDBG funds in this manner is that it triggers Federal Fair Wage standards, which require a significant amount of reporting and paperwork, and increasing the cost of the project above what it would be if other funds were available, making small scale improvements more work and more expensive than the value of the funding being used.

Small Business Entrepreneur Funding - Options for using CDBG funds for programs to support the creation/support of small businesses were discussed with Hennepin County staff. HUD rules allow for CDBG funds to be used in this manner under certain circumstances and to support job creation. According to Hennepin County staff, use of the funds requires demonstrated job creation over an extended amount of time. Not unlike other uses of CDBG funds, it requires extensive reporting, which falls on individual small business owners and monitoring is required over a number of years. Federal funding often comes with stringent reporting and monitoring requirements, which can create a barrier. Alternatively, the city's EDA funds may be a better mechanism to serve small businesses as the funds can be more nimbly applied.

Recommendation:

The 2020 CDBG funding for Brooklyn Center is anticipated to be \$258,000. It is staffs recommendation to continue to fund the existing programs; the Home Buyer Assistance Program and the Home Rehab Program. Staff recommends an increase of funding to both programs, which would be offset by the funds that have typically been allocated towards Code Enforcement Activities. The recommended allocation would be \$100,000 for the Home Ownership Assistance Program and \$158,000 allocated for the Home Rehab Program. Based on City Council's direction a resolution will be prepared and a public hearing will be scheduled for the February 27, 2020 City Council Meeting.

Attachments

- CDBG Funding History
- Housing Rehab Program Information
- Brooklyn Center Home Buyer Program Information

Policy Issues:

- Does the City Council want to increase the funding for the Home Ownership Assistance Program and the Home Rehab Program with the removal of the funds allocated for Code Enforcement Activity?
- Are there any other programs or areas that city staff should research?

Strategic Priorities and Values:

Resident Economic Stability

ATTACHMENTS:

Description	Upload Date	Type
Funding History	1/21/2020	Backup Material
Home Ownership Assitance Program Guidlines	1/13/2020	Backup Material
Rehab Program Summary	1/13/2020	Backup Material

Funding Year	Initial Budget	Adjusted	Public Service Funds	Neighborhood Stabilization/ Code Enforcement Initiatives	Hennepin County Rehab Funds	Home Owner Assistance Program
2019*	\$257,550	\$236,300	*	\$75,000	\$132,550	\$50,000
2018*	\$236,300	\$236,300	*	\$150,000	\$86,300	
2017	\$255,616	\$261,243	\$34,840	\$150,000	\$76,403	
2016	\$258,779	\$259,455	\$38,816	\$150,000	\$70,639	
2015	\$243,462	\$258,779	\$36,519	\$150,000	\$72,260	
2014	\$239,249	\$243,462	\$35,887	\$150,000	\$57,575	
2013	\$211,641	\$239,249	\$31,740	\$150,000	\$57,509	
2012	\$170,294	\$211,641	\$31,745	\$150,000	\$29,896	
2011	\$203,588	\$170,294	\$25,510	\$125,474	\$19,310	
2010	\$188,965	\$203,588	\$28,345	\$164,623	\$10,620	
2009	\$186,215	\$188,965	\$27,935	\$150,000	\$11,030	
2008	\$186,968	\$186,215	\$27,932	\$50,000 Amended by Council	\$158,283	
			\$0		\$108,283 Amended by Council	
2007	\$193,749	NA	\$29,062		\$164,687	
2006	\$195,019	NA	\$29,250		\$165,769	
2005	\$199,764	NA	\$29,820		\$169,944	
2004	\$239,029	NA	\$35,500		\$203,529	

*2018 CDBG allocation doesn't include 15% Public service fees as Henneping County Directly distributed the funds.

EXHIBIT A

City of Brooklyn Center

First Time Homebuyer Program Part I:

Program Overview

The City of Brooklyn Center offers a financial assistance program for homeownership funded by the Community Development Block Grant (CDBG) program. The First Time Homebuyer Program provides financial assistance for low and moderate income households to become homeowners.

Administration of the First Time Homebuyer Program and the functions and responsibilities shall be in compliance with the U.S. Department of Housing and Urban Development (HUD) CDBG regulations as well as all Federal, State and local nondiscrimination laws and with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment.

No family or individual shall be denied the equal opportunity to apply for or receive assistance under the First Time Homebuyer Program on the basis of race, color, gender, religion, creed, national origin, age, familial or marital status, handicap or disability, sexual orientation or reliance on public assistance.

Program Goals

The First Time Homebuyer Program has the following two goals:

- a. Assist low and moderate income families to purchase homes within the City of Brooklyn Center by providing assistance with down payment, closing costs and mortgage principle reduction.
- b. Promote responsible home ownership

Program Administration

The Program will be administered through Center for Energy and Environment (CEE).

PROGRAM POLICIES

Financial Assistance

The financial assistance is in the form of a loan of up to \$7,500, but no more than 10% of the purchase price. There is no interest on the loan and no payments are required. The loan is forgiven after 10 years and is reduced by 20% each year after the 5th year. If the home is sold, the title transferred, or no longer owner-occupied, within the first 10 years after the purchase date, then the remaining pro-rated amount will be become due.

The Financial Assistance may be used to:

1. Pay up to 50% of the amount the homebuyer is required to provide toward the down payment under the particular mortgage program they are utilizing. The homebuyer must contribute a minimum of \$1,000 of their own funds towards the down payment.
2. Pay up to 100% of the homebuyer's eligible closing costs. Borrowers are permitted to use program funds for interest rate buy downs if documentation is provided from the lender that

shows the buy down is necessary to secure their primary mortgage.

3. Reduce the mortgage principal up to 10% of the purchase price, up to \$7,500. The applicant(s) housing ratio must be at least 25%, but cannot exceed 35% of their gross monthly qualifying income. The housing ratio is calculated using the current year's projected income. Under certain circumstances, the HRA Executive Director may allow the DTI to exceed 35%.

The financial assistance will be provided at a minimum amount of \$5,000 and a maximum amount of \$7,500. In certain situations, the City may allow assistance in excess of the maximum at their discretion. CEE will review the applicant's verified income and assets, estimated closing costs, purchase agreement, and lender's recommendations for financial assistance in compliance with uses described above. Lenders must provide a pre-approval letter indicating the maximum amount of financing the borrower would qualify for from the first mortgage lender.

CEE will verify an applicant's income and assets through written verifications as provided by either the lender or by the applicant. The City staff may re-verify income and asset information provided by the lender. The Center for Energy and Environment will calculate the applicant's gross annual income using paystubs and recent tax returns or other qualifying verification as determined by City staff to ensure the applicant(s) qualifies as a low or moderate income household as required by CDBG regulations and to determine the maximum amount of assistance.

Financial assistance will be provided at the time of closing on the property with the following conditions:

1. Selected applicants must meet the requirements of the program and be eligible for the financial assistance throughout the entire application process.
2. The housing unit to be purchased and the purchase price must be accepted by the City as meeting the intent and requirements of the program.
3. The financial assistance provided by the program is in the form of a no-interest loan that is forgiven 10 years from the initial purchase date. If the house is sold, transferred or no longer the primary place of residence within that 10 year period, the loan will be repaid on a pro-rated basis.
4. The homebuyers must enter into a second mortgage and execute a Repayment Agreement with the City providing for repayment of the indebtedness 10 years from the initial purchase date or when the house is sold, transferred or no longer the primary place of residence, whichever occurs first.

Responsibilities of the First Time Homebuyer

The responsibilities of the prospective homebuyers are to:

1. Obtain mortgage pre-qualification for a 1st mortgage
2. Submit a pre-application and mortgage pre-qualification to the HRA or CEE
3. Complete, sign and return the full application packet, authorization for release of information form, and other certification and verification forms within the time frame specified.
4. Register and attend the Home Stretch or Framework – Homebuyers workshop such as those offered by Community Action Partnership of Hennepin County (CAP-HC), Neighborhood

Development Alliance (NeDA), NeighborWorks Home Partners, or PRG Inc. More information about homebuyer education can be found online at: <http://www.hocmn.org/buyingahome/homebuyer-education/>. Classes must have been completed within 12 months prior to closing. The applicant will be provided with a certificate of attendance. A copy of this certificate should be forwarded to the lender and CEE.

5. Select a real estate agent, if one is desired.
6. Select a dwelling in Brooklyn Center for purchase that is an eligible dwelling under the program.
7. Provide information throughout the process as required by the lender or the City staff.
8. Execute a purchase agreement that includes the Environmental Review addendum supplied by the Hennepin County, and any subsequent Amendments.
9. Execute the lender's mortgage and related documents.
10. Execute the City's Mortgage and Promissory Note.
11. Close on the property within the time frame specified in the Purchase Agreement.
12. Execute other required forms within the time frame specified or required.
13. Take occupancy of the dwelling within 30 days after closing, homestead the property, and continue to occupy the dwelling as a Principal Place of Residence.
14. Make principal, interest, property tax and insurance payments as required.
15. Reimburse the City in accordance with the City's Mortgage and Promissory Note should the First Time Homebuyer trigger repayment through sale, moving, transfer of ownership or foreclosure within 10 years or default on any other terms of these documents.

Responsibilities of the Lender

The lender must:

1. Verify the prospective homebuyer's income and assets to determine that they meet the requirements of the program and submit a copy of the verification to CEE. These copies must be submitted to CEE as part of a completed application.
2. Compute the Mortgage, Down Payment, Mortgage payments and Closing Costs of Acceptable Loans approved by the Program to determine the most cost-effective and appropriate form of financing for the First Time Homebuyer to use.
3. Provide a title search and review the documents.
4. Provide CEE with a pre-approval letter stating the maximum mortgage amount the applicant is approved for.
5. Provide CEE other verification materials as requested by the City.

6. Process a mortgage consistent with the Program.
7. Meet all deadlines in a timely fashion, especially those that relate to the Closing. **All documents must be completed and delivered to CEE at least 30 business days prior to the Closing.**
8. Appraise property to determine the loan-to-value ratio. Provide copy to CEE.

Responsibilities of the City:

The responsibilities of the HRA for the Program are to:

1. Establish Program requirements
2. Modify or terminate the Program as may be appropriate or required.
3. Reimbursed CEE per contract between CEE and the City.

Responsibilities of the Center for Energy and Environment (CEE):

The responsibilities of the HRA for the Program are to:

1. Administer the Program. CEE is a Vendor and not a Sub-Recipient of the Program.
2. Send applicants the application form, the authorization for release of information form and other certification and verification forms.
3. Review the Application and other material for eligibility.
4. Establish the initial eligibility of participants via the information provided in the pre-application process. Full approval will be determined upon completion and submission of a full application and supporting documents.
5. Notify applicants when ineligible.
6. Direct prospective buyers to register for the homebuyer workshops and provide information and forms related to the Program.
7. Provide liaison services involving the prospective buyer, lender and any real estate agent that might be involved in the transaction.
8. Review appraisal, purchase agreement, eligibility and mortgage for consistency with the Program requirements.
9. Prepare and execute the Mortgage and Promissory Note.
10. Provide Funds, Mortgage and Promissory Note according to Program guidelines to the applicant or title company at the time of Closing.
11. Service the Mortgage and Promissory Note per Loan Servicing Contract with CEE.
12. Request reimbursement to the city per Program Contract between CEE and the City.

13. Provide income documentation relating to CDBG reporting requirements.

Pre-Application Process

At the time of application, applicants must provide CEE with the following information and meet the eligibility requirements:

1. CDBG Participant Intake Form.
2. Complete Certification Application.
3. Total gross annual income documentation as listed on the Acceptable Form(s) of Verification list
4. Copy of Lease, which must include start and end dates.
5. Letter from lender indicating the amount of a home loan for which applicant is pre-qualified.
6. HC Housing Programs Authorization for Release of Information signed by all adults in the household.
7. Copy of Executed Purchase Agreement

The information listed above will provide CEE sufficient information to determine if the applicant is applicant is eligible for the Program.. Applicants will be notified if they are eligible or ineligible based on the information provided in the application.

It is the responsibility of each applicant to ensure that the information is correct and that CEE receives the application.

Eligibility Requirements

To be eligible to participate in the Program, the applicant must meet the following requirements at the time of application and throughout the process up until Closing.

1. Must be a current resident in Brooklyn Center with verifiable with a lease agreement , valid identification, utility bills or other source of verification showing at least 6 months tenancy in Brooklyn Center.
2. Must have no prior home ownership in the past 3 years (unless displaced due to divorce).
3. Must be a U.S. citizen or have legal immigration status.
4. Must be a First Time Homebuyer, as defined in Appendix A.
5. Must not have a Gross annual Income that exceeds the maximum income limits which are revised annually to reflect the current year's CDBG maximum income limits. Income is calculated using the required documentation as listed on the Acceptable Form(s) of Verification list. For information on calculating income, please contact a Brooklyn Center Housing Specialist.

FY 2019 CDBG Income Limits	
Calculated as 80% of the Area Median Income. Source: https://www.hudexchange.info/resource/5334/cdbg-income-limits/	
Household Size	Household Income Limit
1 Person Household	\$52,850
2 Person Household	\$60,400
3 Person Household	\$67,950
4 Person Household	\$75,500
5 Person Household	\$81,550
6 Person Household	\$87,600
7 Person Household	\$93,650
8 Person Household	\$99,700

6. The household must not have Gross Assets exceeding \$10,000, excluding retirement savings and assets used for borrowers down-payment and/or closing costs.
7. Borrowers are required to invest at least \$1,000 of their own monies towards the purchase price of the home.
8. Must meet the requirements of a Lender and qualify for a first mortgage.

9. Borrowers cannot have a non-occupant cosigner.
10. Loan must be a fixed-rate, prime loan. No adjustable or balloon mortgages.
11. Must fulfill the Program obligations in a timely manner and must remain eligible to participate based on the program requirements and those of the lender through the time of Closing.
12. Must not have a previous loan through the City that ended in foreclosure or any other loan that ended in foreclosure within the previous five years. CEE will verify through the city (email or phone call).
13. Must not buy dwelling with a contract for deed.
14. Must meet the requirements as specified elsewhere in these First Time Homebuyer Program Guidelines.

Denial of Eligibility

CEE will review and verify all applications for eligibility. Those applicants not meeting the eligibility requirements will be sent a written notice explaining the reason(s) for denial of program participation.

Appeals regarding interpretation of eligibility requirements may be made in writing to the Deputy Director of Community Development for the city of Brooklyn Center, and then to the Director of Community Development and then to the City Manager. Appeals that clearly do not meet eligibility requirements will not be considered.

Eligible Dwellings

To be eligible the property must meet the following requirements:

1. Be located within the City of Brooklyn Center.
2. Be a single-family dwelling, a townhouse unit, duplex or a condominium unit.
3. Be a conforming use as defined by the Brooklyn Center Zoning Ordinance.
4. Be free of lead-based paint hazards at the time of Closing. This will be determined through the Environmental Review. See page 11 for more detailed information regarding lead-based paint hazards.

Applicant Outreach

The City and CEE will publicize and disseminate information to make known the availability of homeownership assistance on a regular basis through a variety of media and other suitable means. The availability of assistance will be communicated to other services providers, realtors, and lenders in the community and advise them of the guidelines so that they can make proper referrals for the Program. Realtors and lenders will be encouraged to provide additional services to eligible clients to ensure their successful utilization of the program.

Applicant Pool

The applicant pool for the Program shall consist of all those who have completed and returned the application and disclosures, CDBG Participant Intake Form, the Certification Application, written verification from their lender of pre-approval, and any other documentation requested by CEE or the City needed to verify eligibility.

Funds will be available to the applicant pool on a first come, first serve basis. The following will be given priority if there are more complete applications than funding available.

1. Applicant with dependents under age 18
2. Applicant has lived in Brooklyn Center longer than 6 months prior to Closing
3. Head or co-head of household has primary, longer-term employment in Brooklyn Center
4. Applicant has never owned a home (versus having owned a home over three years ago)

Approval from the applicant pool is tentative and conditional. Families selected for participation must fulfill the Program obligations in a timely manner and must remain eligible to participate based on the Program requirements and those of the lender through the time of Closing.

PART III: PROGRAM RULES

Repayment of Assistance

Repayment of the down payment assistance loan shall occur upon the earliest of:

1. Sale or transfer
2. The property ceases for any reason to be the homebuyer's principal place of residence.
3. Default on the mortgage with the City or any superior mortgage on the property.

Repayment of the loan shall be pro-rated, with the principal amount due reduced by 20% for each year after 5 years of the homeowner's tenancy in their Brooklyn Center home, as established by the loan date on the filed mortgage with the HRA.

AGE OF LOAN	AMOUNT OF PRINCIPAL LOAN AMOUNT DUE
0 - 1 year	100 % of principal loan amount due
1 - 2 year	100 % of principal loan amount due
2 - 3 years	100 % of principal loan amount due
3 - 4 years	100 % of principal loan amount due
4 - 5 years	100 % of principal loan amount due
5 - 6 years	100 % of principal loan amount due
6 - 7 years	80% of principal loan amount due
7 - 8 years	60% of principal loan amount due
8 - 9 years	40% of principal loan amount due
9 - 10 years	20% of principal loan amount due
10+ years	0% due, Loan Fully forgiven

When a loan made by the City is paid in full or forgiven, a document satisfying the lien will be prepared by CEE, executed by the City Manager or his or her delegate and delivered to the borrower for recording. The borrower is responsible for the cost of recording the satisfaction. Contact the Community Development Department for more information about repayment of a City loan.

Subordination of Mortgages

Brooklyn Center City loan recipients requesting subordination of the interest of the City in real property must submit a Subordination Request Form, the required supporting documentation, and a processing fee. Request should be made to CEE.

The following information must be submitted with the Subordination Request Form:

1. A typed letter dated and signed by the mortgagor, stating the reason for the requested subordination and the use of any equity being removed as part of the loan transaction.
2. A copy of the current appraisal (dated within six months of application), recent estimated property value as listed on the most recent property tax statement or other evidence of market value of the property that is acceptable to the HRA.
3. A copy of current title work (must indicate all debt against the property).
4. Explanation of remaining debts or liens with supporting documentation (i.e. most recent mortgage bill).
5. Estimated closing costs as listed on the Loan Estimate and/or Closing Disclosure.
6. A copy of the mortgagor's loan application.
7. Additional documentation may be required.

The City will subordinate its mortgage interest if all of the following conditions are met, to the extent that they are applicable:

1. Closing costs are reasonable. Generally this shall mean that the sum of all discount points, origination fees, and lender ancillary fees generally shall not exceed 3% of the new first mortgage amount.
2. If the City believes that the payment terms of the refinance are within the financial means of the borrower.
3. The overall value of superior debt must not be increased by more than 50%.
4. Property taxes, if not escrowed by the superior mortgage holder, must be current.

The City will not subordinate to reverse mortgages. In most cases, interest-only loans or loans with interest-only options, revolving lines of credits or debt consolidation will not be allowed unless the City determines that an acceptable reason warrants this type of loan.

The City may approve other subordination requests not meeting the conditions above on a case-by-case basis that are clearly in the best interests of the City, where the security of the City loan remains

acceptable, and denial of the request will cause or contribute to a documented hardship on the part of the borrower.

Subordination requests will be processed by CEE staff, who will submit the request with a recommendation for action, to the City. The City Manager has the authority to grant a subordination request when, based on his or her discretion, the subordination is reasonable based on the criteria set forth in this Policy.

Targeted Funding

At various times, the City may target Program funding for purchases in specific developments. Applicants purchasing in those developments would receive Program funding prior to all other applications.

Modification and Termination of Program

The City may modify or terminate the Program as it deems appropriate or as required by HUD. Once the City has provided financial assistance and the mortgage executed, financial assistance shall not be rescinded except as provide for in the executed HRA Mortgage, Loan Agreement, and Promissory Note.

APPENDIX A

DEFINITIONS

Acceptable Loans – Portfolio Products, Freddie Mac, Fannie Mae, FHA, VA and ARM's that at a minimum are at a fixed rate for the first seven years.

Applicant – an individual or household submitting an application for a loan.

Application – The form used to request assistance for the City's First Time Homebuyer funds.

ARM or Adjustable Rate Mortgage – a mortgage that offers an initial rate that is fixed for a certain number of years of repayment; the rate then adjusts every year thereafter for the remaining life of the loan.

CEE – The Center for Energy and Environment, which administers the City's First Time Homebuyer Program.

CDBG or Community Development Block Grant Program – an annual entitlement program provided to the City of Brooklyn Center through the U. S. Department of Housing and Urban Development (HUD).

City – The City of Brooklyn Center.

Clearance – A lead based paint Certification that all lead issues have been remediated.

Closing – The consummation of the real estate transaction. The Closing includes the delivery of a deed, financial adjustments the signing of notes, mortgages, and the disbursement of funds necessary to complete the sale and loan transaction.

Closing Costs – Those costs required by the lender to be paid by the buyer for various fees, credit report costs, insurance, etc., at the time of Closing on a property.

Conventional Mortgage – A type of residential mortgage loan, usually from a bank or savings and loan association, with a fixed rate and term. It is repayable in fixed monthly payments over a period usually 30 – 40 years or less, secured by real property, and not insured by the Federal Housing Administration or guaranteed by the Veterans Administration.

Down Payment – A type of payment made by a homebuyer indicating intention to purchase real estate offered for sale and obtain financing from a bank or mortgage company.

Environmental Review – The process of verifying that a project meets federal, state, and local environmental standards. The environmental review process is required for all HUD-assisted projects to ensure that the proposed project does not negatively impact the surrounding environment and that the property site itself will not have an adverse environmental or health effect on end users. Hennepin County staff is responsible for the completion of the environmental review.

Environmental Review Addendum – A Purchase Agreement Addendum to the purchase agreement that states an Environmental Review will be completed by Hennepin County prior to closing. The addendum must be a part of the purchase agreement in order to be valid. **Environmental Reviews take approximately 45 days to be completed by Hennepin County.**

Fannie Mae or Federal National Mortgage Association – A privately owned and operated corporation that buys mortgages from such lenders as banks and savings and loans, packages and resells them on the open market.

FHA or Federal Housing Administration – A Federal agency that administers many loan programs, loan Guarantee programs, and Loan Insurance programs designed to make more housing available.

First Time Homebuyer – A household who has not owned a dwelling of any kind within the preceding three years from the date of application or who has been displaced due to a divorce situation.

Gross Annual Income – The Gross annual Income of a Household for the purposes of this program is defined for purposes of reporting under Internal Revenue Service Form 1040 for individual Federal annual income tax purposes as per 24 CFR 570.3 Income (1)(iii).

Gross Assets – The current market value of the following minus existing indebtedness: *(Typically, it does not include 401K funds, pensions or other deferred compensation funds.)*

1. Cash on hand
2. Cash in checking accounts
3. Cash in savings accounts, including accounts held in trust.
4. Investment securities (government bonds, municipal bonds)
5. Stocks
6. Certificate of deposits and annuities

Guidelines – The set of standards, criteria, and specifications to be used in administering the Program.

Household – All persons residing in one housing unit; which may include one or more families, a single person, a married couple, or two or more unrelated persons.

Housing Counselor – A person who provides direct customer services primarily to groups, individuals, households seeking information and assistance with housing issues.

Housing Ratio - the percentage of income that goes toward housing costs including mortgage principal and interest, mortgage insurance premium, hazard insurance premium, property taxes, and homeowners association dues (when applicable).

HUD or U. S. Department of Housing and Urban Development – The principal federal agency responsible for implementing certain federal housing and community development programs.

Income - The amount of money or its equivalent received during a period of time in exchange for labor or services, from the sale of goods or property, or as profit from financial investments.

Lead Risk Assessment – A report that describes the health risk assessment, management process, estimates of the costs of recovery, and summaries of possible defensive measures required per HUD regulation CFR Part 35: Lead Based Paint Regulations.

Lender – Individual or firm that extends money to a borrower with the expectation of being repaid, usually with interest.

Loan Estimate – Document disclosing the approximate closing costs a mortgage applicant will pay at or before the mortgage settlement date.

Low Income Household – A household whose annual income does not exceed the low income limit as established by HUD with adjustments for smaller and larger families.

Minnesota Housing – The Minnesota Housing Finance Agency; a Minnesota State agency that administers a variety of first time homebuyer loan programs.

Moderate Income Household – A household whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families.

Mortgage – The conveyance of an interest in real property given as security for the payment of a loan.

Principal Place of Residence – To occupy the home as the primary residence on a permanent basis.

Program – The City's First Time Homebuyer Program.

Promissory Note – A written instrument containing a promise by the signer to pay an agreed amount.

Purchase Agreement – An agreement between buyer and seller of real property, setting forth the price, and terms of the sale. Also known as a sales contract.

Reducing the Mortgage Principal Amount – A method of benefitting the buyer through the use of a portion or all of the HRA provided financial assistance to lower the mortgage principal amount. In effect, this assistance acts as a larger down payment and helps to reduce the monthly mortgage payments. The available amount of assistance is up to 10% of the purchase price to a maximum of \$7,500. The buyer's housing ratio must be between 25% and 35%.

Satisfaction of Mortgage – A document releasing a mortgage lien, indicating the borrower has paid the debt in full.

Second Mortgage – A loan on a property that already has an existing mortgage (the first mortgage). The second mortgage is subordinate to the first.

VA Loan – Department of Veterans Affairs, providing below-market financing with no down payment to veterans of the U.S. Armed Services.

HENNEPIN COUNTY REHABILITATION LOAN PROGRAM QUARTERLY REPORT
October 1, 2019 to December 31, 2019

City	Total Funds Spent	Projects Completed	Loans Approved	Amount Approved	Applicants in Loan Process	Funds Reserved for Applicants	Residents waiting	Funds Not Committed	Program Income	Year to Date				
										Funds Spent	Projects Completed	Loans Approved	Amount Approved	Program Income
Brooklyn Center	\$ 50,865	3	1	\$ 30,000	2	\$ 30,000	61	\$ 39,767	\$ -	\$ 102,946	6	8	\$ 200,000	\$ -
Brooklyn Park	\$ 73,017	4	4	\$ 55,500	8	\$ 134,000	114	\$ 42,321	\$ -	\$ 287,189	15	19	\$ 300,500	\$ 40,676
Consolidated Pool	\$ 55,006	3	4	\$ 71,000	1	\$ 7,500	54	\$ 5,250	\$ -	\$ 381,923	11	18	\$ 397,896	\$ 65,417
Edina	\$ 8,130	0	0	\$ -	1	\$ 15,000	1	\$ 23,010	\$ -	\$ 25,597	1	1	\$ 30,000	\$ 44,267
Hopkins	\$ 14,650	0	2	\$ 50,000	2	\$ 50,000	8	\$ 26,439	\$ 297	\$ 114,864	3	7	\$ 175,000	\$ 2,367
Maple Grove	\$ 20,000	1	1	\$ 30,000	0	\$ -	9	\$ 14,751	\$ -	\$ 25,897	1	1	\$ 30,000	\$ -
Minnetonka	\$ 19,976	1	5	\$ 65,000	6	\$ 90,000	47	\$ 14,572	\$ -	\$ 69,532	4	8	\$ 110,000	\$ -
New Hope	\$ -	0	0	\$ -	1	\$ 30,000	10	\$ 1,486	\$ -	\$ 50,745	1	1	\$ 20,000	\$ 12,920
Richfield	\$ 31,983	2	1	\$ 10,000	1	\$ 30,000	23	\$ 41,282	\$ 12,932	\$ 194,272	7	12	\$ 265,000	\$ 42,511
St. Louis Park	\$ 28,910	1	2	\$ 60,000	2	\$ 45,000	33	\$ 49,077	\$ -	\$ 80,212	3	6	\$ 170,000	\$ -
OVERALL TOTAL	\$ 302,537	15	20	\$ 371,500	24	\$ 431,500	360	\$ 257,955	\$ 13,228	\$ 1,333,178	52	81	\$ 1,698,396	\$ 208,158

Community Development Block Grant Funding Allocation



City Council Work Session, February 10, 2020
Jesse Anderson, Deputy Director of Community Development

CDBG Overview

- City Staff is seeking direction from the City Council on the allocation of 2020-2021 funds
- CDBG funds are provided by the U.S. Department of Housing and Urban Development (HUD)
- The funds are for community development activities that benefit low and moderate income persons
- The funds are primarily intended for bricks and mortar improvements, as opposed to public service activities
- Hennepin County receives CDBG funds directly from HUD
- Brooklyn Center is considered a Direct Allocation City and is a sub-recipient of the funds through Hennepin County.



CDBG Statutory and Administrative Requirements

- The Federal Statute for the CDBG program requires that each activity meet one of three national objectives:
 - Benefiting low income persons
 - Preventing or eliminating slums and/or blight
 - Meeting urgent community needs
- 70 percent of the CDBG expenditures must be used for activities benefiting low and/or very low income persons.



3

Hennepin County 5-Year Plan

- Hennepin County adopts a 5-year funding plan Overall, the priority needs are around continuing what's working, while shifting the focus to preserving affordability and reducing disparities in housing stability.
- Priority Need 1: Focus on homeownership activities
- Priority Need 2: Rehab of multifamily rentals
- Priority Need 3: Increase funding and impact of emergency assistance / homeless prevention
- Priority Need 4: Increase rental inspections (code enforcement)
- Priority Need 5: Create deeply affordable senior rentals



4

Background

- Hennepin County administers CDBG funds on behalf of HUD
- Cities that wish to diverge from the typical use of funds must seek permission from the County
- In 2018 the County determined that it would be easier to pool the public service allocation and administer the distribution of those funds internally
 - Each city is now asked to send a representative to a committee, which reviews public service funding requests



5

Previous CDBG Allocations

- CDBG funding allocations run from July 1st-June 30th each year.
- The 2019-2020 CDBG funding round was allocated by the City Council in February 2019 and is set through June 30, 2020

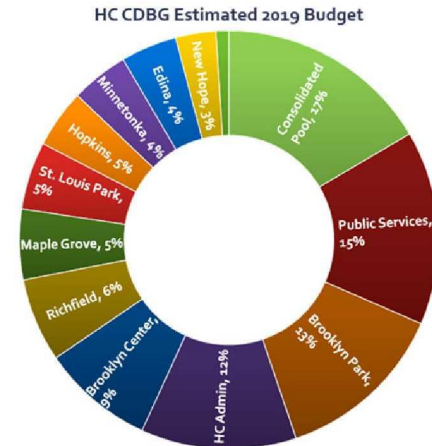
2019 CDBG Amount	Allocation determination	Program
\$75,000	\$75,000	Code Enforcement and Neighborhood Revitalization
\$50,000	\$50,000	Down Payment Assistance
\$132,550	Remaining	The remaining funds were allocated to the Hennepin County Home rehab program.



6

2019-2020 Allocation

- Hennepin County estimate of \$258,000
- This allocation amount adjusted once HUD provides final amounts
- Hennepin County receives the lump sum from HUD and determines the allocation among the participating cities based on a formula that takes into account population and need



7

Funding Allocation Options

- Housing Rehab Program
 - CDBG funds are the only source of funding to maintain the single family housing stock
 - It may be helpful to increase the allocation of CDBG funds to this use
- Down Payment Assistance –
 - Allocated \$50,000 towards home buyer acceptance in 2019
 - Center for Energy and Environment will administer the program.
 - It is anticipated that loan applications will begin being accepted toward the end of February.



8

Funding Allocation Options

- Direct affordable apartment assistance –
 - Brooklyn Park offers a program that supports naturally occurring affordable multi-family buildings with maintenance and rehab.
 - One challenge with this program is that the cost of rehabilitation is generally quite high, which limits the use of the funds to one or two properties a year
- Scattered site acquisition/rehab
 - Similar to the City's previous buy and replace program
 - It allows for the purchase and renovation or demo of a blighted structure, which is then sold to a low/moderate income household
 - The individual cost per unit is high, minimizing the impact of this program



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Funding Allocation Options

- Infrastructure improvements
 - These are physical improvements to community or public facilities that are utilized by low and moderate income residents
 - Some cities have used CDBG funds to purchase play ground equipment or make other physical improvements
 - One challenge is that it triggers Federal Fair Wage standards, which require a significant amount of reporting and paperwork, often making the small scale improvements more work than the value of the funding



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Funding Allocation Options

- Small Business Entrepreneur Funding –
 - The funds require extended job creation and extensive reporting.
 - With CDBG funds being federally funded through HUD with stringent reporting and monitoring requirements, alternative EDA funding would be a better funding mechanism for entrepreneurial support.



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Recommendation

- The 2020 CDBG funding for Brooklyn Center is anticipated to be \$258,000.
- Recommended to increase funding of the Home buyer Assistance Program and the Home Rehab Program.
 - Offset by the funds that have typically been allocated towards Code Enforcement Activities.
 - \$100,000 for the Home Ownership Assistance Program
 - \$158,000 allocated for the Home Rehab Program
- A public hearing will be scheduled and published for the February 24, 2020 City Council Meeting.



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Policy Issues

- The approved 2020 City budget does not include grant funds for Code Enforcement.
- Does the city Council want to increase the funding for the Home Ownership Assistance Program and the Home Rehab Program with the removal of the funds allocated for Code Enforcement Activity?
- Are there any other programs or areas that city staff should research?
- The 2020 funding allocation must be approved by City Council Resolution by the end of February.



MEMORANDUM - COUNCIL WORK SESSION

DATE: 2/10/2020

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: N/A

BY:

SUBJECT: Environmental Sustainability Report (30 minutes)

Recommendation:

- It is recommended that the City Council consider providing direction to staff regarding environmental sustainability efforts within the city.

Background:

At the August 26, 2019 City Council meeting, Council Member Butler requested that the City Council address the City's impact on the environment at an upcoming Work Session and consider things the City can do by starting small, like eliminating plastic bags and straws at City Hall. The City Council agreed to add this item to the Work Session Agenda. It should be noted that one of the City Council's Strategic Goals from 2009 was "Respond to increased awareness and interest in environmental sustainability and green community issues." A copy of that goal and the Goal Desired Outcomes is attached for reference.

Also attached is a memorandum that provides an overview of Brooklyn Center activities and programs that demonstrate the City's conscience stewardship towards the environment. Its purpose is to outline the many programs and initiatives within the city and to use this as a basis to continue and improve on the goal of increased environmental sustainability. This report was first presented to the City Council in 2014. It has been updated to include additional environmental initiatives the City is currently participating in.

Policy Issues:

- Does the City Council support the ongoing environmental sustainability activities?
- Does the City Council desire to pursue other environmental initiatives?
- Are there specific areas of environmental sustainability where the City Council would like staff to focus their efforts?

Strategic Priorities and Values:

Resident Economic Stability

ATTACHMENTS:

Description	Upload Date	Type
2009 Strategic Goals	10/22/2019	Backup Material
Environmental Sustainability Report	10/22/2019	Cover Memo

2009 Strategic Goals

GOAL 6 Respond to increased public awareness and interest in environmental sustainability and green community Issues

Goal Desired Outcomes

1. Citizen and City government recycling will improve
2. Citizen and the City government energy conservation will improve
3. Citizens and the City government will use alternative energy sources when viable
4. The purchasing power of the City will support the goals of an environmentally sustainable environment
5. Appreciation of the environment will be enhanced and expanded
6. Harmful emissions into the air, water and soil will be reduced
7. Development and redevelopment in the City will be sensitive to the environment impact



MEMORANDUM

DATE: October 28, 2019

TO: Curt Boganey, City Manager

FROM: Doran M. Cote, Public Works Director

SUBJECT: Environmental Sustainability Report

This Environmental Sustainability Report was assembled to document Brooklyn Center's current effort directed toward environmental sustainability.

"Environmental Sustainability - The maintenance of the factors and practices that contribute to the quality of environment on a long-term basis."

Sustainability has many definitions but the basic principles and concepts remain constant: balancing a growing economy, protection for the environment, and social responsibility. Together these lead to an improved quality of life for everyone as well as future generations. This extensive, yet not all encompassing, list on the following pages are activities that are taking place in Brooklyn Center within various departments which meet these goals towards environmental sustainability. The activities are grouped together in various areas of sustainability.

Some sustainable practices stem from mandated activities required for state rules, laws, permits (i.e. – watershed partnerships, wellhead protection). Other practices provide cost savings for the City's budget (i.e. energy efficient vehicle purchase, equipment replacement), while some are a product of the City's active and ongoing role as a positive participant in the community.

Water Quality

- Watershed Partnerships - The City of Brooklyn Center partners with both the Shingle Cheek Watershed Management Commission (SCWMC) and the West Mississippi Watershed Management Commission (WMWMC) to protect waters of the State. The City reviews projects for the Watershed for water quantity and water quality protection. The City also partners with the SCWMC and WMWMC on projects within the City and looks for ways to maximize water quality and quantity improvements while using funds efficiently. In addition, this partnership provides educational opportunities for the residents of Brooklyn Center on protecting water quality.
- Storm Sewer Water Quality Facilities - The City of Brooklyn Center maintains 40 mechanical/settling structures and 39 storm ponds which help to improve water quality. Water quality improvements are constructed as a part of each yearly reconstruction project. The City conducts yearly inspections and maintenance to ensure these facilities continue to perform as designed.
- Erosion Control, Post-Construction, Illicit Discharge Ordinance - The City has Erosion Control, Post-Construction and Illicit Discharge Ordinances as a part of City Code to protect water quality and to

reduce water volume. In addition, the City inspects construction sites to ensure water quality is being protected. The City also has a program to ensure that private water quality facilities are maintained.

- Private Rain Gardens - In 2007 and since 2009, as a part of the yearly construction project, the City promotes rain garden installation where possible on residential property. Installation costs are paid from project funds, but following the installation residents take over and provide maintenance of the rain gardens.
- Public Rain Gardens - The City installed and now maintains several public rain gardens, including multiple rain gardens on Dupont Avenue and County Road 10, one located in Riverdale park, one located on City property along June Avenue, and multiple rain gardens installed along Kylawn Park as part of the annual 2014 reconstruction project. Living pavement (Grasscrete) was installed in Evergreen Park in 2017 as part of the reconstruction project.
- Street Sweeping - The City performs street sweeping operations four times a year and other times as needed to keep sediment, sand, trash and leaves out of the storm system. This helps protect the local and state water bodies.
- Chloride Reduction - As part of the Shingle Creek Total Maximum Daily Load (TMDL), the City takes many steps to reduce the amount of salt used on City streets, including yearly salt application training for public works personnel. The City calibrates all salt distributor equipment prior to snow and ice control operations each fall, reducing salt use on the City streets.
- Salt Brine – The use of salt brine tanks on the snow removal fleet improves ice and snow removal practices. Using a pre-wetting salt brine solution with our road salt has helped decrease the amount of salt use during ice control operations, reducing costs to the City and environmental impacts over other salt dispersal methods. In 2019 the Shingle Creek Watershed approved a \$50,000 grant to assist the City in installing a brine mixing system.
- Shingle Creek Restoration - The City has partnered and completed several projects restoring the shoreline of Shingle Creek.
- Great Shingle Creek Cleanup - For 17 years, the City has organized and managed the yearly volunteer clean-up event including clean-up of parks, trails, streets and other green spaces areas.
- Water Resources Projects – Water Quality Best Management Practices (BMPs) such as raingardens, living pavement (Grasscrete), permeable pavement and concrete are considered and included in street reconstruction and parking lot improvement projects. Other projects to improve water quality included carp removal in Twin Lake, annual pond dredging, and winter in-lake aeration.

Resource Conservation

- Water Conservation rates - Minnesota Statutes required public water suppliers serving more than 1,000 people in the metropolitan area to implement and use a water conservation rate structure by January 1, 2010, in order to promote and encourage water conservation. In response, the City adopted an “increasing block rate” structure with a rate schedule that increases the charge per unit of water after certain thresholds of consumption are reached.

- Water Conservation Rebate Program – In 2019 the City initiated a new Water Conservation Rebate Program designed to encourage residents and businesses to upgrade older, inefficient appliances and plumbing fixtures with more efficient equipment.
- Hennepin Recycling Group - Brooklyn Center partners with the Hennepin Recycling Group (HRG) to provide recycling for Brooklyn Center residents. This single sort recycling is practical and simple for residents, while having only one recycling contractor is better for the environment by reducing the number of trips by trucks in the City. The HRG manages recycling and waste disposal contracts at all City facilities. HRG also offers oil recycling to residents and holds a Special Material Drop Off Day at the Brooklyn Park Operations & Maintenance Facility. Residents also have use of a yard waste and tree branch drop off site.
- Parks Recycling – In 2014, the City initiated recycling in City Parks. Parks is diverting nearly twice as much recycling now as it has in years past.
- Electronic billing and payment methods for Utility Billing - Residents can elect to receive E-bills or pay their bills online, providing the City savings on paper costs, postage costs, etc.
- Paperless Departments - Most departments are working with more digital files and using less paper in their daily work activities. Departments utilizing programs like Laserfiche have reduced the need for paper copies. Dual monitors at work stations have also reduced the need for printing hard copies.
- Online services through the City's website are available to reduce paperwork. ePermits allow certain permits online for construction projects, sign up for recreation programs, data practice requests allowed online/through email, requests for service online through Notify Me, City Documents can be accessed online such as maps, Council and Commission meeting agendas and documents, and more.
- Grease Recycling at Earle Brown Heritage Center - Used grease from the kitchens at the Earle Brown Heritage Center is recycled.
- Carpet Recycling at Earle Brown Heritage Center - Old carpet is recycled when removed and any newly installed carpet is made from recycled materials.
- Recycling at Earle Brown Heritage Center - A cardboard, paper, plastic and aluminum recycling program is in place. All cardboard is flattened and run through the packer in preparation for recycling.
- Toner and Ink Recycling – The City's toner and ink recycling program eliminates disposal of plastic cartridges into landfills.
- Paper Towels - The Earle Brown Heritage Center uses paper towels made with 95% recycled paper.

- Trim Trax program/Second Harvest Heartland - Trim Trax is a program in place to reduce food scraps and trimmings. The Earle Brown Heritage Center partners with Second Harvest Heartland for which they donate large volumes of leftover food products.
- Water Treatment Plant – The water filtration process requires the filter media to be backwashed with air and water. The backwash water is pumped to settling tanks where the solids settle out and 90% of the backwash water is reclaimed and retreated.
- Leak Detection – The City performs leak detection on the water distribution system to determine if there are leaks in the system wasting water.
- Inflow and Infiltration (I/I) Reduction – Street reconstruction projects routinely include replacement of or lining sanitary sewer lines thus reducing I/I. Reducing I/I means the City does not have to pay to treat otherwise clear water. Reducing I/I region-wide means the need for treatment expansion is reduced.

Natural Resource Preservation

- Tree City and Arbor Day Events - The Tree City USA program is a national program that provides the framework for community forestry management for cities and towns across America. Communities achieve Tree City USA status by meeting four core standards of sound urban forestry management: maintaining a tree board or department, having a community tree ordinance, spending at least \$2 per capita on urban forestry, and celebrating Arbor Day. The City has been awarded this designation for the past 27 years for its stewardship.
- Green Yard Workshop - The City supports the Green Yard Workshop offered by Metro Blooms. This workshop provides residents with information on environmentally sound gardening practices that can also help protect water quality.
- Adopt a Park, Flower Garden, Rain Garden or Bus Shelter – The City promotes volunteer opportunities for groups to adopt a park, street, flower garden or rain garden for clean-up. The City also provides volunteer opportunities for storm drain stenciling.
- Wellhead Protection Plan – The Wellhead Protection Plan is intended to promote activities that protect the aquifer from which the City's drinking water supply is drawn and increase public awareness of the Wellhead Protection Program and groundwater issues.

Energy Conservation

- Water Treatment Plant - Sustainable architectural features included natural daylighting throughout including the filter room, low maintenance poured-in-place and precast concrete structure and wall panels, building insulation which surpasses the current energy code, a Tier 4 Interim Diesel generator that qualifies for Xcel Energy's Tier 2 Off-peak program for energy rebates, and LED lighting both interior and exterior. Rain gardens and low maintenance landscaping were important features included in the site design.
- LED Lighting Opportunity Site – Thirty-seven (37) existing light poles in the Earle Brown/ Opportunity site that had reached the end of their lifespan were replaced with Light Emitting Diode (LED) lights.

- Residential Street Lighting – Xcel Energy has replaced 846 High Pressure Sodium (HPS) street lights with LED lights. All new or upgraded lighting in residential street reconstruction projects since 2018 are LED as well.
- Parks Lighting - The City has replaced incandescent parking lot lights at Palmer Lake East, Palmer Lake West and Orchard Lane Park with LED lighting. Park shelters have also been converted to LED.
- Traffic Signals – All of the red, yellow and green indications on City owned and maintained traffic signals have been converted to LED indications. Signal luminaires are also converted to LED as the HPS expire.
- Energy efficient vehicle purchase - In the past the City fleet has operated a number of E-85 Flex-fuel vehicles. In 2019 the City purchased two hybrid squad cars. The hybrids cost \$3,000 each more than traditional squads but the fuel savings in the first year alone will offset those additional costs. The diesel vehicles use a blend (B-5) of diesel and biodiesel. The City is also transitioning to Tier-4 diesel engines as available in fleet upgrades. Tier-4 engines are the cleanest diesel burning engines on the market.
- Lighting Efficiency Project – Lighting at the Public Works Maintenance Facility was upgraded to more efficient lighting as part of a federal American Recovery and Reinvestment Act, saving about 40% in energy cost.
- Xcel Energy Peak Shaving – The Public Works Maintenance Facility and Water Treatment Plant participate in Xcel Energy's Peak Shaving Program whereby during peak electrical demands these facilities are switched to backup generation for power reducing our demand on the energy grid.
- Community Center Performance Improvements Contract –Facility improvements were completed at the Community Center that will substantially generate energy savings from the improvements.
- Variable frequency drives on large capacity water pumps – Seven (7) variable frequency drives (VFDs) were placed on the City well pumps, improving efficiency. In addition, an energy demand study was conducted and the wells were adjusted to run more on off peak times. Three (3) other wells will be upgraded to include VFDs.
- Variable Frequency Drives at the Earle Brown Heritage Center – VFDs were added to chiller pumps and two Air Handling units, leading to energy savings and control performance.
- Light Replacement at the Earle Brown Heritage Center - Lights were replaced with LED and other energy efficient lighting.
- "Lights Off" Program - Earle Brown Heritage Center staff members attentively turn off meeting room lights when not in use and overnight.
- Boiler/ Chiller replacement at Earle Brown Heritage Center - In 2010, 2 boilers were placed, improving the heating system efficiency from 60% to 86%. In addition the chiller was replaced, increasing energy efficiency from 6.3 to 10.3.

- Facilities Maintenance – The City utilizes a centralized, electronic direct digital control program that includes time schedules, set-points, controllers, logic, timers, trend logs, and occupancy sensors to control the heating, ventilation and air conditioning (HVAC) systems for public facilities. Facilities maintenance also incorporates Vending Miser which is an energy efficiency product for use with vending machines, snack machines, and coolers.
- Transportation – The City has installed bike racks at public facilities, transit stops and park and rides to encourage non-motorized transportation. Traffic signals have been optimized to reduce idling. The City also actively participated in the planning for the Metro Transit C-Line and D-Line and is participating in the implementation of the electric bus serviced transit routes.

Healthy Living

- Green Step City – Minnesota Green Step Cities is an action-oriented voluntary program offering cities a cost-effective, step-wise path to implement sustainable development best practices. The program is governed by a public-private partnership of state agencies and non-governmental organizations and is led by the MPCA. Partners include Urban Land Institute, League of Minnesota Cities, Clean Energy Resource Teams, Division of Energy Resources, Minnesota Department of Commerce, Great Plains Institute, and the Izaak Walton League. Brooklyn Center is a Level 2 Green Step City. Efforts are underway to promote Brooklyn Center to a Level 3 Green Step City.
- Complete Street Policy - Adopted in 2013, the City has a Complete Streets Policy. The Complete Street Policy encourages the integration of physical activity into daily routines through activities such as biking, walking and/or taking transit. Such activities promote active living which has the following benefits: improves physical and mental health, decreases risk of chronic disease, reduces medical costs associated with chronic disease, reduces transportation costs, reduces pollution and improves air quality, builds safer, stronger communities, and generally increases quality of life.
- Partnership with Active Living Hennepin County -The City, together with other cities and Hennepin County, participates in Active Living programs to promote and improve the health of its citizens by taking active steps to increase healthy eating and active living within its jurisdiction. Currently the City is partnering with ALHC on a grant to close the gap on health disparities in areas in the community, focusing on both poverty and persons of color.
- Pedestrian and Bicycle Plan, and Safe Routes to School Study – The City has completed two studies to encourage and improve pedestrian and bike opportunities within the City.
- Brooklyn Boulevard Study – In 2014 the City adopted the Brooklyn Boulevard Corridor Study. This corridor study provides guidance for future transportation, redevelopment, and streetscaping improvements along Brooklyn Boulevard. The study included a review of the following: land uses, redevelopment opportunities, traffic and transit needs, complete streets components, access management, safety, and a discussion of environmental documentation options. As part of the study process, recommendations for the following were developed: future corridor vision; future land use map, open space and redevelopment concepts; future corridor concepts that include roadway geometrics improvements, transit services and facilities, access locations, trails, and concepts for landscaping, streetscaping, lighting and water quality improvements. Phase I improvements are currently underway and Phase II is programmed for 2021.

- Community Gardens - The City operates a community garden with 18 plots available for residents to rent, reducing dependence on food that requires more resources to produce and distribute.
- Chicken and Beekeeping – In 2018 the City Council adopted ordinances that allow for the keeping of bees and chickens.
- Sustainable Food Product Ordering at Earle Brown Heritage Center - The Earle Brown Heritage Center purchases locally grown vegetables through BIX, a local produce supplier. They also purchase trans-fat free items, hormone-free beef, cage-free eggs, hormone free milk, hormone-free chicken, and sustainable seafood.
- In-House Herb Garden at Earle Brown Heritage Center - The Earle Brown Heritage Center has an in-house herb garden for kitchen staff use.

Land Use and Development

- Land Use Plan – In 2019 the City Council adopted a new land use plan with the Comprehensive Plan. The new land use plan includes a new designation of Transit Oriented Development (TOD). TOD is planned for a mix of residential, commercial, office and retail uses. Land is generally within a ½-mile of the Brooklyn Center Transit Station (Transit Station) is designated as TOD to capitalize on the proximity of redevelopment sites to the transit stops. The planned Bus Rapid Transit C-Line has two stops within the area designated as TOD (the Transit Station is last northerly stop) that will provide access to adjacent land uses with frequent and efficient bus/transit services providing connections to the area and broader region. A minimum of 75% of the land within this designation is planned to be developed with high-density residential use and the remaining land developed with supporting retail, office and commercial uses. Redevelopment will focus on connecting to the Transit Station and C-Line stops, future D-Line stops, as well as creating a walkable, bikeable, vibrant core in the City.
- Travel Demand Management - In September 2015 City adopted a Travel Demand Management (TDM) Policy. Travel demand management is an application of strategies and policies to reduce travel demand or to redistribute this demand in space, time or to more efficient modes. A travel demand management approach to transportation also has the potential to deliver better environmental outcomes, improved public health, stronger neighborhoods and a more prosperous and livable Brooklyn Center. Recognizing that development size and land use type directly affect traffic generation, the City has developed two levels of TDM plans; Tier 1 and Tier 2. Tier 1 plans apply to larger developments and Tier 2 plans apply to smaller developments. A Tier 1 TDM plan consists of a study, plan and agreement. A Tier 2 plan includes similar TDM plan strategies that the property owner agrees to implement to reduce peak single occupant vehicle trip generation. The Tier 1 TDM plan will require an annual report, while the Tier 2 TDM plan is a good faith effort by the applicant.

Housing Programs and Resources

- Partnership with Center for Energy and the Environment (CEE) – Owners and occupants of residential properties have access to reduced Home Energy Squad Enhanced visits from CEE through a buy-down program with the City. The visits include an energy audit, cost and energy saving improvements installed during the visit, and access to low interest loans for larger home energy saving improvements that may be identified during the visit.

- Interest Rate Buy-down – The City utilizes TIF 3 Housing Funds to buy down interest rates for low and moderate-income home owners interested in making improvements to their homes. Energy saving improvements such as window replacements, insulation improvements, and new HVAC and mechanical systems are eligible uses of funds.
- Construction Consultation Services – Through CEE, homeowners can receive a free in-home consultation from a certified construction consultant who will provide advice on home improvements, hiring a contractor, the permitting process, or any other aspect of a home improvement project.
- Neighborhood Stabilization Program Rehabilitated or Renovated Houses - Neighborhood Stabilization Program (NSP) renovated houses are brought up to MN Green Building requirements which include insulation requirements, high efficiency furnaces, direct vent water heaters, low VOC carpet and paint, no carpeting in basements, energy efficient windows, and air ventilation systems. In addition, the homes also are tested for lead, radon, asbestos, and air blower testing and any deficiencies are corrected.

MEMORANDUM - COUNCIL WORK SESSION

DATE: 2/10/2020

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: N/A

BY: Doran Cote, Public Works Director

SUBJECT: Trunk Highway 252/I-94 Environmental Review – Project Update 2

Recommendation:

- It is recommended that the City Council provide staff direction regarding the status of the TH 252 Freeway Conversion.

Background:

At the February 3, 2020 Study Session, staff gave a brief summary of previous TH 252 studies and the National Environmental Policy Act (NEPA) process. Representatives from the TH 252 /I-94 Environmental Review Technical Advisory Committee (TAC) provided an update of the analysis conducted thus far and how the results fit within the context of the NEPA process. The City Council indicated that they would like another Work Session to discuss the TH 252 alternatives and come to a consensus on the preferred alternative.

Subsequent to the last Work Session, staff and other representatives from the TH 252 /I-94 Environmental Review TAC had an opportunity to meet with the TH 252 Safety Task Force to address some of their lingering questions regarding the preferred alternative. Although the meeting was productive, it was time restricted due to other engagements and some questions remain unanswered and new questions were raised. Staff believes it would be prudent to continue to meet with the Task Force prior to their March 31, 2020 deadline to report their finding to the City Council.

Since there is not an urgent need for the City Council to reach a consensus prior to the February 21, 2020 TH 252 /I-94 Environmental Review Policy Advisory Committee (PAC), staff would like to continue to meet with the Task Force and have the next City Council Work Session on TH 252 sometime in March, 2020.

As the City Council is aware, Hennepin County has submitted a \$50M request for the TH 252 freeway conversion. Staff believes it is important to continue to support the County's request for the funding for the conversion of TH 252 regardless of the selected preferred alternative.

Policy Issues:

N/A

Strategic Priorities and Values:

Key Transportation Investments

MEMORANDUM - COUNCIL WORK SESSION

DATE: 2/10/2020

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

BY: Barb Suciu, City Clerk

SUBJECT: Pending Items

Recommendation:

- Metro Transit Bus Hub - *(upcoming CC presentation)*
- Commemoration of 400 years of Slavery Activities - 2/24
- Livable Wages - 2/24
- Use of EDA Owned Property - 2/24
- Food Trucks - 3/9
- Options for Use of Adjacent Space to Liquor Store - 3/9
- Discussion of Mayor/City Council roles & responsibilities
(CommonSense Inc.)

Background:

Strategic Priorities and Values:

Operational Excellence