

Council Study Session
City Hall Council Chambers
January 8, 2024

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 8, 2024

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 may not be used to make personal attacks, air personality grievances, make political endorsements, or for political campaign purposes. Council Members will not enter into a dialogue with the presenter. Questions from the Council will be for clarification purposes only. It will not be used as a time for problem-solving or reacting to the comments made but for hearing the presenter for informational purposes only.

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

2. Invocation - Jerzak - 7 p.m.

3. Call to Order Regular Business Meeting

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

4. Roll Call

5. Pledge of Allegiance

6. Approval of Agenda and Consent Agenda

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

a. Approval of Minutes

- *Motion to approve the following meetings:*

- *12/04/23 Special Meeting Budget*
- *12/11/23 Study Session*
- *12/11/23 Regular Session*
- *12/18/23 Special Meeting Budget continuation*

b. Approval of Licenses

- *Motion to approve the licenses as presented.*

c. Resolution Designating Official Newspaper

- *Approve resolution Designating Official Newspaper for 2024*

d. Resolution Selecting Presiding Officers-Mayor Pro Tem and President Pro Tem

- *Appoint the Mayor Pro Tem and Acting President Pro Tem for 2024*
- e. Resolution Declaring Commitment to the Brooklyn Center City Charter
 - *Approve resolution Declaring Commitment to the Brooklyn Center City Charter*
- f. Resolution Recognizing the Contributions of Ethnic Populations and Heritage Celebrations
 - *Approve a resolution Recognizing the Contributions of Ethnic Populations and Heritage Celebrations*
- g. Resolution Designating Depositories of City Funds for 2024
 - *Motion to approve a resolution designating depositories of City funds for the 2024 fiscal year.*
- h. Resolution Opting Not to Waive Limited Tort Liability for 2024
 - *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 2024*
- k. 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*
- l. Resolution Declaring a Public Nuisance and Ordering the Removal of Diseased Trees at Certain Properties in Brooklyn Center, Minnesota
 - *Motion to approve a resolution declaring a public nuisance and ordering the removal of diseased trees at certain properties as listed in the resolution*
- m. Resolution Appointing Municipal Trustees to the Brooklyn Center Fire Relief Association Board of Trustees
 - *Motion to approve a resolution appointing municipal trustees to the*

Brooklyn Center Firefighters Relief Association Board of Trustees

- n. Resolution Requesting Approval for Three (3) New Fire Trucks Purchase
- Motion to approve a Contract for the purchase of three (3) fire trucks from Fire Safety USA.

7. Presentations/Proclamations/Recognitions/Donations

8. Public Hearings

9. Planning Commission Items

10. Council Consideration Items

- a. Resolutions Approving the Special Legislation for a Local Option Sales Tax and Approving the Language for the Ballot Referendum for the Community Center Renovation and Expansion
-Motion to approve a resolution of the City of Brooklyn Center Approving Minnesota Laws, 2023, Chapter 64, Article 10, Section 28

-Motion to approve a resolution of the City of Brooklyn Center relating to the imposition of a sales and use tax and the issuance of bonds to financing the renovation and expansion of the Brooklyn Center Community Center and calling a special election thereon.

11. Council Report

12. Adjournment

Council Regular Meeting

DATE: 1/8/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Barb Suciu, Assistant City Manager/City Clerk

SUBJECT: Approval of Minutes

Requested Council Action:

- Motion to approve the following meetings:

- 12/04/23 Special Meeting Budget
- 12/11/23 Study Session
- 12/11/23 Regular Session
- 12/18/23 Special Meeting Budget continuation

Background:

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

Budget Issues:

- None

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
12.04 Special Meeting	1/3/2024	Backup Material
12.11 Study Session	1/2/2024	Backup Material
12.11 Regular Session	1/2/2024	Backup Material
12.18 Special Meeting Budget Continuation	1/4/2024	Backup Material

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

SPECIAL SESSION
DECEMBER 4, 2023
CITY HALL – COUNCIL CHAMBERS

1. CALL TO ORDER

The Brooklyn Center City Council met in Special Session called to order by Mayor April Graves at 6:30 p.m.

2. ROLL CALL

Mayor April Graves and Councilmembers Kris Lawrence-Anderson, Dan Jerzak, and Teneshia Kragness. Councilmember Marquita Butler was absent and excused. Also present were City Manager Reggie Edwards, Assistant City Manager/City Clerk Barb Suci Director, Director of Fiscal & Support Services Angela Holm, Director of Public Works Elizabeth Heyman, Director of Community Development Jesse Anderson, Fire Chief Todd Berg, Equity and Human Resources Director Jim Langemo, and Recreation Director Cordell Wiseman.

3. 2024 BUDGET

City Manager Reggie Edwards proposed an amendment to the agenda, moving item 3e after item 3a as the levy is the first issue to come forward and everything else is premised off of the levy.

3a. CONSIDERATION OF THE 2024 BUDGET AND PUBLIC HEARING

City Manager Reggie Edwards introduced the item and thanked the Council, Staff, and all others who participated in the budget process. He discussed the process of how the budget was put together and worked on throughout the year. The budget was shaped by the rippling effects of dealing with COVID-19, the death of Daunte Wright, and civil unrest, with a community and Staff who are still trying to heal and be stabilized to move forward. The City also is dealing with economic conditions of financial downturn, shifting development landscape, and increased inflation.

Dr. Edwards shared the new mission and vision of Brooklyn Park that shapes what they are trying to do with the budget. He added that Brooklyn Center's mission is to actively provide a safe, welcoming, and inclusive community. The vision of Brooklyn Center is to provide high-quality, equitable services that demonstrate they are inclusive and welcoming. Through actions, the City will establish an engaged relationship with the community, including increasing the safety and well-being of residents, City employees, businesses, and visitors while adding a wide range of economic development improvements. All of this leads to a renewed sense of pride in the City and

its physical condition and aesthetics. He noted this is part of the rationale around the budget so that when they ask taxpayers to put forth additional tax dollars, the purpose is to achieve the City's vision and live out the mission. The core values of the City include safety, community-centeredness, accountability, transparency, and sustainability. These values go through every decision that is made and every dollar that is spent in Brooklyn Center.

Dr. Edwards shared the strategic priorities of the City as maintaining a strong financial position, maintaining and enhancing public places, improving community and employee safety, providing quality services with fair and equitable treatment, strengthening community and employee engagement in key decisions, being an effective partner with other public entities, strengthening and diversifying business development and housing, and improving employees' experiences. These strategies begin to lay a roadmap to how they will utilize resource dollars.

Dr. Edwards explained the budget priority strategies are balancing strategic direction and fiscal capacity, fulfilling State statutes, maintaining and sustaining current operations, Staff stability, public safety, and advancing strategic priorities and operational opportunities. He acknowledged that Brooklyn Center is challenged economically, with a lower tax base and a high poverty rate.

Dr. Edwards shared the budget highlights, including a 3 percent Staff wage increase to maintain market competitiveness. The City tries to stay in the top quarter of comparable cities in employee wages. There is \$50,000 assigned to achieving this market competitiveness. Other highlights include having an on-call 24-hour Fire duty crew, having a deputy City Manager, increasing winter salt and sand, adding to the fleet maintenance replacement and a fleet vehicle replacement fund, as well as having a Police Sergeant and a Police Detective while also unfreezing the remaining Police Department Officers. He added they are also increasing Staff, benefits, and market adjustment wages, and increasing Staff funding. They also froze the Performance Analyst position. The City was able to lower revenue calculations by removing permit fees from the general fund, lower employee vacancy rate, and lower lodging tax. Lastly, they were able to maintain 2023 expenditures.

Dr. Edwards stated they had a windfall of \$1,400,000 in State public safety aid which has been allocated to four departments that relate to public safety.

Dr. Edwards invited Director of Fiscal & Support Services Angela Holm to present the 2024 budget.

Director of Fiscal & Support Services Angela Holm shared they were done with the budget at the end of October which gave them time to go through the budget to tie up all loose ends. She explained that budget policies provide the basic framework and assist in the decision-making process. These policies are a balanced budget, current revenue should pay for current expenses, contingency of up to five percent of the budget, providing adequate funding for capital replacement and maintenance, the budget should describe goals, services, and programs, as well as a targeted unassigned General Fund balance of 50 percent to 52 percent of the next year's General Fund budget.

Ms. Holm noted there are also revenue policies that direct how the City maintains the ability to pay for services it provides its customers. The policies include maintaining a diversified and stable revenue system, annual revenue estimates completed through an objective conservative analytical process, user fees should be reviewed and revised on an annual basis, fees and user charges for Enterprise Funds should fully support total direct and indirect costs, and user fees for City services will generally be established at a level which will recover the full cost of providing the service.

Ms. Holm shared that the median home value in the City had a modest increase this year, which gives them a feel for where they are in terms of the values of the homes within the City. There has been a steady increase since 2014. She shared that Brooklyn Center is on the lower end of median home values compared to its comparable cities.

Ms. Holm explained that tax capacity is the calculation that comes from the County based on the assessed values of properties. She noted that the residential portion of the tax capacity for 2024 payable decreased by around 1.3 percent which means the capacity for taxing the City can handle is transferred over into other areas.

Ms. Holm stated the proposed property tax levy is 8.2 percent, which is a total increase of \$1,861,356 over 2023. A property tax levy increase or decrease of 1 percent is approximately \$225,000.

Ms. Holm showed a chart outlining the cost of government. The chart showed where the tax dollars would be going for someone with a median-priced home at the 8.2 percent tax levy. She showed an example of how much an individual would be paying for Police, Fire and emergency preparedness services, Community Development, Public Works, recreation, technology improvements, health and safety prevention, general government, and the golf course, all based on the median value home's tax levy.

Ms. Holm shared that the impact on a single-family residential home with the median home value would only have an increase of \$83 more than last year. These numbers will be different based on the value of all homes. She added if there were to increase or decrease the levy by one percent it would be a difference of \$13 a year.

Ms. Holm reviewed the information collected from all cities in Hennepin County. The median levy increase in the County was 10.74 percent, with the highest increase of 33.72 percent and the lowest increase of 1.75 percent. There are 26 cities whose proposed levy increase is higher than 8.2 percent.

Ms. Holm explained how the rest of the budget process will go. She shared they will ask the Council to open the public hearing to accept public comments regarding the proposed tax levy increase. Following this, they would then ask for the public hearing to be closed and they would ask Council to consider the adoption of the 2024 proposed levy, the 2024 proposed budget, and the 2024 Capital Improvement Plan. She added that they would also be requesting the HRA to be opened to adopt the HRA levy and budget, as well as opening the EDA to adopt the EDA levy and

budget.

Councilmember Jerzak moved and Councilmember Kragness seconded to open the Public Hearing.

Motion passed unanimously.

Umberto Virgillo, 1112 67th Avenue, shared he just received his tax proposal and it is \$500 more than last year, an increase from \$4,200 to almost \$4,800. He added he is retired and received Social Security and cannot afford this tax.

Mayor Graves said she understands the struggle of many people. She explained there is a process to contest the valuation of a home. She added that Staff will follow up with Mr. Virgillo on his concerns.

Mr. Virgillo noted that he owns a home in Maple Grove that is worth almost \$500,000 and he does not pay even \$4,000 on his property taxes at that home. He stated he has been in this house for 43 years and has had a lot of businesses come and go. He added that every business that shuts down is lost revenue for the City.

Mayor Graves noted this does put the burden on the residents. Maple Grove has an advantage that they have more businesses to help share this burden.

Councilmember Lawrence-Anderson explained there is a breakdown on the tax statement that shows what portion of the taxes go to the City, the County, and the School District.

Mr. Virgillo said he was told by the assessor that \$2,250 of the taxes was for the City.

Councilmember Lawrence-Anderson shared she was shocked when she opened her tax statement as more than half of the taxes on her home are not City taxes.

Mayor Graves asked if the valuation of his home went up significantly from last year. Umberto V. said not really, only \$25,000 at the most.

Mayor Graves thanked him for coming forward this evening and encouraged him to connect with Staff to advise how to move forward.

Joseph Davies shared he and his wife are here to address the tax increment on their home. He stated they are not getting any younger and they are seeing the taxes increase every year on their home, and if this were to continue over the next few years, it is not sustainable. They have children and grandchildren and cannot afford to lose their homes. He shared they would like the Council to look into this and try to readjust.

Alfreda Daniels shared she is a fairly new homeowner and a young mother. She said she is worried

that she may have to leave the City due to the tax burden becoming too much. The option of getting an apartment is not an option for her as her mortgage would likely be less than an apartment. She stated she does not know how people are going to be able to deal with the increase in taxes. She wants to continue to live in Brooklyn Center but this limits her availability to stay. She hopes her daughters will be able to grow up and live in Brooklyn Center as well. She added she is a well-paid employee and she is even struggling to afford the increase. She said there are other residents who are struggling more than she is. She suggested focusing on bringing businesses back to the City and investing in small businesses that are already in the City.

Councilmember Kragness moved and Councilmember Lawrence-Anderson seconded to close the Public Hearing.

Motion passed unanimously.

Mayor Graves shared she empathizes with those who have come in and spoken about the issue this evening. When she first purchased her home in Brooklyn Center as a single mother, it was a foreclosure which helped her financially. She said she has also seen her taxes increase since she purchased her home in 2011. She noted this is a good thing in that home values are increasing so assets are worth more, while it is hard that they also owe more in taxes as the valuation of their homes increases. Another thing the City struggles with is not having as many businesses to lean on to fill the tax capacity. They also have big city issues with some of the lower incomes in the metro area. All of these things make it difficult to address some of the issues and services that need to be addressed in the City. As they think about the budget process and where they want to invest, one thing that stuck out to her during the presentation was the 'Cost of Government' slide that Ms. Holm reviewed. She used the example of \$95 tax dollars going towards Community Development and stated that felt low to her. She stated this is the department that is responsible for bringing in businesses and keeping these businesses in the City that would help share this tax burden. She added that she believes that the Staff has done a good job with the budget considering the limitations that the City has. Moving forward, she thinks investing more in Community Development will benefit all areas within the budget and help relieve some of the tax burden on residents.

Councilmember Kragness shared her disappointment in this whole process. She said she has owned her home for over 20 years and her property taxes have doubled. She also liked the 'Cost of Government' slide as this put things into perspective for her to see what she is paying for. She asked about something that was grant-funded and is now 100 percent General Fund funded which increased the budget by a whole percent. She explained how she looks at every line item and cost to see if it is a want or a need and to see if it has a benefit for the future. She asked why positions were previously grant-funded but are now General Fund funded. She also asked about the new reporting for grant dollars as she has still not seen this distinction. She suggested having separate line items for things that the Council said they wanted, like the Deputy City Manager, the Fire crew, and the Police Detective. This would be beneficial for people to see what they are paying for.

Dr. Edwards noted there are no positions that were formerly grant-funded that are now funded through the General Fund.

Councilmember Kragness said she sees things in the General Fund budget that were never there before. She asked for clarification on these items. Dr. Edwards shared they created an Office of Communication and Community Engagement in 2017 or 2018. This has now been split and falls under different supervisors. These items are not new.

Councilmember Kragness stated the way they are presented in the budget makes it appear as though they are new positions. Dr. Edwards explained that they tried to show this combined as well as separated. There are three spreadsheets in the budget that show this.

Councilmember Kragness asked how this was done with the new positions. Dr. Edwards said there are not necessarily any new positions. They previously had a Communications Engagement Manager and beneath them were two Staff on the communications side as well as part-time Staff on the engagement side. When they separated this department, they now have a supervisor and a specialist in each area.

Councilmember Kragness asked if the cost of the deputy City Manager, the Fire crew, and the Police Detective were split out into individual line items. Dr. Edwards said no. Councilmember Kragness said there is no consistency with this which makes it hard to follow.

Dr. Edwards explained Communication and Engagement positions were separated because they created the two new units. If they had maintained one unit then it would have continued to show the one unit. He said they did not separate any of the other positions in other areas.

Ms. Holm said it is a challenge to read this. She reiterated that there was a Communications and Community Engagement Department which was budgeted for 2023. In January of 2023, an organizational decision was made to split Staff into communications and engagement to two separate and distinct areas. Two different departments were created on the accounting books for this split. She stated they were intentional about budgeting for each of these two new departments in the 2024 budget.

Councilmember Kragness requested that the other positions also be separated for clarification. Ms. Holm made note of this.

Ms. Holm explained they are currently in the process of finalizing the grant funding within the Finance Department in terms of how this is going to look. They plan to be more intentional about reporting on specific grants in a meaningful way. This will be more intentional for year-end reporting as well as providing these reports more consistently to the Council.

Dr. Edwards shared that on previous presentations given to the Council, they did have line items specific to items that the Council was interested in. The thought was that they could drop these numbers as they had achieved staying under the levy amount. He said they could go back in and

put the dollar amounts back in.

Councilmember Kragness said there were numbers that were provided and the direction came back and now the numbers need to be reduced as a whole. Even though they had these numbers in the beginning they would not be the same numbers now. Dr. Edwards said the numbers as far as the positions are all still the same numbers. These were not reduced, rather the budget was adjusted to accommodate these items.

Councilmember Jerzak finds himself very frustrated that they have been pushed up against hard deadlines. He has expressed previously his objection to the volume of information they have been given and all of the circumstances with the economic downturn and shift in development. He added they heard testimony this evening with concerns with taxes. The County, the State, and the School District all add to the taxes. Every enterprise department in the City had an increase in cost this year. He said all of these things go towards the bottom line. He shared he understands the increase in the valuation of homes; however, it is only value if someone sells their home. He also understands the reorganization of accounts, but it was hard for him to follow these. He agreed with Councilmember Kragness that the lack of designation for the grant-funded items as they have a way of showing up in the future wanting to be levied. He has always been careful of these types of things. He noted there was \$500,000 that was past due from their enterprise funds. This is a symptom that residents are already feeling stress in the community with the ability to pay simple fees like water, sewer, storm sewer, etc. He said they have not completed the fixing of the meters, so they do not know if they are accurately billing people. This is another concern he had. Nine years in a row they have had the taxable revenue increase resulting in additional income reflecting increases in property taxes. He added that it is ambitious for the projected \$4,000,000 for the Heritage Center, which is a goal they have not achieved. He does not want them to get back into a position where they have great goals and then fall short. He explained that every employee in the City deserves a raise, but the 3% increase is expensive. He did not see a lot of negotiation with this. He did see consensus on the Deputy City Manager, the Fire crew, and the Police Detective. He said he does not know that they went back and evaluated all of the things that they could remove from this. He added that a \$2,000,000 increase in the budget is unsustainable going forward.

Councilmember Lawrence-Anderson said she is not comfortable lumping a ton of money into professional services. She asked about the \$25,000 for professional services. She added that she saw special events under this same category for \$35,200. She asked what special events this was for. If this includes a parade, it should be under community engagement. She said asterisks are needed on the budget to help them understand where this money is going. She asked how the budget for Police patrol went down from 2023. She asked where the budget for the Police Sergeant was. She shared she is not comfortable voting on the budget this evening. She would appreciate more line item detail in some of these areas. She noted this is the first time the Council has seen this budget and now they are expected to vote on it. They have heard presentations, but they have not been asked if they are happy with the budget and she is not happy with the budget in its current state.

Dr. Edwards explained the budget needs to be submitted by December 24, 2023.

Mayor Graves thanked the Council for the comments, concerns, and questions. She said it seems that the Council is not in favor of voting on this tonight. She wanted to be clear on what they need so they could get to a point where they can vote on this to get the budget submitted on time. With a Council meeting on December 11, December 18 seems like the most likely date they would be able to meet again to finalize this. She asked the Council if this date worked for them. The Council agreed with this date.

Mayor Graves asked the Council to be very specific with what they need and to give this direction to Staff so they can get this information together. She asked Staff to get the budget information to the Council prior to the meeting on December 18 so they have a chance to ask questions before the meeting.

Councilmember Jerzak shared he voted against any levy increase; however, he is open to compromise. He said he needs the overnight duty crew, the Police Sergeant and Detective positions, the Assistant City Manager, and the 3% wage increase. He asked Staff to carefully look at grant-funded positions and take a look at any potential duplications. He would like the departments to be given flexibility. He said he would be very transparent that no new positions are added without Council approval.

Mayor Graves asked if Councilmember Jerzak is interested in a certain percentage levy decrease. Councilmember Jerzak said he is open to approving an increase based on what the survey has said all along with some inflation, no new programs, and public safety as a priority. He said there is room for a lot of improvement and growth in public safety.

Councilmember Lawrence-Anderson shared she believes they need to get back to the basics. She shared concerns about the infrastructure of the City. She noted concerns with updating the dilapidated building of the Community Center. She is also concerned with the CIP and spending money on something that is a lost cause. She said they need to be focusing on the big picture. She shared concerns that they are not looking long-term. She expressed the importance of funding the needs of the City and putting the wants to the side. Her two top priorities are crime and Community Development. She agreed with Councilmember Jerzak that the overnight duty crew, the Police Sergeant and Detective positions, and the Assistant City Manager are the needs.

Mayor Graves asked if there is a different levy amount Councilmember Lawrence-Anderson would like to see. Councilmember Lawrence-Anderson said they could stay at an 8.2 percent increase if they were to reallocate some of the funds to where it is needed. She stated she would like the Police Department to have mobile cameras as the residents are concerned with crime in the City.

Councilmember Lawrence-Anderson said in the past she has seen the City Manager poll the Council to see what their priorities are. This was not done this year and they have not had the opportunity to discuss these things.

Councilmember Kragness thanked Staff for their work on putting this budget together. She shared

she voted for the 8.2 percent levy increase as a worst-case scenario. She added it is not fair that residents do not know what they are getting for their tax dollars. She said this needs to be balanced with having enough funds to run the City effectively. She noted they need to go back to maintaining the City. She is not comfortable with the 8.2 percent increase. She would like to see all of the information broken out and details on what all of the numbers in the budget represent.

Dr. Edwards asked about the Council's expectations at the December 18 meeting. He asked if they anticipate this session being a session where they are still working on the budget. Councilmember Kragness shared she would have preferred more information now so that they could be working through this between this meeting and the meeting on December 18. She said if they do not get the more detailed information prior to the December 18 meeting then she expects that they would be working through the budget that evening before voting on it.

Mayor Graves asked Councilmember Kragness if there was a certain levy decrease she would like to see from the 8.2 percent. Councilmember Kragness said she sees areas where things could be cut and she could see a one to two percent decrease.

Councilmember Jerzak said if he is not able to explain to his neighbors, business owners, or residents what various departments, they are paying for and are tied to outcome performance, then he would not vote in favor of it. He said these things have to be understandable and palatable to the taxpayers while also being tied to some kind of outcome performance.

Dr. Edwards explained they had tried to create an outcome-based budget a few years ago. He shared they established a person on Staff to help with this model; however, this position is currently frozen. When they ask for programs to have outcomes tied to them, they do not have this position currently. He asked if they are wanting every department to establish outcomes and provide that information. Councilmember Jerzak said he would expect this of every department, that they cannot only come up with their budget but also do more than justify it. Even without this position, he still expects individual department accountability and responsibility around their budgets.

Dr. Edwards asked if there is an expectation that the departments create these outcomes by the December 18 meeting. Councilmember Jerzak said the most important ones to see would be the overnight duty crew, the Police Sergeant and Detective positions, and the Assistant City Manager. He added he would not be opposed to the reallocation of funds for the Police mobile cameras. He added that he cannot support the CIP and the \$2,000,000 for repairs for Public Works as these are not good investments in his mind. He would like to see a comprehensive analysis of this before he votes on this as all of these things are just debt. He wants to be prudent with City dollars.

Councilmember Kragness said it is not realistic to come up with a whole new model in two weeks. However, she noted they should be able to justify an increase in a budget line item if it is not directly tied to survey results. If it is something that the residents are asking for, their tax dollars can go towards that, but if it is not something they asked for then they need to be able to justify it.

Mayor Graves thanked the Council and Staff, as well as all who have worked on the budget and

with the strategic planning process. She also thanked the residents who answered the surveys. She said she is hearing the Council say that they need to have more specifics on the budget and to know where there are duplications and where the dollars are going. She is also hearing that the Council is not completely opposed to where the levy is at but they would like to see it a little bit lower. She noted they also need to have the budget highlight amounts specifically called out. She said she would also like to see where cuts and adjustments have already been made so the Council can see how Staff gets to the levy recommendation.

Councilmember Lawrence-Anderson emphasized the need for justification within the budget. Going forward they can look at the outcome-based budget. She wanted to make certain that as they are cutting things from the budget it is not coming out of Police or Fire. She added that she would support adding a drone to the budget. She encouraged the department heads to look at their budgets and professional services to find money that could be reallocated. She shared concerns with security outside of City Hall.

Mayor Graves said every department should be reviewing their budget for duplication and fluff items.

Councilmember Jerzak moved and Councilmember Kragness seconded to continue the budget discussion to December 18, 2023, at 6:00 p.m.

Motion passed unanimously.

3e. RESOLUTION APPROVING FINAL TAX CAPACITY LEVIES FOR THE GENERAL FUND AND DEBT SERVICE FUNDS AND A MARKET VALUE TAX LEVY FOR HOUSING AND REDEVELOPMENT AUTHORITY FOR PROPERTY TAXES PAYABLE IN 2024

This item was continued to December 18, 2023.

3b. CITY MANAGER'S BUDGET TRANSMITTAL LETTER FOR 2024 FISCAL YEAR

This item was continued to December 18, 2023.

3c. RESOLUTION ADOPTING THE 2024 ANNUAL CITY BUDGET

This item was continued to December 18, 2023.

3d. RESOLUTION APPROVING THE 2024-2028 CAPITAL IMPROVEMENT PLAN AND ADOPTING THE 2024 CAPITAL PROGRAM

This item was continued to December 18, 2023.

4. ADJOURN

At 7:42 p.m., the meeting was recessed and continued to December 18, 2023 at 6:00 p.m.

The meeting adjourned at 7:42 p.m.

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

STUDY SESSION
DECEMBER 11, 2023
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council met in Study Session called to order by Mayor April Graves at 6:18 p.m.

ROLL CALL

Mayor April Graves and Councilmembers Marquita Butler, Kris Lawrence-Anderson, Dan Jerzak, and Teneshia Kragness. Also present were City Manager Reggie Edwards, Director of Fiscal & Support Services Angela Holm, Principal Engineer Lydia Ener, City Clerk Barb Suciu, and City Attorney Jason Hill.

CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

Councilmember Jerzak requested the following items be pulled from the Consent Agenda for discussion during the Study Session:

- 6e. Resolution Approving the 2024 Fee Schedule;
- 6g. Resolution Authorizing Execution of Professional Services Agreement, Project No. 23-26, Brooklyn Center Park Investment Plan; and
- 6i. Accepting Grant Funds from the Transportation and Economic Development Infrastructure (Tedi) Grant to Support Phase 1 of the Opportunity Site.

Councilmember Jerzak requested, under Item 6g, the Parks Professional Services Agreement be amended to include a study of other City buildings including the Public Works facility.

Councilmember Jerzak stated, under Item 6h, that he would like to express his appreciation for the final project cost which was under budget by 2.6% or \$449,193.

Councilmember Jerzak stated, with regard to Item 6e, that the Community Center residents' fees have been lowered, and are subsidized. He asked why this was not reviewed by the City Council. City Manager Reggie Edwards stated the fee schedule pertains to licenses and permits, not the Community Center fees.

Director of Fiscal & Support Services Angela Holm stated a Request for Proposals (RFP) was put out for the Professional Service Agreement for the Park Investment Plan. She added the budget is

still under review and she would not recommend adding the Public Works garage to that proposal.

Councilmember Jerzak stated, with regard to Item 6i, there are issues with regard to safety at the current transit hub and he is concerned that another transit hub will be added. He asked whether the grant would be triggered as there is a 3-year limit.

Community Development Director Jesse Anderson stated the Tedi Grant for \$500,000 is intended to cover the road portion of the parkway. He added, as discussed, that the goal is to reduce infrastructure costs and reduce strain on TIF funds or other potential bonding.

Councilmember Kris Lawrence-Anderson asked whether meeting materials will be prepared and distributed to the City Council prior to the Special Budget Meeting on December 18, 2023. Dr. Edwards confirmed this.

Dr. Edwards requested that the Liquor Store #2 Lease Agreement be added to the Consent Agenda.

Ms. Holm stated an 18-month lease agreement has been reached with the property owner of the Liquor Store #2 facility related to Common Area Maintenance (CAM) charges. She added City Council approval is required for this agreement, totaling \$175,000, which was signed today and, if approved, will be executed on January 1, 2024.

Councilmember Jerzak asked whether profitability for this location was considered. Ms. Holm confirmed this.

Councilmember Jerzak asked if there is an early-out provision. City Attorney Jason Hill stated there is no express provision as with any lease, but the agreement is capped at 18 months.

Councilmember Kragness asked what would happen at the end of the initial term. Ms. Holm stated the rent would double after 18 months, which is not advantageous to the City.

Councilmember Kragness asked what is considered the proportionate amount after the initial term for the CAM. Ms. Holm stated that has not been defined.

ADJOURN STUDY SESSION TO INFORMAL OPEN FORUM WITH CITY COUNCIL

Mayor Graves adjourned the Study Session at 6:42 p.m.

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

REGULAR SESSION
DECEMBER 11, 2023
CITY HALL – COUNCIL CHAMBERS

1. INFORMAL OPEN FORUM WITH CITY COUNCIL

CALL TO ORDER INFORMAL OPEN FORUM

The Brooklyn Center City Council met in an Informal Open Forum called to order by Mayor April Graves at 6:43 p.m.

ROLL CALL

Mayor April Graves and Councilmembers Marquita Butler, Kris Lawrence-Anderson, Dan Jerzak, and Teneshia Kragness. Also present were City Manager Reggie Edwards, Director of Fiscal & Support Services Angela Holm, Principal Engineer Lydia Ener, City Clerk Barb Suciu, and City Attorney Jason Hill.

Mayor Graves opened the meeting for the purpose of Informal Open Forum.

Amity Dimock, via phone, stated she is surprised and disappointed that the Expanded Response Policy is not on tonight's agenda. She added she knows there are questions about the policy, but she thought a vote would be on tonight's agenda.

Mayor Graves apologized for the delay on this issue and thanked Ms. Dimock for her continued patience.

Councilmember Jerzak read a comment from Peg Cars suggesting a Winter Solstice celebration.

Katie Wright, via phone, stated she is the mother of Daunte Wright and a Co-Founder of the Daunte and Kobe Initiative, as well as the Chair of the Policy Work Group. She expressed disappointment that it is the end of 2023 and there has not been a vote on an Expanded Response Policy expansion in Brooklyn Center. She noted she was hopeful that the City of Brooklyn Center would be one of the first cities to initiate such a policy and take a lead on this issue.

Ms. Wright stated she understands there are many things that the City Council needs to address at the end of the year. She added there is nothing more important than public safety. She expressed frustration at this issue being pushed to 2024, and many community members do not understand why there has not been a vote yet.

Diane Sannes noted the passing of Kristen Mann, former Brooklyn Center City Councilmember

from 1993-1996. She read the obituary for Kristen Mann.

Ms. Sannes stated she attended the Metro Transit's Adopt a Bus Shelter program event, and noted there are 15 shelters in Brooklyn Center. She encouraged residents to contact her if they wished to have their name or a message on a bus shelter.

Julie B., via phone, thanked Community Center staff and all who planned the December event in connection with the Lions Club.

Julie B expressed concern regarding the lack of equity with regard to certain City departments receiving more attention than others. She added it is troubling that this ask is applied to the City departments that are currently headed by black staff, and the tone of Finance meetings is very disturbing and constitutes a display of micro-aggression, allowing racism to continue, and it needs to stop.

Julie B. stated this past summer there was an outcry for safety measures in the City's parks, as people did not feel safe. Public Safety stepped in and filled the gaps, providing comprehensive support and communication and public engagement to address these issues. Public safety is a multi-faceted approach, and the City has had many successes. The work of certain City departments is not appreciated, and there is talk of cutting their budgets. This is a need for the community and must move forward for the City to shift and advance.

Julie B. stated, that as a disabled single parent with limited income, she supports the levy and recognizes what it can mean for the community she loves to shift into a more collaborative and inclusive space. She added she hopes that this work can continue.

Alfreda Daniels, via phone, asked whether public comments are being put in the record as there has been previous discussion regarding this issue. Mayor Graves confirmed this.

Ms. Daniels stated she was disappointed with the tax increment financing discussion, to hear about discussions regarding specific programs led by black folks, or that benefit the black community. She added she hopes the community can work together.

Laurie B. stated she emailed various links and information to the City Council regarding successfully implemented Expanded Response Networks around the nation, and particularly in Ramsey County and Minneapolis. She requested that the City Council review the information she forwarded to see how these programs are working in other communities.

Councilmember Jerzak moved and Councilmember Kragness seconded to close the Informal Open Forum at 7:10 p.m.

Motion passed unanimously.

2. INVOCATION

Mayor Graves stated this was the last City Council meeting of the year. There have been many changes in the City Council and City Staff. She expressed the importance of making sure that all voices are heard. She thanked her fellow Councilmembers, City Staff and community members.

Mayor Graves read a Winter Solstice poem:

May the dawn of the Winter Solstice chase the dark away.
May it bring to you the promise of endless brand-new days.
May all your sorrows vanish, and all your dreams come true.
And may the light of the Winter Solstice always shine on you.

[Donna Fletcher](#)

Mayor Graves sang a few verses of “Have Yourself a Merry Little Christmas.”

3. CALL TO ORDER REGULAR BUSINESS MEETING

The Brooklyn Center City Council met in Regular Session called to order by Mayor April Graves at 7:14 p.m.

4. ROLL CALL

Mayor April Graves and Councilmembers Marquita Butler, Kris Lawrence-Anderson, Dan Jerzak, and Teneshia Kragness. Also present were City Manager Reggie Edwards, Director of Fiscal & Support Services Angela Holm, Principal Engineer Lydia Ener, City Clerk Barb Suci, and City Attorney Jason Hill.

5. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Councilmember Butler moved and Councilmember Jerzak seconded to approve the Agenda and Consent Agenda, with the addition of Item 6j – Liquor Store 32 Lease, and the following consent items were approved:

6a. APPROVAL OF MINUTES

1. October 23, 2023 – Study Session
2. October 23, 2023 – Regular Session
3. November 27, 2023 – Study Session
4. November 27, 2023 – Regular Session

6b. LICENSES

MECHANICAL

Kraft Contracting LLC

2415 Ventura Drive, Suite 100,
Woodbury 55125

Vector Services

712 Vista Blvd, Suite 102,
Waconia 55387

TOBACCO RELATED PRODUCTS

Family Dollar #25110

2105 57th Avenue N

Speedway #4162

6545 West River Road

Speedway #4058

1901 57th Avenue N

Speedway #3192

6950 Brooklyn Boulevard

Walgreens #4320

6390 Brooklyn Boulevard

LIQUOR - INTOXICATING

Topgolf

6420 Camden Avenue N

Captain Crab Shack Inc.

1360 Shingle Creek Crossing #202

LIQUOR – OFF-SALE 3.2

Casey's General Store #3823

2101 Freeway Boulevard

Speedway #4162

6545 West River Road

Speedway #4058

1901 57th Avenue N

Speedway #3192

6950 Brooklyn Boulevard

LIQUOR – ON-SALE 3.2

50's Grill

5524 Brooklyn Boulevard

LIQUOR - ON-SALE SUNDAY

Topgolf

6420 Camden Avenue N

Captain Crab Shack Inc.

1360 Shingle Creek Crossing #202

LIQUOR - CLUB

Duoos Bros. American
Legion Post 630

6110 Brooklyn Boulevard

ENTERTAINMENT

Jambo Africa, Inc.

1601 Freeway Boulevard

GASOLINE SERVICE STATION

Speedway #4162

6545 West River Road

Speedway #4058

1901 57th Avenue N

Speedway #3192

6950 Brooklyn Boulevard

RENTAL

INITIAL (TYPE IV – six-month license)

6312 France Avenue N.

O Oladeji & O Oladeji

INITIAL (TYPE III – one-year license)

1100 69th Avenue N.

Tyler Nash

5260 Twin Lake Boulevard E.

Heron Verde LLC

5637 Emerson Avenue N.

Tobi Agene / Osetohamen Agene

6721 Perry Avenue N.

Abebayehu Wordofa

INITIAL (TYPE II – two-year license)

6224 Quail Avenue N.

Adetarami Aruna

RENEWAL (TYPE IV – six-month license)

5144 Ewing Avenue N.

Gracelands LIC
(did not meet requirements)

5555 Dupont Avenue N.

Maria Magdalena Velez
(did not meet requirements)

6213 Chowen Avenue N.

Nazneen H Khatoon
(did not meet requirements)

6430 Toledo Avenue N.

Touchstone Properties LLC
(did not meet requirements)

6437 Kyle Avenue N.

United Hmong Investment, Llc
(did not meet requirements)

7025 Quail Avenue N.

Edward E Laudat
(met requirements)

RENEWAL (TYPE III – one-year license)

6101 Beard Avenue N.

6939 Baird Llc Et Al C/o Rtg
(did not meet requirements)

2806 66 th Avenue N.	Thown Va Thor
5500 Knox Avenue N.	MNSF LI W1 LLC (did not meet requirements)
5913 Upton Avenue N.	Rosebella Nyaboke Ogoro (did not meet requirements)
6919 France Avenue N.	Benjamin P A Hermantin Et Al (met requirements)
7119 Girard Avenue N.	Pearsall Properties LLC (did not meet requirements)
<i>RENEWAL (TYPE II – two-year license)</i>	
2912 69 th Lane N.	Lydia S Kim
3301 Mumford Road	Christina Duong & Danny Vo
5924 Dupont Avenue N.	J Miller & D Miller
6430 Indiana Avenue N.	Omolola Akinsoji
6820 Fremont Place N.	Sharon McGary
<i>RENEWAL (TYPE I – three-year license)</i>	
5547 Lyndale Avenue N.	Zoe M Hildreth
2001 54 th Avenue N.	Serendipity Investment Llc (met requirements)
3501 72 nd Avenue N.	Cosco Property I LLC
5101 63 rd Avenue N.	Adedamola O Ogundipe
5201 Ewing Avenue N.	Infinite Property Llc
5501 Brooklyn Boulevard	Mains'l Properties Llc
6325 Xerxes Avenue N.	Linus N Amajuoyi
6618 Colfax Avenue N.	Dhanraj Khemraj
6806 Perry Avenue N.	Matrix Asset Solutions Llc

- 6c. APPROVE THE 2024 CITY COUNCIL MEETING SCHEDULE**
- 6d. RESOLUTION DESIGNATING POLLING PLACES FOR THE 2024 ELECTION**
- 6e. RESOLUTION APPROVING THE 2024 FEE SCHEDULE**
- 6f. APPROVE OF A MINOR AMENDMENT TO THE NOVEMBER 13, 2023 CITY COUNCIL MINUTES**
- 6g. RESOLUTION AUTHORIZING EXECUTION OF PROFESSIONAL SERVICES AGREEMENT, PROJECT NO. 23-26, BROOKLYN CENTER PARK INVESTMENT PLAN**
- 6h. RESOLUTION ACCEPTING WORK PERFORMED AND AUTHORIZING FINAL PAYMENT, BROOKLYN BOULEVARD CORRIDOR PROJECT PHASE 2 IMPROVEMENTS, PROJECT NO. 2021-5**
- 6i. ACCEPTING GRANT FUNDS FROM THE TRANSPORTATION AND ECONOMIC DEVELOPMENT INFRASTRUCTURE (TEDI) GRANT, TO SUPPORT PHASE 1 OF THE OPPORTUNITY SITE**
- 6j. LIQUOR STORE #2 LEASE**

Motion passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

None.

8. PUBLIC HEARINGS

8a. RESOLUTION CERTIFYING SPECIAL ASSESSMENTS FOR IMPROVEMENT PROJECT NO. 2024-01, ORCHARD LANE EAST IMPROVEMENTS TO THE HENNEPIN COUNTY TAX ROLLS

Principal Engineer Lydia Ener reviewed special assessments for the Orchard Lane East Area Improvements, which include street and drainage improvements as well as utility improvements. No lighting improvements are proposed. Neighborhood meetings were held on August 3 and October 19, 2023. Lydia reviewed the project funding breakdown, for which special assessments will make up 12.2% of the overall total project funding. She reviewed project costs, assessment rates, and estimated payment amount of \$3,852.00 with an interest rate of 5.5% as well as payment options.

Ms. Ener stated City Staff recommends approval of resolution certifying special assessments for

Improvement Project No. 2024-01, Orchard Lane East Area Improvements to the Hennepin County Tax Roll.

Councilmember Lawrence-Anderson thanked the City for allowing partial payments from residents. She added this is probably more administrative work, but it is very beneficial to many residents to be able to make partial payments.

Councilmember Kragness asked whether there is a minimum amount that must be paid by residents to avoid interest. City Staff stated there is no minimum payment.

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

Motion passed unanimously.

Mr. Ferbers, 7200 Fremont Avenue N, stated the process is very impersonal when the City is asking for such a large amount of money, and very few people showed up to the neighborhood meetings. He requested that City Staff consider contacting residents individually to ensure that they are informed about the process.

Mr. Ferbers asked whether the City gives residents the option to widen their driveway, to accommodate bigger garages and more space for cars.

Councilmember Kragness moved and Councilmember Jerzak seconded to close the Public Hearing.

Motion passed unanimously.

Councilmember Jerzak moved and Councilmember Lawrence-Anderson seconded to adopt RESOLUTION NO. 2023-119 Certifying Special Assessments for Improvement Project No. 2024-01 Orchard Lane East Improvements to the Hennepin County Tax Rolls.

Motion passed unanimously.

8b. RESOLUTIONS APPROVING UTILITY RATES FOR 2024

Ms. Holm reviewed proposed utility rates for 2024, including rate considerations, utility improvement projects including storm drainage, sanitary sewer and water utilities, and 2024 proposed rate changes.

Councilmember Kragness asked how rates are determined, and whether this range is higher than last year. Ms. Holm stated City Staff reviews expenses and percentages during the budget process. She expressed the importance of keeping sufficient reserves in place. Ms. Holm stated the rates are higher as there was no street reconstruction project in 2023.

Councilmember Butler left the Council Chambers.

Councilmember Kragness moved and Councilmember Jerzak seconded to open the Public Hearing.

Motion passed 4-0.

Randy Christiansen stated recycling has been getting more and more expensive, and residents are charged more for it. He added all residents are charged whether they recycle or not. He noted he would support going back to individual recycling.

Councilmember Butler returned to the Council Chambers.

Councilmember Kragness moved and Councilmember Lawrence-Anderson seconded to close the Public Hearing.

Motion passed unanimously.

Mayor Graves moved and Councilmember Lawrence-Anderson seconded to adopt RESOLUTION NO. 2023-120 Adopting 2024 Water Utility Rates, Fees, and Charges.

Councilmember Jerzak voted against the same. Motion passed.

Councilmember Jerzak stated he is voting against the Resolutions because he does not support the increases as residents are struggling to pay for basic needs, and the meter reading process has not been corrected.

Mayor Graves moved and Councilmember Lawrence-Anderson seconded to adopt RESOLUTION NO. 2023-121 Adopting 2024 Sewer Utility Rates, Fees, and Charges.

Councilmember Jerzak voted against the same. Motion passed.

Councilmember Lawrence-Anderson moved and Mayor Graves seconded to adopt RESOLUTION NO. 2023-122 Adopting 2024 Storm Sewer Utility Rates, Fees, and Charges.

Councilmember Jerzak voted against the same. Motion passed.

Mayor Graves moved and Councilmember Lawrence-Anderson seconded to adopt RESOLUTION NO. 2023-123 Adopting 2024 Street Light Rates and Charges.

Councilmember Jerzak voted against the same. Motion passed.

Councilmember Graves moved and Councilmember Butler seconded to adopt RESOLUTION NO. 2023-124 Establishing 2024 Recycling Rates and Charges.

Councilmember Jerzak voted against the same. Motion passed.

9. PLANNING COMMISSION ITEMS

None.

10. COUNCIL CONSIDERATION ITEMS

10a. AN ORDINANCE AMENDING CHAPTER 6 OF THE BROOKLYN CENTER CITY CHARTER

City Attorney Jason Hill stated a City Charter amendment requires a unanimous vote of the entire City Council. He added this is the second reading of the Ordinance. He noted the amendment is recommended by the Charter Commission.

Councilmember Lawrence-Anderson stated the City Charter, adopted in 1966, is very comprehensive, and very few changes have been made over the years. She added this amendment would require that a grant policy must be adopted.

Councilmember Kragness stated the City Charter was adopted before the City had a grant policy.

Councilmember Butler stated she does not support the Ordinance as the City Council should not amend the City's governing document.

Councilmember Jerzak moved and Councilmember Lawrence-Anderson seconded to approve the Second Reading and adopt the Ordinance Amending Chapter 6 of the City Charter regarding Grant Policy.

Councilmember Butler voted against the same. Motion failed.

Dr. Edwards stated the proposed Ordinance would go back to the Charter Commission for review.

10b. RESOLUTION TERMINATING THE AGREEMENT FOR PROFESSIONAL SERVICES WITH NORTH METRO MINNEAPOLIS CONVENTION & VISITORS BUREAU (D.B.A. MINNEAPOLIS NORTHWEST TOURISM)

Jason Aarsvold, Ehlers, reviewed recent history related to the City's agreement with the North Metro Visitors Bureau (NMVB) and options that exist, as well as actions to be taken. Brooklyn Center has a lodging tax of 6%, collected for use on activities that promote the City itself. This is commonly undertaken by a destination marketing organization on behalf of the City, and the NMVB has managed this process for the Brooklyn Center for several decades.

Mr. Aarsvold stated Maple Grove exited the NMVB in 2021, and both Brooklyn Center and Brooklyn Park passed resolutions to leave the organization but remain in partnership with each other. Withdrawal from the NMVB was eventually rescinded. A final agreement was approved in March 2023.

Mr. Aarsvold stated Brooklyn Park terminated its agreement with the NMVB on November 27, 2023, citing a breach of contract. He added Brooklyn Center has the following options: continue under the current agreement or declare a breach of contract and provide notice to the MNTB terminating the agreement with a 9-month notice. He added City Staff recommends terminating the agreement under the 9-month notice provision.

Councilmember Jerzak asked whether it would be legally necessary to form a new entity to manage this process. Mr. Aarsvold stated it is his understanding that City Staff may not be able to undertake these activities. He added State Statute requires that the funds are disbursed to a visitors' or convention bureau.

Mayor Graves asked how Maple Grove handled the situation. Mr. Aarsvold stated Maple Grove created their own organization.

Councilmember Jerzak stated it does not make sense to him to undertake onboarding this type of organization. He added he feels this is not the best use of the funds and he will not support the motion.

Councilmember Lawrence-Anderson stated she concurs and would vote to do nothing at this time. She added that NMVB Board members were present in the audience. She asked whether they could be allowed to speak as there was not ample time for them to speak during the Open Forum. She noted she has been pleased with the NMVB as they have advocated for the City, and it would be difficult to recreate a similar organization. She noted she would like to know if breaches were validated and give the NMVB an opportunity to respond.

Councilmember Kragness stated Brooklyn Center does not have any direct issues with NMVB, and she would be interested to hear how the organization would be able to serve the City and focus on Brooklyn Center.

Brett Hildreth, a volunteer member of the NMVB, stated a recent newspaper article presented opinions and allegations of a breach by Brooklyn Park, but the Board was not given the opportunity to provide input on the issue. He added the dispute is that a portion of the Board members were not satisfied with the NMVB's recent search for a new CEO. He noted the new CEO is committed to the community, has diversified the Board, and brings excellent, relevant experience.

Councilmember Kragness asked what would be done differently if Brooklyn Center remains with NMVB, in terms of opportunities. Mr. Hildreth stated the NMVB would entirely focus their marketing efforts on Brooklyn Center and provide marketing support for local small businesses.

Mayor Graves stated she is on the NMVB Board. She questioned the feasibility of going it alone, and whether that is a good use of the funds. She added the NMVB meetings are very dysfunctional, and she would support giving more control to the cities it represents. She noted the CEO search was not done well as the process was flawed. She noted a meeting is scheduled for December 13, and she would recommend that the City continue with NMVB but with an out in 9 months if needed.

Councilmember Kragness stated a decision is being considered based on what the actions of Brooklyn Park. She added it would be fair to hear the allegations before making a decision.

Mayor Graves stated it feels like a safe move for the City if there is an out in 9 months, which would give the City more options. She stressed the importance of shifting control back to the funders.

Councilmember Jerzak moved and Councilmember Kragness seconded to continue under the current Agreement for Professional Services with North Metro Minneapolis Convention & Visitors Bureau, D/B/A Minneapolis Northwest Tourism.

Mayor Graves voted against the same. The motion passed.

11. COUNCIL REPORT

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

12. ADJOURNMENT

Councilmember Graves moved and Councilmember Butler seconded adjournment of the City Council meeting at 8:33 p.m.

Motion passed unanimously.

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

SPECIAL SESSION
DECEMBER 18, 2023
CITY HALL – COUNCIL CHAMBERS

1. CALL TO ORDER

The Brooklyn Center City Council met in a Special Session called to order by Mayor April Graves at 6:00 p.m.

2. ROLL CALL

Mayor April Graves and Councilmembers Marquita Butler, Kris Lawrence-Anderson, Dan Jerzak, and Teneshia Kragness. Also present were City Manager Reggie Edwards, Assistant City Manager/ City Clerk Barb Suciu, Director of Fiscal & Support Services Angela Holm, Director of Public Works Elizabeth Heyman, Director of Community Development Jesse Anderson, Police Chief Kellace McDaniel, Fire Chief Todd Berg, and Recreation Director Cordell Wiseman.

3. 2024 BUDGET AND LEVY

3a. CONSIDERATION OF THE 2024 BUDGET

City Manager Reggie Edwards introduced the item and shared that staff has put a lot of work into the budget updates. He thanked staff for the commendable work they have done as a team and the sacrifices they have made to reduce the levy. He also thanked the Council for the due diligence that they have done on this as well. He added that a few Councilmembers had contacted him to clarify their concerns, which he found very helpful. He thanked the Finance Commission for their work on this.

Dr. Edwards shared that the purpose of this meeting is to discuss the 2024 adjustments made since the December 4, 2023 meeting. The highlights from the December 4 meeting were to discuss staff and benefits, fleet and vehicle replacements, winter salt and sand, and other frozen positions.

Dr. Edwards explained they had started at an 8.5% levy increase, and it came to the Council at an 8.2% increase. Now they have decreased it to 7.2%. He reviewed the areas where they were able to cut items from the budget, including decreases in some Finance Department salaries, a decrease in the Fire Department dog supplies, a decrease in the Police Department wireless software, a decrease in special events and professional services, a decrease in central supplies, a decrease in Community Development professional services and software, a decrease in recreation salaries and professional services, and a decrease in Public Works replacement charges.

Dr. Edwards noted this list of reductions came through conversations with Directors on how they can decrease the levy and make good choices around the reductions while still providing quality services. He again commended staff for their work on making these reductions.

Dr. Edwards discussed his proposed one-time funding adjustments, including the Minnesota Public Safety Aid and ARPA funds. With the changes made, they reviewed the budget differences from 2023 to 2024, including slight increases in Administration, Police, Fire, and Public Works, with decreases in Finance, OCPHS, Community Development, and Parks and Recreation. Each department also saw an increase in wages of 3%.

Dr. Edwards shared that they have begun to cure the structural imbalance by segregating the grant dollars out of the general fund, making them less susceptible to volatility within these funds. They also began to address items with ongoing costs that may not have ongoing revenue available, which may cause structural problems within the budget. He said they also maintained the current service level. They also invested in Fire Service sustainability, added capacity to Police, and slowed prevention investments. He noted they will return in the years to offset these prevention investments.

Dr. Edwards explained a \$700,000 gap in the structural imbalance they need to address in the coming years. The drivers for this imbalance, which are outside their control, include inflation, wages, vehicle costs, and response strategies. The solutions for balancing this are to reduce expenditures, grow revenues by diversifying the tax base, increase income capacity, reduce the cost of living, and innovate. He shared they will be doing a five-year financial plan as they move into the new year. He noted they will be doing the same in other departments as well.

Director of Fiscal & Support Services Angela Holm reiterated the thanks to all department heads who stepped up to bring this budget down. She discussed the property tax levy and shared that the dollar value difference from 2023 to 2024 was \$1,632,621. She reviewed the adjusted cost of government with the updated numbers and the tax impact on the residents. In a home with the average market value, the average homeowner would see an increase of about \$70 per year in the City portion of their property tax statement.

Councilmember Lawrence-Anderson shared her appreciation for all the hard work that everyone put into this. She noted that she is concerned with the sustainability of the ARPA funds and the public safety money as it is one-time funding. She asked what the 2025 budget would look like without these dollars. Dr. Edwards shared that they know they have to come back to areas that will have some increases in the future. He noted that if they cannot sustain these types of items when it comes time for the City to fund them, they will need to decide on this then.

Councilmember Lawrence-Anderson shared she is also concerned with grants and the new grant policy. She asked if they could help her understand what grant-funded positions they currently have. She added there was also a reduction of 40.24% under the City Clerk and asked where this was coming from. City Clerk Barb Suci shared that in 2023, they did a restructuring, and the customer service person with the City Clerk has now gone over to a different department.

Councilmember Lawrence-Anderson asked about the vacancy of \$400,000. She asked why they would budget for something while anticipating it being vacant. Dr. Edwards explained that they will never have total capacity; however, they have to be funded to fill all positions fully, and if they do not, then this money is available. Ms. Holm reiterated that they budget 100% total capacity on all approved positions; however, they consider that not all positions will be filled every day of the following year. This is a budgeting tool that allows them to capture the savings that they know exist while being careful that they are not keeping these things open.

Councilmember Jerzak noted that a lot of work went into this between Staff, Administration, and Council and acknowledged that this answers their needs and what they felt needed to be reflected in the budget. This budget is uncomfortable for him; however, it has to be done. He noted that the sustainability for 2025 is a concern. The budget does have a lot of good items in it that outweigh the bad. He shared he will vote to accept this budget.

Councilmember Kragness shared that she is very impressed that they were able to decrease the levy by 1%. She acknowledged the staff who worked very hard to get these numbers down. She noted the concern of ensuring that they are closely monitoring their expenses from now on to balance sustainability while promoting growth. She also acknowledged Ms. Holm's sacrifice with the reserve item, which was reduced by \$100,000. She noted that Community Development had decreased, which she understands; however, in the future, they need to be able to invest more into this to grow businesses to offset the levy.

Councilmember Butler echoed the comments of her fellow Councilmembers. She thanked the staff for their hard work decreasing the budget and levy.

Councilmember Lawrence-Anderson asked if the levy could be reduced from 8.2% to 7.2% if the county would send out new tax statements to everyone. Ms. Holm explained they would certify this levy to the county, and the property tax statements would be reissued from there.

Mayor Graves thanked the staff for their hard work on this. She asked what the one full-time position was reduced from the Parks and Recreation budget. Dr. Edwards stated it was the Outreach Manager position. They are maintaining the Outreach Coordinator and have other existing managers who will take up some of the management responsibilities.

Mayor Graves asked how much of a reduction was made to the departments that did not get an increase with the Public Safety Aid. Dr. Edwards explained that when they first got notification from the state about what the Public Safety Aid would be, they met with the departments and allocated the funds amongst them. There was around \$200,000 that they had not yet allocated.

Mayor Graves asked if there was a \$15,000 decrease from all departments and a \$200,000 increase in Police overtime. Dr. Edwards said yes.

Mayor Graves asked about the decrease in the OCPHS funding and if \$690,000 of this decrease

was just a shift to the grant fund, and the actual reduction was only \$75,022. Dr. Edwards said yes. He added that there was also a reduction in engagement for special events. He noted that this year, they are staying at the base number for 2023, and there was no increase while they shifted some of the funds to other areas.

Mayor Graves asked if there was still an investment from the general fund. Dr. Edwards said yes.

Mayor Graves echoed Councilmember Kragness's comments concerning the need to grow economic development. This is one of the most important ways to help balance the budget, as it brings in additional revenue. She shared that she liked the first budget better than the current proposed budget. The services provided on the first budget were worth the additional \$13 per household. She still thinks the staff worked very hard to bring these numbers down. She said moving forward, if there are items people do not like on the front end, they should be discussed and hashed out at the beginning of this process. Mayor Graves said she would continue to support the work in the community that she thinks moves everyone forward innovatively and inclusively. Doing this work collaboratively will make all departments work more effectively, and lifting work that has not been done historically does not mean negating work that has been done.

3b. RESOLUTION NO. 2023-126; APPROVING FINAL TAX CAPACITY LEVIES FOR THE GENERAL FUND AND DEBT SERVICE FUNDS AND A MARKET VALUE TAX LEVY FOR HOUSING AND REDEVELOPMENT AUTHORITY FOR PROPERTY TAXES PAYABLE IN 2024

Councilmember Butler moved and Councilmember Kragness seconded to adopt RESOLUTION NO. 2023-126; Approving Final Tax Capacity Levies for the General Fund and Debt Service Funds and a Market Value Tax Levy for the Housing and Redevelopment Authority for Property Taxes Payable in 2024.

Motion passed unanimously.

3c. RESOLUTION NO. 2023-127; ADOPTING THE 2024 ANNUAL CITY BUDGET

Councilmember Kragness moved, and Councilmember Lawrence-Anderson seconded to adopt RESOLUTION NO. 2023-127; Adopting the 2024 Annual City Budget.

Motion passed unanimously.

3d. RESOLUTION NO. 2023-128; APPROVING THE 2024-2028 CAPITAL IMPROVEMENT PLAN AND ADOPTING THE 2024 CAPITAL PROGRAM

Mayor Graves moved and Councilmember Butler seconded to adopt RESOLUTION NO. 2023-128; Approving the 2024-2028 Capital Improvement Plan and Adopting the 2024 Capital Program.

Motion passed unanimously.

4. ADJOURN

Councilmember Jerzak moved, and Councilmember Butler seconded the adjournment of the City Council special meeting at 6:47 p.m.

Council Regular Meeting

DATE: 1/8/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Barb Suciu, Assistant City Manager/City Clerk

BY: Shannon Pettit, Deputy City Clerk

SUBJECT: Approval of Licenses

Requested Council Action:

- Motion to approve the licenses as presented.

Background:

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

Mechanical

4Front Energy
3230 Gorham Ave, Ste 1, St. Louis Park 55426

Air Knights Heating & Cooling, Inc.
5885 149th St, Ste 101E, Apple Valley 55124

Avid Heating & Cooling
9180 County Road 11, Independence 55359

MK Mechanical Inc.
23996 Olinda Trail N, Scandia 55073

Peak Heating & Cooling
7801 Park Dr., Ste B, Chanhassen 55317

Solid Refrigeration LLC
1125 American Blvd E, Bloomington 55420

SPI Mechanical LLC
1116 Lincoln Street NE, Minneapolis 55413

SR Mechanical
6757 Oxford Street, St. Louis Park 55426

United States Mechanical, Inc.
3526 88th Ave NE, Blaine 55014

Liquor - Intoxicating

BB's Live Fire Grille
2590 Freeway Blvd

Liquor - On-Sale Sunday

BB's Live Fire Grille
2590 Freeway Blvd

Entertainment

BB's Live Fire Grille
2590 Freeway Blvd

Budget Issues:

- None

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Rental Criteria	6/20/2023	Backup Material
Rental Properties	1/2/2024	Backup Material

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

b. Police Service Calls.

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

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

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

Rental Licenses for Council Approval 1.8.24

Location Address	License Subtype	Renewal/Initial	Owner	Property Code Violations	License Type	Police CFS*	Final License Type**	Previous License Type***	Consecutive Type IV's
1331 67th La N	Single	Initial	Matthew Weinacht	7	Type III	N/A	Type III	N/A	N/A
3700 55th Ave N	Single	Initial	James Ayotunde Olatunbosun	9	Type III	N/A	Type III	N/A	N/A
5542 Judy La	Single	Initial	Kao Yang & Mai Yer Xiong	11	Type IV	N/A	Type IV	N/A	0
6301 Grimes Ave N	Single	Initial	Tariq S Hussain Yong Her	1	Type I	N/A	Type III	N/A	N/A
6657 Xerxes Pl N	Single	Initial	Michael Greene & Lydia Logan	15	Type IV	N/A	Type IV	N/A	0
6836 Dupont Ave N	Single	Initial	Dorothy Grande	5	Type II	N/A	Type III	N/A	N/A
1107 57th Ave N	Multiple Family 1 Bldg 4 Units	Renewal	Alexander Irwin Met Requirements	11 = 2.75 per unit	Type III	0	Type III	Type IV	N/A
3401 47th Ave N	Multiple Family 2 Bldgs 22 Units	Renewal	Bmw Holding Llc Et Al Met Requirements	51 = 2.3 per unit	Type III	0	Type III	Type IV	N/A
3513 47th Ave N	Multiple Family 1 Bldg 11 Units	Renewal	6939 Baird Llc	53 = 4.8 per unit	Type IV	0	Type IV	Type IV	2
4806 Twin Lake Ave N	Multiple Family 1 Bldg 3 Units	Renewal	Pheng Lee Met Requirements	7 = 2.3 per unit	Type III	0	Type III	Type III	N/A
5301 Russell Ave N	Multiple Family 2 Bldgs 36 Units	Renewal	Amax Sommerset Llc Met Requirements	41 = 1.14 per unit	Type II	0	Type III	Type IV	N/A
5800 Logan Ave N	Multiple Family 2 Bldgs 22 Units	Renewal	Farnaz Toussi Met Requirements	13 = 0.59 per unit	Type I	0	Type I	Type III	N/A
6221 Shingle Creek Pkwy	Multiple Family 1 Bldg 171 Units	Renewal	The Crest Apartments Llc Met Requirements	67 = 0.39 per unit	Type I	2 2/12/23 Public Disturbance 12/26/23 Public Disturbance	Type I	Type III	N/A
6807 Humboldt Ave N	Multiple Family 3 Bldgs 36 Units	Renewal	Cmcb Llc	320 = 8.89 per unit	Type IV	0	Type IV	Type I	0
2401-03 54th Ave N	Two Family	Renewal	Michael Tulkki	5	Type II	0	Type II	Type II	N/A
4201 Lakeside Ave N, #209	Condo	Renewal	Robert J Morgan	3	Type II	0	Type II	Type I	N/A
4207 Lakeside Ave N, #240	Condo	Renewal	Tommy Conteh Met Requirements	0	Type I	0	Type I	Type IV	N/A
819 Woodbine La	Single	Renewal	Fyr Sfr Borrower Llc	2	Type I	0	Type I	Type II	N/A
1308 68th La N	Single	Renewal	Roth Wagner Llc1	7	Type III	0	Type III	Type I	N/A

1900 Brookview Dr	Single	Renewal	Ih3 Property Minnesota Lp Did not meet requirements	6	Type III	0	Type IV	Type IV	2
2607 65th Ave N	Single	Renewal	Oluwaferanmi Amusan Met Requirements	0	Type I	0	Type I	Type IV	N/A
2618 64th Ave N	Single	Renewal	SFR II BORROWER 2021-3 LLC Met Requirements	0	Type I	0	Type I	Type IV	N/A
3206 63rd Ave N	Single	Renewal	Lam The Nguyen Met Requirements	5	Type II	0	Type II	Type IV	N/A
3301 Lawrence Rd	Single	Renewal	Mnhomes2go Llc Did not meet requirements	33	Type IV	0	Type IV	Type IV	3
3312 65th Ave N	Single	Renewal	Charles Edwin Kaatz	2	Type I	0	Type I	Type I	N/A
3706 55th Ave N	Single	Renewal	Mains'l Properties Llc	0	Type I	0	Type I	Type I	N/A
3807 61st Ave N	Single	Renewal	Ih2 Property Illinois Lp	4	Type II	0	Type II	Type II	N/A
5024 Lilac Dr N	Single	Renewal	Carlos Balibrera Et Al	2	Type I	0	Type I	Type II	NA
5101 Eleanor La	Single	Renewal	Saintpaulproperties Llc	1	Type I	0	Type I	Type II	N/A
5121 France Ave N	Single	Renewal	Ih2 Property Illinois Lp	8	Type III	0	Type III	Type I	N/A
5214 Drew Ave N	Single	Renewal	Chad Tesmer/sharmain Tesmer	1	Type I	0	Type I	Type I	N/A
5322 Irving Ave N	Single	Renewal	Peter Phuong Nguyen Met Requirements	6	Type III	0	Type III	Type IV	N/A
5535 Colfax Ave N	Single	Renewal	Christopher Nicholls Did not meet requirements	4	Type II	0	Type II	Type III	N/A
5548 Logan Ave N	Single	Renewal	Lateef & Risikat Olarinde	0	Type I	0	Type I	Type II	N/A
5900 Washburn Ave N	Single	Renewal	Lance Nordin	3	Type II	0	Type II	Type II	N/A
6224 Scott Ave N	Single	Renewal	AUX Funding LLC Met Requirements	0	Type I	0	Type I	Type III	N/A
6307 Scott Ave N	Single	Renewal	Iasis Vii Llc did not meet requirements	9	Type III	0	Type IV	Type IV	2
6337 June Ave N	Single	Renewal	SFR ACQUISITIONS 2 LLC Met Requirements	8	Type III	0	Type III	Type III	N/A
6406 Indiana Ave N	Single	Renewal	William W Coleman Jr	2	Type I	0	Type I	Type II	N/A

6412 Humboldt Ave N	Single	Renewal	Tou Yang	6	Type III	0	Type III	Type I	N/A
6413 Toledo Ave N	Single	Renewal	SFR ACQUISITIONS 6 LLC	4	Type II	0	Type II	Type II	N/A
6436 Scott Ave N	Single	Renewal	Jane Kungu & Antony Kungu Met Requirements	2	Type I	0	Type I	Type IV	N/A
6501 Brooklyn Dr	Single	Renewal	ADS LLC Did not meet requirements	20	Type IV	0	Type IV	Type IV	5
6536 Chowen Ave N	Single	Renewal	BRIDGE SFR IV BORROWER I LLC	13	Type IV	0	Type IV	Type IV	4
6601 Xerxes Pl N	Single	Renewal	GARY D SCHLOTFELDT REV TRUST	1	Type I	0	Type I	Type II	N/A
6800 Scott Ave N	Single	Renewal	Golden Touch Holdings Met Requirements	11	Type IV	0	Type IV	Type IV	4
6915 Logan Ave N	Single	Renewal	ATV LLC	5	Type II	0	Type II	Type I	N/A
6925 Scott Ave N	Single	Renewal	Hamdi M Omar Did not meet requirements	4	Type II	0	Type IV	Type IV	3
7001 Fremont Ave N	Single	Renewal	Hpa Borrower 2018-1 MI Llc Met Requirements	4	Type II	0	Type II	Type IV	N/A
7136 Halifax Ave N	Single	Renewal	David Lehner Smith Et Al	1	Type I	0	Type I	Type II	N/A
7200 Morgan Ave N	Single	Renewal	Dwayne M Holmstrom	1	Type I	0	Type I	Type I	N/A
7212 Humboldt Ave N	Single	Renewal	Ih2 Property Illinois Lp Met Requirements	2	Type I	0	Type I	Type IV	N/A
7218 Grimes Ave N	Single	Renewal	S Banks & D Banks	1	Type I	0	Type I	Type I	N/A
7225 Major Ave N	Single	Renewal	Iasis Iii, LLC Met Requirements	14	Type IV	0	Type IV	Type IV	2

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

**License type being issued

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

All properties are current on City Utilities and property taxes

Council Regular Meeting

DATE: 1/8/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Barb Suciu, Assistant City Manager/City Clerk

SUBJECT: Resolution Designating Official Newspaper

Requested Council Action:

- *Approve resolution Designating Official Newspaper for 2024*

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 2024. Brooklyn Center Sun-Post meets all necessary requirements of a qualified newspaper under MN Statutes 331A.02, Subd. 1. The rate structure is attached is the quote from East Central Minnesota.

Budget Issues:

Legal publications are a budgeted item.

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	1/3/2024	Backup Material
Newspaper Quotes	1/3/2024	Backup Material

Member introduced the following resolution and moved its adoption:

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 2024.

January 8, 2024
Date

Mayor

ATTEST: _____
City Clerk

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

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



EAST CENTRAL MINNESOTA

November 2, 2023

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 legals is effective January 1, 2024:

First insertion:	\$12.25 per column inch
Subsequent insertions:	\$7.25 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

Council Regular Meeting

DATE: 1/8/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH:

BY: Barb Suciu, Assistant City Manager/City Clerk

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 2024*

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.

- Kris Lawrence-Anderson (first elected November 6, 2012)
- Marquita Butler (first elected November 8, 2016)
- Teneshia Kragness (first elected November 8, 2022)
- Dan Jerzak (first elected November 8, 2022)

Budget Issues:

There are no budget issues to consider.

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
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Res 92-262	1/11/2019	Backup Material
City Charter	1/11/2019	Backup Material
Appointing Mayor Pro Tem	1/4/2024	Resolution Letter

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

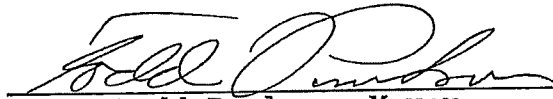
WHEREAS, the City Council desires to provide for an acting president pro tem who shall serve in the absence of the Mayor and president pro tem.

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

Member introduced the following resolution and moved its adoption:

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 2024 the Mayor Pro Tem be Councilmember Kris Lawrence-Anderson and the Acting
Mayor Pro Tem be the most senior councilmember present in accordance with Resolution 92-262.

January 8, 2024
Date

Mayor

ATTEST: _____
City Clerk

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

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

Council Regular Meeting

DATE: 1/8/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Barb Suciu, Assistant City Manager/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	1/3/2024	Backup Material

CITY OF BROOKLYN CENTER

Member introduced the following resolution and moved its adoption:

RESOLUTION NO.

RESOLUTION DECLARING COMMITMENT TO THE
BROOKLYN CENTER CITY CHARTER

WHEREAS, Brooklyn Center voters in 1966 adopted a City Charter creating a Council/Manager form of government; and

WHEREAS, said Charter provides that the City Council shall determine all matters of policy, and the City Manager shall be the head of the administrative branch of the City Government; and

WHEREAS, the Charter provides that there be no separate administrative boards or commissions other than advisory boards or commissions; and

WHEREAS, numerous advisory commissions have served the City since adoption of the Charter; and

WHEREAS, the Charter provides that the City Manager shall control and direct all departments and divisions of the City and shall have the right to take part in Council discussion and shall recommend such measures as deemed necessary; and

WHEREAS, the Charter prohibits Council members from dictating the appointment of any person to office or employment by the City Manager except as provided in Chapter 6 of this Charter; and

WHEREAS, the Charter requires the Council to deal with and control the administrative service solely through the City Manager and prohibits any Council member from giving orders to any subordinate of the City Manager, either publicly or privately; and

WHEREAS, the City Manager is charged by the Charter to see that the City Charter and the laws and resolutions of the City are enforced; and

WHEREAS, the Council as a whole also has an obligation to ensure that its business is conducted pursuant to the City Charter and the norms of acceptable and courteous business behavior; and

WHEREAS, Council members must depend upon the City Manager and staff to provide them with a great amount of background information, data, and expertise to aid in deliberating issues, developing policy, and administering the Council's responsibilities; and

RESOLUTION NO. _____

WHEREAS, the effectiveness of the services provided by the staff is in large part determined by a relationship of trust and mutual respect between the staff and the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council:

1. To rededicate itself to the spirit and letter of the City Charter and to commit itself to ensuring compliance by the City Council collectively and individually with that spirit and letter of the City Charter.
2. To rededicate itself to the checks and balances of the City Charter that keep City government accountable.
3. To pledge that in its dealings with citizens and City staff, that the City Council will treat such citizens and staff with respect and courtesy. The Council shall deal with staff in accordance with the City Charter through the City Manager.
4. To discharge its responsibilities as intended and established by federal, state, and local laws and the City Charter, and to do so in a fair and impartial manner for the good of the whole City and without regard for personal gain or interests.
5. To direct the City Manager to place this resolution for re-adoption on the agenda for the first meeting of the City Council each January hereafter, as information and reminder of Council/Manager responsibilities.

January 8, 2024

Date

Mayor

ATTEST: _____

City Clerk

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

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 1/8/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Barb Suciu, Assistant City Manager/City Clerk

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	1/3/2024	Backup Material

CITY OF BROOKLYN CENTER

Member introduced the following resolution and moved its adoption:

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 (Syttende 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 8, 2024
Date

Mayor

ATTEST:_____
City Clerk

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

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

Council Regular Meeting

DATE: 1/8/2024

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 2024

Requested Council Action:

- *Motion to approve a resolution designating depositories of City funds for the 2024 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	Upload Date	Type
Resolution	1/4/2024	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

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

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.

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

Wells Fargo Merchant Services

Fidelity Payment Services

Paya Payment Services

PayTrac Payment Services

GolfNOW Payment Services

RESOLUTION NO. _____

4. Principal Custody Solutions 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 8, 2024
Date

Mayor

ATTEST: _____
City Clerk

Moved:

Seconded:

Favor:

Against:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 1/8/2024

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 2024

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 2024 budget anticipates leaving the no waiver option in place for 2024 and has anticipated insurance premiums based on that no waiver option.

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Resolution	1/2/2024	Resolution Letter

CITY OF BROOKLYN CENTER

Member introduced the following resolution and moved its adoption:

RESOLUTION NO.

RESOLUTION OPTING NOT TO WAIVE LIMITED TORT LIABILITY FOR 2024

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 2024 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 2024.

January 8, 2024

Date

Mayor

ATTEST: _____

City Clerk

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

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 1/8/2024

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:

- None

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Resolution	1/2/2024	Resolution Letter

CITY OF BROOKLYN CENTER

Member introduced the following resolution and moved its adoption:

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 8, 2024
Date

Mayor

ATTEST: _____
City Clerk

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

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 1/8/2024

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 2024

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 years appointments are as follows:

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

Budget Issues:

None

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description

Resolution of Appointments

Upload Date

1/4/2024

Type

Resolution Letter

CITY OF BROOKLYN CENTER

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 2024

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
Brooklyns Youth Council	April Graves
Crime Prevention Program	Teneshia Kragness
League of Minnesota Cities	April Graves
Metro Cities	Kris Lawrence-Anderson
252 Project Advisory Committee	Dan Jerzak

January 8, 2024

Date

Mayor

ATTEST: _____
City Clerk

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

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 1/8/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Barb Suciu, Assistant City Manager/City Clerk

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.

Budget Issues:

There are no budget issues to consider.

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

Strategic Priorities and Values:

Enhanced Community Image, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Resolution of BC Reps to JPO's	1/4/2024	Resolution Letter

CITY OF BROOKLYN CENTER

Member introduced the following resolution and moved its adoption:

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 TOURISM 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 Tourism, Director	April Graves
Minneapolis Northwest Tourism, Director	Cordell Wiseman
Minneapolis Northwest Tourism, Alternate Director	Jesse Anderson
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 8, 2024

Date

Mayor

ATTEST: _____

City Clerk

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

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

Council Regular Meeting

DATE: 1/8/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Liz Heyman Public Works Director

BY: Cynthia Majors, Public Works Admin Assistant

SUBJECT: Resolution Declaring a Public Nuisance and Ordering the Removal of Diseased Trees at Certain Properties in Brooklyn Center, Minnesota

Requested Council Action:

- Motion to approve a resolution declaring a public nuisance and ordering the removal of diseased trees at certain properties as listed in the resolution

Background:

The attached resolution represents the official City Council action required to expedite removal of diseased trees that were recently marked by the City Tree Inspector. The City has maintained a policy of removing and properly disposing of diseased trees in order to prevent tree diseases from spreading throughout the community. The removal of diseased trees is defined in City Ordinance Chapter 20-301 to 20-306. Although the City has historically focused on Dutch Elm disease, other transmissible diseases and infestations are addressed as well.

Property owners are given the opportunity to remove the diseased tree on their own or enter into an agreement to allow the City to remove the diseased tree. Where an agreement with the property owner is executed, a minimal administrative charge of \$50 is applied to the costs associated with the tree removal.

After a diseased tree is declared a public nuisance by the City Council, another Compliance Notice will be provided to the property owner allowing additional time, at least five (5) days, for voluntary correction, again providing an option for an agreement with the City. If the property owner does not correct the violation or enter into an agreement, the City will remove the diseased tree. An administrative abatement service charge will be imposed based on the cost of the abatement, with a minimum charge of \$150.

Budget Issues:

The City's share of the cost of removal for diseased trees within the public right-of-way and on City property is included in the 2024 budget under the Public Works Forestry operating budget. The cost of removal for diseased trees located on private property is the responsibility of the respective property owner, and if unpaid, is specially assessed to the property.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Diseased Tree Resolution	12/7/2023	Cover Memo

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING A PUBLIC NUISANCE AND ORDERING THE
REMOVAL OF DISEASED TREES AT CERTAIN PROPERTIES IN
BROOKLYN CENTER, MINNESOTA

WHEREAS, Brooklyn Center City Code Section 20-301 declares any diseased tree a public nuisance and provides for abatement by the City if not corrected by the property owner; and;

WHEREAS, removal of diseased trees and abatement of the public nuisances is necessary to prevent the spread of tree diseases and to protect the environmental quality and desirability of neighborhoods; and

WHEREAS, a Notice to Abate Nuisance and a Diseased Tree Removal Agreement has been issued to the owners of certain properties in the City allowing the owners twenty (20) days to remove diseased trees on the owners' property; and

WHEREAS, the City can expedite the removal of these diseased trees by declaring them a public nuisance.

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

1. The diseased tree at the following address is hereby declared to be a public nuisance.

Property Address	Tree Type	Tree Number
2200 Freeway Blvd	Ash	16-54

2. After twenty (20) days from the date of the initial notice, the property owner(s) will receive a second written notice providing five (5) business days in which to contest the determination of the City Council by requesting, in writing, a hearing. Said request shall be filed with the City Clerk.
 3. After five (5) days, if the property owner fails to request a hearing, the tree(s) shall be removed by the City. The cost of abatement shall be recorded and become the personal responsibility of the owner of record. If unpaid, the costs shall be specially assessed to the property in accordance with City codes and Minnesota Statutes Chapter 429.
-
-

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: 1/8/2024

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 Fire Relief Association Board of Trustees

Requested Council Action:

- Motion to approve a resolution appointing municipal trustees to the Brooklyn Center Firefighters Relief Association Board of Trustees

Background:

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. 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.

Elected Municipal Official,

April Graves

Elected or Appointed Municipal Official,

Angie Holm

Fire Chief,

Todd Berg

Budget Issues:

None

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Resolution	1/2/2024	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 2024:

Elected Municipal Official

April Graves

Elected or Appointed Municipal Official

Angie Holm

Fire Chief

Todd Berg

January 08, 2024

Date

Mayor

ATTEST: _____
City Clerk

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

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 1/8/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Todd Berg - Fire Chief

SUBJECT: Resolution Requesting Approval for Three (3) New Fire Trucks Purchase

Requested Council Action:

- Motion to approve a Contract for the purchase of three (3) fire trucks from Fire Safety USA.

Background:

The fire department is requesting to purchase three new fire engines to replace four current fire trucks. These new trucks will replace Engines 2 (22 years old), 5 (8 years old), 6 (17 years old), which are all nearing the end of their expected life. Engine 5 was a demo truck when purchased and is used by the duty crew and has over 80,000 miles on it and has been in a major accident. Engine 5 will have some resale value when the new trucks arrive where as the other two will have little to no value (less than \$15,000) We are also proposing to sell Ladder 4 which has a current value of around \$400,000 and is 17 years old. These new trucks would be very similar and able to rotate for the duty crew truck to spread the wear and tear on all three and would wrap up replacements for the fleet of fire trucks for many years to come. Therefore, the replacement of these trucks would be pivotal to the safety and welfare of our citizens of Brooklyn Center.

The fire department has strategically suggested these vehicle replacements based on the need of the community and the department's safety and a savings of \$80,000 – 100,000 per engine ahead of the new 2026 emission changes. We met with 3 different vendors and have spent numerous hours researching the best value and safety features. The Fire Chief, Fleet Manager and Finance Director have met numerous times and recommends to proceed with Fire Safety USA, of Rochester, MN through the Sourcewell purchasing consortium.

BIDS:

Fire Safety, USA – 2,879,985

Custom Fire - \$2,977,961

McQueen Emergency - \$2,982,000

Budget Issues:

Budget Issues:

These replacements have been a part of the fire department's budget since 2002. Equipment replacement funds have been transferred from the General fund to the Capital Replacement fund in anticipation of future replacement. Our intention is to make a \$500,000 down payment that will earn 4% interest until delivery, and the remaining due upon delivery. We also have the opportunity to make additional payments throughout the 28 months for additional savings. At time of delivery equipment certificates will be

purchased to make the final payment.

Most truck builders are between 20 - 40 months out from final delivery because of chassis shortages at the factories. Fire Safety USA has a 28 month build time therefore the trucks should arrive in March of 2026.

By approving the contract before the end of January 2024 we will save a 5% price hike on 2/1/2024 and an emission change in 2026 which would mean a savings of ~ \$130,000 each truck.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Resolution	1/2/2024	Resolution Letter

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION REQUESTING APPROVAL FOR THREE (3) NEW FIRE TRUCKS PURCHASE

WHEREAS, Fire trucks serve as a valuable life safety tool in protecting the community of Brooklyn Center; and

WHEREAS, Brooklyn Center Fire needs to replace a 2002 Pierce Fire Engine, a 2006 Pierce Fire Engine and a 2014 Pierce Fire Engine; and

WHEREAS, After researching and meeting with 3 vendors since July 2023. The committee has put forth a recommendation that the City Manager sign a purchase agreement for Three new E1 fire trucks; and

WHEREAS, The purchase order is received through the Sourcewell purchasing group. Many fire trucks throughout the county are purchased through this cooperative of which the City is a member; and

WHEREAS, The purchase agreement for the three new fire trucks is \$2,879,985, with the prepayment discounts outlined in the memo the final price would be \$2,335,985; and

WHEREAS, The City will pay the entire discounted amount from our Capital Replacement Fund and equipment certificates; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, authorize the purchase of three new E1 fire engines from Fire Safety USA in the amount of 2,879,985 and authorize the appropriate City officials to execute the purchase order.

January 8, 2024

Date

Mayor

ATTEST: _____
City Clerk

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

RESOLUTION NO. _____

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 1/8/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH:

BY: Jesse Anderson, Community Development Director

SUBJECT: Resolutions Approving the Special Legislation for a Local Option Sales Tax and Approving the Language for the Ballot Referendum for the Community Center Renovation and Expansion

Requested Council Action:

-Motion to approve a resolution of the City of Brooklyn Center Approving Minnesota Laws, 2023, Chapter 64, Article 10, Section 28

-Motion to approve a resolution of the City of Brooklyn Center relating to the imposition of a sales and use tax and the issuance of bonds to financing the renovation and expansion of the Brooklyn Center Community Center and calling a special election thereon.

Background:

The proposed resolutions for consideration are for the approval of special legislation allowing the City to impose a one-half percent sale and use tax and approval of the language for the related ballot referendum for November 2024. This action will allow the voters to decide on the Local Option Sales Tax that will support the Community Center renovation and expansion.

In 2022 and 2023, the City Council determined a local sales tax should provide one component of the funding for an expansion of the Community Center.

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.

The City Council voted to support a local sales tax for the expanded and renovated community center by resolution in January of 2023.

In Spring of 2023, Brooklyn Center secured \$5.1M from the State of Minnesota for this renovation, which requires a 1-to-1 match. The City also secured the legislative authority to pursue funding for the remaining cost through a Local Option Sales Tax. The revenue from the sales tax does qualify as a match for the \$5.1 million.

Local Option Sales Tax:

The local option sales tax would add .5% to taxable retail sales in Brooklyn Center. The tax would only apply

to sales that are currently subject to a sales tax. In Minnesota, many essential items are excluded from sales tax such as food, clothing, and medical care (among others). Motor vehicle sales are also expressly excluded from a local option sales tax by state legislation.

It is anticipated that the annual revenue from a local options sales tax would be between \$2.5 and \$2.9 million. The special legislation authorizes expenditures up to \$44 million or 20 years, whichever comes first. Based on current projections, it is anticipated that the revenue would net approximately \$32 million for the community center project. This assumes the City issues debt supported by future sales tax revenues, using a portion of the revenues to support bonding costs and interest over the term of the bonds. This estimate may vary with changes in interest rates and actual sales tax collections when the project is financed.

The alternative to a sales tax would be debt supported 100% with a property tax levy on Brooklyn Center residents. With a median priced home valued at \$264,800, the cost of a tax levy would be approximately \$212 per year. With the local option sales tax as a funding source, it would be anticipated that an average income person in Brooklyn Center making between \$46,142 and \$71,065 would be paying approximately \$46 annually.

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. The total percentage revenue funding paid by non-residents would be approximately 49% (*this includes both state bonding and the local option sales tax*).

Project Summary:

Based on the secured State funds and the projections for revenue from the Local Option Sales Tax, we anticipate a project budget of \$37.5M. This Fall, we worked with Perkins & Will, Hunden Strategic Partners, Ehlers, and Element Commercial Real Estate to right-size the concept plan for this budget, prioritizing community goals and operational opportunities.

The updated estimated project would be 96,031 square foot project. The project cost assumes a construction cost of \$27.2 million, \$7.2 million in development costs and a \$3.1 million contingency. Approximately 2 million near term maintenance updates are also included in the construction budget.

Project Cost Estimate Assumptions

- Cost opinion assumes midpoint of construction in Q1 2026
- Construction estimate assumes average annual rate of escalation of 6%
- Construction Costs include contractor General Conditions, Overhead, and Profit.
- Cost opinion excludes abatement of contaminated soils and hazardous materials
- Project Development Costs include the following:
 - State of Minnesota Pre-Design Design & Engineering Fees
 - Full Design and Engineering Fees
 - Fixtures, Furnishings & Equipment Cost Assumptions
 - Site & Building Testing/Reports (Survey, Geotech, Environmental, traffic, testing & inspections)
 - Development Expenses (Consultants, utility fees, permits & other soft costs)
 - Owner contingency of approximately 10%

Projected Operational Benefits

The City engaged with Hunden Strategic Partners to create a preliminary operational cost model:

- The analysis shows that an improved BCCC could improve the financial operations of the community center by approximately \$100,000 per year
- The project will also address a significant portion of the near-term capital replacement projects planned for the building

Next Steps

Approve Local Option Sales Tax Referendum language

- Begin Public Engagement to inform community about proposed project and LOST vote
- Initiate due diligence work on the site (site survey, geotechnical) studies
- Commence design work to complete State Pre-Design Services Checklist (required first step for State budget approval)
- Obtain detailed cost estimate for project prior to referendum vote

Budget Issues:

Inclusive Community Engagement:

The community would 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
Resolution Approving Legislation	1/3/2024	Resolution Letter
Resolution Approving Ballot Referendum	1/3/2024	Resolution Letter
Capital Improvements Covered by Project	12/29/2023	Backup Material
Project Sources and Uses	12/29/2023	Backup Material
Presentation	1/9/2024	Presentation

CITY OF BROOKLYN CENTER

Member introduced the following
resolution and moved its adoption:

RESOLUTION NO. 2023-____

RESOLUTION OF THE CITY OF BROOKLYN CENTER APPROVING
MINNESOTA LAWS, 2023,
CHAPTER 64, ARTICLE 10, SECTION 28

WHEREAS, Minnesota Statutes, Section 297A.99 (the “Local Tax Act”), provides the City of Brooklyn Center (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 of Minnesota (the “State”) Legislature (the “Legislature”) approves the local sales tax through the creation of a special law; and

WHEREAS, the 2023 session of the Legislature passed, and the Governor signed, Minnesota Laws, 2023, Chapter 64, Article 10, Section 28 (the “Special Law”) which authorizes the City of Brooklyn Center to, among other things, impose by ordinance a sales and use tax of one-half percent; and

WHEREAS, the Special Law requires local approval in accordance with Minnesota Statutes, section 645.021, subd. 2, and the Special Law is effective upon approval by a majority vote of the governing body of the City and the filing of a certificate, including a copy of this resolution, in the form prescribed by the Minnesota Attorney General with the Minnesota Secretary of State, as set forth in Exhibit A; and

WHEREAS, the City Council of the City determines that it is in the best interests of the City and its residents to approve the Special Law and desires the Special Law to become effective.

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

1. The Special Law is hereby approved.
2. The City Clerk, as the chief clerical officer of the City, is hereby authorized and directed to file the certificate attached hereto as Exhibit A and a copy of this resolution, as approved, with the Minnesota Secretary of State as required by Minnesota Statutes, section 645.021, subdivision 3.
3. City staff are authorized and directed to take any additional action necessary to implement the Special Law.

RESOLUTION NO. _____

January 8, 2024
Date

Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member
and upon vote being taken thereon, the following voted in favor thereof:
and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

EXHIBIT A

Certificate of Approval

(attached hereto)

**CERTIFICATE OF APPROVAL OF SPECIAL LAW
BY GOVERNING BODY**

(Pursuant to Minnesota Statutes, 645.02 and 645.021)

STATE OF MINNESOTA

County of Hennepin

TO THE SECRETARY OF STATE OF MINNESOTA:

PLEASE TAKE NOTICE, That the undersigned chief clerical officer of the

City of Brooklyn Center

DOES HEREBY CERTIFY, that in compliance with the provisions of Laws, 2023,

Chapter 64, Article 10, Section 28 requiring approval by a majority* of the governing body of said local

governmental unit before it becomes effective, the City of Brooklyn Center
(designate governing body)

at a meeting duly held on the 8 day of January 2024, by resolution _____

did approve said Laws, 2023, Chapter 64, Article 10, Section 28

by a _____ majority vote* of all of the members thereof (Ayes _____; Noes _____;

Absent or not voting _____) and the following additional steps, if any required by statute

or charter were taken:

A copy of the resolution is hereto annexed and made a part of this certificate by reference.

Signed: _____

(Print Name)

(Official designation of officer)

(This form prescribed by the Attorney General and furnished by the Secretary of State as required in Minnesota Statutes 645.021.)

*If extraordinary majority is required by the special law, insert fraction or percentage here.

Please see reverse side for instructions for completing this form.

S:\ELECT\ELECT\OPEN\APPT\CERTIFICATE OF APPROVAL OF SPECIAL LAW.doc

INSTRUCTIONS

- Include the chapter number in the *Laws of Minnesota* that is to be approved on the Certificate of Approval form **and** in the resolution that approves the special law.
- Return the completed **originally signed** Certificate of Approval form **with a photo copy** of the resolution that approved the special law to:

Official Documents
Secretary of State
180 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd
St Paul, MN 55155-1299

- If you have any questions please contact the official documents team at official.documents@state.mn.us or call **651-556-0643**.

CITY OF BROOKLYN CENTER

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. 2023 -

A RESOLUTION OF THE CITY OF BROOKLYN CENTER RELATING TO THE IMPOSITION OF A SALES AND USE TAX AND THE ISSUANCE OF BONDS TO FINANCE THE RENOVATION AND EXPANSION OF THE BROOKLYN CENTER COMMUNITY CENTER AND CALLING A SPECIAL ELECTION THEREON

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 of Minnesota (the “State”) Legislature (the “Legislature”) approves the local sales tax through the creation of a special law; and

WHEREAS, the Legislature passed and the Governor of the State signed, Minnesota Laws 2023, Chapter 64, Article 10, Section 28 (the “Special Law”) which authorizes the City to, among other things, impose a sales and use tax of one-half of one percent; and

WHEREAS, the Special Law is effective upon approval by a majority vote of the City Council of the City (the “Council”) and the filing of a certificate with the Secretary of State, all in accordance with Minnesota Statutes, Section 645.021, subdivisions 2 and 3, and the Council approved the Special Law on this day by separate resolution.

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

1. Subject to the filing of a certificate with the Secretary of State accepting the Special Law, the Council proposes to submit to electors the question of whether to impose a local sales and use tax of one-half of one percent (the “Taxes”) on items that are taxable by the State in order to raise revenues to finance the renovation and expansion of the City’s Community Center, located at 6301 Shingle Creek Parkway in the City (the “Community Center”).

The question of imposing the Taxes shall be submitted to the qualified electors of the City as a city ballot question as shown in **Exhibit A** attached hereto.

2. The Taxes are proposed to be collected for approximately 20 years or until an amount equal to approximately \$44,000,000, plus the interest and issuance costs of any bonds is collected, in accordance with the Special Law.

3. The Council finds that it is in the best interest of the health, welfare, and safety of the City and its residents and that it is necessary and expedient to the sound financial management of the affairs of the City that the renovation and expansion of the Community Center 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 (the “Bond Act”), in one or

RESOLUTION NO. _____

in an aggregate principal amount not to exceed \$44,000,000 plus an amount equal to the costs of the issuance of said bonds (the “Bonds”).

4. The question set forth in **Exhibit A** shall be submitted to the qualified electors of the City at a special election which is hereby called and directed to be held in conjunction with the general election on Tuesday, November 5, 2024.

5. Pursuant to Minnesota Statutes, Section 204D.24, the precincts and polling places for this special election are those precincts which have been established by the City for its municipal elections. The voting hours at those polling places shall be the same as those for municipal general elections.

6. The City Clerk is directed to cause a sample ballot in substantially the form attached as **Exhibit A** and a notice of election in substantially the form attached as **Exhibit B** to be posted, published, printed and delivered as required by law.

7. The City Clerk is authorized and directed to acquire and distribute such election materials and to take such other actions as may be necessary for the proper conduct of this special election and generally to cooperate with election authorities conducting other elections on that date. The City Clerk is authorized and directed to take such actions as may be necessary to coordinate this election with those other elections, including entering into agreements with appropriate county officials regarding preparation and distribution of ballots or ballot cards, election administration, and cost sharing.

9. Election judges shall be appointed for this special election shall be the election judges appointed for the city general election. The election judges shall act as clerks of election, count the ballots cast, and submit the results to the Council for canvass in the manner provided for other City elections.

10. The special election shall be held and the returns made and canvassed in the manner prescribed by law, and the Council shall meet on November 12, 2024 (a date between three and ten days after the election) for the purpose of canvassing the results thereof.

January 8, 2024

Date

Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member
and upon vote being taken thereon, the following voted in favor thereof:
and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

EXHIBIT A

CITY BALLOT QUESTION

**CITY OF BROOKLYN CENTER
STATE OF MINNESOTA**

November 5, 2024

To vote for a question, fill in the oval next to the word “YES” for that question.
To vote against a question, fill in the oval next to the word “NO” for that question.

CITY BALLOT QUESTION

SALES AND USE TAX FOR COMMUNITY CENTER IMPROVEMENTS

Shall the City of Brooklyn Center be authorized to impose a temporary sales and use tax to finance all or a portion of the costs to renovate and expand the Brooklyn Center Community Center in an amount equal to one-half of one percent (0.50%) for up to 20 years or until \$44,000,000, plus interest and the cost of issuing any bonds, is collected? By voting “yes” to this question you are voting to increase the sales tax in Brooklyn Center to pay for improvements to the Community Center that include without limitation any or all of the following: multi-court gyms, teen area, indoor walking track, community gathering spaces, indoor children’s play area and the renovation of the existing Community Center.

☐ YES

☐ NO

EXHIBIT B

NOTICE OF SPECIAL ELECTION

**CITY OF BROOKLYN CENTER
STATE OF MINNESOTA
SPECIAL ELECTION**

November 5, 2024

NOTICE IS HEREBY GIVEN that a special election has been called and will be held in conjunction with the state general election in the City of Brooklyn Center, Minnesota (the “City”), on Tuesday, November 5, 2024, between the hours of 7:00 a.m. and 8:00 p.m. to vote on the following question:

**CITY BALLOT QUESTION
SALES AND USE TAX FOR COMMUNITY CENTER IMPROVEMENTS**

Shall the City of Brooklyn Center be authorized to impose a temporary sales and use tax to finance all or a portion of the costs to renovate and expand the Brooklyn Center Community Center in an amount equal to one-half of one percent (0.50%) for up to 20 years or until \$44,000,000, plus interest and the cost of issuing any bonds, is collected? By voting “yes” to this question you are voting to increase the sales tax in Brooklyn Center to pay for improvements to the Community Center that include without limitation any or all of the following: multi-court gyms, teen area, indoor walking track, community gathering spaces, indoor children’s play area and the renovation of the existing Community Center?

☐ YES

☐ NO

The precincts and polling places for this special election are those precincts which have been established by the City for state general elections. These polling places are as follows:

[INSERT POLLING LOCATIONS]

Any eligible voter residing in the City may vote at said election at the polling place designated above. The polls for said election will be open between 7:00 a.m. and 8:00 p.m. on the date of said election.

A voter must be registered to vote to be eligible to vote in this election. An unregistered individual may register to vote at the polling places on election day.

Dated: _____, 2024

BY ORDER OF THE CITY COUNCIL

/s/ _____

City Clerk

STATE OF MINNESOTA)
) SS
COUNTY OF HENNEPIN)

I, the undersigned, being the duly qualified and acting City Clerk of the City of Brooklyn Center, Minnesota (the “City”), hereby certify that the attached and foregoing is a full, true, and correct transcript of the minutes of a meeting of the City Council of said City duly called and held on the date therein indicated, so far as such minutes relate to the calling of an election on (i) the imposition of a sales and use tax to finance the renovation and expansion of the City’s Community Center, and (ii) the issuance of general obligation bonds therefor, and that the resolution included therein is a full, true, and correct copy of the original thereof.

WITNESS MY HAND officially as such City Clerk this ____ day of _____,
2024.

City Clerk
City of Brooklyn Center
State of Minnesota

Brooklyn Center Community Center: Capital Improvements Covered by Project

December 27, 2023

Items identified in the Community Center KA FCA
Dashboard that will be either covered by the
renovation/addition or budgeted for in the project
construction budget:

	Estimated Replacement Year	Estimated Cost	Covered in renovation/addition	Held in renovation budget
Electric Switch Gear	2024	\$ 156,250	\$ 156,250	
Locker Rooms	2024	\$ 49,531	\$ 49,531	
HVAC	2024	\$ 318,750	\$ 113,750	\$ 51,250
Windows and exterior cladding	2024	\$ 404,844		\$ 404,844
Roofs	2025	\$ 1,033,813		\$ 1,033,813
Parking Lot (Mill & Overlay)	2024	\$ 331,723	\$ 331,723	
Concrete paving & walks	2024	\$ 54,415	\$ 54,415	
Elevator & Sump Pump Replacement	2032	\$ 190,000		\$ 190,000
TOTAL		\$ 2,539,326	\$ 705,669	\$ 1,679,907

Brooklyn Center Community Center	13.61%	0.00%	0%
Project Sources & Uses			
December 27, 2023	COMMITTED	SPENT TO DATE	CONSTRUCTION

Development Budget/Proforma 2021-08-03
 Copyright © 2023 Element Commercial Real Estate
 blue tables/sections are editable.
 purple sections are automatically calculated.

Building	Type	SF	Lot Size	%
Addition	New construction	56,781 SF		58.60%
Renovation	Renovation	5,077 SF		5.24%
Existing	Existing Structure	35,031 SF	1,204,678 SF	36.16%
				0.00%
Total		96,889 SF	1,204,678 SF	100.00%

SOURCES	Goal	Committed	%
Government	\$ 5,100,000	\$ 5,100,000.00	100.00%
LOST Debt	\$ 32,400,000	\$ -	0.00%
TOTAL SOURCES	\$ 37,500,000	\$ 5,100,000.00	13.60%

USES	COSTS	PSF	%
HARD COSTS			
Shell Construction	\$ 25,700,000	\$265.25	68.53%
Sitework	\$ 1,500,000	\$15.48	4.00%
Total Hard (Construction) Costs	\$ 27,200,000	\$280.73	72.53%
SOFT COSTS			
Legal/Survey	\$ 47,000	\$0.49	0.13%
Environmental Remediation	\$ 80,000	\$0.83	0.21%
Government Permits/Fees	\$ 269,000	\$2.78	0.72%
Architectural/Engineering	\$ 2,504,000	\$25.84	6.68%
Third Party Consultants	\$ 256,000	\$2.64	0.68%
Furnishings, Fixtures & Equipment	\$ 1,405,000	\$14.50	3.75%
Start Up/Misc Soft Costs	\$ 750,000	\$7.74	2.00%
Bond Financing Fees	\$ 400,000	\$4.13	1.07%
Owner Rep Fee	4.00% \$ 1,424,000	\$14.70	3.80%
Subtotal Soft Costs	\$ 7,135,000	\$73.64	19.03%
PROGRAM & PROJECT MANAGEMENT			
Education Materials/LOST Engagement	\$ 65,000	\$0.67	0.17%
Subtotal Program & Project Mgmt Costs	\$ 65,000	\$0.67	0.17%
Total Project Development Costs	\$ 7,200,000	\$74.31	19.20%
Contingency	10.00% \$ 3,100,000	\$32.00	8.27%
Total Development Costs	\$ 37,500,000	\$387.04	100.00%
TOTAL USES	\$ 37,500,000	\$387.04	100.00%

Restricted Sources		
DEED	LOST	
\$ 5,100,000	\$ 20,600,000	
\$ -	\$ 1,500,000	\$ -
\$ 5,100,000	\$ 22,100,000	\$ -
\$ -	\$ 47,000	\$ -
\$ -	\$ 80,000	\$ -
\$ -	\$ 269,000	\$ -
\$ -	\$ 2,504,000	\$ -
\$ -	\$ 256,000	\$ -
\$ -	\$ 1,405,000	\$ -
\$ -	\$ 750,000	\$ -
\$ -	\$ 400,000	\$ -
\$ -	\$ 1,424,000	\$ -
\$ -	\$ 7,135,000	\$ -
	\$ 65,000	\$ -
\$ -	\$ 65,000	\$ -
\$ -	\$ 7,200,000	
\$ -	\$ 3,100,000	
\$ 5,100,000	\$ 32,400,000	\$ -
\$ 5,100,000	\$ 32,400,000	\$ -



Brooklyn Center Community Center

Perkins&Will

hunden
strategic
partners

EHLERS
PUBLIC FINANCE ADVISORS

Element
Commercial Real Estate



Overview

In 2021, Brooklyn Center residents voiced a desire to improve our Community Center, adding new spaces and updating amenities so it better meets the needs of Brooklyn Center families, youth, and adults.

In Spring of 2023, we secured \$5.1M from the State of Minnesota for this renovation, which requires a 1-to-1 match. We also secured the opportunity to pursue funding for the remaining cost through a Local Option Sales Tax.

Based on the secured State funds and the projections for revenue from the LOST bond, we anticipate a project budget of \$37.5M. This Fall, we worked with Perkins&Will, Hunden Strategic Partners, Ehlers, and Element Commercial Real Estate to right-size the concept plan for this budget, prioritizing community goals and operational opportunities.

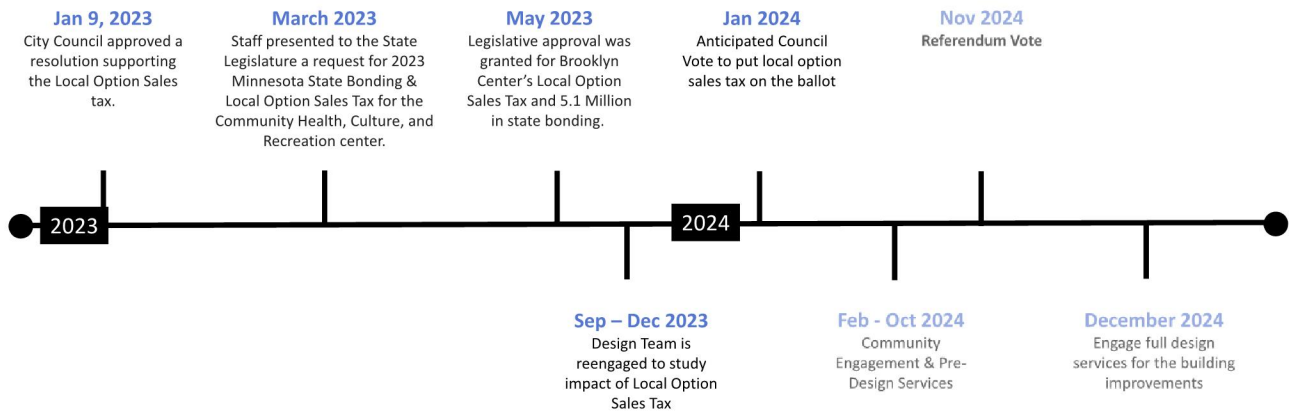
Today we are seeking your approval of a ballot referendum for November 2024 that will let the voters decide on the Local Option Sales Tax that will support the Community Center renovation.

The Process

Timeline/Process



Timeline/Process



Team

City of Brooklyn Center

- Cordell Wiseman – Director of Parks and Recreation
- Carissa Goebel – Deputy Director of Parks and Recreation
- Liz Heyman – Public Works Director
- Jesse Anderson – Community Development Director

Perkins&Will, Concept Design

- Brent Ross

Element Commercial Real Estate, Project Management

- JoAnna Hicks
- Kristen Murray

Hunden Strategic Partners, Operational Modeling

- Matthew Avila

Ehlers Public Finance Advisors, LOST Modeling

- Jason Aarsvold

Brooklyn Center is engaged ➡

Engagement Strategies

- Social Media
- Online Platform
- Pop-ups
- Flyers
- Posters
- Email blasts
- Neighborhood visits
- Surveys

Engaging Brooklyn Center

- 630 pop-up events
- 200 Phase 01 survey responses
- 48 Phase 02 survey responses
- 600+ email touch-points
- 2500+ social media interactions
- 20+ Focus Group participants
- 12+ Strategic Partnership participants and growing...



Top Recommendations



Entertainment

Event center (for arts, musicians, talent, poetry)
Maker Space, Game Room/eSports
 Party hall
 Art center
 Movie room/vintage or artsy movie nights
 Game Room
 All ages game room night
 Music studio



Physical Activity

Basketball courts
Volleyball courts
 Indoor track
 Obstacle course
 Badminton
 Rock climbing wall
 Trampoline
 Expand workout area new equipment
 More Yoga
 More class variety (exercise and seniors)



Education

Learning Center
Computer center
Kids programs
 Tutoring
 Afterschool program
 Coding classes/gaming
 Film making lessons and equipment
 Art classes
 Chess program



Pool

Splash Pad
Indoor/Outdoor waterpark
Kids pool area
Warmer water
Better locker rooms with padlocks
 Fountains
 Different swim programs:
 aqua aerobics
 Culture nights
 New showers
 Hot tub

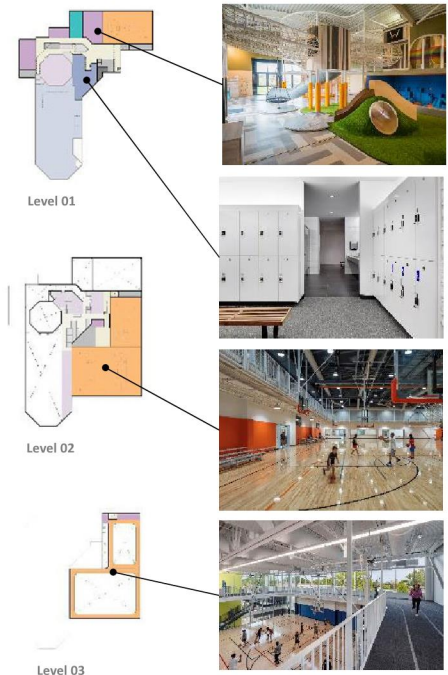
Preferred Planning Option

Project Overview

- New Spaces
 - One Premier Gym
 - Two Multi-Court Gyms
 - Teen Area
 - Indoor Track
 - Indoor Play Area
- Renovated Spaces
 - Locker Rooms
 - Lobby/ Restrooms
 - Offices
- Existing Spaces
 - Event spaces/ conference rooms
- Site Improvements
 - Expanded Parking

BUILDING	
EXISTING AREA:	35,031 SF
RENOVATED AREA:	5,077 SF
EXPANDED AREA:	56,781 SF
TOTAL AREA:	96,899 SF

- Doubles the size of the building
- Supports and expands existing cultural and fitness programming
- Renovates aging locker room facility and improves safety
- Attracts hard court sport tournaments to generate revenue



Site Plan

- Entry located toward parking area to allow for safer drop off and access
- Access drive is improved but remains in existing location
- Expand parked at the north lot and along the west connector road

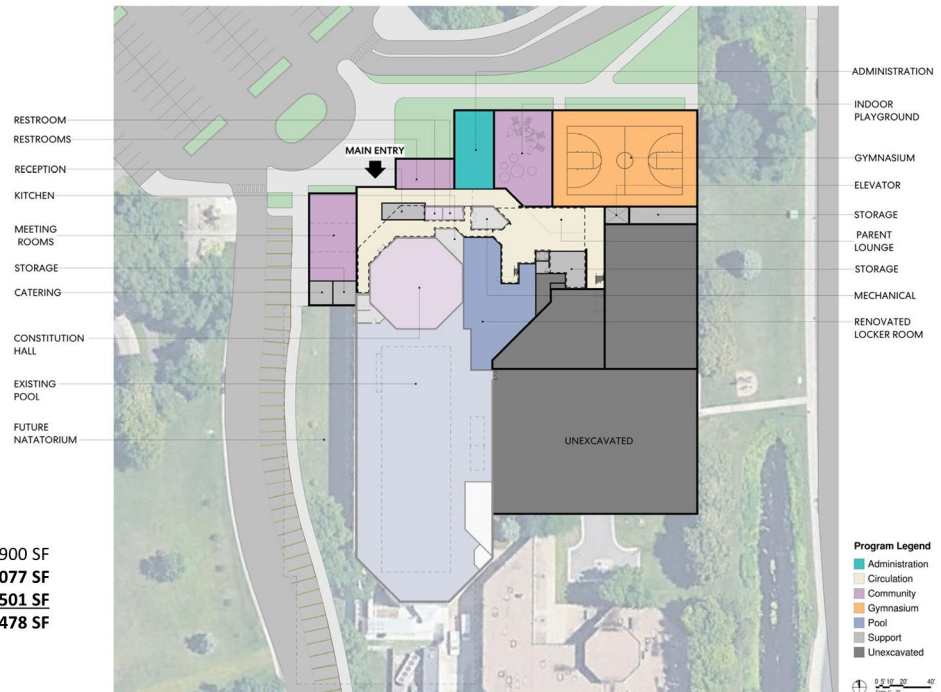
BUILDING	
EXISTING AREA:	35,031 SF
RENOVATED AREA:	5,077 SF
EXPANDED AREA:	56,781 SF
TOTAL AREA:	96,899 SF



Level 01

- Meeting Rooms, Constitution Hall, and Restroom positioned to allow for separate control of potential rental spaces
- Indoor playground located to get ample northern daylight
- Renovated locker rooms to increase safety and provide an updated amenity
- New passenger/service elevator
- Existing pool to remain with some repairs and updated lifeguard equipment

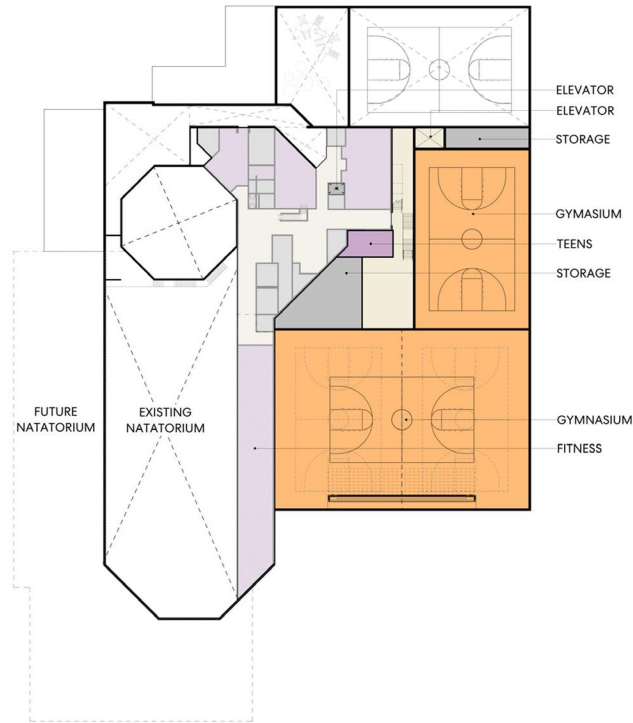
LEVEL 01	
EXISTING AREA:	23,900 SF
RENOVATED AREA:	5,077 SF
EXPANDED AREA:	19,501 SF
TOTAL AREA:	48,478 SF



Level 02

- (3) courts at the second level to allow for tournament play
- Renovation allows for connection between existing and addition at second level
- Teen room located adjacent to gyms for after school activities
- Ample storage to support gymnasium functions and tournament rentals

LEVEL 02	
EXISTING AREA:	11,131 SF
RENOVATED AREA:	0 SF
EXPANDED AREA:	24,433 SF
TOTAL AREA:	36,594 SF



Program Legend

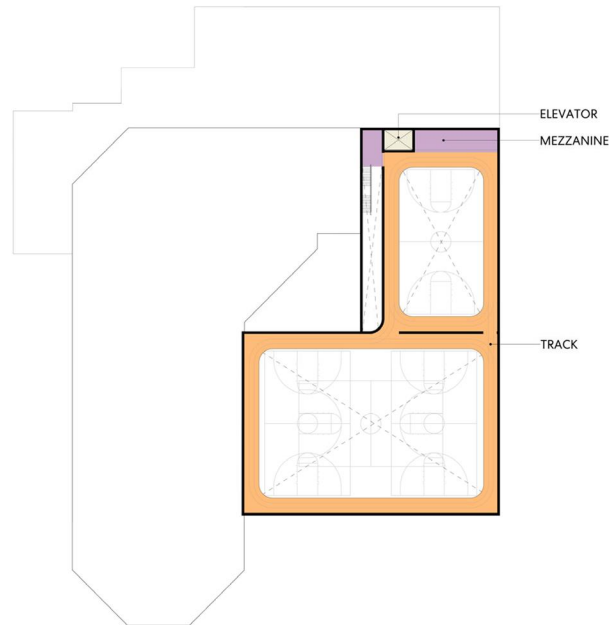
- Circulation
- Community
- Gymnasium
- Support

0 5' 10' 20' 40'

Level 03

- Large gym volumes located at the east to preserve look and feel from the park to the west and provide new face along Shingle Creek Parkway
- Track around three gyms is 1/8th of a mile and would allow for different configurations and paths
- Mezzanine provides cubbies and stretching area for users

LEVEL 03	
EXISTING AREA:	0 SF
RENOVATED AREA:	0 SF
EXPANDED AREA:	8,847 SF
TOTAL AREA:	8,847 SF



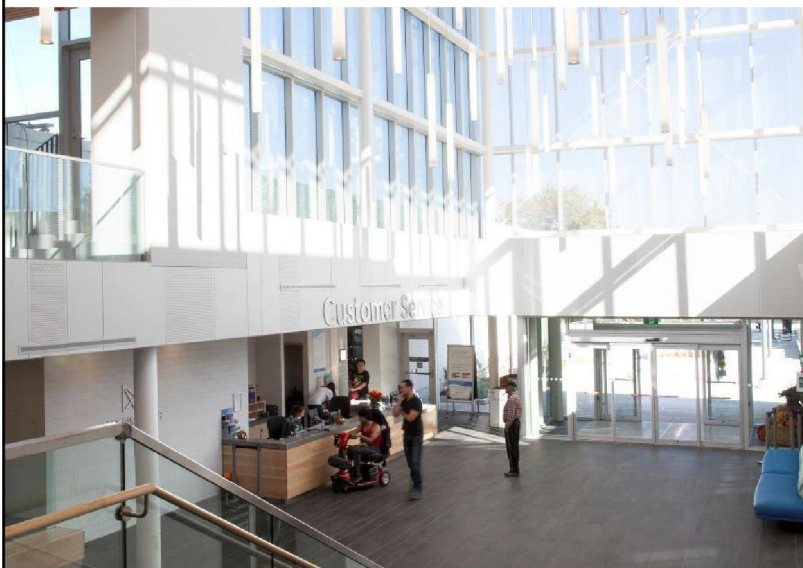
Program Legend

- Circulation
- Community
- Gymnasium

0 5' 10' 20' 40'

Program Components

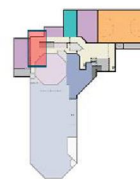
Program Components



Lobby / Entry

Supports:

- Improved access from parking
- Accessible entry
- New welcoming front door
- Community lounge/ gathering space



01

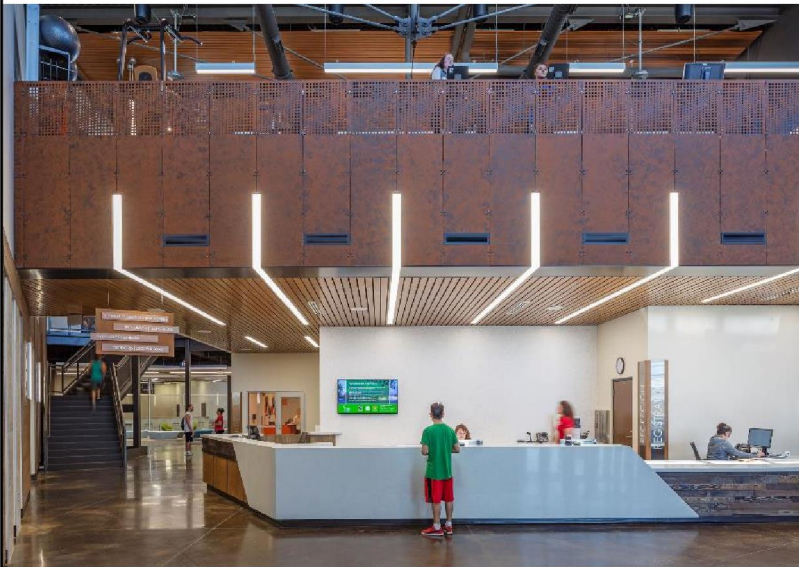


02



03

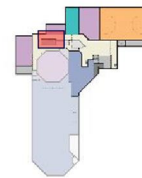
Program Components



Reception

Supports:

- Security & Control
- Registration
- Equipment Checkout



01

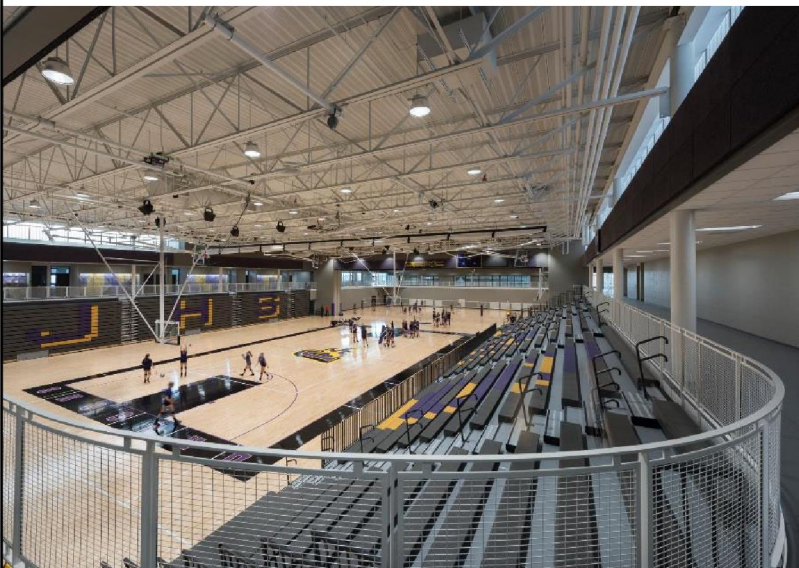


02



03

Program Components



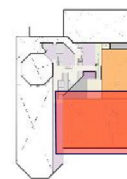
Premier Gym

Supports:

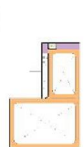
- Finals game for tournament play
- Spectator Seating
- Basketball (up to 2 courts)
- Volleyball (up to 4 courts)
- Pickleball / Badminton
- Other Court Sports
- Large Group Exercise Class
- Rental Events
- Open Gym



01

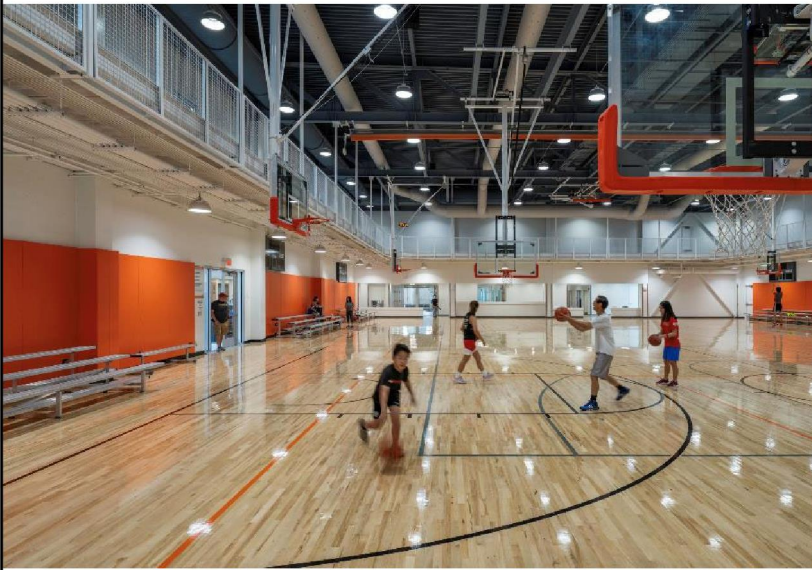


02



03

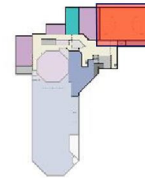
Program Components



Multi-Court Gyms

Supports:

- Basketball (up to 2 courts)
- Volleyball (up to 2 courts)
- Pickleball / Badminton
- Futsal
- Other Court Sports
- Large Group Exercise Class
- Rental Events
- Open Gym



01

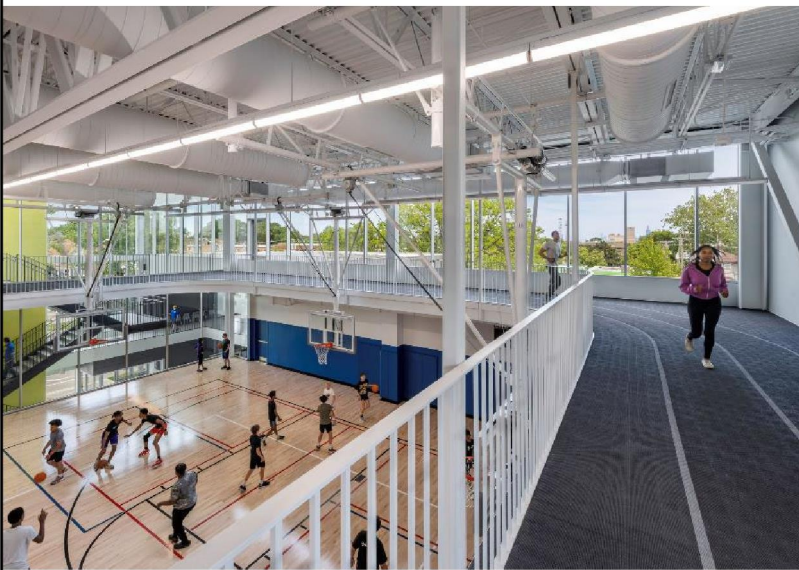


02



03

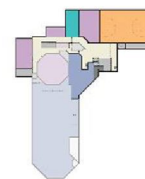
Program Components



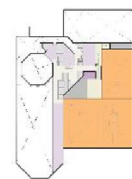
Indoor Walking/ Jogging Track

Supports:

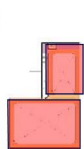
- Walking and jogging indoors



01



02



03

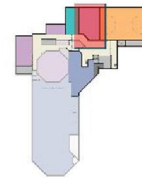
Program Components



Indoor Play

Supports:

- Year-round Indoor Play
- Birthday Parties



01

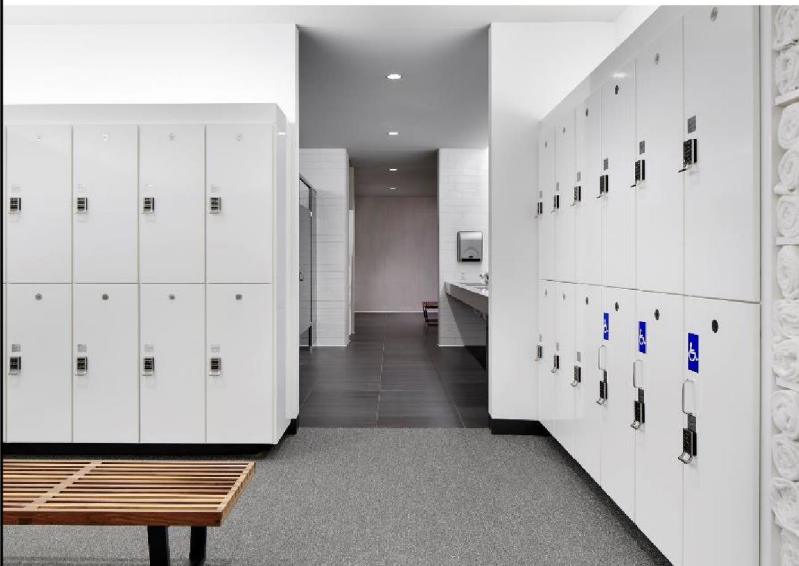


02



03

Program Components



Locker Rooms

Full renovation that supports:

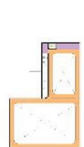
- Changing areas
- Shower
- Locker
- Restroom



01



02



03

Program Components



Meeting Rooms

Supports:

- Combined room supports 120 person lecture
- Dividable into three rooms for smaller rentals
- Banquets
- Board Meetings
- After-school study
- Birthday parties
- Staff meetings
- Operational support space for tournaments
- Catering/warming kitchen attached



Program Components



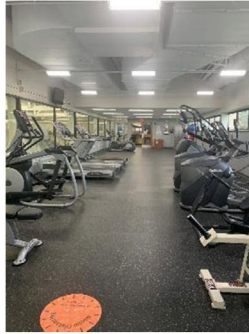
Teen Lounge

Supports:

- Teen programming (non-athletic)
- After-school study
- Gaming / eSports
- Music / Production
- Computer Training



Existing Program



50-meter Pool

Swim Clubs
Swim Lessons, Aquarobics

Fitness Center

Memberships

Multipurpose Rooms

Fitness Programming
Arts Programming

Constitution Hall

Rentals
Large Fitness Programming

Addressing Community Feedback

Top Recommendations	Plan Addresses the Need
Basketball / Volleyball Courts	●
Indoor Track	●
Tutoring	●
Improved Locker Rooms	●
Event Center	○
Game Room / eSports	○
Kids Programming	○
Indoor / Outdoor Waterpark	○
Learning Center	○
Computer Center	○
Maker Space	
Warmer Water	
Splash Pad	

- Strongly supports programming
- Supports programming
- Supports programming in some ways

Cost Impacts

Expansion & Renovation of Existing Building

Total Project 61,850 improved sq-ft \$37.5 million

Preliminary Estimated Project Costs

- Construction Costs \$27.2M
- Project Development Costs \$7.2M
- Owner Contingency \$3.1M

Note: over \$2M of near-term maintenance updates are included in the construction budget

- Project Development Costs include the following:
 - State of Minnesota Pre-Design Design & Engineering Fees
 - Full Design and Engineering Fees
 - Fixtures, Furnishings & Equipment Cost Assumptions
 - Site & Building Testing/Reports
 - Survey, Geotech, Environmental, traffic, testing & inspections
 - Development Expenses
 - Consultants, utility fees, permits & other soft costs
- Owner contingency of approximately 10%

Projected Operational Benefits

- The analysis shows that an improved Community Center could improve the financial operations of the community center by approximately \$100,000 per year
- The project will also address a significant portion of the near-term capital replacement projects planned for the building

Why a local option sales tax?

Project Funding



- Community engagement efforts showed residents were interested in a renovated and expanded community center.
- Strategy to pay for project costs included:
 - Bonding bill allocation
 - Local option sales tax
- Planned strategy was going to have the **lowest impact** on Brooklyn Center taxpayers

Local Option Sales Tax



- In June, 2022 study completed by the U of M Extension Office determined approximately **41%** of sales tax collection would come from non-residents.
- Brooklyn Center Residents would account for **59%** of sales tax collections.
- When factoring in the 5.1 Million in Bonding. Brooklyn Center residents would be responsible for approximately **51%** of the costs.
- The same study estimates annual sales collections could be between **\$2.5 and \$2.9 million**
- This revenue stream over 20 years will support a bond issue that will net approximately \$32 million for the community center project.
 - This may vary depending on actual sales tax collections and interest rates at the time of the bond issue

Estimated Resident Impact - Local Sales Tax

2023 Income Decile ¹	State of Minnesota			Brooklyn Center	Annual Sales Tax Impact
	Households ¹	Individual sales tax ¹	MN Household Avg. Sales Tax ¹	Taxable Purchases per household ²	0.50%
\$46,141 & Under	1,146,606	\$716,475,000	\$625	\$6,228	\$31
\$46,142 - \$71,065	496,818	\$462,995,000	\$932	\$9,288	\$46
\$71,066 - \$96,948	345,259	\$428,869,000	\$1,242	\$12,380	\$62
\$96,949 - \$123,344	261,738	\$408,330,000	\$1,560	\$15,549	\$78
\$123,345 - \$154,705	208,560	\$381,351,000	\$1,828	\$18,224	\$91
\$154,706 - \$198,962	164,830	\$355,235,000	\$2,155	\$21,480	\$107
\$198,963 - \$276,331	123,739	\$322,354,000	\$2,605	\$25,965	\$130
\$276,332 - \$417,188	82,452	\$283,224,000	\$3,435	\$34,236	\$171
\$471,189 - \$1,188,381	41,719	\$230,612,000	\$5,528	\$55,094	\$275
\$1,188,382 and over	9,173	\$170,626,000	\$18,601	\$185,391	\$927
	2,880,894	3,760,071,000			

¹Source: Minnesota Department of Revenue 2021 Tax incidence Study - 2017 Income Deciles - Effective Tax Rates table 4-3

²Assumes Owatonna Study Methodology - 75% of taxable purchases by Brooklyn Center residents are within the City

Median Household Income for Brooklyn Center: \$64,618 - US Census 2021 Estimate

Source: Minnesota Department of Revenue 2021 Tax incidence Study - 2017 Income Deciles - Effective Tax Rates table 4-3

Property Tax Impact – if no Sales Tax

TAX IMPACT ANALYSIS				
Type of Property	Estimated Market Value	Market Value Exclusion	Taxable Market Value	Proposed Tax Increase*
Residential Homestead	150,000	23,740	126,260	106.72
	200,000	19,240	180,760	152.79
	225,000	16,990	208,010	175.83
	264,800	13,408	251,392	212.50
	300,000	10,240	289,760	244.93
	350,000	5,740	344,260	291.00
	400,000	1,240	398,760	337.06
	450,000	-	450,000	380.37
Commercial/Industrial	500,000	-	500,000	422.64
	\$ 100,000	\$ -	\$ 100,000	\$ 85.45
	200,000	-	200,000	185.13
	300,000	-	300,000	299.06
	400,000	-	400,000	412.99
	500,000	-	500,000	526.92
Apartments (4 or more units)	1,000,000	-	1,000,000	1,096.56
	\$ 1,000,000	\$ -	\$ 1,000,000	\$ 1,056.60
	5,000,000	-	5,000,000	5,282.98
	10,000,000	-	10,000,000	10,565.96

- Assumes \$32.385 million bond issue

- Supported 100% with a tax levy

- 20 year term

- 4.73% interest

Local Sales Tax Examples

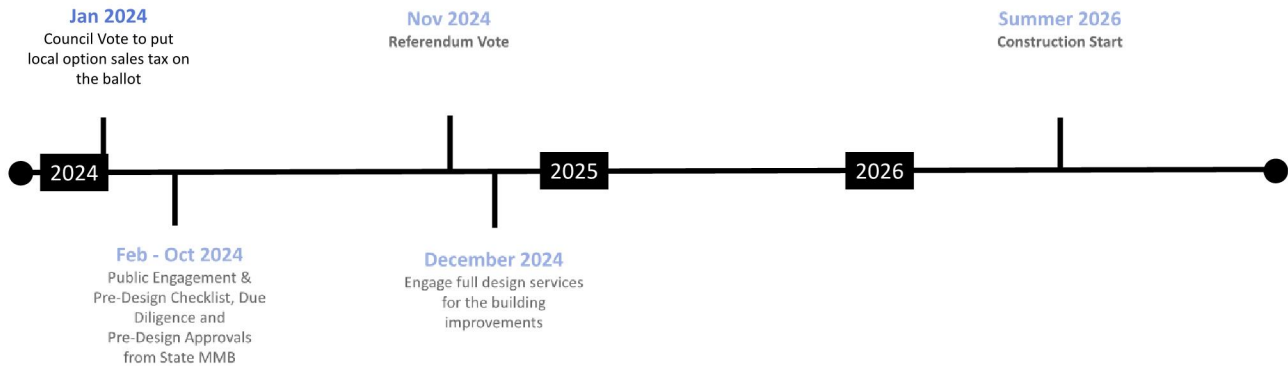
Looking at some common items at TJ Maxx, the impact would be:

ITEM	AMOUNT OF ADDITIONAL TAX (0.5%)
Dinnerware Set (priced at \$49.99)	\$0.24
Comforter/blanket (priced at \$89.99)	\$0.45
Set of four dining chairs (priced at \$398.00)	\$1.99

Many items are NOT taxed, including clothing, groceries and health care items. A full list of non-taxable items is available here: <https://www.revenue.state.mn.us/guide/nontaxable-sales>

Recommended Next Steps

Timeline/Next Steps



Final Recommendations



1. Approve LOST Referendum language
2. Begin Public Engagement to inform community about proposed project and LOST vote
3. Initiate due diligence work on the site (site survey, geotechnical) studies
4. Commence design work to complete State Pre-Design Services Checklist (required first step for State budget approval)
5. Obtain detailed cost estimate for project prior to referendum vote

Conclusion

This council action is to approve the special legislation and set the referendum language.

This is an action to have voters decide on a revenue source for the renovation and expansion of the Community Center. This is following support from state legislator for the 5.1 million bonding bill and special legislation.

Council Actions:

- Motion to approve a resolution of the City of Brooklyn Center Approving Minnesota Laws, 2023, Chapter 64, Article 10, Section 28
- Motion to approve a resolution of the City of Brooklyn Center relating to the imposition of a sales and use tax and the issuance of bonds to financing the renovation and expansion of the Brooklyn Center Community Center and calling a special election thereon.

**Council/EDA Work
Session**

City Hall Council Chambers
January 8, 2024

AGENDA



ACTIVE DISCUSSION ITEMS

1. Concept Review and Discussion on Proposed Reuse of 5501 Xerxes Avenue North (Former Big O Tires)
 - *Consider a concept proposal for 5501 Xerxes Avenue North, which contemplates the reuse of a former Big O Tires location to a State of Minnesota Department of Public Safety Driver and Vehicle Services (DVS) vehicle inspection location.*

PENDING LIST FOR FUTURE WORK SESSIONS

1. Upcoming Items
 - Memorial Policy
 - Special Assessment Policy/Franchise Fees (*referred to Financial Commission*)
 - Beautification and Public Art Commission
 - Organizational Chart-Budget work sessions
 - New and Repeat Type IV Rental License Review (*referred to Housing Commission*)
 - Food Truck Ordinance/License
 - Emerald Ash Borer Policy Review (*referred to Park & Rec Commission November*)
 - Opioid Settlement
 - ARPA Funds
 - Grants: Revenues & Expenses
 - Purchasing Policy
 - Interveners Impact
 - Revisit Resolution 2021-73
 - Planning Application Process
 - Liquor Store 2

Council/EDA Work Session

DATE: 1/8/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Jesse Anderson, Community Development Director

BY: Ginny McIntosh, Planning Manager

SUBJECT: Concept Review and Discussion on Proposed Reuse of 5501 Xerxes Avenue North (Former Big O Tires)

Requested Council Action:

- Consider a concept proposal for 5501 Xerxes Avenue North, which contemplates the reuse of a former Big O Tires location to a State of Minnesota Department of Public Safety Driver and Vehicle Services (DVS) vehicle inspection location.

Background:

The concept review process is an opportunity for the City Council to review a development concept prior to a formal proposal from an Applicant and provide comments, ask questions, and indicate whether or not the City would generally be open to the project. Concept reviews also provide insight to City staff and the Applicant as to the City Council's level of interest, and any specific concerns related to a project.

A concept review is considered advisory and is non-binding to the City and the Applicant. No formal action can be taken at a work session, and the Council is *not* being asked to vote on the proposal. If the Applicant chooses to submit a formal application to the City to proceed, it would be subject to the full City review process, as with any other application.

The State of Minnesota Department of Public Safety approached City staff in late October regarding the potential reuse of the former Big O Tires, which closed last year, to a state vehicle inspection location. As proposed, the State would enter into a 10-year lease with Property Owner Totem Foods, Inc. The State has operated this program since 1989 and has various locations around the state and are seeking to expand their presence across the Twin Cities metro and throughout greater Minnesota. DVS employees carry out vehicle re-certification inspections on prior salvage (totaled) vehicles that have been fully repaired, ensuring vehicles are roadworthy and that all parts were obtained legally. DVS indicated that *no* repairs would take place on site of the Subject Property and the existing hoists would be removed. DVS further indicated that approximately 80% of the vehicles inspected at their sites come from auto dealers and all inspections are scheduled in advance online.

In discussing the proposed use with City staff, City staff determined that the closest "use" under the City's Unified Development Ordinance (UDO) was likely that of an, "automobile and truck repair and service station," which are permitted as a conditional use in the Commercial Mixed-Use (MX-C) District where the Subject Property is located. Although the building occupying the Subject Property today was originally constructed in 1966 as a Goodyear tire and auto shop and would have required issuance of a special use permit, City staff indicated that they did not see a path forward for reuse of their use permit as the proposed

use and overall functionality of the inspection location differs from that of an auto shop.

The City's Unified Development Ordinance notes that, "if a use is not listed, it shall be considered a Prohibited Use, unless the City Council determines that the use is substantially similar in nature and potential impacts on the surrounding community as an existing use in the use table" are addressed. **City staff is requesting City Council review the attached narrative and materials provided by the Applicant (State of Minnesota) and their team for feedback in advance of any application submittal and for a determination of use.**

As City staff engaged via email and in person with the Applicant and the Property Owner's representatives, initial discussions were held regarding the following:

1. Overall circulation and potential impacts to traffic flow along Xerxes Avenue North and 55th Avenue North, which are Metro Transit BRT (Bus Rapid Transit) lines, and potential impacts to the private road running along the west side of the Subject Property.

Staff Comment: The Applicant has indicated all customers with appointments would enter from Xerxes Avenue North for queuing purposes. Once a vehicle inspection is complete, the vehicle would be driven through the drive-through bay and out to the private road located to the west of the Subject Property. An exhibit noting the proposed circulation is provided in the attachments.

2. Concerns regarding the occasional inspection of buses, semis, or recreational vehicles on the Subject Property, which would need to take place in the parking lot as the clear heights of these vehicles exceed the height of the bay doors.

Staff Comment: Following discussions with City staff, the Applicant has since stated no inspections of the aforementioned vehicle types would occur at the proposed location.

3. Potential storage of customer vehicles on the Subject Property.

Staff Comment: The Applicant has stated the only vehicles to be stored on-site would be state vehicles, which would be stored inside the vehicle bays during non-business hours. As outlined in the narrative, the intended hours of operation would likely be 8 a.m. to 5 p.m., Monday through Friday.

4. Overall intensity of the use given other locations across the state appear to be more "industrial" in nature.

Staff Comment: City staff initially expressed concerns regarding the overall appearance of other DVS inspection station locations and how these locations appeared to be more industrial in nature, and inquired on how the proposed use would complement surrounding businesses. The Applicant responded in the attached narrative that the, "intent is to be in a location that has more of a retail look and accessibility rather than industrial. This is for better customer service in perception and accessibility. This location accomplishes those objectives." This is further addressed in the below comment.

5. Overall condition of the Subject Property and plans to invest in the property for complementariness with zoning district/uses and location and addressing of deficiencies.

Staff Comment: City staff initially expressed concerns regarding the deterioration of the building and property. During a meeting with the Applicant and Property Owner representatives, City staff addressed the condition of the exterior and brickwork, trash enclosure, and site lighting, which City staff noted as having been stripped of wiring and seemingly non-functional. Further concerns were outlined regarding the site which is almost entirely impervious (pavement), and the potential for landscaping, where possible.

The Applicant engaged with an architect following the meeting and has since provided renderings to address the deterioration of the building as well as modernization, given it was constructed in 1966. The Applicant also notes plans to repair the parking lot lighting. As with all proposals, the Applicant and Property Owner would need to coordinate with City staff to ensure all upgrades meet City Code requirements.

A narrative outlining the proposed operation of the inspection station at this location and responses to the conditional use permit criteria and concerns raised by City staff, as well as a presentation of the concept proposal are included with this memo.

Policy Issues:

The City Council is being asked to consider a concept proposal for 5501 Xerxes Avenue North, which requires interpretation of the proposed state vehicle inspection station as that of an “automobile and truck repair and service station.” This would require submittal of an application for review and consideration for issuance of a conditional use permit.

Issues for the City Council to consider:

- Are there aspects of the proposed site layout, circulation/traffic flow, architecture, or form of the presented site plan for 5501 Xerxes Avenue North (Subject Property) that are concerning to the Council?
- Is the development proposal in keeping with the City's 2040 future land use plan and long-range vision for the area?
 - The Commercial Mixed-Use (C-MU) future land use designation under the City's 2040 Comprehensive Plan is a new designation and comprises approximately 1.64% (88.06 acres) of the City's total land area. This area guides for a mix of commercial, office, retail, service, and residential uses. This designation is guided for areas adjacent to the TOD (Transit Oriented Development) and is planned to have a more significant proportion of the land use designated for commercial, office, retail, and service uses with supporting residential use.
 - The Commercial Mixed-Use (C-MU) and Business Mixed-Use (B-MU) land use designations focus more heavily on commercial ,retail, office, and light industrial uses while continuing to emphasize the concept of creating experiences for users. The purpose is to promote and encourage businesses, commercial users, retailers, and in some cases households to plan for interconnected systems that result in a more active and vibrant center.
 - The 2040 Comprehensive Plan further notes the Subject Property and surrounding properties as an area of potential change.

Budget Issues:

None to consider at this time.

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
Narrative - Proposed Reuse of 5501 Xerxes Avenue North	1/1/2024	Backup Material
State of MN Presentation - Narrative and Proposal for 5501 Xerxes Avenue North	1/1/2024	Backup Material
Presentation	1/9/2024	Presentation

City of Brooklyn Center

Narrative for the State of Minnesota Department of Public Safety, Vehicle Inspections

5501 Xerxes Avenue North, Brooklyn Center

The State of Minnesota Department of Public Safety, Driver and Vehicle Services (DVS) - Vehicle Inspections will use the site to provide legal inspections to auto dealers and individuals who have reconstructed and repaired vehicles. This involves the inspection of vehicles and the visual inspection of parts that were used in the repaired vehicles. The inspections will be carried out by DVS employees, and visual inspections will be done in bays that are normally used for the repair of vehicles. This location is an ideal site for DVS because of its previous use as an auto shop and the existing bays onsite can be used by DVS to pull cars into bays for inspection. Additionally, the existing bays are drive-through, which allows for safer one-way traffic with the clients and the surrounding area.

By inspecting fully repaired vehicles, DVS can validate that parts were obtained legally and update the branding within our systems. Inspections are carried out by DVS employees, and approximately 80% of those visiting a vehicle inspection station are auto dealers with whom DVS has a working relationship. All visits are scheduled with the intent of not having queuing lines at the site.

The intent is to be in a location that has more of a retail look and accessibility rather than industrial. This is for better customer service in perception and accessibility. This location accomplishes those objectives.

Regarding Section 35-7703 conditional use permit criteria, here is how the criteria will be met.

- a. **The use will be in accordance with the general objectives, or with any specific objective, of the City's Comprehensive Plan and this UDO (Unified Development Ordinance).** The use will be in the MX-C: Commercial Mixed-Use zoning district. It will be in accordance with the general objectives of the City's Comprehensive Plan in that it will help provide a stable business for an unoccupied site. This will keep the site in good condition and help keep it and the surrounding area attractive, clean and safe.
- b. **The establishment, maintenance, or operation of the conditional use will promote and enhance the general public welfare and will not be detrimental to or endanger the public health, safety, morals or comfort.** The use promotes and enhances the general public welfare in that the inspections done are for the purpose of ensuring parts installed on vehicles were legally purchased. This acts as a deterrence against theft of autos and parts. It will also bring stable occupancy to the site. This will help keep the property in good condition and prevent it from becoming an eyesore. This will also help keep the area more secure and be less inviting to crime.

- c. **The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.** The use will not be injurious to the use and enjoyment of other properties, nor will it diminish their value. Having an occupied site helps maintain values and create synergy for adjacent businesses. The automotive inspection use of the site will be less impactful than traditional automotive uses that have operated there. Repairs will not be done at the site, so there will not be noise related with repairs. There will be no vehicle parts/tires stored at the site. Other than a couple State vehicles that would be parked inside overnight, no vehicles would be stored at the site.
- d. **The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.** The State's intended use will not impede development. There is nothing with the use that restricts surrounding uses and/or development. It is less impactful than an automotive repair shop or tire shop.
- e. **Adequate measures have been or will be taken to provide ingress, egress, and parking so designed as to minimize traffic congestion in the public streets.** Adequate measures are/will be in place to minimize traffic congestion. For the most part, traffic will flow in the front of the property and out the back. This primarily one-way flow helps minimize opposing traffic coming in and out of the site, and it also decreases the amount of traffic going directly to Xerxes. There is plenty of parking and space at the site for the use. This site will not be conducting inspections of large vehicles such as semis and RVs.
- f. **Impacts such as noise, hours of activity, and exterior lighting have been sufficiently addressed to mitigate negative impacts on nearby uses.** Given that there will be no automotive repairs that will occur at the site, there will be no noise that a traditional automotive repair shop might have. It is intended to be roughly an 8 am – 5 pm business operation, Monday – Friday, and existing exterior lighting will be repaired by the owner of the property. All of these mitigate negative impacts on nearby uses.
- g. **The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.** There are no known regulations with which the use would not be complying.

Narrative: 5501 Xerxes Ave. N.



Purpose

- ▶ The purpose of the **Vehicle Inspection Service** is to provide convenient, clean, safe, easy-to-use, easy-to-find, vehicle re-certification inspections for the general public and professionals for their repaired vehicles to get back on the road, for private use or for sale after having been previously declared as “total losses” by an insurance company.

Aerial of Existing Abandoned Site



Current Condition



Zoning



-  I : General Industrial
-  MX-C : Commercial Mixed-Use
-  C : Commerce - Service/Office
-  TOD : Transit Oriented Development
-  O : Public Open Space

Renderings



Renderings



Renderings



Renderings



General Information

- ▶ Hours of Operation: Monday - Friday 8am - 5pm
- ▶ Full-Time Employees: 6
- ▶ Part-Time Employees: 0
- ▶ Lease Commitment: 10 Years
- ▶ Inspection Bays: 5
- ▶ Advance Appointments Required: Yes
- ▶ Fee: \$35.00

FAQ's

- ▶ Q. How long does each appointment take?
A. Approximately 20 minutes

- ▶ Q. How many appointments per hour?
A. Up to 15 maximum

- ▶ Q. Why are cars being inspected?
A. They have been declared “Totaled” by an insurance company and then repaired. A successful inspection prepares the car for sale or use.

- ▶ Q. What condition are the cars being inspected?
A. Generally Spotless. Clean. Like-new.

- ▶ Q. What is typical “totaled” damage that can be repaired?
A. Common repaired damage is hail damage, hoods, bumpers, Air Bag Deployment, etc...

FAQ's

- ▶ Q. Who is driving the vehicle in?
A. Employees from car dealerships (appx 80%)
and private owners from the general public (appx. 20%).
- ▶ Q. Are “drive-up” appointments allowed?
A. No.
- ▶ Q. When did the State of Minnesota start this service?
A. 1989.
- ▶ Q. Why do you want to be at this location?
A. We want an easy-to-find, convenient, safe, clean location in and amongst the community for our customers. Not hidden. We want a location in the western metro and this facility has everything we need
- ▶ Q. Will stolen vehicles be coming through here?
A. No. The vehicles have a prior documented history.

Benefits for City and Community

- ▶ Affordable cars for underrepresented people.
- ▶ Helps vehicle supply chain.
- ▶ No parked or stored vehicles.
- ▶ Helps small auto dealers compete.
- ▶ No car stacking. Controlled customer flow.
- ▶ Positive experience with Department of Public Safety.
- ▶ Brings activity and new visitors to the area.
- ▶ Not another tire shop.

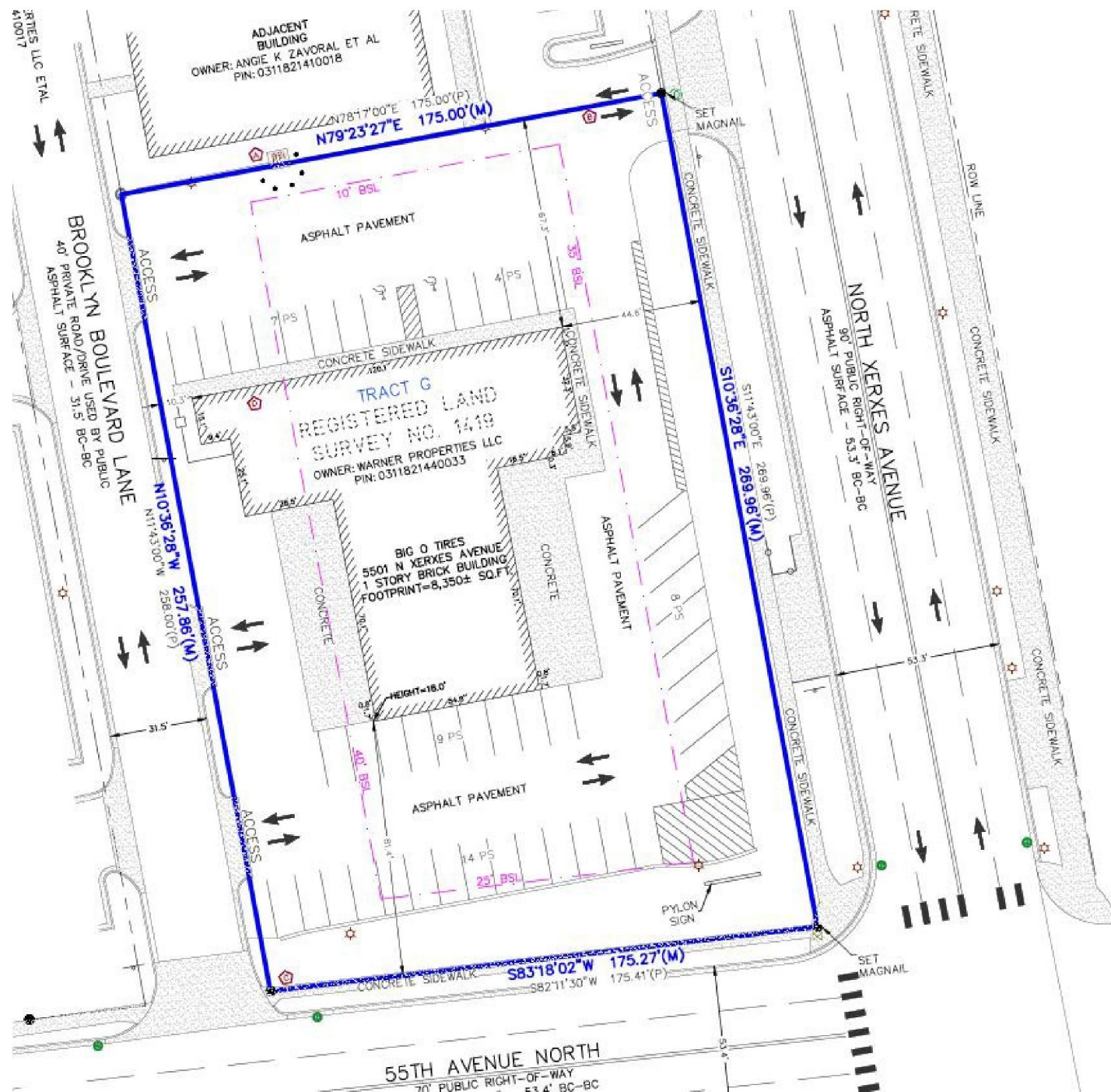
Traffic Flow



Survey



LAUNCH
PROPERTIES



The Development Team

- ▶ Architect: 10K Architecture
- ▶ Civil Engineer: Kimley-Horn
- ▶ General Contractor: Rochon
- ▶ Project Management: Launch Properties
- ▶ Property Management: Summerhill Commercial
- ▶ Real Estate Brokers: Avison & Young
- ▶ Financing: Sunrise Bank
- ▶ Tenant: State of Minnesota Department of Public Safety
- ▶ Owner: Totem Foods Inc.

Narrative Conclusion

The Development Team is excited to bring forth this new concept and we look forward to your support with these main benefits in mind:

- **Provides affordable, reliable vehicles to the public otherwise deemed unusable.**
- **Brings clean, safe activity to the area.**
- **Provides a stable, long-term tenant to the area.**



Source: Crexi

Concept Review | 5501 Xerxes Avenue North



Council Work Session | January 8, 2023
Ginny McIntosh, Planning Manager

Concept Review (5501 Xerxes Avenue North)

The concept review process is an opportunity for the City Council to review a development concept prior to a formal proposal from an applicant, and provide comments, ask questions, and indicate whether or not the City would generally be open to the project. These also provide insight to City staff and the applicant as to the City Council's level of interest, and any specific concerns related to project.

- *Concept reviews are considered advisory and non-binding to the City and Applicant. No formal action can be taken at a work session and the Council is not being asked to vote on the proposal.*
- *If Applicant proceeds, they are subject to full City review process.*



Concept Review (cont.)

The State of Minnesota ("the Applicant") has been in communication with City staff since late October regarding the potential reuse of the former Big O Tires (5501 Xerxes Avenue North), which closed last year, as a State of Minnesota vehicle inspection station.

- The State has operated their inspection locations since 1989 and have various locations around the state and are seeking to expand presence across Twin Cities metro and greater Minnesota.
- DVS employees carry out vehicle re-certification inspections on prior salvage (totaled) vehicles that have been fully repaired, and ensure vehicles are roadworthy and that all parts were obtained legally. All vehicles have a prior documented history.
- Approximately 80% of those obtaining inspections are auto dealers and inspections are scheduled online (no walk-in inspections).
- No automotive repairs would take place on-site.
- State vehicles would be stored inside the bays during non-business hours.



3

Concept Review (cont.)

The State of Minnesota prepared a narrative and presentation outlining their operations and how the Subject Property meets their goals and benefits to the City of Brooklyn Center and community, including:

- No parked or stored vehicles
- No car stacking and controlled customer flow
- Bring activity and new visitors to the area
- Not another tire shop
- Long-term tenant at location (10 year lease commitment)

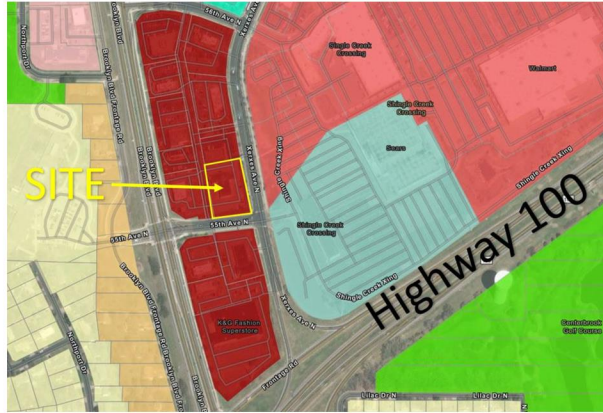
In addition: provision of affordable/reliable cars to public, help with vehicle supply chain and allow small auto dealers to compete, and the creation of a positive experience with the Department of Public Safety (DPS).



4

Concept Review (cont.)

- Subject Property was originally approved by City Council in 1966 as a Goodyear automotive and tire shop, along with the neighboring Pearle Vision building located at 5515 Xerxes Avenue North (originally a Superette grocery store).
- Subject Property is zoned MX-C (Commercial Mixed-Use).



5

Concept Review (cont.)

- Use is technically “unlisted,” and the City’s UDO notes that, “if a use is not listed, it shall be considered a prohibited use, unless City Council determines the use is substantially similar in nature and potential impacts on the surrounding community as an existing use in the use table” are addressed.
- City staff determined the closest use is that of an “automobile and truck repair and service station” despite no plans to conduct automotive repair.
 - City Attorney is in general agreement that this is the closest use.
- “Automobile and truck repair and service stations” are permitted through approval of a **conditional use permit (CUP)** in the MX-C District where the Subject Property is located.
 - Assuming City Council is in general agreement, the Applicant would need to submit an application for review by the Planning Commission and City Council.
 - Following cursory review, City staff indicated that the proposed use would potentially result in an approximately 40% reduction in hourly traffic from previous use to the Subject Property.
 - Applicant will need to meet any and all requirements with regards to erosion control (assuming ground disturbance), CUP application criteria, and the addressing of any property deficiencies.



6

Concept Review (cont.)

Staff Considerations

City staff engaged via email and in person with the Applicant (State of Minnesota) and the Property Owner's representatives and addressed the following:

1. Overall circulation and potential impacts to traffic flow along Xerxes and 55th Avenue North, which are Metro Transit BRT lines, and potential impacts to private road running along west side of property

Staff Comment: Applicant indicated all customers with appointment would enter off Xerxes for queuing. Vehicles would enter bay and be driven through drive-through bay and out to Brooklyn Boulevard Lane.

2. Concerns regarding occasional inspection of buses, semis, or recreational vehicles (RVs), which would need to take place in the parking lot

Staff Comment: Following discussion with City staff, the Applicant has since stated no inspections of the above vehicle types would occur at this location.



7

Concept Review (cont.)

Staff Considerations

3. Potential storage of customer vehicles on the Subject Property

Staff Comment: The Applicant stated only vehicles to be stored on-site would be state vehicles, which would be stored inside vehicle bays during non-business hours. Typical business hours would be 8 a.m. to 5 p.m., Monday through Friday.

4. Overall intensity of use given other locations across the state that appear to be more "industrial" in nature

Staff Comment: City staff initially expressed concerns regarding overall appearance of other DVS inspection station locations and inquired on how the proposed use would complement surrounding businesses. Applicant noted, "intent is to be in a location that has more of a retail look and accessibility rather than industrial. This is for better customer service in perception and accessibility. This location accomplishes those objectives."

5. Overall condition of the Subject Property and plans to invest in the property for complementarity with zoning district/uses and location and addressing of property deficiencies

Staff Comment: City staff initially expressed concern regarding deterioration of building and property, and addressed condition of building exterior (brickwork), trash enclosure, and site lighting. Further concerns were outlined regarding site which is almost entirely impervious and potential for landscaping. Applicant engaged with architect following meeting and has since provided renderings to address these concerns/meet code compliance.



8

Concept Review (cont.)



- Existing Building



9

Concept Review (cont.)



- Proposed modification to building exterior
- Addressing of site lighting



10

Concept Review (cont.)



Proposed circulation on site

- Enter off Xerxes
- Leave via Private Road (Brooklyn Boulevard Lane)



11

Policy Considerations

- 1) Are there aspects of the proposed site layout, circulation/traffic flow, architecture, or form of the presented site plan for 5501 Xerxes Avenue North (Subject Property) that are concerning to City Council?
- 2) Is the development proposal in keeping with the City's 2040 future land use plan and long-range vision for the area?
 - The Commercial Mixed-Use (C-MU) future land use designation is a new designation that comprises approximately 1.64% of the City's total land area. Guides for areas adjacent to TOD and is planned for more significant proportion of land use for commercial, office, retail, and service uses with supporting residential for activation of area and vibrant commercial center.
 - The Subject Property and surrounding area is noted as an area of potential change.



12

Requested Council Action

Consider a concept proposal for 5501 Xerxes Avenue North, which contemplates the reuse of a former Big O Tires location to a State of Minnesota Department of Public Safety Driver and Vehicle Services (DVS) vehicle inspection location.



Council/EDA Work Session

DATE: 1/8/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Dr. Reggie Edwards, City Manager

SUBJECT: Upcoming Items

Requested Council Action:

- Memorial Policy
- Special Assessment Policy/Franchise Fees (*referred to Financial Commission*)
- Beautification and Public Art Commission
- Organizational Chart-Budget work sessions
- New and Repeat Type IV Rental License Review (*referred to Housing Commission*)
- Food Truck Ordinance/License
- Emerald Ash Borer Policy Review (*referred to Park & Rec Commission November*)
- Opioid Settlement
- ARPA Funds
- Grants: Revenues & Expenses
- Purchasing Policy
- Interveners Impact
- Revisit Resolution 2021-73
- Planning Application Process
- Liquor Store 2

Background:

Budget Issues:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values: