

Council Study Session
City Hall Council Chambers
January 9, 2023

AGENDA



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1. **City Council Discussion of Agenda Items and Questions - 6 p.m.**
 2. **Miscellaneous**
 3. **Discussion of Work Session Agenda Item as Time Permits**
 4. **Adjourn**

**CITY COUNCIL
MEETING**

City Hall Council Chambers
January 9, 2023

AGENDA



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

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

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

2. Invocation - Lawrence-Anderson - 7 p.m.

3. Call to Order Regular Business Meeting

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

Administer Ceremonial Oath of Office

- a. Mayor April Graves
- b. Councilmember Dan Jerzak
- c. Councilmember Teneshia Kragness

4. Pledge of Allegiance

5. Roll Call

6. Approval of Agenda and Consent Agenda

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

- a. Approval of Licenses
 - *Motion to approve the licenses as presented.*
- b. Resolution Designating Official Newspaper
 - *Approve resolution Designating Official Newspaper for 2023*
- c. Resolution Declaring Commitment to the Brooklyn Center City Charter
 - *Approve resolution Declaring Commitment to the Brooklyn Center City Charter*

- d. Resolution Recognizing the Contributions of Ethnic Populations and Heritage Celebrations
 - *Approve a resolution Recognizing the Contributions of Ethnic Populations and Heritage Celebrations*
- e. Resolution Appointing Municipal Trustees to the Brooklyn Center Firefighters Relief Association Board of Trustees
 - *Approve resolution appointing municipal trustees to the Brooklyn Center Firefighters Relief Association Board of Trustee*
- f. Resolution Selecting Presiding Officers-Mayor Pro Tem and President Pro Tem
 - *Appoint the Mayor Pro Tem and Acting President Pro Tem for 2023*
- g. Resolution Designating Depositories of City Funds for 2023
 - *Motion to approve a resolution designating depositories of City funds for the 2023 fiscal year.*
- h. Resolution Opting not to Waive Limited Tort Liability for 2023
 - *Motion to approve a resolution adopting the no waiver option for statutory tort liability insurance.*
- i. Resolution Granting Corporate Authority for Signing of Checks and Transactions of Financial Business Matters
 - *Motion to approve a resolution granting corporate authority for signing checks and transactions of financial business matters to the City Manager and Finance Director for the City of Brooklyn Center.*
- j. Resolution Appointing Council Members to Commissions and Outside Organizations
 - *Approve a resolution appointing City Council Members to Serve as Liaisons to City Advisory Commissions and as City Representatives/Voting Delegates for Other Organizations for 2023*
- k. Resolution Approving the Contract for International Union of Operating Engineers (IUOE) Local 49 (Public Works Maintenance) and the City of Brooklyn Center for the Calendar years 2023-2025
 - *Motion to approve a resolution approving the Contract for International Union of Operating Engineers (IUOE) Local 49 (Public Works Maintenance) and the City of Brooklyn Center for Calendar years 2023-2025*
- l. Resolution Supporting the Authority to Impose a Local Sales Tax to fund a Specific Capital Improvements Providing Regional Benefit, to Establish the Duration of the Tax and the Revenue to be raised by the Tax, and to Authorize the City to Issue Bonds Supported by the Sales Tax Revenue
 - *Motion to approve a Resolution supporting the authority to impose a local sales tax to fund specific capital improvements providing regional benefit, to establish the duration of the tax and the revenue to be raised by the tax, and to authorize the city to issue bonds supported by the sales tax revenue.*
- m. Resolution 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

- Motion to approve the resolution 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

- n. Resolution Declaring Costs to be Assessed and Calling for a Public Hearing on Proposed Special Assessments for Improvement Project No. 2023-03, 51st Avenue Improvements

- Motion to approve a resolution declaring costs to be assessed and calling for a public hearing on proposed special assessments for Improvement Project No. 2023-03, 51st Avenue Improvements.

- o. Resolution Declaring Costs to be Assessed and Calling for a Public Hearing on Proposed Special Assessments for Improvement Project No. 2023-01, Knox, James, and 54th Area Improvements

- Motion to approve a resolution declaring costs to be assessed and calling for a public hearing on proposed special assessments for Improvement Project No. 2023-01, Knox, James, and 54th Area Improvements.

- p. Resolution Declaring Costs to be Assessed and Calling for a Public Hearing on Proposed Special Assessments for Improvement Project No. 2023-02, 50th Avenue Improvements

Motion to approve a resolution declaring costs to be assessed and calling for a public hearing on proposed special assessments for Improvement Project No. 2023-02, 50th Avenue Improvements.

- q. Resolution Authorizing the Release of Settlement Funds in the Matter of Alayna Albrecht-Payton vs. Kimberly Ann Potter in the City of Brooklyn Center

Authorize Release of Settlement Funds in the Matter of Alayna Albrecht-Patyon vs. Kimberly Ann Potter and the City of Brooklyn Center.

7. Presentations/Proclamations/Recognitions/Donations

- a. Resolution Recognizing April Graves for Serving as a Brooklyn Center City Council member
- motion to approve a resolution recognizing Council member April Graves for her dedicated public service

8. Public Hearings

- a. Resolutions Approving Utility Rates for 2023
- Motion to:

- *Open the public hearing;*
- *Take public input; and*
- *Close the public hearing*

- Motion to approve:

- *Resolution for 2023 Water Utility Rates*
- *Resolution for 2023 Sanitary Sewer Utility Rates*
- *Resolution for 2023 Storm Sewer Utility Rates*
- *Resolution for 2023 Street Light Rates*
- *Resolution for 2023 Recycling Rates*

9. Planning Commission Items

10. Council Consideration Items

- a. Appointment to City Commissions

- Motion to approve the appointments to the City Commissions

11. Council Report

12. Adjournment

Council Regular Meeting

DATE: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Barb Suciu, City Clerk/Interim Assistant City Manager

SUBJECT: Approval of Licenses

Requested Council Action:

- *Motion to approve the licenses as presented.*

Background:

The following businesses/persons have applied for City licenses as noted. Each business/person has fulfilled the requirements of the City Ordinance governing respective licenses, submitted appropriate applications, and paid proper fees. Applicants for rental dwelling licenses are in compliance with Chapter 12 of the City Code of Ordinances, unless comments are noted below the property address on the attached rental report.

-

Fireworks License (Permanent)

Diamond Lake 3245 County Road 10, 55430
dba: Cub Foods

Gasoline License

Christy's Auto Service 5300 Dupont Ave, 55430

Liquor Intoxicating

Jambo Africa 1601 Freeway Blvd, 55430

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Liquor Intoxicating - Sunday Sales

Duoos Bro. American Legion 6110 Brooklyn Blvd, 55430
Jambo Africa 1601 Freeway Blvd, 55430

Liquor Intoxicating On-Sale Club

Duoos Bro. American Legion 6110 Brooklyn Blvd, 55430

Mechanical Licenses

Absolute Mechanical LLC	7338 Ohms Lane, Edina 55439
Aerostar Heating & Air LLC	871 22 nd St. SW, Buffalo 55313
Air Central Inc.	5981 142 nd Ave NW, Ramsey 55303
Cities 1 Plumbing and Heating	787 Hubbard Ave, St. Paul 55104
St. Marie Sheet Metal	8380 Pleasant View Dr. St. Paul 55112

Tobacco Related Products Licenses

Jambo Africa 1601 Freeway Blvd, 55430

Royal Tobacco 5625 Xerxes Ave, 55430

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Rental Criteria	3/16/2021	Backup Material
Rental Licenses 1-9-23	1/1/2023	Backup Material

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

b. Police Service Calls.

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

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

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

Rental Licenses for Council Approval 1.9.23

License	License Subtype	Renewal/Initial	Owner	Property Code Violations	License Type	Police CFS*	Final License Type**	Previous License Type***
BL22-0727	Single	Initial	William E Clabots	1	Type I		Type II	N/A
BL22-0762	Single	Initial	Shoua Vang & Nancy Xiong	3	Type II		Type II	N/A
BL22-0695	Single	Initial	Saylee Suworgo	7	Type III		Type III	N/A
BL22-0679	Single	Initial	Butterfly Bound Care Doreen Kalema	14	Type IV		Type IV	N/A
BL22-0575	Single	Initial	Bahram Ghadishah	14	Type IV		Type IV	N/A
BL22-0568	Multiple Family 7 Bldgs 84 Units	Renewal	Riverwood LLC Did not meet requirements	195 = 2.32 per unit	Type III	7/17/22 Aggravated Assault	Type III	Type III
BL22-0249	Multiple Family 24 Bldgs 92 Units	Renewal	Georgetown-bc Company Llp Did not meet requirements	499 = 5.42 per unit	Type IV	6/13/22 Robbery	Type IV	Type IV
BL22-0558	Multiple Family 1 Bldg 34 Units	Renewal	Maranatha Con Baptist Hm Inc	16 = 0.47 per unit	Type I	N/A	Type I	Type I
BL22-0483	Multiple Family 2 Bldgs 22 units	Renewal	Farnaz Toussi Did not meet requirements	14 = 0.63 per unit	Type I	N/A	Type III	Type III
BL22-0539	Multiple Family 2 Bldgs 50 Units	Renewal	Lynwood Pointe Llc Did not meet requirements	141 = 2.82 per unit	Type III	5/12/22 Disturbance 11/13/22 Assault 11/5/22 Arson 4/1/22 Robbery	Type IV	Type IV

BL22-0627	Two Family	Renewal	A M Abdullahi & Y M Noor Did not meet requirements	6	Type III	N/A	Type IV	Type IV
BL22-0670	Single	Renewal	Messiah Moore Met requirements	4	Type II		Type II	Type III
BL22-0430	Single	Renewal	Fyr Sfr Borrower Llc Met requirements	3	Type II	N/A	Type II	Type IV
BL22-0620	Single	Renewal	Plia Thao	0	Type I	N/A	Type I	Type II
BL22-0748	Single	Renewal	Tom Eyong Met requirements	2	Type I	N/A	Type I	Type III
BL22-0074	Single	Renewal	Hp Minnesota I Llc Did not meet requirements	16	Type IV	N/A	Type IV	Type III
BL22-0569	Single	Renewal	Emmanuel & Oluyemisi Coker Did not meet requirements	13	Type IV	N/A	Type IV	Type III
BL22-0720	Single	Renewal	Ih2 Property Illinois Lp Met requirements	0	Type I	N/A	Type I	Type IV
BL22-0387	Single	Renewal	Sydney 1 Llc	3	Type II	N/A	Type II	Type I
BL22-0377	Single	Renewal	Fyr Sfr Borrower Llc Met requirements	4	Type II	N/A	Type II	Type IV
BL22-0713	Single	Renewal	Paul Peter Leintz	4	Type II	N/A	Type II	Type II
BL22-0645	Single	Renewal	Rasco Investments Llc Did not meet requirements	6	Type III	N/A	Type IV	Type IV
BL22-0678	Single	Renewal	Xiangming Guan & Ping He Did not meet requirements	2	Type I	N/A	Type IV	Type IV
BL22-0744	Single	Renewal	B D Morlock & N D Morlock	0	Type I	N/A	Type I	Type II
BL22-0716	Single	Renewal	Richard N Sayther	0	Type I	N/A	Type I	Type II

BL22-0644	Single	Renewal	Farnaz Toussi Did not meet requirements	1	Type I	N/A	Type IV	Type IV
BL22-0697	Single	Renewal	M J Bonete & R E Lema Bonete	5	Type II	N/A	Type II	Type II
BL22-0660	Single	Renewal	Jack Froelke/jessica Froelke	0	Type I	N/A	Type I	Type I
BL22-0411	Single	Renewal	Crystal Clear Investment Llc Did not meet requirements	3	Type II	N/A	Type IV	Type IV
BL22-0680	Single	Renewal	C J Cocker & M J Cocker	2	Type I	N/A	Type I	Type I
BL22-0584	Single	Renewal	Park Ave Homes Llc Did not meet requirements	7	Type III	N/A	Type IV	Type IV
BL22-0643	Single	Renewal	Fyr Sfr Borrower Llc Met requirements	22	Type IV	N/A	Type IV	Type IV
BL22-0612	Single	Renewal	Dawn M Araya & Danilo Araya Did not meet requirements	9	Type III	N/A	Type IV	Type IV
BL22-0547	Single	Renewal	I A Hassan & A M Ali Did not meet requirements	5	Type II	N/A	Type IV	Type IV
BL22-0640	Single	Renewal	Jessica J Stoll Did not meet requirements	11	Type IV	N/A	Type IV	Type IV
BL22-0473	Single	Renewal	Peter Nguyen	11	Type IV	N/A	Type IV	Type II
BL22-0552	Single	Renewal	Lankia Lartey	9	Type III	N/A	Type III	Type II
BL22-0698	Single	Renewal	Sharon Mcgary Did not meet requirements	0	Type I	N/A	Type IV	Type IV
BL22-0606	Single	Renewal	Hpa Borrower 2018-1 ML Llc	12	Type IV	N/A	Type IV	Type II
BL22-0714	Single	Renewal	Olmedo Jara Met requirements	2	Type I	N/A	Type I	Type IV

BL22-0611	Single	Renewal	Hpa Jv Borrow 2019-1 Ath Llc Did not meet requirements	7	Type III	N/A	Type IV	Type IV
BL22-0154	Single	Renewal	LSF9 MASTER PARTICIPATION TR	23	Type IV	N/A	Type IV	Type II
BL22-0658	Single	Renewal	O B Nkwonkam & L B Nchotu Met requirements	2	Type I	N/A	Type I	Type IV

*CFS = Calls for service for Renewal Licenses Only (Initial licenses are not applicable to calls for service and will be listed)

**License type being issued

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

All properties are current on City utilities and property taxes

Council Regular Meeting

DATE: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Barb Suciu, City Clerk/Interim Assistant City Manager

SUBJECT: Resolution Designating Official Newspaper

Requested Council Action:

- *Approve resolution Designating Official Newspaper for 2023*

Background:

Section 12.01 of the Brooklyn Center City Charter requires the City Council to annually designate a legal newspaper of general circulation of the City as its official newspaper in which the City will publish ordinances, bids, public hearing notices, advertising for proposals, assessments, bonds, financial reports, and other matters as required by law. Sun Media has once again requested that the City Council consider designating Brooklyn Center Sun-Post to be the official newspaper for 2022. Brooklyn Center Sun-Post meets all necessary requirements of a qualified newspaper under MN Statutes 331A.02, Subd. 1. The rate structure is as follows:

- \$11.90 per column inch (9 lines per inch= \$1.32 per line).

Budget Issues:

Legal publications are a budgeted item.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Sun Post 2023 Quote	12/20/2022	Backup Material
Resolution	12/20/2022	Resolution Letter



November 28, 2022

City of Brooklyn Center
City Council
6301 Shingle Creek Parkway
Brooklyn Center, MN 55430

Dear City Council Members:

Please accept the following bid from the **Brooklyn Center Sun-Post** for legal newspaper designation for the City of Brooklyn Center. This newspaper is qualified by the State of Minnesota as a legal newspaper under Minnesota Statutes Section 331A.02, Subd. 1.

The following rate structure for legal notices is effective January 1, 2023:

First insertion:	\$12.20 per column inch
Subsequent insertions:	\$7.20 per column inch
Characters per inch:	320
Lines per inch:	9

A notarized affidavit will be provided for each notice published. A \$20 charge will be assessed on legal notices that require typing. All published legal notices are posted on the *Sun-Post* website at no additional charge.

The *Sun-Post* is published weekly on Thursdays. The deadline is 2:00 p.m. on Thursday for publication the following Thursday. Early deadlines apply during a holiday week. Please email legal notices to publicnotice@apgecm.com.

Thank you for considering the *Sun-Post* as the official newspaper for the City of Brooklyn Center for the upcoming year. We appreciate the opportunity to serve the needs of your community.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Tonya Orbeck', written in black ink.

Tonya Orbeck
Legal Notice Manager
Adams Publishing Group
763-691-6001

CITY OF BROOKLYN CENTER

RESOLUTION NO. _____

RESOLUTION DESIGNATING OFFICIAL NEWSPAPER

WHEREAS, Section 12.01 of the Brooklyn Center City Charter requires the City Council to annually at its first meeting of the year designate a legal newspaper of general circulation in the city as its official newspaper in which shall be published such ordinances and other matters as are required by law to be so published and such other matters as the council may deem it advisable and in the public interest to have published in this manner; and

WHEREAS, the *Brooklyn Center Sun-Post* has previously been so designated;
and

WHEREAS, the *Brooklyn Center Sun-Post* meets all necessary requirements for designation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the *Brooklyn Center Sun-Post* is hereby designated as the official newspaper for the City of Brooklyn Center for the year 2023.

January 9, 2023
Date

Mayor

ATTEST: _____
City Clerk

Moved:

Second:

Favor:

Against:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Barb Suciu, City Clerk

SUBJECT: Resolution Declaring Commitment to the Brooklyn Center City Charter

Requested Council Action:

- Approve resolution Declaring Commitment to the Brooklyn Center City Charter

Background:

The City Manager is directed to place this resolution for re-adoption on the agenda for the first meeting of the City Council each January as information as and reminder of Council/Manager responsibilities.

Budget Issues:

There are no budget issues to consider.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/20/2022	Resolution Letter

CITY OF BROOKLYN CENTER

RESOLUTION NO. _____

RESOLUTION APPOINTING PRESIDING OFFICERS – MAYOR PRO TEM
AND ACTING MAYOR PRO TEM

BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota,
that for 2023 the Mayor Pro Tem be Councilmember Marquita Butler and the Acting Mayor Pro
Tem be the most senior councilmember present in accordance with Resolution 92-262.

January 9, 2023
Date

Mayor

ATTEST: _____
City Clerk

Moved:

Seconded:

Favor:

Against:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Barb Suciu, City Clerk/Interim Assistant City Manager

SUBJECT: Resolution Recognizing the Contributions of Ethnic Populations and Heritage Celebrations

Requested Council Action:

- *Approve a resolution Recognizing the Contributions of Ethnic Populations and Heritage Celebrations*

Background:

Since 2003, as part of the City Council's goal of inclusiveness, one of the aspects was to recognize the various ethnic populations and their contributions as well as heritage celebrations. The proposed resolution implements that Council policy by an inclusive list of celebrations and contributions in one resolution. By adopting this resolution, the City acknowledges these many events that occur throughout the course of the year. This list is reviewed and amended annually.

Budget Issues:

There are no budget issues to consider.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Enhanced Community Image, Inclusive Community Engagement, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/20/2022	Resolution Letter

CITY OF BROOKLYN CENTER

RESOLUTION NO. _____

RESOLUTION RECOGNIZING THE CONTRIBUTIONS OF ETHNIC POPULATIONS
AND HERITAGE CELEBRATIONS

WHEREAS, the City Council has established a goal to promote the inclusion of all residents in Brooklyn Center's community life by emphasizing opportunities to include all residents in the community's activities and plans; and

WHEREAS, the City Council recognizes that its cultural composition has changed significantly over the past two decades, with its ethnic population over half of its total population; and

WHEREAS, Brooklyn Center is strengthened by the rich cultural diversity of its people, and welcomes individuals of all races, religions, and cultural backgrounds; and

WHEREAS, each individual brings a part of his or her own heritage and over time each heritage becomes part of our common heritage, leading us to become a more united people; and

WHEREAS, the City Council recognizes the vital contributions ethnic populations have made to the strength and diversity of our community and recognizes their rich legacy of ingenuity, perseverance, and achievement; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the following heritage celebrations and all other heritage celebrations reflected in Brooklyn Center's population are recognized for the purpose of encouraging our citizens to learn more about the history of ethnic populations and how they have contributed to the culture and heritage of our community:

February	African-American History Month
March	National Women's History Month
March	Irish-American Heritage Month
March 25	Greek Independence Day
April	National Arab American Heritage Month
April 14	Pan American Day
May	Asian and Pacific American Heritage Month
May	Jewish American Heritage Month
May 17 (Sytende Mai)	Norwegian Constitution Day
May 21	World Day for Cultural Diversity
June	Caribbean-American Heritage Month
June 6	Swedish National Day
September 15-October 15	Hispanic Heritage Month
October	Italian American Heritage Month
October 6	German-American Day
November	American Indigenous Heritage Month

RESOLUTION NO. _____

January 9, 2023
Date

Mayor

ATTEST: _____
City Clerk

Moved:

Seconded:

Favor:

Against:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Todd Berg, Fire Chief

SUBJECT: Resolution Appointing Municipal Trustees to the Brooklyn Center Firefighters Relief Association Board of Trustees

Requested Council Action:

- Approve resolution appointing municipal trustees to the Brooklyn Center Firefighters Relief Association Board of Trustee

Background:

Annually, the Council approves the three Municipal Officials to serve on Brooklyn Center Fire Relief Association Board. It has to be the current Fire Chief, an elected official, and either another elected official or the City Finance Director. Traditionally, it has been the Fire Chief, Mayor and Finance Director.

It is important that the City has representation on this board and be aware of it's actions. The municipal official hasn't attended since 2021. The board meets quarterly at the west fire station and the first meeting of the year is tomorrow night at 6pm.

Budget Issues:

None

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/12/2022	Resolution Letter

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPOINTING MUNICIPAL TRUSTEES TO THE BROOKLYN
CENTER FIREFIGHTERS RELIEF ASSOCIATION BOARD OF TRUSTEES

WHEREAS, Article V of the Brooklyn Center Firefighters Relief Association Bylaws states that the Board of Directors shall consist of three (3) officials drawn from the Municipality; and

WHEREAS, the three (3) Municipal Officials must be one (1) elected municipal official and one (1) elected or appointed municipal official who are designated as municipal representatives by the municipal governing board annually, and the chief of the municipal fire department.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the following appointments are hereby approved for 2023:

Elected Municipal Official
Elected or Appointed Municipal Official
Fire Chief

April Graves
Angela Holm
Todd Berg

January 9, 2023
Date

Mayor

ATTEST: _____
City Clerk

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

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH:

BY: Barb Suciu, City Clerk/Interim Assistant City Manager

SUBJECT: Resolution Selecting Presiding Officers-Mayor Pro Tem and President Pro Tem

Requested Council Action:

- Appoint the Mayor Pro Tem and Acting President Pro Tem for 2023

Background:

Section 2.06 of the City Charter requires the Council to choose from its members a President Pro Tem who shall hold office at the pleasure of the council and shall serve as President in the Mayor's absence and as Mayor in case of the Mayor's disability or absence from the City.

City Council Resolution No. 92-262, Establishing and Designating an Acting President Pro Tem of the City Council, states the most senior Council member shall preside in the absence of both the Mayor and Mayor Pro Tem, and that in the event two or more members have equal seniority, then that member shall preside who received the most votes in their most recent election.

- Dan Ryan (first elected November 7, 2006)
- Kris Lawrence-Anderson (first elected November 6, 2012)
- April Graves (first elected November 4, 2014)
- Marquita Butler (first elected November 8, 2016)

Budget Issues:

There are no budget issues to consider.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Res 92-262	1/11/2019	Backup Material
City Charter	1/11/2019	Backup Material

Member Dave Rosene introduced the following resolution and moved its adoption:

RESOLUTION NO. 92-262

COPY

RESOLUTION ESTABLISHING AND DESIGNATING AN ACTING
PRESIDENT PRO TEM OF THE CITY COUNCIL

WHEREAS, Section 2.06 of the Brooklyn Center City Charter designates the Mayor as presiding officer of the City Council and a president pro tem who serves as president in the Mayor's absence; and

WHEREAS, the presence of three City Council members at a City Council meeting constitutes a quorum; and

WHEREAS, it is possible that both the Mayor and the president pro tem may be absent from such a meeting, consequently leaving no designated presider of the meeting; and

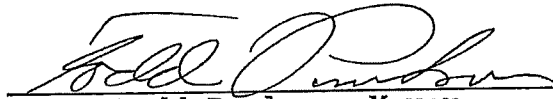
WHEREAS, the City Council desires to provide for an acting president pro tem who shall serve in the absence of the Mayor and president pro tem.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the most senior Councilmember shall preside in the absence of both the Mayor and Mayor pro tem.

BE IT FURTHER RESOLVED that in the event two or more members have equal seniority, then that member shall preside who received the most votes in their most recent election.

November 23, 1992

Date


Todd Paulson, Mayor

ATTEST:

Patricia A. Page
Deputy clerk

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

Todd Paulson, Celia Scott, Jerry Pedlar, Dave Rosene, and Philip Cohen; and the following voted against the same: none, whereupon said resolution was declared duly passed and adopted.

- b. A uniform list of initial questions to be asked of all applicants shall be made available to the public and the applicants in advance of interviews. To the extent reasonably practicable, questions asked of all applicants at the interviews shall be uniform.
4. Selection Process. Upon completion of the interview process, the Council may call for a vote to appoint an applicant. Each Council member may cast only one vote for a preferred applicant on each called-for vote to appoint. No vote, which does not result in a majority vote for one candidate, shall result in elimination from consideration of any candidate. Written ballots listing the applicant(s) shall be used. Each Council member's vote shall be recorded. A simple majority of the Council votes shall appoint that applicant to the City Council.
5. If the Council pursues the appointment process but then fails to fill a vacancy within forty-five (45) days from the occurrence of the vacancy, the City Clerk shall call a special election to fill the vacancy. The special election will be held not sooner than one hundred five (105) days and not later than one hundred thirty-five (135) days following the occurrence of the vacancy and to be otherwise governed by the provisions of Section 4.03, Special Elections. If more than two candidates file for the unexpired term, a primary election shall be held.
6. The City shall comply with the Minnesota Data Practices Act in all respects in the collection, management, and dissemination of data on applicants for City Council vacancies.

Section 2.06. THE MAYOR. The Mayor shall be the presiding officer of the Council, except that the Council shall choose from its members a president pro tem who shall hold office at the pleasure of the Council and shall serve as president in the Mayor's absence and as Mayor in case of the Mayor's disability or absence from the City. The Mayor shall have a vote as a member of the Council and shall exercise all powers and perform all duties conferred and imposed upon the Mayor by this charter, the ordinances of the City, and the laws of the State. The Mayor shall be recognized as the official head of the City for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the Governor for the purposes of martial law. The Mayor shall study the operations of the City government and shall report to the Council any neglect, dereliction of duty, or waste on the part of any officer or department of the City. In time of public danger or emergency the Mayor may, with the consent of the Council, take command of the police, maintain order and enforce the law.

Section 2.07. SALARIES. The Mayor and the members of the Council shall receive payment as set by ordinance. No change in salary shall take effect until the January 1 following the next succeeding general municipal election. The City Manager and all the subordinate officers and employees of the City shall receive such salaries or wages as may be fixed by the Council.

CITY OF BROOKLYN CENTER

RESOLUTION NO. _____

RESOLUTION APPOINTING PRESIDING OFFICERS – MAYOR PRO TEM
AND ACTING MAYOR PRO TEM

BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota,
that for 2023 the Mayor Pro Tem be Councilmember Marquita Butler and the Acting Mayor Pro
Tem be the most senior councilmember present in accordance with Resolution 92-262.

January 9, 2023
Date

Mayor

ATTEST: _____
City Clerk

Moved:

Seconded:

Favor:

Against:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Angela Holm, Director of Fiscal & Support Services

SUBJECT: Resolution Designating Depositories of City Funds for 2023

Requested Council Action:

- *Motion to approve a resolution designating depositories of City funds for the 2023 fiscal year.*

Background:

At the beginning of each fiscal year, in accordance with Minnesota Statutes 118A.02 and City Council Policy 2.22.4.A, the City Council considers a resolution authorizing depositories for City funds. The resolution includes banks with a presence in Brooklyn Center as well as any banks with whom the City deals on a regular basis throughout the year. The attached resolution designates banks which may not currently hold City funds but which may during the fiscal year, become a depository for City funds. Other financial depositories, such as the 4M Funds, are included because we are members of those depositories. Not all investment dealers/brokers are part of the City's current program but are authorized, after filing the appropriate Broker Certification Form, a requirement of Minnesota Statutes 118A, to transact business with the City of Brooklyn Center. If the City has no contact or activity with a dealer/broker during the previous fiscal year, that firm is removed not included in the succeeding year's list. All banks, depositories, investment dealers and brokers, with the exception of the Federal Reserve Bank of Minneapolis, are checked for certification by FDIC, SIPC or other certification as required by Minnesota Statutes 118A. All of this documentation is reviewed by the City's auditors during the financial statement audit each year.

Budget Issues:

- There is no direct financial impact on the City.

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description

Designating Depositories 2023

Upload Date

12/20/2022

Type

Resolution Letter

CITY OF BROOKLYN CENTER

RESOLUTION NO. _____

RESOLUTION DESIGNATING DEPOSITORIES OF CITY FUNDS

WHEREAS, Section 7.01 of the City Charter provides the City Council with authority over City funds that includes the safekeeping and disbursement of public monies; and

WHEREAS, Section 7.10 of the City Charter provides that City funds shall be disbursed by check bearing the actual or facsimile signature of the City Manager and City Treasurer.

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

1. That US Bank, NA is hereby designated as a depository for funds of the City of Brooklyn Center for operational banking and investment purposes.
2. That the following named bankers and brokers are hereby designated as additional depositories to be used for investment purposes:

Federal Reserve Bank of Minneapolis

Wells Fargo Bank, N.A.

Minnesota Municipal Money Market Fund (4M Fund)

Minnesota Municipal Money Market Plus Fund (4M Plus Fund)

Minnesota Municipal Money Market Time Series Pools (4M Time Series)

Oppenheimer & Co., Inc

Wells Fargo Securities, LLC

Moreton Capital Markets, LLC

The City Treasurer is hereby authorized to deposit funds in accounts guaranteed by the Federal Deposit Insurance Corporation (FDIC), the Securities Insurance Protection Corporation (SIPC), successors of the FDIC or SIPC or other governmental institutions insuring the safety and liquidity of public monies. Funds deposited with designated depositories in excess of the insurance limits available through FDIC, SIPC or its successor institutions shall be covered by collateral in the form of government securities held in the City's name or other collateral proposed by the institution and approved by the City of not less than 110% of the value of the uninsured deposits.

RESOLUTION NO. _____

3. That the following named clearinghouses for credit card transactions are hereby designated for accepting payments:

Wells Fargo Merchant Services
Elavon Incorporated
Sage Payment Solutions
Chase Paymentech

4. Wells Fargo Institutional Trust Services is hereby designated as the safekeeping depository for investment instruments in the City's investment portfolio and as clearinghouse for the City's investment portfolio transactions.
5. That the City Council authorizes the City Manager, the City Treasurer, or the Deputy City Treasurer to act for the City in all of its business activities with these designated depositories.

January 9, 2023
Date

Mayor

ATTEST: _____
City Clerk

Moved:

Seconded:

Favor:

Against:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Angela Holm, Director of Fiscal & Support Services

SUBJECT: Resolution Opting not to Waive Limited Tort Liability for 2023

Requested Council Action:

- *Motion to approve a resolution adopting the no waiver option for statutory tort liability insurance.*

Background:

Each year the City must choose whether to waive tort liability limit protections of Minnesota Statutes 466.04 as part of the insurance policy renewal application process. M.S. 466.04 states that the maximum liability for a city for any claim is \$500,000 with an aggregate maximum of \$1,500,000 per incident. In past years the City Council has chosen not to waive the liability limits and the regular premium for insurance has covered all claims.

If the City were to waive the limits set by statute, it would be prudent to purchase additional insurance coverage to cover possible higher awards in liability claims. Premiums for such insurance would be approximately \$6,700 per year.

Budget Issues:

The 2022 budget anticipates leaving the no waiver option in place for 2022 and has anticipated insurance premiums based on that no waiver option. Waiving the statutory limits would require that at approximately \$6,700 in additional premium costs be allocated for 2022 and in each succeeding year.

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/20/2022	Resolution Letter

CITY OF BROOKLYN CENTER

RESOLUTION NO. _____

RESOLUTION OPTING NOT TO WAIVE LIMITED TORT LIABILITY FOR 2023

WHEREAS, the City of Brooklyn Center has an option to waive its protection under the tort liability limitation contained in Minnesota Statutes 466.04; and

WHEREAS, the statutory tort limit for 2023 is \$500,000 per individual with an aggregate of \$1,500,000 per incident; and

WHEREAS, the City of Brooklyn Center has not opted to waive its rights to limited tort liability in past years and is required to make a declaration of its intention every year.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the City does not waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.04 for 2023.

January 9, 2023
Date

Mayor

ATTEST: _____
City Clerk

Moved:

Seconded:

Favor:

Against:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Angela Holm, Director of Fiscal & Support Services

SUBJECT: Resolution Granting Corporate Authority for Signing of Checks and Transactions of Financial Business Matters

Requested Council Action:

- Motion to approve a resolution granting corporate authority for signing checks and transactions of financial business matters to the City Manager and Finance Director for the City of Brooklyn Center.

Background:

Many investment firms require the adoption of a resolution by the corporate board, in this case the City Council, authorizing specific officers to transact financial business involving treasury notes, certificates of deposit and other securities. The attached resolution fulfills that requirement by appointing the City Manager, and the Finance Director, who serves as the City Treasurer, as the officers authorized to transact such business.

Budget Issues:

There are no budget issues to consider.

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/20/2022	Resolution Letter

CITY OF BROOKLYN CENTER

RESOLUTION NO. _____

RESOLUTION GRANTING CORPORATE AUTHORITY FOR SIGNING OF
CHECKS AND TRANSACTIONS OF FINANCIAL BUSINESS MATTERS

WHEREAS, the City Treasurer must be a signatory to any and all checks issued by the City in payment of obligations of the City; and

WHEREAS, specific individuals must be designated by the City Council as authorized to sell, assign and endorse for transfer various financial instruments in the regular conduct of City business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that Dr. Reggie Edwards, City Manager, and Angela Holm, Finance Director, are hereby authorized to sell, assign and endorse for transfer certificates representing treasury notes, bonds, or other securities now registered or hereafter registered in the name of this municipality.

January 9, 2023
Date

Mayor

ATTEST: _____
City Clerk

Moved:

Seconded:

Favor:

Against:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Barb Suciu, City Clerk/Interim Assistant City Manager

SUBJECT: Resolution Appointing Council Members to Commissions and Outside Organizations

Requested Council Action:

- Approve a resolution appointing City Council Members to Serve as Liaisons to City Advisory Commissions and as City Representatives/Voting Delegates for Other Organizations for 2023

Background:

Historically this action is completed at first meeting of the year. City Council Members are appointed to serve as Council Liaisons to City Advisory Commissions and as Council representatives or voting delegates/alternates for boards, committees, or organizations in which the City participates.

This item was postponed from the first meeting of the year to allow the new Mayor additional time to review the information and make the appointments.

2019 Council Appointments were as follows:

Commission/Organization	Council Member
Financial Commission	Marquita Butler
Housing Commission	Kris Lawrence-Anderson
Park & Recreation Commission	April Graves
Brooklyn's Youth Council	April Graves
Crime Prevention Program	Kris Lawrence-Anderson
League of Minnesota Cities	Dan Ryan; Mike Elliott Alternate
Metro Cities	Mike Elliott; Dan Ryan Alternate

The resolution for the 2021 appointments will be forthcoming.

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description

Resolution

Upload Date

1/6/2023

Type

Resolution Letter

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPOINTING CITY COUNCIL MEMBERS TO SERVE AS
LIAISONS TO CITY ADVISORY COMMISSIONS AND AS CITY
REPRESENTATIVES/VOTING DELEGATES FOR OTHER
ORGANIZATIONS FOR 2023

WHEREAS, the City of Brooklyn Center City Council members are appointed to serve as liaisons to City Advisory Commissions and to serve as City Representatives/Voting delegates for other organizations annually; and

WHEREAS, this resolution will ratify the appointments.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the following appointments are hereby approved:

Commission/Organization	Council Member
Financial Commission	Teneshia Kragness
Housing Commission	Kris Lawrence-Anderson
Park & Recreation Commission	Marquita Butler
Brooklyn Youth Council	April Graves
Crime Prevention Program	Dan Jerzak
League of Minnesota Cities	April Graves
Metro Cities	Kris Lawrence-Anderson
252 Project Advisory Committee	Marquita Butler

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: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Dr. Reggie Edwards, City Manager

BY: Elizabeth Heyman, Director of Public Works

SUBJECT: Resolution Approving the Contract for International Union of Operating Engineers (IUOE) Local 49 (Public Works Maintenance) and the City of Brooklyn Center for the Calendar years 2023-2025

Requested Council Action:

- Motion to approve a resolution approving the Contract for International Union of Operating Engineers (IUOE) Local 49 (Public Works Maintenance) and the City of Brooklyn Center for Calendar years 2023-2025

Background:

The current contract with IUOE Local 49 (Public Works Maintenance) expires on December 31, 2022. The City and the Union have met and negotiated in good faith to reach a settlement on all issues of concern. This Labor agreement covers all the Public Works Maintenance employees for a total of 26 employees. The attached agreement has been approved by a vote of the members and upon adoption by the City Council will establish wages and working conditions for the calendar years 2023-2025. The Articles affected by these negotiations include the following:

Article 17- Special Clothing

Add Language

In addition to providing uniforms to encourage a uniform appearance, the City will reimburse up to \$200 per year to pay for safety footwear and/or outerwear. Employees must wear clean uniforms in good repair.

Article 24- Severance Pay

Add the following language

The City agrees to look at this during the year 2023 working with HR and the Public Works Labor Management Committee to develop a PEHSCP program and come up with payout to the program based on years of service City Wide.

Article 25- Insurance

Add the following language

The City will be willing to pay 50% of the increase. The City's insurance increase is 5.9% and the dental increase is 12.9%. This equates to an overall increase of \$84. The City would contribute \$42 and the employee would contribute \$42.

Article 28- Wage Schedule

Wages Schedule

	Wages 2022	2023	2024	2025
Mechanic	\$33.53	\$34.87	\$36.26	\$37.71
All Foreman	\$36.03	\$38.37	\$39.90	\$41.21
Mechanic Lead	\$35.03	\$37.87	\$39.38	\$40.71
Maintenance III	\$33.53	Goes AWAY		
Utilities	\$32.75	\$34.31	\$35.68	\$37.11
Step 3 (95%)	\$31.11	\$32.60	\$33.90	\$35.25
Step 2 (90%)	\$29.48	\$30.88	\$32.11	\$33.40
Step 1 (85%)	\$27.84	\$29.16	\$30.33	\$31.54
Start (80%)	\$26.20	\$27.45	\$28.54	\$29.69
Maintenance II	\$31.97	\$33.50	\$34.84	\$36.23
Step 3 (95%)	\$30.37	\$31.83	\$33.10	\$34.42
Step 2 (90%)	\$28.77	\$30.15	\$31.36	\$32.61
Step 1 (85%)	\$27.17	\$28.48	\$29.61	\$30.80
Start (80%)	\$25.58	\$26.80	\$27.87	\$28.98
S&P Crew Lead	\$35.03	\$36.50	\$37.96	\$39.48
Utilities Crew lead	\$35.03	\$37.31	\$38.80	\$40.35
All Foreman		+\$3.50 over Mechanic wage		
Mechanic Crew Lead		+\$3.00 over Mechanic wage		
Utilities Crew Lead		+\$3.00 over Utility II wage		
Streets/Parks Crew Lead		+\$3.00 over Maintenance II wage		

2023

- Increase all Maintenance II and Utility II positions by \$0.25 and remove the Maintenance III wage category.
- Increase wages for all Foreman positions to \$3.50 over Mechanics base wages
- Increase all Crew Leader and assigned positions to \$3.00 over the base rate in their respective divisions.

- The City would like to add an out of class pay for the following duties:

Welding

Confined Space entry

Any out of class pay must be pre-approved by the Supervisor or Foreman and will be paid at the Crew Lead pay rate of the individual's respective base rate

- The City would move the equipment listed in the Heavy Equipment category to the Maintenance II equipment category in the contract.

Discussion items:

CITY- the City will work with the Local 49 on language for the certification pay. The City would cap the additional earnings for Streets and Parks at \$1.50, up from the current .50 for three certifications. The City would cap Mechanics additional earnings at \$2.00, up from the current 1.25. Utilities currently has the opportunity to make an additional \$2.00 but that would be difficult to achieve the way it is currently structured. The City would work with the Local 49ers to draft language as to how they would like the additional \$2.00 structured around the Certifications they can achieve.

The City will work with the local 49ers on MOU language centered around the annual renewal of the Local

49er training center usage and the City paying a total of \$.10 per hour per employee for a total of \$208 per union member. The continuation of this program would be reviewed on an annual basis and addressed as an MOU that is updated annually.

Budget Issues:

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

ATTACHMENTS:

Description	Upload Date	Type
49er Contract Resolution	1/3/2023	Resolution Letter
Contract	1/5/2023	Backup Material

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING THE LABOR AGREEMENT FOR INTERNATIONAL UNION OF OPERATING ENGINEERS (IUOE) LOCAL 49 (PUBLIC WORKS MAINTENANCE) AND THE CITY OF BROOKLYN CENTER FOR THE CALENDAR YEARS 2023-2025.

WHEREAS, Section 2.07 of the City Charter for the City of Brooklyn Center states that the City Council is to fix the salary or wages of all officers and employees of the City; and

WHEREAS, the City has negotiated in good faith with the IUOE Local 49 (Public Works Maintenance) for a contract for the years 2023, 2024, and 2025 as attached.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brooklyn Center, State of Minnesota, approves the attached contract with the IUOE Local 49 (Public Works Maintenance) for the calendar years 2023-25; and

BE IT FURTHER RESOLVED that authorized wage and benefit adjustments not to exceed the maximum contained herein shall become effective according to the schedule of the contract which commenced January 1, 2023

January 9, 2023

Date

Mayor

ATTEST: _____
City Clerk

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

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

COUNCIL ITEM MEMORANDUM

DATE: January 9, 2023

TO: Dr. Reggie Edwards, City Manager

FROM: Elizabeth Heyman, Director of Public Works

SUBJECT: Resolution Approving the Contract for International Union of Operating Engineers (IUOE) Local 49 (Public Works Maintenance) and the City of Brooklyn Center for the Calendar years 2023-2025

Recommendation:

- Motion to approve a resolution approving the Contract for International Union of Operating Engineers (IUOE) Local 49 (Public Works Maintenance) and the City of Brooklyn Center for Calendar years 2023-2025

Background:

The current contract with IUOE Local 49 (Public Works Maintenance) expires on December 31, 2022. The City and the Union have met and negotiated in good faith to reach a settlement on all issues of concern. This Labor agreement covers all the Public Works Maintenance employees for a total of 26 employees. The attached agreement has been approved by a vote of the members and upon adoption by the City Council will establish wages and working conditions for the calendar years 2023-2025.

Budget Issues:

Overall, the new 2023-2025 contract includes a three percent cost of living adjustment and a one percent market adjustment for each year of the three-year contract. There are also increases to the incentive pay opportunities for each division (i.e. Streets, Parks, and Utilities divisions) that staff can earn for completing certain trainings and certifications. These increases have been accounted for in the 2023 budget.

Inclusive Community Engagement:

N/A

Antracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

[Select not more than one.]

- Enhanced Community Image
- Resident Economic Stability

Our Vision: We envision Brooklyn Center as a thriving, diverse community with a full range of housing, business, cultural and recreational offerings. It is a safe and inclusive place that people of all ages love to call home, and visitors enjoy due to its convenient location and commitment to a healthy environment

COUNCIL ITEM MEMORANDUM

- Inclusive Community Engagement
- Targeted Redevelopment
- Safe, Secure, Stable Community
- Key Transportation Investments

Our Vision: We envision Brooklyn Center as a thriving, diverse community with a full range of housing, business, cultural and recreational offerings. It is a safe and inclusive place that people of all ages love to call home, and visitors enjoy due to its convenient location and commitment to a healthy environment

Council Regular Meeting

DATE: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Jesse Anderson, Interim Community Development Director

BY: Jason Aarsvold, EDA Project Management - Ehlers

SUBJECT: Resolution Supporting the Authority to Impose a Local Sales Tax to fund a Specific Capital Improvements Providing Regional Benefit, to Establish the Duration of the Tax and the Revenue to be raised by the Tax, and to Authorize the City to Issue Bonds Supported by the Sales Tax Revenue

Requested Council Action:

- Motion to approve a Resolution supporting the authority to impose a local sales tax to fund specific capital improvements providing regional benefit, to establish the duration of the tax and the revenue to be raised by the tax, and to authorize the city to issue bonds supported by the sales tax revenue.

Background:

In 2022, the City Council determined a local sales tax should provide one component of the funding for an expansion of the Community Center. The City went through the process in 2022 to establish a local sales tax both for the Community Center and for a possible year-round adventure park within the Opportunity Site. This included passage of a resolution supporting the tax and pursuit of special legislation in January 2022 and working through the legislative process. Because there was no tax bill passed in 2022, the City did not receive authorization for the tax. To continue pursuing the local sales tax, the City must pass the resolution of support again, and go through the legislative process again in 2023.

Based on feedback received last year through the legislative process, and on the evolving nature of the Opportunity Site project, this year's resolution and funding request includes only the Community Center Expansion.

Cultural Community Wellness Center

The City has conducted a master planning process to consider a new or expanded community center. Components of that process have included identifying community needs in terms of recreation and community center facilities, as well as a broader look at the surrounding market and potential regional demand for community center space. As part of the planning process, potential partners have been identified which could be leveraged to achieve a larger, more regionally significant, community and wellness center.

The City completed an initial analysis of the spacing needs and potential partners, and then moved into a second phase to develop fit plans and more solid cost estimates. Several iterations of the plan have been worked through to find a balance that provides the types of activities that will most benefit community, will draw outside users to the new community center, can be implemented over multiple phases, and ensures a feasible and cost-effective plan.

One key aspect of the new community center will be that it can serve as a host facility for regional tournaments. Tournaments not only bring new people to the community that generate positive economic impact, but the revenue generated from tournaments help offset operating costs of such a facility.

The City has submitted an application to the state for bonding dollars to support the build out of a new community center in the amount of \$44 million. The total cost of the new community center is estimated at roughly \$55 million. It is not likely that the City would receive its full request of \$44 million in state bonding but the sales tax revenue is intended to cover the difference.

In addition, the City can go in for state bonding for the community center over multiple years, with the hope of generating more funding and reducing the reliance on a local sales tax. That said, regardless of whether the project receives state bonding or not, the City will need to find alternate funding sources, including the local sales tax, to complete the center.

Next Steps

The Council is being asked to consider a resolution which would support a request to the state legislature to authorize the City to levy a local sales tax of 0.5 percent. This would generate an estimated \$2.5 million dollars annually based on projections from a study completed by the University of MN Extension office. Sales tax proceeds can be used to support regionally significant capital investments such as the Community Center.

The alternative to a sales tax would be debt supported 100% with a property tax levy on Brooklyn Center residents. The local sales tax option will provide for revenue collection from those outside of Brooklyn Center as well as Brooklyn Center residents. The University of MN Extension office study indicates at least 41% of the sales tax revenue will come from those outside of Brooklyn Center.

If the resolution this evening is approved, the City will submit a formal request for special legislation by a January 31 deadline set by the legislative committees. Staff will work with the City's lobbyist to follow and track the legislation through the process during the session. If the City's legislation is approved, the sales tax must then be approved by the voters in Brooklyn Center at the next general election. This process would involve an extensive communication and engagement campaign.

Budget Issues:

This action will have no immediate effect on the budget.

Inclusive Community Engagement:

If a sales tax levy is requested and approved by the state legislature, the community would then be asked to consider a referendum on the question. This phase of the work would include significant communication about the sales tax levy and the projects it would support.

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Enhanced Community Image, Resident Economic Stability

ATTACHMENTS:

Description

Upload Date

Type

2021 Community Center Master Plan
Resolution

1/5/2023
1/6/2023

Backup Material
Resolution Letter



City of Brooklyn Center

Comprehensive Community Center Master Plan — Preferred Planning Strategy

April 15, 2022

Perkins&Will

Preferred Planning Strategy: Renovation/Expansion

Pros:

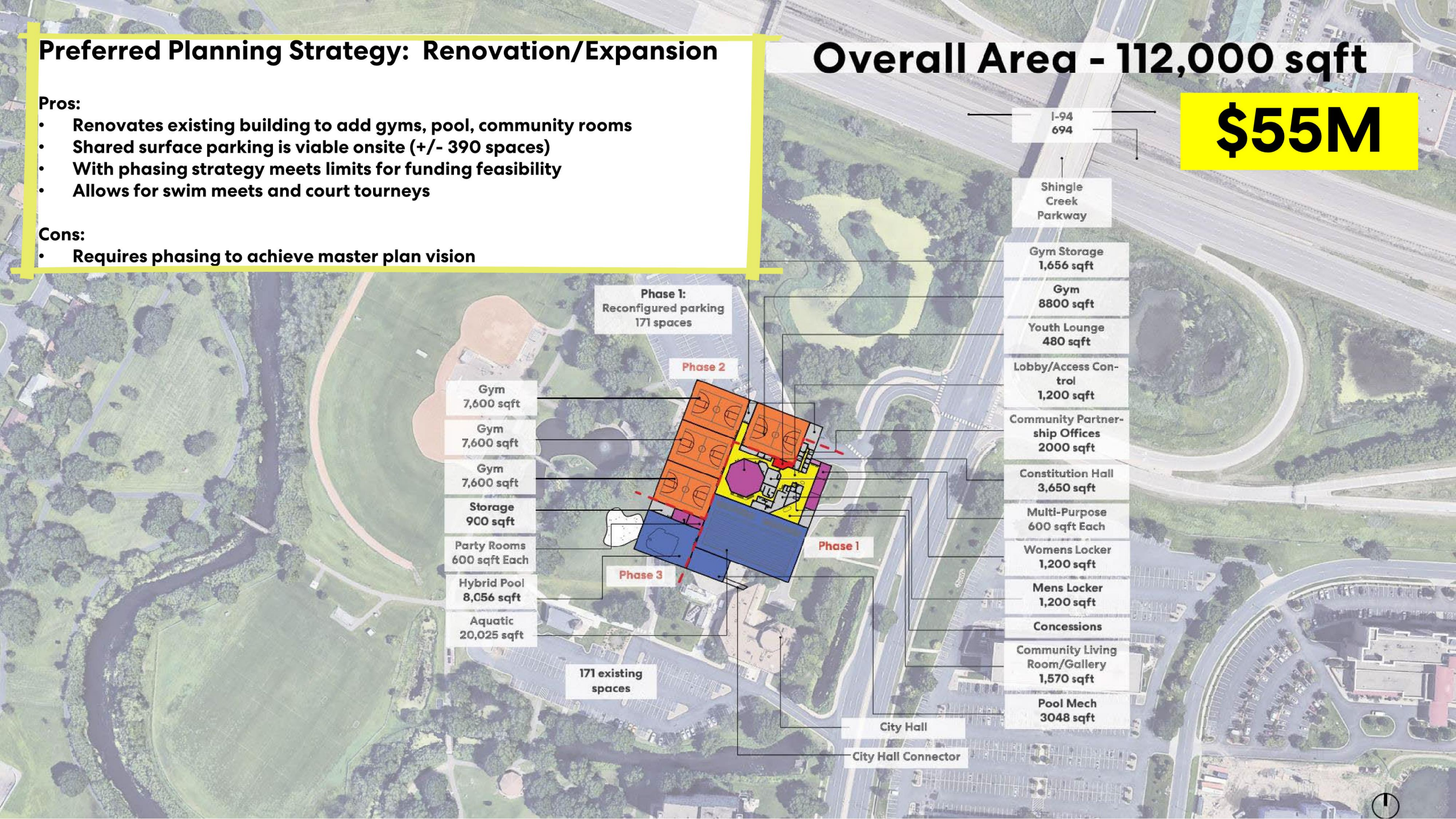
- Renovates existing building to add gyms, pool, community rooms
- Shared surface parking is viable onsite (+/- 390 spaces)
- With phasing strategy meets limits for funding feasibility
- Allows for swim meets and court tourneys

Cons:

- Requires phasing to achieve master plan vision

Overall Area - 112,000 sqft

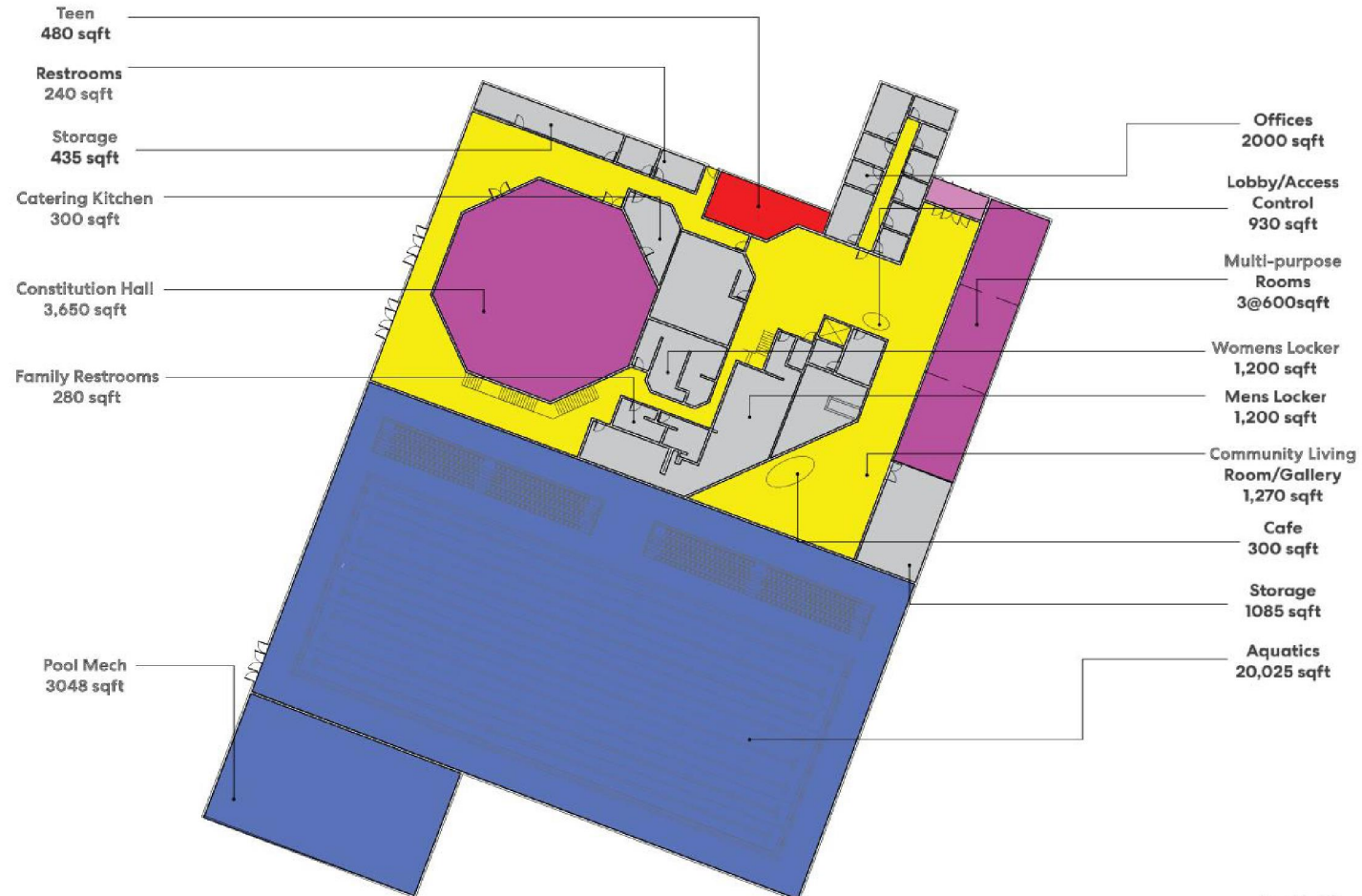
\$55M



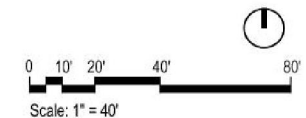
Phase 1

- Target for 2023 Construction
- Renovation of Existing Building
- Addition of Meeting rooms
- New 50m 8 Lane Pool
- Addition of Partner Offices
- Addition of Gallery/Cafe
- Connector to City Hall

Renovated Area - 15,000 sqft
Expanded Area - 30,500 sqft



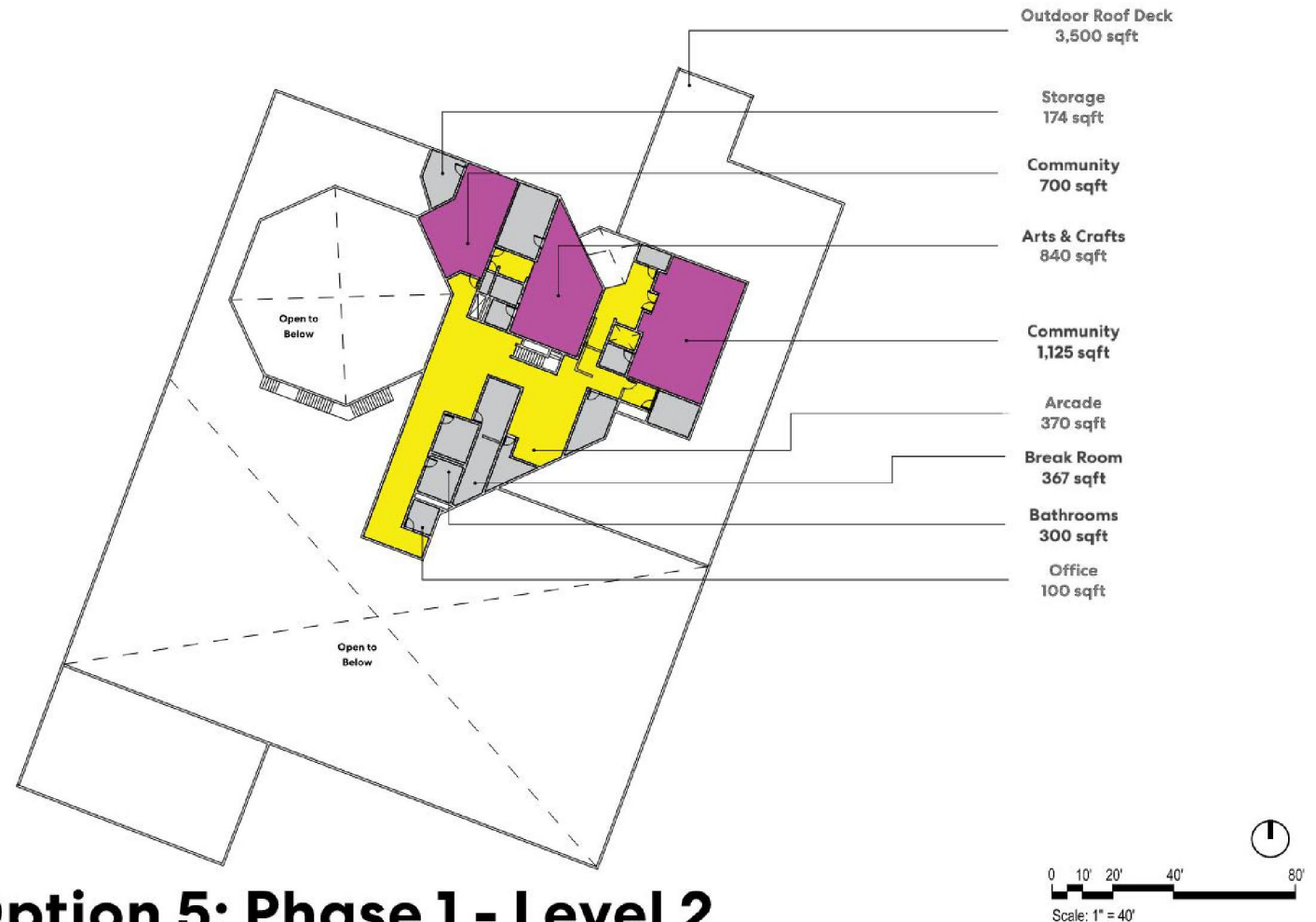
Option 5: Phase 1 - Level 1



Phase 1

- Target for 2023 Construction
- Renovation of Existing Building
- Demolition of Existing Fitness Area
- Outdoor Roof Deck

Renovation Area - 8,400 sqft

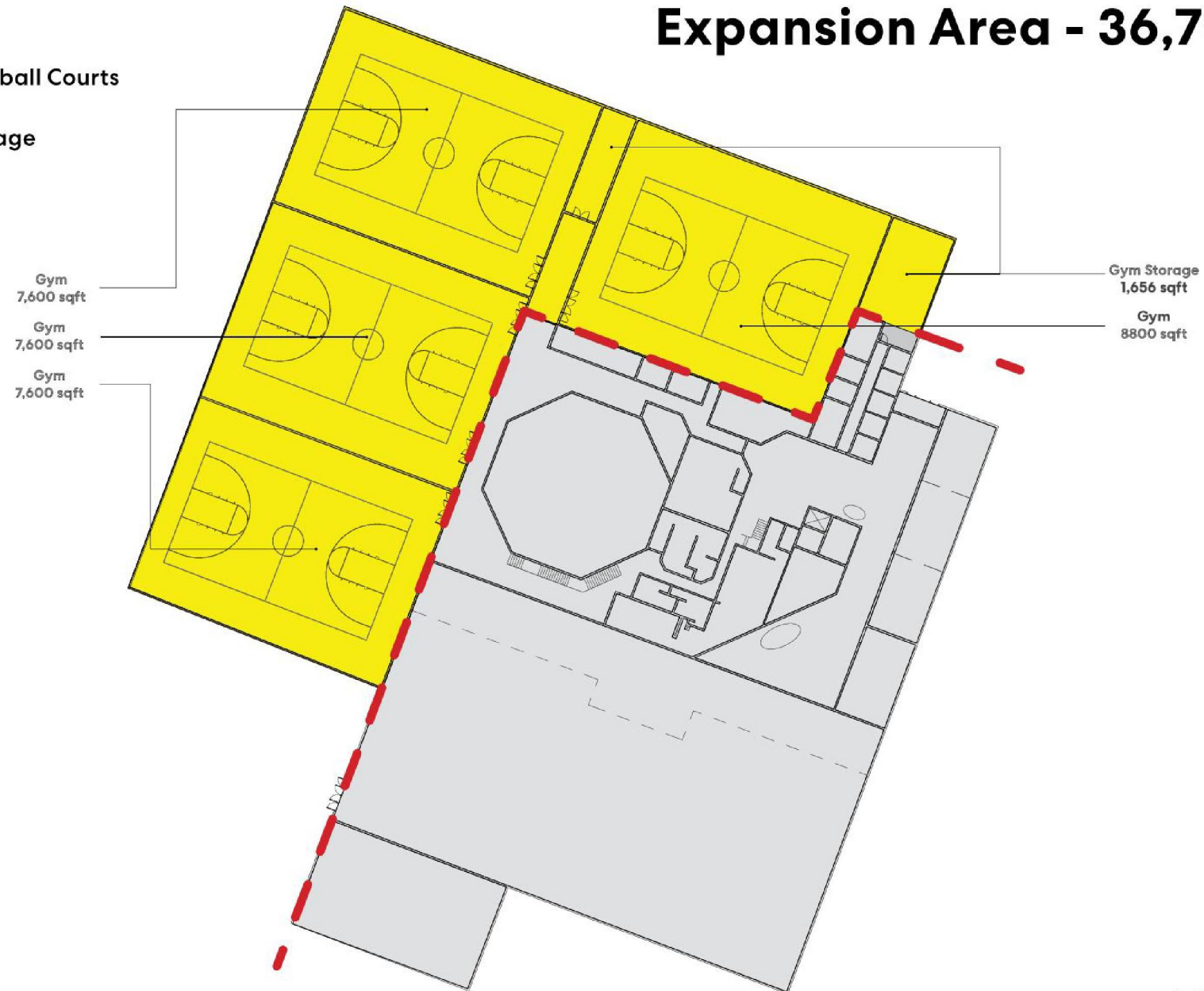


Option 5: Phase 1 - Level 2

Phase 2: June 2025

- Addition of (4) Basketball Courts
- Addition of Gym Storage

Expansion Area - 36,700 sqft

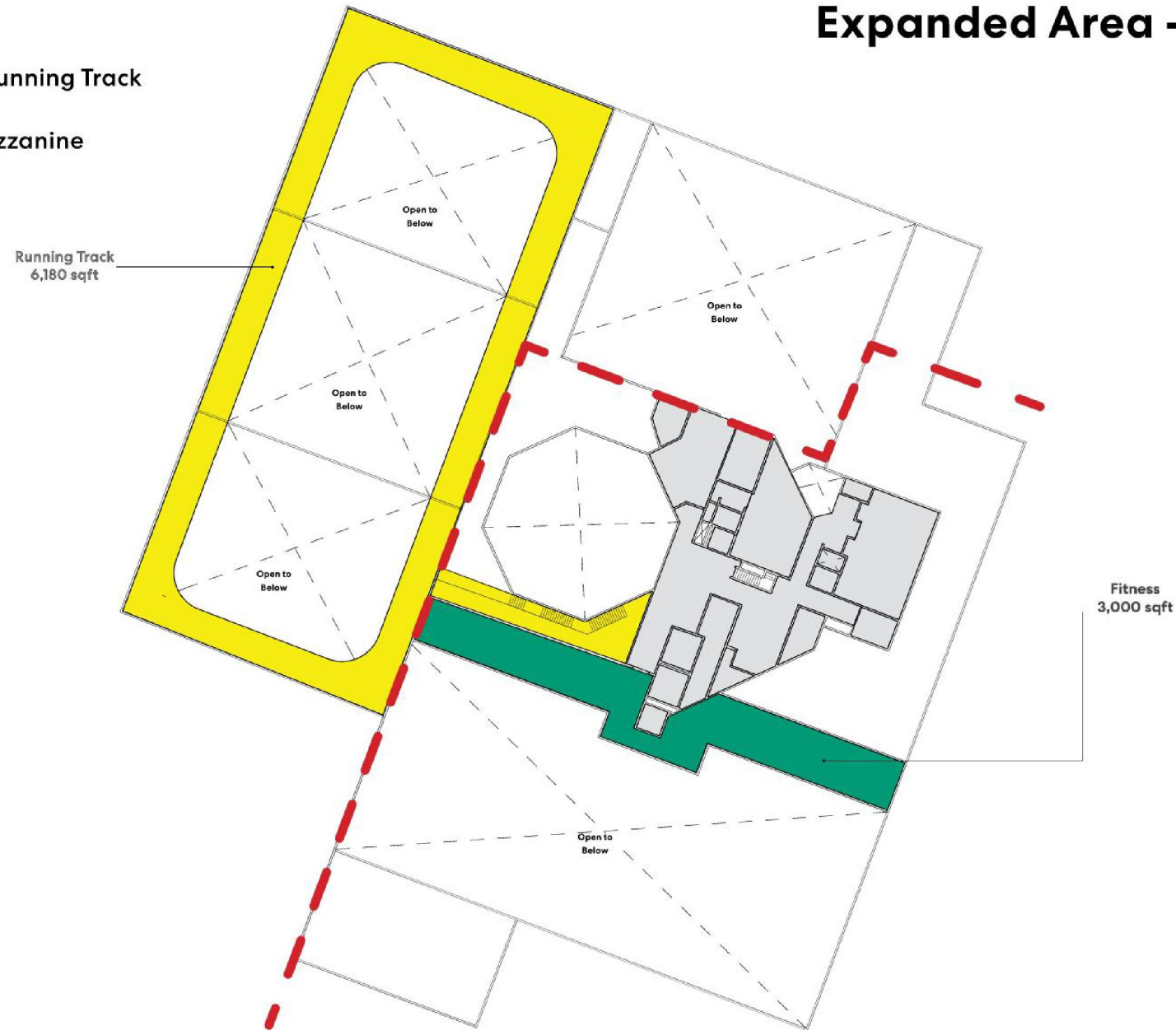


Option 5: Phase 2 - Level 1

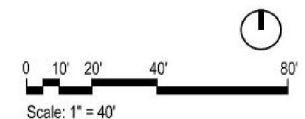
Phase 2: June 2025

- Addition of Elevated Running Track
- Addition of Fitness Mezzanine

Expanded Area - 10,900 sqft



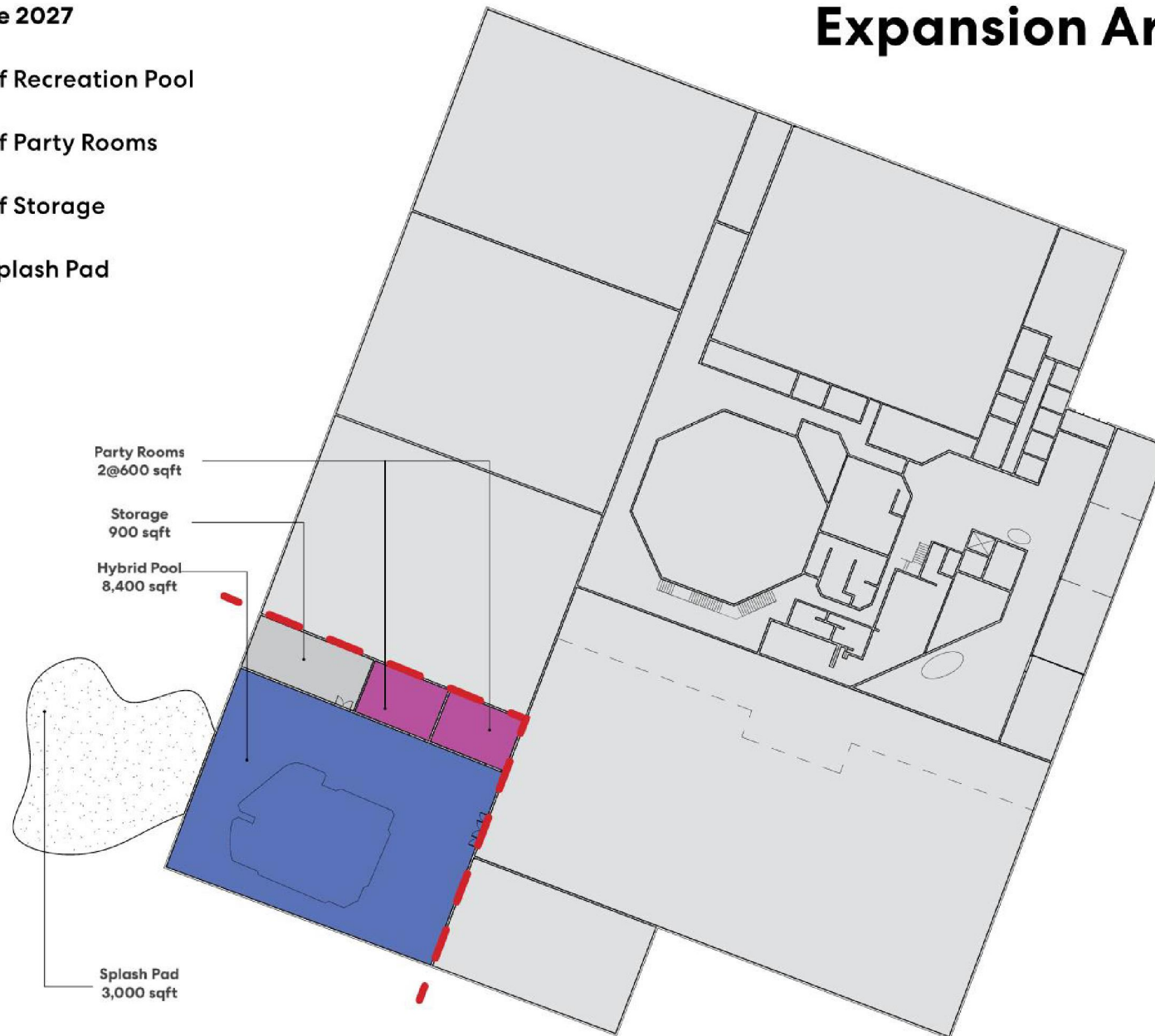
Option 5: Phase 2 - Level 2



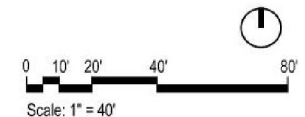
Phase 3: June 2027

- Addition of Recreation Pool
- Addition of Party Rooms
- Addition of Storage
- Outdoor Splash Pad

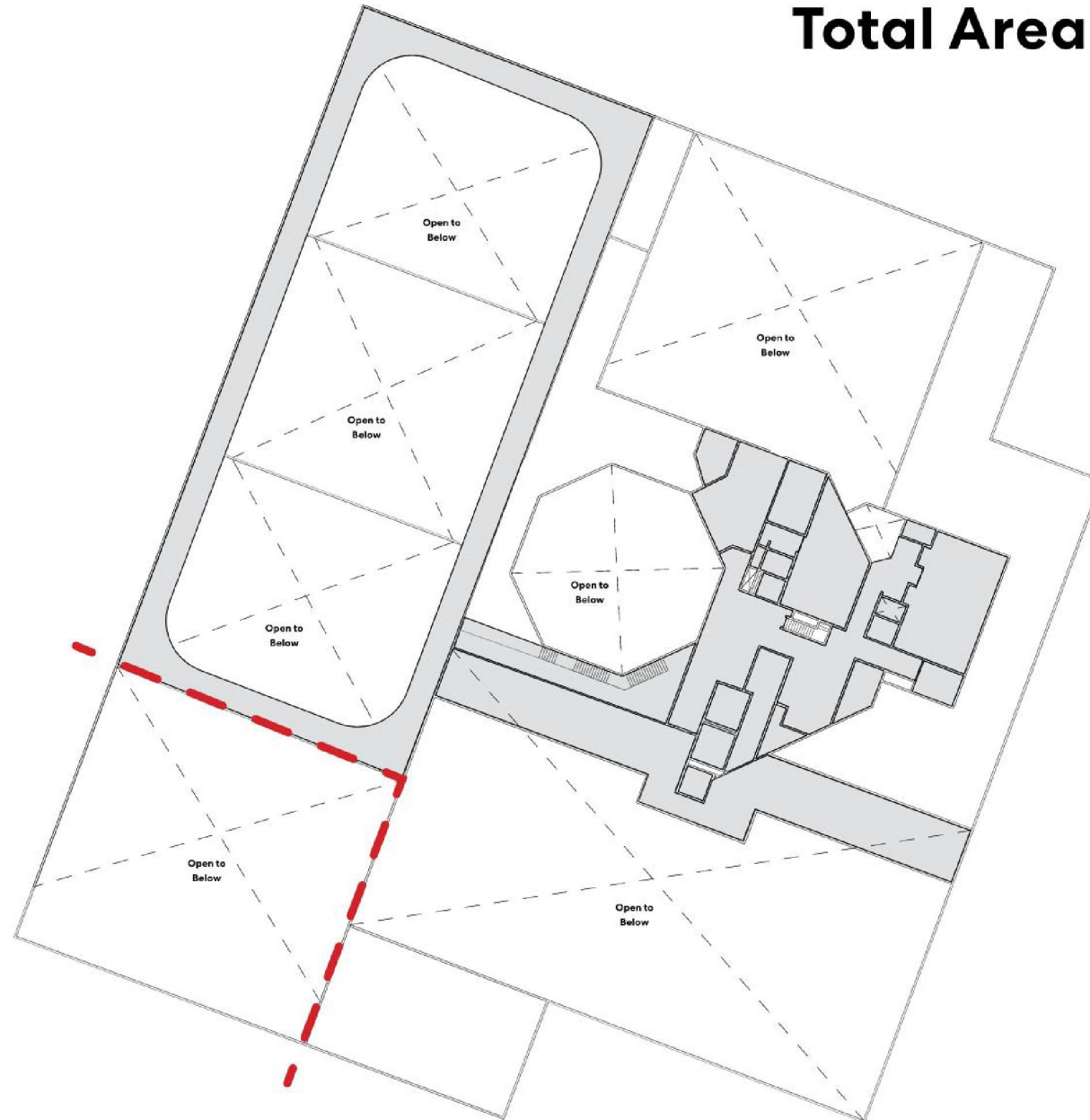
Expansion Area - 10,500 sqft



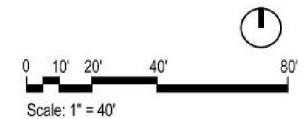
Option 5: Phase 3 - Level 1



Total Area - 10,500 sqft



Option 5: Phase 3 - Level 2



Cost Opinion General Notes & Assumptions

Notes and Assumptions:

1. Cost opinions are based on a Renovation/Expansion Strategy with Phase 1, 2 and 3 dated January 18, 2022.
2. Cost opinions assume a Phase 1 June 2023 construction start and 24 month construction duration. Phase 2 June 2025, and Phase 3 June 2027.
3. Cost opinions assume an average annual rate of escalation at 6%.
4. Cost opinions include contractor General Conditions, Overhead, and Profit.
5. Cost opinions exclude abatement of contaminated soils and hazardous materials.
6. Cost opinions include selective demolition of existing building.
7. Owner soft costs include the following as a percentage of the construction budget:

Design and Engineering Fees @ 8.5%

FF&E (Fixtures, Furnishings, & Equipment) @ 6%

Site & Building Testing/Reports (Survey, geotech, drainage, traffic, testing, inspections) @ 2%

Development Expenses (utility development, tap fees, permit & review fees) @ 1.5%

Construction Contingency @ 4%

Owner Contingency @ 4%

Preferred Planning Strategy

Expansion/Renovation of Existing Building over 3 Phases

Total Project

112,000 sqft

\$55 million

Phase 1

53,900 sqft

\$28-29 million

Target Construction Date 2023:

Phase 1: Renovate existing building, expand to provide new (8) Lane 50M pool with seating, Community Meeting/Multi-purpose rooms, Partnership Offices, Community Gathering/Gallery/and Cafe

Phase 2

47,600 sqft

\$18-19 million

Target 2025

Phase 2: Addition of (4) Basketball Courts, Gym Storage, Elevated Running Track, and Fitness Mezzanine.

Phase 3

10,500 sqft

\$6-7 million

Target 2027

Phase 3: Addition of Recreation Pool, Party Rooms, Storage, and exterior splash pad

CITY BROOKLYN CENTER, MINNESOTA

RESOLUTION NO. _____

RESOLUTION SUPPORTING THE AUTHORITY TO IMPOSE A LOCAL SALES TAX TO FUND SPECIFIC CAPITAL IMPROVEMENTS PROVIDING REGIONAL BENEFIT, ESTABLISHING THE DURATION OF THE TAX AND THE REVENUE TO BE RAISED BY THE TAX, AND AUTHORIZING THE CITY TO ISSUE BONDS SUPPORTED BY THE SALES TAX REVENUE

WHEREAS, Minnesota Statutes, Section 297A.99 (the “Local Tax Act”), provides the City of Brooklyn Center, Minnesota (the “City”) with authority to impose a local sales tax if that tax is approved by the voters at a general election and the State Legislature approves the local sales tax through the creation of a special law; and

WHEREAS, the Local Tax Act requires the City Council of the City (the “Council”) to adopt a resolution indicating its approval of the tax, outlining the details of the proposed local sales tax, and setting forth the regional significance of the proposed projects prior to submitting the request for a local sales tax to the State Legislature; and

WHEREAS, the City has engaged community residents and businesses in order to facilitate strategic investment in the region and community, and proposes to request special legislation to impose a local sales tax in order to raise revenues to fund the following capital project (the “Project”):

1. Community Center

Project description: Expand and construct new Cultural Community and Wellness Center, focused on serving the Brooklyn Center community and region. Provide access to a diversity of programming to meet a wide array of age groups and family types. Leverage the City’s existing Olympic-sized pool, one of only three in the state, by expanding aquatic facilities in order to facilitate regional tournaments. Provide sport court space large enough to accommodate regional tournaments for basketball, tennis, volleyball, and other hard court users, in order to generate revenue to support ongoing operations of the center.

Projected Project Cost: \$55 million

WHEREAS, the Project will result in benefits to both the residents and businesses of the City of Brooklyn Center and to non-resident visitors and businesses; and

WHEREAS, funding the Project with a local sales tax will more closely distribute the cost of the Projects to the users of the facilities; and

WHEREAS, the Project is estimated to cost approximately \$55,000,000, plus an amount equal to interest on and the costs of issuance of any bonds; and

RESOLUTION NO. _____

WHEREAS, the City estimates that a local sales tax of one-half of one percent (0.50%) would generate approximately \$55,000,000 over 20 years; and

WHEREAS, the City has provided documentation of the regional significance of the Project, including the share of the economic benefit to or use of each project by persons residing, or businesses located, outside of the jurisdiction, including but not limited to the materials attached hereto as Exhibit A; and

WHEREAS, the Local Tax Act authorizes the imposition of a general sales tax if permitted by special law of the Minnesota Legislature; and

WHEREAS, the Local Tax Act requires the City to pass a resolution authorizing such a local tax and to obtain Legislative approval prior to approval by the local voters to enact the local tax; and

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

1. The Council supports the authority to impose a general local sales tax of one-half of one percent (0.50%) for a period of 20 years to fund the Project;
2. Upon approval of this resolution, the City will submit the adopted resolution and documentation of regional significance to the chairs and ranking minority members of the House and Senate Taxes committees for approval and passage of a special law authorizing the tax, by January 31 of the year that it is seeking the special law.
3. Upon Legislative approval and passage of the special law authorizing the tax, the City will adopt a resolution accepting the new law, which will be filed with a local approval certificate to the Office of the Secretary of State before the following Legislative session.
4. The City will put a detailed ballot question on a general election ballot for local voter approval of the imposition of the sales tax within two years of receiving legislative authority.
5. If the ballot question passes, the City will also pass an ordinance imposing the tax and notify the commissioner of Revenue at least 90 days before the first day of the calendar quarter that the tax will be imposed.
6. Upon completion of the aforementioned requirements, the local sales tax will commence and run for a period of 20 years or until a sum sufficient to fund the voter-approved project plus amounts sufficient to pay interest on and the costs of issuing any bonds, is raised, whichever comes first.
7. The Council further finds that it is in the best interest of the health, welfare, and safety

RESOLUTION NO. _____

of the City and its residents and it is necessary and expedient to the sound financial management of the affairs of the City that the acquisition and betterment of the Project, or any part thereof, be financed in whole or in part by the issuance and sale of the City's general obligation bonds pursuant to Minnesota Statutes, Chapter 475, as amended, in one or more series in an aggregate principal amount not to exceed \$55,000,000 plus an amount equal to interest and the costs of the issuance of any bonds. The City may accept an offer to purchase the Bonds, and the City may sell the Bonds, at a price that results in the receipt of original issue premium in any amount.

Approved by the City Council of the City of Brooklyn Center, Minnesota this 9th day of January, 2023.

**CITY OF BROOKLYN CENTER,
MINNESOTA**

Mayor

Attest:

City Clerk

Moved:

Seconded:

Favor:

Against:

whereupon said resolution was declared duly passed and adopted.

EXHIBIT A
DOCUMENTATION OF REGIONAL SIGNIFICANCE

1. Community Center

Annually, the Brooklyn Center community center serves a greater percentage of regional visitors versus local. Its central location and excellent access to major freeways make it an easy place to visit. These assets also make it an excellent regional host site for those traveling for sports events, conferences, meetings, expos, activities, and recreation. For approximately the last twelve months, resident versus non-resident usage is as follows:

1. Annual memberships/punch cards (includes Pool passes)
 - a. Resident- (37%)
 - b. Non-Resident-(63%)
2. Banquet/meeting rooms
 - a. Resident- (22%)
 - b. Non-Resident- (78%)
3. Rec Programs
 - a. Resident- (40%)
 - b. Non-Resident-(60%)

Council Regular Meeting

DATE: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Barb Suciu, City Clerk/Interim Assistant City Manager

SUBJECT: Resolution 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

Requested Council Action:

- Motion to approve the resolution 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

Background:

The City of Brooklyn Center has entered into several Joint and Cooperative Agreements with various organizations. Each of the joint powers agreements have been reviewed and the organizations whose agreements provide that appointment of directors be made by the governing body or by City Council resolution have been identified.

Some of the agreements require annual appointment, some provide that a director is appointed until succeeded, and some provide that a certain position serve as the representative.

Here is the purpose for each Joint Powers Agreement:

Brooklyn Bridge Alliance for Youth

The purpose is to create a collaborative initiative through which the parties may cooperatively create a community-wide vision that will focus on developing a detailed action plan to collaborate in support of positive youth development opportunities for all you in Brooklyn Center and Brooklyn Park. The Alliance will concentrate on encouraging community partnerships that will improve the factors building positive youth development and diminish or eliminate influences that limit healthy youth development.

Hennepin Recycling Group

The purpose is for the parties jointly and cooperatively provide for the efficient and economical collection, recycling and disposal of solid waste within and without their respective corporate boundaries, all in compliance with the Minnesota Waste Management Act, Minnesota Statutes, Chapter 115A.

Local Government Information Systems

The purpose is to provide for an organization through which the parties may jointly and cooperatively provide for the establishment, operation and maintenance of data processing facilities and management information systems for the use and benefit of the parties and others.

Minneapolis Northwest Convention& Visitors Bureau

The government and policy-making responsibilities of Minneapolis Northwest shall be vested in the Board of Directors, which shall control its property, be responsible for its finances, direct its affairs and establish policy. It shall be the obligation of the Board of Directors to insure representation on the Board and its committees from all appropriate stakeholders within its service area.

North Metro Mayors Association

The purpose of the Coalition is to promote transportation and economic development and to assist governmental units in providing government services and conducting government functions effectively and efficiently.

Northwest Suburbs Cable Communications Commission

The general purpose is to establish an organization to study, prepare, adopt, grant, transfer, renew, administer and enforce a cable commission franchise(s), and to study and make recommendations as necessary, regarding other telecommunications issues, in member municipalities in the Northwest Suburbs of Hennepin County, Minnesota.

Pets Under Police Security

The purpose is to create an organization by which the parties may jointly and cooperatively provide for the efficient and economical impoundment of animals coming into their possession in the course of the conduct of municipal animal control programs in a jointly owned and operated animal control impound facility.

Twin Lake Joint Powers Organization

The purpose is for all parties find that there is a need for local regulation of activities on Twin Lakes and for coordinated and cooperative law enforcement on the Lakes.

The appointments for 2021 will be forthcoming.

Budget Issues:

There are no budget issues to consider.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Enhanced Community Image, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Resolution	1/6/2023	Backup Material

Member
adoption:

introduced the following resolution and moved its

CITY OF BROOKLYN CENTER

RESOLUTION NO. _____

RESOLUTION 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 LAKES JOINT POWERS ORGANIZATION

WHEREAS, the City of Brooklyn Center entered into a Joint Powers Agreement for the establishment of the Brooklyn Bridge Alliance for Youth on November 24, 2008, and Article III, Section 3.2, of the joint powers agreement states that each member appoints one member of its governing body as a voting Director, one Alternate Director, one Director from the City's Police Department, and one Director from the City's Parks and Recreation Department; and

WHEREAS, the City of Brooklyn Center entered into a Joint and Cooperative Agreement for the establishment of Hennepin Recycling Group on August 1, 1988, and Article IV, Section 2, of the joint powers agreement states that the governing body of a member appoints directors; and

WHEREAS, the City of Brooklyn Center entered into a Joint and Cooperative Agreement for the establishment of Local Government Information Systems (LOGIS), on May 1, 1972, and Article IV, Section 1, of the joint powers agreement states that the governing body of a member appoints directors; and

WHEREAS, the City of Brooklyn Center entered into a Joint and Cooperative Agreement for the establishment of the North Metro Convention and Tourism Bureau, now known as Minneapolis Northwest Convention & Visitors Bureau, on September 8, 1986, and Article IV, Section 2, of the bylaws states that each member City may appoint one Director and one Alternate Director to the Board of Directors.

WHEREAS, the City of Brooklyn Center entered into a Joint Powers Agreement for the establishment of the North Metro Mayors Association on June 26, 1989, and the joint powers agreement states that the governing body of a member appoints two directors, one of whom shall be the City Manager or other designee; and

WHEREAS, the City of Brooklyn Center entered into a Joint and Cooperative Agreement for the establishment of the Northwest Suburbs Cable Communications Commission on September 24, 1979, and Article VI, Section 1, of the joint powers agreement states that the City Council of a member appoints Commissioners; and

WHEREAS, the City of Brooklyn Center entered into a Joint and Cooperative Agreement for the establishment of Pets Under Police Security (PUPS) on September 10, 1990, and Article IV, Section 2, of the joint powers agreement states that the governing body of a member appoints directors; and

RESOLUTION NO. _____

WHEREAS, the City of Brooklyn Center entered into a Joint and Cooperative Agreement for the establishment of the Twin Lakes Joint Powers Organization on January 14, 1991, and Article IV, Section 2, of the joint powers agreement states that the governing body of a member appoints directors; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the following appointments are hereby approved:

Brooklyn Bridge Alliance for Youth, Member	April Graves
Brooklyn Bridge Alliance for Youth, Alternate Member	Marquita Butler
Brooklyn Bridge Alliance for Youth, Police	Kellace McDaniel
Brooklyn Bridge Alliance for Youth, Parks and Recreation	Cordell Wiseman
Hennepin Recycling Group, Director	Reggie Edwards
Hennepin Recycling Group, Alternate Director	Liz Heyman
Local Government Information Systems (LOGIS), Director	Reggie Edwards
Local Government Information Systems (LOGIS), Alternate Director	Kao Yang
Minneapolis Northwest Convention & Visitors Bureau, Director	April Graves
Minneapolis Northwest Convention & Visitors Bureau, Alternate Director	Cordell Wiseman
North Metro Mayors Association, Director – City Manager	Reggie Edwards
North Metro Mayors Association, Director	April Graves
Northwest Suburbs Cable Communications Commission, Council	Kris Lawrence-Anderson
Northwest Suburbs Cable Communications Commission, Resident	Darryl Sannes
Pets Under Police Security, Director	Richard Gabler
Pets Under Police Security, Alternate Director	Garett Flesland
Twin Lakes Joint Powers Organization, Director	Tony Gruenig
Twin Lakes Joint Powers Organization, Alternate Director	Rick Gabler

January 9, 2023

Date

Mayor

ATTEST: _____
City Clerk

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

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Elizabeth Heyman, Public Works Director

BY: James Soltis, P.E., Assistant City Engineer

SUBJECT: Resolution Declaring Costs to be Assessed and Calling for a Public Hearing on Proposed Special Assessments for Improvement Project No. 2023-03, 51st Avenue Improvements

Requested Council Action:

- Motion to approve a resolution declaring costs to be assessed and calling for a public hearing on proposed special assessments for Improvement Project No. 2023-03, 51st Avenue Improvements.

Background:

This project was established by the City Council on July 25, 2022, by Resolution 2022-70, for the area commonly referred to as the 51st Avenue Improvements. This action was taken in accordance with the Capital Improvement Program (CIP), which identifies 51st Avenue for improvements during the 2023 construction season. On September 26, 2022, the City Council received the project feasibility report and an improvement public hearing was conducted on October 24, 2022, to consider these improvements.

The attached resolution declares certain project costs to be assessed for the 51st Avenue Improvements and calls for a public hearing on the proposed special assessments on February 13, 2023.

The purpose of holding the special assessment hearing prior to beginning the project is to assure that any objections to or appeals of the assessments are known prior to entering into a construction contract or issuing bonds to finance the assessed portion of the project. The established assessment rate would set the maximum levy amounts, guaranteeing property owners of the final cost they will pay for the project. Special assessments for this project have been calculated in accordance with the City's Special Assessment Policy.

Budget Issues:

The total project cost for the 51st Avenue Improvements is estimated to be \$380,000. The total special assessments for this project are estimated to be \$95,150 for street improvements.

Funding sources for the project are budgeted from sources as described in the project feasibility report previously accepted by the City Council on September 26, 2022. The special assessment rates are proposed to be adopted by the City Council on November 14, 2022, and funding source amounts that are included in the feasibility report are amended as follows as a result of minor special assessment revisions:

	Feasibility Report (9/19/22)	Amended (11/7/22)
Special Assessments	\$ 97,850.00	\$ 95,150.00

Sanitary Sewer Utility Fund	\$ 10,000.00	\$ 10,000.00
Water Utility Fund	\$ 10,000.00	\$ 10,000.00
Storm Drainage Utility Fund	\$ 70,000.00	\$ 70,000.00
Street Light Utility Fund	\$ 20,000.00	\$ 20,000.00
Street Reconstruction Fund	\$ 172,150.00	\$ 174,850.00
Total	\$ 380,000.00	\$ 380,000.00

Inclusive Community Engagement:

Staff conducted a public informational meeting with residents and property owners on September 15, 2022. An Improvement Public Hearing was held on October 24, 2022 to receive public comments pertaining to the proposed improvements.

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
51st Declaring Costs and Calling Assessment PH Resolution	1/4/2023	Resolution Letter

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING COSTS TO BE ASSESSED AND CALLING FOR
A PUBLIC HEARING ON PROPOSED SPECIAL ASSESSMENTS FOR
IMPROVEMENT PROJECT NO. 2023-03, 51ST AVENUE IMPROVEMENTS

WHEREAS, the Brooklyn Center City Council has accepted the Engineer's Feasibility Report for Improvement Project No. 2023-03, 51st Avenue Improvements; and

WHEREAS, the total cost of the street improvement portion of said project is estimated to be \$270,000; and

WHEREAS, the City Clerk and City Engineer have prepared a proposed assessment roll showing the proposed amount to be specifically assessed for such improvement against every assessable lot, piece, or parcel of land within the district affected, without regard to cash valuation, as provided by law.

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

1. That portion of the cost to be assessed against benefited property owners for street improvements included in City Improvement Project No. 2023-03 is declared to be \$95,150.00.
2. Notice is hereby given that a public hearing will be held on the 13th day of February, 2023, at 7:00 p.m. or as soon thereafter as part of the regular City Council meeting as the matter may be heard to pass upon said assessment and at such time and place all persons owning property affected by said improvements will be given the opportunity to be heard with reference to said assessment.
3. The City Clerk is directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and shall state in the notice the total cost of the improvement.
4. The City Clerk shall cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.

January 9, 2023

Date

Mayor

ATTEST: _____

RESOLUTION NO. _____

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: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Elizabeth Heyman, Director of Public Works

BY: James Soltis, P.E., Assistant City Engineer

SUBJECT: Resolution Declaring Costs to be Assessed and Calling for a Public Hearing on Proposed Special Assessments for Improvement Project No. 2023-01, Knox, James, and 54th Area Improvements

Requested Council Action:

- Motion to approve a resolution declaring costs to be assessed and calling for a public hearing on proposed special assessments for Improvement Project No. 2023-01, Knox, James, and 54th Area Improvements.

Background:

This project was established by the City Council on July 25, 2022, by Resolution 2022-70, for the area commonly referred to as the Knox, James, and 54th Area Improvements. This action was taken in accordance with the Capital Improvement Program (CIP), which identifies this area for improvements during the 2023 construction season. On September 26, 2022, the City Council received the project feasibility report and an improvement public hearing was conducted on October 24, 2022, to consider these improvements.

The attached resolution declares certain project costs to be assessed for the Knox, James, and 54th Area Improvements and calls for a public hearing on the proposed special assessments on February 13, 2023.

The purpose of holding the special assessment hearing prior to beginning the project is to assure that any objections to or appeals of the assessments are known prior to entering into a construction contract or issuing bonds to finance the assessed portion of the project. The established assessment rate would set the maximum levy amounts, guaranteeing property owners of the final cost they will pay for the project. Special assessments for this project have been calculated in accordance with the City's Special Assessment Policy.

Budget Issues:

The total project cost for the Knox, James, and 54th Area Improvements is estimated to be \$1,170,000. The total special assessments for this project are estimated to be \$258,808 for street improvements.

Funding sources for the project are budgeted from sources as described in the project feasibility report previously accepted by the City Council on September 26, 2022. The special assessment rates are proposed to be adopted by the City Council on November 14, 2022, and funding source amounts that are included in the feasibility report are amended as follows as a result of minor special assessment revisions:

	Feasibility Report (9/19/22)	Amended (11/7/22)
Special Assessments	\$ 266,152.00	\$ 258,808.00
Sanitary Sewer Utility Fund	\$ 30,000.00	\$ 30,000.00
Water Utility Fund	\$ 100,000.00	\$ 100,000.00
Storm Drainage Utility Fund	\$ 250,000.00	\$ 250,000.00
Street Reconstruction Fund	\$ 523,848.00	\$ 531,192.00
Total	\$1,170,000.00	\$ 1,170,000.00

Inclusive Community Engagement:

Staff conducted a public informational meeting with residents and property owners on September 15, 2022. An Improvement Public Hearing was held on October 24, 2022 to receive public comments pertaining to the proposed improvements.

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
Knox James 54th Declaring Costs and Calling Assessment PH Resolution	1/4/2023	Resolution Letter

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING COSTS TO BE ASSESSED AND CALLING FOR A PUBLIC HEARING ON PROPOSED SPECIAL ASSESSMENTS FOR IMPROVEMENT PROJECT NO. 2023-01, KNOX, JAMES, AND 54TH AREA IMPROVEMENTS

WHEREAS, the Brooklyn Center City Council has accepted the Engineer's Feasibility Report for Improvement Project No. 2023-01, Knox, James, and 54th Area Improvements; and

WHEREAS, the total cost of the street improvement portion of said project is estimated to be \$790,000; and

WHEREAS, the City Clerk and City Engineer have prepared a proposed assessment roll showing the proposed amount to be specifically assessed for such improvement against every assessable lot, piece, or parcel of land within the district affected, without regard to cash valuation, as provided by law.

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

1. That portion of the cost to be assessed against benefited property owners for street improvements included in City Improvement Project No. 2023-01 is declared to be \$258,808.
2. Notice is hereby given that a public hearing will be held on the 13th day of February, 2023, at 7:00 p.m. or as soon thereafter as part of the regular City Council meeting as the matter may be heard to pass upon said assessment and at such time and place all persons owning property affected by said improvements will be given the opportunity to be heard with reference to said assessment.
3. The City Clerk is directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and shall state in the notice the total cost of the improvement.
4. The City Clerk shall cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.

January 9, 2023

RESOLUTION NO. _____

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: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Elizabeth Heyman, Director of Public Works

BY: James Soltis, P.E., Assistant City Engineer

SUBJECT: Resolution Declaring Costs to be Assessed and Calling for a Public Hearing on Proposed Special Assessments for Improvement Project No. 2023-02, 50th Avenue Improvements

Requested Council Action:

Motion to approve a resolution declaring costs to be assessed and calling for a public hearing on proposed special assessments for Improvement Project No. 2023-02, 50th Avenue Improvements.

Background:

This project was established by the City Council on July 25, 2022, by Resolution 2022-70, for the area commonly referred to as the 50th Avenue Improvements. This action was taken in accordance with the Capital Improvement Program (CIP), which identifies 50th Avenue for improvements during the 2023 construction season. On September 26, 2022, the City Council received the project feasibility report and an improvement public hearing was conducted on October 24, 2022, to consider these improvements.

The attached resolution declares certain project costs to be assessed for the 50th Avenue Improvements and calls for a public hearing on the proposed special assessments on February 13, 2023.

The purpose of holding the special assessment hearing prior to beginning the project is to assure that any objections to or appeals of the assessments are known prior to entering into a construction contract or issuing bonds to finance the assessed portion of the project. The established assessment rate would set the maximum levy amounts, guaranteeing property owners of the final cost they will pay for the project. Special assessments for this project have been calculated in accordance with the City's Special Assessment Policy.

Budget Issues:

The total project cost for the 50th Avenue Improvements is estimated to be \$410,000. The total special assessments for this project are estimated to be \$52,265.67 for street improvements.

Funding sources for the project are budgeted from sources as described in the project feasibility report previously accepted by the City Council on September 26, 2022. The special assessment rates are proposed to be adopted by the City Council on November 14, 2022, and funding source amounts that are included in the feasibility report are:

Special Assessments	\$ 52,265.67
Sanitary Sewer Utility Fund	\$ 20,000.00
Water Utility Fund	\$ 160,000.00
Storm Drainage Utility Fund	\$ 40,000.00
<u>Street Reconstruction Fund</u>	<u>\$ 137,734.33</u>
Total	\$ 410,000.00

Inclusive Community Engagement:

Staff conducted a public informational meeting with residents and property owners on September 15, 2022. An Improvement Public Hearing was held on October 24, 2022 to receive public comments pertaining to the proposed improvements.

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
50th Declaring Costs and Calling Assessment PH Resolution	1/4/2023	Resolution Letter

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING COSTS TO BE ASSESSED AND CALLING FOR
A PUBLIC HEARING ON PROPOSED SPECIAL ASSESSMENTS FOR
IMPROVEMENT PROJECT NO. 2023-02, 50TH AVENUE IMPROVEMENTS

WHEREAS, the Brooklyn Center City Council has accepted the Engineer's Feasibility Report for Improvement Project No. 2023-02, 50th Avenue Improvements; and

WHEREAS, the total cost of the street improvement portion of said project is estimated to be \$190,000; and

WHEREAS, the City Clerk and City Engineer have prepared a proposed assessment roll showing the proposed amount to be specifically assessed for such improvement against every assessable lot, piece, or parcel of land within the district affected, without regard to cash valuation, as provided by law.

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

1. That portion of the cost to be assessed against benefited property owners for street improvements included in City Improvement Project No. 2023-02 is declared to be \$52,265.67.
2. Notice is hereby given that a public hearing will be held on the 13th day of February, 2023, at 7:00 p.m. or as soon thereafter as part of the regular City Council meeting as the matter may be heard to pass upon said assessment and at such time and place all persons owning property affected by said improvements will be given the opportunity to be heard with reference to said assessment.
3. The City Clerk is directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and shall state in the notice the total cost of the improvement.
4. The City Clerk shall cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.

January 9, 2023

Date

Mayor

ATTEST: _____

RESOLUTION NO. _____

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: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Dr. Reggie Edwards

SUBJECT: Resolution Authorizing the Release of Settlement Funds in the Matter of Alayna Albrecht-Payton vs. Kimberly Ann Potter in the City of Brooklyn Center

Requested Council Action:

Authorize Release of Settlement Funds in the Matter of Alayna Albrecht-Payton vs. Kimberly Ann Potter and the City of Brooklyn Center.

Background:

On April 11, 2021, Daunte Wright was shot and killed by a City of Brooklyn Center Police Officer while driving in his vehicle.

Alayna Albrecht-Payton ("Albrecht-Payton") was a passenger in the vehicle driven by Daunte Wright during the April 11, 2021 incident.

Arising out of the April 11, 2021 incident, Alayna Albrecht-Payton commenced litigation in Hennepin County District Court, which case is entitled *Alayna Albrecht-Payton, Plaintiff, vs. Kimberly Ann Potter and the City of Brooklyn Center, a municipal corporation, Defendants* (Court File No. 27-cv-22-11348).

Representatives for the City of Brooklyn Center (the "City") and Albrecht-Payton have negotiated a tentative settlement of the above-referenced Hennepin County District Court matter, for which the City would be responsible for payment to Albrecht-Payton, or her other designated representative, in the amount of \$130,000 ("Settlement Funds").

In consideration of payment of the Settlement Funds by the City, Albrecht-Payton will dismiss the above-referenced Hennepin County District Court matter and execute a release of all claims releasing the City, Kimberly Ann Potter and the City's member agencies, law enforcement officers, officers, directors, officials, attorneys, principals, representatives, insurers, administrators, executors, successors, assigns, employees and agents; and

The settlement will not and cannot become final until the City has authorized the release of the Settlement Funds and Albrecht-Payton has executed a release of all claims and other associated documents, including a dismissal of the Hennepin County District Court matter; and

The City Council determines it is in the best interests of the public and the City's taxpayers to approve the release of the Settlement Funds and bring an end to the litigation.

Budget Issues:

\$130,000

Inclusive Community Engagement:**Antiracist/Equity Policy Effect:****Strategic Priorities and Values:**

Safe, Secure, Stable Community

ATTACHMENTS:

Description

Resolution

Upload Date

1/6/2023

Type

Cover Memo

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2022-____

RESOLUTION AUTHORIZING THE RELEASE OF SETTLEMENT FUNDS IN THE
MATTER OF ALAYNA ALBRECHT-PAYTON VS. KIMBERLY ANN POTTER
AND THE CITY OF BROOKLYN CENTER.

WHEREAS, on April 11, 2021, Daunte Wright was shot and killed by a City of Brooklyn Center Police Officer while driving in his vehicle; and

WHEREAS, Alayna Albrecht-Payton (“Albrecht-Payton”) was a passenger in the vehicle driven by Daunte Wright during the April 11, 2021 incident; and

WHEREAS, arising out of the April 11, 2021 incident, Alayna Albrecht-Payton commenced litigation in Hennepin County District Court, which case is entitled *Alayna Albrecht-Payton, Plaintiff, vs. Kimberly Ann Potter and the City of Brooklyn Center, a municipal corporation, Defendants* (Court File No. 27-cv-22-11348); and

WHEREAS, representatives for the City of Brooklyn Center (the “City”) and Albrecht-Payton have negotiated a tentative settlement of the above-referenced Hennepin County District Court matter, for which the City would be responsible for payment to Albrecht-Payton, or her other designated representative, in the amount of \$130,000 (“Settlement Funds”); and

WHEREAS, in consideration of payment of the Settlement Funds by the City, Albrecht-Payton will dismiss the above-referenced Hennepin County District Court matter and execute a release of all claims releasing the City, Kimberly Ann Potter and the City’s member agencies, law enforcement officers, officers, directors, officials, attorneys, principals, representatives, insurers, administrators, executors, successors, assigns, employees and agents; and

WHEREAS, the settlement will not and cannot become final until the City has authorized the release of the Settlement Funds and Albrecht-Payton has executed a release of all claims and other associated documents, including a dismissal of the Hennepin County District Court matter; and

WHEREAS, the City Council determines it is in the best interests of the public and the City’s taxpayers to approve the release of the Settlement Funds and bring an end to the litigation.

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

1. The City Council hereby approves and authorizes the release of Settlement Funds in the amount of \$130,000;

2. The Mayor, City Manager and City Attorney are hereby authorized and directed to take any and all additional steps and actions necessary or convenient to finalize the appropriate documents and/or agreements to facilitate the settlement of this matter as provided herein.

January 9, 2023

Date

April Graves, 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.

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION EXPRESSING RECOGNITION AND APPRECIATION OF APRIL
GRAVES FOR HER DEDICATED PUBLIC SERVICE AS COUNCIL MEMBER

WHEREAS, April Graves has served as a member of the Brooklyn Center Council from January 1, 2015, through December 31, 2022; and

WHEREAS, her service to the City and her leadership have contributed substantially to the progress and development of the city; and

WHEREAS, her public service and civic effort for the betterment of the community merit the gratitude of the citizens of Brooklyn Center; and

WHEREAS, it is appropriate that her service and achievements for the city be permanently recognized and expressed.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brooklyn Center, Minnesota, that April Graves is hereby recognized and appreciated by the City of Brooklyn Center, and this resolution serves as an expression of gratitude for the leadership and service she has rendered and the civic effort she has secured to the citizens of the City of Brooklyn Center.

January 9, 2023

Date

Mayor

ATTEST: _____
City Clerk

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

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Angela Holm, Finance Director

SUBJECT: Resolutions Approving Utility Rates for 2023

Requested Council Action:

- Motion to:

- *Open the public hearing;*
- *Take public input; and*
- *Close the public hearing*

- Motion to approve:

- *Resolution for 2023 Water Utility Rates*
- *Resolution for 2023 Sanitary Sewer Utility Rates*
- *Resolution for 2023 Storm Sewer Utility Rates*
- *Resolution for 2023 Street Light Rates*
- *Resolution for 2023 Recycling Rates*

Background:

At the November 21, 2022, joint work session of the City Council and Financial Commission, staff presented the expected expenditures for operation of the City's utility services for 2023. The expenditures include total direct and indirect costs including depreciation of capital assets and administrative costs. Along with those costs are projections of the revenues needed for 2023 and for the next fifteen years to keep operations running smoothly and fund the infrastructure improvements needed in each of the utility systems. The cash flow analysis for each of the five utilities indicate anticipated rate changes necessary to maintain sufficient cash balances during the construction of the utility improvements associated with the City's 15-year Capital Improvement Plan (CIP).

For 2023, rate increases are proposed Water, Sanitary Sewer, Storm Sewer, Street Light, and Recycling utilities in order to maintain cash reserves, fund normal operations, pay for debt service and finance infrastructure improvements. Rates for the various utilities for 2023 are shown in comparison to 2022 below:

Fund	Description	2022 Rate	2023 Rate	Change
Water	Base Charge - Residential (quarterly)	\$19.01	\$20.53	\$1.52 / quarter
	Tier I (0 - 30 gallons)			\$0.25 / 1,000 gallons

Consumption Charge - Residential Meters	Tier II (31 - 60 gallons) Tier III (61 and greater)	\$3.17 3.95 5.90	\$3.42 4.27 6.37	\$0.32 / 1,000 gallons \$0.47 / 1,000 gallons
Consumption Charge - Non-residential	(Per 1,000 gallons)	\$4.18	\$4.51	\$0.33 / 1,000 gallons
Sanitary Sewer	Base Charge (quarterly)	\$98.27	\$103.19	\$4.92 / quarter
Consumption Charge - Non-residential	(Per 1,000 gallons)	\$4.15	\$4.35	\$0.20 / 1,000 gallons
Storm Sewer	Base Charge (quarterly)	\$17.10	\$18.30	\$1.20 / quarter
Street Light	Base Charge (quarterly)	\$6.55	\$6.88	\$0.33 / quarter
Recycling	Base Charge (quarterly)	\$11.98	\$12.10	\$0.12 / quarter

A comparison of quarterly utility billing rates for a household using 18,000 gallons of water (considered the typical residential user) is shown below:

Fund	2022 Bill	2023 Bill	\$ Change/quarter
Water	\$76.07	\$82.09	\$6.02
Sanitary Sewer	98.27	103.19	4.92
Storm Sewer	17.10	18.30	1.20
Street Light	6.55	6.88	0.33
Recycling	<u>11.98</u>	<u>12.10</u>	<u>0.12</u>
Total	\$209.97	\$222.56	\$12.59

The proposed rates would become effective for billings dated after January 9, 2023.

City Code sections 11.02 and 11.06 require a notice and hearing prior to the City Council setting new utility rates. The Public Hearing Notice was published in the Brooklyn Center Post on December 29, 2022.

Budget Issues:

The rates have been incorporated into the 2023 Budget.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Resolution - 2023 Water Utility Rates	1/5/2023	Resolution Letter
Resolution - 2023 Sanitary Sewer Rates	1/5/2023	Resolution Letter
Resolution - 2023 Storm Sewer Rates	1/5/2023	Resolution Letter
Resolution - 2023 Street Light Rates	1/5/2023	Resolution Letter
Resolution - 2023 Recycling Rates	1/5/2023	Resolution Letter
Utility Rate Memorandum	1/5/2023	Cover Memo

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ADOPTING 2023 WATER UTILITY RATES, FEES AND CHARGES

WHEREAS, the City of Brooklyn Center Charter requires that municipal utilities be self-supporting through revenue provided by a uniform schedule of rates, fees and charges; and

WHEREAS, this uniform schedule shall be called the “Public Utility Rate Schedule” and shall be adopted by resolution of the City Council; and

WHEREAS, the City Council has reviewed data provided on delinquent utility charges.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the following Water Utility rates, fees and charges are hereby adopted and shall be effective for all billings issued on or after January 09, 2023.

2023 WATER UTILITY RATE SCHEDULE
Water Rates, Fees and Charges

Base Rate

Year 2023 \$4.51 per 1,000 Gallons

Quarterly Minimum Rate

<u>Meter Size</u>	<u>2023 Quarterly Minimum Charge</u>
1”	\$ 59.65
1 ½”	\$ 76.70
2”	\$ 149.14
3”	\$ 298.33
4”	\$ 502.90
6”	\$ 1,150.71
8”	\$ 2,179.38
10”	\$ 2,905.85

Water Conservation Rate

<u>Meter Size</u>	<u>Base Charge (minimum charge per quarter)</u>
5/8” and 3/4”	\$ 20.53

<u>Thousands of Gallons</u>	<u>Consumption Charge (per 1,000 gallons used)</u>
0 to 30	\$ 3.42
31 to 60	\$ 4.27
61 and greater	\$ 6.37

Fees

RESOLUTION NO. _____

Water Meter Charge 5/8" or 3/4" \$149.00

Water Meter Charge Larger than 3/4" Actual Cost + \$2.00

Other Charges

Delinquent account, quarterly charge No Additional Charge

Certification for collection with property taxes \$50.00
(Utility accounts with an outstanding balance
owed of \$200.00 or greater)

Fire Service Line Charge \$ 12.50 per quarter

January 09, 2023
Date

Mayor

ATTEST: _____
City Clerk

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

and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ADOPTING 2023 SEWER UTILITY RATES, FEES AND CHARGES

WHEREAS, the City of Brooklyn Center Charter requires that municipal utilities be self-supporting through revenue provided by a uniform schedule of rates, fees and charges; and

WHEREAS, this uniform schedule shall be called the “Public Utility Rate Schedule” and shall be adopted by resolution of the City Council; and

WHEREAS, the City Council has reviewed data provided on delinquent utility charges.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the following Sewer Utility rates, fees and charges are hereby adopted and shall be effective for all billings issued on or after January 09, 2023.

2023 SEWER UTILITY RATE SCHEDULE

Sewer Rates, Fees and Charges

Base Rate Quarterly Residential
(Minimum quarterly charge)

	Single Family	Apartment	Senior Citizen
Year 2023	\$103.19	\$72.22	\$56.74

Non-Residential Rate

Year 2023	\$4.35 per 1,000 Gallons
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Fees

SAC Charge set by MCES

Fee Established by MCES

Charges

Delinquent account, quarterly charge

No Additional Charge

Certification for collection with property taxes
(Utility accounts with an outstanding balance
owed of \$200.00 or greater)

\$50.00

Line cleaning charge

Labor, materials, equipment and overhead

Sanitary Sewer Connection

Established annually by resolution

January 09, 2023

Date

Mayor

ATTEST: _____
City Clerk

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ADOPTING 2023 STORM SEWER UTILITY RATES, FEES AND CHARGES

WHEREAS, the City of Brooklyn Center Charter requires that municipal utilities be self-supporting through revenue provided by a uniform schedule of rates, fees and charges; and

WHEREAS, this uniform schedule shall be called the “Public Utility Rate Schedule” and shall be adopted by resolution of the City Council; and

WHEREAS, the City Council has reviewed data provided on delinquent utility charges.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brooklyn Center that the following Storm Sewer Utility rates and charges are hereby continued and shall be effective for all billings issued on or after January 09, 2023.

2023 STORM SEWER UTILITY RATE SCHEDULE

Storm Sewer Rates and Charges

Quarterly Rates per Acre

	<u>2023 Minimum Quarterly Charge</u>
Base Rate	\$ 73.17
Cemeteries and Golf Courses	\$ 18.29
Parks	\$ 36.59
Single Family, Duplex, Townhouse	\$ 18.30/lot
School, Government Buildings	\$ 91.47
Multiple Family, Churches	\$ 219.54
Commercial, Industrial	\$ 365.90
Vacant Land	As Assigned

Charges

Delinquent account, quarterly charge	No Additional Charge
--------------------------------------	----------------------

Certification for collection with property taxes (Utility accounts with an outstanding balance owed of \$200.00 or greater)	\$50.00
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Private facility cleaning charge

Labor, materials, equipment and overhead

January 09, 2023

Date

Mayor

ATTEST: _____

City Clerk

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

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Member
resolution and moved its adoption:

introduced the following

RESOLUTION NO. _____

RESOLUTION ADOPTING 2023 STREET LIGHT RATES AND CHARGES

WHEREAS, the City of Brooklyn Center Charter requires that municipal utilities be self-supporting through revenue provided by a uniform schedule of rates, fees and charges; and

WHEREAS, this uniform schedule shall be called the “Public Utility Rate Schedule” and shall be adopted by resolution of the City Council; and

WHEREAS, the City Council has reviewed data provided on delinquent utility charges.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the following Street Light Utility rates and charges are hereby adopted and shall be effective for all billings issued on or after January 09, 2023.

2023 STREET LIGHT UTILITY RATE SCHEDULE

Street Light Rates and Charges

Quarterly Rates

<u>Customer</u>	<u>2023 Minimum Quarterly Charge</u>
Per Dwelling Unit:	
Single, Double and Multiple Family Residential	\$6.88
Per Acre:	
Parks	\$10.90
Schools, Government Buildings, Churches	\$21.80
Retail and Service-Office	\$32.69
Commercial and Industrial	\$32.69
Vacant Land and Open Space	As Assigned
Charges	
Delinquent account, quarterly charge	No Additional Charge
Certification for collection with property taxes (Utility accounts with an outstanding balance owed of \$200.00 or greater)	\$50.00

January 09, 2023
Date

Mayor

ATTEST: _____
City Clerk

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

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ESTABLISHING 2023 RECYCLING RATES AND CHARGES

WHEREAS, the City of Brooklyn Center is a member of the Hennepin Recycling Group (HRG), which is a joint powers group organized pursuant to Minnesota Statutes Section 471.59 (1987); and

WHEREAS, the purpose of the joint powers agreement is to create an organization by which member cities may jointly and cooperatively provide for the efficient and economical collection, recycling and disposal of solid waste within and without their respective corporate boundaries in compliance with the Minnesota Waste Management Act, Minnesota Statutes Chapter 115A (1987); and

WHEREAS, the HRG has established a curbside recycling program for its member cities to meet the requirements of Hennepin County Ordinance No. 13, Solid Waste Source Separation for Hennepin County; and

WHEREAS, the City of Brooklyn Center must establish rates to fund the City's curbside recycling program and the cost for projected reimbursement of recycling charges from the HRG along with other program operating charges; and

WHEREAS, the recycling program includes a bi-annual curbside cleanup; and

WHEREAS, the City Council has reviewed data provided on delinquent utility charges; and

WHEREAS, Brooklyn Center Ordinance No. 89-11 authorizes the City to establish rates for recycling services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the recycling charges shall be as follows for all billings issued on or after January 09, 2023:

2023 RECYCLING UTILITY RATE SCHEDULE

Recycling Rates and Charges

Minimum Charge per Household per quarter: \$12.34 per quarter

Charges

Delinquent account, quarterly charge No Additional Charge

Certification for collection with property taxes \$50.00
(Utility accounts with an outstanding balance
owed of \$200.00 or greater)

January 09, 2023

Date

Mayor

ATTEST: _____
City Clerk

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

and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

COUNCIL ITEM MEMORANDUM

DATE: January 9, 2023

TO: Dr. Reginald Edwards, City Manager

FROM: Angela Holm, Finance Director

SUBJECT: Public Hearing on Proposed Utility Rates for 2023

Recommendation:

It is recommended that the City Council, following a public hearing, consider approval of the attached resolutions setting rates for City provided utility services for 2023.

Background:

At the November 21, 2022 joint work session of the City Council and Financial Commission, staff presented the expected expenditures for operation of the City's utility services for 2023. The expenditures include total direct and indirect costs including depreciation of capital assets and administrative costs. Along with those costs are projections of the revenues needed for 2023 and for the next fifteen years to keep operations running smoothly and fund the infrastructure improvements needed in each of the utility systems. The cash flow analysis for each of the five utilities indicate anticipated rate changes necessary to maintain sufficient cash balances during the construction of the utility improvements associated with the City's 15-year Capital Improvement Plan (CIP).

For 2023, rate increases are proposed Water, Sanitary Sewer, Storm Sewer, Street Light, and Recycling utilities in order to maintain cash reserves, fund normal operations, pay for debt service and finance infrastructure improvements. Rates for the various utilities for 2023 are shown in comparison to 2022 below:

Fund	Description	2022 Rate	2023 Rate	Change
Water	Base Charge - Residential (quarterly)	\$19.01	\$20.53	\$1.52 / quarter
Consumption Charge - Residential Meters	Tier I (0 - 30 gallons)	\$3.17	\$3.42	\$0.25 / 1,000 gallons
	Tier II (31 - 60 gallons)	3.95	4.27	\$0.32 / 1,000 gallons
	Tier III (61 and greater)	5.90	6.37	\$0.47 / 1,000 gallons
Consumption Charge - Non-residential	(Per 1,000 gallons)	\$4.18	\$4.51	\$0.33 / 1,000 gallons
Sanitary Sewer	Base Charge (quarterly)	\$98.27	\$103.19	\$4.92 / quarter
Consumption Charge - Non-residential	(Per 1,000 gallons)	\$4.15	\$4.35	\$0.20 / 1,000 gallons
Storm Sewer	Base Charge (quarterly)	\$17.10	\$18.30	\$1.20 / quarter
Street Light	Base Charge (quarterly)	\$6.55	\$6.88	\$0.33 / quarter
Recycling	Base Charge (quarterly)	\$11.98	\$12.10	\$0.12 / quarter

COUNCIL ITEM MEMORANDUM

A comparison of quarterly utility billing rates for a household using 18,000 gallons of water (considered the typical residential user) is shown below:

Fund	2022 Bill	2023 Bill	\$ Change/quarter
Water	\$76.07	\$82.09	\$6.02
Sanitary Sewer	98.27	103.19	4.92
Storm Sewer	17.10	18.30	1.20
Street Light	6.55	6.88	0.33
Recycling	<u>11.98</u>	<u>12.10</u>	<u>0.12</u>
Total	\$209.97	\$222.56	\$12.59

The proposed rates would become effective for billings dated after January 9, 2023.

City Code sections 11.02 and 11.06 require a notice and hearing prior to the City Council setting new utility rates. The Public Hearing Notice was published in the Brooklyn Center Post on December 29, 2022.

Strategic Priorities:

- Safe, Secure, Stable Community

Council Regular Meeting

DATE: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Mayor April Graves

SUBJECT: Appointment to City Commissions

Requested Council Action:

- Motion to approve the appointments to the City Commissions

Background:

After reviewing all applications and working collaboratively with staff commission liaisons, here are the suggested appointments to city commissions:

Financial Commission

- Rose Keller
- Leonard Brown
- Yolanda Hunter
- Christian Paese

Housing Commission

- Elizabeth Riel
- Hashep Seka-Nygaard

Parks & Recreation

- Travis Bonovsky
- Gail Ebert
- Bud Sorenson
- Joe Younglove
- Jennifer Umolac
- Noah Jeffrey

Planning Commission

- Stephen Schonning
- Peter Omari
- Randy Christensen
- Stan Leino
- Alejandro Koenig
- Stephanie Jones
- Paris Dunn

Budget Issues:

None

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Inclusive Community Engagement, Operational Excellence

**Council/EDA Work
Session**

City Hall Council Chambers
January 9, 2023

AGENDA



ACTIVE DISCUSSION ITEMS

1. Discussion of Support of a Resolution for Minnesota Health Plan and Federal Medicare for All Act
Consider Support of the Minnesota Health Plan and Federal Medicare For All Act

PENDING LIST FOR FUTURE WORK SESSIONS

1. Upcoming Items
 - Grant Discussion
 - Special Assessment Policy/Franchise Fees
 - Emerald Ash Borer Policy Review
 - Community-Wide Survey
 - Memorial Policy
 - Establishing a Beautification and Public Art Commission
 - Establishing a Safety Violence Prevention Commission

Council/EDA Work Session

DATE: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Mayor April Graves

SUBJECT: Discussion of Support of a Resolution for Minnesota Health Plan and Federal Medicare for All Act

Requested Council Action:

Consider Support of the Minnesota Health Plan and Federal Medicare For All Act

Background:

The system of private health insurance in the United States creates financial and bureaucratic barriers that prevent individuals from obtaining needed medical care, drives up the overall costs of health care at unsustainable rates, and saddles individuals, businesses, and local government with unsustainable health care costs.

In 2021, a survey found that more than one-quarter of Minnesotans struggled to pay their medical bills and nearly half delayed or skipped needed medical care due to concerns about cost.

At the current rate of growth Minnesota's total health care spending will double from \$56.6 billion to \$104 billion in 10 years to be 19 percent of our state economy, more than housing and transportation.

Healthcare expenses for city of Brooklyn Center employees have been increasing at an unsustainable annual rate of nearly 10 percent, putting upward pressure on local property taxes and threatening the financial stability of the city budget.

Members of the Brooklyn Center City Council are committed to being responsible stewards of residents' tax dollars.

Minnesota employers' health insurance costs are increasing at a faster rate than the national average.

A well-designed and efficient universal public health finance system would guarantee all Minnesotans high quality health care regardless of employment status, would reduce the complexity and bureaucracy of our health-care system, and would provide significant financial savings to individuals, businesses, and local government.

The Minnesota Health Plan (S.F. 1643) would create a universal public health finance system that will contain costs and save money and provide high quality, comprehensive health care for every Minnesotan, while relieving both public and private employers of the burden of providing health care benefits.

The federal Medicare for All Act of 2021 (H.R. 1976) would create a similar system at the national level that would guarantee all Americans health coverage regardless of employment status while saving \$2 trillion to \$5 trillion in national health care spending over 10 years.

Does the Council affirm that healthcare is a basic human need, which must be guaranteed to all Minnesotans and U.S. residents through a well-designed and efficient public health finance system that guarantees health coverage to all individuals regardless of employment status?

Does the Council affirm that to achieve the goal of a well-designed and efficient public health finance system the council endorses the Minnesota Health Plan (S.F. 1643) and the federal Medicare for All Act of 2021 (H.R. 1976)?

Does the Council affirm that the council urges Brooklyn Center state and federal legislative delegations to co-sponsor and support the Minnesota Health Plan (S.F. 1643) and the federal Medicare for All Act of 2021 (H.R. 1976), or similar legislation?

Does the Council affirm directing the City Manager to inform Brooklyn Center's state and federal legislative delegations of this resolution endorsing both the proposed Minnesota Health Plan (S.F. 1643) and federal Medicare for All Act of 2021 (H.R. 1976).

Budget Issues:

N/A

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Resident Economic Stability, Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Resolution	1/6/2023	Cover Memo

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2022-____

RESOLUTION IN SUPPORT OF THE MINNESOTA HEALTH PLAN AND FEDERAL
MEDICARE FOR ALL ACT

WHEREAS, the system of private health insurance in the United States creates financial and bureaucratic barriers that prevent individuals from obtaining needed medical care, drives up the overall costs of health care at unsustainable rates, and saddles individuals, businesses, and local government with unsustainable health care costs; and

WHEREAS, a 2021 survey found that more than one-quarter of Minnesotans struggled to pay their medical bills and nearly half delayed or skipped needed medical care due to concerns about cost; and

WHEREAS, at the current rate of growth Minnesota's total health care spending will double from \$56.6 billion to \$104 billion in 10 years to be 19 percent of our state economy, more than housing and transportation; and

WHEREAS, healthcare expenses for city of Brooklyn Center employees have been increasing at an unsustainable annual rate of nearly 10 percent, putting upward pressure on local property taxes and threatening the financial stability of the city budget; and

WHEREAS, members of the Brooklyn Center City Council are committed to being responsible stewards of residents' tax dollars; and

WHEREAS, Minnesota employers' health insurance costs are increasing at a faster rate than the national average; and

WHEREAS, a well-designed and efficient universal public health finance system would guarantee all Minnesotans high quality health care regardless of employment status, would reduce the complexity and bureaucracy of our health-care system, and would provide significant financial savings to individuals, businesses, and local government; and

WHEREAS, the Minnesota Health Plan (S.F. 1643) would create a universal public health finance system that will contain costs and save money and provide high quality, comprehensive health care for every Minnesotan, while relieving both public and private employers of the burden of providing health care benefits; and

WHEREAS, the federal Medicare for All Act of 2021 (H.R. 1976) would create a similar system at the national level that would guarantee all Americans health coverage regardless of employment status while saving \$2 trillion to \$5 trillion in national health care spending over 10 years.

THEREFORE, BE IT RESOLVED, that the city of Brooklyn Center affirms that healthcare is a basic human need, which must be guaranteed to all Minnesotans and U.S. residents through a well-designed and efficient public health finance system that guarantees health coverage to all individuals regardless of employment status.

BE IT FURTHER RESOLVED, that to achieve the goal of a well-designed and efficient public health finance system the council endorses the Minnesota Health Plan (S.F. 1643) and the federal Medicare for All Act of 2021 (H.R. 1976).

BE IT FURTHER RESOLVED, that the council urges Brooklyn Center state and federal legislative delegations to co-sponsor and support the Minnesota Health Plan (S.F. 1643) and the federal Medicare for All Act of 2021 (H.R. 1976), or similar legislation.

BE IT FURTHER RESOLVED, that the council requests that city administration inform Brooklyn Center's state and federal legislative delegations of this resolution.

STATEMENT OF PURPOSE: This resolution endorses both the proposed Minnesota Health Plan (S.F. 1643) and federal Medicare for All Act of 2021 (H.R. 1976).

January 23, 2023

Date

April Graves, 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/EDA Work Session

DATE: 1/9/2023

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Dr. Reginald Edwards, City Manager

SUBJECT: Upcoming Items

Requested Council Action:

- Grant Discussion
- Special Assessment Policy/Franchise Fees
- Emerald Ash Borer Policy Review
- Community-Wide Survey
- Memorial Policy
- Establishing a Beautification and Public Art Commission
- Establishing a Safety Violence Prevention Commission

Background:

Budget Issues:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values: