AGENDA
CITY COUNCIL STUDY SESSION
January 8, 2018
6:00 p.m.

City Hall Council Chambers

A copy of the full City Council packet is available to the public. The packet ring binder is located at the podium.

1. City Council Discussion of Agenda Items and Questions

2. Miscellaneous

3. Discussion of Work Session Agenda Items as Time Permits

4. Adjourn

CITY COUNCIL MEETING
City of Brooklyn Center
January 8, 2018

AGENDA

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1. **Informal Open Forum with City Council – 6:45 p.m.**
–provides an opportunity for the public to address the Council on items which are not on the agenda. Open Forum will be limited to 15 minutes, it is not televised, and it may not be used to make personal attacks, to air personality grievances, to make political endorsements, or for political campaign purposes. Council Members will not enter into a dialogue with citizens. Questions from the Council will be for clarification only. Open Forum will not be used as a time for problem solving or reacting to the comments made but, rather, for hearing the citizen for informational purposes only.

2. **Invocation – 7 p.m.**

3. **Call to Order Regular Business Meeting**
–The City Council requests that attendees turn off cell phones and pagers during the meeting. A copy of the full City Council packet is available to the public. The packet ring binder is located at the podium.

4. **Roll Call**

5. **Pledge of Allegiance**

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

   a. Approval of Minutes
      1. December 11, 2017 – Study/Work Session
      2. December 11, 2017 – Regular Session

   b. Licenses

   c. Resolution Designating Official Newspaper

   d. 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, North Metro Mayors Association, Northwest Suburbs Cable Communications Commission, Pets Under Police Security, Twin Lakes Joint Powers Organization, and Minneapolis Northwest Convention & Visitors Bureau

e. Resolution Appointing Municipal Trustees to the Brooklyn Center Firefighters Relief Association Board of Trustees

f. Resolution Designating Polling Places for the City of Brooklyn Center for 2019 Elections

g. Resolution Granting Corporate Authority for Signing of Checks and Transactions of Financial Business Matters

h. Resolution Designating Depositories of City Funds

i. Resolution Opting Not to Waive Limited Tort Liability for 2018

j. Resolution Calling for a Public Hearing Regarding Proposed Use of 2018 Urban Hennepin County Community Development Block Grant Funds

k. Resolution Amending the Schedule for Inspection Fees for Certain Building, Mechanical, Plumbing, and Electrical Permits

l. Resolution Approving an Amendment to the Encroachment Agreement for the Property Located at 5415 69th Avenue North (Maranatha Senior Housing)

m. Resolution Establishing Parking Restrictions for Segments on Brooklyn Boulevard from 49th Avenue to the North City Limit

n. Resolution Accepting Bid and Awarding Contract, Improvement Project No. 2018-07, 2018 Pond Maintenance

o. Resolution Authorizing Execution of Site Lease Agreement with Verizon Wireless LLC on Water Tower No. 2

p. Resolution Authorizing Acquisition of Easements for Brooklyn Boulevard Corridor Project Phase 1 (49th Avenue to Bass Lake Road), Project No. 2018-05

q. Resolution Amending the Business Subsidy Policy

7. Presentations/Proclamations/Recognitions/Donations

a. Resolution Expressing Recognition and Appreciation of Rex Newman for His Dedicated Public Service on the Financial Commission

Requested Council Action:

–Motion to adopt resolution.

b. Resolution Expressing Recognition and Appreciation of Susan Pagnac for Her Dedicated Public Service on the Housing Commission
Requested Council Action:
–Motion to adopt resolution.

c. Resolution Expressing Recognition and Appreciation of Kathleen Nelson for Her Dedicated Public Service on the Housing Commission
Requested Council Action:
–Motion to adopt resolution.

8. Public Hearings
–None.

9. Planning Commission Items
–None.

10. Council Consideration Items

a. Consideration of Type IV 6-Month Provisional Rental Licenses
1. 5323 Brooklyn Blvd
2. 6300 France Ave N
3. 5351 Irving Ave N
4. 5350 Logan Ave N
5. Resolution Approving a Type IV 6-Month Provisional Rental License for 5439 Camden Ave N
6. Resolution Approving a Type IV 6-Month Provisional Rental License for 7018 France Ave N

Requested Council Action:
–Mayor poll audience for applicants to address Council.
–Receive staff report.
–Motion to open hearing.
–Receive testimony from applicants.
–Motion to close hearing.
–Take action on rental license applications and mitigation plans.

b. Select Presiding Officers – Mayor Pro Tem and Acting Mayor Pro Tem
Requested Council Action:
–Council discuss and select presiding officers.

c. Resolution Declaring Commitment to the Brooklyn Center City Charter
Requested Council Action:
–Motion to adopt resolution.

d. Resolution Recognizing the Contributions of Ethnic Populations and Heritage Celebrations
Requested Council Action:
–Motion to adopt resolution.

e. Mayoral Appointment of City Council Members to Serve as Liaisons to City Advisory Commissions and as City Representatives/Voting Delegates for Other Organizations for 2018
Requested Council Action:
–Motion to ratify Mayoral appointments.

f. Mayoral Appointment of Members to Serve on Shingle Creek and West Mississippi Watershed Management Commissions
Requested Council Action:
–Motion to ratify Mayoral appointments.

g. Mayoral Appointment of Member to Serve on Financial Commission
Requested Council Action:
–Motion to ratify Mayoral appointment.

h. Mayoral Appointment of Member to Serve on Housing Commission
Requested Council Action:
–Motion to ratify Mayoral appointment.

i. Resolution Authorizing Acquisition by Eminent Domain and Approval of Appraised Values of Easements for Brooklyn Boulevard Corridor Project Phase 1, Project No. 2018-05
Requested Council Action:
–Motion to adopt resolution.

11. Council Report

12. Adjournment

EDA MEETING
City of Brooklyn Center
January 8, 2018

AGENDA

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1. **Call to Order**
   –The EDA requests that attendees turn off cell phones and pagers during the meeting. A copy of the full City Council packet, including EDA (Economic Development Authority), is available to the public. The packet ring binder is located by the Secretary.

2. **Roll Call**

3. **Approval of Agenda and Consent Agenda**
   –The following items are considered to be routine by the Economic Development Authority (EDA) and will be enacted by one motion. There will be no separate discussion of these items unless a Commissioner so requests, in which event the item will be removed from the consent agenda and considered at the end of Commission Consideration Items.

   a. Approval of Minutes
      1. December 4, 2017 – Special Session
      2. December 11, 2017 – Regular Session

4. **Commission Consideration Items**
   a. Resolution Electing Officers for the Economic Development Authority in and for the City of Brooklyn Center
      Requested Commission Action:
      –Motion to adopt resolution.

   b. Resolution Opting Not to Waive Limited Tort Liability for 2018
      Requested Commission Action:
      –Motion to adopt resolution.

5. **Adjournment**

AGENDA
CITY OF BROOKLYN CENTER
CITY COUNCIL/ECONOMIC DEVELOPMENT AUTHORITY WORK SESSION
January 8, 2018
Immediately Following Regular City Council and EDA Meetings Which Start at 7:00 P.M.

City Hall Council Chambers

A copy of the full City Council packet is available to the public. The packet ring binder is located at the podium.

ACTIVE DISCUSSION ITEMS

1. Trunk Highway (TH) 252 Corridor Study – Update
2. Conducting City Council Business Electronically

PENDING LIST FOR FUTURE WORK SESSIONS

Later/Ongoing

1. Food Trucks Update – January
2. Overnight Parking – January
3. Saturday Marketplace (Lennie Chism) – January
4. Naturally Occurring Affordable Housing Policy – February
5. South Opportunity Site Development - February
6. City Council Code of Policies (October 9 Study Session Discussion)
   a. Section 2.70 Street and Alley Lighting Policy
   b. Section 2.93 Long-Term Deer Population Management Plan
7. Tobacco Purchase Age 21 (Brooklyn Youth Council)

City Council Agenda Item No. 6a

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/WORK SESSION
DECEMBER 11, 2017
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

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

ROLL CALL

Mayor Tim Willson and Councilmembers Marquita Butler, Kris Lawrence-Anderson, and Dan Ryan. Councilmember April Graves was absent and excused. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Interim Community Development Director Michael Ericson, Director of Business and Development Gary Eitel, Communications Coordinator Angel Smith, Planner and Zoning Administrator Ginny McIntosh, City Attorney Troy Gilchrist, and Carla Wirth, TimeSaver Off Site Secretarial, Inc.

CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

City Manager Curt Boganey referenced the updated staff report for Item 10a13, Type IV 6-Month Provisional Rental Licenses for 2913 Nash Road, that details administration citations.

MISCELLANEOUS

Street Market Proposal

Councilmember Butler reported on the interest of Lennie Chism to bring a street market to Brooklyn Center from May to October, 10 a.m. to 4 p.m. on Saturdays, noting he has already worked out a deal to use the Brookdale Health parking lot. She stated he may be asking for financial support and asked if the City Council would entertain discussing this matter at an upcoming Work Session during which Mr. Chism could make a presentation.

Mr. Boganey stated he has talked with Mr. Chism and put him in touch with Mr. Eitel to discuss the specifics and ordinance requirements. Councilmember Butler stated Mr. Chism indicated he has already worked out the details to provide security.

Mayor Willson stated he would not be opposed to hearing a presentation but any funding proposal would need to be succinct. He asked if this fits the plans discussed relating to starter businesses and kiosks. Mr. Boganey stated they are distinct and different but could complement each other. He stated it is conceivable it could be operational in 2018, but may take until 2019. He noted Mr. Chism's proposal could be a forerunner to that concept, depending on the details.

Mayor Willson stated liability and insurances would also need to be addressed. Mr. Boganey agreed that would be the responsibility of Mr. Chism as this is a private operation as currently proposed. However, should the City Council decide to become more of a partner, then staff would look at the issues of shared liability and responsibility.

The City Council reached consensus to schedule this topic for discussion.

Mr. Boganey stated he will add this item to an upcoming Work Session in February, at the latest.

Minnesota Nonsmoker Association

Councilmember Lawrence-Anderson invited the City Council to join her at a meeting tomorrow afternoon at Panera Bread with the Minnesota Nonsmoker Association. One of the topics to be discussed is the sale of flavored tobacco. She stated she will ask if they would like to make a presentation before the City Council.

Mr. Boganey suggested they also be asked whether they are available as a resource to the Brooklyn Youth Council. Councilmember Lawrence-Anderson stated she will bring back more information.

Councilmember Ryan stated he would be pleased to join Councilmember Lawrence-Anderson at that meeting.

Invocation Order

Mayor Willson stated he has the invocation for this evening and suggested the 2018 schedule include Council Member's names, rotating at each meeting by seniority. He asked Mr. Boganey to convey this rotation to the City Clerk.

Councilmember Lawrence-Anderson suggested this information be included within one document. Mr. Boganey stated the City Clerk will provide the invocation rotation information; however, due to the distribution list for the agendas/meeting packets, he would suggest the Member's names not be included.

Retirement Party for Gary Eitel

Mayor Willson announced the December 20, 2017, retirement celebration for Mr. Eitel and invited all to attend.

DISCUSSION OF WORK SESSION AGENDA ITEMS AS TIME PERMITS

WAGE REQUIREMENT FOR THE BUSINESS SUBSIDY POLICY

Interim Community Development Director Michael Ericson introduced the item and the City Council's past consideration on October 9, 2017, when Mayor Willson noted reference in the Business Subsidy Policy to providing incentive dollars that businesses must pay workers a minimum wage of $7 per hour. At that meeting, Mayor Willson had stated his support to change the amount in the City's policy as the State minimum wage is $9.35 per hour and scheduled to increase.

Mr. Ericson referenced the City Council and EDA resolutions that had established the City's Business Subsidy Policy in compliance with State Statute and described the requirements to award a business subsidy of more than $150,000.

It was noted the City's Business Subsidy Policy was developed as part of the 2000 Redevelopment Agreement with Talisman LLC, former owners of Brookdale Regional Mall. At that time, the wage was established at $7/hour and it has not been updated. This policy has been applied three times, with Global, Embassy Suites, and the FBI. Recently, the City Council approved the development agreement for the construction of the Marriott Fairfield Hotel and replaced the $7/hour wage for that project with $9.35/hour, which is the State minimum wage.

Mr. Ericson asked whether an amendment increasing minimum wage requirements in the Business Subsidy Policy is necessary to achieve the policy goals of the City Council; whether staff should prepare a resolution to revise the Business Subsidy Policy to reflect an increase to the State minimum wage and if so, what standard or amount should be used; whether the wage minimum component policy should be viewed periodically to reflect inflationary increases; and, whether staff should provide additional information before final direction is given.

Mr. Ericson noted the minimum wage requirement could come before the City Council on an annual basis during review of the fee schedule.

Mayor Willson stated he would support a change to $10 an hour at a minimum and would like to negotiate to get that even higher, noting this is for business ventures that receive City assistance through TIF.

Councilmembers Lawrence-Anderson and Butler stated their support of the Mayor's position.

Councilmember Ryan asked how the business subsidy is defined. Mr. Boganey read the Statute language relating to the definition of business subsidy, noting it would include tax abatements, TIF, and any kind of general government assistance, and though the Statute does not define the exact type, it addresses economic assistance with some exceptions. Mayor Willson read the exceptions as detailed in the Statute.

Councilmember Ryan asked if the City sold a property to a developer for a $1 but it is valued over $150,000, would that be a business subsidy. Mr. Boganey reviewed the Statute language that addressed the definition. Councilmember Ryan concurred with the direction mentioned by Mayor Willson.

It was the majority consensus of the City Council to support $10 per hour as a minimum for projects receiving $150,000 City assistance.

Mr. Boganey asked if the minimum wage amount should be periodically reviewed. Mayor Willson supported a periodic review during the rate schedule consideration, noting the State's minimum wage is also considered annually. The Councilmembers concurred.

Mr. Boganey noted when the State minimum wage increases, the City's policy could automatically follow. The City Council supported that option.

Councilmember Ryan clarified this only applies to projects where the City has provided some sort of subsidy in excess of $150,000 and does not relate to others. Mayor Willson confirmed that was correct.

ADJOURNMENT

Mayor Willson adjourned the Study Session at 6:28 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, 2017
CITY HALL – COUNCIL CHAMBERS

1. INFORMAL OPEN FORUM WITH CITY COUNCIL

CALL TO ORDER INFORMAL OPEN FORUM

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

ROLL CALL

Mayor Tim Willson and Councilmembers Marquita Butler, Kris Lawrence-Anderson, and Dan Ryan. Councilmember April Graves was absent and excused. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Finance Director Nate Reinhardt, Director of Business and Development Gary Eitel, Communications Coordinator Angel Smith, Interim Community Development Director Michael Ericson, Planner and Zoning Administrator Ginny McIntosh, Engineering Technician IV Jay Hill, Public Works Director Doran Cote, City Attorney Troy Gilchrist, and Carla Wirth, TimeSaver Off Site Secretarial, Inc.

Mayor Tim Willson opened the meeting for the purpose of Informal Open Forum.

Bill Talmadge, 5406 Logan Avenue N., stated his concern relating to panhandling that is aggressive or impacts traffic flow. He stated residents are also fed up with panhandling and while he knows panhandling in a non-aggressive manner is not an illegal activity, it intimidates residents when they are aggressively approached, traffic is impeded, and debris is left behind. Mr. Talmadge stated he understands the City wants to be prudent with its resources but the problem persists. He listed locations where aggressive panhandling occurs and suggested placards or signs with wording to educate the public at the point panhandling and vehicles meet.

Ralph Neinas, 3920 52nd Avenue N., stated he is a 30-year resident and wants to address the railroad crossing at Azelia Avenue N. and 50th Avenue N. where the trains block that intersection for as long as 45 minutes to 1 hour. Mr. Neinas stated he used to work for the railroad and knows they are only allowed 10 minutes. He stated he received a letter on February 14, 2017, and asked when something is going to happen.

Mayor Willson agreed this is a situation, so staff had met with the railroad, who is aware of the problem, and while they said they will take steps to avoid it, there will be 5-15 minute blockage at times based on Federal regulations in how the trains are put together.

Mr. Neinas stated his opinion that the Federal government is not hearing the City's concerns and expressed his own concern someone waiting in a car may be robbed or attacked by a gang member. Mr. Neinas stated he was blocked at this intersection in October so he wanted to address his concern with the City Council.

Mayor Willson stated another option is to alert drivers before they get blocked at that intersection so they know to detour around that location. City Manager Boganey stated the City Attorney had been asked to research how long the train can legally be stopped on the track.

City Attorney Troy Gilchrist advised the Statute does have a time limitation but in communication with the railroad, they indicated that Statute does not apply to them as they are instead subject to federal regulations. Mr. Gilchrist stated the City explained its concerns with emergency response and continues to hold those conversations to find a resolution.

Mayor Willson offered to meet with Mr. Neinas and the City Manager to further address this topic.

Robert Marvin, 4711 Twin Lake Avenue, stated the three Twin Lake Associations have also talked with the railroad about that issue as well as the abandoned wooden piers under the trestle that have damaged boats. Mr. Marvin stated when they raised these concerns, the railroad's response was that they will fix it if they get an order from a jurisdiction that has the authority.

Mayor Willson closed the Informal Open Forum at 6:59 p.m.

2. INVOCATION

Mayor Willson commented on the current fires burning in California, loss of lives, homes, and property, and requested a moment of silence and personal reflection as the Invocation.

3. CALL TO ORDER REGULAR BUSINESS MEETING

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

4. ROLL CALL

Mayor Tim Willson and Councilmembers Marquita Butler, Kris Lawrence-Anderson, and Dan Ryan. Councilmember April Graves was absent and excused. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, Finance Director Nate Reinhardt, Director of Business and Development Gary Eitel, Communications Coordinator Angel Smith, Interim Community Development Director Michael Ericson, Planner and Zoning Administrator Ginny McIntosh, Engineering Technician IV Jay Hill, Public Works Director Doran Cote, City Attorney Troy Gilchrist, and Carla Wirth, TimeSaver Off Site Secretarial, Inc.

5. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Councilmember Ryan moved and Councilmember Lawrence-Anderson seconded to approve the Agenda and Consent Agenda, and the following consent items were approved:

6a. APPROVAL OF MINUTES

1. November 27, 2017 – Study/Work Session
2. November 27, 2017 – Regular Session
3. November 27, 2017 – Work Session
4. December 4, 2017 – 2017 Budget Hearing
5. December 4, 2017 – Special Session

6b. LICENSES

GASOLINE SERVICE STATION

Holiday Stationstore #292	420 66th Avenue N.
Kabalan Co.	
dba: Pump N Munch	1505 69th Avenue N.
Holiday Stationstore #2099	6890 Shingle Creek Parkway

LIQUOR – CLASS A ON-SALE INTOXICATING

Apple Minnesota LLC	
dba Applebee's Neighborhood Grill & Bar	1400 Shingle Creek Crossing
2200 Beverage Management, LLC	
dba DoubleTree by Hilton Minneapolis N.	2200 Freeway Boulevard

LIQUOR – CLASS B ON-SALE INTOXICATING

Brooklyn Hotel Partners LLC	
dba Embassy Suites	6300 Earle Brown Drive
Jammin Wings LLC	
dba Jammin Wings	2590 Freeway Boulevard

LIQUOR – CLASS F ON-SALE INTOXICATING

Flikj International Corp.	
Dba Earle Brown Heritage Center	6155 Earle Brown Drive

LIQUOR – ON-SALE club INTOXICATING

Duoos Bros. American Legion Post 630	6110 Brooklyn Boulevard

LIQUOR – ON-SALE WINE INTOXICATING AND 3.2 PERCENT MALT LIQUOR

Brooklyn Center Restaurant, Inc.	
dba 50's Grill	5524 Brooklyn Boulevard
Davanni's Pizza & Hot Hoagies	5837 Summit Drive

Hiep Thanh Dell, Inc.	
dba Hiep Thanh BBQ & Deli	6201 Brooklyn Boulevard
-Subject to submittal of Liquor Liability Insurance Certificates	
Rose Garden	6090 Shingle Creek Parkway

LIQUOR – ON-SALE 3.2 PERCENT MALT LIQUOR

Centerbrook Golf Course	
Centennial Park and Evergreen Park	6301 Shingle Creek Parkway
Chipotle Mexican Grill	5711 Xerxes Avenue N.
UEC Hospitality LLC	
dba Wingstop #1005	1180 Shingle Creek Crossing/G1

LIQUOR – OFF-SALE 3.2 PERCENT MALT LIQUOR

Awad Company dba Winner	6501 Humboldt Avenue N.
Diamond Lake 1994 LLC	
dba Cub Foods – Brookdale	3245 County Road 10
Kabalan Co.	
dba Pump N Munch	1505 69th Avenue N.
-Subject to submittal of Liquor Liability Insurance Certificate	
Leng Ku	
dba Sun Foods	6350 Brooklyn Boulevard
Northern Tier Retail LLC	
dba SuperAmerica #3192	6950 Brooklyn Boulevard
Northern Tier Retail LLC	
dba SuperAmerica #4160	6545 West River Road
Northern Tier Retail LLC	
dba SuperAmerica #4058	1901 57th Avenue N.

LIQUOR – SUNDAY SALES

2200 Beverage Management, LLC	
dba DoubleTree by Hilton Minneapolis N	2200 Freeway Boulevard
Apple Minnesota LLC	
dba Applebee's Neighborhood Grill & Bar	1400 Shingle Creek Crossing
Brooklyn Hotel Partners LLC	
dba Embassy Suites	6300 Earle Brown Drive
Duoos Bros. American Legion Post 630	6110 Brooklyn Boulevard
Flik International Corp.	
dba Earle Brown Heritage Center	6155 Earle Brown Drive
Jammin Wings LLC	
dba Jammin Wings	2590 Freeway Boulevard

LIQUOR – OPTIONAL SPECIAL 2 A.M. CLOSING

2200 Beverage Management, LLC	
dba DoubleTree by Hilton Minneapolis N	2200 Freeway Boulevard
Jammin Wings LLC	
dba Jammin Wings	2590 Freeway Boulevard

MECHANICAL

Alan Mechanical, Inc.	7875 Fuller Road, Eden Prairie
Midland Heating & Air Conditioning	413 West 60th Street, Minneapolis
Sedgwick Heating	1408 Northland Drive, Suite 310, Mendota Heights
T&S Heating and Air Conditioning	1524 Mulberry Street, Taylor Falls

PUBLIC DANCE

Jammin Wings, LLC	2590 Freeway Boulevard

RENTAL

INITIAL (TYPE II – two-year license)

2412 Ericon Drive	Kurt Templin

RENEWAL (TYPE III – one-year license)

4811 Lakeview Avenue	Diane Krenz
2307-09 54th Avenue N.	James Johnson
6742-44 France Avenue N.	Infinite Property LLC
1401 72nd Avenue N.	Chad Tesmer

RENEWAL (TYPE II – two-year license)

4748-52 Twin Lake Avenue	Grant and Pam Osgood
3609 66th Avenue N.	Bradley McKnight
5201 Drew Avenue N.	Ahmed Omar
5913 June Avenue N.	Mohammed Mehdi
5524 Knox Avenue N.	Michaele Ude
4207 Lakeside Avenue #240	Tomjy Conteh
6907 Quail Avenue N.	Tony & Carmen Holder

RENEWAL (TYPE I – three-year license)

2701 65th Avenue N.	Trinh Vu
3312 65th Avenue N.	Charles Kaatz

TOBACCO RELATED PRODUCT

Holiday Stationstore #292	420 66th Avenue N.
Kabalan Co. dba: Pump N Munch	1505 69th Avenue N.
Holiday Stationstore #2099	6890 Shingle Creek Parkway

6c. 2018 CITY COUNCIL MEETING SCHEDULE

6d. RESOLUTION NO. 2017-198 DESIGNATING POLLING PLACES FOR THE CITY OF BROOKLYN CENTER FOR 2018 ELECTIONS

6e. RESOLUTION NO. 2017-199 SETTING SALARIES FOR CALENDAR YEAR 2018

6f. RESOLUTION NO. 2017-200 AUTHORIZING EXECUTION OF LAND EXCHANGE AGREEMENT BETWEEN THE CITY OF BROOKLYN CENTER AND BROOKDALE COVENANT CHURCH

6g. AN ORDINANCE VACATING A PORTION OF RIGHT-OF-WAY: LILAC DRIVE NORTH – MOTION TO APPROVE FIRST READING AND SET SECOND READING AND PUBLIC HEARING FOR JANUARY 22, 2018

6h. RESOLUTION NO. 2017-201 APPROVING FINAL PLAT FOR SHINGLE CREEK CROSSING 6TH ADDITION

Motion passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

7a. RESOLUTION NO. 2017-202 EXPRESSING RECOGNITION AND APPRECIATION TO DIRECTOR OF BUSINESS AND DEVELOPMENT GARY EITEL FOR 10 YEARS OF DEDICATED SERVICE TO THE CITY OF BROOKLYN CENTER

Mr. Boganey stated his strong support to recognize the contribution of Director of Business and Development Gary Eitel.

Mayor Willson read in full a Resolution expressing the City's appreciation to Director of Business and Development Gary Eitel for ten years of dedicated service to the City of Brooklyn Center.

Councilmember Ryan moved and Councilmember Butler seconded to adopt RESOLUTION NO. 2017-202 Expressing Recognition and Appreciation to Director of Business and Development Gary Eitel for 10 Years of Dedicated Service to the City of Brooklyn Center.

Motion passed unanimously.

Mayor Willson announced the December 20, 2017, retirement celebration for Mr. Eitel. He noted when Mr. Eitel came to the City, it was to be for only several months with the intent of retiring; however, Mr. Eitel stayed for ten years and the City has been fortunate to have him.

8. PUBLIC HEARINGS

8a. ORDINANCE NO. 2017-02 AMENDING CHAPTER 23 OF THE CITY CODE OF ORDINANCES REGARDING FILMING ACTIVITIES AND COMMERCIAL PHOTOGRAPHY

Deputy City Manager Reggie Edwards introduced the item, discussed the history, and stated the purpose of the proposed ordinance to place regulations on filming activities and commercial photography within Brooklyn Center. He described the types of requests the City has received, process followed to draft the proposed ordinance, and elements included in the proposed ordinance. Dr. Edwards explained there is not a set permit fee but there would be a fee based on the requested service. It was noted this item was first read on November 13, 2017; published in the official newspaper on November 23, 2017; and, is offered this evening for Public Hearing. Dr. Edwards presented next steps to open the Public Hearing to receive comments and consider adoption of the proposed ordinance.

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

Motion passed unanimously.

Don Bumgarner, 7030 Drew Avenue N., stated his concern as it involves First Amendment rights and the ordinance does not indicate it wouldn't apply to private citizens or news media. Mayor Willson explained this is not defined so broadly to include private citizens or television cameras for the news media.

City Attorney Troy Gilchrist concurred and advised it is intended to focus on commercial photography and movie sets and would not apply to or restrict private citizens or news media. He noted it also exempts small business photographers who take things like senior pictures.

Mr. Bumgarner stated he finds the language to be vague and ambiguous and that it could apply to a private citizen filming something should the news media want to purchase that film. He would like specific language included to exempt private citizens.

Tammy Sathre, 6038 Lilac Drive N., stated she shares the concern that a private citizen would be required to obtain a permit if they are taking photos in a park. Mayor Willson explained why that activity would not fall under this ordinance.

Robert Marvin, 4711 Twin Lake Avenue, stated he understands the need for this type of ordinance for a Hollywood production that may interrupt traffic but even though the intent is not to limit individuals, he found the language does not specifically state that. He noted if someone calls the police, then City resources would be expended and the exception would no longer apply. Mr. Marvin felt a 'one size fits all' approach does not work and suggested additional insurance be required beyond $300,000 depending on the scope of the interruption. He also suggested the $500 fee to close a street be more closely defined, thinking the fee should be proportionate with the disruption. Mayor Willson explained at the time the permit is pulled, the amount of the fee would be determined based on staff's analysis of the scope of the request, interruption, and use of City services.

Mr. Marvin referenced the language relating to use of public right-of-way and private property when filming which may be occurring at a resident's party. Mayor Willson stated again that relates to private citizen's activities and the ordinance is not overly broad.

With regard to Mr. Marvin's comment during Informal Open Forum, Mayor Willson asked Mr. Marvin for specifics relating to his conversation with the railroad when they indicated that if a jurisdictional body went to them, they would honor that request. Mr. Martin stated he would check his notes and share them with staff.

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

Motion passed unanimously.

Councilmember Lawrence-Anderson clarified the purpose of this ordinance is to protect the City against expenditures resulting from commercial operations and in no way imposes on private citizens.

Councilmember Ryan asked if under reasonable definition of 'commercial filming activity' that concerns with freedom of speech and freedom of movement on public property are not affected by this ordinance. Mr. Gilchrist advised the activities subject to permitting are commercial activities engaged for payment and the activity would have to result in the use of City services so this would not pertain to someone calling the police to complain. He stated staff did discuss scenarios from permitting a major motion picture to something much smaller, which is the reason for the general conditions and review and broad discretion by the City Manager to place conditions and respond to the specific activity under consideration.

Mr. Boganey stated if the applicant is dissatisfied with conditions established by the City Manager there is a process to appeal to the City Council.

Mayor Willson noted the use of drones is also addressed, which will be impacted by the location of the Crystal Airport.

Councilmember Ryan stated the intent is to limit nuisances and inconveniences to the public while encouraging positive commercial activity. He stated he finds the ordinance to be reasonably crafted and he supports it.

Mr. Boganey read the specific exceptions detailed in the proposed ordinance.

Councilmember Ryan moved and Councilmember Butler seconded to adopt ORDINANCE NO. 2017-02 Amending Chapter 23 of the City Code of Ordinances Regarding Filming Activities and Commercial Photography.

Motion passed unanimously.

8b. CHAPTER 11 OF THE CITY CODE OF ORDINANCES REGARDING LIQUOR LICENSES

Dr. Edwards introduced the item, discussed the history, and stated the purpose of the proposed ordinance relating to the number and type of liquor licenses issued in the City and resolution to

amend the fee schedule. He described staff's review and comparison with 12 other cities within the regional marketplace of Brooklyn Center relating to impact of the liquor license fee and regulations on whether they locate in Brooklyn Center. He presented key findings, noting Brooklyn Center has one of the lowest number of establishments licensed to serve intoxicating liquor among the 12 cities reviewed. The City also has one of the higher fee structures among those cities reviewed. Dr. Edwards stated the City also has the most restrictive seating capacity, and higher food to liquor sales ratio regulation, but does not have a significant difference in police calls.

Dr. Edwards noted the City Council discussed the liquor license regulations and fees and directed staff to develop an amended liquor license ordinance to flatten/simplify classification and fee tier system, set City fees that are comparable and competitive with other cities, and address related public safety matters. It was noted this item was first read on November 13, 2017; published in the official newspaper on November 23, 2017, and, is offered this evening for Public Hearing. Dr. Edwards presented significant ordinance changes, provided an explanation of each, and stated staff believes the proposed ordinance addresses the direction provided by the City Council. He recommended the City Council hold the Public Hearing and consider adoption of the proposed ordinance and resolution.

Councilmember Butler stated the Police Chief was included in the ordinance discussion and asked, if stopping liquor sales at 1 a.m., were there any other concerns with increasing the number of liquor licenses issued. Dr. Edwards stated staff looked at the police calls over the last year and did not see a correlation based on the types of calls received and the liquor license regulations. Staff's best guess is that someone who has consumed alcohol and is on the route home, may stop for one more and the City wants to mitigate Brooklyn Center becoming that stopping point.

Councilmember Butler asked if there is an increase in police calls would that licensed establishment be treated similar to a rental license where the license can be pulled. Mr. Boganey stated staff did not modify the ordinance in that respect and the prior City Council comment was if after implementation of these changes the City found there was an establishment with specific problems, then the City could amend the ordinance to address that specific problem that might arise. That was the intent.

Mr. Boganey stated there is no Statutory ratio requirement for the food to liquor, but 30% is reflective of the norm from the 12 study cities.

Councilmember Lawrence-Anderson stated she heard this ordinance was last altered in the 1970s so it is time for a review. She asked if this new license process will be more efficient use of staff time. Mr. Boganey stated it will without a doubt and both staff and applicants will be better served by this less complicated system.

Councilmember Lawrence-Anderson noted staff reviews the ratio prior to a new renewal date. Mr. Boganey confirmed that is correct. Councilmember Lawrence-Anderson stated in the past she offered her support and hopes this will be in effect prior to the Super Bowl.

Mayor Willson stated his support to close liquor sales at 1 a.m.

1. ORDINANCE NO. 2017-03 AMENDING CHAPTER 11 OF THE CITY CODE OF ORDINANCES REGARDING LIQUOR LICENSES

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

Motion passed unanimously.

Wayne Brown, owner of Jammin Wings, stated his concern as this ordinance will immensely affect his business which is open until 2 a.m. He asked if his business can be grandfathered as he is in his fifth year of business. If not, he would like assistance from the City with employee transportation as it would assure employee longevity. Also, his business advertises as being open until 2 a.m. and the City said he has to remove his sign. Mr. Brown stated police calls to his business have gone down dramatically and he has talked with Mr. Boganey about how to continue to improve his business.

Mayor Willson clarified this ordinance change is not as a direct result of any current business in Brooklyn Center but for businesses that want to locate in Brooklyn Center but cannot meet the City's criteria. He explained the bus service and bus stops are not City resources.

Mr. Brown stated another issue is the difficulty in access from the I-694 and I-94. Mayor Willson explained the City only has jurisdiction over local highways.

Councilmember Butler asked about the amount of liquor sales after 1 a.m. Mr. Brown estimated more than 30% of his business since it is a nightclub atmosphere. Mayor Willson suggested looking at the food to liquor ratio to determine the actual percent. Mr. Boganey stated staff does not have immediate access to sales data related to a particular hour of the day. Mr. Brown offered to provide that information.

Mr. Boganey stated Mr. Brown indicated that in the evening there is more of a nightclub atmosphere but the Statute specifically says liquor licenses are provided at restaurants and hotels. The purpose of the Statute is to supplement restaurant activity, not to provide a liquor license for a nightclub, which is prohibited for suburban communities. If the business is functioning as a nightclub, that is not in the spirit of the State law. Mayor Willson noted Mr. Brown may have used the wrong term and meant that he has late night customers coming in for food. Mr. Brown stated that is correct and his ratio is 54% food with 46% alcohol.

Carol Kleven, 5835 Zenith Avenue N., thanked staff for reviewing the liquor license ordinance, noting the City has waited a long time to get large sit-down restaurants. She stated if this ordinance amendment makes that feasible, then she supports it and thinks the City should make it happen. Ms. Kleven stated Police Chief Gannon assured her the Department was prepared for any issues that could occur, but she is concerned about a recent *Sun Post* article saying Qdoba wants to sell beer and cocktails. She explained Qdoba does not sell liquor at their other locations and she would not like Brooklyn Center to be the first location to start that.

Jackson George, 5901 Brooklyn Boulevard, Liberian Business Association, stated they have 45 businesses in Brooklyn Center and Brooklyn Park, meet at restaurants for monthly meetings, and would like the restaurant to offer wine. He stated his support for the new ordinance.

Estella Fallah, owner of Estella's Kitchen, 6838 Humboldt Avenue N., stated her support for the proposed ordinance, as not having a liquor license has been a block to grow her business. Mayor Willson welcomed Ms. Fallah and stated the City's support of incubator businesses.

Mr. Boganey noted sections of the ordinance not under consideration tonight would make it difficult for Humboldt Square to qualify as it contains a day care and a liquor license is prohibited within a certain distance of a day care. Ms. Fallah stated she understands that is the case and had talked about it with her landlord who was also not aware. She stated she is between the day care and the church, but she is not open on Sunday. Mr. Boganey stated he will confirm whether the distance prohibition from day cares and churches is State law.

Robert Marvin, 4711 Twin Lake Avenue, agreed that promoting business is a good thing and stated the City may get more revenue as it issues more licenses, and this will help grow business. He supported the proposed resolution.

Councilmember Ryan moved and Councilmember Butler seconded to close the Public Hearing.

Motion passed unanimously.

Mr. Gilchrist pointed out a needed correction to 'Section 11-107, Paragraph 14. Off-Sale Small Brewer License. This license may be issued to a Brewer licensed under Minnesota Statutes, Section 340A.301…'

Councilmember Ryan moved and Councilmember Lawrence-Anderson seconded to adopt ORDINANCE NO. 2017-03 Amending Chapter 11 of the City Code of Ordinances Regarding Liquor Licenses, as amended.

Motion passed unanimously.

2. RESOLUTION NO 2017-203 AMENDING THE CITY OF BROOKLYN CENTER FEE SCHEDULE RELATING TO LIQUOR LICENSING

Councilmember Lawrence-Anderson moved and Councilmember Ryan seconded to adopt RESOLUTION NO. 2017-203 Amending the City of Brooklyn Center Fee Schedule Relating to Liquor Licensing.

Motion passed unanimously.

8c. PUBLIC HEARINGS FOR FIREHOUSE PARK AREA IMPROVEMENTS

Public Works Director Doran Cote introduced the item, noting a 4/5ths vote of the City Council is required to order the improvement and plans and specs for the project and a simple majority

vote is required to certify the special assessments. He reported that no appeals have been received to date.

Engineering Technician IV Jay Hill presented the Capital Improvement Program (CIP) and feasibility report for the proposed project in the residential neighborhood area commonly referred to as the Firehouse Park Area that included: full street reconstruction, replacement of free-standing street lights with LED fixtures, and boulevard restoration; installation of new storm sewers and concrete curb and gutter; replacement of approximately 50% of existing water main pipes, new valves, hydrants, and water services to the curb stops where impacted; and, replacement of approximately 90% of sanitary sewer pipe, access structures, and residential sewer services to property lines. He displayed pictures of pavement conditions and described the proposed improvements.

Mr. Hill then presented the feasibility report for Agenda Item 8d, the proposed project in the residential neighborhood area commonly referred to as the 51st Avenue / Frontage Road Area that included: full street reconstruction of 51st Avenue from Brooklyn Boulevard to Xerxes Avenue, replacement of street signs an sidewalk, changes to turn lanes and points of access, installation of concrete driveway aprons, installation of concrete curb and gutter and a new six-foot sidewalk and boulevard restoration; repair and replacement of existing storm sewers on 51st Avenue and new storm sewers on Lilac Drive; complete replacement of the existing water main pipes, new valves, hydrant, and water services to the shut off valve where impacted on 51st Avenue; and, complete replacement of sanitary sewer pipe, access structures, and residential sewer services to property lines on 51st Avenue.

Mr. Hill explained that special assessments are proposed as one of several funding sources for this project. He presented a summary of assessments, noting for a non-subdividable single-family residential property zoned R1, the full unit assessment is $4,353 for street improvements and $1,306 for storm drainage improvements. Other larger R1 zoned properties would be assessed based on computing a maximum number of subdividable lots times the full R1 unit assessments. Mr. Albers explained how the special assessment would be calculated for property zoned R3.

Mr. Hill outlined the process for a property owner to appeal or object to a special assessment as well as payment options. He stated staff recommends the City Council hold a public hearing to accept comments on the improvement project and defer comments concerning the special assessment to the second public hearing.

Councilmember Butler stated she received questions asking why residents have to pay or cover the full amount. Mayor Willson noted all residents have been treated equally since the start of this process and now there are only three years left to complete streets in the City so it would not be fair to cover these assessments when earlier assessments were not covered.

Mr. Boganey stated in addition, at the beginning of the process, it was a policy choice for the City Council that it would be best, fair, and justifiable that residents benefiting from the improvement should be paying some portion of the cost. That is how the program was started. The Statutory authority is based on the assumption that the improvement made by the

government actually improves the private value and benefit to the owner of the property where the improvement is taking place. The City cannot assess more to a property owner than the actual change in the value of the property. Mr. Boganey explained the other justification is the individual property owners are getting a special benefit from the improvement so they should contribute towards that improvement.

The City Council reviewed the preliminary project budget and percentages to be paid by the City and those to be assessed.

Councilmember Ryan stated over the many years the City has been responsible to replace critical infrastructure, the construction price index has surpassed the consumer price index so the project price has increased significantly over the 25 years of projects. He stated he is aware this is a difficult challenge for some homeowners but the cost is over many funds to mitigate the impact of the special assessments as much as possible. Mr. Boganey noted the assessment is for 16.3% of the total reconstruction cost but the Street Reconstruction Fund is contributing 32.6% and that comes from all tax payers and franchise fees (general public). This means the City's general public is paying twice as much for the street as the private property owner.

Mayor Willson agreed wages have not kept up with the increase in construction project costs so many are struggling to keep up.

Councilmember Ryan stated unless Edina has changed its policies, they assess for the total project cost and five years ago, a neighborhood petitioned to suspend their project because they didn't want to pay in the range of a $14,000 assessment. He agreed Brooklyn Center has taken on projects and assessments in a very responsible manner to reduce the impact of special assessments.

1. **RESOLUTION NO. 2017-204 ORDERING IMPROVEMENTS AND AUTHORIZING PREPARATION OF PLANS AND SPECIFICATIONS FOR IMPROVEMENT PROJECT NOS. 2018-01, 02, 03, AND 04, FIREHOUSE PARK AREA STREET, STORM DRAINAGE, AND UTILITY IMPROVEMENTS**

Councilmember Lawrence-Anderson moved and Councilmember Butler seconded to open the Public Hearing.

Motion passed unanimously.

Aleta Stevenson, 6726 North Fifth Street, stated she works nights and asked if they will be able to drive on the street during the project. Mayor Willson explained the street will be dug up but put back in place every night to provide residents access to their garages on a daily basis. When needed, the contractor will also accommodate moving a vehicle during the day.

Councilmember Lawrence-Anderson stated if the City is aware of a resident's medical needs, they will make accommodations with the contractor.

Ms. Stevenson asked about the mailboxes. Mayor Willson stated the contractor may place temporary mailboxes outside of the construction area so the Post Office can still deliver mail. If the neighborhood thinks a locked mailbox is important, they can make that request.

Mr. Hillcrest described the updated street light fixtures and stated multi-use poles will not be changed.

Ms. Stevenson asked if trees will be replaced if located on private property. Mr. Hillcrest stated trees within the boulevard or near the sanitary or water services that have to be removed due to construction will be replaced one-to-one.

Councilmember Ryan moved and Councilmember Butler seconded to close the Public Hearing.

Motion passed unanimously.

Councilmember Ryan moved and Councilmember Butler seconded to adopt RESOLUTION NO. 2017-204 Ordering Improvements and Authorizing Preparation of Plans and Specifications for Improvement Project Nos. 2018-01, 02, 03, and 04, Firehouse Park Area Street, Storm Drainage, and Utility Improvements.

Motion passed unanimously.

2. RESOLUTION NO 2017-205 CERTIFYING SPECIAL ASSESSMENTS FOR IMPROVEMENT PROJECT NOS. 2018-01 AND 2018-02, FIREHOUSE PARK AREA STREET AND STORM DRAINAGE IMPROVEMENTS TO THE HENNEPIN COUNTY TAX ROLLS

Councilmember Butler moved and Councilmember Lawrence-Anderson seconded to open the Public Hearing.

Motion passed unanimously.

No one wished to address this item.

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

Motion passed unanimously.

Councilmember Lawrence-Anderson moved and Councilmember Butler seconded to adopt RESOLUTION NO. 2017-205 Certifying Special Assessments for Improvement Project Nos. 2018-01 and 2018-02, Firehouse Park Area Street and Storm Drainage Improvements to the Hennepin County Tax Rolls.

Motion passed unanimously.

8d. PUBLIC HEARINGS FOR 51st AVENUE /FRONTAGE ROAD IMPROVEMENTS

Mr. Hill presented this feasibility report with Agenda Item 8c, Public Hearing for Firehouse Park Area Improvements.

1. RESOLUTION NO. 2017-206 ORDERING IMPROVEMENTS AND AUTHORIZING PREPARATION OF PLANS AND SPECIFICATIONS FOR IMPROVEMENT PROJECT NO. 2018-06, 51st AVENUE / FRONTAGE ROAD STREET, STORM DRAINAGE, AND UTILITY IMPROVEMENT

Councilmember Ryan moved and Councilmember Lawrence-Anderson seconded to open the Public Hearing.

Motion passed unanimously.

No one wished to address this item.

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

Motion passed unanimously.

Councilmember Ryan moved and Councilmember Lawrence-Anderson seconded to adopt RESOLUTION NO. 2017-206 Ordering Improvements and Authorizing Preparation of Plans and Specifications for Improvement Project No 2018-16, 51st Avenue / Frontage Road Street, Storm Drainage, and Utility Improvements.

Motion passed unanimously.

2. RESOLUTION NO 2017-207 CERTIFYING SPECIAL ASSESSMENTS FOR IMPROVEMENT PROJECT NO 2018-06, 51ST AVENUE / FRONTAGE ROAD STREET AND STORM DRAINAGE IMPROVEMENTS TO THE HENNEPIN COUNTY TAX ROLLS

Councilmember Lawrence-Anderson moved and Councilmember Butler seconded to open the Public Hearing.

Motion passed unanimously.

No one wished to address this item.

Councilmember Ryan moved and Councilmember Butler seconded to close the Public Hearing.

Motion passed unanimously.

Councilmember Lawrence-Anderson moved and Councilmember Butler seconded to adopt RESOLUTION NO. 2017-207 Certifying Special Assessments for Improvement Project No 2018-06, 51st Avenue / Frontage Road Street and Storm Drainage Improvements to the Hennepin County Tax Rolls.

Motion passed unanimously.

9. PLANNING COMMISSION ITEMS

9a. PLANNING COMMISSION APPLICATION NO. 2017-012, SUBMITTED BY TRENT MAYBERRY OF TOLD DEVELOPMENT COMPANY. REQUEST FOR APPROVAL OF A NEW BUILDING AND SITE PLAN FOR THE DEVELOPMENT OF A ONE-STORY, 3,984 SQUARE FOOT BANK OF AMERICA BRANCH LOCATION WITH ATM DRIVE-THRU, TO BE LOCATED AT 2545 COUNTY ROAD 10 WITHIN THE SHINGLE CREEK CROSSING PLANNED UNIT DEVELOPMENT (PUD)

Planner and Zoning Administrator Ginny McIntosh provided an overview of Planning Commission Application No. 2017-012 and advised the Planning Commission recommended approval of the applications at its November 30, 2017, meeting.

1. RESOLUTION NO. 2017-209 REGARDING THE RECOMMENDED DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2017-02 SUBMITTED BY TRENT MAYBERRY / TOLD DEVELOPMENT COMPANY APPROVING NEW SITE AND BUILDING PLAN FOR THE DEVELOPMENT OF A BANK OF AMERICA ON BUILDING SITE F IN THE SHINGLE CREEK CROSSING 6TH ADDITION (LOCATED AT 2545 COUNTY ROAD 10)

Councilmember Butler moved and Councilmember Ryan seconded to approve RESOLUTION NO. 2017-209 Regarding the Recommended Disposition of Planning Commission Application No. 2017-02 Submitted by Trent Mayberry / Told Development Company Approving New Site and Building Plan for the Development of a Bank of America on Building Site F in the Shingle Creek Crossing 6th Addition (located at 2545 County Road 10).

Motion passed unanimously.

10. COUNCIL CONSIDERATION ITEMS

10a. CONSIDERATION OF TYPE IV 6-MONTH PROVISIONAL RENTAL LICENSES

Mayor Willson explained the streamlined process that will now be used to consider Type IV 6-Month Provisional Rental Licenses.

Mayor Willson polled the audience and asked whether anyone was in attendance to provide

testimony on any of the rental licenses as listed on tonight's meeting agenda. Seeing no one coming forward, Mayor Willson called for a motion on Agenda Items 10a1 through 10a14.

10a1.	**6009 Aldrich Avenue N.**
10a2.	**5606 Bryant Avenue N.**
10a3.	**6337 Bryant Avenue N.**
10a4.	**4906 Howe Lane**
10a5.	**4200 Lakebreeze Avenue**
10a6.	**5300 Logan Avenue N.**
10a7.	**5401 Oliver Avenue N.**
10a8.	**5337-39 Queen Avenue N.**
10a9.	**6000 Vincent Avenue N.**
10a10.	**RESOLUTION NO. 2017-210 Approving a Type IV 6-Month Provisional Rental License for 3300 65th Avenue N.**
10a11.	**RESOLUTION NO. 2017-211 Approving a Type IV 6-Month Provisional Rental License for 6106 Aldrich Avenue N.**
10a12.	**RESOLUTION NO. 2017-212 Approving a Type IV 6-Month Provisional Rental License for 5637-39 Girard Avenue N.**
10a13.	**RESOLUTION NO. 2017-213 Approving a Type IV 6-Month Provisional Rental License for 2913 Nash Road**
10a14.	**RESOLUTION NO. 2017-214 Approving a Type IV 6-Month Provisional Rental License for 5406 Sailor Lane**

Councilmember Ryan moved and Councilmember Lawrence-Anderson seconded to approve the issuance of a Type IV six-month provisional rental license and mitigation plan for the following: 6009 Aldrich Avenue N., 5606 Bryant Avenue N., 6337 Bryant Avenue N., 4906 Howe Lane, 4200 Lakebreeze Avenue, 5300 Logan Avenue N., 5401 Oliver Avenue N., 5337-39 Queen Avenue N., 6000 Vincent Avenue N., and adopt RESOLUTION NO. 2017-210 Approving a Type IV 6-Month Provisional Rental License for 3300 65th Avenue N.; RESOLUTION NO. 2017-211 Approving a Type IV 6-Month Provisional Rental License for 6106 Aldrich Avenue N.; RESOLUTION NO. 2017-212 Approving a Type IV 6-Month Provisional Rental License for 5637-39 Girard Avenue N.; RESOLUTION NO. 2017-213 Approving a Type IV 6-Month Provisional Rental License for 2913 Nash Road; and, RESOLUTION NO. 2017-214 Approving a Type IV 6-Month Provisional Rental License for 5406 Sailor Lane, with the requirement that the mitigation plans and all applicable ordinances must be strictly adhered to before renewal licenses would be considered.

Motion passed unanimously.

10b. MAYORAL REAPPOINTMENTS TO CITY ADVISORY COMMISSIONS

Councilmember Lawrence-Anderson moved and Councilmember Butler seconded to ratify the following Mayoral appointments:

Financial Commission – term to expire December 31, 2020
Tia Hedenland and Teneshia Kragness

Housing Commission – term to expire December 31, 2020
Mark Goodell
Park and Recreation Commission – term to expire December 31, 2020
Bud Sorenson and Jill Dalton
Planning Commission – term to expire December 31, 2019
Alexander Koenig, Abraham Rizvi, and Rochelle Sweeney
NW Suburbs Cable Communications Commission – term to expire December 31, 2018
Darryl Sannes

Mayor Willson explained if there are three absences in a row, it results in an automatic resignation and notice is sent to that individual. He stated he asked the City Clerk to send similar information to each Chair indicating the Mayor reviews these appointments on an annual basis and participation is important.

Motion passed unanimously.

With regard to 2018 liaison appointments, Mayor Willson stated Councilmember Butler would like to move from the Financial Commission to another to gain a better understanding of the City. Also, he would like Councilmember Ryan to remain as the League of Minnesota Cities liaison. Mayor Willson asked Members to call if they would like to be reassigned, noting he will submit his appointments to the City Clerk by December 18, 2017, for consideration at a January 2018 meeting.

Councilmember Ryan stated his interest in continuing to serve as the City's liaison to the League of Minnesota Cities and Metro Cities.

RECESS AND RECONVENE

Councilmember Ryan moved and Councilmember Butler seconded to recess to the Economic Development Authority Meeting.

Motion passed unanimously.

Councilmember Ryan moved and Councilmember Lawrence-Anderson seconded to reconvene the Regular Session.

Motion passed unanimously.

11. COUNCIL REPORT

Councilmember Ryan reported on his attendance at the following events:

- November 28, 2017: MAC Meeting
- November 29, 2017: League of Minnesota Cities Annual Board Meeting
- November 30, 2017: Visit Minneapolis Northwest Open House
- December 3, 2017: Holly Sunday
- December 4, 2017: Public Hearing for the City's Budget

- December 5, 2017: Neighborhood Watch Captains Dinner
- December 9, 2017: Lions Club Bell Ringing at Cub Foods

Councilmember Lawrence-Anderson reported on her attendance at the following events:
- November 28, 2017: MAC Meeting
- December 3, 2017: Holly Sunday
- December 4, 2017: Public Hearing for the City's Budget
- December 5, 2017: Neighborhood Watch Captains Dinner

Councilmember Butler reported on her attendance at the following events:
- November 28, 2017: ACER Neighborhood Gathering
- November 30, 2017: Visit Minneapolis Northwest Open House
- December 1, 2017: ACER Meeting
- December 3, 2017: Holly Sunday
- December 4, 2017: Public Hearing for the City's Budget

Mayor Willson reported on his attendance at the following events:
- December 4, 2017: Public Hearing for the City's Budget
- December 8, 2017: Brooklyns Breakfast for BrookLynk

12. ADJOURNMENT

Councilmember Lawrence-Anderson moved and Councilmember Ryan seconded adjournment of the City Council meeting at 9:58 p.m.

Motion passed unanimously.

City Council Agenda Item No. 6b

COUNCIL ITEM MEMORANDUM

DATE: January 2, 2017

TO: Curt Boganey, City Manager

FROM: Rozlyn Tousignant, Deputy City Clerk

SUBJECT: Licenses for City Council Approval

Recommendation:
It is recommended that the City Council consider approval of the following licenses on January 8, 2018.

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.

GASOLINE SERVICE STATION

Northern Tier Energy/Reatil/Super America dba: Super America 3192	6950 Brooklyn Blvd
Northern Tier Energy/Reatil/Super America dba: Super America 4058	1901 57th Ave N
Northern Tier Energy/Reatil/Super America dba: Super America 4160	6545 West River Rd
Two Rivers Investment, Inc.	6840 Humboldt Ave N

MECHANICAL

Airtech Thermex LLC	4918 W. 35th St., St. Louis Park
BWS Plumbing, Heating and Air	7251 Washington Ave S, Edina
Erickson Plumbing Heating Cooling Inc.	1471 92nd Lane NE, Blaine
Farr Plumbing & Heating LLC	2525 Nevada Ave N #104, Golden Valley
Geist and Pierson LLC	14750 Potassium St NW, Ramsey
Homeworks Plumbing Heating Air	1230 Eagan Industrial Rd #117, Eagan
Joel Smith Heating & A/C	13915 Lincoln St NE Ste E, Ham Lake
Mechanical Air Systems	6995 20th Ave S., Centerville
Superior Heating Air Conditioning & Electric Inc.	3731 Thurston Ave Ste 108, Anoka
Temperature Pro SW Minneapolis	4423 Nicollet Ave, Minneapolis

RENTAL
See attached report.

COUNCIL ITEM MEMORANDUM

TOBACCO RELATED PRODUCT

Northern Tier Energy/Reatil/Super America dba: Super America 3192	6950 Brooklyn Blvd
Northern Tier Energy/Reatil/Super America dba: Super America 4058	1901 57th Ave N
Northern Tier Energy/Reatil/Super America dba: Super America 4160	6545 West River Rd

COUNCIL ITEM MEMORANDUM

Rental License Category Criteria Policy – Adopted by City Council 03-08-10

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	0-1
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than 1 but not more than 4
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than 4 but not more than 8
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than 8
	3+ units	Greater than 3

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

Budget Issues:

There are no budget issues to consider.

Rental Licenses for Council Approval on January 8, 2018

Property Address	Dwelling Type	Renewal or Initial	Owner	Property Code Violations	License Type	Police CFS *	Final License Type **	Previous License Type ***
6445 James Cir	Single Family	Initial	Kaswa Hospitality Inc.	5	III	N/A	III	
4201 Lakeside Ave #214	Single Family	Initial	Chester Lauren Dryke	0	I	N/A	II	
7100 Lee Ave N	Single Family	Initial	Selene Avendamo	0	I	N/A	II	
5509 Lyndale Ave N	Single Family	Initial	Brett Hildreth	1	I	N/A	II	
3018 Nash Rd	Single Family	Initial	Timothy Cavanaugh	3	II	N/A	II	
6924 Scott Ave N	Single Family	Initial	Mohammed Mohammed	1	I	N/A	II	
5001 Ewing Ave N	1 Bldg 4 Units	Renewal	Bartholomew Dabrowski	7 (1.8/Unit)	III	0	III	III
4110 Lakebreeze Ave	1 Bldg 4 Units	Renewal	Mindy Jean Brummer	7 (1.8/Unit)	III	0	III	II
5239-41 Drew Ave N	Two Family (2)	Renewal	Jay & Gina Battenberg	4 (2/Unit)	II	0	II	I
3819 61st Ave N	Single Family	Renewal	Fred Hanus	3	II	0	II	II
4207 62nd Ave N	Single Family	Renewal	Christopher Rasmussen	3	II	0	II	II
4101 70th Ave N	Single Family	Renewal	Paul Pham	3	II	0	II	III
6115 Aldrich Ave N	Single Family	Renewal	Kin Chew (Missing 2 ARM meetings and CPTED follow-up)	4	II	1	III	III
5834 Camden Ave N	Single Family	Renewal	RHA 3, LLC	4	II	0	II	III
5959 Camden Ave N	Single Family	Renewal	Todd Havisto and Dave Baumann	2	II	0	II	I
6611 Camden Dr	Single Family	Renewal	Jenn-Yuan Chen/Shin Chiang	0	I	0	I	IV
5519 Colfax Ave N	Single Family	Renewal	Ryan Smith	2	II	0	II	I
6418 Colfax Ave N	Single Family	Renewal	Shawn Cha and Manny Phothirath	2	II	1	II	II
3819 France Pl N	Single Family	Renewal	Robert E. Lindahl	0	I	0	I	I
5719 Halifax Ave N	Single Family	Renewal	Paul Zheng	4	II	0	II	IV
5618 Hillsview Rd	Single Family	Renewal	Nita Morlock	4	II	0	II	IV
5636 Irving Ave N	Single Family	Renewal	Bruce Alan Goldberg	2	II	0	II	I
5600 Judy La	Single Family	Renewal	Nita Morlock	8	III	0	III	IV
2718 Ohenry Rd	Single Family	Renewal	Wade Klick	1	I	0	I	II
5900 Pearson Dr	Single Family	Renewal	Mary T Properties	7	III	0	III	II

Rental Licenses for Council Approval on January 8, 2018

Property Address	Dwelling Type	Renewal or Initial	Owner	Property Code Violations	License Type	Police CFS *	Final License Type **	Previous License Type ***
6012 York Ave N	Single Family	Renewal	Presley and Korpo Hanson	5	III	0	III	IV

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

** License Type Being Issued Type I = 3 Year Type II = 2 Year Type III = 1 Year

*** Initial licenses will not show a previous license type

All properties are current on City utilities and property taxes

City Council Agenda Item No. 6c

COUNCIL ITEM MEMORANDUM

DATE: January 2, 2018

TO: Curt Boganey, City Manager

THROUGH: Reggie Edwards, Deputy City Manager

FROM: Sharon Knutson, City Clerk

SUBJECT: Resolution Designating Official Newspaper

Recommendation:

It is recommended that the City Council consider adoption of a Resolution Designating Official Newspaper.

Background:

Section 12.01 of the Brooklyn Center City Charter requires the City Council to annually designate a legal newspaper of general circulation in 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 2018. *Brooklyn Center Sun-Post* meets all necessary requirements of a qualified newspaper. The rate structure for 2018 is $11.90 per column inch (9 lines per inch = $1.32 per line). The circulation of the *Sun-Post* is 4,027 newspapers.

Another alternative for the City Council to consider is the *Minneapolis Star Tribune*. It meets the requirements of a qualified newspaper, with circulation at zip codes 55429 and 55430 at 1,190 on Monday and Tuesday; 1,250 on Wednesday and Thursday; 1,420 on Saturday; and 2,780 on Sunday. The rate structure for 2018 is $1.31 per line.

Attachments:

- Resolution Designating Official Newspaper
- Sun Media Rate and Circulation Letter and Audit Report
- Minnesota Statutes Chapter 331A

Budget Issues:

The 2018 budget includes $7,000 for legal publications.

Member introduced the following resolution and moved its adoption:

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 2018.

January 8, 2018
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.

December 2017

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, 2018:

First insertion:	$11.90 per column inch
Subsequent insertions:	$7.00 per column inch
Characters per inch:	320
Lines per inch:	9

A notarized affidavit will be provided for each notice published. Additional affidavits are $2.50 each. A $20.00 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. Please email legal notices to **publicnotice@ecm-inc.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,

Michael Jetchick
Sales Manager

AUDIT REPORT

For the 12-month period ending
Sept. 28, 2017

BROOKLYN CENTER SUN•POST

ECM Publishers, Inc.
Hennepin County, Minnesota
Published Weekly: Thursday

PUBLISHER'S STATED PUBLISHING AND CIRCULATION POLICY

Policy is to publish weekly community newspapers. Advertising is sold separately or in any combination with ECM Publishers, Inc.

Circulation policy is to home deliver single copies to a defined portion of households within Hennepin, Dakota, Anoka, Carver, and Ramsey counties. Bulk deliveries (five or more copies) delivered to public buildings and limited retail locations.

AVERAGE CIRCULATION, DISTRIBUTION AND NET PRESS RUN

A. Paid circulation	
1) Mail subscriptions	5
2) Net retail sales (store, newsstand, rack, and counter	0
3) Voluntary/optional paid circulation	25
Total paid circulation	30
B. Unpaid circulation	
1) Carrier single copies	4027
2) Unpaid residential bulk	0
3) Unpaid non-residential bulk	190
Total unpaid circulation	4217
Total paid and unpaid circulation (sum of A & B)	4247

PUBLISHER'S BREAKDOWN OF TOTAL CIRCULATION FOR THE SINGLE ISSUE OF:

BROOKLYN CENTER SUN•POST

THURSDAY, Sept. 28, 2017

A. Paid mailed circulation	3
B. Net retail sales (store, newsstand, rack, and counter	0
C. Voluntary/optional paid circulation	0
D. Unpaid carrier	1169
E. Bulk	191
F. Total distribution (sum of A, B, C, D & E)	1363

Audit statement... We have examined the records of the publication(s) for the period stated. Our examination was made in accordance with the Corporation's bylaws, rules and regulations, and auditing standards, and accordingly, included such tests of the accounting and circulation records and such auditing procedures as we considered necessary in the circumstances. In our opinion, this report presents fairly the circulation of the publication(s) of the period indicated.

Certified Audit of Circulation
155 Willowbrook Blvd.
Wayne, N.J. 07470
Telephone: 973-785-3000
cac@certifiedaudit.com

PROOF OF PUBLICATION and STATEMENT OF OWNERSHIP

Name and address of publication:
Sun•Post
10917 Valley View Road
Eden Prairie, MN 55344

Name of personnel:
General Manager: Mark Weber
Director of News: Keith Anderson

Number of issues printed each year: 52

Name and address of publishing company if different:
ECM Publishers, Inc.
10917 Valley View Road
Eden Prairie, MN 55344

CHAPTER 331A

QUALIFIED NEWSPAPERS

331A.01	DEFINITIONS.	331A.07	AFFIDAVIT OF PUBLICATION.
331A.02	REQUIREMENTS FOR A QUALIFIED NEWSPAPER.	331A.08	COMPUTATION OF TIME.
331A.03	WHERE NOTICE PUBLISHED.	331A.09	PUBLICATION ON SUNDAY OR HOLIDAY.
331A.04	DESIGNATION OF A NEWSPAPER FOR OFFICIAL PUBLICATIONS.	331A.10	CHANGE OF NAME OR DISCONTINUANCE OF NEWSPAPER.
331A.05	FORM OF PUBLIC NOTICES.	331A.11	APPLICATION.
331A.06	RATES FOR PUBLICATION.	331A.12	WEB SITE ADVERTISEMENT FOR TRANSPORTATION PROJECT BIDS.

331A.01 DEFINITIONS.

Subdivision 1. **Scope.** As used in sections 331A.01 to 331A.11, the terms defined have the meanings given them except as otherwise expressly provided or indicated by the context.

Subd. 2. **Known office of issue.** "Known office of issue" means the newspaper's principal office devoted primarily to business related to the newspaper, whether or not printing or any other operations of the newspaper are conducted at or from the office. A newspaper may have only one known office of issue.

Subd. 3. **Political subdivision.** "Political subdivision" means a county, municipality, school district, or any other local political subdivision or local or area district, commission, board, or authority.

Subd. 4. **Municipality.** "Municipality" means a home rule charter or statutory city or town.

Subd. 5. [Repealed, 2004 c 182 s 33]

Subd. 6. **Proceedings.** "Proceedings" means the substance of all official actions taken by the governing body of a political subdivision at any regular or special meeting, and at minimum includes the subject matter of a motion, the persons making and seconding a motion, the roll call vote on a motion, the character of resolutions or ordinances offered, including a brief description of their subject matter, and whether defeated or adopted.

Subd. 7. **Public notice.** "Public notice" means every notice required or authorized by law or by order of a court to be published by a qualified newspaper, and includes:

(1) every publication of laws, ordinances, resolutions, financial information, and proceedings intended to give notice in a particular area;

(2) every notice and certificate of election, facsimile ballot, notice of referendum, notice of public hearing before a governmental body, and notice of meetings of private and public bodies required by law;

(3) every summons, order, citation, notice of sale or other notice which is intended to inform a person that the person may or shall do an act or exercise a right within a designated period or upon or by a designated date; and

(4) this subdivision contains no independent requirement for the publication of any public notice.

Subd. 8. **Qualified newspaper.** "Qualified newspaper" means a newspaper which complies with all of the provisions of section 331A.02. The following terms, when found in laws referring to the publication of

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a public notice, shall be taken to mean a qualified newspaper: "qualified legal newspaper," "legal newspaper," "official newspaper," "newspaper," and "medium of official and legal publication."

Subd. 9. **Secondary office.** "Secondary office" means an office established by a newspaper in a community other than that in which its known office of issue is located, in the same or an adjoining county, open on a regular basis to gather news and sell advertisements and subscriptions, whether or not printing or any other operations of the newspaper are conducted at or from the office.

Subd. 10. **Summary.** "Summary" means an accurate and intelligible abstract or synopsis of the essential elements of proceedings, ordinances, resolutions, financial statements, and other official actions. It shall be written in a clear and coherent manner, and shall, to the extent possible, avoid the use of technical or legal terms not generally familiar to the public. When a summary is published, the publication shall clearly indicate that the published material is only a summary and that the full text is available for public inspection at a designated location or by standard or electronic mail. A summary published in conformity with this section shall be deemed to fulfill all legal publication requirements as completely as if the entire matter which was summarized had been published. No liability shall be asserted against a political subdivision in connection with the publication of a summary or agenda.

Subd. 11. **Recognized industry trade journal.** "Recognized industry trade journal" means a printed or digital publication or Web site that contains building and construction news of interest to contractors in this state, or that publishes project advertisements and bids for review by contractors or other interested bidders in its regular course of business.

History: *1984 c 543 s 20; 1986 c 444; 2004 c 182 s 3-7; 2013 c 46 s 1*

331A.02 REQUIREMENTS FOR A QUALIFIED NEWSPAPER.

Subdivision 1. **Qualification.** No newspaper in this state shall be entitled to any compensation or fee for publishing any public notice unless it is a qualified newspaper. A newspaper that is not qualified must inform a public body that presents a public notice for publication that it is not qualified. To be qualified, a newspaper shall:

(a) be printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 1,000 square inches, or 800 square inches if the political subdivision the newspaper purports to serve has a population of under 1,300 and the newspaper does not receive a public subsidy;

(b) if a daily, be distributed at least five days each week. If not a daily, the newspaper may be distributed twice a month with respect to the publishing of government public notices. In any week in which a legal holiday is included, not more than four issues of a daily paper are necessary;

(c) in at least half of its issues each year, have no more than 75 percent of its printed space comprised of advertising material and paid public notices. In all of its issues each year, have 25 percent, if published more often than weekly, or 50 percent, if weekly, of its news columns devoted to news of local interest to the community which it purports to serve. Not more than 25 percent of its total nonadvertising column inches in any issue may wholly duplicate any other publication unless the duplicated material is from recognized general news services;

(d) be circulated in the political subdivision which it purports to serve, and either have at least 400 copies regularly delivered to paying subscribers, or 250 copies delivered to paying subscribers if the political subdivision it purports to serve has a population of under 1,300, or have at least 400 copies regularly distributed without charge to local residents, or 250 copies distributed without charge to local residents if the political subdivision it purports to serve has a population of under 1,300;

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(e) have its known office of issue established in either the county in which lies, in whole or in part, the political subdivision which the newspaper purports to serve, or in an adjoining county;

(f) file a copy of each issue immediately with the State Historical Society;

(g) be made available at single or subscription prices to any person or entity requesting the newspaper and making the applicable payment, or be distributed without charge to local residents;

(h) have complied with all the foregoing conditions of this subdivision for at least one year immediately preceding the date of the notice publication;

(i) between September 1 and December 31 of each year publish a sworn United States Post Office periodicals-class statement of ownership and circulation or a statement of ownership and circulation verified by a recognized independent circulation auditing agency covering a period of at least one year ending no earlier than the June 30 preceding the publication deadline. When publication occurs after December 31 and before July 1, qualification shall be effective from the date of the filing described in paragraph (j) through December 31 of that year; and

(j) after publication, submit to the secretary of state by December 31 a filing containing the newspaper's name, address of its known office of issue, telephone number, and a statement that it has complied with all of the requirements of this section. The filing must be accompanied by a fee of $25. The secretary of state shall make available for public inspection a list of newspapers that have filed. Acceptance of a filing does not constitute a guarantee by the state that any other qualification has been met.

Subd. 2. [Repealed, 2004 c 182 s 33]

Subd. 3. **Publication; suspension; changes.** The following circumstances shall not affect the qualification of a newspaper, invalidate an otherwise valid publication, or invalidate a designation as official newspaper.

(a) Suspension of publication for a period of not more than three consecutive months resulting from the destruction of its known office of issue, equipment, or other facility by the elements, unforeseen accident, or acts of God or by reason of a labor dispute.

(b) The consolidation of one newspaper with another published in the same county, or a change in its name or ownership, or a temporary change in its known office of issue.

(c) Change of the day of publication, the frequency of publication, or the change of the known office of issue from one place to another within the same county. Except as provided in this subdivision, suspension of publication, or a change of known office of issue from one county to another, or failure to maintain its known office of issue in the county, shall deprive a newspaper of its standing as a qualified newspaper until it again becomes qualified pursuant to subdivision 1.

Subd. 4. **Declaratory judgment of legality.** A person interested in a newspaper's qualification under this section may petition the district court in the county in which the newspaper has its known office of issue for a declaratory judgment to determine whether the newspaper is qualified. Unless filed by the publisher, the petition and summons shall be served on the publisher as in other civil actions. Service in other cases shall be made by publication of the petition and summons once each week for three successive weeks in the newspaper or newspapers the court may order and upon the persons as the court may direct. Publications made in a newspaper after a judgment that it is qualified but before the judgment is vacated or set aside shall be valid. Except as provided in this subdivision, the Uniform Declaratory Judgments Act and the Rules of Civil Procedure shall apply to the action.

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Subd. 5. **Posting notices on Web site.** If, in the normal course of its business, a qualified newspaper maintains a Web site, then as a condition of accepting and publishing public notices, the newspaper must agree to post all the notices on its Web site at no additional cost. The notice must remain on the Web site during the notice's full publication period. Failure to post or maintain a public notice on the newspaper's Web site does not affect the validity of the public notice.

History: *1984 c 543 s 21; 1985 c 174 s 1; 1Sp1985 c 13 s 315; 1987 c 30 s 1; 1987 c 286 s 1; 1988 c 682 s 42; 1990 c 395 s 1; 1991 c 205 s 17; 1997 c 137 s 13; 2001 c 38 s 1; 2004 c 182 s 8-11; 2009 c 152 s 5*

331A.03 WHERE NOTICE PUBLISHED.

Subdivision 1. **Generally.** Except as provided in subdivision 2, a public notice shall be published in a qualified newspaper, and except as otherwise provided by law, in one that is likely to give notice in the affected area or to whom it is directed. When a statute or other law requires publication in a newspaper located in a designated political subdivision or area and no qualified newspaper is located there, publication shall be made in a qualified newspaper likely to give notice unless the particular statute or law expressly provides otherwise. If no qualified newspaper exists, then publication is not required.

Subd. 2. **Exception; certain cities of the fourth class.** A public notice required to be published by a statutory or home rule charter city of the fourth class located in the metropolitan area defined in section 473.121, subdivision 2, is not required to be published in a qualified newspaper if there is no qualified nondaily newspaper of general circulation in the city, provided the notice is printed in a newsletter or similar printed means of giving notice that is prepared by the city and either mailed or delivered to each household in the city.

Subd. 3. **Alternative dissemination of bids and requests.** (a) In addition to or as an alternative to the statutory requirements for newspaper publication, a political subdivision may disseminate solicitations of bids, requests for information, and requests for proposals by a means authorized in paragraph (b), if the political subdivision simultaneously publishes, either as part of the minutes of a regular meeting of the governing body or in a separate notice published in the official newspaper, a description of all solicitations or requests so disseminated, along with the means by which the dissemination occurred.

(b) A political subdivision may use its Web site or recognized industry trade journals as an alternative means of dissemination. A dissemination by alternative means must be in substantially the same format and for the same period of time as a publication required by this chapter.

(c) For the first six months after a political subdivision designates an alternative means of dissemination, it must continue to publish solicitation of bids, requests for information, and requests for proposals in the official newspaper in addition to the alternative method. The publication in the official newspaper must indicate where to find the designated alternative method. After the expiration of the six-month period, an alternative means of dissemination satisfies the publication requirements of law for solicitation of bids, requests for information, and requests for proposals.

History: *1984 c 543 s 22; 1991 c 53 s 1; 2004 c 182 s 12,13*

331A.04 DESIGNATION OF A NEWSPAPER FOR OFFICIAL PUBLICATIONS.

Subdivision 1. **Priority.** The governing body of a political subdivision, when authorized or required by statute or charter to designate a newspaper for publication of its public notices, shall designate a qualified newspaper in the following priority.

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Subd. 2. **Known office in locality.** If there are one or more qualified newspapers, the known office of issue of which are located within the political subdivision, one of them shall be designated.

Subd. 3. **Secondary office in locality.** When no qualified newspaper has a known office of issue located in the political subdivision, but one or more qualified newspapers maintain a secondary office there, one of them shall be designated.

Subd. 4. **General circulation in locality.** When no qualified newspaper has its known office of issue or a secondary office located within the political subdivision, then a qualified newspaper of general circulation there shall be designated.

Subd. 5. **Other situations.** If a political subdivision is without an official newspaper, or if the publisher refuses to publish a particular public notice, matters required to be published shall be published in a newspaper designated as provided in subdivision 4. The governing body of a political subdivision with territory in two or more counties may, if deemed in the public interest, designate a separate qualified newspaper for each county.

Subd. 6. **Exception to designation priority.** (a) Notwithstanding subdivisions 1 to 3, the governing body of a political subdivision may designate any newspaper for publication of its official proceedings and public notices, if the following conditions are met:

(1) the newspaper is a qualified medium of official and legal publication;

(2) the publisher of the newspaper furnishes a sworn statement, verified by a recognized independent circulation auditing agency, covering a period of at least one year ending no earlier than 60 days before designation of the newspaper, stating that the newspaper's circulation reaches not fewer than 75 percent of the households within the political subdivision;

(3) the newspaper has provided regular coverage of the proceedings of the governing body of the political subdivision and will continue to do so; and

(4) the governing body votes unanimously to designate the newspaper.

(b) If the circulation of a newspaper designated under this subdivision falls below 75 percent of the households within the political subdivision at any time within the term of its designation as official newspaper, its qualification to publish public notices for the political subdivision terminates.

Subd. 7. **Joint bidding.** A bid submitted jointly by two or more newspapers for the publication of public notices must not be considered anticompetitive or otherwise unlawful if the following conditions are met:

(1) all of the qualified newspapers in the political subdivision participate in the joint bid;

(2) the existence of the joint bid arrangement is disclosed to the governing body of the political subdivision before or at the time of submission of the joint bid; and

(3) the board is free to reject the joint bid and, if it does, individual qualified newspapers do not refuse to submit separate bids owing to the rejection of the joint bid.

History: *1984 c 543 s 23; 2003 c 59 s 1; 2004 c 182 s 14*

331A.05 FORM OF PUBLIC NOTICES.

Subdivision 1. **English language.** All public notices shall be printed or otherwise disseminated in the English language.

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Subd. 2. **Time of notice.** Unless otherwise specified by law, or by order of a court, publication of a public notice shall be as follows:

(a) the notice shall be published once;

(b) if the notice is intended to inform the public about a future event, the last publication shall occur not more than 30 days and not less than seven days before the event;

(c) if the notice is intended to inform the public about a past action or event, the last publication shall occur not more than 45 days after occurrence of the action or event.

Subd. 3. **Type face.** Except as otherwise directed by a particular statute requiring publication of a public notice or by order of a court, a public notice shall be printed in a type face no smaller than six point with a lowercase alphabet of at least 90 points. Larger type faces may be used.

Subd. 4. **Title or caption.** Every public notice shall include a bold face title or caption in a body type no smaller than brevier or eight point referring to the content of the notice. Larger type faces may be used.

Subd. 5. **Local options.** The governing body of a political subdivision may, to better inform the public, increase the frequency of publication of a public notice beyond the minimum required by a particular statute. It may use forms and styles for the notice as it deems appropriate, including the use of display advertisements and graphics. In addition to publication in the newspaper required to be designated under section 331A.04, it may publish or disseminate the notice in other newspapers and by means of standard and electronic mail. Regardless of whether a particular statute specifies "legal notice," "public notice," "notice," or uses similar terms, the governing body may use whatever form for the published notice that it deems appropriate in order to adequately inform the public, subject to the requirements of sections 331A.01 to 331A.11. Nothing in the foregoing provisions of this subdivision shall require the governing body of a political subdivision to use the options described.

Subd. 6. **Conflict of laws.** Nothing in this section shall invalidate or affect any statutory or charter provision imposing additional or special qualifications for publication of particular notices or proceedings.

Subd. 7. **Errors in publication.** If through no fault of the political subdivision, an error occurs in the publication of a public notice, the error shall have no effect on the validity of the event, action, or proceeding to which the public notice relates.

Subd. 8. **Notice regarding published summaries.** If a political subdivision elects to publish a summary of the political subdivision's financial statement or proceedings as authorized by other law, it must include with the published summary a notice stating that a copy of the full version of the financial statement or proceedings other than attachments to the minutes is available without cost at the offices of the political subdivision or by means of standard or electronic mail.

History: *1984 c 543 s 24; 1997 c 56 s 1; 2004 c 182 s 15-19; 2008 c 154 art 10 s 4*

331A.06 RATES FOR PUBLICATION.

Subdivision 1. **Maximum rate.** The maximum rate charged for publication of a public notice shall not exceed the lowest classified rate paid by commercial users for comparable space in the newspapers in which the public notice appears, and shall include all cash discounts, multiple insertion discounts, and similar benefits extended to the newspaper's regular customers.

Subd. 2. **Rate increases.** Notwithstanding subdivision 1, no newspaper may increase its rates for publication of public notices by more than ten percent per year, as compared to the maximum rate actually

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charged by the newspaper in the previous year for publication of public notices, and in any case the new rate shall not exceed the rate described in subdivision 1. Nothing in this section shall be interpreted to mean that such an increase is required.

Subd. 3. **Rate from competitive bidding.** When the governing board of a political subdivision awards a contract for the publication of public notices based on competitive bidding, the rate established by the competitive bidding shall be the rate charged for publication of the public notices.

Subd. 4. **Publication at legal rate.** When a statute refers to publication of a public notice at the legal rate the maximum rate shall be as provided in this section.

Subd. 5. **Multiyear publication contracts.** Notwithstanding other law, a political subdivision may enter into multiyear contracts with a qualified newspaper for publication of the political subdivision's public notices. No multiyear contract may be for a term longer than three years.

History: *1984 c 543 s 25; 1985 c 174 s 2; 1994 c 465 art 2 s 18; 2004 c 182 s 20,21*

331A.07 AFFIDAVIT OF PUBLICATION.

No compensation shall be recoverable for publishing a public notice in any newspaper unless the bill is accompanied by an affidavit of the publisher of the newspaper or the publisher's designated agent, having knowledge of the facts, stating that the newspaper has complied with all the requirements to constitute a qualified newspaper. The affidavit must set forth the dates of the month and year and the day of the week upon which the public notice was published in the newspaper. The affidavit must also include the publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to section 331A.06.

History: *1984 c 543 s 26; 1993 c 48 s 7; 2004 c 182 s 22*

331A.08 COMPUTATION OF TIME.

Subdivision 1. **Time for publication.** The time for publication of public notices shall be computed to exclude the first day of publication and include the day on which the act or event, of which notice is given, is to happen or which completes the full period required for publication.

Subd. 2. **Time for act or proceeding.** The time within which an act is to be done or proceeding had or taken, as prescribed by the rules of procedure, shall be computed by excluding the first day and including the last. If the last day is Sunday or a legal holiday the party shall have the next secular day in which to do the act or take the proceeding.

Subd. 3. **Publication of proceedings.** Notwithstanding other statutory publication requirements, if the governing body of a political subdivision conducts regular meetings not more than once every 30 days, the governing body need not publish the meeting minutes in the official newspaper until ten days after the proceedings have been approved by the governing body.

History: *1984 c 543 s 27; 2004 c 182 s 23*

331A.09 PUBLICATION ON SUNDAY OR HOLIDAY.

Any public notice may lawfully be printed in a newspaper published on a Sunday or holiday. Any notice that, by law or the order of any court, is required to be published for any given number of weeks may be

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published on any day in each week of the term, and if published as many weeks and as many times in each week as required by the law or order, it is a lawful publication.

History: *1984 c 543 s 28; 2004 c 182 s 24*

331A.10 CHANGE OF NAME OR DISCONTINUANCE OF NEWSPAPER.

Subdivision 1. **Change of name.** When a public notice is required or ordered to be published in a particular newspaper and the name of the newspaper is changed before the publication is completed, the publication shall be made or continued in the newspaper under its new name with the same effect as if the name had not been changed. The proof of the publication, in addition to other requirements, shall state the change of name and specify the period of publication in the newspaper under each name.

Subd. 2. **Discontinuance.** When a newspaper ceases to be published before the publication of a public notice is commenced, or when commenced ceases before the publication is completed, the order for publication, when one is required in the first instance, may be amended by order of the court or judge, to designate another newspaper, as may be necessary. If no order is required in the first instance, publication may be made or completed in any other qualified newspaper. Any time during which the notice is published in the first newspaper shall be calculated as a part of the time required for the publication, proof of which may be made by affidavit of any person acquainted with the facts.

History: *1984 c 543 s 29; 2004 c 182 s 25*

331A.11 APPLICATION.

Subdivision 1. **Application.** Sections 331A.01 to 331A.11 apply to all political subdivisions of the state.

Subd. 2. **Notices excluded.** Sections 331A.01 to 331A.11 do not apply to notices required by private agreements or local laws to be published in newspapers, unless they refer expressly or by implication to this chapter or to particular provisions of this chapter.

History: *1984 c 543 s 30; 2004 c 182 s 26,27*

331A.12 WEB SITE ADVERTISEMENT FOR TRANSPORTATION PROJECT BIDS.

Subdivision 1. **Definitions.** (a) The terms defined in this subdivision and section 331A.01 apply to this section.

(b) "Web site" means a specific, addressable location provided on a server connected to the Internet and hosting World Wide Web pages and other files that are generally accessible on the Internet all or most of the day.

Subd. 2. **Designation.** At the meeting of the governing body of a political subdivision at which the governing body designates its official newspaper for the year, the governing body may designate in the same manner publication of transportation projects on the political subdivision's Web site. Publication on the Web site may be used in place of or in addition to any other required form of publication. Each year after designating publication on the Web site for transportation projects, the political subdivision must publish, in a qualified newspaper in the jurisdiction and on the Web site, notice that the political subdivision will publish any advertisements for bids on its Web site.

Subd. 3. **Form, time for publication same.** A political subdivision that publishes on its Web site under this section must post the information in substantially the same format and for the same period of time as required for publication in an official newspaper or other print publication.

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Subd. 4. **Record retention.** A political subdivision that publishes notice on its Web site under this section must ensure that a permanent record of publication is maintained in a form accessible by the public.

History: *1Sp2003 c 19 art 2 s 56; 2014 c 287 s 22*

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City Council Agenda Item No. 6d

COUNCIL ITEM MEMORANDUM

DATE: January 2, 2018

TO: Curt Boganey, City Manager

THROUGH: Reggie Edwards, Deputy City Manager

FROM: Sharon Knutson, 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 Lakes Joint Powers Organization

Recommendation:

It is recommended that the City Council consider adoption of a Resolution Appointing Brooklyn Center Representatives to Executive Committee and/or Board of Directors of The Brooklyn Bridge Alliance for Youth, Hennepin Recycling Group, Local Government Information Systems, Minneapolis Northwest Convention & Visitors Bureau, North Metro Mayors Association, Northwest Suburbs Cable Communications Commission, Pets Under Police Security, and Twin Lakes Joint Powers Organization.

Background:

The City of Brooklyn Center has entered into several Joint and Cooperative Agreements with various organizations. I have reviewed each of the joint powers agreements and identified those organizations whose agreements provide that appointment of directors be made by the governing body or by City Council resolution. 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. A summary of each of the Joint and Cooperative Agreements can be found in Section VII of the City Council Reference Book.

A resolution is attached for review and consideration.

Budget Issues:

There are no budget issues to consider.

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 CONVENTION & VISITORS BUREAU, NORTH METRO MAYORS ASSOCIATION, NORTHWEST SUBURBS CABLE COMMUNICATIONS COMMISSION, PETS UNDER POLICE SECURITY, AND TWIN LAKES JOINT POWERS ORGANIZATION

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

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

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

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

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

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

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

RESOLUTION NO._____

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

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

Brooklyn Bridge Alliance for Youth, Member	Tim Willson
Brooklyn Bridge Alliance for Youth, Alternate Member	Dan Ryan
Brooklyn Bridge Alliance for Youth, Police	Tim Gannon
Brooklyn Bridge Alliance for Youth, Parks and Recreation	Jim Glasoe
Hennepin Recycling Group, Director	Curt Boganey
Hennepin Recycling Group, Alternate Director	Andrew Hogg
Local Government Information Systems (LOGIS), Director	Reggie Edwards
Local Government Information Systems (LOGIS), Alternate Director	Patty Hartwig
Minneapolis Northwest Convention & Visitors Bureau, Director	Tim Willson
Minneapolis Northwest Convention & Visitors Bureau, Alternate Director	Dan Ryan
North Metro Mayors Association, Director – City Manager	Curt Boganey
North Metro Mayors Association, Director	Tim Willson
Northwest Suburbs Cable Communications Commission, Council	Tim Willson
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	Tim Gannon
Twin Lakes Joint Powers Organization, Alternate Director	Tony Gruenig

January 8, 2018
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.

City Council Agenda Item No. 6e

COUNCIL ITEM MEMORANDUM

DATE: January 2, 2018

TO: Curt Boganey, City Manager

THROUGH: Reggie Edwards, Deputy City Manager

FROM: Sharon Knutson, City Clerk

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

Recommendation:

It is recommended that the City Council consider adoption of 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,

ARTICLE V
BOARD OF TRUSTEES

5.1 Composition. The Board of Trustees shall consist of nine (9) members. Six (6) trustees shall be elected from the membership of the relief association. There shall be three (3) officials drawn from the Municipality. The three (3) Municipal Trustees 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. The Municipal Trustees must be designated annually by the city council of the Municipality.

A resolution is attached for review and consideration.

Budget Issues:

There are no budget issues to consider.

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 2018:

Elected Municipal Official	Tim Willson
Elected or Appointed Municipal Official	Nathan Reinhardt
Fire Chief	Jeremy Hulke

January 8, 2018
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.

City Council Agenda Item No. 6f

COUNCIL ITEM MEMORANDUM

DATE: January 2, 2018

TO: Curt Boganey, City Manager

THROUGH: Reggie Edwards, Deputy City Manager

FROM: Sharon Knutson, City Clerk

SUBJECT: Resolution Designating Polling Places for the City of Brooklyn Center for 2019 Elections

Recommendation:

It is recommended that the City Council consider approval of a Resolution Designating Polling Places for the City of Brooklyn Center for 2019 Elections.

Background:

In 2017 legislation was passed that added a requirement for cities to designate polling places annually by December 31 for elections to be held the following year. Even if a city does not have a scheduled election for the following year, a resolution or ordinance must be passed to cover any special elections that may occur the following year. A resolution has been drafted and is attached for Council consideration.

If a polling location becomes unavailable, the City Council may designate another polling location.

There are no changes to the polling places for 2019.

Budget Issues:

There are no budget issues to consider.

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DESIGNATING POLLING PLACES FOR THE CITY OF BROOKLYN CENTER FOR 2019 ELECTIONS

WHEREAS, the City of Brooklyn Center is currently constituted into seven election precincts; and

WHEREAS, Minnesota Statutes, Section 204B.16, Subd. 1, requires that by December 31 of each year, the governing body of a municipality must designate a polling place for each election precinct for the following year; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the polling places meet the statutory requirements and are hereby designated for 2019 elections as follows:

Precinct 1 – Earle Brown Elementary School, 1500 59th Avenue North

Precinct 2 – Brooklyn Center High School, 6500 Humboldt Avenue North

Precinct 3 – Evergreen Park Elementary School, 7020 Dupont Avenue North

Precinct 4 – Spiritual Life Church, 6865 Shingle Creek Parkway

Precinct 5 – Garden City Elementary School, 3501 65th Avenue North

Precinct 6 – Northport Elementary School, 5421 Brooklyn Boulevard

Precinct 7 – Brooklyn Center West Fire Station, 6250 Brooklyn Boulevard

January 8, 2018
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.

City Council Agenda Item No. 6g

COUNCIL ITEM MEMORANDUM

DATE: January 8, 2018

TO: Curt Boganey, City Manager

FROM: Nathan Reinhardt, Finance Director

SUBJECT: Corporate Resolution

Recommendation:

It is recommended that the City Council consider adoption of the attached resolution granting the City Manager, Finance Director and Assistant Finance Director the authority to transact financial business matters 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, the Finance Director, who serves as the City Treasurer, and the Assistant Finance Director, who serves as the Deputy City Treasurer, as the officers authorized to transact such business.

Budget Issues:

There are no budget issues to consider.

Strategic Priorities:

- Safe, Secure, Stable Community

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION GRANTING CORPORATE AUTHORITY FOR SIGNING OF CHECKS AND TRANSACTION 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 Cornelius L. Boganey, City Manager, Nathan Reinhardt, Finance Director and Andrew Splinter, Assistant 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, 2018
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.

City Council Agenda Item No. 6h

COUNCIL ITEM MEMORANDUM

DATE: January 8, 2018

TO: Curt Boganey, City Manager

FROM: Nathan Reinhardt, Finance Director

SUBJECT: Depository Resolution

Recommendation:

It is recommended that the City Council consider adoption of the attached resolution designating depositories for the 2018 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.

Strategic Priorities:

- Safe, Secure, Stable Community

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DESIGNATING DEPOSITORIES OF CITY FUNDS

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

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

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

1. That US Bank, NA is hereby designated as a depository for funds of the City of Brooklyn Center for operational banking and investment purposes.

2. That the following named bankers and brokers are hereby designated as additional depositories to be used for investment purposes:

   Federal Reserve Bank of Minneapolis

   Wells Fargo Bank, N.A.

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

   Northland Securities
   Oppenheimer & Co., Inc
   UBS Financial Services
   Wells Fargo Advisors, LLC

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

RESOLUTION NO. _____

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

   Wells Fargo Merchant Services
   Elavon Incorporated
   Sage Payment Solutions

4. Wells Fargo Institutional Trust Services is hereby designated as the safekeeping depository for investment instruments in the City's investment portfolio and as clearinghouse for the City's investment portfolio transactions.

5. That the City Council authorizes the City Manager, the City Treasurer, or the Deputy City Treasurer to act for the City in all of its business activities with these designated depositories.

January 8, 2018
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.

City Council Agenda Item No. 6i

COUNCIL ITEM MEMORANDUM

DATE: January 8, 2018

TO: Curt Boganey, City Manager

FROM: Nathan Reinhardt, Finance Director

SUBJECT: Statutory Tort Liability Limits

Recommendation:

It is recommended that the City Council consider approval/adoption of the attached resolution adopting the no waiver option for statutory tort liability insurance.

Background:

Each year the City must chose 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 arising after January 1, 2010 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 $9,000 per year.

Budget Issues:

The 2018 budget anticipates leaving the no waiver option in place for 2018 and has anticipated insurance premiums based on that no waiver option. Waiving the statutory limits would require that at approximately $9,000 in additional premium costs be allocated for 2018 and in each succeeding year.

Strategic Priorities:

- Safe, Secure, Stable Community

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION OPTING NOT TO WAIVE LIMITED TORT LIABILITY FOR 2018

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 2018 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 2018.

January 8, 2018
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.

City Council Agenda Item No. 6j

COUNCIL ITEM MEMORANDUM

DATE: January 8, 2018

TO: Curt Boganey, City Manager

THROUGH: Michael Ericson, Interim Community Development Director

FROM: Jesse Anderson, Deputy Director of Building and Community Standards

SUBJECT: Resolution Calling for a Public Hearing Regarding Proposed Use of 2018 Urban Hennepin County Community Development Block Grant Funds

Recommendation:

It is recommended that the City Council consider adoption of the Resolution Calling for a Public Hearing Regarding Proposed Use of 2018 Urban Hennepin County Community Development Block Grant Funds.

Background:

This agenda item provides for a Public Hearing for the City's annual Community Development Block Grant (CDBG) program. This Public Hearing is required for participation in the CDBG program. If this resolution is adopted, the Public Hearing will be scheduled for February 12, 2018.

Brooklyn Center is one of 40 Hennepin County cities participating in the Urban Hennepin County CDBG program. In the program, federal dollars from the Department of Housing and Urban Development (HUD) are allocated to the County and are dispersed to the participating cities on a formula basis.

At the time of preparation of this memorandum, the final funding amount for 2018 had not been determined. Hennepin County provided an estimate of the 2018 CDBG allocation amounts for consideration. Therefore, the City of Brooklyn Center should use $236,300 as its preliminary estimate for its 2018 CDBG allocation.

Hennepin County has made changes to how they fund public service agencies. Beginning with the 2018 program year CDBG funding for Public Service activities will be awarded through a single combined, competitive RFP covering all the cities in the county CDBG program. Fifteen percent of the overall county CDBG allocation will be set-aside for this purpose. This means that the direct allocation amount is 15% lower than it would have been in previous years. As a result, Brooklyn Center can't allocate any additional funds to public services activities Hennepin County has already allocated the maximum 15% allowed through the RFP process. All public service organizations must apply for funding through the combined RFP which will be released in January and due late February.

COUNCIL ITEM MEMORANDUM

PUBLIC HEARING AND HEARING NOTICE

A resolution calling for a Public Hearing for the 2018 CDBG program is included with this memorandum. The required Public Hearing Notice has been prepared and includes an allocation for continued funding for the code enforcement initiative at $150,000 and the remainder of funding for the City's Housing Rehabilitation program. The resolution prepared for City Council consideration with this memorandum, establishes the date of February 12, 2018 as the Public Hearing date for the City's 2018 CDBG program. Hennepin County requires that specific dollar amounts be specified in the hearing notice and that the City's 2018 CDBG program be submitted to Hennepin County by February 23, 2018.

The Public Hearing Notice does not commit the City to funding any specific CDBG activity at this time. Further, the CDBG activities and dollar amounts allocated to them can be revised at the Public Hearing on February 12, 2018, or at any time within the 2018 CDBG program year upon conducting a Public Hearing to amend the City's CDBG program.

Additional background information regarding 2018 CDBG requests for funding will be submitted with Council packets for the February 12, 2018 Public Hearing.

Budget Issues:

Since the Federal fiscal year for CDBG operations from July 2018 to July 2019, part of the 2018 CDBG program is reflected in the 2018 Annual City Budget.

The programming of the 2018 CDBG funds for neighborhood revitalization code enforcement is consistent with the City's 2018 approved budget.

Strategic Priorities:

- Safe, Secure, Stable Community

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION CALLING FOR A PUBLIC HEARING REGARDING PROPOSED USE OF 2018 URBAN HENNEPIN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

WHEREAS, Brooklyn Center is one of 40 Hennepin County communities that are members of the Urban Hennepin County Community Development Block Grant (CDBG) Program; and

WHEREAS, the City of Brooklyn Center has been notified by Hennepin County that its preliminary estimated allocation for the 2018 Urban Hennepin County CDBG Program is $236,300; and

WHEREAS, a Public Hearing regarding the proposed use of 2018 Urban Hennepin County Community Development Block Grant funds is a requirement of the CDBG Program.

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

1. A Public Hearing regarding the proposed use of 2018 Urban Hennepin County Community Development Block Grant funds will be held at the regularly scheduled Brooklyn Center City Council meeting on February 12, 2018, at approximately 7 p.m. or as soon thereafter as the matter may be heard.

2. Staff is authorized and directed to publish the attached Notice of Public Hearing on the proposed use of 2018 Urban Hennepin County Community Development Block Grant funds in the City's official newspaper not later than ten days prior to February 12, 2018.

_____ _____

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.

NOTICE OF PUBLIC HEARING
CITY OF BROOKLYN CENTER
2018 URBAN HENNEPIN COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Notice is hereby given that the City of Brooklyn Center in cooperation with Hennepin County, pursuant to Title I of the Housing and Community Development Act of 1974, as amended, is holding a Public Hearing on February 12, 2018, at 7 p.m. or as soon thereafter as the matter may be heard, at the Brooklyn Center City Hall, 6301 Shingle Creek Parkway, Brooklyn Center, Minnesota.

The Public Hearing is about the housing and community development needs and the City's proposed use of the estimated 2018 Urban Hennepin County Community Development Block Grant Program planning allocation of $236,300. The Public Hearing is being held pursuant to MS 471.59.

The City of Brooklyn Center is proposing to undertake the following activities with 2018 Urban Hennepin County CDBG funds starting on or about July 1, 2018.

Activity	Budget
Rehab of Private Property	$86,300
Neighborhood Revitalization	$150,000

For additional information about the priorities, proposed activities, level of funding and program performance, contact the City of Brooklyn Center at 763-569-3300 or the Hennepin County Housing Department at 612-348-2205.

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

City Council Agenda Item No. 6k

COUNCIL ITEM MEMORANDUM

DATE: January 08, 2018

TO: Curt Boganey, City Manager

THROUGH: Michael Ericson, Interim Community Development Director

FROM: Jesse Anderson, Deputy Director of Building and Community Standards

SUBJECT: Resolution Amending the Schedule for Inspection Fees for Certain Building, Mechanical, Plumbing, and Electrical Permits

Recommendation:

It is recommended that the City Council consider adoption of the attached resolution amending the schedule for inspection fees for certain building, mechanical, plumbing, and electrical permits.

Background:

Periodically staff reviews the City fee schedule to determine if adjustments are appropriate. Depending on the type of fee, various factors may be considered when determining the fee. In some cases such as building permits, fees may not exceed the cost of services. Other factors to consider when setting fees include comparisons of fees in other jurisdictions, understandable and user-friendly, and impact on City goals. Based on recent review, staff is recommending adjustments to the fee schedule pertaining to building, mechanical, plumbing, and electrical permits. The fees were last adjusted in 2015.

More information is provided regarding the recommended fee adjustments in the sections that follow. In addition to the attached Resolution for consideration, a marked up copy of the fee schedule is included as an attachment indicating specific changes.

Electrical Permits

The following adjustments are being proposed for the electrical permit fees:

1. Adding language to the fee schedule that includes the cost for solar panel electrical connection, to be consistent with the state electrical fees.
2. Adding a fee for townhomes. This is due to new electrical regulation that requires electrical permits for the electrical work done relating to new siding install. Our current fee schedule has a minimum fee of $40. It is recommended that the per unit fee for town homes be changed to $24 per unit when multiple units are being inspected.

Fixed Fees for Standard Mechanical, Plumbing, and Building Fees

The following are considerations when determining fixed fees for permits:

- Fixed fees provide for a simpler permitting process.

- Contractors will be able to provide a more accurate estimate for customers.
- Considers inspector time for conducting inspections rather than value of project.
- Valuation provided to the city by contractors will be more accurate
- Where owners are doing their own work it eliminates concerns about installation costs.
- The current fees proposed are consistent with permit averages and therefore, should not affect the overall anticipated revenue from permits.
- Provide consistency with other cities that are providing the same service.

The following fixed fee adjustments are being proposed permit fees:

Permit	*Proposed Fixed Permit Fees
Water Heater	$60
Water Softener	$60
Furnace, boiler, fireplace	$60
Air Cond.	$60
Gas Stove or Dryer	$60
Plumbing Fixtures	Base $60 up to 3 fixtures and $10 per fixture thereafter.
Siding	$150
Roof Replace	$150
Egress Window(s)	$100 for up to 2 and $150 for 3 or more.
Window or door Replace	$100 for up to 2 and $150 for 3 or more.
Decks	$200

Budget Issues:

When comparing the overall changes, the anticipated affect in revenue would be minor. If calculating the 2017 permit counts with the new fixed fees, the revenue would have been increased by approximately $5,664.

Strategic Priorities:

- Safe, Secure, Stable Community

Attachments:
Resolution Approving Permit Fee Adjustment
Permit Fee Comparison
Marked Fee Schedule

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION

RESOLUTION AMENDING THE SCHEDULE FOR PLANNING AND INSPECTION FEES FOR ELECTRICAL PERMITS

WHEREAS, Chapters 3, 12, 15, 34, and 35 of the City Code of Ordinances requires the payment of fees for building permits, plumbing permits, mechanical system permits, sewer and water permits, fire suppression permits, sign permits, building maintenance and occupancy reinspections, Planning Commission applications, flood plain use permits and administrative land use permits; and

WHEREAS, Chapters 3, 12, 15, 34, and 35 of the City Code of Ordinances further authorizes the setting of various fees by City Council resolution; and

WHEREAS, City Council Resolution No. 86-123 (adopted 8/11/86), 89-224 (adopted 11/27/89), 90-33 (adopted 2/26/90), 95-174 (adopted 8/14/95), 98-228 (adopted 12/14/98), 99-172 (adopted 11/8/99), 2005-65 (adopted 4/11/05), 2006-48 (adopted 4/10/06), 2008-11 (adopted 1/14/08) and 2015-128(adopted 8/24/15) together comprise a schedule of fees collected for service by Building and Community Standards; and

WHEREAS, the City Council finds it appropriate to modify the fees contained in said resolutions and to amend the fee schedule related to electrical permits

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the fee schedule be amended as follows for the City of Brooklyn Center:

Planning and Inspection Fee Schedule

Minimum Fee for An Inspection	$40 Per Trip
Minimum Fee for An Inspection per unit with 3 or more connected units. (Townhomes, Condos, duplex)	$24 per Unit Per Trip
Maximum for Single Family Residential (New or Remodel)	$175 (For 3 Inspections) Additional @ $40
Maximum for Commercial	No Limit
Multi-Family Units	$70/Unit
Swimming Pools	$80 Per Trip Plus Circuits
New Service Panel or Generators 0 to 300 AMP	$50
Each Additional 100 AMP	$14/Each
Change out service in same location	$100

Change our sub panel in same location	$40.00
Each Circuit or Feeder 0-30 AMP Each Circuit or Feeder 31 to 100 AMP Each Additional 100 AMP	$8/Each $10/Each Add $5 per 100 AMP
Street Lights Standard Traffic Signal	$4/Each $7/Each
Transformer 0- 10 kilovolt-amperes 11-75 kilovolt-amperes 76 - 299 kilovolt-amperes Over 299 kilovolt-amperes	 $10 $40 $60 $150
Fire Alarm & Energy Management Device Lighting Retrofit Remote Control/Signal Circuits	$10 first 10 openings $0.65 per fixture $0.75 per device
Solar PV System Rating 0-5,000 watts 5,001 - 10,000 watts 10,001 - 20,000 watts 20,001 – 30,000 watts 30,001 – 40,000 watts 40.001 and larger	 $60 $100 $150 $200 $250 $250, and $25 for each additional 10,000 watts
State Surcharge	$1
Refund issued only for Overpayment on Permits that Exceed $100	

Mechanical Systems	
Valuation $0 to $500 Valuation $501 to $50,000 Valuation Over $50,000 Mechanical Plan Review (only when submitted without a building permit) 2" and less diameter pipe 1-3 fixtures Additional openings 2" and over diameter pipe 1-3 fixtures Additional opening	$25 $25 plus 2% of value of any amount in excess of $500 $1,012.50 plus 1% of value of any amount in excess of $50,000 65% of base permit fee $5.75 each $2.50 each $15 each $3.25 each
Residential Boiler or Fireplace up to 4 units	$60
Residential Gas Stove or Dryer up to 4 units	$60

Building and Fire Protection	
Valuation $1 to $1,000	$49.50
Valuation $1,001 to $2,000	$49.50 for the first $1,000 plus $3.25 for each additional $100 or fraction thereof, to and including $2,000
Valuation $2,001 to $25,000	$82.00 for the first $2,000 plus $14.85 for each additional $1,000 or fraction thereof, to and including $25,000
Valuation $25,001 to $50,000	$423.55 for the first $25,000 plus $10.70 for each additional $1,000 or fraction thereof, to and including $50,000
Valuation $50,001 to $100,000	$691.05 for the first $50,000 plus $7.45 for each additional $1,000 or fraction thereof, to and including $100,000
Valuation $100,001 to $500,000	$1,063.55 for the first $100,000 plus $6 for each additional $1,000 or fraction thereof, to and including $500,000
Valuation $500,000 to $1,000,000	$3,463.55 for the first $500,000 plus $5.10 for each additional $1,000 or fraction thereof, to and including $1,000,000
Valuation $1,000,001 and up	$6,013.55 for the first $1,000,000 plus $4 for each additional $1,000 or fraction thereof
Plan Check Fee	65% of the amount of the permit fee
Investigation Fee	Same amount as Building Permit
Residential Siding Replacement up to 4 unit	$150
Residential Family Roof Replacement up to 4 units, not including flat roofs.	$150
Egress Window	$100 up to two windows, $150 for 3 or more
Window or Door Replacement	$100 up to two windows, $150 for 3 or more
Residential Deck up to 4 units	$200

Plumbing	
Minimum Fee Repair or alteration of existing system New residential or commercial building Plumbing Plan Review (only when submitted without a building permit)	$25 $60 2% of estimated cost 2% of estimated cost 65% of base permit fee
Residential Water Heater up to 4 units	$60
Residential Water Softener up to 4 units	$60
Residential Water Heater and Softener up to 4 units	$60
Plumbing Fixtures	$60 up to 3 fixtures. $10 for each additional.

BE IT FURTHER RESOLVED that the above schedule of Planning and Inspection fees shall become effective on February 1, 2018.

January 08, 2018
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.

Fee Comparison with other Cities

	Water Heater	Water Softener	Furnace, boiler, fireplace	Air Cond.	Gas Stove or Dryer	Plumbing Fixtures	Siding	Roof Replace	Egress Window(s)	Window or door Replace	Decks
*Proposed Fixed Permit Fees	$61	$61	$61	$61	$61	Base $61 up to 3 fixtures. +$10 per fixture thereafter.	$151	$151	$101 up to 2. $151 for 3 or more.	$101 up to 2. $151 for 3 or more.	$201
Anticipated Budget **impact**	$13,470	$1,977	-$5,682	-$2,355	$2,143	$3,157	-$1,740	-$2,322	$685	-$3,931	$262
***Maple Grove**	$51	NA	$76	$51	NA	$76	$101	$101	Valuation	$76 for whole house. $51 for single.	Valuation
***St. Louis** Park	$56	NA	$66	$66	NA	$55.00 + 1.75% of valuation	$140	$140	Valuation	Valuation	Valuation
Coon Rapids	$60	$45	$45	$45	NA	Valuation	Valuation	Valuation	Valuation	Valuation	Valuation
New Brighton	$52.50	NA	$47.50	$47.50	NA	Valuation	Valuation	Valuation	Valuation	Valuation	Valuation
*Crystal	$45	NA	$80	$60	NA	$27.25 per fixture. Minimum of $55.	$150	$130	$85 for single. $110 2 or more.	$85 up to 3 windows. $160 if 4 or more.	Valuation

Fee Comparison with other Cities

Blaine	$60	NA	$60	$60	$60	$12/fixture $60 minimum fee	$100	$100	$60 up to 2 windows $$100 for 3 or more	$60 up to 2 windows $$100 for 3 or more	$100 for decks up to 100 sq. ft. $150 for decks over 100 sq. ft $75 for deck remodel/repair
Fridley	$35	$35	$35	$25	$10/fixture $35 minimum	$10/fixture $35 minimum	Valuation	Valuation	Valuation	Valuation	Valuation
Columbia Heights	$10/fixture $35 minimum	$10/fixture $35 minimum	$50	$25	$10 $35 minimum	$10/fixture $35 minimum	Valuation	Valuation	Valuation	Valuation	Valuation
Average Other Cities	$52.90	$45.00	$62.90	$53.90	NA	(3 fix. Bath.) $78.88	$130.33	$123.66	NA	(3 windows) $80.50	NA

*Includes state surcharge of $1.

Brooklyn Center Fee 3 year Fee History

	Water Heater	Water Softener	Water Heater and Water Softener	Furnace, boiler, fireplace	Air Cond.	Furnace and Air Cond.	Gas Stove or Dryer	Plumbing Fixtures	Siding	Roof Repl.	Egress Window (s)	Window /door Repl.	Decks
Avg. Fee/Count YTD 12/15/17	$33.22 503	$29.57 65	$69.82 11	$113.61 106	$91.83 74	$172.97 91	$26.51 64	$43.81 195	$197.04 37	$170.37 114	$78.58 32	$146.84 180	$181.75 16
Avg. Fee/Count collected 2016	$34.45 223	$26.88 37	$50.48 6	$98.68 107	$93.55 61	$166.81 96	$27.39 39	$48.76 170	$219.83 59	$173.89 212	$84.32 39	$154.38 145	NA
Avg. Fee/ Count 2015	$31.32 207	$31.43 62	NA	$91.47 129	$118 57	$161.55 105	$27.65 21	$52.94 177	$183.50 47	$160.05 176	$110.09 46	$158.93 170	NA
3 Year Total Issued	933	164	17	342	192	292	124	542	143	502	117	495	NA
3 Year Average Fee	$33.00	$29.29	$60.15	$101.25	$101.12	$167.11	$27.18	$48.50	$200.12	$168.10	$91.00	$153.38	NA
3 Year Total Fees	$30,881	$4,856	$1,071	$34,401	$24,800	$48,717	$3,346	$26,204	$28,884	$84,456	$10,867	$76,008	$2,908

Does not included state surcharge.

Marked Fee Schedule

Minimum Fee for An Inspection Minimum Fee for An Inspection per unit with 3 or more connected units. (Townhomes, Condos, duplex) Maximum for Single Family Residential (New or Remodel) Maximum for Commercial Multi-Family Units Swimming Pools	$40 Per Trip $24 per Unit Per Trip $175 (For 3 Inspections) Additional @ $40 No Limit $70/Unit $80 Per Trip Plus Circuits
New Service Panel or Generators 0 to 300 AMP Each Additional 100 AMP Change out service in same location Change our sub panel in same location	$50 $14/Each $100 $40.00
Each Circuit or Feeder 0-30 AMP Each Circuit or Feeder 31 to 100 AMP Each Additional 100 AMP	$8/Each $10/Each Add $5 per 100 AMP
Street Lights Standard Traffic Signal	$4/Each $7/Each
Transformer 0- 10 kilovolt-amperes 11-75 kilovolt-amperes 76 - 299 kilovolt-amperes Over 299 kilovolt-amperes	 $10 $40 $60 $150
Fire Alarm & Energy Management Device Lighting Retrofit Remote Control/Signal Circuits	$10 first 10 openings $0.65 per fixture $0.75 per device
Solar PV System Rating 0-5,000 watts 5,001 - 10,000 watts 10,001 - 20,000 watts 20,001 – 30,000 watts 30,001 – 40,000 watts 40.001 and larger	 $60 $100 $150 $200 $250 $250, and $25 for each additional 10,000 watts
State Surcharge	$1
Refund issued only for Overpayment on Permits that Exceed $100	

Mechanical Systems	
Valuation $0 to $500 Valuation $501 to $50,000	$25 $25 plus 2% of value of any

Marked Fee Schedule

Valuation Over $50,000	amount in excess of $500
Mechanical Plan Review (only when submitted without a building permit)	$1,012.50 plus 1% of value of any amount in excess of $50,000
2" and less diameter pipe	65% of base permit fee
1-3 fixtures	$5.75 each
Additional openings	$2.50 each
2" and over diameter pipe	$15 each
1-3 fixtures	$3.25 each
Additional opening	
Residential Boiler or Fireplace up to 4 units	$60
Residential Gas Stove or Dryer up to 4 units	$60

Building and Fire Protection	
Valuation $1 to $1,000	$49.50
Valuation $1,001 to $2,000	$49.50 for the first $1,000 plus $3.25 for each additional $100 or fraction thereof, to and including $2,000
Valuation $2,001 to $25,000	$82.00 for the first $2,000 plus $14.85 for each additional $1,000 or fraction thereof, to and including $25,000
Valuation $25,001 to $50,000	$423.55 for the first $25,000 plus $10.70 for each additional $1,000 or fraction thereof, to and including $50,000
Valuation $50,001 to $100,000	$691.05 for the first $50,000 plus $7.45 for each additional $1,000 or fraction thereof, to and including $100,000
Valuation $100,001 to $500,000	$1,063.55 for the first $100,000 plus $6 for each additional $1,000 or fraction thereof, to and including $500,000
Valuation $500,000 to $1,000,000	$3,463.55 for the first $500,000 plus $5.10 for each additional $1,000 or fraction thereof, to and including $1,000,000
Valuation $1,000,001 and up	$6,013.55 for the first $1,000,000

Marked Fee Schedule

Plan Check Fee	plus $4 for each additional $1,000 or fraction thereof
Investigation Fee	65% of the amount of the permit fee Same amount as Building Permit
Residential Siding Replacement up to 4 unit	$150
Residential Family Roof Replacement up to 4 units, not including flat roofs.	$150
Egress Window	$100 up to two windows, $150 for 3 or more
Window or Door Replacement	$100 up to two windows, $150 for 3 or more
Residential Deck up to 4 units	$200

Plumbing	
Minimum Fee	~~$25~~ $60
Repair or alteration of existing system	2% of estimated cost
New residential or commercial building	2% of estimated cost
Plumbing Plan Review (only when submitted without a building permit)	65% of base permit fee
Residential Water Heater up to 4 units	$60
Residential Water Softener up to 4 units	$60
Residential Water Heater and Softener up to 4 units	$60
Plumbing Fixtures	$60 up to 3 fixtures. $10 for each additional.

City Council Agenda Item No. 6l

COUNCIL ITEM MEMORANDUM

DATE: January 8, 2018

TO: Curt Boganey, City Manager

FROM: Ginny McIntosh, City Planner/Zoning Administrator

THROUGH: Michael Ericson, Interim Community Development Director

SUBJECT: Resolution Approving an Amendment to the Encroachment Agreement for the Property Located at 5415 69th Avenue North (Maranatha Senior Housing)

Recommendation:
It is recommended that the City Council consider approval/adoption of a resolution recommending the amendment of an existing Encroachment Agreement for the Maranatha Senior Housing property located at 5415 69th Avenue North. Approval of this resolution would allow Maranatha to relocate an existing freestanding sign from its current location, which runs parallel to 69th Avenue North, and rotate it perpendicular to 69th Avenue North.

Background:
The original Encroachment Agreement was made on May 20, 2013, by Maranatha Conservative Baptist Home, Inc. and Center Park Senior Apartments, Inc., both Minnesota nonprofit corporations, and the City of Brooklyn Center. Given the presence of a utility and drainage easement, which runs along the property's entrances off 69th Avenue North, Maranatha had requested that the City allow them to build and maintain a sign within the easement. The City of Brooklyn Center permitted Maranatha to construct said sign, contingent upon the signing of an Encroachment Agreement, and compliance with a series of conditions, as noted in the original Encroachment Agreement (attached as Exhibit A).

As the sign was installed parallel to 69th Avenue North, Maranatha has now requested that the sign be rotated, so as to face perpendicular to 69th Avenue North. This will allow for better visibility of the sign. This relocation requires that the Encroachment Agreement be amended to reflect the change and to ensure the sign's relocation will not have an impact on drainage. Additionally, as signage was not an identified request as part of the establishment of the Maranatha PUD (Planned Unit Development), the sign must comply with the provisions of Chapter 34 (*Signs*) of the City Code, and will require issuance of a permit pending approval of the amendment.

This request was covered as a Discussion Item at the Planning Commission meeting on November 30, 2017 (Exhibit B). For your reference, copies of the draft amendment to the Encroachment Agreement and City Council Resolution have also been included (Exhibits C, D).

Budget Issues:
There are no budget issues to consider.

Strategic Priorities:
- Enhanced Community Image

Exhibit A

Doc No **A10034218**

Certified, filed and/or recorded on
Dec 4, 2013 3:23 PM
Office of the County Recorder
Hennepin County, Minnesota
Martin McCormick, County Recorder
Mark V. Chapin, County Auditor and Treasurer

Deputy 84 Pkg ID 1060520C

Doc Name: Easement

Document Recording Fee	$46.00
Attested Copy or Duplicate Original	$2.00
Document Total	$48.00

This cover sheet is now a permanent part of the recorded document.

ENCROACHMENT AGREEMENT

THIS AGREEMENT is made as of May 20, 2013 by Maranatha Conservative Baptist Home, Inc. and Center Park Senior Apartments, Inc., both Minnesota nonprofit corporations, as tenants-in-common (together the "OWNER") and City of Brooklyn Center, a Minnesota municipal corporation ("CITY").

Recitals

A. Maranatha Conservative Baptist Home, Inc. and Center Park Senior Apartments, Inc., are the owners of the real property located at 5415 69th Avenue North, in the City of Brooklyn Center, County of Hennepin, State of Minnesota, legally described as follows (the "PROPERTY"):

Lot 1, Block 1, MARANATHA 2ND ADDITION, according to the recorded plat thereof

B. The PROPERTY is encumbered by a utility and drainage easement in favor of the CITY, as dedicated in the plat of MARANATHA 2ND ADDITION, the location of which is depicted in the attached Exhibit A (the "EASEMENT"). The existing EASEMENT is located along the north lot line for the PROPERTY, as dedicated in the plat of MARANATHA 2ND ADDITION.

C. OWNER has requested that CITY allow OWNER to build and maintain a sign and appurtenances (the "ENCROACHMENT") at the location shown on Exhibit B, and allow the sign to encroach in, on, over, across, and through a portion of an existing public EASEMENT. The ENCROACHMENT is proposed to encroach in, on, over, across and through that portion of the EASEMENT area as depicted in Exhibit B.

D. The parties desire to enter into this AGREEMENT with respect to the ENCROACHMENT.

Agreement and Terms

E. The CITY hereby permits the OWNER to construct the ENCROACHMENT within the EASEMENT area on the PROPERTY, contingent upon the OWNER'S agreement to the following conditions, and OWNER agrees to and accepts said conditions:

1. Incorporation of Recitals. The recitals set forth above are incorporated herein and made a part of this AGREEMENT.

2. Binding Agreement.
   a. The ENCROACHMENT must be constructed and installed in a good workman like manner in substantial conformance with the plans on file in the CITY'S Business and Development Department, and as shown in Exhibit "B," and the ENCROACHMENT must not adversely affect drainage or utility services.

   b. OWNER and its heirs, successors and/or assigns in interest shall maintain the permitted ENCROACHMENT at all times in a decent, safe and sanitary condition in accordance with general prevailing standards of maintenance, and pay all cost and expenses incurred in doing so. However, nothing herein shall be construed to require OWNER to maintain, replace or repair any CITY owned facility such as pipeline, conduit, or cable located in or under said ENCROACHMENT, except as otherwise provided herein.

   c. The CITY or any utility company having authority to use the EASEMENT shall not be liable for repair or replacement of ENCROACHMENT in the event that the ENCROACHMENT is moved, damaged, or destroyed by virtue of the lawful use of the EASEMENT. OWNER is responsible for any costs associated with the removal of ENCROACHMENT into or upon the EASEMENT.

   d. If CITY or other public facilities or improvements are damaged by the installation or presence of the permitted ENCROACHMENT, as determined in the sole opinion of the CITY Engineer, OWNER shall be responsible for the cost of repair.

   e. If any part of the ENCROACHMENT actually built or installed during construction varies from the permitted ENCROACHMENT approved herein, such changes or variations must be approved in advance by the CITY and must be shown on as-built plans.

   f. Any construction performed prior to the CITY'S final approval is at the OWNER'S risk and may be subject to removal, fines and penalties.

4. Continuing Use of ENCROACHMENTS. The OWNER of the PROPERTY may continue to use and maintain the ENCROACHMENTS subject to the terms of this AGREEMENT. Whatever rights were acquired by CITY with respect to the EASEMENT shall remain and continue in full force and effect and in no way be affected by CITY'S grant of permission contained in this AGREEMENT.

5. Reimbursement of CITY'S Costs.
   a. Whenever it is deemed by the CITY Engineer that a public improvement cannot be economically placed, replaced, or maintained due to the presence of the ENCROACHMENT, OWNER agrees to provide an alternative right-of-way and/or relocate the public improvement subject to the approval of the CITY, all at no cost or expense to the CITY. If the CITY Engineer determines, in the reasonable exercise of Engineer's discretion: (i) that removal of the ENCROACHMENT is in the public interest in order to accommodate any public use of the EASEMENT, and (ii) that the alternatives to removing the ENCROACHMENT are physically infeasible or would be significantly more costly than the cost of removing the ENCROACHMENT, the CITY Engineer shall notify the OWNER in writing of the CITY'S determination and of the date by which the CITY requires the ENCROACHMENT to be removed. OWNER agrees to remove the ENCROACHMENT from the EASEMENT area at the OWNER'S sole cost and expense. If OWNER fails to remove the ENCROACHMENT by the date specified in the CITY'S notice, the CITY shall have the right (but not the obligation) to enter the PROPERTY and remove the ENCROACHMENT. Prior to any entry under this paragraph, the CITY must declare the ENCROACHMENT to be a nuisance and follow the nuisance abatement procedures under the CITY code.

   b. Throughout the duration of this AGREEMENT, OWNER covenants and agrees to reimburse the CITY for the CITY'S costs of repairing, replacing or relocating the ENCROACHMENT, within 30 days of the CITY'S written demand. If the OWNER defaults in such payment to the CITY, the CITY may, at its option, assess the costs against the PROPERTY, and certify said assessment to the Hennepin County and collect the same in single or multiple payments as in the case of special assessments for public improvements. The OWNER, for itself, its heirs, successors and assigns, hereby waives the right to a hearing and notice of hearing. The OWNER also waives the right to appeal the amount of any such assessment, provided that the total cost does not exceed Five Thousand Dollars ($5,000.00). The right to specially assess its costs to the PROPERTY is not the exclusive means for the CITY to recover the costs incurred, and the CITY reserves all remedies available at law or in equity for OWNER'S failure to reimburse costs as required by this paragraph. Nothing in this paragraph is intended to obligate the CITY to relocate the ENCROACHMENT, but the CITY may in its sole discretion relocate the ENCROACHMENT if it determines the relocation to be in the public interest.

7. Hold Harmless; Indemnification. OWNER, for itself , its heirs, successors and assigns, agrees to indemnify, defend, protect, and hold harmless the CITY, its officers, employees, and agents, against any and all claims, liabilities, demands, actions, proceedings, losses, liens, costs, attorney and expert fees, judgments, civil fines, and penalties of any nature arising from or in connection with or related to the ENCROACHMENT, including but not limited to damages resulting from the construction, maintenance, state of use, repair or presence of the ENCROACHMENT.

8. Termination. This AGREEMENT shall terminate and be of no further force and effect only in the event that the ENCROACHMENT is completely removed, destroyed or demolished.

Upon termination of this AGREEMENT, CITY shall, upon receipt of a request from OWNER, execute and deliver to OWNER in recordable form an instrument acknowledging termination of this AGREEMENT.

9. Notices. All notices or other communications provided for herein shall be in writing and shall be deemed validly given when (a) delivered personally; (b) sent by certified or registered mail, postage prepaid; or (c) sent by reputable overnight delivery service, to the addressee at the addressee's address most recently supplied by the addressee to the sender by effective notice hereunder (or, prior to any such notice, at the address for the addressee set forth below). Unless otherwise provide, written notices are deemed to be effective when received.

a. If to CITY: City of City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, MN 55430

b. If to OWNER: Maranatha Conservative Baptist Home, Inc
and Center Park Senior Apartments, Inc.
c/o Senior Housing Partners
2845 Hamline Avenue North
Roseville, MN 55113
Attn: John Mehrkens / Deb Zarbok

This AGREEMENT and all the obligations contained therein shall constitute covenants running with the land and shall be binding on and for the benefit of OWNER, its transferees, successors and assigns, and any other present or future interest holders or estate holders of any portion or all of the PROPERTY. This AGREEMENT shall run with the land and shall be recorded against the title of this PROPERTY at the OWNER'S expense. All owners of the PROPERTY are jointly and severally responsible for all obligations imposed by the AGREEMENT.

IN WITNESS of the foregoing, the undersigned have executed this AGREEMENT as of the date and year written above.

[Remainder of this page left blank intentionally]

Signature Page for OWNER

MARANATHA CONSERVATIVE BAPTIST HOME, INC.

By: Mark Meyer
Its: Chief Financial Officer

STATE OF MINNESTOA)
) ss
COUNTY OF Washington)

The foregoing instrument was executed this 26th day of August, 2013, by Mark Meyer, the Chief Financial Officer of Maranatha Conservative Baptist Home, Inc. a Minnesota Nonprofit Corporation, on behalf of the corporation.

VALERIE JEAN ALT
Notary Public-Minnesota
My Commission Expires Jan 31, 2015

Valerie Jean Alt
Notary Public

CENTER PARK SENIOR APARTMENTS, INC.

By: Mark Meyer
Its: Chief Financial Officer

STATE OF MINNESOTA)
) ss
COUNTY OF Washington)

The foregoing instrument was executed this 26th day of August, 2013, by Mark Meyer, the Chief Financial Officer of Center Park Senior Apartments, Inc. a Minnesota Nonprofit Corporation, on behalf of the corporation.

VALERIE JEAN ALT
Notary Public-Minnesota
My Commission Expires Jan 31, 2015

Valerie Jean Alt
Notary Public

Signature Page for CITY

CITY OF BROOKLYN CENTER

By: _____
Tim Willson, Mayor

(SEAL)

And: _____
Cornelius L. Boganey, City Manager

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 9th day of October, 2013, by Tim Willson, Mayor, and by Cornelius L. Boganey, City Manager, of the City of Brooklyn Center, a Minnesota municipal corporation, on behalf of the corporation and pursuant to the authority granted by its City Council.

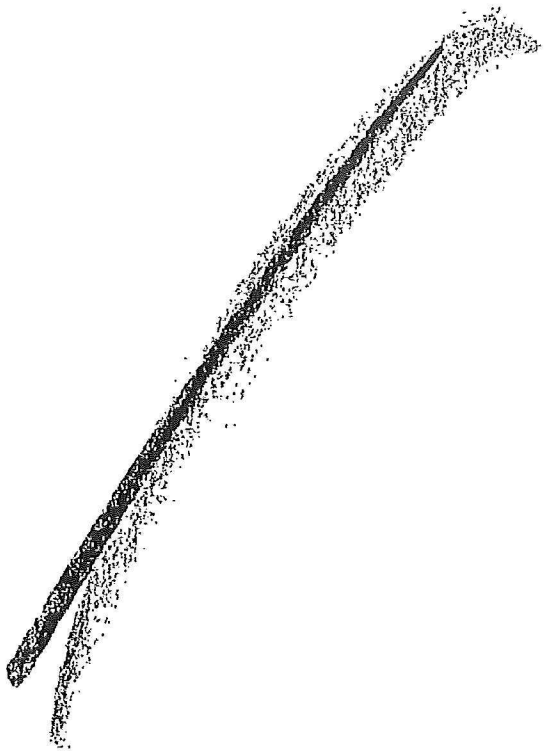
JULIE L. HANSON
Notary Public-Minnesota
My Commission Expires Jan 31, 2014

_____
NOTARY PUBLIC

THIS DOCUMENT DRAFTED BY:
Public Works Department
City of Brooklyn Center, MN
6301 Shingle Creek Parkway
Brooklyn Center, MN 55430

EXHIBIT A

(Sketch Depicting Location of Existing Easement)

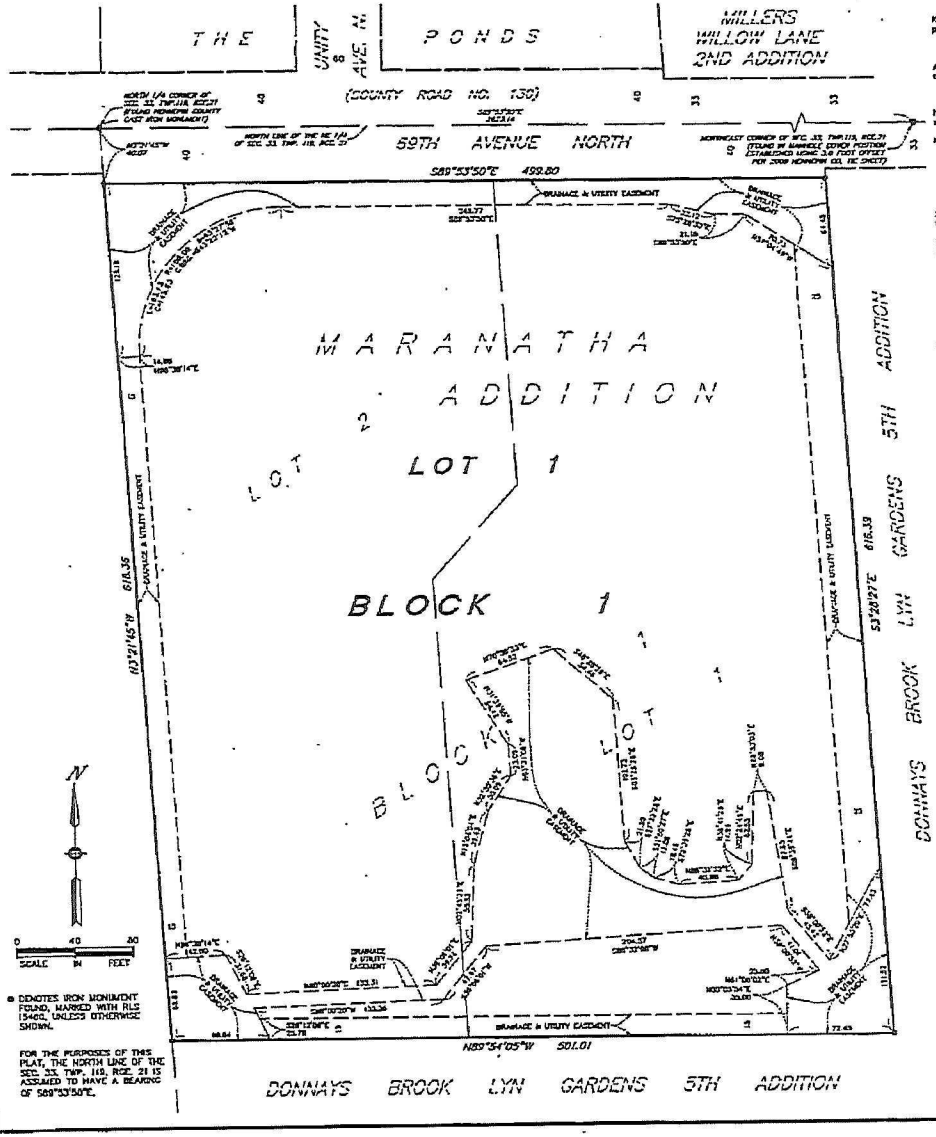


OFFICIAL PLAT

FILE No. 21507 09693

MARANATHA 2ND ADDITION

C.R. DOC. NO. 9811612



KNOW ALL PERSONS BY THESE PRESENTS: That Maranatha Conservative Baptist Home, Inc., a Minnesota non-profit corporation, owner and proprietor of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

Lot 1, Block 1, MARANATHA ADDITION

And that Center Park Senior Apartments, Inc., a Minnesota corporation, owner and proprietor of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

Lot 2, Block 1, MARANATHA ADDITION

Have caused the same to be surveyed and platted as MARANATHA 2ND ADDITION and do hereby dedicate to the public, for public use forever, the drainage and utility easements as shown on said plat.

In witness whereof said Maranatha Conservative Baptist Home, Inc., has caused these presents to be signed by its proper officer this 22nd day of June, 2012.

Maranatha Conservative Baptist Home, Inc.

SIGNED: _____ Its CFO

STATE OF MINNESOTA
COUNTY OF Washington

The foregoing instrument was acknowledged before me this 22nd day of June, 2012, by Mark Meyer, the CFO of said Maranatha Conservative Baptist Home, Inc., a Minnesota non-profit corporation, on behalf of said corporation.

VALERIE JEAN ALT
Notary Public-Minnesota

Valerie Jean Alt
Valerie Jean Alt
Notary Public, Washington County, Minnesota
My Commission Expires Jan 31, 2017

In witness whereof said Center Park Senior Apartments, Inc. has caused these presents to be signed by its proper officer this 22nd day of June, 2012.

Center Park Senior Apartments, Inc.

SIGNED: _____ Its CFO

STATE OF MINNESOTA
COUNTY OF Washington

The foregoing instrument was acknowledged before me this 22nd day of June, 2012, by Mark Meyer, the CFO of said Center Park Senior Apartments, Inc., a Minnesota corporation, on behalf of said corporation.

VALERIE JEAN ALT
Notary Public-Minnesota

Valerie Jean Alt
Valerie Jean Alt
Notary Public, Washington County, Minnesota
My Commission Expires Jan 31, 2017

I, Mark S. Hanson, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been, or will be correctly set within one year; that all water boundaries and wet lands as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this 21st day of June, 2012.

Mark S. Hanson, Licensed Land Surveyor
Minnesota License No. 15400

STATE OF MINNESOTA
COUNTY OF HENNEPIN

This instrument was acknowledged before me on this 21st day of June, 2012, by Mark S. Hanson.

MARIA J. WAY
NOTARY PUBLIC-MINNESOTA

Maria J. Way
Maria J. Way
Notary Public, Dakota County, Minnesota
My Commission Expires Jan 31, 2015

BROOKLYN CENTER, MINNESOTA

This plat of MARANATHA 2ND ADDITION was approved and accepted by the City Council of Brooklyn Center, Minnesota, at a regular meeting thereof held this 25th day of June, 2012, if applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minn. Statutes, Section 505.03, Subd. 2.

CITY COUNCIL OF BROOKLYN CENTER, MINNESOTA

BY: Tom Willson, Mayor

BY: _____, Manager

TAXPAYER SERVICES DEPARTMENT, Hennepin County, Minnesota

I hereby certify that taxes payable in 2012 and prior years have been paid for land described on this Plat, dated this 23rd day of July, 2012.

Mark V. Chopin, Hennepin County Auditor

BY: David P. Peterson, Deputy

SURVEY DIVISION, Hennepin County, Minnesota

Pursuant to Minnesota Statutes, Sec. 383B.565 (1969), this plat has been approved this 13th day of July, 2012.

William P. Brown, Hennepin County Surveyor

BY: _____

COUNTY RECORDER, Hennepin County, Minnesota

I hereby certify that the within plat of MARANATHA 2ND ADDITION was recorded in this office this 13th day of July, 2012, at 2:18 o'clock P.M.

Rachel Smith, Acting County Recorder

BY: _____, Deputy

SUNDE LAND SURVEYING

- DENOTES IRON MONUMENT FOUND, MARKED WITH RLS 15400, UNLESS OTHERWISE SHOWN.

FOR THE PURPOSES OF THIS PLAT, THE NORTH LINE OF THE SEC. 33, TWP. 119, RGE. 21 IS ASSUMED TO HAVE A BEARING OF S89°53'50"E.

FILE No. 21507

12.054

EXHIBIT A

EXHIBIT B

(Sketch Depicting Location of Sign and Encroachment)

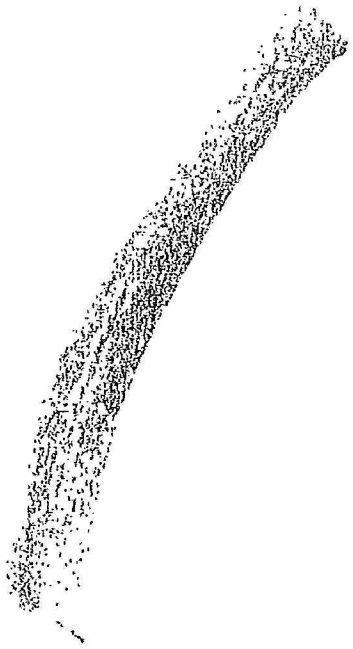
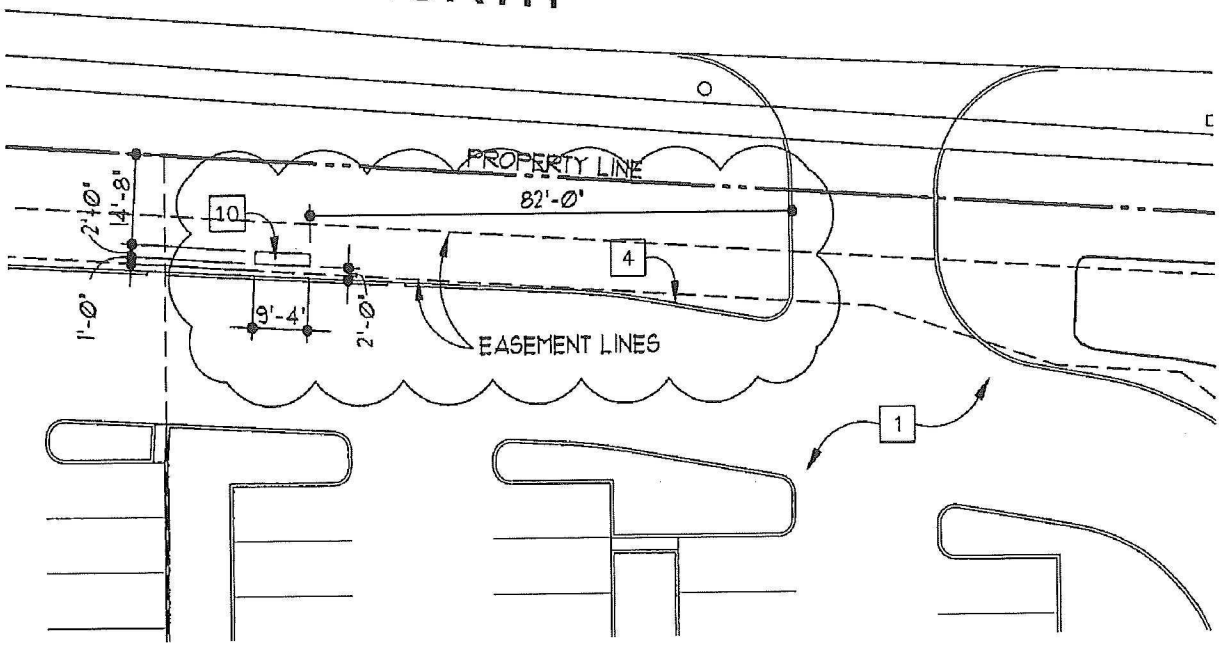


EXHIBIT B

ITH AVENUE NORTH



1 / A1.1 SITE PLAN
1"=30'-0"

NORTH

POPE ARCHITECTS

MARANATHA SKILLED CARE
BROOKLYN CENTER, MN

ASI #7 - MONUMENT SIGN LOCATION

POPE ARCHITECTS
1295 BANDANA BLVD N, SUITE 200 | ST. PAUL, MN 55108-2735
(651) 642-9200 | FAX (651) 642-1101 | www.popearch.com

Commission No.	72535-09066
Drawn by	NWJ
Date	1/9/13
Sheet	

(REVISED 2/12/13)

ASI 7-A6

Exhibit B

To: Members of the Planning Commission
From: Gary Eitel, Director of Business & Development
Date: November 30, 2017
Subject: Revisions to the Maranatha Senior Housing freestanding sign along 69th Ave. N.

Background Information:

On June 25, 2012, the City Council adopted Resolution No. 2012-90, RESOLUTION REGARDING THE RECOMMENDED DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2012-003" SUBMITTED BY MARANATHA CONSERVATIVE BAPTIST HOME, INC., FOR APPROVAL OF THE DEVELOPMENT/SITE AND BUILDING PLAN IN RELATION TO THE NEW PLANNED UNIT DEVELOPMENT ON PROPERTY LOCATED AT 5 4 O 1 - 5415 69TH AVENUE NORTH.

This PUD Application comprehended the rezoning of the Subject Site from R1 (One Family Residence) and R6 (Multiple Family Residence) to a new PUD-MIXED R5/ R6 (Planned Unit Development-Mixed Multiple Family Residence) district, and includes a development/ site and building plan consisting of a new three- story, 97 bed skilled nursing care facility and a future 3 8- unit senior independent living apartment facility.

Condition No. 9 of the approving resolution included the following standard condition relating to project signage:

- Plan approval is exclusive of all final signs on this site, including any new freestanding, wall (building) signs and directional signs, which shall remain subject to Chapter 34 of the city ordinances, and subject to separate sign permit submittals and approval.

On June 27, 2016, the City Council adopted Resolution No. 2016-97 RESOLUTION REGARDING THE DISPOSITION OF PLANNING APPLICATION NO. 2016-003 SUBMITTED BY SENIOR HOUSING PARTNERS REQUESTING SITE AND BUILDING PLAN APPROVAL OF A 34-UNIT SENIOR INDEPENDENT LIVING APARTMENT FACILITY ON THE MARANATHA SENIOR LIVING COMMUNITY CAMPUS, LOCATED AT 5401 - 69TH AVENUE NORTH

Condition No. 11 of the approving resolution included the following standard condition relating to project signage:

- Plan approval is exclusive of all final signs on this site, including any new freestanding, wall (building) signs and directional signs, which shall remain subject to Chapter 34 of the city ordinances, and subject to separate sign permit submittals and approval.

Sign Ordinance:

C. Residential (R1 through R7) Districts
   a. One freestanding sign no greater than 36 sf. in area and extending no more than 10 feet above the ground level.

Section 34-140 Permitted Signs

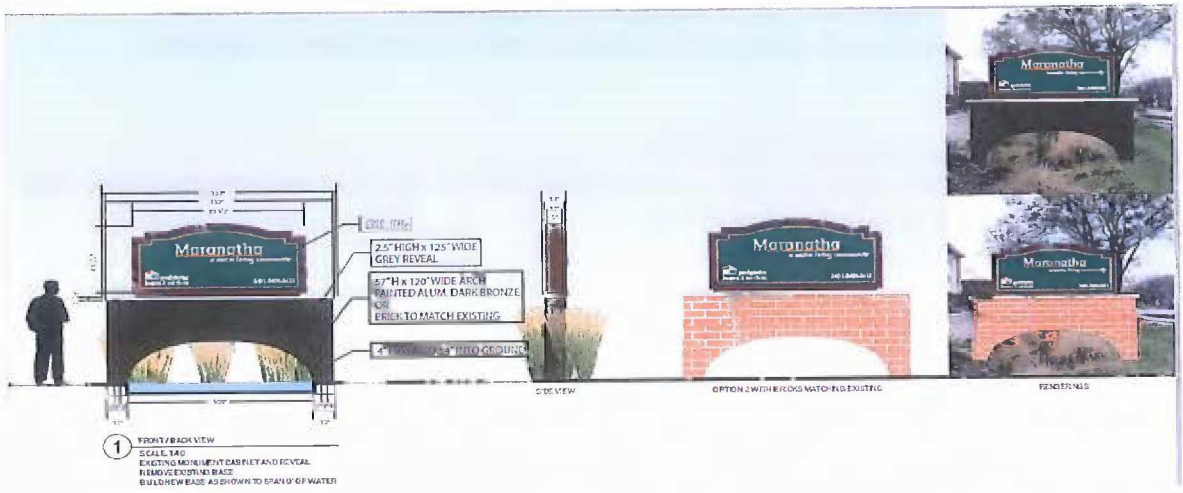
Para. e No part of any sign shall project over or beyond the property line of the property upon which the sign is located.

Para. f. Unless set back ten (10) or more feet from the street right-of-way line, the supporting column of a freestanding sign exceeding 16 feet in area shall not materially impede vision between a height of two and one half feet and seven and one half feet above the centerline grade of the street.

Freestanding sings located within the sight triangle defined in Section 35-560 shall have a minimum vertical clearance of 10 feet above the centerline grade of the intersecting streets. (corner lot – a straight line joining points 25 feet from the intersection of the property lines).

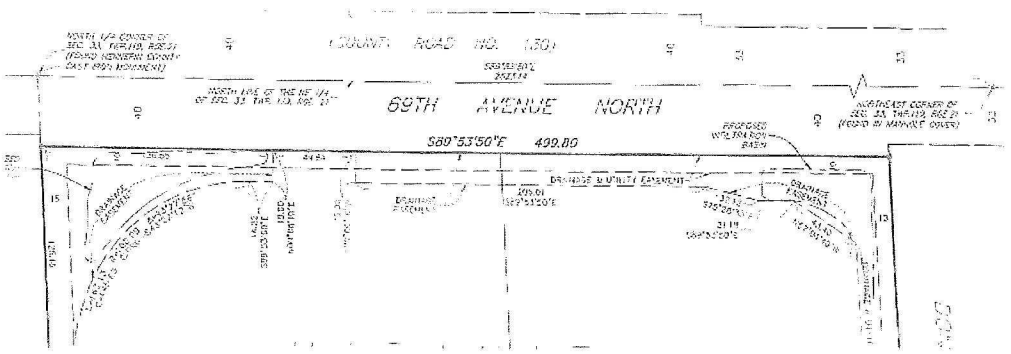


Elevation at Centerline of 69th Ave. 863.4
Ground elevation at sign 860
Top cap of the monument sign 9'2" with a 8'2" sign cabinet.
Distance from interior curb to Center line of road 60'
Right of way expanded from 33 feet to 40 feet as part of (Marantha 2nd Addition)

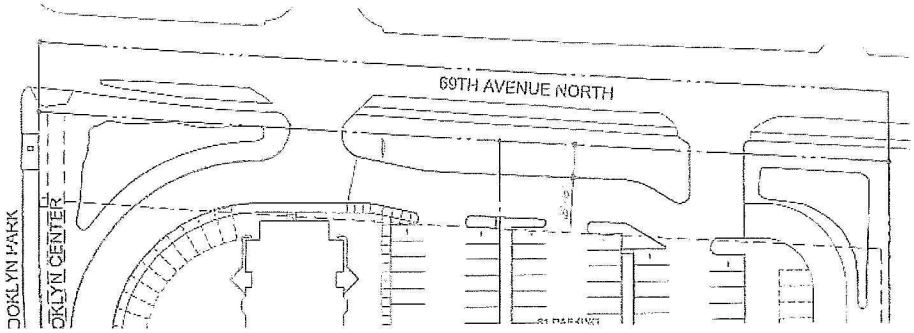


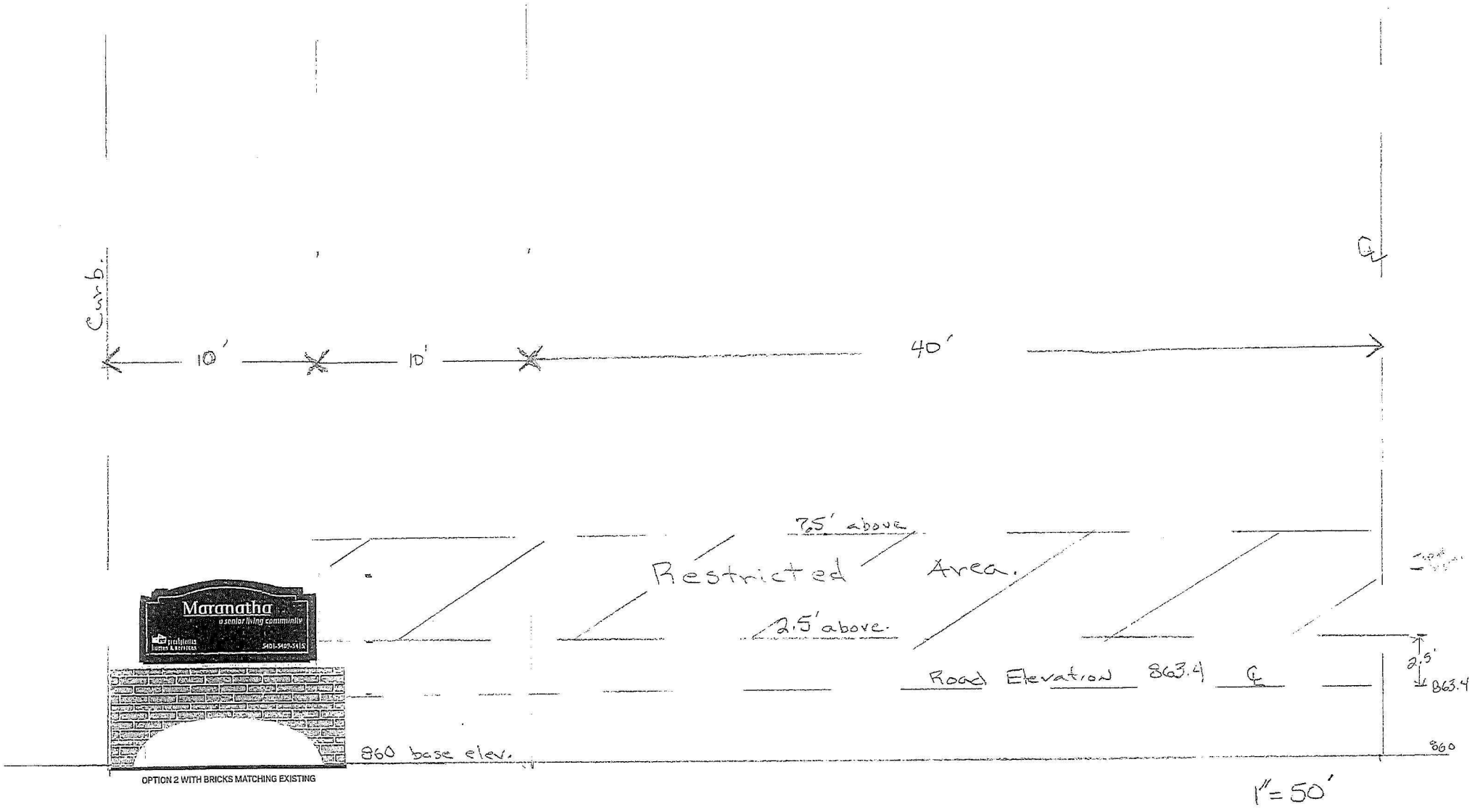
Attachment

Plat



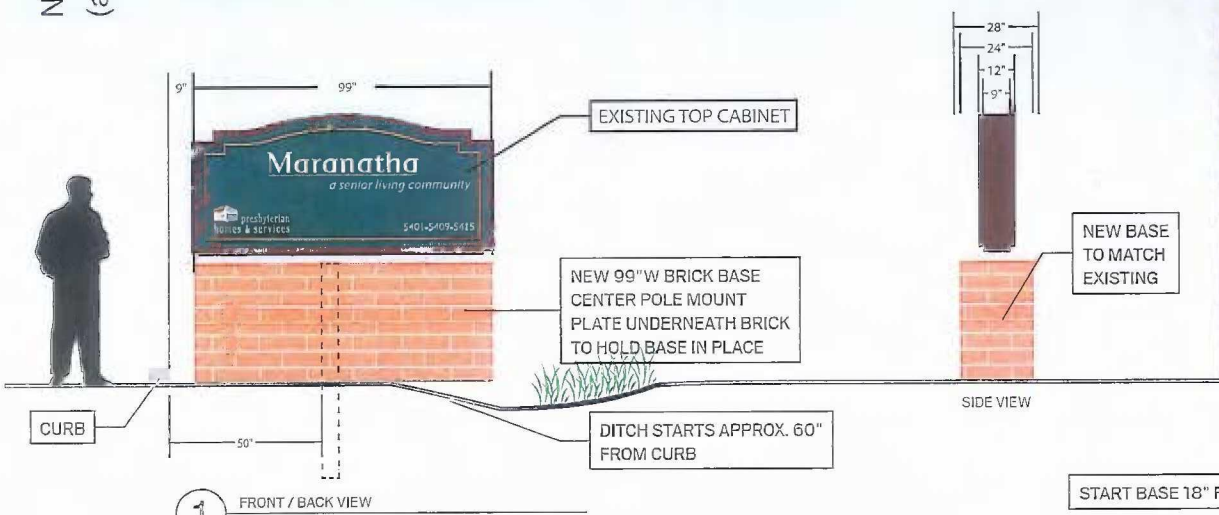
Site Plan





OPTION 2 WITH BRICKS MATCHING EXISTING

New Proposed Sign
(as of December 2017)



1 FRONT / BACK VIEW
SCALE: 1:40
EXISTING MONUMENT CABINET AND REVEAL
REMOVE EXISTING BASE
FABRICATE A NEW BASE, INSTALL AS SHOWN
CENTER POLE MOUNTED

SIDE VIEW



RENDERING

SIGN TYPE: NEW MONUMENT BASE

SDDI
Define your image.
8627 EAGLE CREEK CIRCLE
SAVAGE, MN 55378
P. 952-224-9906
F. 952-224-9909
sddisignsystems.com

Project:	Exterior Signage	*File Name:*	New Monument Base R3.ai
Client:	Maranatha	*Origin Date:*	11.13.17
Project Manager:	S. Sowder	*Revised Date:*	12.21.17
Drawn By:	M. Scauzillo	*Revision:*	3

This drawing is the sole property of SDDI Sign Systems. All rights to use and/or reproduce are reserved.
Actual dimensions may vary slightly due to practical limitations with fabrication.
Photographic representations of proposed signage are for presentation only and may not be to scale.
Colors will be printed as is, unless a specific color, (i.e. Pantone Number, Sherwin Williams, or hard sample) is provided.

PLEASE EMAIL OR FAX YOUR APPROVAL BACK

☐ Approved As Is ☐ Approved With Changes ☐ Please Change and Resubmit

X _____

FIRST AMENDMENT TO AN ENCROACHMENT AGREEMENT

This first amendment ("Amendment") is to the encroachment agreement entered into by and among Maranatha Conservation Baptist Home, Inc., Center Park Senior Apartments, Inc., (collectively, the "Owners") and the City of Brooklyn Center ("City") that is dated May 20, 2013 and was recorded in the Office of the Hennepin County Recorder on December 4, 2013 as Document Number: A10034218 ("Encroachment Agreement").

RECITALS

A. The Owners are the owners of the following legally described property located at 5415 69th Avenue North in the City:

   Lot 1, Block 1, MARANATHA 2ND ADDITION, according to the recorded plat thereof;

B. The Encroachment Agreement allows the Owners to place a monument sign within a portion of the drainage easement dedicated to the City as part of the plat;

C. The monument sign was placed in accordance with the site plan attached as an exhibit to the Encroachment Agreement, but the Owners now desire to reorient the monument sign within the existing encroachment area so that it is perpendicular to the drainage easement;

D. This Amendment is intended to allow the monument sign to be redesigned and reoriented within the encroachment area established in the Encroachment Agreement as shown in the site plant attached hereto as Exhibit A.

AGREEMENT

For good and valuable consideration, the receipt and sufficient of which is hereby acknowledged, the parties to this Amendment hereby agree as follows:

1. New Site Plan. The Encroachment Agreement is hereby amended to allow the Owners to replace the existing monument sign, which constitutes the original encroachment, with a new monument sign that is designed and located within the drainage easement area in accordance with site plan attached hereto as Exhibit A.

2. No Other Amendments. This Amendment has the effect of replacing the site plan attached to the Encroachment Agreement as Exhibit B with the site plan attached to this Amendment as Exhibit A. No other modifications to the Encroachment Agreement are intended by this Amendment and the terms and conditions of the Encroachment Agreement shall continue in effect.

[signature pages follow]

Signature Page for OWNERS

MARANATHA CONSERVATIVE BAPTIST HOME, INC.

By: _____
Its: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

The foregoing instrument was executed this _____ day of _____, 2018, by _____, the _____ of Maranatha Conservative Baptist Home, Inc. a Minnesota Nonprofit Corporation, on behalf of the corporation.

_____
Notary Public

CENTER PARK SENIOR APARTMENTS, INC.

By: _____
Its: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

The foregoing instrument was executed this _____ day of _____, 2018, by _____, the _____ of Center Park Senior Apartments, Inc. a Minnesota Nonprofit Corporation, on behalf of the corporation.

_____
Notary Public

Signature Page for CITY

CITY OF BROOKLYN CENTER

By: _____
Tim Willson, Mayor

And: _____
Cornelius L. Boganey, City Manager

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by Tim Willson, Mayor, and by Cornelius L. Boganey, City Manager, of the City of Brooklyn Center, a Minnesota municipal corporation, on behalf of the corporation and pursuant to the authority granted by its City Council.

_____
Notary Public

THIS DOCUMENT DRAFTED BY:
Kennedy & Graven, Chartered (TJG)
470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402
(612) 337-9300

EXHIBIT A
Site Plan

(attached hereto)

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. 2018-_____

RESOLUTION APPROVING AN AMENDMENT TO THE ENCROACHMENT AGREEMENT FOR THE PROPERTY LOCATED AT 5415 69TH AVENUE NORTH

WHEREAS, Maranatha Conservative Baptist Home, Inc. and Center Park Senior Apartments, Inc. (collectively, the "Owners") entered into an encroachment agreement ("Encroachment Agreement") with the City of Brooklyn Center dated May 20, 2013 that allowed the Owners to place a monument sign for their property located at 5415 69th Avenue North in a drainage easement dedicated to the City in the as part of the plat of Maranatha 2nd Addition; and

WHEREAS, the monument sign was placed parallel to the street as indicated in the Encroachment Agreement, but now the Owners desire to place a new monument sign in the encroachment area that is perpendicular to the street to make it easier to read by those traveling along the street; and

WHEREAS, the Encroachment Agreement must be amended in order to allow the Owners to place the new monument sign as proposed; and

WHEREAS, the site plan for the proposed new monument sign is attached hereto as Exhibit A ("Site Plan"), and the proposed amendment to the Encroachment Agreement is attached hereto as Exhibit B ("Amendment"); and

WHEREAS, the City Council determines the placement of the new monument sign as indicated on the Site Plan will not expand the area of encroachment and will not interfere with the purpose of the drainage easement.

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

1. The City hereby approves the Amendment to the Encroachment Agreement attached hereto as Exhibit B to allow the Owners to place a new sign within the City's drainage easement as shown on the Site Plan attached hereto as Exhibit A; and

2. The Mayor and the City Manager are authorized and directed to sign the Amendment once it is final form and to take such other actions as may be needed to carry out the intent of this Resolution.

January 22, 2018
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.

City Council Agenda Item No. 6m

COUNCIL ITEM MEMORANDUM

DATE: January 2, 2018

TO: Curt Boganey, City Manager

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

FROM: Mike Albers, Acting City Engineer

SUBJECT: Resolution Establishing Parking Restrictions for Segments on Brooklyn Boulevard from 49th Avenue to the North City Limit

Recommendation:
It is recommended that the City Council approve the resolution establishing no-parking restrictions along both sides of the street on Brooklyn Boulevard (County State Aid Highway 152) from 49th Avenue to the North City Limits, in accordance with Municipal State Aid (MSA) requirements.

Background:
Street improvements are currently being considered for Brooklyn Boulevard between 49th Avenue and 59th Avenue in 2018 and between 59th Avenue and Interstate 94 in 2021. Brooklyn Boulevard is designated as a County State Aid Highway (CSAH) route and federal funding obtained jointly with Hennepin County will be used for these projects.

The MSA approval process includes certain standards for street widths and on-street parking that must be followed as prescribed in Minnesota Rule 8820.9936. The existing street width varies along Brooklyn Boulevard. In general, Brooklyn Boulevard is approximately 76-feet wide, which allows for four travel lanes and turn lanes along Brooklyn Boulevard. The proposed street widths along Brooklyn Boulevard will not be sufficient to allow on-street parking in addition to the four travel lanes based on MSA design standards. Parking along Brooklyn Boulevard is currently prohibited. The proposed resolution would officially establish a No-Parking zone along Brooklyn Boulevard from 49th Avenue to the North City Limits. This action is required as a condition of plan approval from the Minnesota Department of Transportation.

Budget Issues:
Installation of new No-Parking signs is included in the project cost for the street improvement projects. Hennepin County currently maintains the existing No-Parking signs on Brooklyn Boulevard and routine replacement will remain Hennepin County's responsibility. No additional budget issues are involved with officially adopting the current parking restrictions.

Strategic Priorities:
- Key Transportation Investments

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ESTABLISHING PARKING RESTRICTIONS FOR SEGMENTS ON BROOKLYN BOULVARD FROM 49TH AVENUE TO THE NORTH CITY LIMIT

WHEREAS, the City of Brooklyn Center and Hennepin County have planned the improvement of Brooklyn Boulevard between 49th Avenue and 59th Avenue within the City of Brooklyn Center, Minnesota in 2018; and

WHEREAS, the City of Brooklyn Center and Hennepin County have planned the improvement of Brooklyn Boulevard between 59th Avenue and Interstate 94 within the City of Brooklyn Center, Minnesota in 2021; and

WHEREAS, Hennepin County will be expending County State Aid Funds on the improvements of said streets; and

WHEREAS, the proposed street improvements do not provide adequate width for parking on both sides of the street on Brooklyn Boulevard from 49th Avenue to the North City Limits; and

WHEREAS, approval of the planned construction improvements as a County State Aid Highway project must therefore be conditioned upon certain parking restrictions to meet the minimum roadway design standards in accordance with Minnesota Rule 8820.9936.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the City shall ban the parking of motor vehicles at all times on the following street segments:

1. Both sides of Brooklyn Boulevard from 49th Avenue to the North City Limits

January 8, 2018
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.

City Council Agenda Item No. 6n

COUNCIL ITEM MEMORANDUM

DATE: January 2, 2018

TO: Curt Boganey, City Manager

THROUGH: Mike Albers, Acting City Engineer MA

FROM: Andrew Hogg, Assistant City Engineer

SUBJECT: Resolution Accepting Bid and Awarding Contract, Improvement Project No. 2018-07, 2018 Pond Maintenance

Recommendation:
It is recommended that the City Council approve the lowest responsible bid and award a contract to New Look Contracting, Inc. for Improvement Project No. 2018-07, 2018 Pond Maintenance.

Background:
The 2018 Capital Improvement Plans included storm water pond projects to perform sediment removal and pond rehabilitation (see attached map for locations). Bids for the 2018 Pond Maintenance project were received and opened on December 21, 2017. The project bid included the standard base bid for work associated with ponds 41-001, 43-001, 60-002 and 60-004 and an alternative bid relative to work associated with sediment removal and reestablishing the clay liner at pond 64-002. The bidding results are tabulated below:

BIDDER	TOTAL BASE BID	TOTAL ALTERNATE BID
New Look Contracting, Inc.	$189,276.50	**$237,601.00**
Veit & Company, Inc.	$180,528.55	$245,342.80
Peterson Companies, Inc.	$222,732.77	$296,033.95
Meyer Contracting, Inc.	$253,743.10	$307,935.16
Sunram Construction	$234,763.00	$315,827.00
Frattalone Companies, Inc.	$257,694.78	$352,248.71

Of the six (6) bids, the lowest base bid of 180,528.55 was submitted by Veit & Company, Inc. and the lowest base bid plus the alternate bid of $237,601.00 was submitted by New Look Contracting, Inc.

It is staff's recommendation to proceed with an award of the project based on the total base bid plus alternate bid that was submitted by New Look Contracting, Inc. of Rogers, Minnesota due to the cost saving of completing the sediment removal and reestablishing the clay liner for pond 64-002 in 2018 versus rebid the work in a future year. New Look Contracting, Inc. has the experience, equipment and capacity to qualify as the lowest responsible bidder for the project.

Budget Issues:
The bid amount of $237,601.00 exceeds the 2018 Capital Improvement Program (CIP) budgeted amount for this work. The total estimated budget including contingencies, administration, engineering and legal was $270,000 and is amended to $292,601, an approximate 8.4 percent increase to the originally budgeted amount (see attached Resolution – Costs and Revenues

tables). The 8.4 percent increase was a result of adding sediment removal and reestablishing the clay liner for pond 64-002. Funding for this project is under the Storm Drainage Utility Fund which has adequate funding to absorb the additional cost.

Strategic Priorities:

- Enhanced Community Image

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT, IMPROVEMENT PROJECT NO. 2018-07, 2018 POND MAINTENANCE

WHEREAS, pursuant to an advertisement for bids for Improvement Project No. 2018-07, bids were received, opened and tabulated by the City Clerk and Acting City Engineer on the 21th day of December, 2017. Said bids were as follows:

BIDDER	TOTAL BASE BID	TOTAL ALTERNATE BID
New Look Contracting, Inc.	$189,276.50	**$237,601.00**
Veit & Company, Inc.	$180,528.55	$245,342.80
Peterson Companies, Inc.	$222,732.77	$296,033.95
Meyer Contracting, Inc.	$253,743.10	$307,935.16
Sunram Construction	$234,763.00	$315,827.00
Frattalone Companies, Inc.	$257,694.78	$352,248.71

WHEREAS, the Acting City Engineer recommends that the contract be awarded based on the total alternate bid; and

WHEREAS, it appears that New Look Contracting, Inc. of Rogers, Minnesota is the lowest responsible bidder, based on the total alternate bid amounts.

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

1. The Mayor and City Manager are hereby authorized and directed to enter into a contract with New Look Contracting, Inc. of Rogers, Minnesota in the name of the City of Brooklyn Center, for Improvement Project No. 2018-07, according to the plans and specifications therefore approved by the City Council and on file in the office of the Acting City Engineer.

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

COSTS	Estimated	Amended per Low Bid
Construction Cost	$ 215,000.00	$ 237,601.00
Engineering and Administrative	$ 50,000.00	$ 50,000.00
Contingency	$ 5,000.00	$ 5,000.00
TOTAL	$ 270,000.00	$ 292,601.00

REVENUES	Estimated	Amended per Low Bid
Storm Drainage Utility Fund	$ 270,000.00	$ 292,601.00

RESOLUTION NO. _____

January 8, 2018 _____
Date

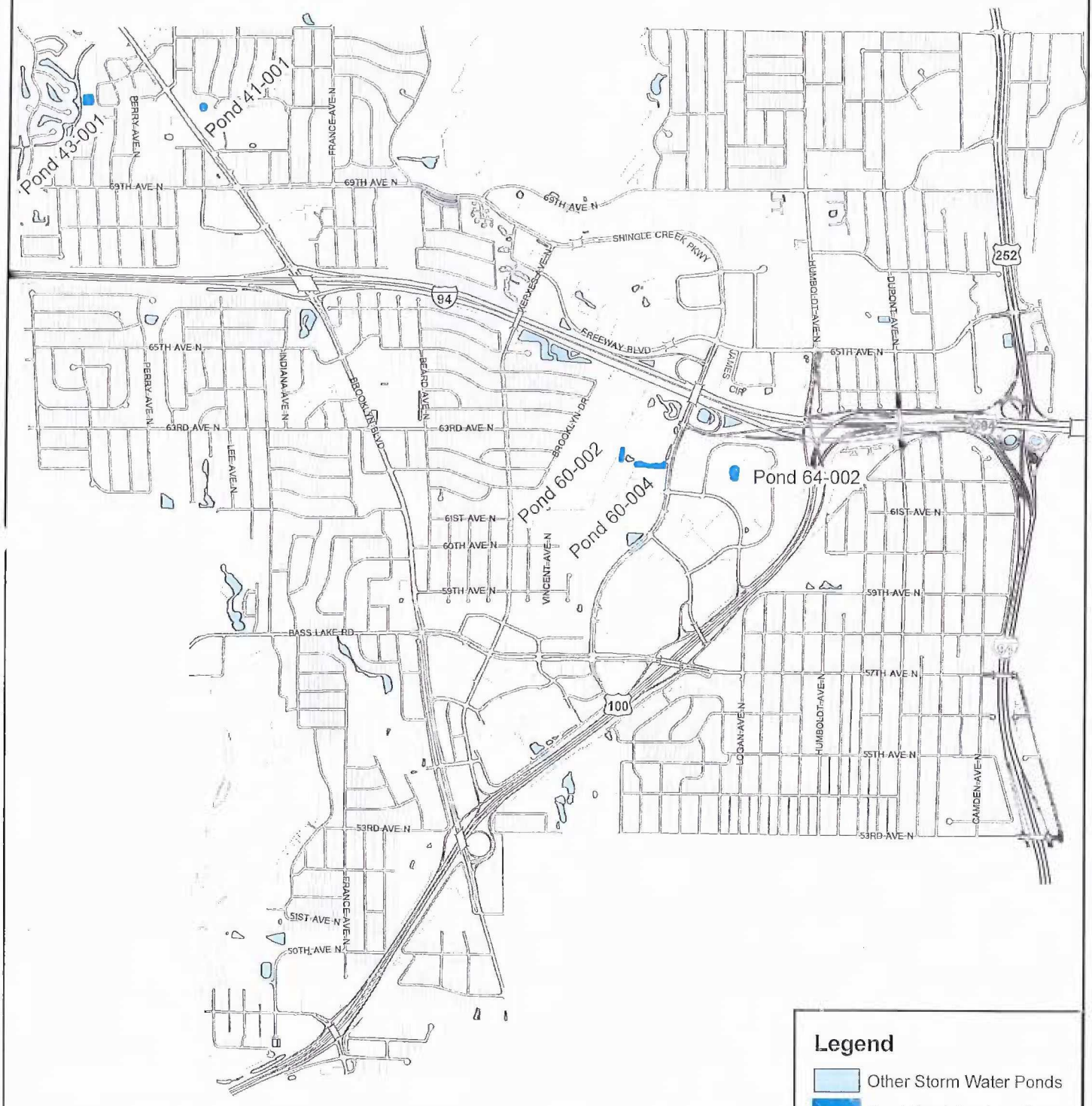
_____
Mayor

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.



City of BROOKLYN CENTER

Pond Survey Locations

Public Works - Engineering

December 26, 2017

0 700 1,400 2,800 Feet

N

City Council Agenda Item No. 60

COUNCIL ITEM MEMORANDUM

DATE: January 2, 2018

TO: Curt Boganey, City Manager

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

FROM: Michael Weber, Public Utilities Supervisor

SUBJECT: Resolution Authorizing Execution of Site Lease Agreement with Verizon Wireless LLC on Water Tower No. 2

Recommendation:
It is recommended that the City Council consider approval of a resolution authorizing execution of a site lease agreement with Verizon Wireless (VAW) LLC d/b/a Verizon Wireless on Water Tower No. 2

Background:
Verizon Wireless has submitted an application to the City to place wireless antennas on Water Tower No. 2 (1000 69th Avenue N). The application was submitted along with the required application fee and the attached site lease agreement has been reviewed by the City Attorney. City staff is currently finalizing review of the tenant's construction plans and Verizon Wireless will be issued a building permit once staff approves the construction plans. Antenna installation will not take place until after Water Tower No. 2 has been painted this summer.

Budget Issues:
The Water Utility Fund will receive an annual fee in accordance with the site lease agreement amounting to $52,022.06, as established for 2018. The payment will be prorated for the first year then annually increased by a minimum of three percent for twenty years represented by one five-year lease period with three five-year renewals.

Strategic Priorities:
- Key Infrastructure Investments

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION AUTHORIZING EXECUTION OF SITE LEASE AGREEMENT WITH VERIZON WIRELESS LLC ON WATER TOWER NO. 2

WHEREAS, Verizon Wireless (VAW) LLC d/b/a Verizon Wireless has submitted to the City of Brooklyn Center a request to lease space on Water Tower No. 2, along with the required application fee; and

WHEREAS, as compensation for the use of City facilities, Verizon Wireless agrees to pay an annual lease payment of $52,022.06 (2018 rate). The payment will be prorated for the first year then annually increased by a minimum of three percent for twenty years represented by one five-year lease period with three five-year renewals; and

WHEREAS, the City and Verizon Wireless have negotiated a lease agreement that is consistent with the City's Policy Regarding the Use of City Water Towers for Personal Wireless Services Facilities.

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

1. The lease agreement between Verizon Wireless and the City for the placement of antennas on Water Tower No. 2 is hereby approved. The Mayor and City Manager are hereby authorized to execute said lease agreement.

2. All lease payments collected from said lease will be deposited into the Water Utility Fund.

January 8, 2018
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.

City of BROOKLYN CENTER

Public Works Department
Engineering Division
Phone: 763-569-3340
publicworks@ci.brooklyn-center.mn.us

SITE LEASE AGREEMENT

Agreement Date: _____

Between the City of Brooklyn Center & Verizon Wireless

City of Brooklyn Center
Water Tower No. 2, 1000 69th Avenue North
Brooklyn Center, MN 55430

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SITE LEASE AGREEMENT

THIS SITE LEASE AGREEMENT ("Lease"), made this ___ day of _____ 2018, Between City of Brooklyn Center, a Minnesota Municipal Corporation ("Landlord"), and Verizon Wireless (VAW) LLC d/b/a Verizon Wireless, a Delaware limited liability company ("Tenant").

For good and valuable consideration, the parties agree as follows:

1. **Leased Premises.** Subject to the terms and conditions of this Lease, Landlord hereby leases to Tenant and Tenant leases from Landlord a portion of Landlord's property ("Property"), located at 1000 69th Avenue North, City of Brooklyn Center, County of Hennepin, State of Minnesota, legally described in Exhibit A attached hereto, subject to any and all existing easements and a portion of the water tower located upon the Property ("Structure"), as more particularly shown in Exhibit B attached hereto, on which directional antennas, connecting cables and appurtenances will be attached and located, the exact location of each to be reasonably approved by Landlord's City Engineer, together with appurtenant easements and access rights ("Leased Premises").

2. **Rent.**

(a) Amount, Adjustments. As consideration for this Lease, Tenant shall pay Landlord an annual rent in the amount of Fifty Two-Thousand Twenty-Two dollars and Six cents ($52,022.06) for the initial year, which shall be increased each year effective January 1, 2019 by three percent (3%) of the previous year's annualized rental.

(b) Time of Payment Taxes. Landlord shall communicate all rental increases to the Tenant in writing by the preceding December 1 of each year. The annual rental shall be paid before January 1 of each year. For the first year, the rental shall be pro rated through December 31 and shall be paid to Landlord in full at the time Lease is executed. The first year rental shall commence and begin to accrue thirty (30) days following written notification by the Landlord to Tenant that the Landlord's water tower painting project has been completed, and that the Tenant may proceed with the installation of the Tennant Facilities, pursuant to the terms of the Lease. If the Tenant does not meet the requirements referenced in Subparagraph 3(a) below within thirty (30) days of final execution of this Lease, Landlord shall refund the Tenant rental payment made at the time of Lease execution and this Lease shall terminate. Landlord agrees to notify Tenant of any taxes or other charges imposed upon the property by a governmental agency. In addition to the annual rental, Tenant agrees to timely pay its pro rata share of any taxes or other charges imposed upon the property by a governmental agency required as a result of this Lease and all other payments required herein.

3. **Governmental Approval Contingency.**

(a) Tenant Application. Tenant's right to use the Leased Premises is expressly made contingent upon its obtaining all the certificates, permits, zoning and other approvals that may be required by any federal, state, or local authority. This shall include the engineering studies specified in Subparagraph 3(b) below on the Structure to be conducted at Tenant's expense. Landlord shall cooperate with Tenant in its efforts to obtain and retain such approvals.

(b) Engineering Studies. Before obtaining a building permit, Tenant must submit a study or studies that shall address, but not be limited to the following: (i) a radio frequency interference study carried out by an independent and qualified professional approved by the Landlord showing that Tenant's intended use will not interfere with any existing communications facilities and (ii) an engineering study showing that the presence of the Tenant's Facilities, as defined in Subparagraph 5 (b), will not prejudice the use of the Structure, inhibit the Landlord's operation and maintenance of the facility and its appurtenances, inhibit access, nor damage the Structure, its coatings, or its appurtenant facilities. If Landlord concludes after review of the study that there is a potential for interference that cannot be reasonably remedied, or for prejudice to the Structure or its use, Landlord may terminate this Lease immediately and refund the initial rental to Tenant. The Landlord, at the sole discretion of the Landlord, may hire an independent consultant to review the engineering study or studies, as defined in Subparagraph 5 (b),construction drawings and plans for structural and practical considerations, and to inspect and monitor all construction and installation work for quality assurance and quality control. The Tenant must pay all associated costs of such independent consultants prior to obtaining a building permit.

(c) Non-approval. In the event that any application necessary under Subparagraph 3(a) above is finally rejected or any certificate, permit, license, or approval issued to Tenant is canceled, expires, lapses, or is otherwise withdrawn or terminated by governmental authority so that Tenant will be unable to use the Leased Premises for its intended purposes, Tenant shall have the right to terminate this Lease and be reimbursed pro rata based on the effective date of the termination, for the annual rental payment if made pursuant to Subparagraph 2(b) above. Notice of Tenant's exercise of its right to terminate shall be given to Landlord in writing by certified mail, return receipt requested, and shall be effective upon receipt of such notice by Landlord as evidenced by the return receipt, and receipt by the Landlord of the performance bond, irrevocable letter of credit, or other security required by paragraph 11 (d). Upon such termination, this Lease shall become null and void and the parties shall have no further obligations to each other except for obligations for payments of money incurred prior to the effective date of termination and except for any other obligations which, by the terms of this lease, are to survive termination.

4. **Term and Renewals.** The "Initial Term" of this lease shall commence on the date in the first paragraph of this Lease ("Effective Date",) and end on December 31 of the fifth calendar year of the Lease including any first partial year. Subject to the terms and conditions of this Lease, Tenant shall have the right to extend this Lease for three (3) additional five (5) year renewal periods ("Renewal Term") commencing on January 1 following the expiration date of the Initial Term or of any subsequent Renewal Term.

This Lease shall be automatically renewed for each successive Renewal Term unless Tenant sends written notice of non-renewal to Landlord no later than ninety (90) days prior to the expiration of the Initial Term or any Renewal Term, such notice provided in accordance with Paragraph 19 of this Lease.

5. **Tenant's Use.**

(a) User Priority. Tenant agrees that the following priorities of use, in descending order, shall apply in the event of communication interference or other conflict while this Lease is in effect, and Tenant's use shall be subordinate accordingly:

1. Landlord;
2. Public safety agencies, including law enforcement, fire, and ambulance services, that are not part of the Landlord;
3. Other governmental agencies where use is not related to public safety; and
4. Tenant and other Government-regulated entities whose antennae offer a service to the general public for a fee, in a manner similar to a public utility, such as long distance and cellular telephone, not including radio or television broadcasters.

(b) Purposes. Tenant shall use the Leased Premises only for the purpose of installing, maintaining, and operating a communications antenna facility, equipment, cabinets and an accessory building, and uses incidental thereto for providing radio and wireless telecommunication services which Tenant is legally authorized to provide to the public. Tenant's use of the Leased Premises shall at all times be in compliance with those construction drawings attached hereto as Exhibit C, the approval of which is hereby acknowledged. Following the date of this Lease, but prior to the payment of rent, Tenant shall be permitted to install the welding, brackets and antenna mounts on the Structure as depicted in Exhibit C and as approved by the Landlord. Tenant's use of the Structure shall be non-exclusive, and Landlord specifically reserves the right to allow the Structure to be used by other parties and to make additions, deletions, or modifications to its own facilities on the Property. Tenant's communication antenna facility shall consist of antennas centered at 135.0 FAGL (feet above ground level), along with cables and appurtenances connected to an accessory building or cabinet located on the Leased Premises ("Tenant Facilities") attached hereto as Exhibit C. As used in this agreement, the terms "accessory building" or "building" shall mean the fenced in compound and cabinets as shown in the drawings attached as

Exhibit C. Landlord and Tenant shall comply with all applicable ordinances, statutes and regulations of local, state and federal government agencies.

(c) Construction. Tenant may erect and operate an antenna array with up to twelve (12) antennas in accordance with its approved construction drawings attached as Exhibit C and those construction drawings attached as Exhibit C. Tenant may not increase the number of antennas beyond twelve (12) without first securing the approval of Landlord by written amendment to this Lease.

(d) Operation. Tenant shall have the right, at its sole cost and expense, to operate and maintain the Tenant Facilities on the Leased Premises in accordance with good engineering practices and with all applicable local, state, and federal laws, rules and regulations. Any damage done to the Leased Premises or other Landlord property including the Structure during installation or during operations, shall be repaired at Tenant's expense, said repairs to be undertaken immediately in the event the damage endangers the safe operation of the water tower, or within thirty (30) days in the event the damage does not endanger the safe operation of the water tower. If the Tenant fails to undertake or complete these repairs, the Landlord may repair the damage and charge the Tenant for all costs associated with the repair. The Tenant Facilities shall remain the exclusive property of the Tenant.

(e) Maintenance, Improvement Expenses. All modifications to the Leased Premises and all improvements made for Tenant's benefit shall be at the Tenant's expense and such improvements, including antenna, facilities and equipment, shall be maintained in a good state of repair, at least equal to the standard of maintenance of the Landlord's facilities on or adjacent to the Leased Premises, and kept secured by Tenant. If Tenant's Facilities are mounted on the Structure they shall, at all times, be painted, at Tenant's expense, the same color as the Structure. The Tenant agrees to clean and/or repair any damage done to its antennas or equipment due to vandalism within three (3) days of notification of such damage. Furthermore, the Tenant agrees to pay all costs associated with said cleaning or repair. If repair is not commenced within three (3) days notification, the Landlord may repair the damage and charge the Tenant for all costs associated with the repair.

(f) Replacements. Before the Tenant may update, modify, or replace the Tenant Facilities other than as provided for in the construction drawings attached as Exhibit C, Tenant shall request the approval of the Landlord and provide detailed plans and specifications to Landlord. Tenant shall submit to Landlord such detailed plans and specifications for any such replacement facilities together with any other information reasonably requested by Landlord regarding such update, modification, or replacement; including but not limited to a technical study, all of which will be carried out at Tenant's expense including an additional administration fee as deemed appropriate by the Landlord to cover all expenses. Landlord may not unreasonably withhold approval.

(g) Drawings. Tenant shall provide Landlord with as-built drawings of the equipment and improvements installed on the Leased Premises, which show the actual location of all Tenant Facilities. Tenant shall not be required to list the equipment located within Tenant's land space area, with the exception of any item which may be considered Hazardous Material as defined in paragraph 8(b) of this Lease.

(h) No Interference. Tenant shall, at its own expense, maintain any equipment on or attached to the Leased Premises in a safe condition, in good repair and in a manner suitable to Landlord so as not to conflict with the use of the surrounding premises by Landlord. Tenant shall not unreasonably interfere with the operations of any prior tenant using the Structure and shall not interfere with the working use of the water storage facilities thereon or to be placed thereon by Landlord.

(i) Access. Tenant, at all times during this Lease, shall have access to the Leased Premises in order to install, operate, and maintain its Tenant Facilities. Tenant shall notify Landlord of its intent to gain access to the Structure at least twenty-four (24) hours in advance, except in an emergency. Such access shall be coordinated with Landlord so as not to interfere with Landlord's maintenance or other activities.

(j) Payment of Utilities. Tenant shall separately meter charges for the consumption of electricity and other utilities associated with its use of the Leased Premises and shall promptly pay all costs associated therewith.

6. **Emergency Facilities.** In the event of a natural or man made disaster, in order to protect the health, welfare, and safety of the community, Tenant may erect additional Tenant Facilities and install additional equipment on a temporary basis on the Leased Premises to assure continuation of service. Such temporary operation shall not exceed 90 days in any calendar year unless Tenant obtains written approval from the Landlord.

7. **Additional Maintenance Expenses.** Upon notice from Landlord, Tenant shall promptly pay to Landlord all additional Landlord expenses incurred in maintaining the Leased Premises, including painting or other maintenance of the Structure, that are caused by Tenant's occupancy of the Leased Premises. Tenant acknowledges the need for periodic maintenance of the Structure, including repair of the Structure and its coatings. Tenant must remove Tenant's Antenna Facilities at Tenant's cost, upon reasonable notice to allow maintenance, repair, repainting, restoration or other activity as determined and required by Landlord. Landlord will not be responsible for scheduled interruptions in use of the Tenant's Antenna Facilities. Except in the case of an emergency, Landlord must provide Tenant sixty (60) days notice of commencement of maintenance activities In case of an emergency, Landlord may remove Tenant's Antenna Facilities, at the Tenant's expense, and shall notify Tenant within a reasonable time. An "emergency" shall be deemed to exist in those situations which constitute an immediate threat to the health or safety of the public or immediate danger to the Landlords facilities or property. In the event the use of the Tenant's Antenna Facilities is interrupted, Tenant may provide and maintain mobile cellular sites on wheels on the Property only after such

temporary facilities have been approved by Landlord, on land owned or controlled by Landlord in the immediate area of the Property. Tenant is responsible for any cost associated with the protection of the Tenant Facilities during these periodic or emergency activities. Tenant further agrees that the Landlord is not responsible for transmission lines during routine maintenance. Tenant may, at Tenant's own expense, test said lines before and after maintenance.'

8. **Defense and Indemnification.**

(a) General. Tenant agrees to defend, indemnify and hold harmless Landlord and its elected officials, officers, employees, agents, and representatives, from and against any and all claims, costs, losses, expenses, demands, actions, or causes of action, including reasonable attorneys' fees and other costs and expenses of litigation, which may be asserted against or incurred by Landlord or for which Landlord may be liable in the performance of this Lease arising from Tenant's installation, maintenance, and operation of its Tenant Facilities or Tenants use of the Leased Premises, except those which arise solely from the negligence, willful misconduct, or other fault of Landlord or other user of the property. Tenant shall defend all claims arising out of the installation, operation, use, maintenance, repair, removal, or presence of Tenant Facilities, equipment and related facilities on the Leased Premises. Landlord agrees to defend, indemnify and hold Tenant harmless from any and all costs (including reasonable attorney's fees) and claims of liability or loss which arise out of Landlord's use of the Leased Premises, except those which arise from the negligence, willful misconduct, or other fault of Tenant. Landlord shall not be obligated to indemnify Tenant in any amount in excess of the limitations of liability set forth in Minnesota Statutes, Chapter 466, less any amounts which Landlord is obligated to pay by reason of the liability of the Landlord, its officers, employees, and agents arising out of the same act or occurrence.

(b) Hazardous Materials. Without limiting the scope of Subparagraph 10 (a) above, Tenant will be solely responsible for and will defend, indemnify, and hold Landlord, its agents, and employees harmless from and against any and all claims, costs, and liabilities, including attorney's fees and costs, arising out of or in connection with the cleanup or restoration of the Leased Premises resulting from the Tenant's use of Hazardous Materials. For purposes of this Lease, "Hazardous Materials" shall be interpreted broadly and specifically includes, without limitation, asbestos, fuel, batteries or any hazardous substance, waste, or materials as defined in any federal, state, or local environmental or safety law or regulations including, but not limited to, CERCLA. Landlord represents that (1) that neither Landlord nor, to Landlord's knowledge, any third party has used, generated, stored or disposed of, or permitted the use, generation, storage or disposal of, any Hazardous Material on, under, about or within the Property in violation of any law or regulation, and (2) that Landlord will not, and will not permit any third party to use, generate, store or dispose of any Hazardous Material on, under, about or within the Property in violation of any law or regulation.

(c) Tenant's Warranty. Tenant represents and warrants that its use of the Leased Premises will not generate and Tenant will not store or dispose of on the Leased Premises, nor

transport to or over the Leased Premises, any Hazardous Materials in violation of any law or regulation governing the use, transport, or storage of Hazardous Materials. Tenant agrees to notify the Landlord in writing within 48 hours of the existence of Hazardous Materials on the Leased Premises. The obligation of this Paragraph 8 shall survive the expiration or other termination of this Lease.

9. **Insurance**

(a) Workers Compensation. The Tenant must maintain Workers' Compensation insurance in compliance with all applicable statutes. The policy shall also provide Employer's Liability coverage with limits of not less than $500,000 Bodily Injury each accident, $500,000 Bodily Injury by disease, policy limit, and $500,000 Bodily Injury by disease, each employee.

(b) General Liability. The Tenant must maintain an occurrence form commercial general liability coverage. Such coverage shall include, but not be limited to, bodily injury and, property damage, including personal and advertising injury, for the hazards of Premises/Operation, broad form contractual liability, independent contractors, and products/completed operations.

The Tenant must maintain aforementioned comprehensive commercial general liability coverage with limits of liability not less than $2,000,000 combined single limit each occurrence; ; $2,000,000 general aggregate. These limits may be satisfied by the commercial general liability coverage or in combination with an umbrella or excess liability policy, provided coverage afforded by the umbrella or excess policy are no less than the underlying comprehensive general liability coverages.

Tenant will maintain Completed Operations coverage for a minimum of one year after the construction is completed.

(c) Automobile Liability. The Tenant must carry Automobile Liability coverage. Coverage shall afford total liability limits for Bodily Injury Liability and Property Damage Liability in the amount of $2,000,000 combined single limit per accident. The liability limits may be afforded under the Commercial Policy, or in combination with an Umbrella or Excess Liability Policy provided coverage afforded by the Umbrella Excess Policy are no less than the underlying Commercial Auto Liability coverage.

Coverage shall be provided for Bodily Injury and Property Damage for the ownership, use, maintenance or operation of all owned, non-owned and hired automobiles.

The Commercial Automobile Policy shall include at least statutory personal injury protection, uninsured motorists and underinsured motorist's coverage.

(d) Tenant Property Insurance. The Tenant must keep in force for the duration of the Lease a policy covering damages to Tenant Facilities at the Leased Premises. The amount of coverage shall be sufficient to replace the damaged property, loss of use and comply with any ordinance or law requirements.

(e) Additional Insured - Certificate of Insurance. The Tenant shall provide, prior to tenancy, evidence of the required insurance in the form of a Certificate of Insurance issued by a company authorized or permitted to do business in the state of Minnesota, such insurance company to be reasonably acceptable to Landlord, which includes all coverages required in this paragraph 9. Tenant will include the Landlord as an Additional Insured as their interests may appear on the General Liability and Commercial Automobile Liability Policies. The Certificate(s) shall also provide the coverage may not be canceled, non-renewed or materially reduced without thirty (30) days prior written notice to the Landlord.

(f) Waiver of Claims; Subrogation. Each of Landlord and Tenant hereby releases the other from any and all liability or responsibility to the other or anyone claiming through or under it by way of subrogation or otherwise for any loss or damage that may occur to the Leased Premises or any improvements thereto, or the Structure or any improvements thereto, or any property of such party therein, by reason of fire or any other cause which could be insured against under the terms of standard fire and extended coverage (all-risk) insurance policies, regardless of cause or origin, including fault or negligence of the other party hereto, or anyone for whom such party may be responsible. Each party shall cause each insurance policy obtained by it to provide that the insurer waives all rights of recovery by way of subrogation against either party hereto in connection with damage covered by such policy. The releases in this section will be effective whether or not the loss was actually covered by insurance. Tenant assumes all risk of loss or damage of Tenant's property or leasehold improvements within the Leased Premises, including any loss or damage caused by water leakage, fire, windstorm, explosion, theft, act of any tenant, or other cause. Landlord will not be liable to Tenant, or its employees, for loss of or damage to any property in or at the Leased Premises or the Structure.

(g) Adjustment to Insurance Coverage Limits. Liability coverage required by paragraphs 9(b) and (c) shall be increased as needed so that the coverage per occurrence is, at all times, the same or greater than the maximum liability for municipalities specified in Minnesota Statutes, Section 466.04 for any number of claims arising out of the same occurrence.

10. **Damage or Destruction.** If the Leased Premises is destroyed or damaged, without contributory fault of the Tenant or its agents, so as, in Tenant's judgment, to hinder its effective use of the Tenant Facilities, Tenant may elect to terminate this Lease upon 30 days, written notice to Landlord. In the event Tenant elects to terminate the Lease, Tenant shall be entitled to a pro rata reimbursement of prepaid rent covering the period subsequent to the date of damage to or destruction of the Leased Premises.

11. **Lease Termination.**

(a) Events of Termination. Except as otherwise provided herein, this Lease may be terminated by either party upon sixty (60) days written notice to the other party as follows:

(i) by either party upon a default of any covenant or term hereof by the other party, which default is not cured within sixty (60) days of receipt of written notice of default to the other party (without, however, limiting any other rights of the parties pursuant to any other provisions hereof); unless such default may not reasonably be cured within a sixty (60) day period in which case, this Lease may not be terminated if the defaulting party commences action to cure the default within such sixty (60) day period and proceeds with due diligence to fully cure the default, however, such period shall not, in any event, extend beyond one hundred twenty (120) days of receipt of written notice of default.

(ii) by Tenant if it is unable to obtain or maintain any license, permit or other governmental approval necessary for the construction and/or operation of the Tenant Facilities or Tenant's business;

(iii) by Tenant for cause immediately upon notice to Landlord if the Leased Premises is or becomes unacceptable for technology reasons, including, without limitation, unacceptable RF plan, shadowing, or interference, under the Tenant Facilities, design or engineering specifications or the systems to which the Tenant Facilities belong;

(iv) by Landlord, upon one (1) year's written notice to Tenant, if its Council decides, for any reason, to redevelop the Leased Premises in a manner inconsistent with the continued use of the Leased Premises by Tenant and/or discontinue use of the Structure for all purposes;

(v) by Landlord if it determines that the Structure is structurally unsound, including, but not limited to, consideration of age of the Structure, damage or destruction of all or part of the Structure on the Leased Premises from any source, or factors relating to condition of the Leased Premises;

(vi) by Landlord if it determines that a potential user with a higher priority under Subparagraph 4(a) above cannot find another adequate location or the Landlord determines, after engineering studies, that the Tenant Facilities unreasonably interfere with another user with a higher priority, regardless of whether or not such interference was predicted in the initial interference study that was part of the application process, provided that the Landlord shall not at any time over the balance of the then existing Term and all unexpired Renewal Terms, lease the Leased Premises to another party with equal or lesser priority for the same use as that of the

Tenant, unless such other party would not cause or contribute to the type of interference giving rise to the Tenant Facilities' interference with a higher priority.

(b) Notice of Termination. The parties shall give notice of termination in writing by certified mail, return receipt requested. Such notice shall be effective upon receipt as evidenced by the return receipt, except notice of Tenants intention to terminate this lease shall be effective upon Landlords receipt of such notice and the cash deposit, performance bond, or irrevocable letter of credit as set forth in section 11 (d) hereof. All rentals paid for the Lease prior to said termination date shall be retained by Landlord unless such termination is due to breach by Landlord.

(c) Tenant's Liability for Early Termination. If Tenant terminates this Lease for any other reason other than as expressly provided in this Lease, Tenant shall pay to Landlord as liquidated damages for early termination, 150% of the annual rent for the year in which Tenant terminates, unless Tenant terminates during the last year of any Term under Paragraph 3 and Tenant has paid the annual rental for that year.

(d) Site Restoration. In the event that this Lease is terminated or not renewed, Tenant shall immediately cease operation and use of the Antennas for communication purposes and shall have 60 days from the termination or expiration date to remove its Tenant Facilities, and related equipment from the Leased Premises, repair the site and restore the surface of the Structure. Upon notice of termination, Tenant shall deposit with Landlord in the form of cash, performance bond, irrevocable letter of credit, or other acceptable security the sum of $10,000, which shall be fully refunded to Tenant upon the timely removal of the Tenant Facilities and related equipment, the repair of the site and the restoration of the Structure surface to the reasonable satisfaction of the Landlord. In the event that the Tenant Facilities and related equipment are not removed, Tenant has notified the Landlord that the following is collateral agent for entities having an interest in the Tenant Facilities and related equipment because of financing arrangements:

Collateral Agent: NONE

If Landlord removes the Tenant Facilities or related equipment, Landlord must give written notice to the above entities at the addresses provided, informing them that Tenant Facilities or related property have been removed and will be deemed abandoned if not claimed and the storage fees and other reasonable costs paid within thirty (30) days. The obligations of this paragraph (d) shall survive the expiration or other termination of this Lease.

12. **Limitation of Landlord's Liability.** If Landlord terminates this Lease for any reason other than default by Tenant, or Landlord causes interruption of the business of Tenant or for any other Landlord breach of this Lease, Landlord's liability for damages to Tenant shall be limited to the actual and direct costs of equipment removal, relocation or repair and shall specifically exclude any recovery for value of the business of Tenant as a going concern, future expectation of profits, loss of business or profit or related damages to Tenant.

13. **Temporary Interruptions of Service.** If Landlord reasonably determines that continued operation of the Tenant Facilities would cause or contribute to an immediate threat to public health and/or safety (except for any issues associated with human exposure to radio frequency omissions, which is regulated by the federal government), Landlord may order Tenant to discontinue its operation. Tenant shall immediately comply with such an order. Service shall be discontinued only for the period that the immediate threat exists. If Landlord does not give prior notice to Tenant, Landlord shall notify Tenant as soon as possible after its action and give its reason for taking the action. Landlord shall not be liable to Tenant or any other party for any interruption in Tenant's service or interference with Tenant's operation of its Tenant Facilities, except as may be caused by the willful misconduct of the Landlord, its employees or agents and except if Landlord's determination is found by a court of competent jurisdiction to have been negligent. If the discontinuance extends for a period greater than three days, either consecutively or cumulatively, Tenant shall have the right to terminate this Lease within its sole discretion for cause and without the payment of any damages.

14. **Tenant Interference**

(a) With Structure. Tenant shall not interfere with Landlord's use of the Structure and agrees to cease all such actions which unreasonably and materially interfere with Landlord's use thereof no later than three business days after receipt of written notice of the interference from Landlord. In the event that Tenant's cessation of action is material to Tenant's use of the Leased Premises and such cessation frustrates Tenant's use of the Leased Premises, within Tenant's sole discretion, Tenant shall have the immediate right to terminate this Lease for cause and without the payment of any damages.

(b) With Higher Priority Users. If the Tenant Facilities cause impermissible interference with higher priority users as set forth under Subparagraph 5(a) above or with preexisting tenants, Tenant shall take all measures necessary to correct and eliminate the interference. If the interference cannot be eliminated within 48 hours after receiving Landlord's written notice of the interference, Tenant shall immediately cease operating its Tenant Facilities and shall not reactivate operation, except intermittent operation for the purpose of testing, until the interference has been eliminated. If the interference cannot be eliminated within 30 days after Tenant received Landlord's written notice, Landlord or Tenant may at its option terminate this Lease immediately for cause and without the payment of any damages.

(c) Interference Study - New Occupants. Upon written notice by Landlord that it has a bona fide request from any other party to lease an area including or in close proximity to the Leased Premises area, Tenant agrees to provide Landlord, within sixty (60) days, the radio frequencies currently in operation or to be operated in the future of each transmitter and receiver installed and operational on the Leased Premises at the time of such request. Landlord may then have an independent, registered professional engineer of Landlord's choosing perform the necessary interference studies to determine if the new applicant's frequencies will cause harmful radio interference to Tenant. Landlord shall require the new applicant to pay for such interference studies.

(d) Interference - New Occupants. Landlord agrees that it will not grant a future lease in the Leased Premises area to any party who is of equal or lower priority to Tenant, if such party's use is reasonably anticipated to interfere with Tenant's operation of its Tenant Facilities. Landlord agrees further that any future lease of the Leased Premises area will prohibit a user of equal or lower priority from interfering with the Tenant Facilities. Landlord agrees that it will require any subsequent occupants of the Leased Premises area of equal or lower priority to Tenant to provide Tenant these same assurances against interference. Landlord shall have the right to cause the elimination of any interference with the operations of Tenant caused by such subsequent occupants. If such interference is not eliminated, Tenant shall have the right to terminate this Lease or seek injunctive relief against the interfering occupant, at Tenant's expense.

15. **Assignment and Subletting.** Tenant may not assign, or otherwise transfer all or any part of its interest in this Agreement or in the Premises without the prior written consent of Landlord; provided, however, that Tenant may assign its interest to its parent company, any subsidiary or affiliate of it or its parent company or to any successor-in-interest or entity acquiring fifty-one percent (51%) or more of its stock or assets, subject to any financing entity's interest, if any, in this Lease as set forth in Paragraph 26 below. Landlord may assign this Agreement upon written notice to Tenant, subject to the assignee assuming all of Landlord's obligations herein, including but not limited to, those set forth in Paragraph 26 below. Notwithstanding anything to the contrary contained in this Lease, Tenant may assign, mortgage, pledge, hypothecate or otherwise transfer without consent its interest in this Lease to any financing entity, or agent on behalf of any financing entity to whom Tenant (i) has obligations for borrowed money or in respect of guaranties thereof, (ii) has obligations evidenced by bonds, debentures, notes or similar instruments, or (iii) has obligations under or with respect to letters of credit, bankers acceptances and similar facilities or in respect of guaranties thereof.

16. **Condemnation.** In the event the whole of the Leased Premises is taken by eminent domain, this Lease shall terminate as of the date title to the Leased Premises vests in the condemning authority. In event a portion of the Leased Premises is taken by eminent domain, either party shall have the right to terminate this Lease as of said date of title transfer, by giving thirty (30) days' written notice to the other party. In the event of any taking under the power of eminent domain, Tenant shall not be entitled to any portion of the award paid for the taking and the Landlord shall receive full amount of such award. Tenant hereby expressly waives any right or claim to any portion thereof. Although all

damages, whether awarded as compensation for diminution in value of the leasehold or to the fee of the Leased Premises, shall belong to Landlord, Tenant shall have the right to claim and recover from the condemning authority, but not from Landlord, such compensation as may be separately awarded or recoverable by Tenant for relocation benefits or assistance.

17. **Disputes**. Any claim, controversy or dispute arising out of this Lease not resolved within ten (10) days following notice of the dispute, shall be submitted first and promptly to mediation. Each party shall bear its own costs of mediation and shall share equally the common costs of mediation. If mediation does not result in settlement within forty-five (45) days after the matter was submitted to mediation, either party may pursue all available remedies in any court of competent jurisdiction.

18. **Enforcement and Attorney's Fees**. In the event that either party to this Lease shall bring a claim in court to enforce any rights hereunder, the prevailing party shall be entitled to recover costs and reasonable attorneys' fees incurred as a result of such claim.

19. **Notices.** All notices hereunder must be in writing and shall be deemed validly given if sent by certified mail, return receipt requested, addressed as follows (or any other address that the party to be notified may have designated to the sender by like notice):

If to Landlord, to:
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, MN 55430
Attn: City Manager

If to Tenant, to:
Verizon Wireless (VAW) LLC
d/b/a Verizon Wireless
180 Washington Valley Road
Bedminster, NJ 07921
Attn: Network Real Estate

20. **Authority.** Each of the individuals executing this Lease on behalf of the Tenant or the Landlord represents to the other party that such individual is authorized to do so by requisite action of the party to this Lease.

21. **Binding Effect**. This Lease shall run with the Property. This Lease shall extend to and bind the heirs, personal representatives, successors and assigns of the parties hereto.

22. **Complete Lease; Amendments.** This Lease constitutes the entire agreement and understanding of the parties and supersedes all offers, negotiations, and other agreement of any kind. There are no representations or understandings of any kind not set forth herein. Any modification of or amendment to this Lease must be in writing and executed by both parties.

23. **Governing Law.** This Lease shall be construed in accordance with the laws of the State of Minnesota.

24. **Severability.** If any term of this Lease is found be void or invalid, such invalidity shall not affect the remaining terms of this Lease, which shall continue in full force and effect.

25. **Memorandum.** Upon request by either party, the parties agree to promptly execute and deliver a recordable Memorandum of this Lease in a form acceptable to both parties which may be recorded by the party requesting the Memorandum of Lease.

26. **Waiver of Landlord's Lien.**

(a) Landlord waives any lien rights it may have concerning the Tenant Facilities which are deemed Tenant's personal property and not fixtures, and Tenant has the right to remove the same at any time without Landlord's consent.

(b) Landlord acknowledges that Tenant has entered into a financing arrangement including promissory notes and financial and security agreements for the financing of the Tenant Facilities (the "Collateral") with a third party financing entity (and may in the future enter into additional financing arrangements with other financing entities). In connection therewith, Landlord (i) consents to the installation of the Collateral; (ii) disclaims any interest in the Collateral, as fixtures or otherwise; and (iii) agrees that the Collateral shall be exempt from execution, foreclosure, sale, levy, attachment, or distress for any Rent due or to become due and that such Collateral may be removed at any time without recourse to legal proceedings.

27. **Warranty of Title and Quiet Enjoyment.** Lessor warrants that: (i) Lessor owns the Property in fee simple and has rights of access thereto and the Property is free and clear of all liens, encumbrances and restrictions; (ii) Lessor has full right to make and perform this Agreement; and (iii) Lessor covenants and agrees with Lessee that upon Lessee paying the Rent and observing and performing all the terms, covenants and conditions on Lessee's part to be observed and performed, Lessee may peacefully and quietly enjoy the Premises.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their respective seals the day and year first above written.

LANDLORD: **City of Brooklyn Center, a Minnesota Municipal Corporation**

By: _____
Mayor

By: _____
City Manager

Tax ID#: 41-6005011

STATE OF MINNESOTA
COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me this ____ day of _____, 2017__, by Tim Willson, Mayor, and Curt Boganey, City Manager, respectively, of the City of Brooklyn Center, on behalf of the City.

_____
Notary Public
My commission expires: _____

TENANT: **VERIZON WIRELESS (VAW) LLC d/b/a Verizon Wireless**

By: _____
Name: _____

Title: _____

Tax ID#: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 201__, by _____, the _____ of _____, on behalf of the corporation.

_____
Notary Public
My commission expires: _____

EXHIBIT A

Legal Description or Property

PID: 25-119-21-34-0019
Municipality: BROOKLYN CENTER
Addition Name: AUDITOR'S SUBD. NO. 309
Lot: 050
Block:

BEG AT NW COR OF LOT 50 TH E 33 FT TH S 528.5 FT TH E 98.1 FT TH S 101.5 FT TH E TO A PT 30 FT W FROM E LINE OF LOT 50 TH N 378.65 FT TH NWLY ON A CURVE WITH A RADIUS OF 757.33 FT TO N LINE OF LOT 50 TH E TO NE COR THOF TH S TO NW COR OF OUTLOT A EVERGREEN ESTATES TH S TO SW COR THOF TH SWLY ALONG WLY LINE OF 70TH AVE N TO SW COR OF SAID PLAT TH ELY ALONG S LINE THOF TO E LINE OF LOT 50 TH S TO SE COR THOF TH W TO SW COR THOF TH N TO BEG

EXHIBIT B
(Leased Premise)

The Leased Premises of the Property is described and depicted on Exhibit B (see attached site survey dated October 6, 2017, sheet 1).

SITE SURVEY

PROPERTY DESCRIPTION: (per City of Brooklyn Center.)

The Property is legally described as follows:

PID:25-119-21-34-0019

Municipality: BROOKLYN CENTER

Addition Name: AUDITOR'S SUBD. NO. 309

Lot: 050

Block:

BEG AT NW COR OF LOT 50 TH E 33FT TH S 528.5 FT TH E 98.1 FT TH S 101.5 FT TH E TO A PT 30FT W FROM E LINE OF LOT 50 TH N 378.65 FT TH NWLY ON A CURVE WITH A RADIUS OF 757.33 FT TO N LINE OF LOT 50 TH E TO NE COR THOF TH S TO NW COR OF OUTLOT A EVERGREEN ESTATES TH S TO SW COR THOF TH SWLY ALONG WLY LINE OF 70TH AVE N TO SW COR OF SAID PLAT TH ELY ALONG S LINE THOF TO E LINE OF LOT 50 TH S TO SE COR THOF TH W TO SW COR THOF TH N TO BEG.

LAND SPACE DESCRIPTION:

That part of Lot 50, AUDITOR'S SUBDIVISION NO. 309, according to the recorded plat thereof, Hennepin County, Minnesota, described as follows:

Commencing at the southeast corner of the Southwest Quarter of Section 25, Township 119 North, Range 21 West of the Fifth Principal Meridian, said Hennepin County; thence North 89 degrees 59 minutes 42 seconds West along the South line of said Southwest Quarter, a distance of 1143.73 feet; thence North 0 degrees 00 minutes 18 seconds East, a distance of 220.42 feet to the Point of Beginning of the land space to be described; thence North 90 degrees 00 minutes 00 seconds West, a distance of 12.00 feet; thence North 0 degrees 00 minutes 00 seconds East, a distance of 22.00 feet; thence South 90 degrees 00 minutes 00 seconds East, a distance of 12.00 feet; thence South 0 degrees 00 minutes 00 seconds West, a distance of 22.00 feet to the Point of Beginning.

ACCESS EASEMENT DESCRIPTION:

A 10.00 foot wide easement for ingress and egress purposes over and across Lot 50, AUDITOR'S SUBDIVISION NO. 309, according to the recorded plat thereof, Hennepin County, Minnesota, the centerline of said easement is described as follows:

Commencing at the southeast corner of the Southwest Quarter of Section 25, Township 119 North, Range 21 West of the Fifth Principal Meridian, said Hennepin County; thence North 89 degrees 59 minutes 42 seconds West along the South line of said Southwest Quarter, a distance of 1143.73 feet; thence North 0 degrees 00 minutes 18 seconds East, a distance of 220.42 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 14.50 feet; thence North 0 degrees 00 minutes 00 seconds East, a distance of 27.00 feet to the Point of Beginning of the centerline to be described; thence South 90 degrees 00 minutes 00 seconds East, a distance of 45.14 feet; thence North 1 degree 14 minutes 14 seconds West, a distance of 52.62 feet to a point hereinafter referred to as Point "A" and said centerline there terminating.

TOGETHER WITH

A 15.00 foot wide easement for ingress and egress purposes over and across, said Lot 50, the centerline of said easement is described as follows:

Beginning at the previously described Point "A"; thence North 88 degrees 46 minutes 07 seconds East, a distance of 5.00 feet and said centerline there terminating.

TOGETHER WITH

A 15.00 foot wide easement for ingress and egress purposes over and across, said Lot 50, the centerline of said easement is described as follows:

Beginning at the previously described Point "A"; thence South 88 degrees 46 minutes 07 seconds West, a distance of 150.95 feet to the east right of way line of Dupont Avenue North and said centerline there terminating.

The sidelines of said easement shall be shortened or lengthened to terminate at said east right of way line of Dupont Avenue North.

UTILITIES EASEMENT DESCRIPTIONS:

A 5.00 foot wide easement for utility purposes over, under and across Lot 50, AUDITOR'S SUBDIVISION NO. 309, according to the recorded plat thereof, Hennepin County, Minnesota, the centerline of said easement is described as follows:

Commencing at the southeast corner of the Southwest Quarter of Section 25, Township 119 North, Range 21 West of the Fifth Principal Meridian, said Hennepin County; thence North 89 degrees 59 minutes 42 seconds West along the South line of said Southwest Quarter, a distance of 1143.73 feet; thence North 0 degrees 00 minutes 18 seconds East, a distance of 220.42 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 14.50 feet to the Point of Beginning of the centerline to be described; thence North 0 degrees 00 minutes 00 seconds East, a distance of 45.19 feet; thence South 88 degrees 47 minutes 50 seconds West, a distance of 105.83 feet to the east right of way line of Dupont Avenue North and said centerline there terminating.

The sidelines of said easement shall be shortened or lengthened to terminate at said east right of way line of Dupont Avenue North.

AND

A 5.00 foot wide easement for utility purposes over, under and across Lot 50, AUDITOR'S SUBDIVISION NO. 309, according to the recorded plat thereof, Hennepin County, Minnesota, the centerline of said easement is described as follows:

Commencing at the southeast corner of the Southwest Quarter of Section 25, Township 119 North, Range 21 West of the Fifth Principal Meridian, said Hennepin County; thence North 89 degrees 59 minutes 42 seconds West along the South line of said Southwest Quarter, a distance of 1143.73 feet; thence North 0 degrees 00 minutes 18 seconds East, a distance of 220.42 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 12.00 feet; thence North 0 degrees 00 minutes 00 seconds East, a distance of 22.00 feet; thence South 90 degrees 00 minutes 00 seconds East, a distance of 10.23 feet to the Point of Beginning of the centerline to be described; thence North 0 degrees 00 minutes 00 seconds East, a distance of 44.30 feet and said centerline there terminating.

AND

A 3.00 foot wide easement for utility purposes over, under and across Lot 50, AUDITOR'S SUBDIVISION NO. 309, according to the recorded plat thereof, Hennepin County, Minnesota, the centerline of said easement is described as follows:

Commencing at the southeast corner of the Southwest Quarter of Section 25, Township 119 North, Range 21 West of the Fifth Principal Meridian, said Hennepin County; thence North 89 degrees 59 minutes 42 seconds West along the South line of said Southwest Quarter, a distance of 1143.73 feet; thence North 0 degrees 00 minutes 18 seconds East, a distance of 220.42 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 8.62 feet to the Point of Beginning of the centerline to be described; thence South 25 degrees 35 minutes 20 seconds West, a distance of 24.58 feet and said centerline there terminating.

The sidelines of said easement shall be shortened or lengthened to terminate at lines bearing South 90 degrees 00 minutes 00 seconds East and North 90 degrees 00 minutes 00 seconds West from the Point of Beginning.

SHEET 1 OF 2 SHEETS

DESIGN 1

SITE NAME:
MINC HUMBOLDT

Hennepin County, MN

7	6/20/15	CLIENT COMMENTS	SMK	SMK	SMK
6	12/22/15	CITY COMMENTS / REVISED ACCESS & UTILITIES RIGHT OF WAY	SMK	SMK	SMK
5	12/3/15	REMOVED SCHEDULE B EXHIBITS / CLIENT COMMENTS REVISED 5' WIDE UTILITY EASEMENT	SMK	SMK	SMK
4	11/10/15	[illegible]	SMK	SMK	SMK
no.	date	REVISIONS	By	Ck'd	Surveyor

PROJECT MANAGER: SMK 9/2015 CHECKED BY: SMK SURVEYED BY: JMB

I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNATURE: Shawn M. Kupcho

SHAWN M. KUPCHO, L.S.

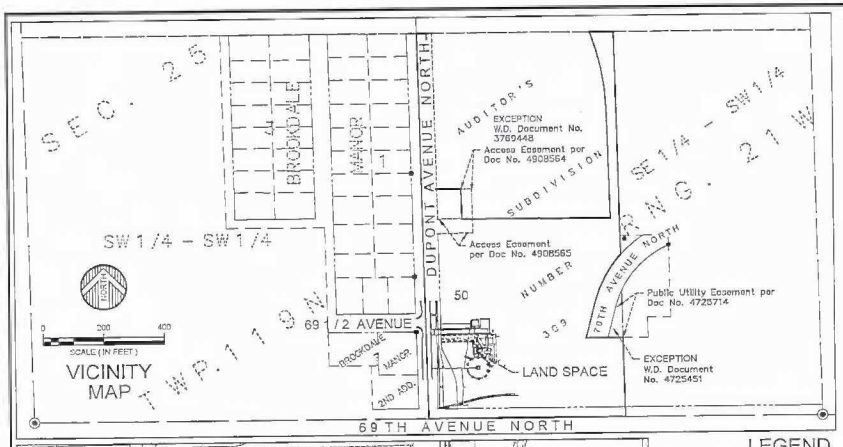
DATE: 5/15/15 LICENSE # 49021

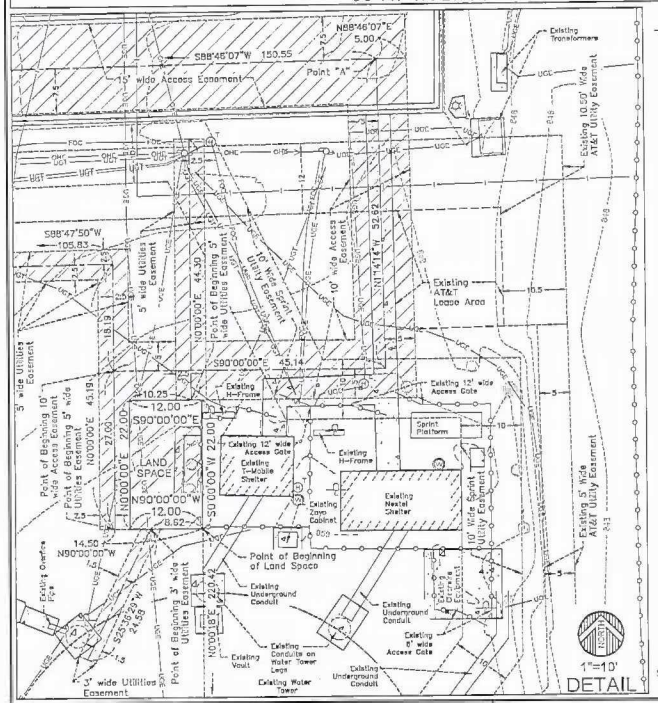
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WIDSETH SMITH NOLTING

Engineering | Architecture | Surveying | Environmental

SITE SURVEY





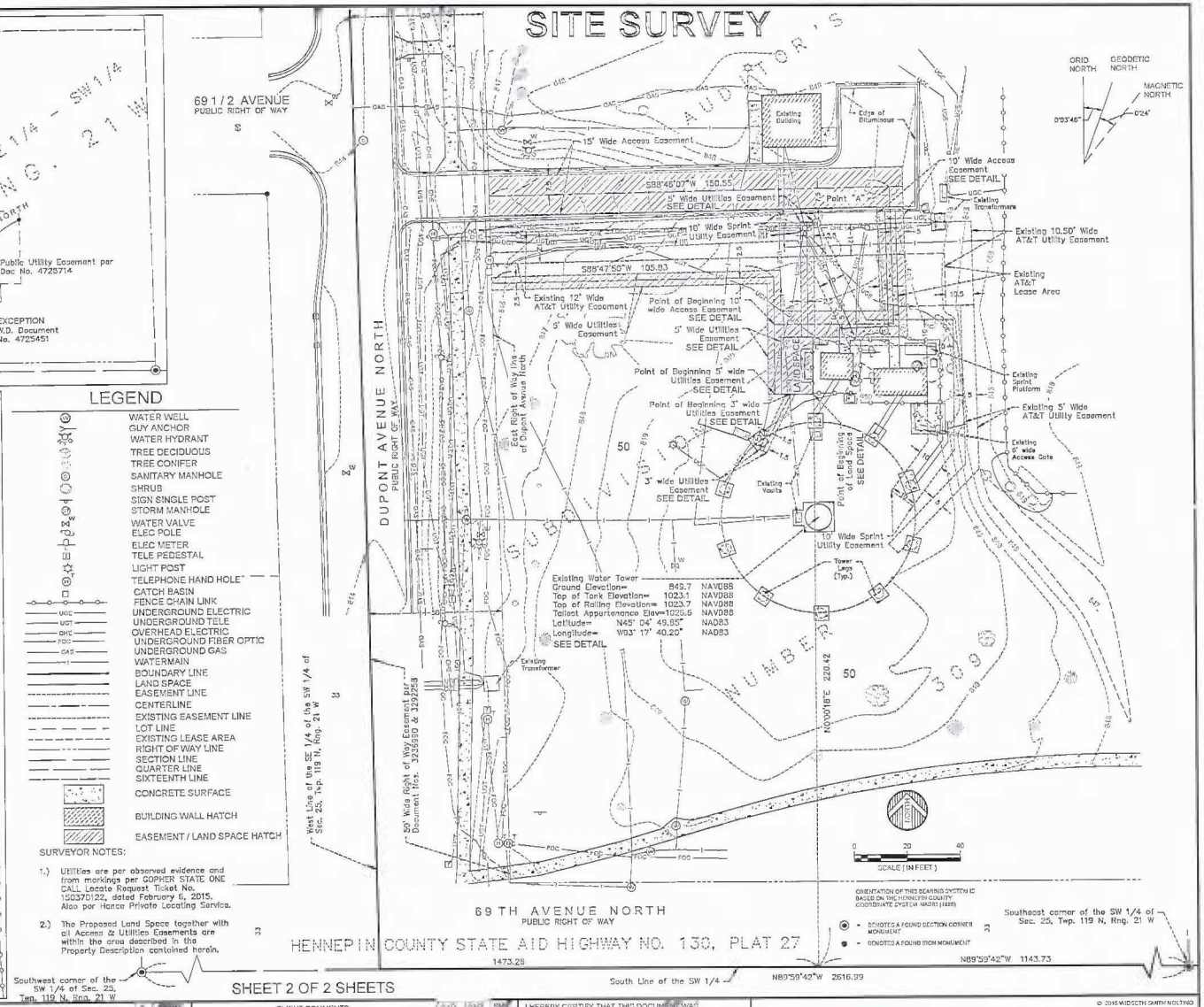
LEGEND

- WATER WELL
- GUY ANCHOR
- WATER HYDRANT
- TREE DECIDUOUS
- TREE CONIFER
- SANITARY MANHOLE
- SHRUB
- SIGN SINGLE POST
- STORM MANHOLE
- WATER VALVE
- ELEC POLE
- ELEC METER
- TELE PEDESTAL
- LIGHT POST
- TELEPHONE HAND HOLE
- CATCH BASIN
- FENCE CHAIN LINK
- UNDERGROUND ELECTRIC
- UNDERGROUND TELE
- OVERHEAD ELECTRIC
- UNDERGROUND FIBER OPTIC
- UNDERGROUND GAS
- WATERMAIN
- BOUNDARY LINE
- LAND SPACE EASEMENT LINE
- CENTERLINE
- EXISTING EASEMENT LINE
- LOT LINE
- EXISTING LEASE AREA
- RIGHT OF WAY LINE
- SECTION LINE
- QUARTER LINE
- SIXTEENTH LINE
- CONCRETE SURFACE
- BUILDING WALL HATCH
- EASEMENT / LAND SPACE HATCH

SURVEYOR NOTES:

1.) Utilities are per observed evidence and from markings per GOPHER STATE ONE CALL Locate Request Ticket No. 150370122, dated February 6, 2015. Also per Hance Private Locating Service.

2.) The Proposed Land Space together with all Access & Utilities Easements are within the area described in the Property Description contained herein.



Southwest corner of the SW 1/4 of Sec. 25, Twp. 119 N, Rng. 21 W

SHEET 2 OF 2 SHEETS

No.	Date	CLIENT COMMENTS	By	CHK	APP
3	8/5/15	CITY COMMENTS / REVISED ACCESS & UTILITIES RIGHT OF WAY	SMK	SMK	SMK
2	12/2/15	REMOVED SCHEDULE B EXHIBITS PER CLIENT COMMENTS REVISED 3' WIDE UTILITY EASEMENT	SMK	SMK	SMK
1	11/10/15	[illegible] ACCESS & UTILITIES EASEMENT	SMK	SMK	SMK
No.	Date	REVISIONS	By	CHK	APP

FIELD WORK [illegible] CHECKED [illegible]

DESIGN 1

SITE NAME:
MINC HUMBOLDT

Hennepin County, MN

I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNATURE: Shawn M Kupcho
SHAWN M. KUPCHO, L.S.
DATE: 8/15/15 LICENSE # 49021

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WIDSETH SMITH NOLTING
Engineering | Architecture | Surveying | Environmental

EXHIBIT C

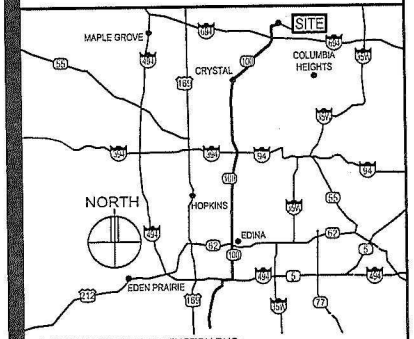
Tenant Facilities

(See attached Plan Sheets, Dated October 6, 2017, 28 pages)

VERIZON WIRELESS

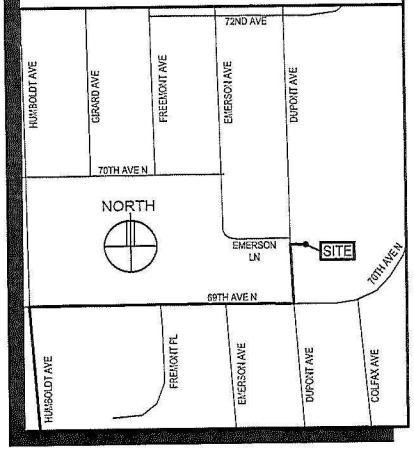
MINC HUMBOLDT NEW BUILD

AREA MAP



DIRECTIONS FROM BLOOMINGTON RNC:
FROM MN-100 NORTH: TAKE EXIT FOR I-94 WEST/I-694 WEST/HUMBOLDT AVE AND CONTINUE ONTO HUMBOLDT AVE NORTH FOR .5 MILE. TURN EAST ONTO 69TH AVE N FOR .2 MILE. TURN NORTH ONTO DUPONT AVE NORTH. SITE WILL BE ON THE EAST SIDE OF DUPONT 108FT FROM INTERSECTION.

VICINITY MAP



GENERAL NOTES

1. In the event that Special Inspections are not performed in compliance with the contract terms, bid specifications and/or specified form, the General Contractor will be liable for all damages, construction performance, failures, and corrective actions related to the same.
2. The following general notes shall apply to drawings and govern unless otherwise noted or specified.
3. The work delineated in these drawings and described in the specifications shall conform to codes, standards and regulations that have jurisdiction in the state of MINNESOTA , and the city of BROOKLYN CENTER.
4. Requirements and regulations pertaining to R.F. safety codes and practices must be incorporated in the work even though they may not be listed individually and separately in either the drawings or the specifications.
5. Compare field conditions with architectural and engineering drawings. Any discrepancies shall be directed to the Architect for clarification prior to fabrication and/or construction. Submit necessary shop drawings prior to fabrication for approval by the Architect. No information or details on these sheets may be used without the permission of the owner, or the architect.
6. Do not scale drawings! 11" x 17" drawings to scale 24" x 36" drawings scale multiply by 2
7. Unless otherwise shown or noted, typical details shall be used where applicable.
8. Details shall be considered typical at similar conditions.
9. Safety measures: The contractor shall be solely and completely responsible for the conditions of the job site, including safety of the persons and property and for independent engineering reviews of these conditions. The Architect's or Engineers' job site review is not intended to include review of the adequacy of the contractor's safety measures.
10. Within these plans and specifications, "Owner" implies VERIZON WIRELESS.
11. The work is the responsibility of the general contractor unless noted otherwise.
12. The terms "contractor" and "g.c." refer to the owner's general contractor and the general contractor's sub-contractors. It is the general contractor's responsibility to determine the division of work among sub-contractors.
13. The general contractor is responsible in obtaining necessary public and private underground utility locate services prior to start of excavating / construction.

SHEET INDEX

SHEET	SHEET DESCRIPTION
T-1	PROJECT INFORMATION, MAPS, DIRECTIONS, AND SHEET INDEX
A-1	SITE PLAN
A-2	ENLARGED SITE PLAN, LANDSCAPE PLAN & DETAIL
A-3	COAX AND ANTENNA KEY & GPS DETAIL
A-4	ANTENNA MOUNTING DETAIL & WATER TANK PLAN
A-5	TOWER ELEVATION & PHOTO
A-6	SHELTER PLANS, DETAILS, & SIGNAGE
A-7	MISCELLANEOUS DETAILS & PHOTOS
A-8	OUTLINE SPECIFICATIONS
A-9	OUTLINE SPECIFICATIONS, GENERATOR FNDN PLAN & DETAILS
G-1/G-2	GROUNDING NOTES & DETAILS, GROUNDING PLAN & NOTE KEY
U-1	UTILITY PLANS, NOTES, AND DETAILS
S-1/S-7	WATER TANK STRUCTURAL DRAWINGS (ULTEIG)
S-0/S-2	PLATFORM STRUCTURAL DRAWINGS (HERZOG)
E-1/E-5	ELECTRICAL DRAWINGS (3)
-	SURVEY (2 SHEETS)

PROJECT INFORMATION

SITE NAME:	MINC HUMBOLDT
PROJECT NUMBER:	20141032247
SITE ADDRESS:	1000 69TH AVENUE NORTH BROOKLYN CENTER, MN 55430
COUNTY:	HENNEPIN
LATITUDE:	N45° 04' 49.85" (NAD83)
LONGITUDE:	W93° 17' 40.20" (NAD83)
GROUND ELEVATION:	849.7' AMSL (NAVD88)
ANTENNA TIP HEIGHT:	988.7' AMSL - 139' AGL
ANTENNA CENTERLINE HEIGHT:	984.7' AMSL - 135' AGL
TOWER HEIGHT:	1023.1' AMSL - 173.4' AGL
OVERALL STRUCTURE HEIGHT:	1026.6' AMSL - 176.9' AGL
DRAWING BASED ON SITE DATA FORM DATED: (1)	08-18-17
BUILDING TYPE:	IIB
SITE AREA:	12' X 22' = 264 S.F.
PARKING:	PROVIDED
ESTIMATED CABLE RUN: (1)	"X" SECTOR, 200' "Y" SECTOR, 250' "Z" SECTOR, 260'

PROJECT DESCRIPTION:
CONSTRUCT THE PROPOSED EQUIPMENT SHELTER AND MOUNT ANTENNAS & EQUIPMENT TO THE EXISTING WATER TOWER TO IMPROVE THE COMMUNICATION SERVICE IN THE BROOKLYN CENTER, MN AREA.

VERIZON WIRELESS DEPARTMENTAL APPROVALS

	NAME	DATE
RF ENGINEER	JORDAN ALSTAD	04-09-15
OPERATIONS MANAGER	RON SIMMONS	04-09-15
CONSTRUCTION ENGINEER	STEVE COLLIN	04-14-15

LESSOR / LICENSOR APPROVAL

SIGNATURE	PRINTED NAME	DATE

LESSOR / LICENSOR: PLEASE CHECK THE APPROPRIATE BOX BELOW
☐ NO CHANGES. ☐ CHANGES NEEDED. SEE COMMENTS ON PLANS.

ISSUE SUMMARY

REV.	DESCRIPTION	SHEET OR DETAIL
1	ISSUED FOR BID/CONSTRUCTION 09-03-15	ALL
2	ISSUED 09-18-15	ALL
3	PLATFORM & CABINETS 11-18-15	ALL
4	ISSUED 12-03-15	ALL
5	ISSUED FOR SDF UPDATES/ELECTRICAL 10-06-17 (2)	ALL

CONTACTS

LESSOR / LICENSOR:	BROOKLYN CENTER 6301 SHINGLE CREEK PARKWAY BROOKLYN CENTER, MN 55430 STEVE LILLEHAUG (763) 569-3340
LESSEE:	VERIZON WIRELESS 10801 BUSH LAKE ROAD BLOOMINGTON, MN 55438 RON REITER 612/720-0052
POWER UTILITY COMPANY CONTACT:	XCEL ENERGY 1518 CHESTNUT AVE MINNEAPOLIS, MN 55403 AARON ORENSTEIN (612) 207-0547
TELCO UTILITY COMPANY CONTACT:	T.B.D
ARCHITECT:	DESIGN 1 OF EDEN PRAIRIE, LLC. 9973 VALLEY VIEW ROAD EDEN PRAIRIE, MN 55344 (952) 903-9299
SURVEYOR:	WIDSETH SMITH NOLTING 610 FILLMORE STREET - PO BOX 1028 ALEXANDRIA, MN 56308-1028 320-762-8149
STRUCTURAL ENGINEER #1:	ULTEIG ENGINEERS 5201 E. RIVER ROAD, SUITE 308 MINNEAPOLIS, MN 55421 (763) 571-2500
STRUCTURAL ENGINEER #2:	HERZOG ENGINEERING LLC 530 NORTH 3RS ST., SUITE 230 MINNEAPOLIS, MN 55401 (612) 844-1234
NATURAL GAS COMPANY:	CENTERPOINT ENERGY 505 NICOLLET MALL P.O. BOX 59038 MINNEAPOLIS, MN 55459 SHELLY HOUDE (763) 785-5428

ROBERT J. DAVIS
LICENSED ARCHITECT
12427
STATE OF MINNESOTA

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly registered Architect under the laws of the State of Minnesota.
ROBERT J. DAVIS, Reg. No. 12427

Signed:
10-06-17
Date:

DESIGN 1
WWW.DESIGN1EP.COM
9973 VALLEY VIEW RD.
EDEN PRAIRIE, MN 55344
(952) 903-9299

VERIZON WIRELESS
10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

LOCATION CODE: 289979

PROJECT
20141032247

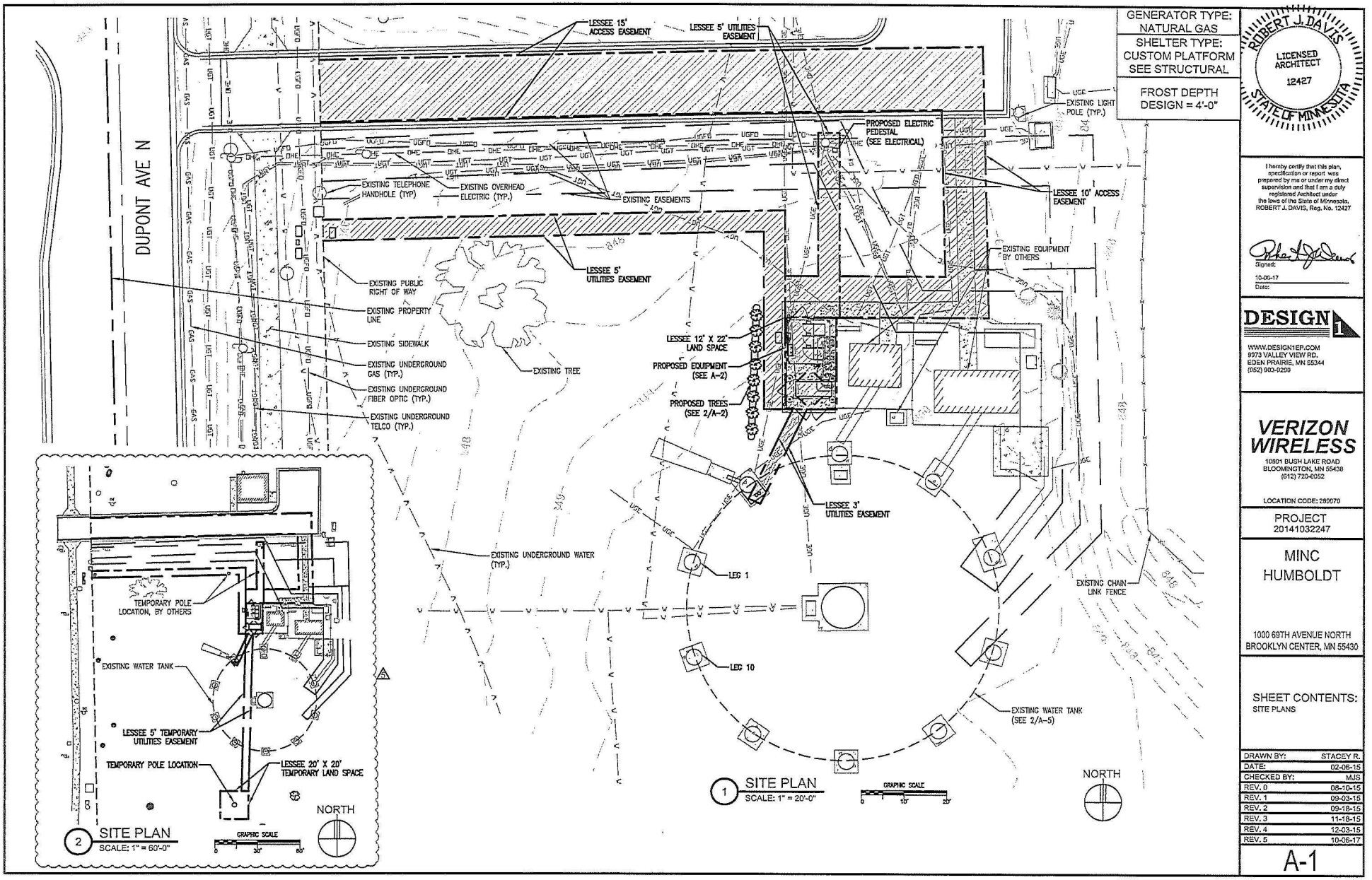
MINC
HUMBOLDT

1000 69TH AVENUE NORTH
BROOKLYN CENTER, MN 55430

SHEET CONTENTS:
CONTACTS
ISSUE SUMMARY
SHEET INDEX
DEPARTMENTAL APPROVALS
LESSOR APPROVAL
PROJECT INFORMATION
AREA & VICINITY MAPS
GENERAL NOTES

DRAWN BY:	STACEY R.
DATE:	02-06-15
CHECKED BY:	MJS
REV. 0	08-10-15
REV. 1	09-03-15
REV. 2	09-18-15
REV. 3	11-18-15
REV. 4	12-03-15
REV. 5	10-06-17

T-1



GENERATOR TYPE:
NATURAL GAS

SHELTER TYPE:
CUSTOM PLATFORM
SEE STRUCTURAL

FROST DEPTH
DESIGN = 4'-0"

ROBERT J. DAVIS
LICENSED ARCHITECT
12427
STATE OF MINNESOTA

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly registered Architect under the laws of the State of Minnesota.
ROBERT J. DAVIS, Reg. No. 12427

Signed:

10-06-17
Date:

DESIGN 1
WWW.DESIGN1EP.COM
9973 VALLEY VIEW RD.
EDEN PRAIRIE, MN 55344
(952) 903-0209

VERIZON WIRELESS
10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

LOCATION CODE: 280070

PROJECT
20141032247

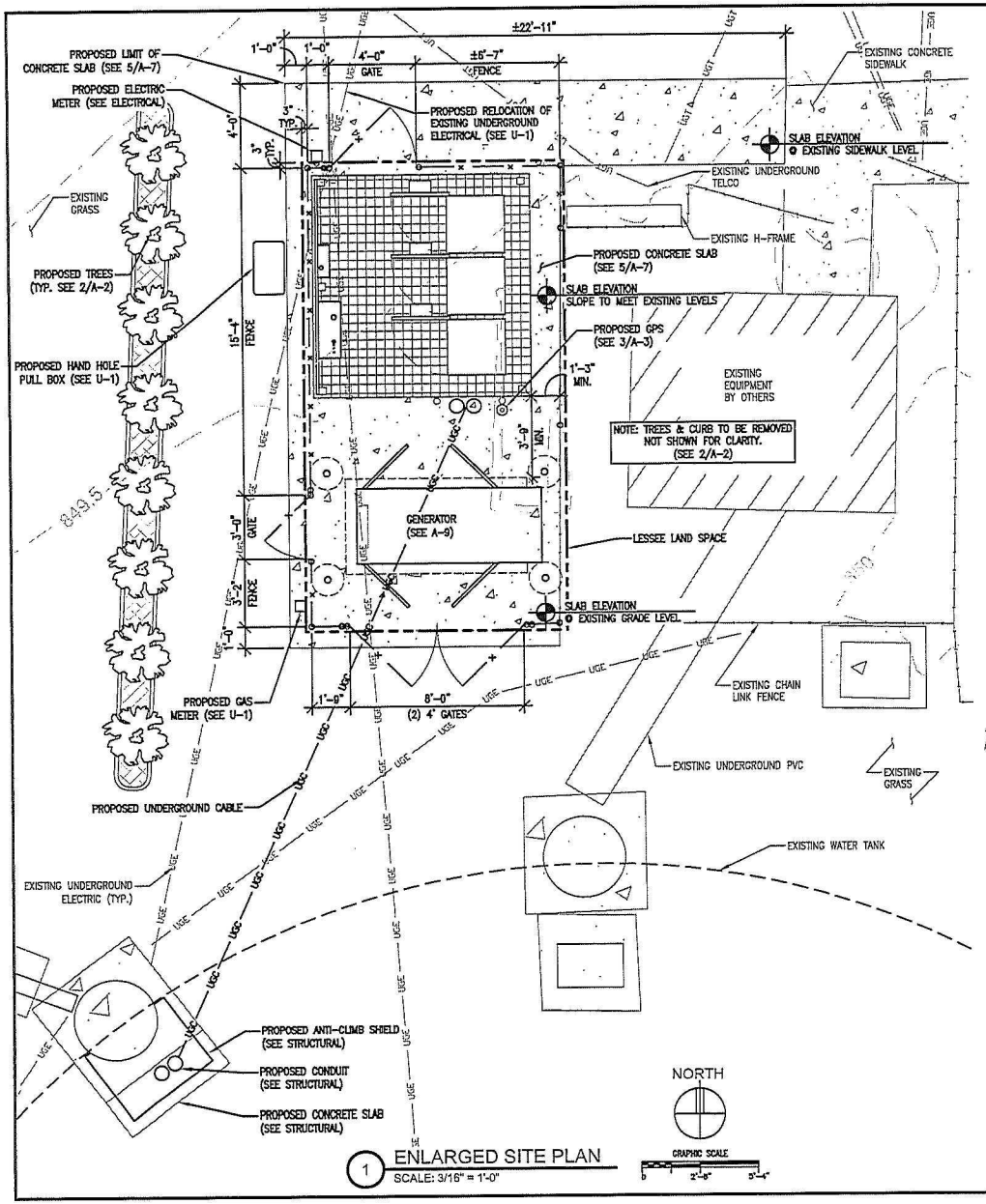
MINC
HUMBOLDT

1000 69TH AVENUE NORTH
BROOKLYN CENTER, MN 55430

SHEET CONTENTS:
SITE PLANS

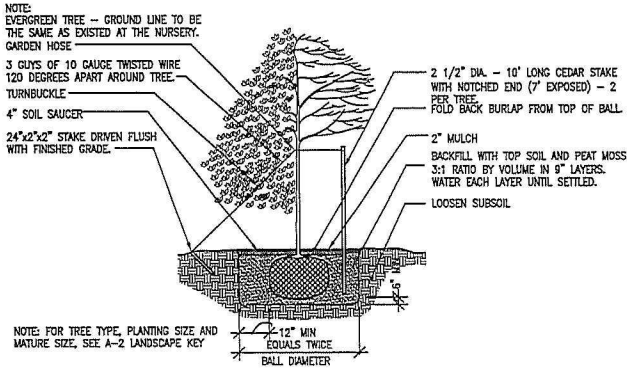
DRAWN BY:	STACEY R.
DATE:	02-06-15
CHECKED BY:	MJS
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REV. 1	09-03-15
REV. 2	09-18-15
REV. 3	11-18-15
REV. 4	12-03-15
REV. 5	10-06-17

A-1

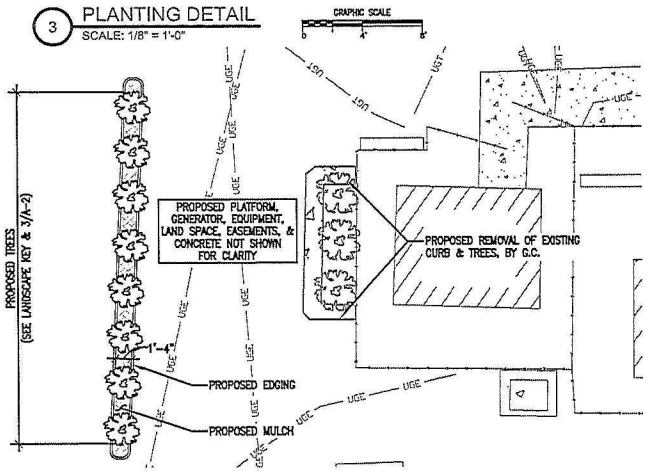


1 ENLARGED SITE PLAN
SCALE: 3/16" = 1'-0"

NOTE: CONTRACTOR TO COORDINATE PUBLIC AND PRIVATE UTILITY LOCATES PRIOR TO CONSTRUCTION START. NOTIFY THE ARCHITECT AND THE VZW CONSTRUCTION ENGINEER IMMEDIATELY OF ANY UTILITY LINE ISSUES.



3 PLANTING DETAIL
SCALE: 1/8" = 1'-0"



2 LANDSCAPE PLAN
SCALE: 1" = 10'-0"

LANDSCAPE KEY

SYMBOL	QTY.	COMMON NAME	BOTANICAL NAME	PLANTING SIZE	MATURE SIZE
	8	BLACK HILLS SPRUCE	PICEA GLAUCA 'DENSATA'	MIN. 8'–10' TALL	H: 20'–25' W: 10'–12'

ROBERT J. DAVIS
LICENSED ARCHITECT
12427
STATE OF MINNESOTA

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly registered Architect under the laws of the State of Minnesota.
ROBERT J. DAVIS, Reg. No. 12427

Signed:
10-06-17
Date:

DESIGN 1
WWW.DESIGN1EP.COM
9973 VALLEY VIEW RD.
EDEN PRAIRIE, MN 55344
(952) 003-0209

VERIZON WIRELESS
10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0082

LOCATION CODE: 280979

PROJECT
20141032247

MINC
HUMBOLDT

1000 69TH AVENUE NORTH
BROOKLYN CENTER, MN 55430

SHEET CONTENTS:
ENLARGED SITE PLAN
LANDSCAPE PLAN AND KEY
PLANTING DETAIL

DRAWN BY:	STACEY R.
DATE:	02-06-15
CHECKED BY:	MJS
REV. 0	08-10-15
REV. 1	09-03-15
REV. 2	09-18-15
REV. 3	11-18-15
REV. 4	12-03-15
REV. 5	10-06-17

A-2

ANTENNA KEY

	AZIMUTH	POSITION	FUNCTION	QTY	MANUFACTURER	MODEL	MOD TYPE	ANTENNA LENGTH	ANTENNA TIP	ANTENNA CENTER	ELEC DOWNTILT	MECH DOWNTILT
'X' SECTOR	290°	1.1	FUTURE	1	CSS	X7CQAP-86-865-V	–	96"	139'	135'	0°	0°
	–	1.2	FUTURE	–	–	2ND PORT	–	–	–	–	–	–
	–	1.3	TX/RX0	–	–	3RD PORT	700+45	–	–	–	4°	–
	–	1.4	TX/RX1	–	–	4TH PORT	700-45	–	–	–	–	–
	–	1.5	FUTURE	–	–	5TH PORT	–	–	–	–	0°	–
	–	1.6	FUTURE	–	–	6TH PORT	–	–	–	–	–	–
	290°	2.1	TX/RX0	1	CSS	X7CQAP-86-865-V	PCS+45	96"	139'	135'	2°	0°
	–	2.2	TX/RX1	–	–	2ND PORT	PCS-45	–	–	–	–	–
	–	2.3	FUTURE	–	–	3RD PORT	–	–	–	–	4°	–
	–	2.4	FUTURE	–	–	4TH PORT	–	–	–	–	–	–
	–	2.5	RX2	–	–	5TH PORT	PCS+45	–	–	–	2°	–
	–	2.6	RX3	–	–	6TH PORT	PCS-45	–	–	–	–	–
	290°	3.1	TX/RX0	1	CSS	X7CQAP-86-865-V	AWS+45	96"	139'	135'	2°	0°
	–	3.2	TX/RX1	–	–	2ND PORT	AWS-45	–	–	–	–	–
	–	3.3	RX2	–	–	3RD PORT	700+45	–	–	–	4°	–
	–	3.4	RX3	–	–	4TH PORT	700-45	–	–	–	–	–
	–	3.5	RX2	–	–	5TH PORT	AWS+45	–	–	–	2°	–
	–	3.6	RX3	–	–	6TH PORT	AWS-45	–	–	–	–	–
	290°	4	SPARE	1	CSS	X7CQAP-86-865-V	–	96"	139'	135'	–	–
'Y' SECTOR	50°	1.1	FUTURE	1	CSS	X7CQAP-86-865-V	–	96"	139'	135'	0°	0°
	–	1.2	FUTURE	–	–	2ND PORT	–	–	–	–	–	–
	–	1.3	TX/RX0	–	–	3RD PORT	700+45	–	–	–	7°	–
	–	1.4	TX/RX1	–	–	4TH PORT	700-45	–	–	–	–	–
	–	1.5	FUTURE	–	–	5TH PORT	–	–	–	–	0°	–
	–	1.6	FUTURE	–	–	6TH PORT	–	–	–	–	–	–
	50°	2.1	TX/RX0	1	CSS	X7CQAP-86-865-V	PCS+45	96"	139'	135'	3°	0°
	–	2.2	TX/RX1	–	–	2ND PORT	PCS-45	–	–	–	–	–
	–	2.3	FUTURE	–	–	3RD PORT	–	–	–	–	4°	–
	–	2.4	FUTURE	–	–	4TH PORT	–	–	–	–	–	–
	–	2.5	RX2	–	–	5TH PORT	PCS+45	–	–	–	3°	–
	–	2.6	RX3	–	–	6TH PORT	PCS-45	–	–	–	–	–
	50°	3.1	TX/RX0	1	CSS	X7CQAP-86-865-V	AWS+45	96"	139'	135'	3°	0°
	–	3.2	TX/RX1	–	–	2ND PORT	AWS-45	–	–	–	–	–
	–	3.3	RX2	–	–	3RD PORT	700+45	–	–	–	6°	–
	–	3.4	RX3	–	–	4TH PORT	700-45	–	–	–	–	–
	–	3.5	RX2	–	–	5TH PORT	AWS+45	–	–	–	3°	–
	–	3.6	RX3	–	–	6TH PORT	AWS-45	–	–	–	–	–
	50°	4	SPARE	1	CSS	X7CQAP-86-865-V	–	96"	139'	135'	–	–
'Z' SECTOR	170°	1.1	FUTURE	1	CSS	X7CQAP-86-865-V	–	96"	139'	135'	0°	0°
	–	1.2	FUTURE	–	–	2ND PORT	–	–	–	–	–	–
	–	1.3	TX/RX0	–	–	3RD PORT	700+45	–	–	–	4°	–
	–	1.4	TX/RX1	–	–	4TH PORT	700-45	–	–	–	–	–
	–	1.5	FUTURE	–	–	5TH PORT	–	–	–	–	0°	–
	–	1.6	FUTURE	–	–	6TH PORT	–	–	–	–	–	–
	170°	2.1	TX/RX0	1	CSS	X7CQAP-86-865-V	PCS+45	96"	139'	135'	2°	0°
	–	2.2	TX/RX1	–	–	2ND PORT	PCS-45	–	–	–	–	–
	–	2.3	FUTURE	–	–	3RD PORT	–	–	–	–	4°	–
	–	2.4	FUTURE	–	–	4TH PORT	–	–	–	–	–	–
	–	2.5	RX2	–	–	5TH PORT	PCS+45	–	–	–	2°	–
	–	2.6	RX3	–	–	6TH PORT	PCS-45	–	–	–	–	–
	170°	3.1	TX/RX0	1	CSS	X7CQAP-86-865-V	AWS+45	96"	139'	135'	2°	0°
	–	3.2	TX/RX1	–	–	2ND PORT	AWS-45	–	–	–	–	–
	–	3.3	RX2	–	–	3RD PORT	700+45	–	–	–	4°	–
	–	3.4	RX3	–	–	4TH PORT	700-45	–	–	–	–	–
	–	3.5	RX2	–	–	5TH PORT	AWS+45	–	–	–	2°	–
	–	3.6	RX3	–	–	6TH PORT	AWS-45	–	–	–	–	–
	170°	4	SPARE	1	CSS	X7CQAP-86-865-V	–	96"	139'	135'	–	–

ADDITIONAL: (6) DISTRIBUTION BOXES #RxxDC-3315-PF-48 (3 ON TOWER & 3 AT PLATFORM)
(1) ROSENBERGER 6RRU HYBRID CABLES; MODEL #HL-9612200 ('X' SECTOR)
(1) ROSENBERGER 6RRU HYBRID CABLES; MODEL #HL-9612250 ('Y' SECTOR)
(1) ROSENBERGER 6RRU HYBRID CABLES; MODEL #HL-9612280 ('Z' SECTOR)
(38) ERICSSON AISG 2.0 RET CONTROL CABLES
(35) TERMINATORS: 50Ω TERMINATION FOR UNUSED ANTENNA PORTS

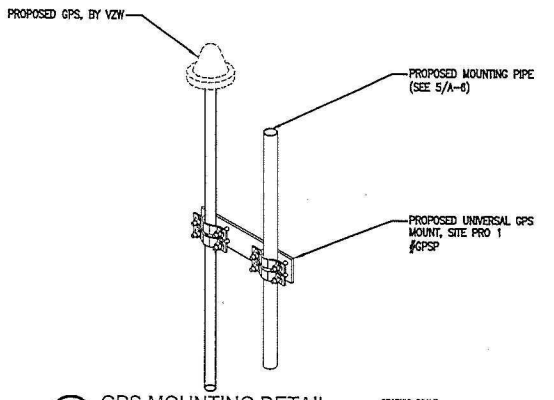
1 ANTENNA KEY
SCALE: NONE

COAX KEY

QTY	COAX TYPE	MANUFACTURER	MODEL	DIELECTRIC	DIAMETER (INCH)	RUN (FEET)
		SEAL UNUSED PORTS				
		SEAL UNUSED PORTS				
1	RRU	ERICSSON	RRUS B13 W/A-2	(1) ROSENBERGER HYBRID JUMPER HJ-C860915, DST. BOX TO RRU		
		SEAL UNUSED PORTS				
		SEAL UNUSED PORTS				
1	RRU	ERICSSON	RRUS32 B2	(1) ROSENBERGER HYBRID JUMPER HJ-C860915, DST. BOX TO RRU		
		SEAL UNUSED PORTS				
		SEAL UNUSED PORTS				
		CONNECT THESE PORTS TO RRUS32 B2 ✪ POSITIONS 2.1/2.2				
1	RRU	ERICSSON	RRUS32 B66	(1) ROSENBERGER HYBRID JUMPER HJ-C860915, DST. BOX TO RRU		
		CONNECT THESE PORTS TO A2 MODULE ✪ POSITIONS 1.3/1.4				
		CONNECT THESE PORTS TO RRUS32 B66 ✪ POSITIONS 3.1/3.2				
		SEAL UNUSED PORTS				
		SEAL UNUSED PORTS				
		SEAL UNUSED PORTS				
1	RRU	ERICSSON	RRUS B13 W/A-2	(1) ROSENBERGER HYBRID JUMPER HJ-C860915, DST. BOX TO RRU		
		SEAL UNUSED PORTS				
		SEAL UNUSED PORTS				
1	RRU	ERICSSON	RRUS32 B2	(1) ROSENBERGER HYBRID JUMPER HJ-C860915, DST. BOX TO RRU		
		SEAL UNUSED PORTS				
		SEAL UNUSED PORTS				
		CONNECT THESE PORTS TO RRUS32 B2 ✪ POSITIONS 2.1/2.2				
1	RRU	ERICSSON	RRUS32 B66	(1) ROSENBERGER HYBRID JUMPER HJ-C860915, DST. BOX TO RRU		
		CONNECT THESE PORTS TO A2 MODULE ✪ POSITIONS 1.3/1.4				
		CONNECT THESE PORTS TO RRUS32 B66 ✪ POSITIONS 3.1/3.2				
		SEAL UNUSED PORTS				
		SEAL UNUSED PORTS				
		SEAL UNUSED PORTS				
1	RRU	ERICSSON	RRUS B13 W/A-2	(1) ROSENBERGER HYBRID JUMPER HJ-C860915, DST. BOX TO RRU		
		SEAL UNUSED PORTS				
		SEAL UNUSED PORTS				
1	RRU	ERICSSON	RRUS32 B2	(1) ROSENBERGER HYBRID JUMPER HJ-C860915, DST. BOX TO RRU		
		SEAL UNUSED PORTS				
		SEAL UNUSED PORTS				
		CONNECT THESE PORTS TO RRUS32 B2 ✪ POSITIONS 2.1/2.2				
1	RRU	ERICSSON	RRUS32 B66	(1) ROSENBERGER HYBRID JUMPER HJ-C860915, DST. BOX TO RRU		
		CONNECT THESE PORTS TO A2 MODULE ✪ POSITIONS 1.3/1.4				
		CONNECT THESE PORTS TO RRUS32 B66 ✪ POSITIONS 3.1/3.2				
		SEAL UNUSED PORTS				
36	JUMPER	ANDREW	LDF4-50A	FOAM	1/2"	15'

2 COAX KEY
SCALE: NONE

SEE STRUCTURAL FOR CABLE ROUTES		
'X' SECTOR	'Y' SECTOR	'Z' SECTOR
UNDERGROUND RUN = 45' RAD CENTER =140' HORIZONTAL RUN = 7' EXTRA = 5'	UNDERGROUND RUN = 45' RAD CENTER = 140' HORIZONTAL RUN = 55' EXTRA = 5'	UNDERGROUND RUN = 45' RAD CENTER = 140' HORIZONTAL RUN = 82' EXTRA = 5'
TOTAL = 197'	TOTAL = 245'	TOTAL = 272'



3 GPS MOUNTING DETAIL
SCALE: 3/4" = 1'-0"

GRAPHIC SCALE
0 6" 1'-0"

SIGNIFICANT REVISIONS TO ENTIRE SHEET (A)

ROBERT J. DAVIS
LICENSED ARCHITECT
12427
STATE OF MINNESOTA

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly registered Architect under the laws of the State of Minnesota.
ROBERT J. DAVIS, Reg. No. 12427

Signed:
10-06-17
Date:

DESIGN 1
WWW.DESIGN1EP.COM
8973 VALLEY VIEW RD.
EDEN PRAIRIE, MN 55344
(952) 903-9209

VERIZON WIRELESS
10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

LOCATION CODE: 289079

PROJECT
20141032247

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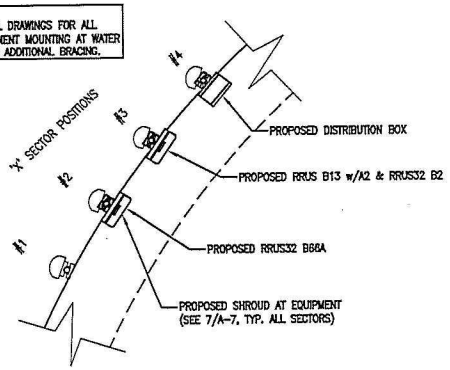
1000 69TH AVENUE NORTH
BROOKLYN CENTER, MN 55430

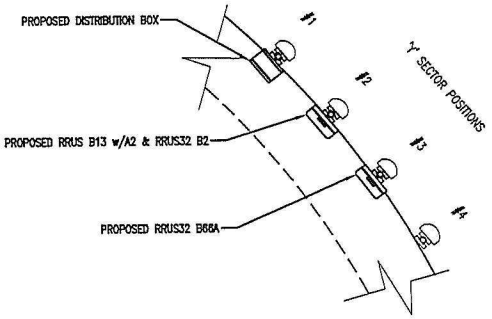
SHEET CONTENTS:
COAX & ANTENNA KEY
GPS MOUNTING DETAIL

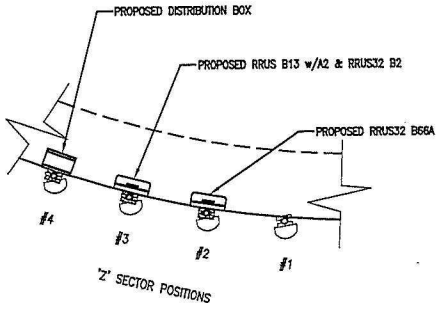
DRAWN BY:	STACEY R.
DATE:	02-06-15
CHECKED BY:	MJS
REV. 0	08-10-15
REV. 1	09-03-15
REV. 2	09-18-15
REV. 3	11-18-15
REV. 4	12-03-15
REV. 5	10-06-17

A-3

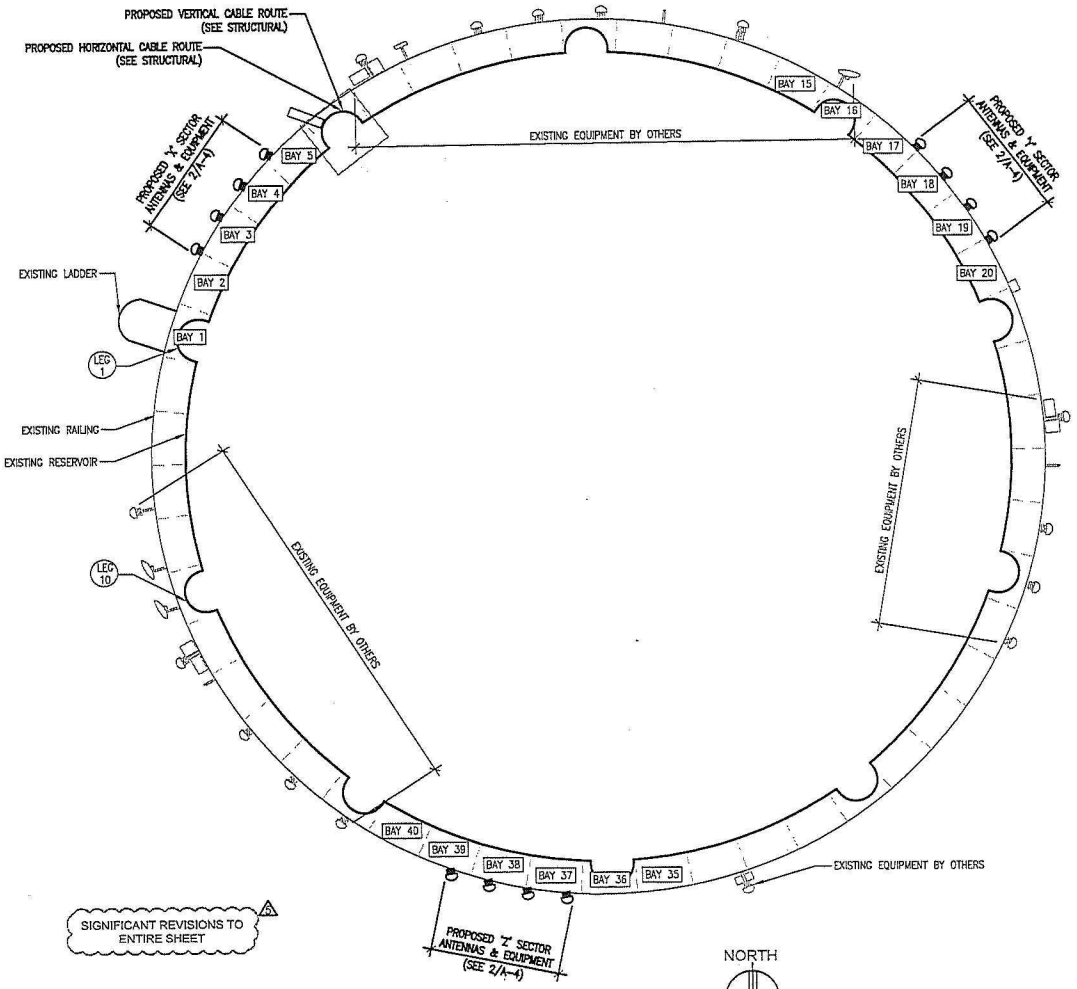
NOTE:
SEE STRUCTURAL DRAWINGS FOR ALL ANTENNA/EQUIPMENT MOUNTING AT WATER TANK INCLUDING ADDITIONAL BRACING.







2 ANTENNA MOUNTING DETAIL
SCALE: 3/16" = 1'-0"



SIGNIFICANT REVISIONS TO ENTIRE SHEET (5)

NORTH

GRAPHIC SCALE
0 5'-4" 10'-8"

1 OVERALL WATER TANK PLAN
SCALE: 3/32" = 1'-0"

ROBERT J. DAVIS
LICENSED ARCHITECT
12427
STATE OF MINNESOTA

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ROBERT J. DAVIS, Reg. No. 12427

Signed:
10-06-17
Date:

DESIGN 1
WWW.DESIGN1EP.COM
9973 VALLEY VIEW RD.
EDEN PRAIRIE, MN 55344
(952) 903-0299

VERIZON WIRELESS
10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

LOCATION CODE: 289979

PROJECT
20141032247

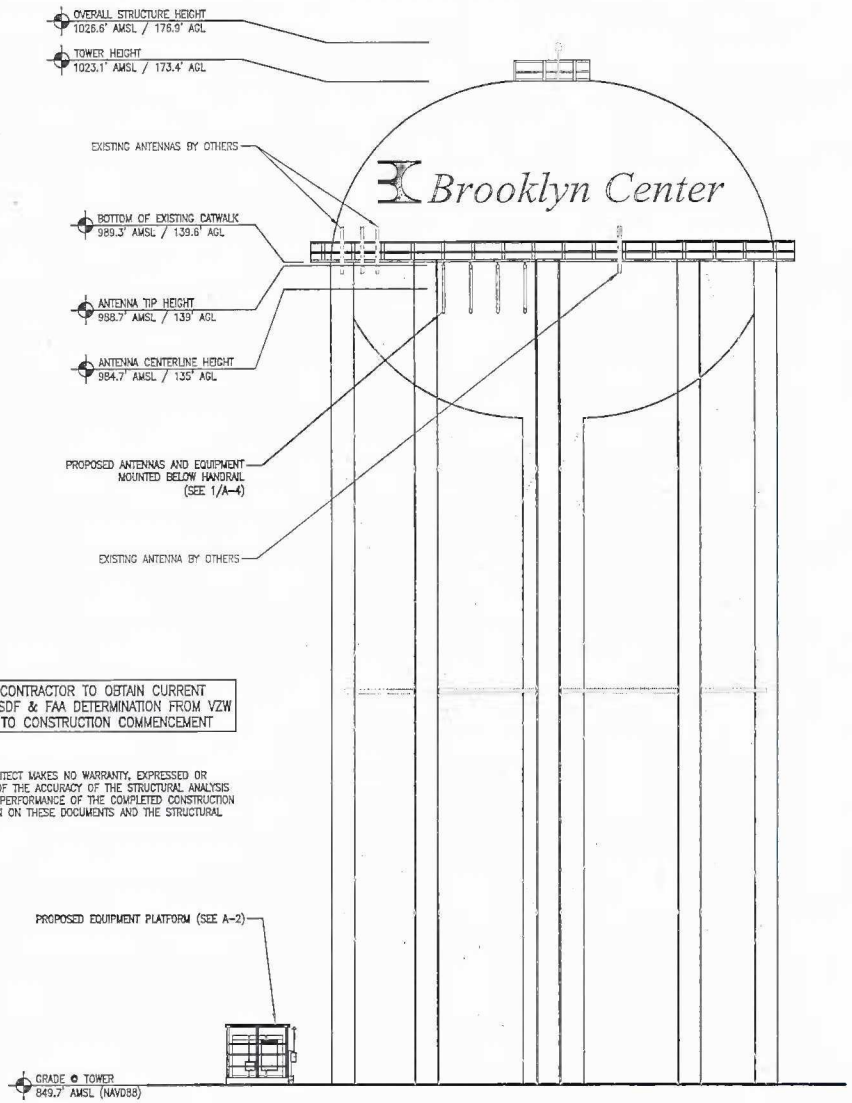
MINC
HUMBOLDT

1000 69TH AVENUE NORTH
BROOKLYN CENTER, MN 55430

SHEET CONTENTS:
ANTENNA MOUNTING DETAIL
OVERALL WATER TANK PLAN

DRAWN BY:	STACEY R.
DATE:	02-06-15
CHECKED BY:	MJS
REV. 0	08-10-15
REV. 1	09-03-15
REV. 2	09-18-15
REV. 3	11-18-15
REV. 4	12-03-15
REV. 5	10-06-17

A-4



NOTE: CONTRACTOR TO OBTAIN CURRENT FINAL SDF & FAA DETERMINATION FROM VZW PRIOR TO CONSTRUCTION COMMENCEMENT

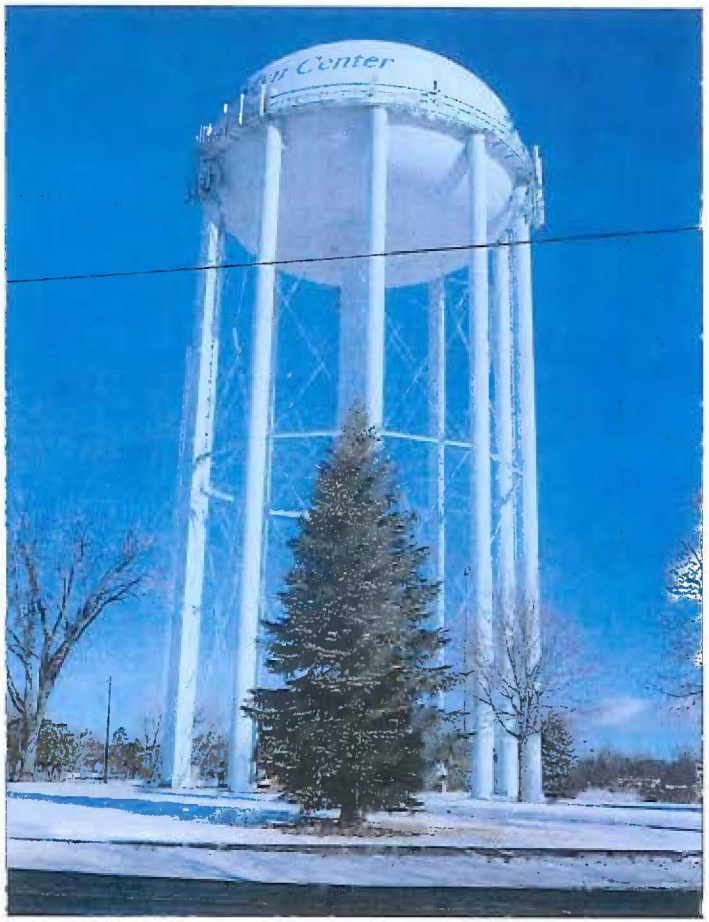
NOTE:

THE ARCHITECT MAKES NO WARRANTY, EXPRESSED OR IMPLIED, OF THE ACCURACY OF THE STRUCTURAL ANALYSIS AND THE PERFORMANCE OF THE COMPLETED CONSTRUCTION AS SHOWN ON THESE DOCUMENTS AND THE STRUCTURAL ANALYSIS.

NOTE: FENCE AND EXISTING EQUIPMENT NOT SHOWN FOR CLARITY

2 WEST ELEVATION
SCALE: 1" = 20'

GRAPHIC SCALE
0 10' 20'



1 PHOTO - WATER TANK
LOOKING NORTH

ROBERT J. DAVIS
LICENSED ARCHITECT
12427
STATE OF MINNESOTA

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ROBERT J. DAVIS, Reg. No. 12427

Signed:

10-05-17
Date:

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VERIZON WIRELESS
10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0352

LOCATION CODE: 259979

PROJECT
20141032247

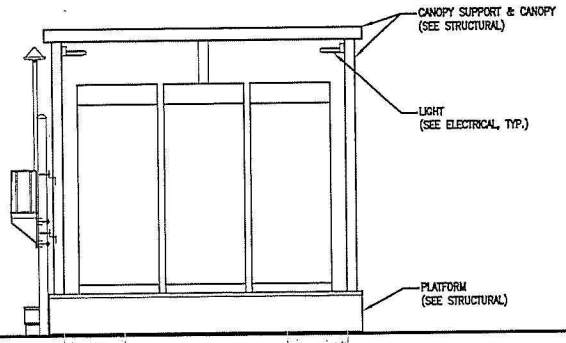
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HUMBOLDT

1000 69TH AVENUE NORTH
BROOKLYN CENTER, MN 55430

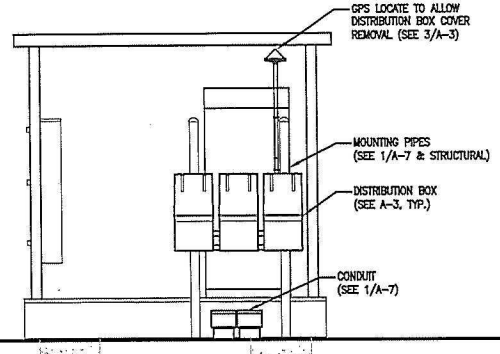
SHEET CONTENTS:
TOWER ELEVATION
MISC. PHOTO

DRAWN BY:	STACEY R.
DATE:	02-[illegible]
CHECKED BY:	MJS
REV. 0	[illegible]
REV. 1	[illegible]
REV. 2	[illegible]
REV. 3	[illegible]
REV. 4	[illegible]
REV. 5	[illegible]

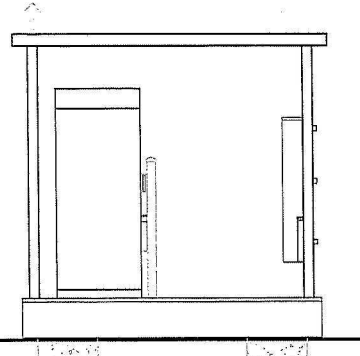
A-5



4 EAST ELEVATION
SCALE: 1/4" = 1'-0"



5 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



6 NORTH ELEVATION
SCALE: 1/4" = 1'-0"

NOTE:
1. GENERAL
 1.1 ALL DIMENSIONS ARE SPECIFIED IN INCHES UNLESS OTHERWISE NOTED.
 1.2 DESIGN AND INSTALLATION OF FOUNDATION BY LOCAL ENGINEER OR ARCHITECT. THIS IS ONLY A SUGGESTED FOUNDATION PLAN.
 1.3 FOUNDATION IS DESIGNED FOR 2000 PSI BEARING. CONTRACTOR SHALL VERIFY THE ADEQUACY OF THE FOUNDATION FROM SOIL BORING DATA.
 1.4 SLAB TYPE FOUNDATION IS NOT RECOMMENDED FOR AREAS WITH EXTREME FROST CONDITIONS OR WHERE HIGH WATER TABLES ARE PRESENT. THESE CONDITIONS COULD CAUSE DIFFERENTIAL SETTLEMENTS IN THE SOIL BENEATH THE FOUNDATION RESULTING IN STRUCTURAL CRACKS.
 1.5 PERIMETER FOOTING MUST BE A MINIMUM FOUNDATION DEPTH OF 24" OR PER LOCAL FROST LINE OF UNDISTURBED SOIL.
 1.6 LOCATE WEDGE ANCHORS AFTER SHELTER IS LOCATED ON SLAB TO CORRECTLY ALIGN WITH INSTALLED ANCHOR PLATE. DO NOT INSTALL WEDGE ANCHOR BEFORE SETTING SHELTER ON FOUNDATION.

2. MATERIAL
 2.1 CONCRETE SHALL HAVE A MINIMUM COMPRESSION STRENGTH OF 3000 PSI @ 28 DAYS AND SHALL BE INSTALLED IN ACCORDANCE WITH THE ACI-318 BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE.
 2.2 REINFORCING BARS SHALL CONFORM TO ASTM-A615 GRADE 60 SPECIFICATIONS AND BE DETAILED IN ACCORDANCE WITH ASTM-C39.
 2.3 TEST CYLINDERS SHALL BE MOLDED AND LABORATORY CURED IN ACCORDANCE WITH ASTM C31. THREE CYLINDERS SHALL BE TAKEN FOR EACH DAY'S CONCRETE PLACEMENT. CYLINDERS SHALL BE TESTED IN ACCORDANCE WITH ASTM C39.

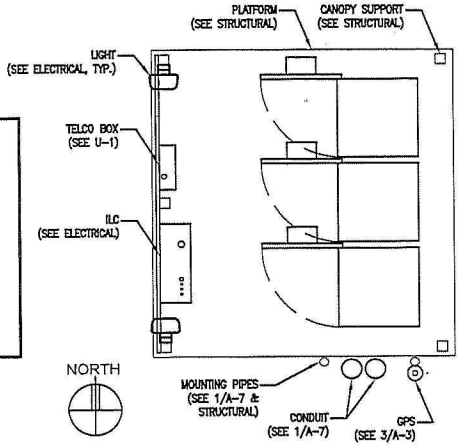
3. TOLERANCES
 3.1 TOPS OF CONCRETE FOUNDATION MUST BE WITHIN 0.02" PER FOOT OF ELEVATION SPECIFIED BY THE CONTRACTOR.

NOTE:
CONTRACTOR TO PROVIDE AND INSTALL THE PROPOSED METAL SIGN ON FENCE GATE (@ 5' ABOVE GRADE) OF PROPOSED PREFABRICATED SHELTER, APPROXIMATELY 16"X32", FACING EAST. (QTY=1)

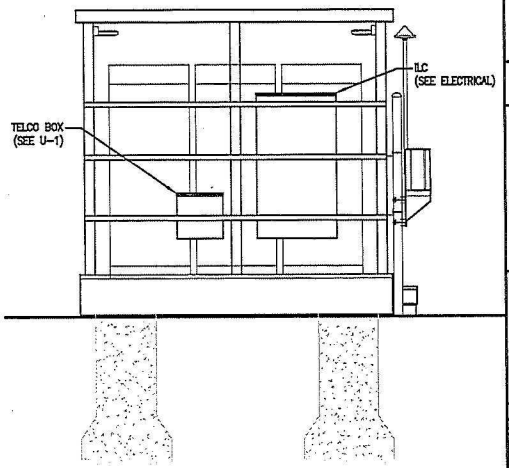
CONTRACTOR TO OBTAIN 'SITE NUMBER' FROM VERIZON WIRELESS PRIOR TO FABRICATION AND INSTALLATION OF THE PROPOSED SIGN.

In case of emergency call:
1-800-264-6620
(Site Number)/Humboldt
1000 69th Ave. N.
Brooklyn Center, MN
55430

3 SIGNAGE DETAIL
SCALE: NOT TO SCALE



2 FLOOR PLAN
SCALE: 1/4" = 1'-0"



1 WEST ELEVATION
SCALE: 1/4" = 1'-0"

ROBERT J. DAVIS
LICENSED ARCHITECT
12427
STATE OF MINNESOTA

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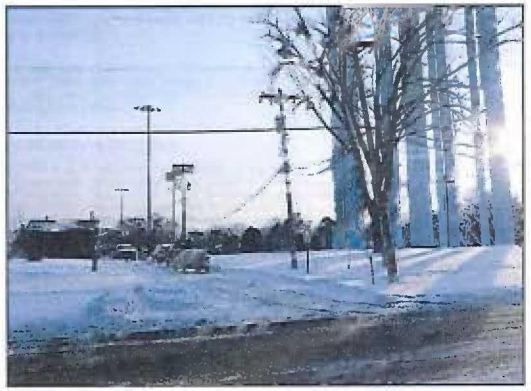
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HUMBOLDT

1000 69TH AVENUE NORTH
BROOKLYN CENTER, MN 55430

SHEET CONTENTS:
FOUNDATION PLAN & DETAILS
FLOOR PLAN
ELEVATIONS

DRAWN BY:	STACEY R.
DATE:	02-06-15
CHECKED BY:	MJS
REV. 0	08-10-15
REV. 1	09-03-15
REV. 2	09-18-15
REV. 3	11-18-15
REV. 4	12-03-15
REV. 5	10-06-17

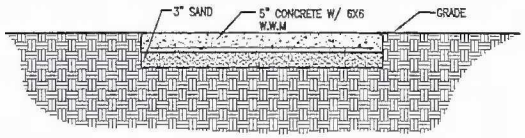
A-6



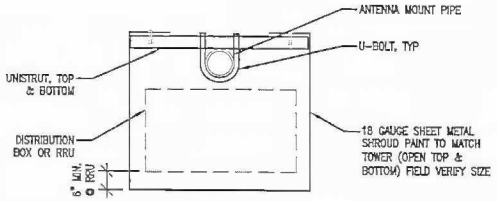
4 PHOTO - EXISTING POWER POLE
LOOKING EAST



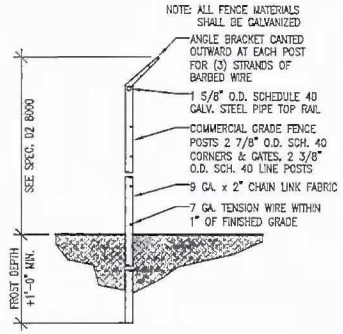
3 PHOTO - TREES TO BE REMOVED
LOOKING SOUTHEAST



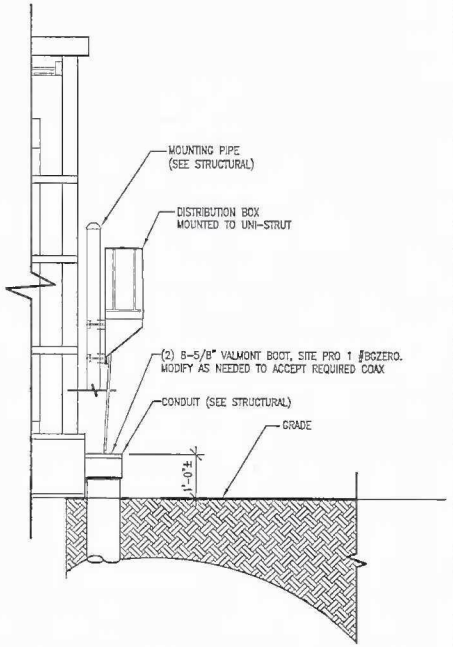
5 CONCRETE SECTION
SCALE: 1/2" = 1'-0"
GRAPHIC SCALE



6 METAL SHROUD DETAIL
SCALE: NONE



2 FENCE SECTION
SCALE: 1/4" = 1'-0"
GRAPHIC SCALE



1 SECTION @ PLATFORM
SCALE: 3/8" = 1'-0"
GRAPHIC SCALE

ROBERT J. DAVIS
LICENSED ARCHITECT
12427
STATE OF MINNESOTA

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly registered Architect under the laws of the State of Minnesota.
ROBERT J. DAVIS, Reg. No. 12427

Signed:

10-06-17
Date:

DESIGN 1
WWW.DESIGN1EP.COM
9973 VALLEY VIEW RD.
EDEN PRAIRIE, MN 55344
(952) 903-0299

VERIZON WIRELESS
10801 BUSH LAKE ROAD
BLOOMINGTON, MN 55438
(612) 720-0052

LOCATION CODE: 289979

PROJECT
20141032247

MINC
HUMBOLDT

1000 69TH AVENUE NORTH
BROOKLYN CENTER, MN 55430

SHEET CONTENTS:
FENCE SECTION
SECTION @ PLATFORM
CONCRETE SECTION
METAL SHROUD DETAIL
MISC. PHOTOS

DRAWN BY:	STACEY R.
DATE:	05-01-15
CHECKED BY:	MJS
REV. 0	05-19-15
REV. 1	06-03-15
REV. 2	09-18-15
REV. 3	11-19-15
REV. 4	12-03-15
REV. 5	10-06-17

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GENERAL CONDITIONS

00 0001 PERMITS
Construction Permit shall be acquired by, or in the name of, Verizon Wireless, to be hereinafter referred to as the OWNER. Other permits shall be acquired by the Contractor.

00 0002 SURVEY FEES
Survey shall be furnished by the Architect. Layout Staking shall be coordinated with the Surveyor per "Request For Quote", (RFQ).

01 0010 INSURANCE & BONDS
Contractor is to furnish insurance certificates for themselves and subcontractors. Contractor will provide any required Bonding. Contractor agrees to warranty the project for (1) one year after completion.

01 0400 SUPERVISION & COORDINATION
Contractor shall provide supervision throughout the Project, coordinating the work of the Subcontractors, and delivery & installation of Owner-furnished items. Contractor's responsibilities include arranging & conducting of Underground Utilities Locates. Contractor shall comply with municipal, county, state and/or federal codes, including OSHA & AWWA.

01 0600 TESTING
Contractor is responsible for providing Agencies with sufficient notice to arrange for Test Samples (i.e.: Concrete Cylinders), and for Special Inspections.

01 2000 MEETINGS
Contractor shall make themselves aware of, and attend, meetings with the Owner and/or Architect. Contractor is to attend a Pre-Construction Meeting of all parties involved, prior to the start of construction.

01 5100 TEMPORARY UTILITIES
Contractor shall maintain the job site in a clean and orderly fashion, providing temporary sanitary facilities, waste disposal, and security (fence area or trailer module).

01 5300 EQUIPMENT RENTAL
Contractor shall furnish equipment necessary to expedite work.

01 5900 FIELD OFFICES & SHEDS
Contractor shall provide security (fence area or trailer module) for tools and materials that remain overnight on site.

01 7000 CLEAN UP & CLOSE OUT
Contractor shall clean up the Site to the satisfaction of Owner. Contractor shall complete the items listed on the Owner's Punch List, and shall sign and return the List to the Owner. Contractor shall maintain a set of drawings during the job, on which changes shall be noted in red ink.
At the completion of the installation, Verizon shall be responsible for providing the City of Brooklyn Center with a clean set of as-built drawings. It is the contractor's responsibility to document and report any changes made during construction so the work is accurately shown on the as-built plans. Record plans need to be clearly labeled as "Record Plans". A full set of redlined drawings (As-Builts) are to be given to the Architect at Job completion and submit "construction work complete memo" to Construction Engineer.

01 8000 TRUCKS & MILEAGE
Contractor shall provide transportation for their own personnel.

01 8300 TRAVEL TIME & PER DIEM
Contractor shall provide room and board for their own personnel, and reasonable time for traveling to & from job site.

01 9200 TAXES
Contractor shall pay sales and/or use tax on materials and taxable services.

SITEWORK

02 1000 SITE PREPARATION
Contractor is to mobilize within 7 calendar days of the Owner issuing a "START" document. Contractor will immediately report to Architect if any environmental considerations arise. Site shall be scraped to a depth of 3" minimum to remove vegetative matter, and scrapings shall be stockpiled on site. Excess material to be disposed of in accordance with RFQ. A Perimeter Silt Fence is to be maintained for the duration of the work.

02 1100 ROAD IMPROVEMENT & CONSTRUCTION
N/A

02 2000 EARTHWORK & EXCAVATION
Excavation material shall be used for surface grading as necessary; excess to be stockpiled on site. Excess material to be disposed of in accordance with RFQ. For dewatering excavated areas, contractor shall utilize sock or sediment filter for filtering of water discharge.

02 5000 PAVING & SURFACING
Concrete paving shall be 5" thick, reinforced with 6"x6" welded wire mesh or #3 steel bars 18" o.c.e.w., over a 3" sand cushion. Provide control joints at 5' O.C.
Contractor shall protect existing paving elements (driveways, sidewalks, curbs, etc.) that are not in the Scope of Work. Damage resulting from disregard of this Article shall be compensated by the Responsible Party and at a cost to be determined by the Property Owner, Architect, and Owner.

02 7800 POWER TO SITE
Contractor shall coordinate the electrical service to the building with the Utility Provider. Conduits shall include pull strings. Underground conduits shall be 2-1/2" Schedule 40 PVC. (schedule 80 PVC under roads and drives) Cable to be 3/0 THWN CU. Trenches shall be backfilled in a timely fashion, using a compactor, and including two (2) detectable ribbons; one each at 3" and 15" above conduit. Service shall be 200 amp, single phase, 120/240 volt. Service type shall be "General Time-Of-Day" if available, and meter base shall be approved by utility provider.

02 7900 TELCO TO SITE
Contractor shall provide 2" schedule 40 PVC conduit, (schedule 80 PVC under roads and drives) with "large sweep" elbows & pull string for TELCO service as noted on plans. Cable to be fiber optic lines, source and provider T.B.D. Trenches shall be as in 02 7800.

02 8000 SITE IMPROVEMENTS
N/A

02 8001 FENCING
All fence materials and fittings shall be galvanized steel to match existing. Fence shall be 6'-0" high x 9 ga. X 2" chain link fabric, w/ 7 ga. bottom tension wire. Corner and Gate posts shall be 2 7/8" O.D. sch 40 steel pipe, driven 60" below grade. Line posts shall be 2 3/8" O.D. sch 40 steel pipe. Top Rails shall be 1 5/8" O.D. steel pipe. Gate frames shall be 1 5/8" O.D. welded pipe. Bracing shall be 3/8" truss rods and 1 5/8" O.D. pipe mid-rails at corners. Gate latch shall be commercial grade, "Cargo" or equal. Fabric shall extend to within 1" of finish grade. Existing fences shall be protected against damage during this work, and any damage that may occur shall be repaired or replaced to equal existing preconstruction condition.

02 8500 IRRIGATION SYSTEMS
N/A

02 9000 LANDSCAPING
Contractor to restore turf areas damaged by construction by preparing soil, seeding & watering to maintain grass survival for 1 year.
Contractor to install commercial grade vinyl edging with 4" mulch over geotextile surrounding proposed trees as noted on Drawings.
Contractor shall protect existing landscape elements that are not in the Scope of Work. Reasonable precautions shall be taken to assure the health of existing trees and shrubbery. If conflicts arise regarding the location of root systems, branch lines, etc., the Architect must be contacted prior to performing Work that may cause damage. Damage resulting from disregard of this Article shall be compensated by the Responsible Party and at a cost to be determined by the Property Owner, Architect, and Owner. Contractor shall plant the trees per the instruction noted on Drawings. Contractor shall warrant trees for (2) years.

CONCRETE

03 1000 CONCRETE FORMWORK
Concrete forms shall be dimension lumber, modular, or steel.

03 6000 GROUT
N/A

03 8000 TOWER FOUNDATION
N/A

03 8001 CATHODIC PROTECTION
N/A

03 8050 ANTENNA MOUNTS
Contractor to furnish and install antenna mounts. Contractor shall ensure the existance of a 3/8" cable safety climb (DBI/Sala or equal) on the Tower. Contractor shall provide for temporary security fence at base of Tower.

03 9000 PLATFORM FOUNDATION
Contractor shall furnish & install materials for Platform foundation. Concrete shall be 6% ±1% air entrained, and 4,000 psi at 28 days. All reinforcing steel is to be Grade 60 (ASTM 615). Anchor bolts are furnished by Contractor. Contractor shall comply with the Owner's Standard CONSTRUCTION SPECIFICATIONS MINIMUM CONCRETE STANDARDS.

03 9050 TRANSPORT AND SET PLATFORM
Contractor shall provide crane(s) and/or truck for setting platform per RFQ. Contractor shall install items shipped separately, including but not limited to: exterior light and sensor and buss bars.

MASONRY

04 0000 MASONRY
N/A

METALS

05 0000 METALS
Contractor will furnish and install structural and fabricated steel items not specifically furnished by Owner, and install Owner-furnished items. Structural steel shall be fabricated and erected per AISC specifications. Welding shall conform to AWS standards. Field welding shall be as shown on Shop Drawings, performed by AWS Certified Welders, and inspected as prescribed by the Structural Engineer. Steel shall be ASTM A992 OR A36, and 3/4" field bolts shall be A325. Temporary erecting bolts, clip hangers, and bracing shall be furnished by Contractor. Fabrications shall be shop welded if possible, and galvanized before delivery to site. Structural steel, and miscellaneous iron and steel, shall be hot dipped galvanized per ASTM A123 thickness grade 55. Fabricated iron and steel hardware shall be hot dipped galvanized per ASTM A153. Repair of damaged or uncoated galvanized surfaces shall be per ASTM A780. Contractor shall ensure the existance of a 3/8" cable safety climb system (DBI/SALA or equal) on tower.

NOTE: FOR WELDING INSTRUCTIONS, SEE A-9.

09 9000 PAINTING
Painting of all new items and repair of all damaged areas of the tower will be required. Surface preparation and painting requirements are as follows:

a. Under the direction of the Engineer, spot repair the tank and tower surfaces where the coating has been damaged by structural repairs and modifications to an SSPC-SP-10 Near White Metal Blast Clean. This work includes all new items and at other areas damaged by structural repairs or modifications. Feather edges of existing coating, at spot blasted areas, using SSPC-SP-3 Power Tool Cleaning methods.

b. Before any primer or coating is applied, metal surfaces shall be completely dry, dust free, inspected, and approved by the Engineer.

c. No coating shall be permitted when the relative humidity is expected to exceed 85% or temperature is expected to drop below 40 degrees within 8 hours after the application of the coating. Proceed with surface preparation and coating application only when air and surface temperatures are above the manufacturer's recommended minimum surface temperature and below 100 degrees F and surface temperature is at least 5 degrees above wet bulb air temperature reading. Coating shall not be applied to dusty, wet, or damp surfaces and shall not be applied in rain, snow, fog, or mist. If working conditions are questionable, the Engineer shall make the decision and the Contractor shall accept the Engineer's interpretation as final and binding.

d. Prime coat must be applied within 8 hours of abrasive blasting.

e. Apply by brushing one (1) additional coat of primer to insure a uniform coat of primer thoroughly worked into and around all seams, welds, bolt assemblies, plate overlap seams, and other irregularities in the surface.

f. Antennas are to be painted to match existing tank color. All items attached directly to the tank, such as mounting brackets and supports, should be painted to match existing tank coating system and color.

g. If galvanized materials used, the galvanized surfaces must be solvent wiped and brush-blasted prior to coating.

h. Specifications apply to both shop and field coatings.

Exterior surface spot repair and re-coating:
- The coating repairs shall match the existing coating system on the tower. Spot prime and finish coat repaired areas as specified by manufacturer. The coating system shall match the existing coating system on the tower. The exterior primer shall be 2.0 – 3.5 mils DFT. The DFT of the primer at any individual spot measurement location shall be 3.0 mils minimum. Intermediate coat shall be at 4.0 – 6.0 mils DFT. The DFT of the primer plus intermediate coat at any individual spot measurement location shall be 7.0 mils minimum. Exterior finish coat shall be at 2.0 – 4.0 mils DFT. The total dry film thickness including the primer and the finish coat shall be 9.0 mils minimum – 13.5 mils with an average of 10.0 mils DFT. The minimum dry film thickness of the coating at any individual spot location shall be 9.0 mils. The color is 39 BL Delft Blue.
- Exterior coating shall be by brush and roller only.

Note: Shop painting procedures should follow the above mentioned procedures.

Antennal panel painting instructions:
i. Hand scarify with 120 grit sand paper
ii. Solvent wipe the antennas with Denatured alcohol
iii. Prime with Sherwin Williams Pro-Cryl primer at 2.0-4.- mils DFT
iv. Finish coat with Sherwin Williams Sher-Cryl high performance Acrylic at 2.0-4.0 mils DFT
v. Color to match the existing color on the tower

EXECUTION: Surface Preparation
Shop Prepared Materials
1. Ferrous Metal: SSPC SP-10 Near White Metal Blast
   Surface Profile: 1.5-2.5 mils
2. Non-ferrous Metal: SSPC SP-7 Brush off Blast Cleaning or SSPC SP1
   Solvent Cleaning and scarify by sanding

Painted Surfaces: Abrade by sanding to scarify and de-gloss the existing finish
Paint Application
1. Shop – Tape-off (two-inch minimum) surfaces that will be in the Heat-Affected-Zone during field welding.
2. Primer: TNEMEC Series N-40 Epoxy at 3.0 to 4.0 mils DFT (1255 Beige)
3. Intermediate Coats TNEMEC Series N-140 Epoxy Primer at 3.0 to 4.0 mils DFT (15 BLA Tank White)
4. Finish (Exterior): TNEMEC Series 73 Endura-Shield Polyurethane at 3.4 to 3.5 mils DFT (39 BL Delft Blue)
5. Total DFT 9.0 to 12.5 mils

SPECIAL CONSTRUCTION

13 1250 WAVE GUIDE, (Coaxial Cables)
LDF4-50A = 1/2" nominal, .63 in. actual diameter; 5" min. bending radius; .15 lbs/ft
AVA5-50 = 7/8" nominal, 1.102 in. actual dia.; 10" min. bending radius; .30 lbs/ft
AVA7-50 = 1 5/8" nominal, 1.98 in. actual dia.; 15" min. bending radius; .72 lbs/ft

13 1260 CABLE BRIDGE, ICE SHIELD, & CANOPY
Cable bridge – N/A
Ice shield – Ice shield to be constructed with galvanized steel grip strut, per drawing 4/A-9
Canopy – Per Structural Drawings

13 1400 ANTENNA INSTALL
Contractor shall install Owner's antennas and feed lines during erecting. Contractor shall sweep lines for continuity and copies of results to be left in equipment room before leaving site.

MECHANICAL

15 4000 PLUMBING
N/A

15 5000 HVAC
N/A

ELECTRIC

16 5000 LIGHTING AND ELECTRICAL
Contractor shall perform work as described on the Electrical Plans. Contractor shall provide labor and materials as necessary to complete the work shown on plans.

16 6000 GROUNDING
Contractor shall make themselves familiar with and follow the current GROUNDING STANDARDS of VERIZON WIRELESS. Contractor shall perform work as shown on Grounding Plans. Any site-specific grounding issues not covered by the GROUNDING STANDARD are to be addressed by the Contractor to the Owner.

OWNER-FURNISHED EQUIPMENT & FEES
EQUIPMENT CABINETS
CABLES
GENERATOR
ANTENNAS AND DOWNTILT BRACKETS
BUILDING PERMIT FEE
MATERIALS TESTING FEES
SPECIAL INSPECTIONS FEES

CONTRACTOR-FURNISHED EQUIPMENT
EQUIPMENT PLATFORM AND CANOPY
ICE SHIELD
WAVE GUIDE SUPPORTS, INCLUDING LINE HANGER "SNAP-IN" CHANNELS, "UNISTRUT" MATERIALS AND CONNECTORS.
CONNECTORS, BOOTS, RELATED HARDWARE
POWER TO SITE, TELCO TO SITE, NATURAL GAS TO SITE.

SCOPE OF WORK:

CONTRACTOR SHALL PROVIDE MATERIALS, LABOR, TOOLS, TRANSPORTATION, SUPERVISION, ETC. TO FULLY EXECUTE WORK. WORK REQUIREMENTS ARE DETAILED ON THE DRAWINGS AND SPECIFICATIONS AND SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING ITEMS:

SITE PREPARATION
SITE WORK
PLATFORM & GENERATOR FOUNDATION
SITE GROUNDING
ELECTRICAL, NATURAL GAS AND TELEPHONE SERVICES
SET PLATFORM & GENERATOR
INSTALL ANTENNAS & CABLES
CONCRETE PAVING AND FENCING

Contractor to compare drawings against Owner's "Request for Quote", (RFQ). If discrepancies arise, Contractor shall verify with Owner that the RFQ supersedes the drawings.

ROBERT J. DAVIS
LICENSED ARCHITECT
12427
STATE OF MINNESOTA

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly registered Architect under the laws of the State of Minnesota.
ROBERT J. DAVIS, Reg. No. 12427

Signed:
10-06-17
Date:

DESIGN 1
WWW.DESIGN1EP.COM
9973 VALLEY VIEW RD.
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(952) 903-0200

VERIZON WIRELESS
10801 BUSH LAKE ROAD
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(612) 720-2052

LOCATION CODE: 289070

PROJECT
20141032247

MINC
HUMBOLDT

1000 69TH AVENUE NORTH
BROOKLYN CENTER, MN 55430

SHEET CONTENTS:
OUTLINE SPECIFICATIONS

DRAWN BY:	STACEY R.
DATE:	02-06-15
CHECKED BY:	MJS
REV. 0	08-10-15
REV. 1	09-03-15
REV. 2	09-18-15
REV. 3	11-18-15
REV. 4	12-03-15
REV. 5	10-06-17

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WELDING INSTRUCTIONS

All areas welded shall be ground smooth or radiused as directed by the ENGINEER. The welding will be welded by a skilled, certified welder under the direction of the ENGINEER.

The welders shall be certified in conformance with ASME Section IX and shall submit current copies of the welder's certificates to the ENGINEER and OWNER.

The repaired areas shall conform to the surface preparation requirements of NACE Standard SP0178–2007, NACE Weld Preparation Designation 'C'.

No welding over coated steel surfaces is permissible. The CONTRACTOR IS RESPONSIBLE TO ADEQUATELY REMOVE ALL COATING BEFORE WELDING.

Welding Procedures: All field welding shall be in accordance with ASME Section VIII, Division 1 and AWWA D–100–05. The location, type, size, and length of all welds shall be as shown on approved drawings. All field welds shall be of the manual shielded metal arc type. Welding shall not be done when the surface temperature is lower than 35 degrees Fahrenheit, when surface is wet, or when welders are exposed to inclement conditions. The CONTRACTOR shall submit all welding procedures to the ENGINEER for Approval prior to the preconstruction meeting.

Certification and Tests: CONTRACTOR shall, upon request from OWNER, provide certification in writing that all welds are in conformance with these drawings and that any weld failure, defect and/or all damage relating there from will be repaired or replaced to the satisfaction of OWNER at no cost to OWNER. OWNER reserves the right to have all welds tested. Tests will be paid for by OWNER; however, in the event that work is defective, CONTRACTOR shall pay for the tests and shall replace all faulty work with work that complies with the Specification.

NOTE: FOR ALL WATER TANK APPLICATIONS

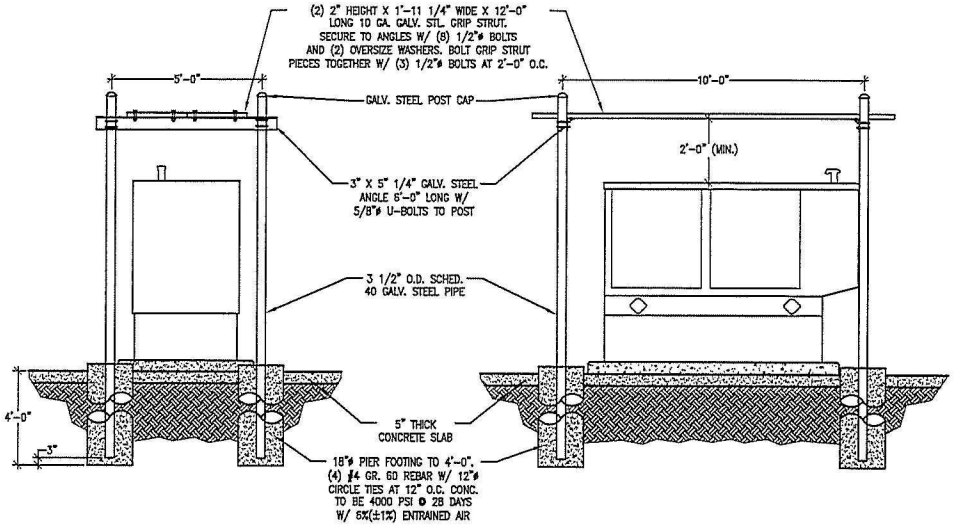
CAPACITOR DISCHARGE STUD MANUFACTURER TO BE "NORTHLAND FASTENING SYSTEMS", PHONE # 1–800–432–7883. COORDINATE WITH STRUCTURAL SPECIFICATIONS.

NOTE: ALL VZW PROPOSED EQUIPMENT SHALL BE INSTALLED SO THAT IT DOES NOT INTERFERE WITH NORMAL OPERATION OR USE OF THE EXISTING WATER TANK.

NOTE: LABELS TO BE ADDED TO ALL ANTENNAS, RRU'S, SECTOR BOXES, AND MAIN DISTRIBUTION BOXES. LABES SHOULD ALSO BE ADDED TO ALL COAX AT THE BOTTOM OF THE TOWER. INFORMATION ON THE LABELS SHOULD READ BUT IS NOT LIMITED TO THE FOLLOWING:

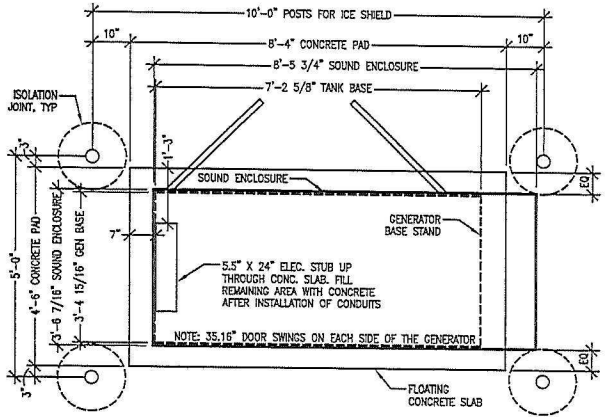
1)VERIZON

2) MINC HUMBOLDT WT



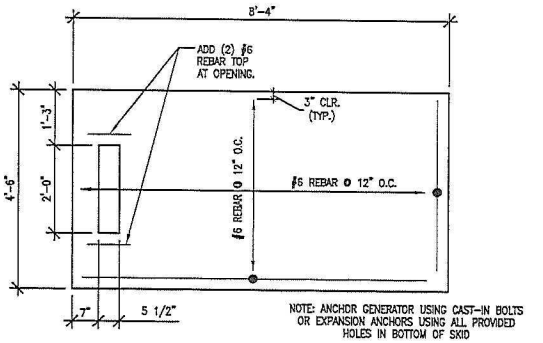
4 GENERATOR ELEVATIONS
SCALE: 1/4" = 1'–0"

GRAPHIC SCALE



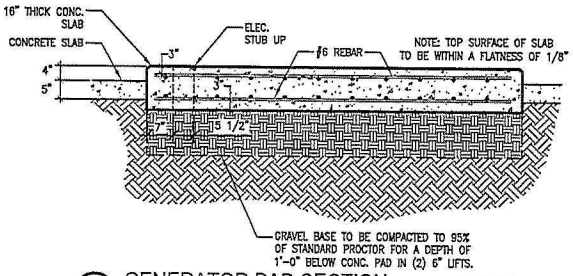
3 GENERATOR PLAN
SCALE: 3/8" = 1'–0"

GRAPHIC SCALE



2 GENERATOR PAD PLAN
SCALE: 3/8" = 1'–0"

GRAPHIC SCALE



1 GENERATOR PAD SECTION
SCALE: 3/8" = 1'–0"

GRAPHIC SCALE

ROBERT J. DAVIS
LICENSED ARCHITECT
12427
STATE OF MINNESOTA

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly registered Architect under the laws of the State of Minnesota.
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Signed:

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LOCATION CODE: 289679

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BROOKLYN CENTER, MN 55430

SHEET CONTENTS:
WELDING INSTRUCTIONS
GENERATOR FOUNDATION
GENERATOR DETAILS
GENERATOR ROOF SHIELD

DRAWN BY:	STACEY R.
DATE:	02-06-15
CHECKED BY:	MJS
REV. 0	08-10-15
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A-9

GENERAL GROUNDING NOTES:

An external buried ground ring (Lead 1) shall be established around the equipment shelter and tower foundations. Lead 1 shall be kept 24" from foundations; if foundations are less than 48" apart, keep Lead 1 centered between them. If the tower base is over 20'–0" from the equipment shelter, a separate Lead 1 shall be established around each foundation, and the two Lead 1s shall be bonded with two parallel leads at least 6 feet apart horizontally. Connections between the two Lead 1s shall be bi–directional.

All subgrade connections shall be by exothermic weld, brazed weld, or gas–tight UL467–listed compression fittings pre–filled with anti–oxidant compound. Subgrade connections shall not be 'cold galvanize' coated.

Lead 1 shall be #2 solid bare tin–clad (SBTC) copper wire buried at local frost depth. Lead 1 bends shall be minimum 24" radius. 'Whip' lead bends may be of 12" radius.

Ground rods shall be galvanized steel, 5/8"Ø, spaced ten feet apart, or as shown. Rods shall be kept min. 24 inches from foundations. Ground rods are required to be installed at their full specified length. Depth shall be as shown in Detail 1/G1.

SPECIAL CONSIDERATIONS FOR GROUND RODS:

When ground rods are not specified to be backfilled w/ Bentonite Slurry: if boulders, bedrock, or other obstructions prevent driving of ground rods, the Contractor will need to have drilling equipment bore a hole for ground rod placement. Hole to be backfilled w/ Bentonite Slurry.

When specified with slurried Bentonite encasement, drilling equipment will be need to be used to be bore a hole for ground rod placement. Slurry shall be made from pelletized material ("Grounding Gravel"); powdered Bentonite is not allowed. If boulders, bedrock, or other obstructions are found, Contractor shall drill to the specified depth and provide Bentonite encasements.

Above–grade connections shall be by lugs w/ two–hole tongues unless noted otherwise, joined to solid leads by welding (*T&B 54856BE "BROWN"*), self–threading (*RECOGNIZED, EM 2522DH.75.312*), or 10,000psi crimping (*BURNDY YA3C 2TC 14E2*). Surfaces that are galvanized or coated shall have coating(s) removed prior to bolting. Bolts shall be stainless steel with flat washers on each side of the connection and a lock washer beneath the fastening nut. Star–tooth washers shall be used between lug & dissimilar metal (copper–to–steel, etc) but are not required between tin–clad CU lugs & tin–clad CU bus bars. Lug tongues shall be coated with anti–oxidant compound, and excess compound wiped clean after bolting. The connection shall then be coated with cold–galvanizing compound, or with color–matching paint.

Ground bars exposed to weather shall be tin–clad copper, and shall be clean of any oxidation prior to lug bolting.

Galvanized items shall have zinc removed within 1" of weld area, and below lug surface contact area. After welding or bolting, the joint shall be coated with cold galvanizing compound.

Ground Bar leads

Ground bars are isolated electrically from tower bottoms and equipment shelters by their standoff mounts. Leads from each ground bar to the ground ring shall be a pair of #2 SBTC, each connected to Lead 1 bi–directionally with #2 SBTC 'jumpers'. Pairs of #2 SBTC may be required between ground bars. Leads shall be routed to ground bars as follows:

* The Main Ground Bar (MGB), typically mounted inside on the equipment shelter 'back' wall.
* The Entry Cable Port Ground Bars (ECPGB), mounted inside and outside on the equipment shelter walls beneath the transmission line port. Note: Transmission line grounds also attach to the ECPGBs.
* The Transmission Line Ground Bar (TGB) mounted at the base of the tower to which the transmission line grounds are attached. Transmission line grounds also attach to the TGBs.

NOTE: Contractor shall confirm that TGBs exist at 75–foot vertical intervals on any guyed or self–support tower, and that transmission lines are grounded to each TGB. Only the bottom–most TGB is isolated from the tower steel frame; upper TGBs may use the tower steel frame as common ground, requiring no copper leads between TGBs.

#2 SBTC Whip leads

"Whip" leads shall connect the buried external ground ring to the following items:

Monopole Towers:
* Three whips to flanges on the monopole base, at least 90° apart. If none are provided, attach to the baseplate or consult tower manufacturer.

Self–Support Towers:
* Two whips to flange(s) on each tower leg base. If none are provided, attach to the baseplate or consult tower manufacturer.

Guyed Towers:
* Two whips to flange(s) on the tower base. If none are provided, attach to the baseplate or consult tower manufacturer.
* Establish a Lead 1 within the fence enclosure of each guy anchor, at least 40 foot perimeter and having 4 ground rods.
* #2 SBTC leads shall extend up, and be clamped (bronze clamshell or equal), to any two guy wires. NEVER weld leads to the guy wires. The lead to the guy anchor 'hand' plate may be welded.

Fences:
Metallic fence within 25 feet of tower Lead 1, or within 6 feet of shelter lead 1, shall have whip leads as follows:
* Each corner post.
* Each pair of gate posts.
* Any line post over 20'–0" from a grounded post.
* Each gate leaf to its respective gatepost using braided strap (3/4", tin–clad copper w/ lug ends).
* Fences around guy anchors shall be grounded in similar fashion.

Fuel tanks:
NEVER WELD to any fuel enclosure. NEVER penetrate the fuel containment. Metal tanks shall have one whip lead attached. Use an approved clamp or two–hole lug on an available flange.

Equipment Shelter and Other General Requirements:
* Extend new Lead 21B up to shelter halo, remaking two–way connections as needed. Generator–equipped shelters have 6 such connections. Connections within the shelter shall be by compression; NEVER weld inside the shelter.
* Each vertical support pipe of the exterior cable bridge. Bridge end shall be kept at least 6" from the tower structure. The cable bridge shall be jumpered to the vertical support pipes with #2 SBTC at each vertical support pipe.
* Opposite corners of the roof shield over the equipment shelter.
* Each HVAC unit shield, if separate (may be 'jumpered' to main roof shield).
* Each HVAC package unit.
* Commercial electric meter box.
* Generator receptacle, if present.
* Steel building skid, if shelter is metal frame.
* Each air intake or exhaust fan vent louver.
* Each generator vent hood or louver.
* Generator exhaust stack, external.
* Opposite corners of generator support frame, if separate from shelter.
* Generator fuel tank, if separate from generator unit.
* Host building rain gutter, downspouts, and roof flashings within 25 feet.
* Telco MPOP (Main Point of Presence), if external to equipment shelter.
* Within cable vaults, one each to the ladder and to the manhole rim.

Note: The door frame is connected to the interior ground halo, and need no separate connection to the external ground ring.

Inspection & Testing

Test lead #1 and ground rods after installation but before backfilling or connecting to any other grounding, using the 3–point fall of potential method. Contractor to notify Verizon Wireless senior construction engineer at least 48 hours prior to testing. Document installation and test results with photographs.

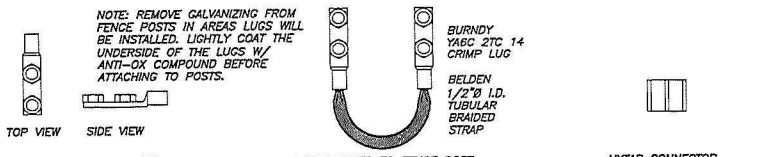
SYMBOL AND NOTE LEGEND

—①—		#2 SBTC AROUND SHELTER, TOWER, OR GUY ANCHOR
●		5/8" X 10'–0" GALVANIZED STEEL GROUND ROD
◉		TEST WELL PREFERRED LOCATION
———		#2 SBTC 'WHIP' LEAD
——⑤——		(2) #2 SBTC FROM MGB, PGB, OR TGB TO LEAD 1
Ⓐ	AC	HVAC UNIT
(21B)	BC	BUILDING CORNER
Ⓑ	BO	BOLLARD
Ⓒ	CBS	CABLE BRIDGE SUPPORT POST
Ⓕ	FAN	GUY ANCHOR PLATE
Ⓕ	FP	FENCE POST
⌒	GP	GATE POST, 3/4" BRAID STRAP TO LEAF
Ⓖ	GUY	GUY WIRE, MECH. CLAMP ONLY – NO WELDS
Ⓗ	HL	HOOD OR LOUVER
Ⓗ	HB	OUTSIDE OF HOFFMAN BOX
Ⓜ	EM	COMMERCIAL ELECTRICAL METER
④	EL	ELECTRICAL SERVICE GROUND
Ⓜ	MU	GENERATOR MUFFLER
Ⓡ	RBR	FOUNDATION REINFORCING
Ⓡ	RS	ROOF SHIELD
Ⓢ	SB	STEEL BEAM
Ⓢ	SP	STEEL POST
Ⓣ	TEL	HOFFMAN BOX
Ⓣ	TWR	TOWER BASE
Ⓥ	VP	DIESEL FUEL VENT PIPE

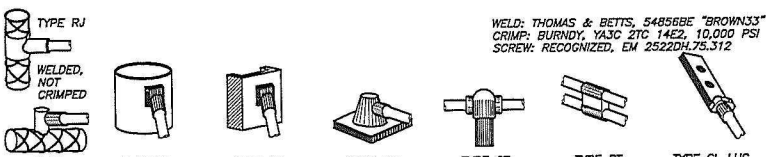
Note:
Contractor to provide #2 solid bare tin–clad (SBTC) copper wire lead from #1 ground ring to air conditioner & ice shield if provided by VZW.

LEAD IDENTIFICATION & DESCRIPTION:

1	RING, EXTERNAL BURIED w/ RODS	#2 SBTC
1A	RING, CONCRETE ENCASED	#2 SBTC
2	DEEP ANODE (TO IMPROVE OHMS)	ROD OR PIPE
3	RING TO BLDG STL FRAME	#2 SBTC
4	MAIN AC PANEL NEUTRAL BUS TO (2) GROUND RODS, ISOLATED FROM LEAD #1	NEC 250.66
5	RING TO GROUND BAR	(2) #2 SBTC
6	RING TO EXT MTL OBJECT	#2 SBTC
7	DEEP ANODE TO MGB	NSTD33–9
8	AC PANEL TO WATER METER	NEC 250.66
9	EXT WATER TO INT WATER PIPES	NSTD33–9
10	INT WATER PIPE TO MGB	NSTD33–9
11–12	NOT USED	
13	AC PANEL TO MGB	NSTD33–9
14	MGB/FGB TO BLDG STL FRAME	#2/0 I–STR
14C	MGB/FGB TO ROOF/WALL MTL PNL	#1/0 I–STR
15	MGB/FGB TO FGB–HE SAME FLOOR	#2/0 I–STR
16	NOT USED	
16A	ECPGB TO CABLE ENTRY RACK	#1/0 I–STR
17	MGB TO CABLE SHIELDING	#6 I–STR
17A	ECPGB TO CABLE SHIELDING	#6 I–STR
17B	MGB/FGB TO F–O SPLICE SHELF	#1 I–STR
18	LOWEST MGB/FGB TO HIGHEST FGB	#2/0 I–STR
19	LEAD 18 TO OTHER FGBs, <6'	#2/0 I–STR
20	MGB/FGB TO BRANCH AC PNL	#6 I–STR
20A	NEAREST GRND TO DISCONNECT PNL	NEC 250.66
20B	GWB TO AC DISTR PNL	#6 I–STR
21	MGB/FGB TO INT HALO	#2 I–STR
21A	INTERIOR 'GREEN' HALO	#2 I–STR
21B	INT HALO TO EXT RING	#2 SBTC
21C	INT HALO TO EQUIPMENT MTL	#6 I–STR
22	ROOF TOWER RING TO ROOF GRND	NFPA 780
23	MGB/FGB TO ECPGB, SAME FLOOR	#1 I–STR
23A	MGB/FGB TO CXR–HF LINR PROT	#6 I–STR
24	ECPGB TO EACH PROTECTOR ASSEMBLY	#6 I–STR
24A	LOWER PROT ASSY TO UPPER	#6 I–STR
25	RING TO NEAREST LIGHTNING ROD	#2 SBTC
26	LGHTNG ROD SYS TO NEARBY MTL	NFPA 780
27	RING TO TOWER RING	(2) #2 SBTC
28	RING TO SHELTER RING	(2) #2 SBTC
29	BRANCH AC PNL TO BTTY CHG FRM	NSTD33–11
30	BRANCH AC PNL TO OUTLETS	NSTD33–11
31	MGB/FGB TO PWR, BTTY FRAMES	#2/0 I–STR
32	#31 TO BATTERY CHARGER FRAME	#6 I–STR
33	#31 TO BATTERY RACK FRAME	#6 I–STR
34	#31 TO PCU FRAME	#6 I–STR
35	#31 TO DSU FRAME	#6 I–STR
36	#31 TO PDU FRAME	#6 I–STR
37	MGB/FGB TO BTTY RETURN	NSTD33–14.5
37A	MGB/FGB TO RTN TERM CARR SUPP	#6 I–STR
38	FGB TO PDU GB	#750MCM I–STR
38A	FGB TO PDU GB CARRIER SUPPLY	#2/0 I–STR
39	DC BUS DUCT TO NEXT SECTION	#6 I–STR
40	DC BUS DUCT TO MGB/FGB	#6 I–STR
41A	MGB/FGB TO #58	#2/0 I–STR
42–44	NOT USED	
45	MAIN AC PNL TO BRANCH AC PNL	NSTD33–11
46	BRANCH AC PNL TO DED OUTLET	NSTD33–11
47	FGB TO INTEG FRM	#2 I–STR
48	LEAD #31 TO INTEG FRM	#6 I–STR
49	INTEG FRM TO EQUIP SHELF	BY FASTENERS
50	PDU BTTY RET TO #51	#2/0 I–STR
51	#50 TO TRANS FRM ISO DC PWR	#6 I–STR
52	TRANS FRM FUSE TO FRM OR BAR	#8 I–STR
53A	MGB/FGB TO PDF/BDFB	NSTD33–22
54	MGB/FGB TO STATIC DEVICES	#6 I–STR
55	MGB/FGB TO CABLE AT ENTRY	#6 I–STR
55	MGB/FGB TO AC PWR RADIO XMTR	#6 I–STR
57A	MGB/FGB TO CBL GRID/RUNWAY	#2/0 I–STR
58A	#41A TO AISLE FRAME	#2 I–STR
59A	#58A TO EACH SGL FRAME GRND	#6 I–STR
60–89	NOT USED	
90	GENERATOR FRAME TO EXT RING	#2 SBTC



2 COMPRESSION CONNECTOR DETAILS
SCALE: NONE



1 EXOTHERMIC WELD DETAILS
SCALE: NONE

ROBERT J. DAVIS
LICENSED ARCHITECT
12427
STATE OF MINNESOTA

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly registered Architect under the laws of the State of Minnesota.
ROBERT J. DAVIS, Reg. No. 12427

Signed:
10-06-17
Date:

DESIGN 1
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VERIZON WIRELESS
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(612) 720-0052

LOCATION CODE: 289979

PROJECT
20141032247

MINC
HUMBOLDT

1000 69TH AVENUE NORTH
BROOKLYN CENTER, MN 55430

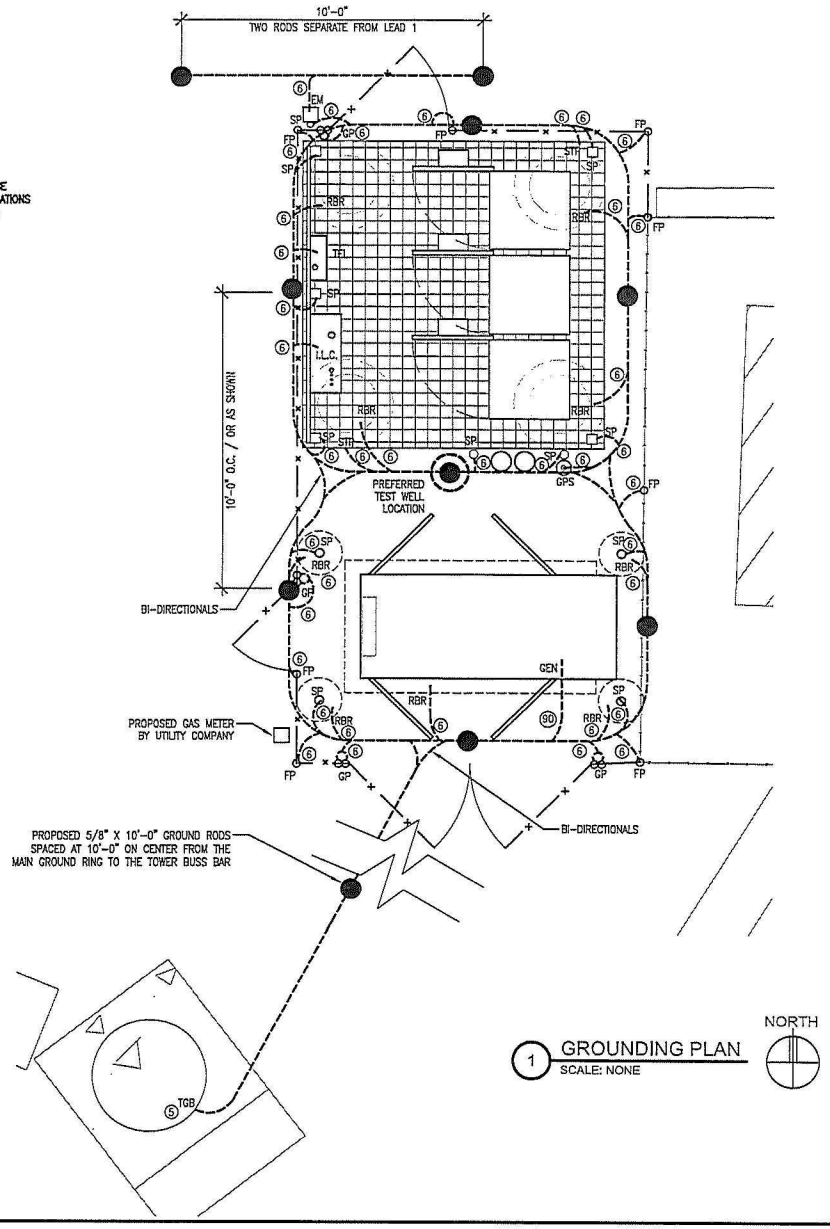
SHEET CONTENTS:
GROUNDING NOTES

DRAWN BY:	STACEY R.
DATE:	02-06-15
CHECKED BY:	MJS
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REV. 1	09-03-15
REV. 2	09-18-15
REV. 3	11-18-15
REV. 4	12-03-15
REV. 5	10-06-17

G-1

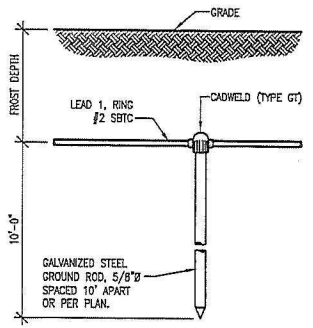
NOTE:
ALL PROPOSED EQUIPMENT CABINETS TO BE GROUNDED PER MANUFACTURER'S SPECIFICATIONS AND ATTACHED TO THE MAIN GROUND BAR

NOTE:
CONCRETE SLAB REBAR TO BE GROUNDED IN (2) SEPARATE LOCATIONS & ATTACHED TO GROUND RING.

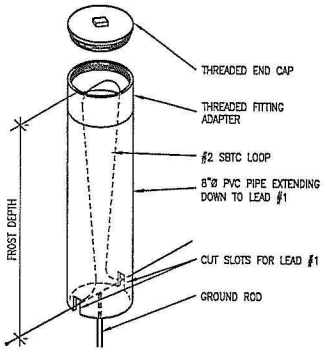


1 GROUNDING PLAN
SCALE: NONE

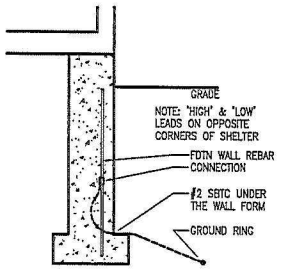
NOTE:
CONTRACTOR SHALL ENSURE THAT EACH WHIP IS ROUTED TO LEAD 1 BY THE SHORTEST PATH, AND BENDS SHALL NOT BE LESS THAN 12" RADIUS



2 GROUND ROD DETAIL
SCALE: 1/2" = 1'-0"



3 TEST WELL DETAIL
SCALE: 3/4" = 1'-0"



4 REBAR GROUNDING
SCALE: 3/8" = 1'-0"

ROBERT J. DAVIS
LICENSED ARCHITECT
12427
STATE OF MINNESOTA

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly registered Architect under the laws of the State of Minnesota.
ROBERT J. DAVIS, Reg. No. 12427

Signed:
10-06-17
Date:

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LOCATION CODE: 299978

PROJECT
20141032247

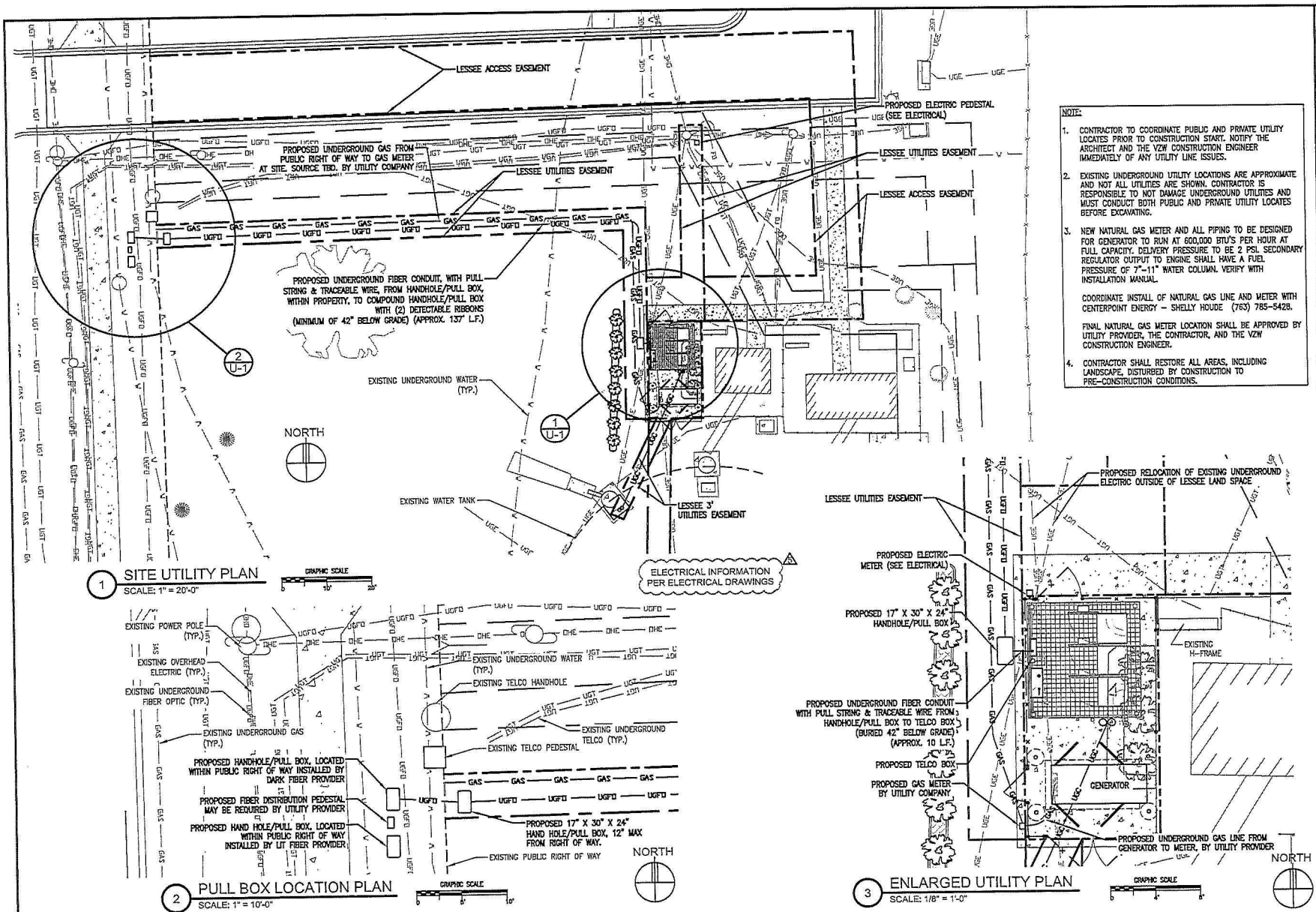
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HUMBOLDT

1000 69TH AVENUE NORTH
BROOKLYN CENTER, MN 55430

SHEET CONTENTS:
GROUNDING PLAN
GROUNDING DETAILS

DRAWN BY:	STACEY R.
DATE:	02-06-15
CHECKED BY:	MJS
REV. 0	08-10-15
REV. 1	09-03-15
REV. 2	09-18-15
REV. 3	11-18-15
REV. 4	12-03-15
REV. 5	10-06-17

G-2



NOTE:

1. CONTRACTOR TO COORDINATE PUBLIC AND PRIVATE UTILITY LOCATES PRIOR TO CONSTRUCTION START. NOTIFY THE ARCHITECT AND THE VZW CONSTRUCTION ENGINEER IMMEDIATELY OF ANY UTILITY LINE ISSUES.
2. EXISTING UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND NOT ALL UTILITIES ARE SHOWN. CONTRACTOR IS RESPONSIBLE TO NOT DAMAGE UNDERGROUND UTILITIES AND MUST CONDUCT BOTH PUBLIC AND PRIVATE UTILITY LOCATES BEFORE EXCAVATING.
3. NEW NATURAL GAS METER AND ALL PIPING TO BE DESIGNED FOR GENERATOR TO RUN AT 600,000 BTU'S PER HOUR AT FULL CAPACITY. DELIVERY PRESSURE TO BE 2 PSI. SECONDARY REGULATOR OUTPUT TO ENGINE SHALL HAVE A FUEL PRESSURE OF 7"–11" WATER COLUMN. VERIFY WITH INSTALLATION MANUAL.

   COORDINATE INSTALL OF NATURAL GAS LINE AND METER WITH CENTERPOINT ENERGY – SHELLY HOUDE (763) 785–5428.

   FINAL NATURAL GAS METER LOCATION SHALL BE APPROVED BY UTILITY PROVIDER, THE CONTRACTOR, AND THE VZW CONSTRUCTION ENGINEER.
4. CONTRACTOR SHALL RESTORE ALL AREAS, INCLUDING LANDSCAPE, DISTURBED BY CONSTRUCTION TO PRE–CONSTRUCTION CONDITIONS.

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LOCATION CODE: 289979

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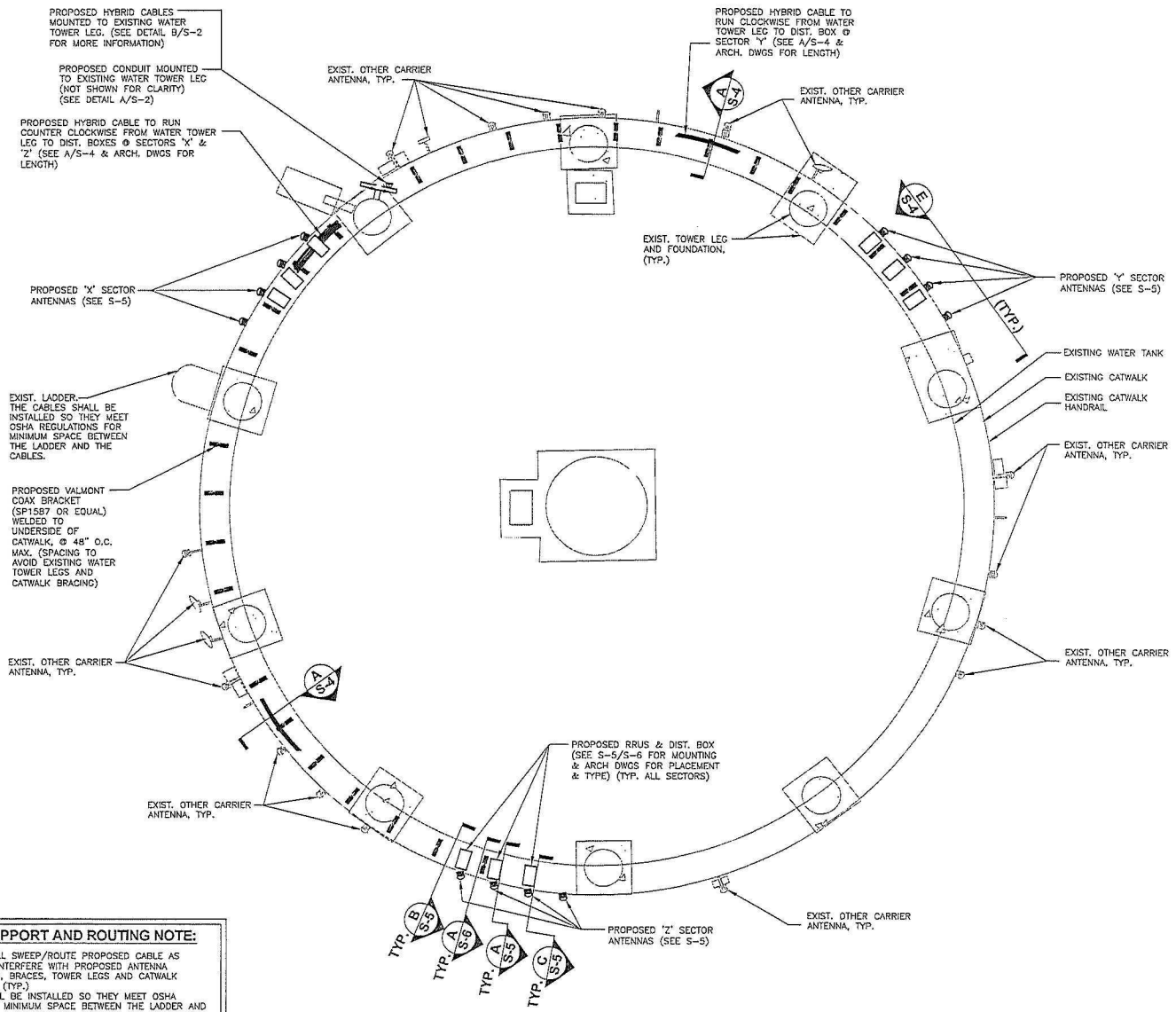
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BROOKLYN CENTER, MN 55430

SHEET CONTENTS:
SITE UTILITY PLANS
PULL BOX LOCATION PLAN

DRAWN BY:	STACEY R.
DATE:	02-06-15
CHECKED BY:	MJS
REV. 0	08-10-15
REV. 1	09-03-15
REV. 2	09-18-15
REV. 3	11-18-15
REV. 4	12-03-15
REV. 5	10-06-17

U-1



PROP. COAX SUPPORT AND ROUTING NOTE:

1. CONTRACTOR SHALL SWEEP/ROUTE PROPOSED CABLE AS NEEDED TO NOT INTERFERE WITH PROPOSED ANTENNA MOUNTING FRAMES, BRACES, TOWER LEGS AND CATWALK SUPPORT BRACES (TYP.)
2. THE CABLES SHALL BE INSTALLED SO THEY MEET OSHA REGULATIONS FOR MINIMUM SPACE BETWEEN THE LADDER AND THE CABLES.

PLAN @ PROPOSED ANTENNA & COAX LAYOUT

3/32" = 1'-0"

A

Ulteig
4993 Lexington Avenue N.
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St. Paul - Rosemont - Denver - Detroit Lakes - Fargo - Rapid City
Web: www.ulteig.com

I hereby certify that this plan specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Typed or Printed Name: ISAAC ODLAND

Signature:

Lic. No.: 47985

Date: 10-06-17

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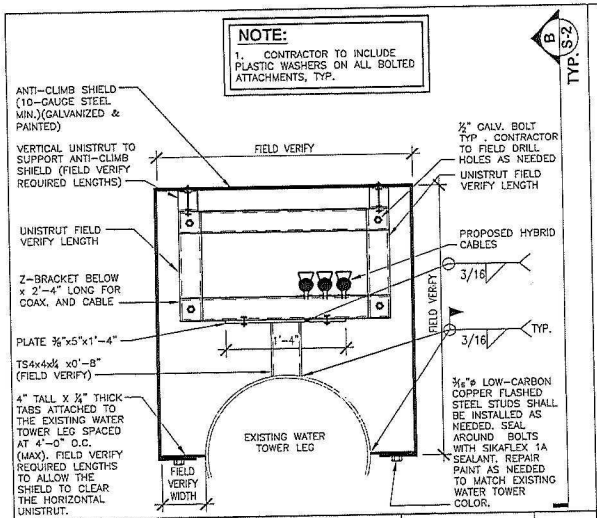
69TH AVENUE NORTH
BROOKLYN CENTER, MN 55430

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PLAN VIEW

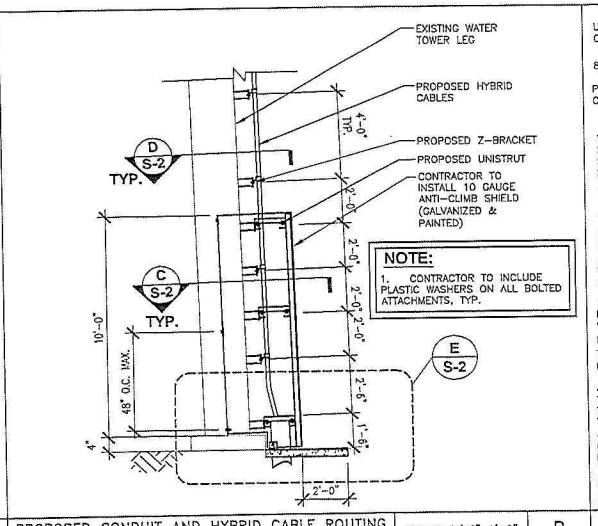
DRAWN BY:	GJP
DATE:	10-06-17
CHECKED BY:	IJO
REV. 5	

UEI PROJ. # 15.00359

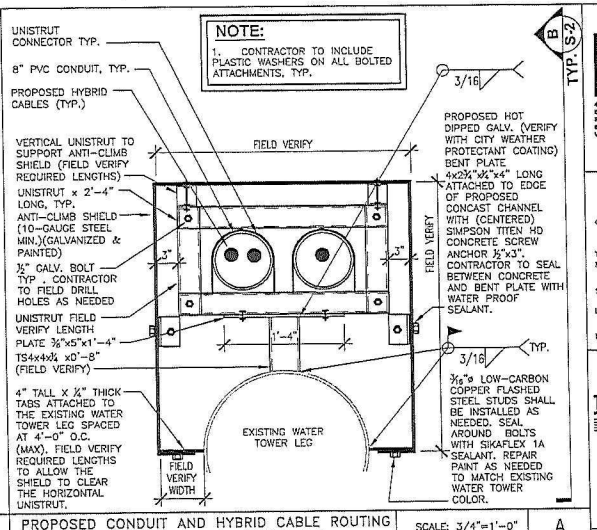
S-1



PROPOSED HYBRID CABLE ROUTING AT EXISTING WATER TOWER LEG | SCALE: 3/4"=1'-0" | C



PROPOSED CONDUIT AND HYBRID CABLE ROUTING AT EXISTING WATER TOWER LEG | SCALE: 3/16"=1'-0" | B



PROPOSED CONDUIT AND HYBRID CABLE ROUTING AT EXISTING WATER TOWER LEG | SCALE: 3/4"=1'-0" | A

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I hereby certify that this plan specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Typed or Printed Name: ISAAC ODLAND

Signature:

Lic. No.: 47985

Date: 10-06-17

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PROP. HYBRID CABLE SUPPORT AND ROUTING NOTES:

1. CONTRACTOR SHALL SWEEP/ROUTE PROPOSED HYBRID CABLE AS NEEDED TO NOT INTERFERE WITH PROPOSED ANTENNA MOUNTING FRAMES AND BRACES.
2. CONTRACTOR SHALL ROUTE AND INSTALL THE PROPOSED HYBRID CABLE TO THE PROPOSED COAX BRACKETS WITH SNAP-IN HANGERS GROMMETS. CONTRACTOR SHALL COMPLETE ANY AND ALL REPAIRS AS REQUIRED PRIOR TO THE INSTALLATION OF THE PROPOSED HYBRID CABLE. (REPAIR PAINT AS NEEDED TO MATCH EXISTING AFTER REPAIRS).

NOTES:

1. CONTRACTOR TO REPAIR AND PAINT TO MATCH EXISTING WATER TOWER AS REQUIRED AFTER PLACEMENT OF PROPOSED ANTENNA MOUNTING HARDWARE.
2. CONTRACTOR TO INSTALL WELDED INSERTS ON BOTH ENDS OF THE ANTENNA MOUNTING PIPES PRIOR TO INSTALLATION.
3. CONTRACTOR SHALL UTILIZE NEOPRENE STRIPS ON HARDWARE WHERE CONTACT IS MADE WITH PAINTED SURFACES. FASTENING SEQUENCE SHOULD INCLUDE NYLON WASHERS BETWEEN THE PAINTED SURFACE AND THE GALVANIZED WASHER.

NOTES:

1. CONTRACTOR TO INSTALL HOIST GRIPS TO SECURE HYBRID CABLE ON J-BOLTS.

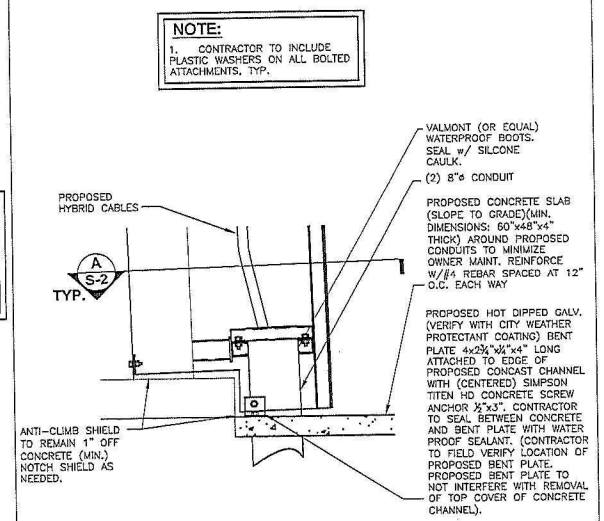
PAINTING / GALVANIZING NOTES:

1. PROPOSED ANTENNAS INSTALLED ON THE EXTERIOR OF THE WATER TOWER SHALL BE SHOP PAINTED TO MATCH THE EXISTING WATER TOWER COLOR. (VERIFY COLOR).
2. ALL EXPOSED JUMPERS AND HYBRID CABLES SHALL BE PAINTED TO MATCH THE EXISTING WATER TOWER COLOR. (VERIFY COLOR).
3. PROPOSED MOUNTING PIPES AND ALL MOUNTING HARDWARE IS TO BE GALVANIZED AND OR PROVIDED IN A NON-CORRODING MATERIAL.

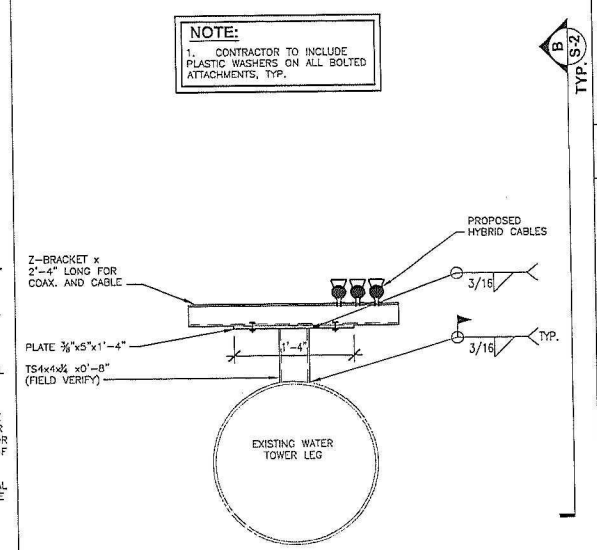
NOTE:

1. IN GENERAL WHERE ANGLE ADAPTERS, CLAMPS OR ANY OTHER AREAS OF WHICH THERE IS METAL TO METAL CONTACT, PROVIDE A NEOPRENE AND TAPE COLORED CLOSELY TO MATCH THE TOWER COLOR BETWEEN THE PART AND THE BASE MATERIAL TO PREVENT EXCESS DAMAGE TO THE COATING AND PROVIDE A MOISTURE BARRIER IN THE EVENT OF COATING DAMAGE IF ANGLE ADAPTERS ARE USED, PROVIDE THE NEOPRENE BARRIER AND A METAL SHIM.

NOTES | NO SCALE | F



PROPOSED CONDUIT AND COAX ROUTING AT EXISTING WATER TOWER LEG | SCALE: 3/4"=1'-0" | E



PROPOSED HYBRID CABLE ROUTING AT EXISTING WATER TOWER LEG | SCALE: 3/4"=1'-0" | D

VERIZON WIRELESS
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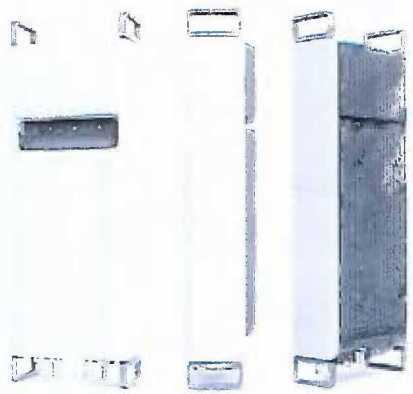
UEI PROJ. # 15.00359

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ERICSSON RRUS 32 B2 W/ SOLAR SHIELD & HANDLE

DIMENSIONS, WxDxH: 316x188x700mm 12.44"x7.40"x27.56"

WEIGHT, WITHOUT BRACKETS: 55.12 lbs

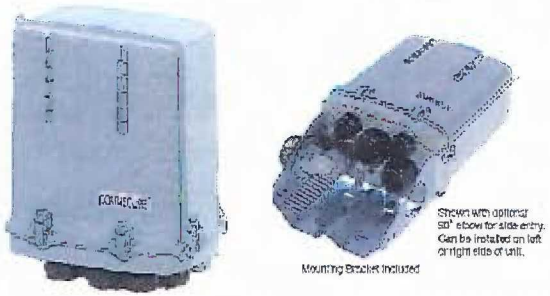


RRU | NO SCALE | C

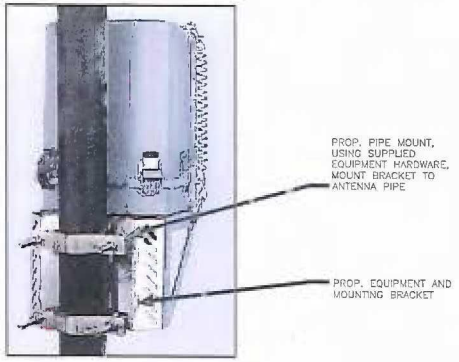
COMSCOPE RxxDC-3315-PF-48

DIMENSIONS, WxDxH: 400x261x584mm (15.73"x10.25"x22.98")

WEIGHT, WITH BRACKETS: 27 lbs



DISTRIBUTION BOX (TOP) | NO SCALE | B



DISTRIBUTION BOX MOUNTING HARDWARE | NO SCALE | A

ERICSSON RRUSB13 W/ A2

DIMENSIONS, WxDxH: 470x187x518mm (18.50"x7.36"x20.39")

WEIGHT, WITHOUT BRACKETS: 80 lbs

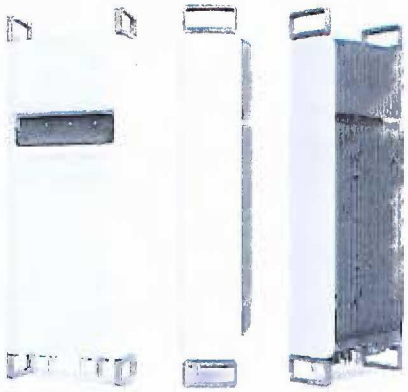


RRUS | NO SCALE | F

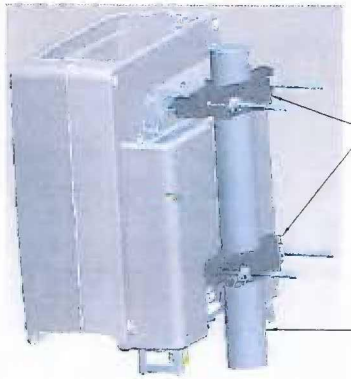
ERICSSON RRUS 32 B66A W/ SOLAR SHIELD & HANDLE

DIMENSIONS, WxDxH: 316x188x700mm 12.44"x7.40"x27.56"

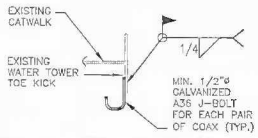
WEIGHT, WITHOUT BRACKETS: 55.12 lbs



RRUS | NO SCALE | E



RRUS-12 W/ SOLAR SHIELD AND RRUS A2 RX MODULE MOUNTING | NO SCALE | D



J-HOOK (IF NEEDED) | NO SCALE | G

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I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Typed or Printed Name: ISAAC ODLAND

Signature:

Lic. No.: 47986

Date: 10-06-17

DESIGN

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VERIZON WIRELESS

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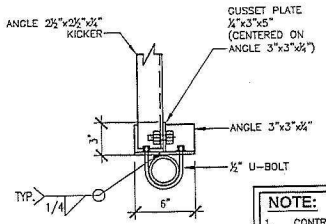
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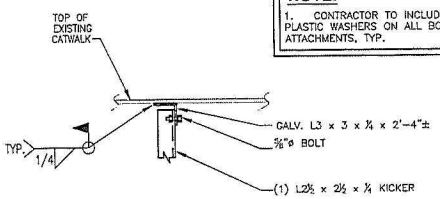
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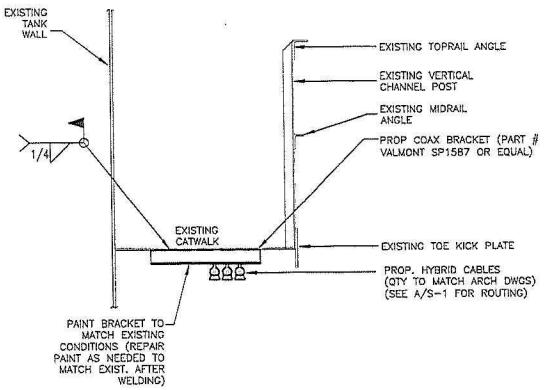
NOTE:
1. CONTRACTOR TO INCLUDE PLASTIC WASHERS ON ALL BOLTED ATTACHMENTS, TYP.

SECTION (TYP.) | SCALE: 1/2"=1'-0" | D

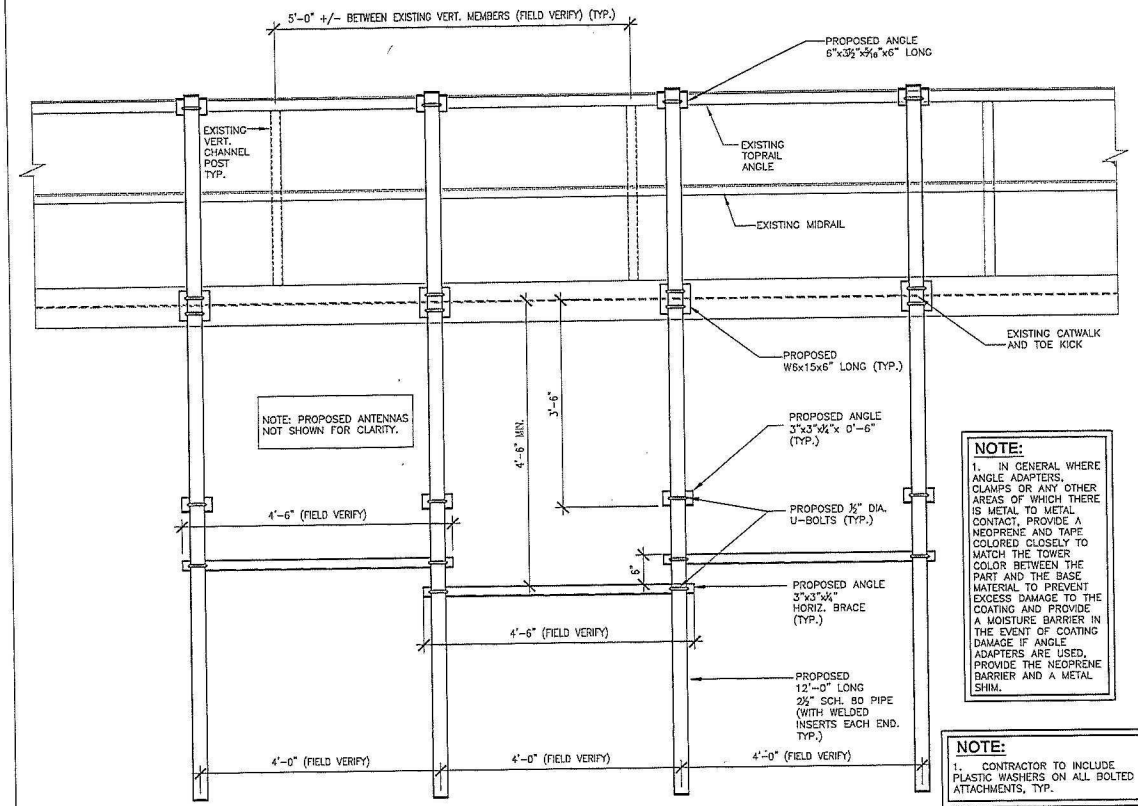


NOTE:
1. CONTRACTOR TO INCLUDE PLASTIC WASHERS ON ALL BOLTED ATTACHMENTS, TYP.

SECTION (TYP.) | SCALE: 1/2"=1'-0" | C



SECTION – CABLE ROUTING (HORIZONTAL) | SCALE: NONE | A



NOTE:
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NOTE:
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PROPOSED ANTENNA MOUNT (TYP. EACH SECTOR) | SCALE: 1/2"=1'-0" | E

NOT USED | SCALE: NONE | B

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Signature:

Lic. No.: 47985

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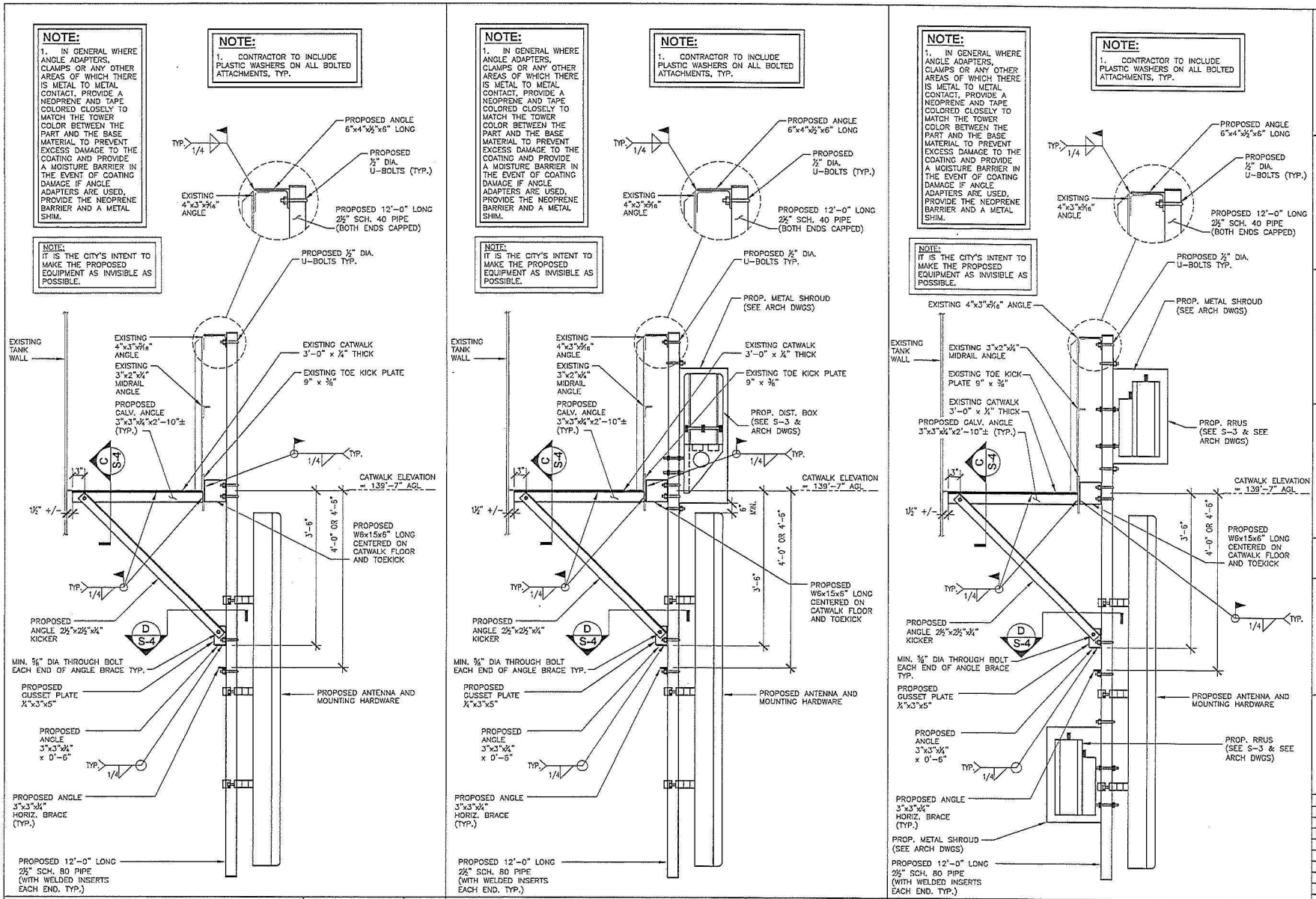
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PROPOSED ANTENNA MOUNT (TYP. ALL SECTORS) | SCALE: 1/2"=1'-0" | C

PROPOSED ANTENNA MOUNT (TYP. ALL SECTORS) | SCALE: 1/2"=1'-0" | B

PROPOSED ANTENNA MOUNT (TYP. ALL SECTORS) | SCALE: 1/2"=1'-0" | A

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NOTE:

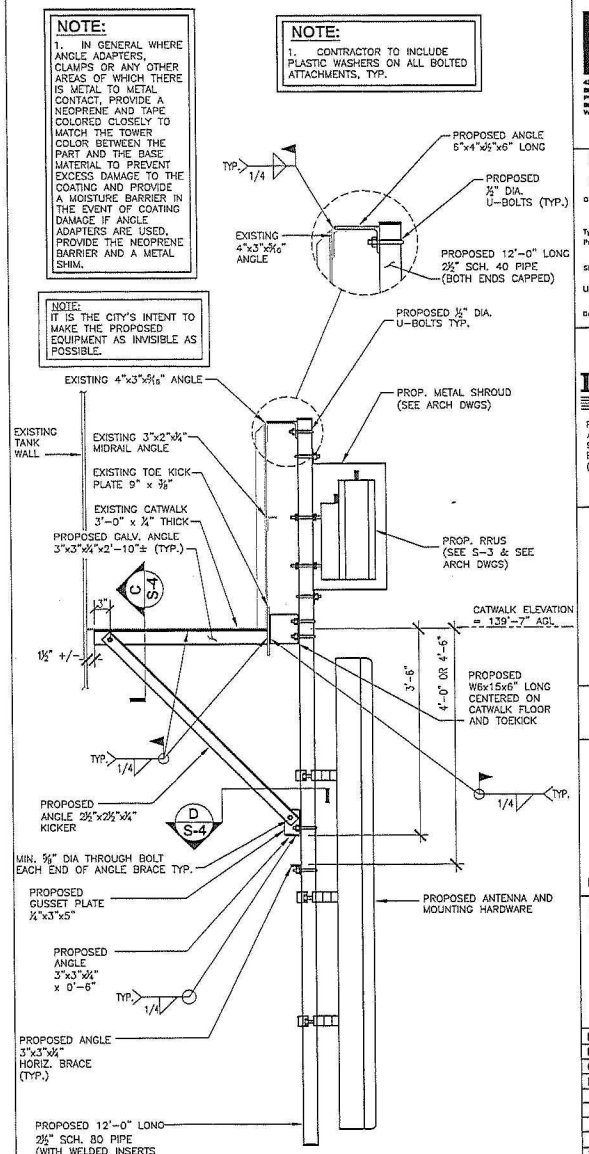
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NOTE:

1. CONTRACTOR TO INCLUDE PLASTIC WASHERS ON ALL BOLTED ATTACHMENTS, TYP.

NOTE:

IT IS THE CITY'S INTENT TO MAKE THE PROPOSED EQUIPMENT AS INVISIBLE AS POSSIBLE.



PROPOSED ANTENNA MOUNT
(TYP. ALL SECTORS)

SCALE: NONE

NOT USED | NO SCALE | C

NOT USED | NO SCALE | B

A

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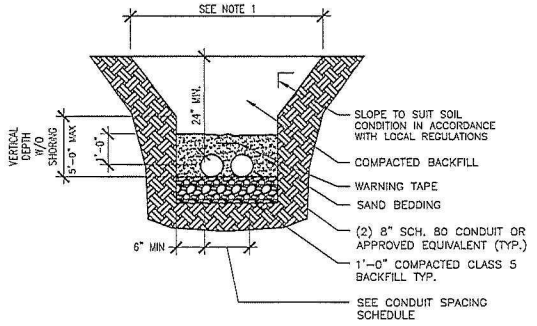
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NOTES

1. CONTRACTOR SHALL RESTORE THE TRENCH TO ITS ORIGINAL CONDITIONS BY EITHER SEEDING OR SODDING GRASS AREAS, OR REPLACING ASPHALT OR CONCRETE AREAS TO ITS ORIGINAL CROSS SECTION.
2. CARE SHALL BE TAKEN BY THE CONTRACTOR WHILE EXCAVATING THE TRENCH FOR PLACING THE PROPOSED UNDERGROUND CONDUITS FROM THE PROPOSED EQUIPMENT SHELTER TO THE WATER TOWER.
3. HAND DIGGING SHALL BE PERFORMED WHERE REQUIRED TO PREVENT INTERFERING WITH OR CAUSING DAMAGE TO THE EXISTING INFRASTRUCTURE, WATER TOWER, OR ANY OTHER STRUCTURE IN THE AREA IMPACTED BY THE INSTALLATION. THIS INCLUDES, BUT IS NOT LIMITED TO, AT THE WATER TOWER WALL, IN THE VICINITY OF ANY OTHER EXISTING STRUCTURE, AND IN THE VICINITY OF EXISTING UNDERGROUND CONDUITS, UTILITY LINES, ETC.
4. A UTILITY LOCATE SHALL BE PERFORMED PRIOR TO THE START OF CONSTRUCTION TO VERIFY ALL EXISTING UNDERGROUND UTILITIES.



UNDERGROUND CONDUIT DETAIL	SCALE: 1/2"=1'-0"	A

DESIGN LOADS
A. WIND LOAD (PER AWWA)
   1. WIND SPEED: 90 MPH
   2. GUST EFFECT FACTOR = 1.0
   3. FORCE COEFFICIENT = 1.0

CODES
A. INTERNATIONAL BUILDING CODE – 2006
B. STATE OF MINNESOTA BUILDING CODE – 2007
C. ASCE 7 – 2005
D. AWWA D100–05

MISCELLANEOUS
A. THE CONTRACTOR IS TO VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS PRIOR TO THE START OF ANY WORK. THE CONTRACTOR IS TO REPORT TO THE STRUCTURAL ENGINEER OF RECORD ANY AND ALL CONFLICTS IN THE CONSTRUCTION DOCUMENTS AND/OR THE ACTUAL CONSTRUCTED CONDITIONS IMMEDIATELY.
B. UNLESS SPECIFICALLY NOTED, NO PROVISIONS HAVE BEEN MADE IN THE STRUCTURAL DOCUMENTS FOR FUTURE EXPANSION OR ADDITION. THE STRUCTURAL MEMBERS HAVE BEEN DESIGNED FOR THEIR FINAL IN PLACE LOADS ONLY (SEE "DESIGN LOADS").
C. THE CONTRACTOR IS RESPONSIBLE FOR BRACING ALL STRUCTURAL ELEMENTS, WITHOUT OVERSTRESSING, AS REQUIRED UNTIL THE ENTIRE PROJECT IS COMPLETE. STOCKPILING OF ANY MATERIALS ON THE STRUCTURAL ELEMENTS IS AT THE CONTRACTOR'S OWN RISK.

DISPOSAL OF DEBRIS
A. ALL MATERIAL TO BE REMOVED SHALL BECOME THE PROPERTY OF THE CONTRACTOR. MATERIALS SHALL BE DISPOSED OF OFF SITE AT A LOCATION SECURED AND ARRANGED FOR BY THE CONTRACTOR. BURNING OR BURIAL OF DEBRIS ON SITE SHALL NOT BE ALLOWED. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR THE ACCEPTANCE OF THE MATERIAL AND FOR ANY DAMAGES RESULTING FROM ITS OPERATIONS. ALL COSTS ASSOCIATED WITH DISPOSAL OF DEMOLITION MATERIAL OR DEBRIS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

SITE MAINTENANCE AND FINISHING OPERATIONS
A. THE CONTRACTOR SHALL TAKE REASONABLE MEASURES TO MINIMIZE DUST AND NOISE DURING THEIR OPERATIONS. THE CONTRACTOR SHALL ADHERE TO ALL REQUIREMENTS OF THE CITY TO MINIMIZE THE DUST TRACKING OF MUD AND DEBRIS OFF-SITE DURING AND AFTER DEMOLITION. WATER OR OTHER METHODS OF DUST CONTROL SHALL BE USED IF NECESSARY.
B. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SECURITY OF THE SITE AND PROTECTION FROM THE SAFETY HAZARDS DURING THEIR OPERATIONS.

STRUCTURAL STEEL
A. DESIGN CODE:
   1. "SPECIFICATION FOR THE DESIGN, FABRICATION, AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS" (AISC), LATEST EDITION.
   2. STEEL CONSTRUCTION MANUAL (AISC), LATEST EDITION.
B. MATERIALS:
   1. WIDE FLANGE SHAPES – ASTM A992 (Fy = 50 KSI)
   2. HOLLOW STRUCTURAL SECTIONS (HSS) – ASTM A500, GR. B (Fy=46 KSI)
   1. PIPE STEEL – ASTM A53, GRADE B (Fy = 35 KSI)
   4. WELDING ELECTRODES – ASTM A233 E70 SERIES.
   5. CONNECTION BOLTS – ASTM A325
   6. MISCELLANEOUS STEEL – ASTM A36
C. INSTALLATION NOTES
   1. SHOP AND FIELD WELDING IS TO BE PER AWS D1.1, LATEST EDITION. ALL WELDING IS TO BE PERFORMED BY CERTIFIED WELDERS ONLY.
   2. THE STEEL SUPPLIER IS RESPONSIBLE FOR THE DESIGN OF ALL CAP PLATES, BEARING PLATES, BASE PLATES, STIFFENERS, SPLICES, AND CONNECTIONS UNLESS DETAILED ON THE DRAWINGS. THE STEEL SUPPLIER IS TO INCLUDE ALL BOLTS AND HOLES FOR REQUIRED "OSHA" CONNECTIONS.
D. STRUCTURAL STEEL TESTING– THE OWNER, AT HIS OWN EXPENSE, SHALL EMPLOY THE SERVICES OF AN INDEPENDENT TESTING AGENCY TO TEST THE FOLLOWING:
   1. SHOP FABRICATED WORK: PERFORM TESTS NOTED ABOVE, EXCEPT BOLT TESTING MAY BE REDUCED OR DELETED IF THE FABRICATION SHOP SATISFIES THE QUALITY CERTIFICATION PROGRAM OF AISC FOR A CATEGORY 1 FABRICATOR OR A MORE STRINGENT CRITERIA. TESTING MAY ALSO BE WAIVED IF THE FABRICATOR IS APPROVED BY BOTH THE BUILDING OFFICIAL AND THE STRUCTURAL ENGINEER OF RECORD.
   2. WELDING, AS FOLLOWS:

      FILLET WELDS: VISUALLY INSPECT 100% OF ALL FILLET WELDS FOR SIZE, LENGTH, AND QUALITY PER AWS D1.1.

      PARTIAL PENETRATION WELDS: TEST 100% OF ALL PARTIAL PENETRATION WELDS EXCEEDING 5/16 INCH USING A MAGNETIC PARTICLE TESTER PER ASTM E109. PERFORM TESTING ON BOTH THE ROOT PASS AND THE FINISHED WELD.

      FULL PENETRATION WELDS: TEST 100% OF ALL FULL PENETRATION WELDS EXCEEDING 5/16 INCH USING AN ULTRASONIC TESTER PER AWS D.1.1 SECTION 6. TEST 25% OF ALL FULL PENETRATION WELDS LESS THAN 5/16 INCH USING A MAGNETIC PARTICLE TESTER PER ASTM E109. PERFORM TESTING ON BOTH THE ROOT PASS AND THE FINISHED WELD.

      PROCEDURES AND PREPARATION: VERIFY THE FOLLOWING:

      I. QUALIFICATIONS OF ALL WELDERS AS AWS CERTIFIED
      II. PROPOSED WELDING PROCEDURES AND MATERIALS
      III. ADEQUATE PREPARATION OF FAYING SURFACES
      IV. PREHEAT AND INTERPASS TEMPERATURES OF STEEL
      V. PROPER TECHNIQUE AND SEQUENCE OF WELDING, CLEANING, AND NUMBER OF PASSES
      VI. BACKER BARS ARE REMOVED AND EXPOSED SURFACE FILED CLEAN

   3. ALL TESTING REPORTS SHALL BE SUBMITTED TO THE OWNER.

E. STRUCTURAL STEEL GALVANIZING:
   1. ALL STRUCTURAL STEEL SHALL BE HOT DIPPED GALVANIZED IN ACCORDANCE WITH ASTM A123.
   2. ALL SURFACES TO BE WELDED SHALL BE STRIPPED OF ALL PAINT AND HOT DIPPED GALVANIZING PROTECTIVE COATING PRIOR TO WELDING TO ENSURE A QUALITY STRUCTURAL WELD.
   3. ALL WELDED SURFACES SHALL BE PAINTED WITH MINIMUM TWO COATS OF COLD GALVANIZING PAINT.
   4. ALL FIELD CUT SURFACES AND FIELD DRILLED HOLES SHALL BE PAINTED WITH MINIMUM TWO COATS OF COLD GALVANIZING PAINT.

GENERAL NOTES
A. WITHIN THESE PLANS AND SPECIFICATIONS, "OWNER" IMPLIES VERIZON WIRELESS.

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UEI PROJ. # 15.00359

S-7

GENERAL STRUCTURAL NOTES

1. BUILDING CODES USED FOR DESIGN:
   a. MINNESOTA BUILDING CODE, 2015 EDITION. (IBC 2012)

2. DESIGN LOADS:
   a. WIND LOAD CRITERIA
      METHOD USED: ASCE 7-10
      BASIC WIND SPEED — V = 115 MPH
      WIND LOAD RISK CATEGORY — II
      WIND LOAD EXPOSURE — C
      WIND TOPOGRAPHIC FACTOR — Kzt = 1.0
   b. SNOW LOAD CRITERIA
      GROUND SNOW LOAD: — Pg = 50 PSF
      SNOW LOAD IMPORTANCE FACTOR — Is = 1.0
      SNOW LOAD EXPOSURE FACTOR — Ce = 1.0
      SLOPED ROOF/FLAT ROOF FACTOR — Cs = 1.0
      ROOF THERMAL FACTOR — Ct = 1.2
      ROOF SNOW LOAD — Ps = Pg(0.7)(Is)(Ce)(Cs)(Ct) = 42 PSF
   c. MISC. LOADS:
      EQUIPMENT WEIGHT — SEE PLAN
      PLATFORM LIVE LOAD — 60 PSF

3. DESIGN STRESSES:
   a. CONCRETE:

CONCRETE MIX DESIGN (ACI 318-11, CH. 4 - DURABILITY REQUIREMENTS)					
MEMBER TYPE/ LOCATION	STRENGTH @ 28 DAYS	EXPOSURE CLASSES	MAX W/C RATIO	MAXIMUM AGGREGATE	AIR CONTENT (SEE NOTE 1)
PIERS	4500 PSI	F1, S0, P0, C0	0.45	1"	4.50%

NOTES:
1.) AIR CONTENT TOLERANCE SHALL BE +/-1.5%.

   b. REINFORCEMENT — Fy = 60,000 PSI ASTM A615 (DEFORMED BARS)
   c. STRUCTURAL STEEL
      i. WIDE FLANGE SHAPES — Fy = 50,000 PSI ASTM A992
      ii. ALL OTHER SHAPES — Fy = 36,000 PSI ASTM A36
   d. STRUCTURAL TUBING — Fy = 46,000 PSI ASTM A500 GRADE B
   e. STANDARD STEEL PIPE — Fy = 35,000 PSI ASTM A53 GRADE B
   f. PLATES — Fy = 36,000 PSI ASTM A36
   g. BOLTS — Fu = 120,000 PSI ASTM A325
   h. ANCHOR BOLTS — Fu = 58,000 PSI ASTM F1554 GRADE 36
   i. WELD ELECTRODE — Fu = 70,000 PSI

4. CONCRETE COVERAGE FOR REINFORCEMENT:
   a. PIERS — 2" TO TIES, 3" FROM BOTTOM

5. FOUNDATIONS:
   a. IN LIEU OF SOIL BORINGS, FOOTINGS HAVE BEEN DESIGNED FOR A MAXIMUM SOIL BEARING PRESSURE OF 1500 PSF. IT WILL BE THE RESPONSIBILITY OF OTHERS TO VERIFY THIS BEARING CAPACITY, TO ENSURE THAT DAMAGING DIFFERENTIAL SETTLEMENT WILL NOT OCCUR.
   b. ALL PIERS SHALL HAVE A MINIMUM SOIL COVER OF 5'-0" MEASURED FROM BOTTOM OF FOOTING UNLESS OTHERWISE NOTED.

6. REINFORCING STEEL:
   a. THE REINFORCING STEEL CONTRACTOR SHALL FABRICATE ALL REINFORCEMENT AND FURNISH ALL ACCESSORIES, CHAIRS, SPACER BARS AND SUPPORTS NECESSARY TO SECURE THE REINFORCEMENT UNLESS SHOWN OTHERWISE ON THE PLANS AND/OR DETAILS.
   b. CONCRETE REINFORCEMENT SHALL BE PLACED ACCORDING TO THE CRSI "RECOMMENDED PRACTICE FOR PLACING REINFORCING BARS".
   c. COMPRESSION AND TENSION LAP SPLICES FOR CAST-IN-PLACE CONCRETE SHALL BE 38 BAR DIAMETER MINIMUM UNLESS OTHERWISE NOTED.
   d. TOP BARS SHALL BE HOOKED AT END SPANS.
   e. REINFORCING BARS MAY NOT BE WELDED WITHOUT APPROVAL OF THE STRUCTURAL ENGINEER. ONLY ASTM A706 REINFORCEMENT MAY BE WELDED.

7. CONCRETE:
   a. CONCRETE WORK SHALL CONFORM TO ALL REQUIREMENTS OF ACI 301,.
   b. COMPLY WITH ACI 304 FOR MEASURING, MIXING, TRANSPORTING, AND PLACING CONCRETE.
   c. COMPLY WITH ACI 305 FOR HOT WEATHER CONCRETING.
   d. COMPLY WITH ACI 306 FOR COLD WEATHER CONCRETING.

8. STRUCTURAL STEEL:
   a. FABRICATION & ERECTION OF STRUCTURAL STEEL MEMBERS ARE TO BE IN ACCORDANCE WITH A.I.S.C. CODE OF STANDARD PRACTICE.
   b. ALL CONNECTIONS SHALL BE BOLTED OR WELDED. EACH CONNECTION SHALL BE ADEQUATE TO SUPPORT ONE HALF THE TOTAL UNIFORM LOAD CAPACITY OF THE BEAM, UNLESS NOTED OTHERWISE ON THE PLANS. BOLTED CONNECTIONS SHALL HAVE A MINIMUM OF TWO BOLTS.
   c. ALL WELDING SHALL BE BY QUALIFIED WELDERS AND SHALL CONFORM TO THE STANDARDS OF THE AMERICAN WELDING SOCIETY, D1.1-STRUCTURAL WELDING CODE – STEEL. WELDING OF GALVANIZED PARTS IS NOT PERMITTED.
   d. ELECTRODES FOR ALL FIELD AND SHOP WELDING SHALL CONFORM TO MATCHING FILLER METAL REQUIREMENTS OF AWS D1.1.
   e. FIELD CONNECTIONS ARE TO BE BOLTED. USE ¾" DIAM. HIGH STRENGTH BOLTS AND NUTS (A325) UNLESS SHOWN OTHERWISE ON PLANS.
   f. CUTS, HOLES (OPENINGS), ETC. REQUIRED IN STRUCTURAL STEEL MEMBERS FOR THE WORK OF OTHER TRADES SHALL NOT BE ALLOWED, EXCEPT BY WRITTEN PERMISSION FROM THE ARCHITECT.
   g. ALL EXTERIOR STRUCTURAL STEEL, MISCELLANEOUS METALS, BAR GRATING AND HARDWARE SHALL BE HOT-DIPPED GALVANIZED IN CONFORMANCE WITH ASTM A153 AND ASTM A123.
   h. WELDING OF GALVANIZED MATERIALS IS NOT ALLOWED. REMOVE GALVANIZING BEFORE FIELD WELDING. WELDS SHALL BE SPRAYED WITH ZINC RICH PAINT.

9. CONSTRUCTION PROCEDURE:
   a. THE STRUCTURE SHALL BE ADEQUATELY BRACED AND SHORED DURING ERECTION AGAINST WIND AND ERECTION LOADS. STRUCTURAL MEMBERS ARE DESIGNED FOR "IN PLACE" LOADS.
   b. COMPLY WITH ALL APPLICABLE CITY, COUNTY, STATE AND FEDERAL LAWS, INCLUDING THE OCCUPATIONAL SAFETY AND HEALTH ACT (OSHA) AND REGULATIONS ADOPTED PURSUANT THERETO.
   c. THE CONTRACT STRUCTURAL DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE. UNLESS OTHERWISE NOTED, THEY DO NOT INDICATE THE MEANS OR METHOD OF CONSTRUCTION. PROVIDE ALL MEASURES NECESSARY TO PROTECT THE STRUCTURE, WORKMEN OR OTHER PERSONS DURING CONSTRUCTION. SUCH MEASURES SHALL INCLUDE, BUT ARE NOT LIMITED TO, BRACING, SHORING FOR CONSTRUCTION EQUIPMENT, SHORING FOR THE BUILDING, SHORING FOR EARTH BANKS, FORMS, SCAFFOLDING, PLANKING, SAFETY NETS, SUPPORT AND BRACING FOR CRANES AND GIN POLES, ETC.
   d. ENGAGE PROPERLY QUALIFIED PERSONS TO DETERMINE WHERE AND HOW TEMPORARY PRECAUTIONARY MEASURES SHALL BE USED AND INSPECT SAME IN THE FIELD. OBSERVATION VISITS TO THE SITE BY ENGINEER'S FIELD REPRESENTATIVE SHALL NOT INCLUDE INSPECTION OF THE ABOVE ITEMS.
   e. SUPERVISE AND DIRECT THE WORK SO AS TO MAINTAIN SOLE RESPONSIBILITY FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES. AS A PART OF THIS RESPONSIBILITY, RETAIN THE SERVICES OF A LICENSED STRUCTURAL ENGINEER TO DESIGN AND SUPERVISE ANY SCAFFOLDING FOR WORKMEN, AND ALL SHORING OF FORMS AND ELEMENTS OF THE CONSTRUCTION.

10. MISCELLANEOUS:
   a. PLACEMENT OF ANCHOR BOLT, PIPE SLEEVES, PADS AND OPENINGS FOR EQUIPMENT SHALL BE COORDINATED BETWEEN THE GENERAL CONTRACTOR AND THE OTHER SUBCONTRACTORS.

11. COORDINATION WITH ARCHITECTURAL DRAWINGS:
   a. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND ELEVATIONS WITH THE ARCHITECTURAL DRAWINGS. WHERE DISCREPANCIES OCCUR, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE ARCHITECT PRIOR TO CONSTRUCTION.

12. SHOP DRAWINGS:
   a. SHOP DRAWINGS, UNLESS OTHERWISE NOTED, SHALL BE SUBMITTED FOR REVIEW PRIOR TO FABRICATION.
   b. SHOP DRAWINGS SHALL BE PREPARED UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL ENGINEER, AND INCLUDE COMPLETE DETAILS, SCHEDULES, PROCEDURES AND DIAGRAMS FOR FABRICATION AND ASSEMBLY OF STRUCTURAL MEMBERS.
   c. FABRICATORS SHALL DRAW THEIR OWN ERECTION PLANS. COPYING THE STRUCTURAL PLANS AND USING THEM AS ERECTION DRAWINGS IS NOT ACCEPTABLE.
   d. PRIOR TO SUBMITTAL, THE CONTRACTOR SHALL REVIEW THE SHOP DRAWINGS AND MAKE ANY CORRECTIONS REQUIRED. THE CONTRACTOR SHALL STAMP AND SIGN THE DRAWINGS AS EVIDENCE THAT HE HAS REVIEWED THEM.
   e. SHOP DRAWINGS SHALL BE FURNISHED FOR ALL STRUCTURAL COMPONENTS.
   f. TURN AROUND TIME FOR SHOP DRAWINGS SHALL BE TWO WEEKS FROM DATE RECEIVED IN THE ENGINEER'S OFFICE.

13. SPECIAL INSPECTIONS:

SPECIAL INSPECTIONS SHALL BE PROVIDED IN ACCORDANCE WITH IBC SECTION 1704, AS OUTLINED BELOW. THE SPECIAL INSPECTOR SHALL BE EMPLOYED BY THE OWNER, SHALL BE THOROUGHLY KNOWLEDGEABLE OF IBC SPECIAL INSPECTION REQUIREMENTS AND SHALL DEMONSTRATE COMPETENCE TO THE SATISFACTION OF THE BUILDING OFFICIAL (IBC 1704.2.1). THE CONTRACTOR SHALL CONTACT THE SPECIAL INSPECTOR DURING APPROPRIATE PHASES OF CONSTRUCTION SO THAT INSPECTIONS CAN BE MADE IN A TIMELY MANNER.
THE SPECIAL INSPECTOR SHALL SUBMIT WRITTEN INSPECTION REPORTS TO THE ENGINEER OF RECORD'S OFFICE, WITHIN 3 WORKING DAYS OF EACH INSPECTION. ANY PROBLEMS SHOULD BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE CONTRACTOR. THE FOLLOWING ITEMS WILL REQUIRE SPECIAL INSPECTION:

   a. STEEL
      i. SPECIAL INSPECTIONS ARE NOT REQUIRED FOR WORK DONE IN AN APPROVED FABRICATING SHOP. THE STEEL FABRICATOR MUST BE REGISTERED AND APPROVED BY THE BUILDING OFFICIAL TO PERFORM THE WORK WITHOUT SPECIAL INSPECTIONS. (IBC 1704.2.5.2).
      ii. HIGH STRENGTH BOLTING: CONTINUOUS INSPECTIONS ARE REQUIRED FOR SLIP-CRITICAL CONNECTIONS. PERIODIC INSPECTIONS ARE REQUIRED FOR BEARING-TYPE CONNECTIONS.
      iii. FIELD WELDING: CONTINUOUS INSPECTIONS ARE REQUIRED FOR COMPLETE AND PARTIAL PENETRATION GROOVE WELDS, MULTI-PASS FILLET WELDS AND SINGLE-PASS FILLET WELDS GREATER THAN 5/16". PERIODIC INSPECTIONS ARE REQUIRED FOR FLOOR AND ROOF DECK WELDS AND SINGLE-PASS FILLET WELDS SMALLER THAN OR EQUAL TO 5/16". CORRECT WELD FILLER MATERIAL SHALL BE VERIFIED IN ALL CASES.
      iv. STEEL ERECTION: PERIODIC INSPECTIONS SHALL BE MADE TO VERIFY COMPLIANCE WITH THE DESIGN DRAWINGS.
      v. MATERIALS: THE STEEL MANUFACTURERS CERTIFIED MILL TEST REPORTS SHALL BE SUBMITTED TO THE SPECIAL INSPECTOR OR TO THE ENGINEER OF RECORD.
   b. CONCRETE:
      i. REINFORCEMENT: REINFORCING STEEL SHALL BE INSPECTED ON A PERIODIC BASIS. WELDING OF REINFORCEMENT SHALL BE CONTINUOUSLY INSPECTED. ONLY ASTM A706 REINFORCEMENT MAY BE WELDED.
      ii. SAMPLING AND TESTING: CONTINUOUS INSPECTIONS SHALL BE PROVIDED DURING SLUMP TESTS. AIR CONTENT TESTS AND WHEN DETERMINING THE TEMPERATURE OF FRESH CONCRETE AT THE TIME OF MAKING SPECIMENS FOR STRENGTH TESTS.
      iii. COLD AND HOT WEATHER CONCRETING: PERIODIC INSPECTION OF COMPLIANCE IS REQUIRED, IF APPLICABLE.

14. TESTING REQUIREMENTS:
   a. CONCRETE:
      i. SAMPLE FOR STRENGTH TESTS OF EACH CLASS OF CONCRETE PLACED EACH DAY SHALL BE TAKEN NOT LESS THAN ONCE A DAY, NOR LESS THAN ONCE FOR EACH 150 CUBIC YARDS OF CONCRETE, NOR LESS THAN ONCE FOR EACH 5000 SQUARE FEET OF SURFACE AREA FOR SLABS OR WALLS. A MINIMUM OF FIVE STRENGTH TESTS SHOULD BE MADE FOR A GIVEN PROJECT.

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Registration Information :
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Engineer, under the laws of the State of Minnesota.

Signature:
Name: THOMAS L. MACH
Date: 10/20/17 Reg. No.: 42357

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LOCATION CODE: 289979

PROJECT
20141032247

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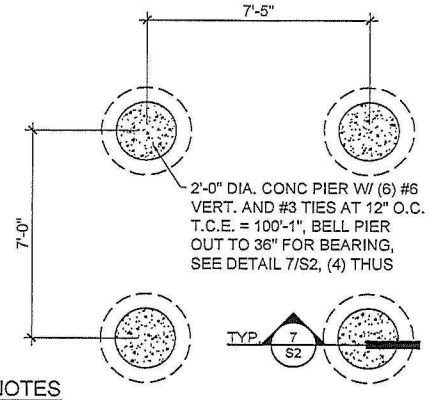
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BROOKLYN CENTER, MN 55430

SHEET CONTENTS:
GENERAL STRUCTURAL NOTES

STRUCTURAL #151170

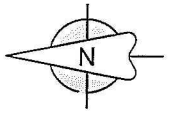
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REV. 5	10-06-17

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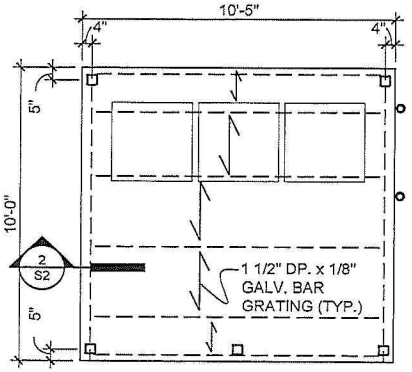
PLAN NOTES

1. SEE SITE FOR FINISHED GRADE ELEVATION
2. CONCRETE PIERS SHALL BE FORMED USING SONOTUBES
3. GRADE ELEVATION = 100'-0"
4. BOTTOM OF CONC. PIER ELEVATION 95'-0"



1 S1 FOUNDATION PLAN

1/4" = 1'-0"

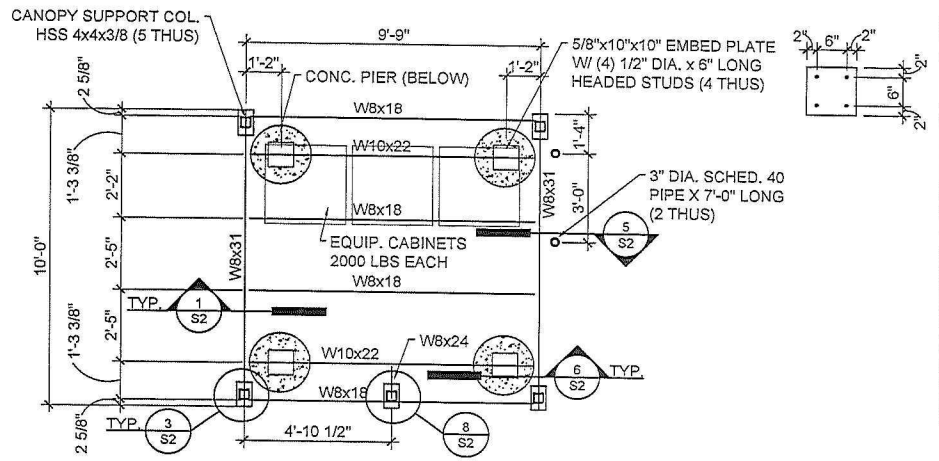


PLAN NOTES:

1. 1 1/2"x 1/8" GALVANIZED BAR GRATING SHALL BE ITEM NO. GW-150A McNICHOLS BAR GRATING. FASTEN BAR GRATING TO SUPPORTING STRUCTURE WITH McNICHOLS GALVANIZED CB CLIPS AT A MAX. SPACING OF 4'-0" O.C. PROVIDE CLIP AT ALL CORNERS.
2. TOP OF BAR GRATING ELEVATION = 101'-1 1/4"

3 S1 BAR GRATING PLAN

1/4" = 1'-0"

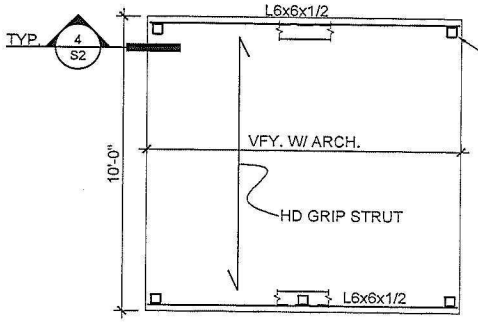


PLAN NOTES

1. T.S.E.= (TOP OF STEEL ELEVATION = 100'-11 3/4"
2. SEE 3/S1 FOR BAR GRATING PLAN

2 S1 FRAMING PLAN

1/4" = 1'-0"



PLAN NOTES:

1. T.S.E. (TOP OF STEEL ELEVATION) = 109'-11"
2. PROVIDE MCNICHOLS GRIP STRUT 5 DIAMOND HD WALKWAY x 10'-0" SPAN, 24" WIDE X 5" DP X 10 GA
3. ATTACH GRIP STRUT TO STEEL STRUCTURE W/ MANUFACTURER RECOMMENDED CLIPS & CONNECTORS..

4 S1 CANOPY FRAMING PLAN

1/4" = 1'-0"

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Registration Information :
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Engineer, under the laws of the State of Minnesota.

Signature:
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Date: 10/06/17 Reg. No.: 42337

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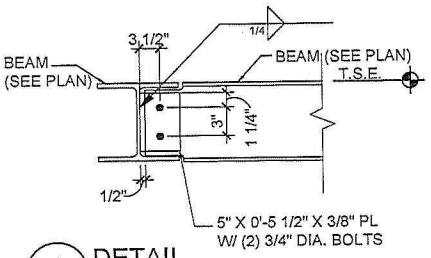
1000 69TH AVENUE NORTH
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SHEET CONTENTS:
FOUNDATION PLAN
FRAMING PLAN
GRATING PLAN
CANOPY FRAMING PLAN

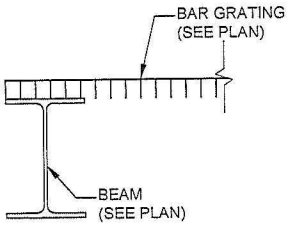
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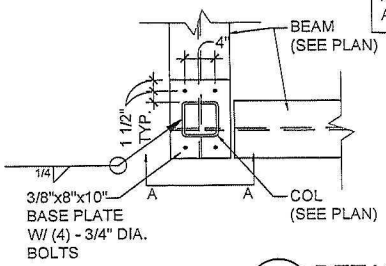
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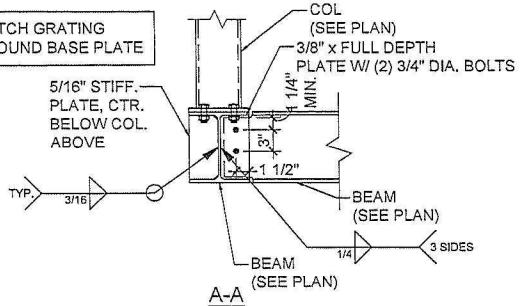


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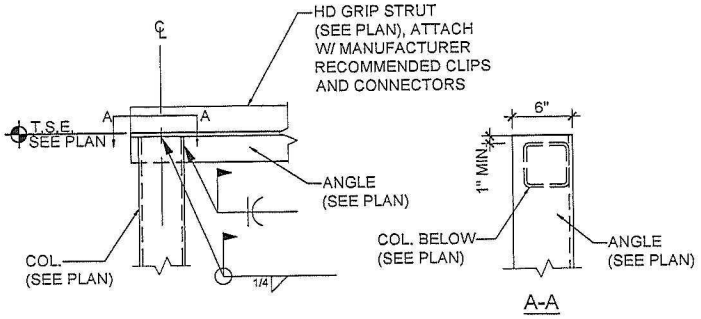


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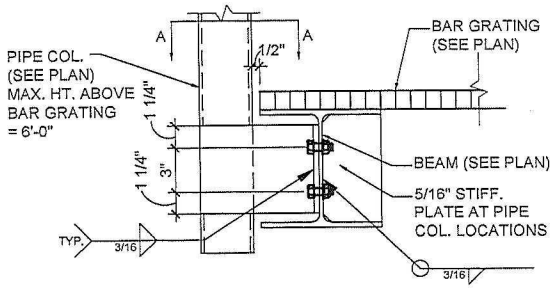


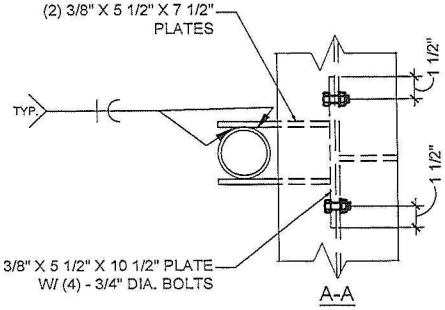


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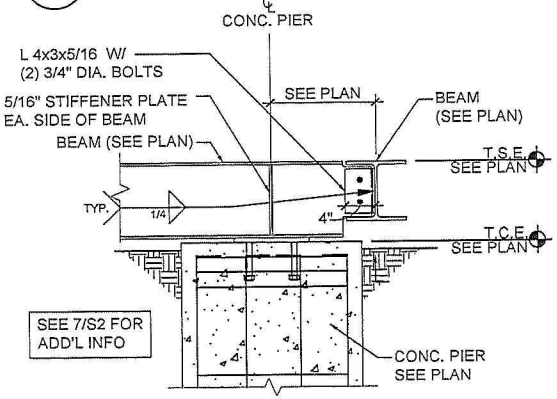


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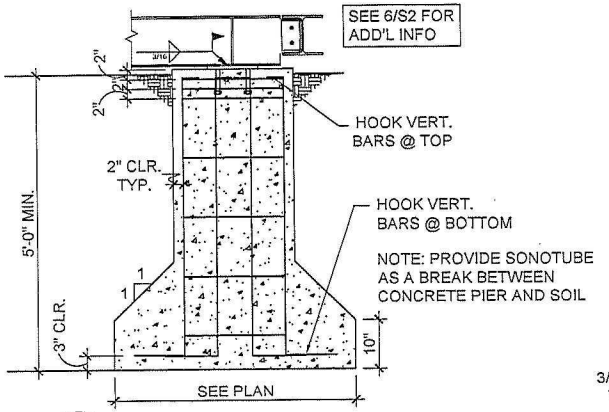




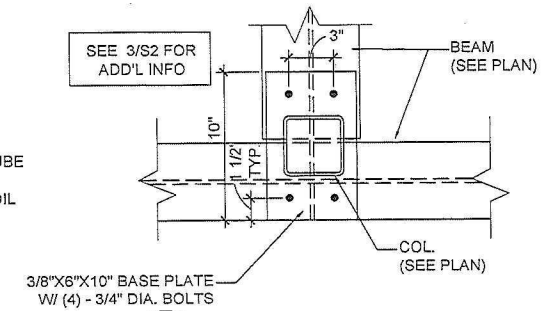
5 S2 DETAIL NO SCALE



6 S2 DETAIL NO SCALE



7 S2 DETAIL NO SCALE



8 S2 DETAIL NO SCALE

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Signature:
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Date: 10/06/17 Reg. No.: 42357

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LOCATION CODE: 289979

PROJECT
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SHEET CONTENTS:
DETAILS

STRUCTURAL #151170

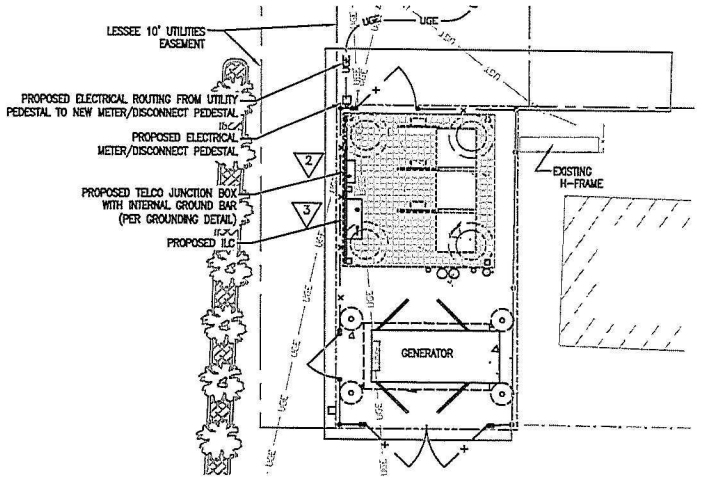
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DATE:	11-11-15
CHECKED BY:	CS/TM
REV. 3	11-11-15
REV. 5	10-06-17

S2

KEYED NOTES

1. THE ELECTRIC UTILITY PROVIDER IS XCEL ENERGY. THE ENGINEERING CONTACT IS AARON ORENSTEIN (763-493-1848 OFFICE, 612-207-0547 CELL). SEE SHEET E-2 ONE-LINE DIAGRAM FOR FEEDER SIZING. SEE ARCHITECTURAL DRAWINGS FOR FULL SITE PLAN. XCEL UTILITIES WILL PROVIDE A UTILITY PEDESTAL FROM THE EXISTING TRANSFORMER. ELECTRICAL CONTRACTOR TO PROVIDE UNDERGROUND COPPER SECONDARY FROM THE UTILITY PEDESTAL TO A NEW METER/DISCONNECT PEDESTAL TO BE LOCATED WHERE SHOWN. COORDINATE FEEDER ROUTING AND FINAL CONNECTIONS WITH ELECTRIC UTILITY COMPANY. PROVIDE ALL MATERIALS AND LABOR NOT FURNISHED BY UTILITY COMPANY.
2. SEE ARCHITECTURAL UTILITY DRAWINGS FOR TELCO/FIBER UNDERGROUND ROUTING. PROVIDE TELCO/FIBER RACEWAY PER SPECIFICATIONS.
3. INTEGRATED LOAD CENTER (ILC) MOUNTED ON PLATFORM RAILS. SEE SHEET E-2 FOR ONE-LINE DIAGRAM AND PLATFORM DETAILS.

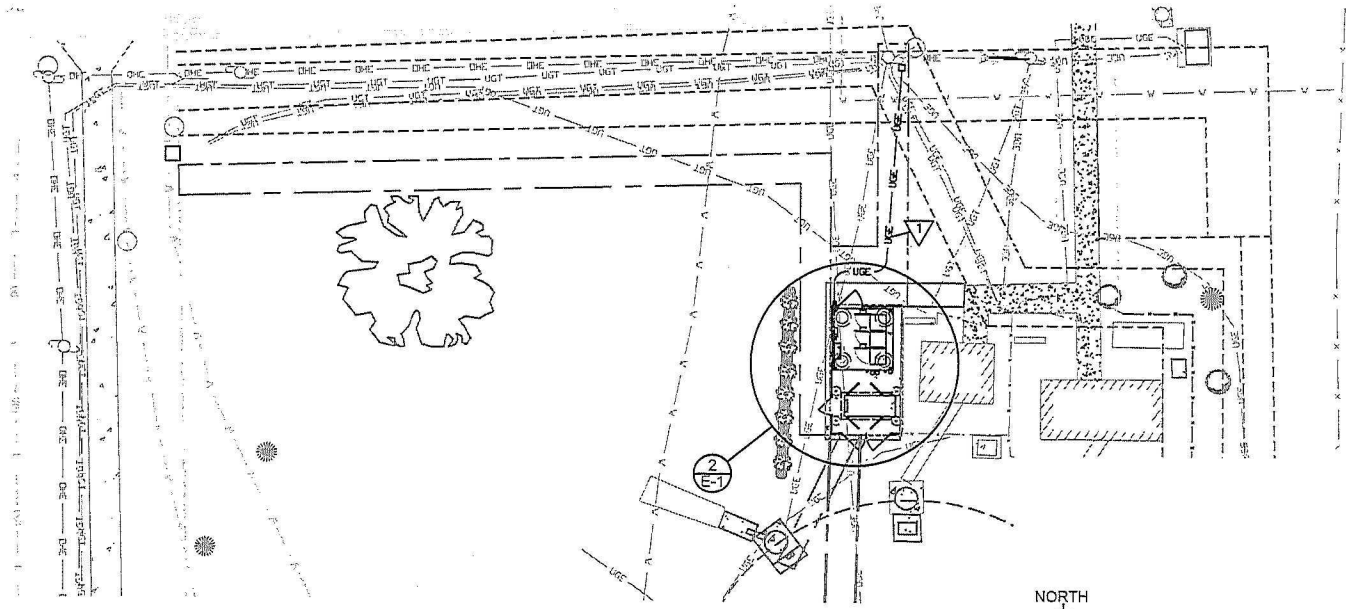
POWER TYPE:
120/240V, SINGLE PHASE, 200 AMPS



2 ENLARGED ELECTRICAL SITE PLAN
SCALE: 1/8" = 1'-0"

GRAPHIC SCALE

NORTH



1 ELECTRICAL SITE PLAN
SCALE: 1" = 20'-0"

GRAPHIC SCALE

NORTH

NOTE:

1. CONTRACTOR TO COORDINATE PUBLIC AND PRIVATE UTILITY LOCATES PRIOR TO CONSTRUCTION START. NOTIFY THE ARCHITECT AND THE VZW CONSTRUCTION ENGINEER IMMEDIATELY OF ANY UTILITY LINE ISSUES.
2. EXISTING UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND NOT ALL UTILITIES ARE SHOWN. CONTRACTOR IS RESPONSIBLE TO NOT DAMAGE UNDERGROUND UTILITIES AND MUST CONDUCT BOTH PUBLIC AND PRIVATE UTILITY LOCATES BEFORE EXCAVATING.
3. CONTRACTOR SHALL RESTORE ALL AREAS, INCLUDING LANDSCAPE, DISTURBED BY CONSTRUCTION TO PRE-CONSTRUCTION CONDITIONS.
4. PROPOSED FIBER CONDUIT TO BE 2" DIA SCHEDULE 40, 2" DIA SCHEDULE 80 CONDUIT TO BE INSTALLED UNDER A ROADWAY/PARKING LOT OR IF SPECIFIED BY A LAND OWNER

CHRISTOPHER D. BUSSELL — LICENSED PROFESSIONAL ENGINEER — 20631 — STATE OF MINNESOTA

CERTIFICATION

I HEREBY CERTIFY THAT THIS DRAWING WAS PREPARED BY ME, OR I HAVE BEEN DIRECTLY SUPERVISING THE PREPARATION OF THIS DRAWING AND I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Christopher Bussell — REG. NO. 20631

EDWARD BUSSELL

BCI

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LOCATION CODE: 288979

PROJECT
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SHEET CONTENTS:
ELECTRICAL SITE PLAN

DRAWN BY:	AB
DATE:	09-20-17
CHECKED BY:	DB
REV. A	04-07-15
REV. 0	08-10-15
REV. 1	09-03-15
REV. 2	09-18-15
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REV. 4	12-03-15
REV. 5	10-06-17

E-1

GENERAL NOTES

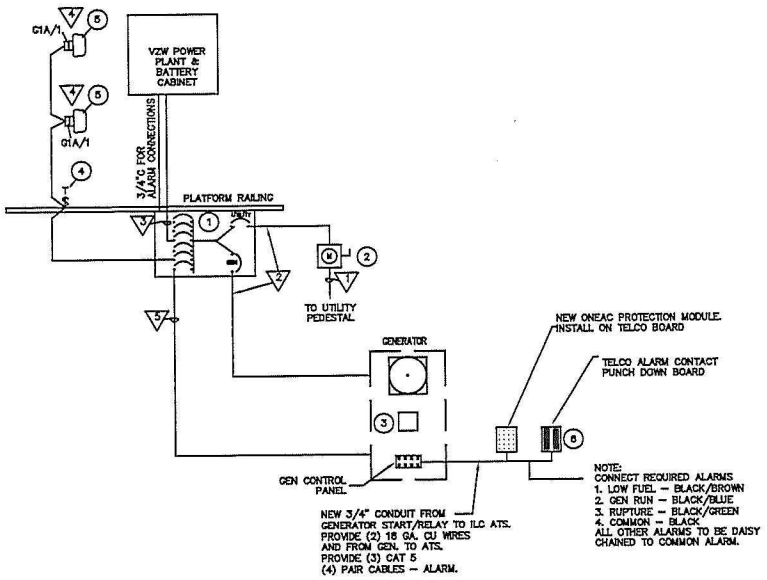
A. CIRCLES WITH NUMBERS INSIDE REPRESENT EQUIPMENT NUMBERS. SEE EQUIPMENT LIST ON SHEET E-4.

B. ALL CONDUCTORS SHALL BE TYPE THHN UNLESS OTHERWISE NOTED.

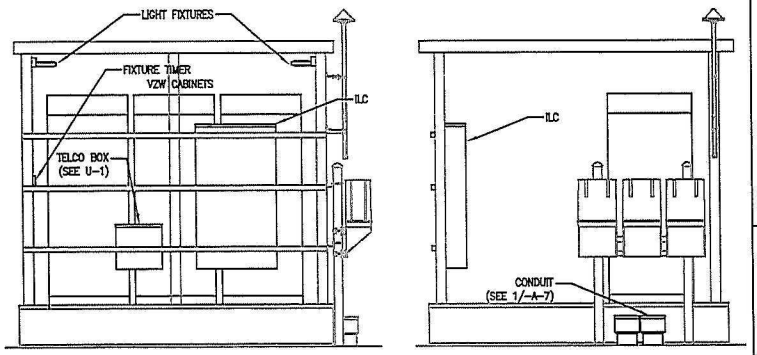
C. COORDINATE ALL SITE WORK WITH OWNER.

KEYED NOTES

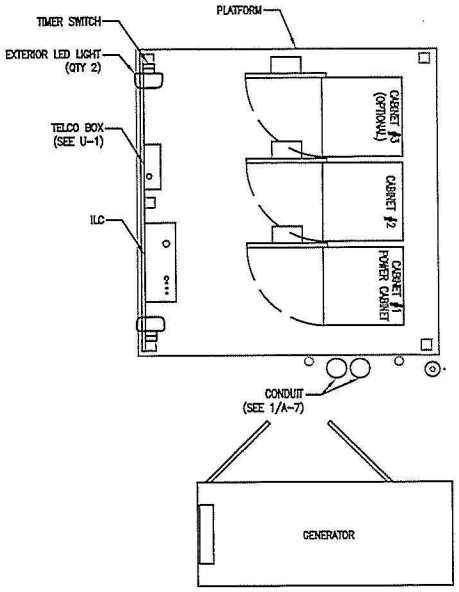
1. 2"C 2#3/0+1#1/0N+1#4G FROM METER/DISCONNECT PEDESTAL TO UTILITY PEDESTAL.
2. 2"C 2#3/0+1#1/0N+1#6G.
3. MOUNT ILC TO RAILS ADJACENT TO VZW CABINETS (SEE 3/E-2 ELEVATIONS). MAINTAIN NEC REQUIRED CLEARANCES. PROVIDE ALL BRANCH CIRCUITS FOR LIGHTING, GFI RECEPTACLES AND COOLING UNITS REQUIRED FOR CABINETS. SEE VZW CABINET CUT SHEETS FOR POWER REQUIREMENTS. PROVIDE REQUIRED NUMBER OF 20A, SINGLE AND TWO POLE BREAKERS FOR CONNECTION TO RECTIFIERS, HVAC UNITS, RECEPTACLES, LIGHTS, ETC. CONNECT ALARM CABLING TO TERMINAL BLOCK IN VZW CABINETS VIA 3/4" CONDUIT.
4. MOUNT FLOOD LIGHT FIXTURES (ITEM #5) ON PLATFORM FRAMING WHERE SHOWN. SEE ARCHITECTURAL PLANS FOR ADDITIONAL MOUNTING INFORMATION. CIRCUIT TO G1A1. CONTROL VIA TIMER (ITEM #4) MOUNTED ON PLATFORM RAIL BELOW FIXTURE. MASK OFF PHOTOCELL TO INACTIVATE.
5. SEE G1A SCHEDULE AND GENERATOR CUT SHEETS. PROVIDE ¾" CONDUIT TO 20A CIRCUITS FOR GENERATOR AUXILLARY EQUIPMENT.



1 ONE-LINE RISER DIAGRAM
SCALE: NONE



3 EQUIPMENT PLATFORM ELEVATION
SCALE: 1/4" = 1'-0"



2 PLAN VIEW OF EQUIPMENT
SCALE: 1/4" = 1'-0"

DENNIS D. BUSSELL — LICENSED PROFESSIONAL ENGINEER — 20091 — STATE OF MINNESOTA

CERTIFICATION

I HEREBY CERTIFY THAT THIS DRAWING WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA

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LOCATION CODE: 289979

PROJECT
20141032247

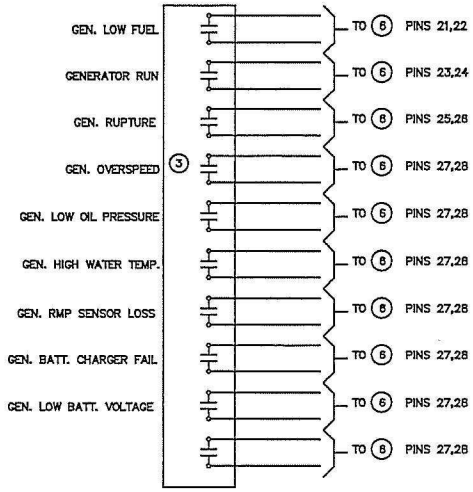
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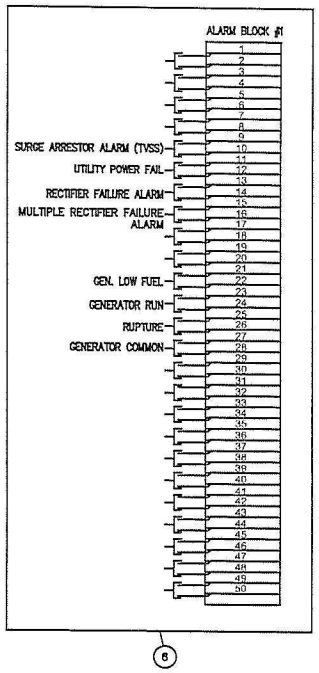
SHEET CONTENTS:
ELECTRICAL ONE-LINE & ELEVATIONS

DRAWN BY:	AB
DATE:	09-20-17
CHECKED BY:	DB
REV. A	04-07-15
REV. 0	08-10-15
REV. 1	09-03-15
REV. 2	09-18-15
REV. 3	11-18-15
REV. 4	12-03-15
REV. 5	10-06-17

E-2



3 REMOTE ANNUNCIATOR PANEL ON GENERATOR
SCALE: NONE



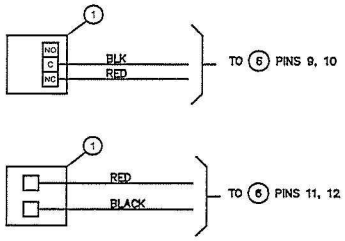
4 ALARMING TERMINAL BLOCK IN VZW CABINET
SCALE: NONE

SURGE ARRESTOR ALARM

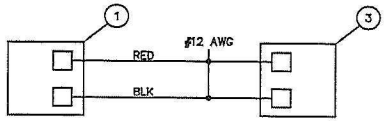
FOR SURGE ARRESTOR ALARM, CONNECT TO COMMON AND NORMALLY CLOSED ON TERMINAL BLOCKS. NORMALLY CLOSED CONTACTS WILL BE CLOSED IN NORMAL POWER CONDITION. CONTACTS WILL OPEN IF ELEMENTS BLOW OR A.C. POWER FAILS.

UTILITY POWER FAIL ALARM

THE UTILITY POWER FAIL RELAY INTEGRATED IN 3-IN-1 PANEL CONNECTED TO EACH PHASE OF THE INCOMING POWER.



1 SECURITY ALARM CABLING DIAGRAM
SCALE: NONE



2 GENERATOR REMOTE START WIRING DIAGRAM
SCALE: NONE

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LOCATION CODE: 289979

PROJECT
20141032247

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SHEET CONTENTS:
ELECTRICAL
LOW VOLTAGE
CABLING DIAGRAMS

DRAWN BY:	AB
DATE:	09-20-17
CHECKED BY:	DB
REV. A	04-07-15
REV. 0	08-10-15
REV. 1	09-03-15
REV. 2	09-18-15
REV. 3	11-18-15
REV. 4	12-03-15
REV. 5	10-06-17

E-3

MOUNTING:	PANEL - G1A												MAIN	200A MCB
	120 \ 240 VOLTS		1 PHASE		3 WIRE								BUS	200A

LOCATION	VOLT AMPS A	VOLT AMPS B	LTG	REC	MSC	BKR	CKT	BUS A	BUS B	CKT	BKR	MSC	REC	LTG	VOLT AMPS A	VOLT AMPS B	LOCATION
PO #3,6 LIGHT FIXTURES 2@12=1812Q	36					20/1	1			2	20/2				1485		HVAC UNIT IN CABINET (VERIFY W/VZW CUT SHEET)
RECTIFIER #1		1200				20/2	3			4	HACR					1485	" "
" "	*200					"	5			6	20/2				1485		HVAC UNIT IN CABINET (VERIFY W/VZW CUT SHEET)
RECTIFIER #2		1200				20/2	7			8	HACR					1485	" "
" "	*200					"	9			10	20/2				1200		RECTIFIER #7
RECTIFIER #3		1200				20/2	11			12	"					1200	" "
" "	*200					"	13			14	20/2				1200		RECTIFIER #8
RECTIFIER #4		1200				20/2	15			16	"					1200	" "
" "	*200					"	17			18							
RECTIFIER #5		1200				20/2	19			20							
" "	*200					"	21			22							
RECTIFIER #6		1200				20/2	23			24							
" "	*200					"	25			26							
RECTIFIER #7		1200				20/2	27			28							GENERATOR AUXILIARY EQUIPMENT
" "	*200					"	29			30							(VERIFY BRANCH CIRCUIT REQUIREMENTS)

VOLT - AMPS PER LINE A 13766 B 13730

TOTAL VOLT - AMPS = 27496 AMPS = 114.57 LCL =

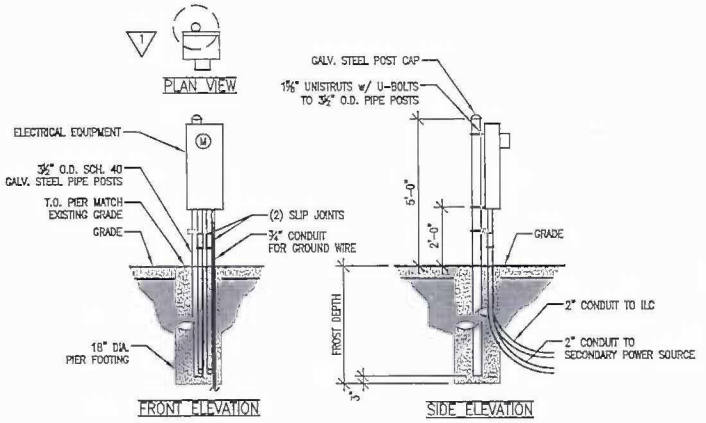
NOTES: CONTRACTOR TO VERIFY FEEDER/BRANCH CIRCUITING REQUIREMENTS TO VZW LINE-UP OF EQUIPMENT CABINETS/HVAC UNITS.

PROJECT: DATE: October 6, 2017 BY: S.E.T. REV.

1 PANELBOARD SCHEDULE
SCALE: NONE

KEYED NOTES

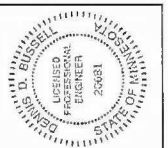
1. SEE ARCHITECTURAL DRAWINGS FOR ADDITIONAL DETAILS ON THE METER/DISCONNECT PEDESTAL AND SITE GENERATOR.



3 ELECTRICAL METER/DISCONNECT PEDESTAL DETAIL
SCALE: 1/4" = 1'-0"

EQUIPMENT LIST—ALL ITEMS FURNISHED, INSTALLED AND CONNECTED BY ELECTRICAL CONTRACTOR			
EQ #	MANUFACTURER PART NO.	MANUFACTURER	DESCRIPTION
1	AA300G-1PH-42-3R	INTERSECT	INTEGRATED LOADCENTER (ILC), NEMA 3R
2	CMBXB200BTS	EATON OR UTILITY APPROVED EQUAL	METER W/200A MCB/DISCONNECT, 200A METER SOCKET, 5 TERMINAL RINGLESS WITH BYPASS, 1ϕ, 3W, 3R (METER SHALL BE UTILITY APPROVED. VERIFY WITH UTILITY PRIOR TO ORDERING)
3	25REZG	KOHLER	25KW NG/LP GENERATOR
4	2E357	DAYTON	60 MINUTE TIMER
5	OLFL PE 14 BZ	LITHONIA	OUTDOOR LIGHT FIXTURE, 18W LED WITH J-BOX AND MOUNTING HARDWARE
6			ALARM TERMINAL BLOCK (LOCATED IN VZW EQUIPMENT)

2 EQUIPMENT LIST
SCALE: NONE



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LOCATION CODE: 289370

PROJECT
20141032247

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SHEET CONTENTS:
ELECTRICAL SCHEDULES AND DETAILS

DRAWN BY:	AB
DATE:	09-20-17
CHECKED BY:	DB
REV. A	04-07-15
REV. 0	08-10-15
REV. 1	09-03-15
REV. 2	09-18-15
REV. 3	11-18-15
REV. 4	12-03-15
REV. 5	10-06-17

E-4

GENERAL ELECTRICAL NOTES / SPECIFICATIONS:

1. SUBMITTAL OF BID INDICATES CONTRACTOR IS AWARE OF ALL JOB SITE CONDITIONS AND WORK TO BE PERFORMED UNDER THIS CONTRACT.
2. CONTRACTOR SHALL PERFORM ALL VERIFICATION OBSERVATION TESTS, AND EXAMINE WORK PRIOR TO THE ORDERING OF THE ELECTRICAL EQUIPMENT AND THE ACTUAL CONSTRUCTION. CONTRACTOR SHALL ISSUE A WRITTEN NOTICE OF ALL FINDINGS TO THE ARCHITECT LISTING ALL MALFUNCTIONS, FAULTY EQUIPMENT AND DISCREPANCIES.
3. HEIGHTS SHALL BE VERIFIED WITH OWNER PRIOR TO INSTALLATION. ALL MOUNTING HEIGHTS ARE MADE FROM THE BOTTOM OF DEVICES TO THE FINISHED FLOOR.
4. THESE PLANS ARE DIAGRAMMATIC ONLY. FOLLOW AS CLOSELY AS POSSIBLE.
5. EACH CONDUCTOR OF EVERY SYSTEM SHALL BE PERMANENTLY TAGGED IN EACH PANEL BOARD, PULLBOX, J–BOX, SWITCH BOX, ETC., IN COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH ACT (O.S.H.A.).
6. CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS, INSURANCE, EQUIPMENT, INSTALLATION, CONSTRUCTION TOOLS, TRANSPORTATION, ETC., FOR A COMPLETE AND PROPERLY OPERATIVE SYSTEM ENERGIZED THROUGHOUT AND AS INDICATED ON DRAWINGS, AS SPECIFIED HEREIN AND/OR AS OTHERWISE REQUIRED.
7. ALL MATERIALS AND EQUIPMENT SHALL BE NEW AND IN PERFECT CONDITION WHEN INSTALLED AND SHALL BE OF THE BEST GRADE AND OF THE SAME MANUFACTURER THROUGHOUT FOR EACH CLASS OR GROUP OF EQUIPMENT. MATERIALS SHALL BE LISTED AND APPROVED BY UNDERWRITER'S LABORATORY AND SHALL BEAR THE INSPECTION LABEL "J" WHERE SUBJECT TO SUCH APPROVAL. MATERIALS SHALL MEET WITH APPROVAL OF THE DIVISION OF INDUSTRIAL SAFETY AND ALL GOVERNING BODIES HAVING JURISDICTION. MATERIALS SHALL BE MANUFACTURED IN ACCORDANCE WITH APPLICABLE STANDARDS ESTABLISHED BY ANSI, NEMA AND NBFU.
8. CONTRACTOR SHALL CARRY OUT HIS WORK IN ACCORDANCE WITH ALL GOVERNING STATE, COUNTY AND LOCAL CODES AND O.S.H.A.
9. CONTRACTOR SHALL SECURE ALL NECESSARY BUILDING PERMITS.
10. COMPLETE JOB SHALL BE GUARANTEED FOR A PERIOD OF ONE (1) YEAR AFTER THE DATE OF JOB ACCEPTANCE BY OWNER. ANY WORK, MATERIAL OR EQUIPMENT FOUND TO BE FAULTY DURING THAT PERIOD SHALL BE CORRECTED AT ONCE, UPON WRITTEN NOTIFICATION, AT THE EXPENSE OF THE CONTRACTOR.
11. ALL CONDUIT ONLY (C.O.) SHALL HAVE A PULL WIRE OR ROPE.
12. PROVIDE CONSTRUCTION MANAGER WITH ONE SET OF COMPLETE ELECTRICAL "AS INSTALLED" DRAWINGS AT THE COMPLETION OF THE JOB, SHOWING ACTUAL DIMENSIONS, ROUTINGS, AND CIRCUITS.
13. ALL BROCHURES, OPERATING MANUALS, CATALOGS, SHOP DRAWINGS, ETC. SHALL BE TURNED OVER TO OWNER AT JOB COMPLETION.
14. MULTI–WIRE CIRCUITS WITH COMMON NEUTRAL CONDUCTOR SHALL NOT BE ALLOWED.
15. ALL CONDUCTORS SHALL BE COPPER. WIRE SMALLER THAN #6 TO BE "STRANDED COPPER" THHN OR THWN CONDUCTORS. EXCEPTION: AWG TELCO WIRE AND #12/#14 AWG WIRE USED FOR A.C. CONTROLS TO BE SOLID COPPER.
16. ALL CIRCUIT BREAKERS, FUSES AND ELECTRICAL EQUIPMENT SHALL HAVE AN INTERRUPTING RATING NOT LESS THE MAXIMUM SHORT CIRCUIT CURRENT TO WHICH THEY MAY BE SUBJECTED, AND A MINIMUM OF 10,000 A.I.C.
17. THE ENTIRE ELECTRICAL INSTALLATION SHALL BE GROUNDED AND BONDED AS REQUIRED BY ALL APPLICABLE CODES AND DRAWINGS. A SEPARATE GREEN GROUNDING CONDUCTOR SHALL BE "PIGTAILED" AT EACH J–BOX, WITH A SEPARATE PIGTAIL TO A GREEN GROUNDING SCREW ATTACHED TO THE "TAPPED" 10–32 HOLE IN THE BOX. ADDITIONALLY, ANOTHER GREEN PIGTAIL IS TO BE FASTENED TO ALL YOKES OF DEVICES, AND TO METAL CASES OF LIGHTING FIXTURES. THE USE OF GROUNDING CLIPS IS NOT ACCEPTABLE.
18. RECEPTACLES SHALL BE 20 AMPERE, 125 VOLT A.C., SPECIFICATION GRADE, WHITE AS REQUIRED BY THE ARCHITECT OR APPROVED EQUAL.
19. WALL SWITCHES SHALL BE SINGLE–POLE, HUBBELL #1201 OR EQUIVALENT, WHITE AS REQUIRED BY THE ARCHITECT.
20. PLASTIC PLATES FOR ALL SWITCHES, RECEPTACLES, TELEPHONE AND BLANKED OUTLETS, SHALL HAVE ENGRAVED LETTERING WHERE INDICATED ON THE DRAWINGS. WEATHERPROOF RECEPTACLES SHALL HAVE RACO #800, 1/2" RAISED WORK COVERS.
21. WIRE AND CABLE CONDUCTORS SHALL BE COPPER #12 AWG MINIMUM, NO BX OR ROMEX CABLE IS PERMITTED UNLESS SPECIFICALLY NOTED OTHERWISE ON DRAWINGS.
22. NOT USED.
23. METER SOCKET AMPERES, VOLTAGE, NUMBER OF PHASES SHALL BE AS NOTED ON THE DRAWINGS. MANUFACTURED BY SQUARE D COMPANY OR APPROVED EQUAL. IF HOST FACILITY REQUIRES THE NEW SERVICE TO BE SUB–METERED FROM THE EXISTING SERVICE, SUB–METER SHALL BE OF THE 10x OR 16x TYPE.
24. ALL MATERIALS SHALL BE U.L. LISTED.
25. CONDUIT:
    A. SERVICE CONDUITS SHALL BE GRAY SCH.40 PVC BURIED MIN. 36", EXCEPT THAT SCH.80 SHALL BE USED UNDER ROADWAYS AND IN LOCATIONS SUBJECT TO CASUAL IMPACTS. BENDS SHALL BE MADE USING "WIDE SWEEP" (12" MIN. RADIUS) ELBOW FITTINGS. ANY CODE–REQUIRED RIGID STEEL CONDUIT SHALL BE U.L. LABEL, MIN. 36" BELOW GRADE, WITH "SWEEP" ELBOWS (12"R.MIN.) ENDING IN PVC TRANSITION FITTINGS. RIGID CONDUIT IN CONTACT WITH EARTH SHALL BE 1/2 LAP–WRAPPED WITH HUNTS PROCESS NO. 3 EXTENDING MIN. 12" ABOVE GRADE.
    B. INTERIOR CONDUITS SHALL BE ELECTRICAL METALLIC TUBING HAVING U.L. LABEL: FITTINGS SHALL BE GLAND RING COMPRESSION TYPE. THE USE OF EMT SET SCREW FITTINGS INSIDE BUILDING IS ACCEPTABLE.
    C. FLEXIBLE METALLIC CONDUIT SHALL HAVE U.L. LISTED LABEL AND MAY BE USED WHERE PERMITTED BY CODE. FITTINGS SHALL BE "JAKE" OR "SQUEEZE" TYPE, SEAL TIGHT FLEXIBLE CONDUIT. NO SUCH CONDUIT SHALL EXCEED SIX FEET IN LENGTH. USE FLEXIBLE METAL CONDUIT UNLESS EXPOSED TO WEATHER, THEN USE UV RESISTANT FLEXIBLE NONMETALIC LIQUIDTITE CONDUIT.
    D. "MT" DENOTES EMPTY RACEWAY.
    E. "GRC" DENOTES GALVANIZED RIGID CONDUIT.
26. ALL ELECTRICAL EQUIPMENT SHALL BE LABELED WITH PERMANENT ENGRAVED PLASTIC LABELS.
27. PATCH, REPAIR AND PAINT ANY AREA THAT HAS BEEN DAMAGED IN THE COURSE OF THE ELECTRICAL WORK.
28. PENETRATIONS IN FIRE RATED WALLS SHALL BE FIRE SECTIONS OF THE LOCAL BUILDING CODE IN FORCE.
29. DRILLING OR CORING HOLES INTO CONCRETE WALLS, WHETHER FOR FASTENING OR ANCHORING PURPOSES, OR PENETRATIONS THROUGH THE FLOOR FOR CONDUIT RUNS, PIPE RUNS, ETC., REQUIRES THAT TENDONS OR REINFORCING STEEL MUST BE SEARCHED FOR BY APPROPRIATE METHODS AND EQUIPMENT (X–RAY OR OTHER DEVICE) THAT CAN ACCURATELY LOCATE THEM. TENDONS OR REINFORCING MUST NOT BE DRILLED, CUT OR DAMAGED UNDER ANY CIRCUMSTANCES.
30. UPON COMPLETION OF WORK, CONDUCT CONTINUITY, SHORT CIRCUIT, AND FALL POTENTIAL GROUNDING TESTS FOR APPROVAL. SUBMIT TEST REPORTS TO PROJECT MANAGER. CLEAN PREMISES OF ALL DEBRIS RESULTING FROM WORK AND LEAVE WORK IN A COMPLETE AND UNDAMAGED CONDITION.
31. CONTRACTOR TO COORDINATE WITH UTILITY COMPANY FOR CONNECTION OF BOTH TEMPORARY AND PERMANENT POWER TO THE SITE. THE TEMPORARY POWER AND ALL HOOKUP COSTS TO BE PAID BY CONTRACTOR.
32. CONTRACTOR SHALL PROVIDE LABOR AND MATERIALS AS NECESSARY TO COMPLETE THE INSTALLATION OF ANY TOWER LIGHTING SYSTEM DESCRIBED IN THE RFQ.
33. WIRE:
    A. ALL 20 AMP CIRCUITS TO HAVE #12 THHN WIRING.
    B. ALL 40 AMP CIRCUITS TO HAVE #8 THHN WIRING.
    C. ALL 60 AMP CIRCUITS TO HAVE #6 THHN WIRING.
34. ALL DC GROUNDING CONDUCTORS TO BE TERMINATED WITH 1/4" STUD RING TYPE TERMINALS FOR THE APPROPRIATE SIZE OF WIRE.
35. PANEL SCHEDULE SHALL BE ACCURATELY IDENTIFIED AND PRINTED WITH AN ADHESIVE TYPE LABEL MAKER (KROY, BROTHER, OR EQUAL). NOTE: EMBOSSED MARKER SHALL NOT BE USED.
36. USE FLEXIBLE LIQUIDTITE NONMETALLIC CONDUIT AND FITTINGS FOR FINAL CONNECTION TO RECTIFIER CIRCUITS TO ISOLATE THE CONDUIT GROUND (SEE ALSO NEC ARTICLE 2505, WHICH SPECIFIES ALL GROUND RINGS, REBAR AND/OR UFER GROUND, AND GROUND RODS TO BE EFFECTIVELY BONDED WITH "NON–REVERSING" TYPE SPLICES).
37. SMOKE DETECTORS TO SHUT DOWN AC UNIT AND EXHAUST FAN WHEN ACTIVATED.
38. EXTERIOR GROUNDING SYSTEM FOR METER AND SERVICE BY ELECTRICAL CONTRACTOR.
39. WHEN ONE–WAY FOOTAGE FROM THE UTILITY TRANSFORMER CONNECTIONS TO THE SERVICE DISCONNECT MEANS (LINE TERMINAL LUGS) IS LESS THAN 15' AND THE UTILITY TRANSFORMER IS 2% IMPEDANCE OR LOWER: USE A FUSED DISCONNECT WITH RK1 FUSES ("SQ D" D224NRB).

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PROJECT
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SHEET CONTENTS:
ELECTRICAL
GENERAL NOTES

DRAWN BY:	AB
DATE:	09-20-17
CHECKED BY:	DB
REV. A	04-07-15
REV. 0	08-10-15
REV. 1	09-03-15
REV. 2	09-18-15
REV. 3	11-18-15
REV. 4	12-03-15
REV. 5	10-06-17

E-5

City Council Agenda Item No. 6p

COUNCIL ITEM MEMORANDUM

DATE: January 2, 2017

TO: Curt Boganey, City Manager

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

FROM: Mike Albers, Acting City Engineer

SUBJECT: Resolution Authorizing Acquisition by Eminent Domain and Approval of Appraised Values of Easements for Brooklyn Boulevard Corridor Project Phase 1, Project No. 2018-05

Recommendation:
It is recommended that the City Council consider approval of a resolution authorizing acquisition by eminent domain and approval of appraised values of easements for Brooklyn Boulevard Corridor Project Phase 1, Project No. 2018-05.

Background:
On May 9, 2016, the City Council directed staff to proceed with the preliminary design, environmental documentation, easement acquisition and final design work for the Brooklyn Boulevard Corridor Project Phase 1 (49th Avenue to Bass Lake Road), Project No. 2018-05. This project is scheduled to be constructed in 2018.

The proposed reconstruction and streetscape improvements will improve roadway safety, enhance traffic operations, reduce access points and provide improved bicycle and pedestrian facilities for a 1.4-mile segment of the corridor in Brooklyn Center between 49th Avenue and Bass Lake Road (County Road 10). The project will enhance bicycle and pedestrian travel by adding a trail, improving sidewalks, transit stops, adding streetscaping and landscaping and improving the functionality of intersections with modified turn lanes.

In order to construct the improvements, permanent drainage, utility, sidewalk and trail easements and/or temporary construction easements are required from 37 separate parcels adjacent to the corridor. The City's consultant has staked the easement limits and prepared appraisals for the easement acquisition. The City's consultant presented the property owners with an offer letter and a copy of the appraisal and allowed the owner time to either accept or reject the offer. The City's consultant has been diligently working with the property owners to reach agreements to voluntarily convey the easements. To date, we have reached easement acquisition agreements with 15 of the 37 parcels.

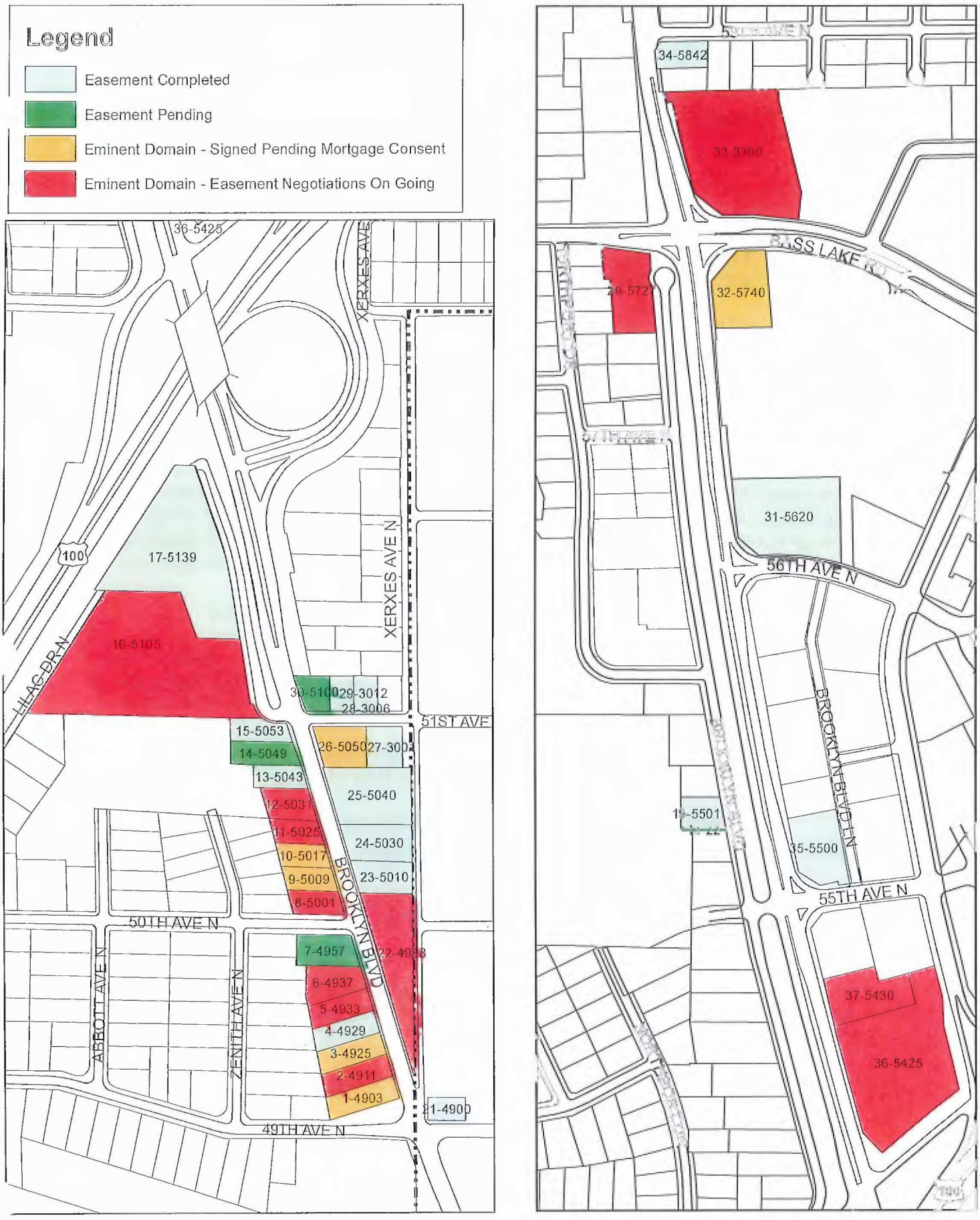
More than 60 days has elapsed since the initial offers were made and for some parcels the easement acquisition could not be negotiated and for some the mortgage consent has not been provided, therefore, eminent domain must be used to obtain the easements. There are a total of 18 properties that are being recommended for the eminent domain process. Six of the properties have signed the easements documents but the mortgage consent has not been provided and easements on the remaining 12 properties could not be negotiated.

COUNCIL ITEM MEMORANDUM

Budget Issues:
The Brooklyn Boulevard Corridor Project Phase 1 (49th Avenue to Bass Lake Road) is identified in the City's 2018 Capital Improvement Program and the total project cost is estimated to be $15,000,000. The total appraised value for all easements on the project are estimated to be approximately $470,000 of which the 18 properties that are being recommending for the eminent domain process account for approximately $309,800.

Strategic Priorities:

- Key Transportation Investments



Brooklyn Boulevard Corridor Project Phase 1
Easement Status

N

1/2/18

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION AUTHORIZING ACQUISITION BY EMINENT DOMAIN AND APPROVAL OF APPRAISED VALUES OF EASEMENTS FOR BROOKLYN BOULEVARD CORRIDOR PROJECT PHASE I, PROJECT NO. 2018-05

WHEREAS, the City Council has authorized the project titled Brooklyn Boulevard Corridor Project Phase I (the "Project"); and

WHEREAS, the Project area includes a 1.4-mile segment of Brooklyn Boulevard (County Road 152) between 49th Avenue and Bass Lake Road (County Road 10); and

WHEREAS, the Project scope includes reconstruction and streetscape improvements that will improve roadway and intersection safety, enhance traffic operations and provide improved bicycle and pedestrian facilities. The project will enhance bicycle and pedestrian travel by adding a trail, improving sidewalks and transit stops, adding streetscaping and landscaping and improving the functionality of intersections with modified turn lanes; and

WHEREAS, the Project is scheduled to be constructed in 2018; and

WHEREAS, the City Council finds that it is necessary to acquire certain permanent easements and temporary construction easements (collectively, the "Easements"), legally described in Exhibit A attached hereto, in order to install and maintain the Project; and

WHEREAS, the City has engaged a qualified independent consultant to provide an opinion of damages caused by the Easement acquisitions from each impacted property; and

WHEREAS, the City has made offers of compensation to the landowners for the Easements consistent with the independent opinions of damages; and

WHEREAS, the City's consultant has been diligently working with the landowners of the impacted properties to reach agreements to voluntarily convey the Easements; and

WHEREAS, despite these efforts, signatures on conveyance documents from owners and/or lenders for the following parcels are still needed to ensure the City's rights to the Easements:

- Parcel 1 (4903 Brooklyn Blvd) - Jose M. and Eleazar Pliego
- Parcel 2 (4911 Brooklyn Blvd) - Eugene Bryskin
- Parcel 3 (4925 Brooklyn Blvd) - Marjorie Van Slyke
- Parcel 5 (4933 Brooklyn Blvd) - Paris M. and Tiffany Dunn
- Parcel 6 (4937 Brooklyn Blvd) - Jacqueline L. Ward
- Parcel 8 (5001 Brooklyn Blvd) - Carolyn A. Winston
- Parcel 9 (5009 Brooklyn Blvd) - Shirley L. Anderson
- Parcel 10 (5017 Brooklyn Blvd) - Delores Riley

- Parcel 11 (5025 Brooklyn Blvd) - Willard D. MacDonald
- Parcel 12 (5031 Brooklyn Blvd) - Amy N. Kelvie
- Parcel 16 (5105 Brooklyn Blvd) - CS Property NMA, LLC,
- Parcel 20 (5727 Brooklyn Blvd) - Robert Lee Fern
- Parcel 22 (4938 Brooklyn Blvd) - Twin Lake Alano Society
- Parcel 26 (5050 Brooklyn Blvd) - Olive L. Long
- Parcel 33 (3300 County Road 10) - FTK Properties Inc.
- Parcel 34 (5842 Brooklyn Blvd) - Alicia M. Vasquez
- Parcel 36 (5425 Xerxes Avenue) - Brooklyn 55 LLC
- Parcel 37 (5430 Brooklyn Blvd) - Brooklyn 77 LLC; and

WHEREAS, the City Council finds that it is reasonably necessary, proper and convenient, and in the interest of the general welfare that the City acquire by eminent domain title to and possession of the Easements in furtherance of the Project; and

WHEREAS, the City Council finds that the construction schedule for the Project makes it necessary to acquire title to and possession of the Easements prior to the filing of the final report of the condemnation commissioners to be appointed by the district court; and

WHEREAS, the City Council finds that appraisers opinions of damages caused by the acquisition of the Easements, as indicated below, reflect fair market value:

Parcel 1	$24,400
Parcel 2	$13,400
Parcel 3	$18,500
Parcel 5	$22,000
Parcel 6	$18,700
Parcel 8	$19,200
Parcel 9	$22,200
Parcel 10	$19,900
Parcel 11	$22,100
Parcel 12	$23,200
Parcel 16	$12,200
Parcel 20	$15,200
Parcel 22	$15,500
Parcel 26	$8,800
Parcel 33	$9,200
Parcel 34	$6,300
Parcel 36	$31,700
Parcel 37	$7,300

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

1. The acquisition of the Easements is necessary and for a public purpose in furtherance of the Project; and

2. The law firm of Kennedy & Graven, Chartered, is authorized and directed to take all steps necessary on behalf of the City to acquire through eminent domain the Easements that are not acquired by voluntary negotiation, including filing an action in eminent domain and using the quick take procedure under Minn. Stat. § 117.042; and

3. The appraised values for the Easements reflect the fair market values thereof and are hereby approved for the purposes of Minn. Stat. § 117.042.

January 8, 2018
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
Legal descriptions of easements

[attached]

PARCEL 1

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through the Northeasterly 15.00 feet of Lot 5, Block 1, BROOKLYN MANOR, Hennepin County, Minnesota.

A temporary easement for construction purposes over, under, across and through the Southwesterly 9.00 feet of the Northeasterly 24.00 feet of Lot 5, Block 1, BROOKLYN MANOR, Hennepin County, Minnesota.

Said temporary easement to expire September 30, 2019.

PARCEL 2

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through the Northeasterly 15.00 feet of Lot 4, Block 1, BROOKLYN MANOR, Hennepin County, Minnesota.

A temporary easement for construction purposes over, under, across and through the Southwesterly 9.00 feet of the Northeasterly 24.00 feet of Lot 4, Block 1, BROOKLYN MANOR, Hennepin County, Minnesota.

Said temporary easement to expire September 30, 2019.

PARCEL 3

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through the Northeasterly 15.00 feet of Lot 3, Block 1, BROOKLYN MANOR, Hennepin County, Minnesota.

A temporary easement for construction purposes over, under, across and through the Southwesterly 9.00 feet of the Northeasterly 24.00 feet of Lot 3, Block 1, BROOKLYN MANOR, Hennepin County, Minnesota.

Said temporary easement to expire September 30, 2019.

PARCEL 5

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through the Northeasterly 15.00 feet of Lot 1, Block 1, BROOKLYN MANOR, Hennepin County, Minnesota.

A temporary easement for construction purposes over, under, across and through the Southwesterly 9.00 feet of the Northeasterly 24.00 feet of Lot 1, Block 1, BROOKLYN MANOR, Hennepin County, Minnesota.

Together with a temporary easement for construction purposes over, under, across and through the Southwesterly 6.00 feet of the Northeasterly 30.00 feet of the Northwesterly 25.00 feet of said Lot 1.

Said temporary easements to expire September 30, 2019.

PARCEL 6

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through the Southwesterly 15.00 feet of the Northeasterly 48.00 feet of the following described property:

That part of the South Half of the Southeast Quarter of the Northeast Quarter of Section 10, Township 118, Range 21, Hennepin County, Minnesota described as commencing on the north line of said South Half of the Southeast Quarter of the Northeast Quarter at a point distant 203.9 feet west of the intersection of said line with the center line of Brooklyn Center Road; thence south at a right angle with the north line of said South Half of the Southeast Quarter of the Northeast Quarter a distance of 133 feet; thence east at right angles a distance of 32.6 feet to the point of beginning of the tract herein described; thence south at a right angle a distance of 100 feet; thence deflecting to the left with and angle of 12 degrees 49 minutes a distance of 35.4 feet; thence deflecting to the left with an angle of 95 degrees 05 minutes a distance of 238.55 feet more or less to the center line of Brooklyn Center Road; thence northwesterly along said center line a distance of 64.3 feet more or less to a point 133 feet south of the north line of said South Half of the Southeast Quarter of the Northeast Quarter measured at right angles with said north line; thence west parallel with said north line a distance of 214.5 feet more or less to the actual point of beginning.

A temporary easement for construction purposes over, under, across and through the Southwesterly 9.00 feet of the Northeasterly 57.00 feet of the following described property:

That part of the South Half of the Southeast Quarter of the Northeast Quarter of Section 10, Township 118, Range 21, Hennepin County, Minnesota described as commencing on the north line of said South Half of the Southeast Quarter of the Northeast Quarter at a point distant 203.9 feet west of the intersection of said line with the center line of Brooklyn Center Road; thence south at a right angle with the north line of said South Half of the Southeast Quarter of the Northeast Quarter a distance of 133 feet; thence east at right angles a distance of 32.6 feet to the point of beginning of the tract herein described; thence south at a right angle a distance of 100 feet; thence deflecting to the left with and angle of 12 degrees 49 minutes a distance of 35.4 feet; thence deflecting to the left with an angle of 95 degrees 05 minutes a distance of 238.55 feet more or less to the center line of Brooklyn Center Road; thence northwesterly along said center line a distance of 64.3 feet more or less to a point 133 feet south of the north line of said South Half of the Southeast Quarter of the Northeast Quarter measured at right angles with said north line; thence west parallel with said north line a distance of 214.5 feet more or less to the actual point of beginning.

Together with a temporary easement for construction purposes over, under, across and through the Southwesterly 6.00 feet of the Northeasterly 63.00 feet of the Southeasterly 10.00 feet of said described property.

Said temporary easements to expire September 30, 2019.

PARCEL 8

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through the Northeasterly 15.00 feet of Lot 4, Block 1, WICHTERMAN'S FIRST ADDITION, Hennepin County, Minnesota.

A temporary easement for construction purposes over, under, across and through the southwesterly 10.00 feet of the Northeasterly 25.00 feet of Lot 4, Block 1, WICHTERMAN'S FIRST ADDITION, Hennepin County, Minnesota.

Said temporary easement to expire September 30, 2019.

PARCEL 9

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through the Northeasterly 15.00 feet of Lot 3, Block 1, WICHTERMAN'S FIRST ADDITION, Hennepin County, Minnesota.

A temporary easement for construction purposes over, under, across and through the Southwesterly 10.00 feet of the Northeasterly 25.00 feet of Lot 3, Block 1, WICHTERMAN'S FIRST ADDITION, Hennepin County, Minnesota.

Said temporary easement to expire September 30, 2019.

PARCEL 10

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through the Northeasterly 15.00 feet of Lot 2, Block 1, WICHTERMAN'S FIRST ADDITION, Hennepin County, Minnesota.

A temporary easement for construction purposes over, under, across and through the Southwesterly 10.00 feet of the Northeasterly 25.00 feet of Lot 2, Block 1, WICHTERMAN'S FIRST ADDITION, Hennepin County, Minnesota.

Together with a temporary easement for construction purposes over, under, across and through that part of said Lot 2 described as commencing at the intersection of the south line of said Lot 2 with a line run parallel with and distant 25.00 feet southwesterly of the northeasterly line of said Lot 2; thence northwesterly along said parallel line a distance of 20.50 feet to the point of beginning of said temporary easement; thence continuing northwesterly along said parallel line a distance of 30.00 feet; thence southerly at a right angle to the south line of said Lot 2 a distance of 28.00 feet; thence southeasterly to the point of beginning.

Said temporary easements to expire September 30, 2019.

PARCEL 11

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through the Northeasterly 15.00 feet of Lot 1, Block 1, WICHTERMAN'S FIRST ADDITION, Hennepin County, Minnesota.

A temporary easement for construction purposes over, under, across and through the Southwesterly 14.00 feet of the Northeasterly 29.00 feet of Lot 1, Block 1, WICHTERMAN'S FIRST ADDITION, Hennepin County, Minnesota.

Said temporary easement to expire September 30, 2019.

PARCEL 12

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through the Northeasterly 15.00 feet of the following described property:

> All that part of the Southeast Quarter of the Northeast Quarter of Section 10, Township 118, Range 21, Hennepin County, Minnesota described as commencing at a point 261.46 feet East and 107.28 feet South of the northwest corner of said Southeast Quarter of the Northeast Quarter; thence East a distance of 390.8 feet; thence South 42.72 feet; thence East160.88 feet; thence South at right angles to the last described line for a distance of 75 feet to the actual point of beginning of the tract to be described; thence East at right angles to the last described line for a distance of 160.53 feet, more or less, to the southwesterly right of way line of Trunk Highway No. 152; thence southeasterly along said southwesterly right of way line a distance of 110.31 feet, more or less, to the northeast corner of Lot 1, Block 1, WICHTERMAN'S FIRST ADDITION, Hennepin County, Minnesota; thence West along the north line of said Lot 1 to the northwest corner of said Lot 1; thence northwesterly to the actual point of beginning.

A temporary easement for construction purposes over, under, across and through the Southwesterly 8.00 feet of the Northeasterly 23.00 feet of the following described property:

> All that part of the Southeast Quarter of the Northeast Quarter of Section 10, Township 118, Range 21, Hennepin County, Minnesota described as commencing at a point 261.46 feet East and 107.28 feet South of the northwest corner of said Southeast Quarter of the Northeast Quarter; thence East a distance of 390.8 feet; thence South 42.72 feet; thence East160.88 feet; thence South at right angles to the last described line for a distance of 75 feet to the actual point of beginning of the tract to be described; thence East at right angles to the last described line for a distance of 160.53 feet, more or less, to the southwesterly right of way line of Trunk Highway No. 152; thence southeasterly along said southwesterly right of way line a distance of 110.31 feet, more or less, to the northeast corner of Lot 1, Block 1, WICHTERMAN'S FIRST ADDITION, Hennepin County, Minnesota; thence West along the north line of said Lot 1 to the northwest corner of said Lot 1; thence northwesterly to the actual point of beginning.

Said temporary easement to expire September 30, 2019.

PARCEL 16

A temporary easement for construction purposes over, under, across and through the East 27.00 feet of the West 41.00 feet of the North 24.50 feet of the following described property:

> That part of Section 10, Township 118, Range 21, Hennepin County, Minnesota described as commencing at the northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 10; thence South 518 feet; thence East to the southwesterly line of State Highway No. 152; thence Southeasterly 600 feet along the southwesterly line of State Highway No. 152 as said southwesterly line was located immediately before the deed recorded in the office of the Register of Deeds of said Hennepin County in Book 2385 Deeds, Page 210, to the point of beginning of the land to be described; thence West 200 feet; thence Northwesterly 150 feet parallel with the southwesterly line of Highway No. 152 as above defined; thence West to the Southeasterly line of State Highway No. 100; thence Southwesterly along said southeasterly line of said State Highway No. 100 to the south line of the Northeast Quarter of the Northeast Quarter of said Section 10; thence East to the southwesterly line of Highway No. 152 as above defined; thence northwesterly along said southwesterly line of Highway No. 152 to the point of beginning; except that part above described tract deeded to the Village of Brooklyn Center by deed recorded in Book 2075 Deeds, Page 105 and also except that part of the above described tract deeded to the State of Minnesota by the deed in Book 2385 Deeds, Page 210.

Together with a temporary easement for construction purposes over, under, across and through the East 14.00 feet of the West 28.00 feet of the South 132.00 feet of the North 156.50 feet of said described property.

Together with a temporary easement for construction purposes over, under, across and through the East 9.00 feet of the West 23.00 feet of the South 174.00 feet of the North 330.50 feet of said described property.

Together with a temporary easement for construction purposes over, under, across and through the East 13.00 feet of the West 27.00 feet of the South 45.50 feet of the North 376.00 feet of said described property.

Said temporary easements to expire September 30, 2019.

PARCEL 20

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through that part of the following property:

> That part of Lot 27, AUDITOR'S SUBDIVISION NO. 216, Hennepin County, Minnesota described as beginning at the northeast corner of the South 90.00 feet of said Lot 27; thence northerly along the east line of said Lot 27 a distance of 59.84 feet; thence northwesterly, northerly and northeasterly a distance of 57.29 feet along a curve not tangential with the east line of said Lot 27 to the intersection with the east line of said Lot 27 (said curve is concave to the east having a radius of 45.00 feet and a central angle of 72 degrees 56 minutes 45 seconds, the chord of said curve is 53.50 feet in length and is part of the east line of said Lot 27); thence northerly along the east line of said Lot 27 a distance of 55.82 feet; thence westerly to a point on the easterly line of Tract A, REGISTERED LAND SURVEY NO. 534, Hennepin County, Minnesota distant 63.75 feet northerly of the southeasterly corner of said Tract A; thence southerly, easterly and southerly along the easterly boundary of said REGISTERED LAND SURVEY NO. 534 to the intersection with the north line of the South 90.00 feet of said Lot 27; thence easterly along said north line a distance of 140.56 feet, more or less, to the point of beginning.

Said perpetual easement being that part of said described property lying northerly of a line described as commencing at the northeast corner of the South 90.00 feet of said Lot 27; thence northerly along the east line of said Lot 27 a distance of 59.84 feet; thence northwesterly, northerly and northeasterly a distance of 57.29 feet along a curve not tangential with the east line of said Lot 27 to the intersection with the east line of said Lot 27 (said curve is concave to the east having a radius of 45.00 feet and a central angle of 72 degrees 56 minutes 45 seconds, the chord of said curve is 53.50 feet in length and is part of the east line of said Lot 27); thence North 05 degrees 00 minutes 08 seconds West, assumed bearing, along the east line of said Lot 27 a distance of 55.17 feet to the point of beginning of said described line; thence North 87 degrees 28 minutes 14 seconds West a distance of 31.16 feet; thence westerly 53.83 feet along a tangential curve concave to the north having a radius of 538.00 feet and a central angle of 05 degrees 43 minutes 57 seconds; thence northwesterly 43.71 feet along a non-tangential curve concave to the northeast having a radius of 526.08 feet and a central angle of 04 degrees 45 minutes 37 seconds West, the chord of said curve bears North 73 degrees 53 minutes 58 seconds; thence North 71 degrees 31 minutes 10 seconds West, tangent to said curve, a distance of 13.59 feet; thence North 60 degrees 36 minutes 15 seconds West a distance of 11.05 feet to the northerly line of said described property and there terminating.

A 15.00 foot temporary easement for construction purposes over, under, across and through the following described property:

> That part of Lot 27, AUDITOR'S SUBDIVISION NO. 216, Hennepin County, Minnesota described as beginning at the northeast corner of the South 90.00 feet of said Lot 27; thence northerly along the east line of said Lot 27 a distance of 59.84 feet; thence northwesterly, northerly and northeasterly a distance of 57.29 feet along a curve not

tangential with the east line of said Lot 27 to the intersection with the east line of said Lot 27 (said curve is concave to the east having a radius of 45.00 feet and a central angle of 72 degrees 56 minutes 45 seconds, the chord of said curve is 53.50 feet in length and is part of the east line of said Lot 27); thence northerly along the east line of said Lot 27 a distance of 55.82 feet; thence westerly to a point on the easterly line of Tract A, REGISTERED LAND SURVEY NO. 534, Hennepin County, Minnesota distant 63.75 feet northerly of the southeasterly corner of said Tract A; thence southerly, easterly and southerly along the easterly boundary of said REGISTERED LAND SURVEY NO. 534 to the intersection with the north line of the South 90.00 feet of said Lot 27; thence easterly along said north line a distance of 140.56 feet, more or less, to the point of beginning.

Said 15.00 foot temporary easement being that part of said described property lying southerly of and adjacent to the following described line and its prolongations. Said line is described as commencing at the northeast corner of the South 90.00 feet of said Lot 27; thence northerly along the east line of said Lot 27 a distance of 59.84 feet; thence northwesterly, northerly and northeasterly a distance of 57.29 feet along a curve not tangential with the east line of said Lot 27 to the intersection with the east line of said Lot 27 (said curve is concave to the east having a radius of 45.00 feet and a central angle of 72 degrees 56 minutes 45 seconds, the chord of said curve is 53.50 feet in length and is part of the east line of said Lot 27); thence North 05 degrees 00 minutes 08 seconds West, assumed bearing, along the east line of said Lot 27 a distance of 55.17 feet to the point of beginning of said described line; thence North 87 degrees 28 minutes 14 seconds West a distance of 31.16 feet; thence westerly 53.83 feet along a tangential curve concave to the north having a radius of 538.00 feet and a central angle of 05 degrees 43 minutes 57 seconds; thence northwesterly 43.71 feet along a non-tangential curve concave to the northeast having a radius of 526.08 feet and a central angle of 04 degrees 45 minutes 37 seconds, the chord of said curve bears North 73 degrees 53 minutes 58 seconds West; thence North 71 degrees 31 minutes 10 seconds West, tangent to said curve, a distance of 13.59 feet; thence North 60 degrees 36 minutes 15 seconds West a distance of 11.05 feet to the northerly line of said described property and there terminating.

Said temporary easement to expire September 30, 2019.

PARCEL 22

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through that part of Lot 1, Block 1, TWIN LAKE ALANO ADDITION, Hennepin County, Minnesota lying westerly of a line described as beginning at the intersection of the north line of said Lot 1 with a line run parallel with and distant 11.00 feet easterly from the west line of said Lot 1; thence southeasterly along said parallel line a distance of 93.40 feet; thence southeasterly deflecting to the left 05 degrees 49 minutes 12 seconds to the intersection with a line run parallel with and distant 13.00 feet easterly from the west line of said Lot 1; thence southeasterly along said parallel line a distance of 189.25 feet; thence southerly deflecting to the right 05 degrees 36 minutes 00 seconds to the intersection with a line run parallel with and distant 11.00 feet easterly from the west line of said Lot 1; thence southeasterly along said parallel line to the south line of said Lot 1 and there terminating.

A temporary easement for construction purposes over, under, across and through that part of Lot 1, Block 1, TWIN LAKE ALANO ADDITION, Hennepin County, Minnesota described as beginning at the intersection of the north line of said Lot 1 with a line run parallel with and distant 11.00 feet easterly from the west line of said Lot 1; thence southeasterly along said parallel line a distance of 93.40 feet; thence southeasterly deflecting to the left 05 degrees 49 minutes 12 seconds to the intersection with a line run parallel with and distant 13.00 feet easterly from the west line of said Lot 1; thence southeasterly along said parallel line a distance of 189.25 feet; thence southerly deflecting to the right 05 degrees 36 minutes 00 seconds to the intersection with a line run parallel with and distant 11.00 feet easterly from the west line of said Lot 1; thence southeasterly along said parallel line to the south line of said Lot 1; thence easterly along said south line to the southeast corner of said Lot 1; thence northerly along the east line of said Lot 1 to the intersection with a line run parallel with and distant 19.00 feet easterly from the west line of said Lot 1; thence northwesterly along said parallel line a distance of 56.70 feet; thence northeasterly deflecting to the right 90 degrees 00 minutes 00 seconds to the east line of said Lot 1; thence northerly along said east line a distance of 10.35 feet; thence northwesterly parallel with the west line of said Lot 1 a distance of 51.65 feet; thence southwesterly deflecting to the left 90 degrees 00 minutes 00 seconds to the intersection with a line run parallel with and distant 18.00 feet easterly from the west line of said Lot 1; thence northwesterly along said parallel line a distance of 132.85 feet; thence northerly deflecting to the right 05 degrees 36 minutes 00 seconds to the intersection with a line run parallel with and distant 22.00 feet easterly from the west line of said Lot 1; thence northwesterly along said parallel line to the north line of said Lot 1; thence westerly along said north line to the point of beginning.

Said temporary easement to expire September 30, 2019.

PARCEL 26

A perpetual easement for roadway and utility purposes over, under, across and through part of the following property:

> Tract E, REGISTERED LAND SURVEY NO. 492, Hennepin County, Minnesota except that part thereof which lies northwesterly of a line run from a point on the west line of said Tract E distant 5.00 feet south of the northwest corner thereof to a point on the north line of said Tract E distant 5.00 feet east of said northwest corner.

Said perpetual easement being that part of said described property described as commencing at the northeast corner of said Tract E; thence North 89 degrees 35 minutes 26 seconds West, assumed bearing, along the north line of said Tract E a distance of 52.45 feet to the point of beginning of said perpetual easement; thence South 88 degrees 30 minutes 00 seconds West a distance of 72.92 feet; thence southwesterly 47.35 feet along a tangential curve concave to the south having a radius of 190.00 feet and a central angle of 14 degrees 16 minutes 39 seconds; thence South 16 degrees 38 minutes 41 seconds East, not tangent to said curve, a distance of 128.42 feet to the south line of said Tract E; thence westerly along the south line of said Tract E a distance of 4.15 feet to the southwest corner of said Tract E; thence northwesterly along the westerly line of said Tract E to a point distant 5.00 feet southerly from the northwest corner of said Tract E; thence northeasterly to a point on the northerly line of said Tract E distant 5.00 feet easterly from said northwest corner; thence South 89 degrees 35 minutes 26 seconds East, along said northerly line, a distance of 132.50 feet to the point of beginning.

A temporary easement for construction purposes over, under, across and through part of the following property:

> Tract E, REGISTERED LAND SURVEY NO. 492, Hennepin County, Minnesota except that part thereof which lies northwesterly of a line run from a point on the west line of said Tract E distant 5.00 feet south of the northwest corner thereof to a point on the north line of said Tract E distant 5.00 feet east of said northwest corner.

Said temporary easement being that part of said described property described as beginning at the northeast corner of said Tract E; thence North 89 degrees 35 minutes 26 seconds West, assumed bearing, along the north line of said Tract E a distance of 52.45 feet; thence South 88 degrees 30 minutes 00 seconds West a distance of 72.92 feet; thence southwesterly 47.35 feet along a tangential curve concave to the south having a radius of 190.00 feet and a central angle of 14 degrees 16 minutes 39 seconds; thence South 16 degrees 38 minutes 41 seconds East, not tangent to said curve, a distance of 128.42 feet to the south line of said Tract E; thence easterly along said south line a distance of 8.37 feet thence North 16 degrees 38 minutes 41 seconds West a distance of 121.13 feet; thence North 80 degrees 19 minutes 26 seconds East a distance of 22.00 feet; thence South 00 degrees 36 minutes 26 seconds East a distance of 16.39 feet; thence North 88 degrees 34 minutes 06 seconds East a distance of 35.00 feet; thence North 00 degrees 36 minutes 26 seconds West a distance of 13.00 feet; thence North 88 degrees 34 minutes 06 seconds East a distance of 38.50 feet; thence South 89 degrees 35 minutes 26 seconds East a distance of 66.51 feet to the east line of said Tract E; thence northerly along said east line a

distance of 14.00 feet to the point of beginning.

Said temporary easement to expire September 30, 2019.

PARCEL 33

A perpetual easement for roadway and utility purposes over, under, across and through that part of Lot 1, Block 1, BROOKLYN CROSSING 3RD ADDITION, Hennepin County, Minnesota described as beginning at the northwest corner of said Lot 1; thence southerly along the westerly line of said Lot 1 a distance of 38.83 to an angle point in the west line of said Lot 1; thence easterly along the westerly line of said Lot 1 a distance of 18.00 feet to an angle point in the westerly line of said Lot 1; thence northerly parallel with the westerly line of said Lot 1 a distance of 10.00 feet to the intersection with the northerly line of a 10.00 foot drainage and utility easement as dedicated in said BROOKLYN CROSSING 3RD ADDITION; thence northeasterly along said northerly line a distance of 4.00 feet; thence northerly, parallel with the westerly line of said Lot 1 to the north line of said Lot 1; thence westerly along said north line to the point of beginning.

A temporary easement for construction purposes over, under, across and through that part of Lot 1, Block 1, BROOKLYN CROSSING 3RD ADDITION, Hennepin County, Minnesota lying westerly of a line described as beginning at the intersection of the southwesterly line of said Lot 1 with a line run parallel with and distant 15.00 feet easterly of the westerly line of said Lot 1; thence northerly along said parallel line and its northerly extension to the north line of said Lot 1 and there terminating.

Together with a temporary easement for construction purposes over, under, across and through that part of South 20.00 feet of said Lot 1 lying westerly of the East 213.00 feet thereof.

Said temporary easements to expire September 30, 2019.

PARCEL 34

A perpetual easement for roadway and utility purposes over, under, across and through that part of the following described property lying westerly of a curve concave to the east having a radius of 2515.48 feet. Said curve passes through a point on the north line of Lot 5, Block 4, GRIMME'S SECOND ADDITION, Hennepin County, Minnesota distant 148.24 feet westerly from the northeast corner of said Lot 5 and passes through a point on the south line of said Lot 5 distant 133.69 feet westerly from the southeast corner of said Lot 5.

> Said property is described as Lot 5, Block 4, GRIMME'S SECOND ADDITION, Hennepin County, Minnesota except that part thereof which lies westerly of a line run parallel with and distant 18 feet easterly of a line described as commencing at a point on the north line of Section 3, Township 118, Range 21, Hennepin County, Minnesota distant1741.08 feet west of the northeast corner thereof; thence southeasterly at an angle of 68 degrees 01 minutes 52.3 seconds with said north section line for 104.54 feet; thence deflect to the right at an angle of 17 degrees 20 minutes 35.2 seconds for 1271.51 feet; thence deflect to the left at an angle of 90 degrees for 24 feet to the point of beginning of the line to be described; thence deflect to the right at an angle of 90 degrees for 19.92 feet; thence deflect to the left on a 3 degree 00 minute curve (delta angle 9 degrees 36 minutes 45 seconds) for 340.42 feet and there terminating and excepting a triangular piece of said Lot adjoining and easterly of the above described strip and northwesterly of a line described as beginning at a point on the easterly boundary of the above described strip distant 30 feet southerly of its intersection with the north line of said Lot 5; thence run northeasterly to a point on the north line of said Lot 5 distant 20 feet easterly of said intersection.

A 5.00 foot temporary easement for construction purposes over, under, across and through Lot 5, Block 4, GRIMME'S SECOND ADDITION, Hennepin County, Minnesota. Said temporary easement lies easterly of and adjacent to a curve concave to the east having a radius of 2515.48 feet. Said curve passes through a point on the north line of said Lot 5 distant 148.24 feet westerly from the northeast corner of said Lot 5 and passes through a point on the south line of said Lot 5 distant 133.69 feet westerly from the southeast corner of said Lot 5.

Said temporary easement to expire September 30, 2019.

PARCEL 36

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through the most Westerly 6.00 feet of Lot 1, Block 1, BROOKLYN 55, Hennepin County, Minnesota.

PARCEL 37

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through the Westerly 3.00 feet of the Southerly 133.00 feet of Lot 2, Block 1, BROOKLYN 55, Hennepin County, Minnesota.

City Council Agenda Item No. 6q

COUNCIL ITEM MEMORANDUM

DATE: January 8, 2018

TO: Curt Boganey, City Manager

FROM: Michael Ericson, Interim Community Development Director

SUBJECT: Resolution Amending the Business Subsidy Policy

Recommendation:

It is recommended that the City Council consider adopting the resolution amending the business subsidy policy.

Background:

At the December 11, 2017 City Council Work session the council discussed changes to the Business Subsidy Policy. The Council's recommendation was for staff to prepare a resolution amending the Business Subsidy Policy that would be consistent with the State of Minnesota Minimum Wage. The amended policy has been written to directly reflect the state minimum wage. Therefore, the wage will adjust as the state adjusts the minimum wage.

At its October 9, 2017 work session, Mayor Willson shared his review of the city's Business Subsidy Policy where on Page 264 there is a reference to providing incentive dollars that businesses must be paying workers s minimum wage of $7.00 per hour. Mayor Willson stated his support to change the amount in our policy in as much the State minimum wage is $9.35 per hour and scheduled to increase. (Minutes enclosed)

The City's Business Subsidy Policy was developed as a part of the 2000 Redevelopment Agreement with Talisman LLC, former owners of the Brookdale Regional Mall. The wage established at the time was $7.00/hr. and it has not been updated. Staff's understanding is it has been applied three times with Global, Embassy Suites, and FBI.

Recently, the City Council approved the development agreement for the construction of the Marriott Fairfield Hotel which replaced the $7.00 as the hourly wage for that project with the State Minimum Wage. The State Minimum Wage is $9.35 per hour.

COUNCIL ITEM MEMORANDUM

Policy Issues:

The amended Business Subsidy Policy will require projects that receive a subsidy from the city to meet the current State Minimum Wage.

Strategic Priorities:

- Resident Economic Stability

Attachments:
Resolution
12-8-2017 Council Work session Agenda Item

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION AMENDING THE BUSINESS SUBSIDY POLICY

WHEREAS, the City of Brooklyn Center is required by Minnesota Statutes, Sections116J-993 through 116j-995, to adopt a business subsidy policy; and

WHEREAS, attached hereto and incorporated herein by reference is Exhibit A is the amended Business Subsidy Policy with criteria; and

WHEREAS, the City Council amends the Business Subsidy Policy to set the wage policy to at least the State of Minnesota's Minimum Wage; and

WHEREAS, is has been found and determined by the Brooklyn Center City Council that the proposed Business Subsidy Policy and criteria as set for in Exhibit A are reasonable and proper.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the Business Subsidy Policy and criteria as set forth in Exhibit A are herby are adopted.

January 8, 2017
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.

RESOLUTION NO. _____ **Exhibit A**

CITY OF BROOKLYN CENTER

BUSINESS SUBSIDY POLICY

The following business subsidy policy is intended to satisfy the requirements of Minnesota Statues, Sections 116j.993 and 116j.994 (the "Act"), in particular, Section 116j.994, subdivision 2, thereof. Terms used but not defined herein have the meaning given them in the Act. The term "City" shall mean the City of Brooklyn Center. The term "Project" means the property with respect to which the Business Subsidy is provided.

A. MANDATORY CRITERIA

All Projects must comply with the following criteria:

1. But For Test. There is a substantial likelihood that the Project would not go forward without the Business Subsidy. This criterion may be met based solely on representations of the recipient of the Business Subsidy.

2. Wage Policy. If the Project results in an obligation to create new jobs pursuant to a subsidy agreement, the wage for each part-time and full-time job required to be created pursuant to the subsidy agreement shall, within two years of the benefit date, pay at least the state of Minnesota's Minimum Wage.

3. Feasibility. The recipient must demonstrate to the satisfaction of the City that the Project has been adequately financed and either has been or will be completed in a timely fashion.

4. Compliance with Act. The Business Subsidy must satisfy all requirements of the Act.

B. EVALUATIVE CRITERIA

The following criteria recognized that the award of Business Subsidy may serve a variety of public purposes of varying importance depending upon the specific Project fascinated by the Business Subsidy. The degree of importance to be attached to various public purposes which may be served by a particular Project must therefore involve the exercise of sound judgment after weighing all relevant criteria. Not all evaluative criteria will be applicable to all projects.

In any event, the City may disregard any evaluative criterion it determines to be either irrelevant or unimportant in the case of the particular project, as permitted by the Act.

The evaluative criteria are as follows:

1. Jobs. The number of full-time equivalent jobs to be created or retained by the proposed Project for a period of at least two years from the estimated benefit date.

2. Tax Base. The net increase in property taxes estimated to be generated by the Project in the first full year of operation.

3. Services to the Community. Whether the Project will provide services or facilities needed in the community. For example, the Project may provide needed health care services, commercial facilities, or other services or facilities needed in the community.

4. Blighted Property. Whether the Project is located on property which is, or is likely to become blighted, and is not likely to be developed or redeveloped because of the blight or other adverse conditions.

5. Design and/or Other Amenity Concessions. Whether, as a result of the Business Subsidy, the Project will include design and/or amenity features not otherwise required by law.

6. Compatibility. Whether the Project is compatible with the comprehensive plan.

7. Utilization of Existing Infrastructure Investment. Whether and to what extent the Project will utilize existing public infrastructure capacity or will require additional publicly funded infrastructure.

8. Leveraged Public Funds. The ratio of private funds which will be applied towards the capital cost of the project compared to the Business Subsidy.

9. Other Factors. Depending on the nature of the Project, such other factors as the City may deem relevant in evaluation the Project and the Business Subsidy proposed for it.

City Council Agenda Item No. 7a

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION EXPRESSING RECOGNITION AND APPRECIATION OF REX NEWMAN FOR HIS DEDICATED PUBLIC SERVICE ON THE FINANCIAL COMMISSION

WHEREAS, Rex Newman was appointed as a member of the Financial Commission on January 8, 2007; was elected as Chairperson on March 30, 2010, and served through April 16, 2015; and was elected a second time as Chairperson on June 16, 2016, and served through December 31, 2017; and

WHEREAS, he has made significant contributions as a member of the Financial Commission, including evaluating and developing fiscal policies, fiscal procedures, Mayor and Council Member total compensation, and budgetary and capital matters; and

WHEREAS, his leadership and expertise have been greatly appreciated by the Financial Commission; and

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

WHEREAS, it is highly appropriate that his service to the community should be recognized and expressed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that Rex Newman is hereby recognized and appreciated by the City of Brooklyn Center, and this resolution serves as a visible and lasting expression of gratitude for the leadership and service he has rendered to the citizens of Brooklyn Center.

January 8, 2018
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.

City Council Agenda Item No. 7b

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION EXPRESSING RECOGNITION AND APPRECIATION OF SUSAN PAGNAC FOR HER DEDICATED PUBLIC SERVICE ON THE HOUSING COMMISSION

WHEREAS, Susan Pagnac served on the Housing Commission from August 10, 2015, through December 31, 2017; and

WHEREAS, as a member of the Housing Commission, she contributed to developing and recommending standards for occupancy and maintenance of housing for the community; and

WHEREAS, her leadership and expertise have been greatly appreciated by the Housing Commission; and

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

WHEREAS, it is highly appropriate that her service to the community should be recognized and expressed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that Susan Pagnac is hereby recognized and appreciated by the City of Brooklyn Center, and this resolution serves as a visible and lasting expression of gratitude for the leadership and service she has rendered to the citizens of Brooklyn Center.

January 8, 2018
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.

City Council Agenda Item No. 7c

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION EXPRESSING RECOGNITION AND APPRECIATION OF KATHLEEN NELSON FOR HER DEDICATED PUBLIC SERVICE ON THE HOUSING COMMISSION

WHEREAS, Kathleen Nelson served on the Housing Commission from April 11, 2016, through December 6, 2017; and

WHEREAS, as a member of the Housing Commission, she contributed to developing and recommending standards for occupancy and maintenance of housing for the community; and

WHEREAS, her leadership and expertise have been greatly appreciated by the Housing Commission; and

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

WHEREAS, it is highly appropriate that her service to the community should be recognized and expressed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that Kathleen Nelson is hereby recognized and appreciated by the City of Brooklyn Center, and this resolution serves as a visible and lasting expression of gratitude for the leadership and service she has rendered to the citizens of Brooklyn Center.

January 8, 2018
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.

City Council Agenda Item No. 10a

City Council Agenda Item No. 10a
#1

COUNCIL ITEM MEMORANDUM

DATE: January 08, 2018

TO: Curt Boganey, City Manager

THROUGH: Michael Ericson, Interim Community Development Director

FROM: Jesse Anderson, Deputy Director of Building and Community Standards

SUBJECT: Type IV 6-Month Provisional Rental License for 5323 Brooklyn Blvd

Recommendation:

It is recommended that the City Council consider **approval of the Mitigation Plan** and issuance of a Type IV 6-Month Provisional Rental License for 5323 Brooklyn Blvd. The applicant or representative has an opportunity to present evidence regarding the submitted Mitigation Plan. If the Council chooses to **modify or disapprove the Mitigation Plan**, it is recommended that the motion be to direct staff to prepare proposed findings for disapproval for modification or disapproval of the Mitigation Plan and notify the license applicant of any pending license actions to be taken at a subsequent Council Meeting. (By ordinance, the applicant hearing is intended only to modify or approve the Mitigation Plan and is not to be used as an opportunity to modify a license type.)

Background:

This owner is applying for a renewal rental license. This is a single family dwelling. The previous rental license was a Type II Rental License. This property qualifies for a Type IV Rental License based on twelve (12) property code violations found during the initial rental license inspection and zero (0) validated police nuisance incidents for the past twelve months.

Staff from Administration, Building & Community Standards and Police Departments worked with the property owner regarding a mitigation plan, which requires Phase I, II and III of the Crime Free Housing Program, and other items included by City ordinance for a Type IV Rental License. A Mitigation Plan has been developed addressing the requirements of the ordinance and any issues specific to the property.

Therefore, staff is recommending approval of the Type IV Rental License on condition of adherence to the Mitigation Plan. Please refer to the attached copy of the Mitigation Plan for more information.

The following is a brief history of the license process actions:

09-18-2017	The Owner, Cosco Properties LLC c/o MSP Home Rental, applied for renewal of the rental dwelling license for 5323 Brooklyn Blvd, a single family dwelling.
10-06-2017	An initial rental license inspection was conducted and failed. 12 property code violations were cited, see attached rental criteria.
11-07-2017	A second rental inspection was conducted and passed.

11-22-2017	City records indicate 0 validated police nuisance incidents occurred in the past twelve months.
11-22-2017	A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
12-05-2017	A Mitigation Plan was submitted.
12-26-2017	The Mitigation Plan was finalized.
12-29-2017	A letter was sent to the owner notifying that the hearing before the Council will be held January 08, 2018.

If approved, after six months, a new rental license is required. The license process will begin immediately. The new license will be based on the property code violations found during the initial renewal license inspection and the number of validated police calls for services for disorderly activities and nuisances as defined in 12-911. The terms of the mitigation plan must also be met.

Excerpt from Chapter 12 of City Code of Ordinances:

Section 12-913. TYPE IV PROVISIONAL LICENSES.

1. Rental properties that meet the provisional licensing criteria as described in Section 12-901 are eligible only for provisional licenses.

2. The City will provide by mail to each licensee a monthly report of any police and fire calls and incidents and applicable property Code violations as described in Section 12-901.

3. Mitigation Plan. The applicant for a provisional license must submit for Council review a mitigation plan for the license period. The mitigation plan shall describe steps proposed by the applicant to reduce the number of police and fire calls and/or the property Code issues described in Section 12-901 and 12-911 to a level that qualifies for a Type I, II, or III license. The mitigation plan may include such steps as changes in tenant screening procedures, changes in lease terms, security measures, rules and regulations for tenant conduct, security personnel, and time frame to implement all phases of the Crime Free Housing Program.

4. Council Consideration. The application with a proposed mitigation plan will be presented to the City Council together with a recommendation by the City Manager or the Manager's designee as to the disposition thereof. After giving the applicant an opportunity to be heard and present evidence, the Council shall approve, disapprove, or approve with conditions the application and the mitigation plan. If the Council disapproves an application and mitigation plan or approves it with conditions, it shall state its reasons for so doing in writing. In evaluating a mitigation plan, the Council will consider, among other things, the facility, its management practices, the nature and seriousness of causes for police and fire incidences and/or property Code issues and the

expected effectiveness of measures identified in the plan to reduce the number of police and fire incidences and/or property Code violations. In evaluating a mitigation plan submitted by an applicant already under a provisional license, the Council will also consider the effectiveness of measures identified in the applicant's previous mitigation plan and the need for different or additional measures to reduce police and fire incidences and/or property Code violations.

5. Compliance with Mitigation Plan. The licensee shall comply with the mitigation plan as approved or modified by the Council. No later than the tenth day after each calendar month, the licensee shall mail or deliver to the City Manager a written report describing all steps taken in furtherance of the mitigation plan during the preceding month.

COUNCIL ITEM MEMORANDUM

Rental License Category Criteria Policy – Adopted by City Council 03-08-10

1. Determining License Categories.

License categories are based on property code and nuisance violations noted during the initial or renewal license inspection or for a category verification inspection, along with excessive validated police service calls occurring over a year. License categories are performance based and more accurately depict the condition of the property and the City costs of service.

2. Fees.

Fee amounts are determined by the costs of the city to license, inspect, monitor and work with the property to ensure category conditions are met. License fees do not include reinspection fees, late fees, charges for criminal or civil enforcement actions, or other penalties.

3. Category Conditions.

The licensee or designated agent must meet the category conditions in the time period specified by the City. A licensee must meet all original conditions required by the License Category, even if a subsequent license category is achieved.

4. License Category Criteria.

a. Property Code and Nuisance Violations.

Property code violation rates will be based on the average number of property code violations per unit identified during the licensing inspection or category verification inspection. Property code violations for purposes of determining licensing categories shall include violations of property code and nuisances as defined in Chapter 12, 19, 7 and other applicable local ordinances. The City may, upon complaints or reasonable concerns that the establishment no longer complies with the license category criteria, perform a category verification inspection to the same standards as the license renewal inspection as indicated below.

Inspections will be conducted in conjunction with established department policies. In cases where 100% of the units are not inspected, the minimum inspection standards will be established as follows:

- At least 75% of units will be inspected for properties with 15 or less units.
- At least 25% of units, to include a minimum of 12 units, will be inspected for properties with 16 or more units.

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	0-1
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than 1 but not more than 4
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than 4 but not more than 8
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than 8
	3+ units	Greater than 3

b. Police Service Calls.

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

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

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

COUNCIL ITEM MEMORANDUM

Budget Issues:

There are no budget issues to consider.

Strategic Priorities:

- Safe, Secure, Stable Community

Attachment
- Mitigation Plan

City of BROOKLYN CENTER

BUILDING AND COMMUNITY STANDARDS

Rental License Mitigation Plan
Type IV License

Handwritten Mitigation Plans will not be accepted. A fillable form can be found on the City's website at www.cityofbrooklyncenter.org or call (763) 569-3330 to have an electronic copy sent to you via email.

Property Address: 5323 Brooklyn Boulevard, Brooklyn Center

Owner's Name(s): Cosco Properties 3, LLC

Local Agent(s): Michael Schaeffer

Owner's Address: 5660 Comstock Lane North
Plymouth, MN 55446

Agent's Address: 1200 Centre Pointe Curve,
Suite 300, Mendota Heights
MN 55120

Owner's Phone:

Agent's Phone: (651) 797-8813

Owner's Email:

Agent's Email: brooke@msphomerental.com

Current Expiration Date: 9/30/17

Pending Expiration Date: 3/31/18
(Six months from current expiration)

Based on property conditions and/or validated police nuisance incidents, the above referenced property qualifies for a Type IV-6 Month Rental License. Prior to application approval by the City Council a fully completed Mitigation Plan must be completed and approved by City staff. A Mitigation Plan must be completed immediately in order to ensure timely completion of the license application process. The Mitigation Plan should indicate the steps being taken to correct identified violations and the measures that will be taken to ensure ongoing compliance with City Ordinances and applicable codes. A Mitigation Plan allows the owner and the City to review concerns and identify possible solutions to improve overall conditions of the property. If the Mitigation Plan is not submitted, and all items are not completed within the pending license period, or the above property operates beyond the license expiration date, enforcement actions such as citation, formal complaint, or license review may result.

Before submitting, fill-out Sections A, B, and C located on pages 2, 3, 4, and 5.

City of Brooklyn Center—Building and Community Standards Department www.cityofbrooklyncenter.org
6301 Shingle Creek Parkway, Brooklyn Center, MN 55430-2199 | Phone: (763) 569-3330 | TTY: 711 | Fax: (763) 569-3350

Sections A—*Crime Free Housing Program Requirements*

Phase I

☑ 1) Use a written lease agreement. The lease agreement shall include the Crime Free Housing Lease Addendum. A copy of the lease agreement and Crime Free Housing Lease Addendum must be attached to the Mitigation Plan when submitted.

☑ 2) Agree to pursue the termination or lease agreement or eviction of tenants who violate the terms of the lease or any addendums.

☑ 3) Conduct criminal background check for all new prospective tenants. If it is a current tenant a new background check is not required. Must be able to provide documentation to City if requested.

☑ 4) Attend a City approved eight-hour Crime Free Housing training course. Information for approved courses can be found at www.mncpa.net under the *Training and Events* tab. A copy of the Crime Free Housing Certificate must be attached to the Mitigation Plan when submitted.

Crime Free Housing training was completed on/is scheduled for: 2/10/16

Owner or agent attended/is planning to attend training at city of: _____

☑ 5) Submit Monthly Update by the 10th day of each month.

Phase II

☑ 1) Complete a Security Assessment and implement improvements requested by the Brooklyn Center Police Department. To schedule an initial or follow-up Security Assessment, call (763) 569-3344. A follow-up assessment must be completed before the license expiration date to verify the security improvements have been implemented. If a Security Assessment has been previously completed, write the completion date.

Security Assessment was completed on/is scheduled for: Upon Move

Security Assessment follow-up was completed on/is scheduled for: 30 days

Continue Sections A, Phase III on page 3.

City of Brooklyn Center—Building and Community Standards Department www.cityofbrooklyncenter.org
6301 Shingle Creek Parkway, Brooklyn Center, MN 55430-2199 | Phone: (763) 569-3330 | TTY: 711 | Fax: (763) 569-3560

Sections A—*Crime Free Housing Program Requirements (continued)*

Phase III

☑ 1) Owner or agent will attend at minimum 50% (2) of the A.R.M. meetings. **The A.R.M. meetings must be completed within the rental license period and before the pending Type IV License expiration date.** Registration is not required, however you must sign-in during the meeting. Write two meeting dates an owner or agent plan to attend.

Owner or agent will attend A.R.M. meetings scheduled on: 11/9/17 and 1/11/18

☑ 2) Have no repeat code violations previously documented with the past year.

The following actions are required for properties with four (4) or more units.

☐ 1) Conduct resident training annually that includes crime prevention techniques.

☐ 2) Conduct regular resident meetings.

City of Brooklyn Center—Building and Community Standards Department www.cityofbrooklyncenter.org
6301 Shingle Creek Parkway, Brooklyn Center, MN 55430-2199 | Phone: (763) 569-3330 | TTY: 711 | Fax: (763) 569-3360

Sections B—*Long Term Capital Improvement Plan*

Based on condition and age, estimated replacement dates need to be provided for common capital items. Funding should be considered accordingly. Items that are broken, worn, or otherwise in violation prior to the estimated replacement date need to be replaced sooner. All items must have a date for *Estimated Replacement Date*. Dates such as: "unsure", "don't know", or "when broken" will not be accepted. If you are unsure of when an item will need to be replaced, you can make a prediction based on the age, appearance, condition, or manufacture/industry recommendations. Additional information on Expected Useful Life can be found at www.hud.gov.

Item	Date Last Replaced	Condition*	Expected Replacement Date
Example: Water Heater	*May 2010*	*F*	*May 2020*
Furnace	June 2015	G	2035
Water Heater	July 2015	G	2030
Kitchen Appliances	2015	G	2028
Laundry Appliances	2017	N	2032
Smoke Alarms/ Carbon Monoxide Alarms	October 2017	N	2027
Exterior Items			
Paint/Siding	pre-2015	G	2020
Windows	pre-2015	G	2025
Roof	pre-2015	G	2028
Fence	-		-
Shed	-		-
Garage	pre-2015	G	2025
Driveway	2015	N	2030
Sidewalks	pre-2015	G	2023
Other:			

*Condition Abbreviations: New=N Good=G Fair=F Needs Replacement=R

City of Brooklyn Center—Building and Community Standards Department www.cityofbrooklyncenter.org
6301 Shingle Creek Parkway, Brooklyn Center, MN 55430-2199 | Phone: (763) 569-3330 | TTY: 711 | Fax: (763) 569-3260

Sections C—*Steps to Improve Management and Conditions of Property*

The items in this section have been proven to assist with property management and property image.

The following actions are required:

- [x] 1) Check-in with tenants every 30-days.
- [x] 2) Drive by property to check for possible code violations.
- [x] 3) Evict tenants in violation of the lease or any addendums.
- [x] 4) Remain current on all utility fees, taxes, assessments, fines, penalties, and other financial claims/payments due to the City.
- [ ] 5) Other: _____

The following actions are optional unless required by the City.

- [ ] 1) Provide lawn/snow service.
- [ ] 2) Provide garbage service.
- [ ] 3) Install security system.
- [ ] 4) Provide maintenance service plan for appliances.

  Name of service company: _____
- [ ] 5) Other: _____

If the Type IV-6 Month Rental License is approved by the City Council, the licensee must comply with the approved Mitigation Plan and all applicable City Codes. A written report must be submitted by the 10th day of each month with an update of actions being taken by the owner and/or agent to comply with this Mitigation Plan. A copy of the Monthly Update can be found on page 7. A fillable form can be found on the City's website at www.cityofbrooklyncenter.org or call (763) 569-3330 to have an electronic copy sent to you via email.

Please attach additional information if necessary.

City of BROOKLYN CENTER

BUILDING AND COMMUNITY STANDARDS

5323 Brooklyn Boulevard, Brooklyn Center

Rental License Mitigation Plan
Type IV License

Sign and Verify

I verify that all information provided is true and accurate. I understand that if I do not comply with the approved Mitigation Plan, comply with all items within the license period, or operate beyond the license expiration date, enforcement actions such as citations, formal complaints, or license review may result.

Michael Schaefer

Owner or Agent Name and Title (Please Print)

Owner or Agent Signature

12/5/2017

Date

Additional Owner or Agent Name and Title (If Applicable, Please Print)

Additional Owner or Agent Signature (If Applicable)

Date

City Staff Only

Police Department

Date

Building and Community Standards Department

Date

City of Brooklyn Center—Building and Community Standards Department www.cityofbrooklyncenter.org
6301 Shingle Creek Parkway, Brooklyn Center, MN 55430-2199 | Phone: (763) 569-3330 | TTY: 711 | Fax: (763) 569-3350

City Council Agenda Item No. 10a
#2

COUNCIL ITEM MEMORANDUM

DATE: January 08, 2018

TO: Curt Boganey, City Manager

THROUGH: Michael Ericson, Interim Community Development Director

FROM: Jesse Anderson, Deputy Director of Building and Community Standards

SUBJECT: Type IV 6-Month Provisional Rental License for 6300 France Ave N

Recommendation:

It is recommended that the City Council consider **approval of the Mitigation Plan** and issuance of a Type IV 6-Month Provisional Rental License for 6300 France Ave N. The applicant or representative has an opportunity to present evidence regarding the submitted Mitigation Plan. If the Council chooses to **modify or disapprove the Mitigation Plan**, it is recommended that the motion be to direct staff to prepare proposed findings for disapproval for modification or disapproval of the Mitigation Plan and notify the license applicant of any pending license actions to be taken at a subsequent Council Meeting. (By ordinance, the applicant hearing is intended only to modify or approve the Mitigation Plan and is not to be used as an opportunity to modify a license type.)

Background:

This owner is applying for a renewal rental license. This is a single family dwelling. The previous rental license was a Type III Rental License. This property qualifies for a Type IV Rental License based on nine (9) property code violations found during the initial rental license inspection and zero (0) validated police nuisance incidents for the past twelve months.

Staff from Administration, Building & Community Standards and Police Departments worked with the property owner regarding a mitigation plan, which requires Phase I, II and III of the Crime Free Housing Program, and other items included by City ordinance for a Type IV Rental License. A Mitigation Plan has been developed addressing the requirements of the ordinance and any issues specific to the property.

Therefore, staff is recommending approval of the Type IV Rental License on condition of adherence to the Mitigation Plan. Please refer to the attached copy of the Mitigation Plan for more information.

The following is a brief history of the license process actions:

06-20-2017	The Owner, RE/MAX Results and Green Homes, applied for renewal of the rental dwelling license for 6300 France Ave N, a single family dwelling.
07-13-2017	An initial rental license inspection was conducted and failed. 9 property code violations were cited, see attached rental criteria.

08-14-2017	A second rental inspection was conducted and failed. A $100 reinspection fee was charged to the property.
08-31-2017	The previous rental license expired.
10-09-2017	A third inspection was conducted and corrections complete; however, reinspection fees remain unpaid.
10-18-2017	A $300 Administrative Citation was issued for operating without a rental license.
10-26-2017	The $100 reinspection fees were paid and rental license passed.
11-09-2017	City records indicate 0 validated police nuisance incidents occurred in the past twelve months.
11-09-2017	A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
11-27-2017	A second letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
12-05-2017	A Mitigation Plan was submitted.
12-26-2017	The Mitigation Plan was finalized.
12-29-2017	A letter was sent to the owner notifying that the hearing before the Council will be held December 29, 2017.

If approved, after six months, a new rental license is required. The license process will begin immediately. The new license will be based on the property code violations found during the initial renewal license inspection and the number of validated police calls for services for disorderly activities and nuisances as defined in 12-911. The terms of the mitigation plan must also be met.

Excerpt from Chapter 12 of City Code of Ordinances:

Section 12-913. TYPE IV PROVISIONAL LICENSES.

1. Rental properties that meet the provisional licensing criteria as described in Section 12-901 are eligible only for provisional licenses.

2. The City will provide by mail to each licensee a monthly report of any police and fire calls and incidents and applicable property Code violations as described in Section 12-901.

3. Mitigation Plan. The applicant for a provisional license must submit for Council review a mitigation plan for the license period. The mitigation plan shall describe steps proposed by the applicant to reduce the number of police and fire calls and/or the property Code issues described in Section 12-901 and 12-911 to a level that qualifies for a Type I, II, or III license. The mitigation plan may include such steps as changes in tenant screening procedures, changes in lease terms, security measures, rules and

regulations for tenant conduct, security personnel, and time frame to implement all phases of the Crime Free Housing Program.

4. Council Consideration. The application with a proposed mitigation plan will be presented to the City Council together with a recommendation by the City Manager or the Manager's designee as to the disposition thereof. After giving the applicant an opportunity to be heard and present evidence, the Council shall approve, disapprove, or approve with conditions the application and the mitigation plan. If the Council disapproves an application and mitigation plan or approves it with conditions, it shall state its reasons for so doing in writing. In evaluating a mitigation plan, the Council will consider, among other things, the facility, its management practices, the nature and seriousness of causes for police and fire incidences and/or property Code issues and the expected effectiveness of measures identified in the plan to reduce the number of police and fire incidences and/or property Code violations. In evaluating a mitigation plan submitted by an applicant already under a provisional license, the Council will also consider the effectiveness of measures identified in the applicant's previous mitigation plan and the need for different or additional measures to reduce police and fire incidences and/or property Code violations.

5. Compliance with Mitigation Plan. The licensee shall comply with the mitigation plan as approved or modified by the Council. No later than the tenth day after each calendar month, the licensee shall mail or deliver to the City Manager a written report describing all steps taken in furtherance of the mitigation plan during the preceding month.

COUNCIL ITEM MEMORANDUM

Rental License Category Criteria Policy – Adopted by City Council 03-08-10

1. Determining License Categories.

License categories are based on property code and nuisance violations noted during the initial or renewal license inspection or for a category verification inspection, along with excessive validated police service calls occurring over a year. License categories are performance based and more accurately depict the condition of the property and the City costs of service.

2. Fees.

Fee amounts are determined by the costs of the city to license, inspect, monitor and work with the property to ensure category conditions are met. License fees do not include reinspection fees, late fees, charges for criminal or civil enforcement actions, or other penalties.

3. Category Conditions.

The licensee or designated agent must meet the category conditions in the time period specified by the City. A licensee must meet all original conditions required by the License Category, even if a subsequent license category is achieved.

4. License Category Criteria.

a. Property Code and Nuisance Violations.

Property code violation rates will be based on the average number of property code violations per unit identified during the licensing inspection or category verification inspection. Property code violations for purposes of determining licensing categories shall include violations of property code and nuisances as defined in Chapter 12, 19, 7 and other applicable local ordinances. The City may, upon complaints or reasonable concerns that the establishment no longer complies with the license category criteria, perform a category verification inspection to the same standards as the license renewal inspection as indicated below.

Inspections will be conducted in conjunction with established department policies. In cases where 100% of the units are not inspected, the minimum inspection standards will be established as follows:

- At least 75% of units will be inspected for properties with 15 or less units.
- At least 25% of units, to include a minimum of 12 units, will be inspected for properties with 16 or more units.

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	0-1
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than 1 but not more than 4
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than 4 but not more than 8
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than 8
	3+ units	Greater than 3

b. Police Service Calls.

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

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

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

COUNCIL ITEM MEMORANDUM

Budget Issues:

There are no budget issues to consider.

Strategic Priorities:

- Safe, Secure, Stable Community

Attachment
- Mitigation Plan

City of BROOKLYN CENTER

BUILDING AND COMMUNITY STANDARDS

Rental License Mitigation Plan
Type IV License

Handwritten Mitigation Plans will not be accepted. A fillable form can be found on the City's website at www.cityofbrooklyncenter.org or call (763) 569-3330 to have an electronic copy sent to you via email.

Property Address: 6300 France Ave N

Owner's Name(s): 9516 Palm St, LLC

Local Agent(s): Joel Jowiski

Owner's Address: PO Box 1628, Maple Grove, MN 55311

Agent's Address: 8848 Zealand Ave N Ste B, Brooklyn Park, MN 55445

Owner's Phone: (763) 227-8163

Agent's Phone: (763) 227-5118

Owner's Email: wadeklick@gmail.com

Agent's Email:

Current Expiration Date: 2/28/18 8/28/2017

Pending Expiration Date: 8/28/18 2/28/18
(Six months from current expiration)

Based on property conditions and/or validated police nuisance incidents, the above referenced property qualifies for a Type IV-6 Month Rental License. Prior to application approval by the City Council a fully completed Mitigation Plan must be completed and approved by City staff. A Mitigation Plan must be completed immediately in order to ensure timely completion of the license application process. The Mitigation Plan should indicate the steps being taken to correct identified violations and the measures that will be taken to ensure ongoing compliance with City Ordinances and applicable codes. A Mitigation Plan allows the owner and the City to review concerns and identify possible solutions to improve overall conditions of the property. If the Mitigation Plan is not submitted, and all items are not completed within the pending license period, or the above property operates beyond the license expiration date, enforcement actions such as citation, formal complaint, or license review may result.

Before submitting, fill-out Sections A, B, and C located on pages 2, 3, 4, and 5.

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City of BROOKLYN CENTER

BUILDING AND COMMUNITY STANDARDS

6300 France Ave N

Rental License Mitigation Plan
Type IV License

Sections A—*Crime Free Housing Program Requirements*

Phase I

☑ 1) Use a written lease agreement. The lease agreement shall include the Crime Free Housing Lease Addendum. A copy of the lease agreement and Crime Free Housing Lease Addendum must be attached to the Mitigation Plan when submitted.

☑ 2) Agree to pursue the termination or lease agreement or eviction of tenants who violate the terms of the lease or any addendums.

☑ 3) Conduct criminal background check for all new prospective tenants. If it is a current tenant a new background check is not required. Must be able to provide documentation to City if requested.

☑ 4) Attend a City approved eight-hour Crime Free Housing training course. Information for approved courses can be found at www.mncpa.net under the *Training and Events* tab. A copy of the Crime Free Housing Certificate must be attached to the Mitigation Plan when submitted.

Crime Free Housing training was completed on/is scheduled for: 6/7/17

Owner or agent attended/is planning to attend training at city of: _____

☑ 5) Submit Monthly Update by the 10th day of each month.

Phase II

☑ 1) Complete a Security Assessment and implement improvements requested by the Brooklyn Center Police Department. To schedule an initial or follow-up Security Assessment, call (763) 569-3344. A follow-up assessment must be completed before the license expiration date to verify the security improvements have been implemented. If a Security Assessment has been previously completed, write the completion date.

Security Assessment was completed on/is scheduled for: 6/6/17

Security Assessment follow-up was completed on/is scheduled for: 11/14/17

Continue Sections A, Phase III on page 3.

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Sections A—*Crime Free Housing Program Requirements (continued)*

Phase III

☑ 1) Owner or agent will attend at minimum 50% (2) of the A.R.M. meetings. The A.R.M. meetings must be completed within the rental license period and before the pending Type IV License expiration date. Registration is not required, however you must sign-in during the meeting. Write two meeting dates an owner or agent plan to attend.

Owner or agent will attend A.R.M. meetings scheduled on: 11/2017 and 1/11/18

☑ 2) Have no repeat code violations previously documented with the past year.

The following actions are required for properties with four (4) or more units.

☑ 1) Conduct resident training annually that includes crime prevention techniques.

☑ 2) Conduct regular resident meetings.

Sections B—Long Term Capital Improvement Plan

Based on condition and age, estimated replacement dates need to be provided for common capital items. Funding should be considered accordingly. Items that are broken, worn, or otherwise in violation prior to the estimated replacement date need to be replaced sooner. All items must have a date for *Estimated Replacement Date*. Dates such as: "unsure", "don't know", or "when broken" will not be accepted. If you are unsure of when an item will need to be replaced, you can make a prediction based on the age, appearance, condition, or manufacture/industry recommendations. Additional information on Expected Useful Life can be found at www.hud.gov.

Item	Date Last Replaced	Condition*	Expected Replacement Date
Example: Water Heater	*May 2010*	*F*	*May 2020*
Furnace	2003	F	2020
Water Heater	2009	F	2020
Kitchen Appliances	2018	G	2028
Laundry Appliances	2014	G	2024
Smoke Alarms/ Carbon Monoxide Alarms	2016/2017	G	2024
Exterior Items			
Paint/Siding	2007/1997	F	2025
Windows	Some orig some 200	G	2025
Roof	2004	F	2024
Fence	N/A		
Shed	N/A		
Garage	2000	G	2030
Driveway	1990	F	2025
Sidewalks	1990	F	2025
Other:			

*Condition Abbreviations: New=N Good=G Fair=F Needs Replacement=R

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Sections C—*Steps to Improve Management and Conditions of Property*

The items in this section have been proven to assist with property management and property image.

The following actions are required:

- [x] 1) Check-in with tenants every 30-days.
- [x] 2) Drive by property to check for possible code violations.
- [x] 3) Evict tenants in violation of the lease or any addendums.
- [x] 4) Remain current on all utility fees, taxes, assessments, fines, penalties, and other financial claims/payments due to the City.
- [ ] 5) Other: _____

The following actions are optional unless required by the City.

- [ ] 1) Provide lawn/snow service.
- [ ] 2) Provide garbage service.
- [ ] 3) Install security system.
- [x] 4) Provide maintenance service plan for appliances.

  Name of service company: Service Plus
- [ ] 5) Other: _____

If the Type IV-6 Month Rental License is approved by the City Council, the licensee must comply with the approved Mitigation Plan and all applicable City Codes. A written report must be submitted by the 10th day of each month with an update of actions being taken by the owner and/or agent to comply with this Mitigation Plan. A copy of the Monthly Update can be found on page 7. A fillable form can be found on the City's website at www.cityofbrooklyncenter.org or call (763) 569-3330 to have an electronic copy sent to you via email.

Please attach additional information if necessary.

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City of BROOKLYN CENTER

BUILDING AND COMMUNITY STANDARDS

6300 France Ave N

Rental License Mitigation Plan
Type IV License

Sign and Verify

I verify that all information provided is true and accurate. I understand that if I do not comply with the approved Mitigation Plan, comply with all items within the license period, or operate beyond the license expiration date, enforcement actions such as citations, formal complaints, or license review may result.

Joel Jowiski

Owner or Agent Name and Title (Please Print)

Owner or Agent Signature

12/4/2017

Date

Additional Owner or Agent Name and Title (If Applicable, Please Print)

Additional Owner or Agent Signature (If Applicable)

Date

City Staff Only

Police Department

12/26/2017

Date

Building and Community Standards Department

12/14/17

Date

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City Council Agenda Item No. 10a
#3

COUNCIL ITEM MEMORANDUM

DATE: January 08, 2018

TO: Curt Boganey, City Manager

THROUGH: Michael Ericson, Interim Community Development Director

FROM: Jesse Anderson, Deputy Director of Building and Community Standards

SUBJECT: Type IV 6-Month Provisional Rental License for 5351 Irving Ave N

Recommendation:

It is recommended that the City Council consider **approval of the Mitigation Plan** and issuance of a Type IV 6-Month Provisional Rental License for 5351 Irving Ave N. The applicant or representative has an opportunity to present evidence regarding the submitted Mitigation Plan. If the Council chooses to **modify or disapprove the Mitigation Plan**, it is recommended that the motion be to direct staff to prepare proposed findings for disapproval for modification or disapproval of the Mitigation Plan and notify the license applicant of any pending license actions to be taken at a subsequent Council Meeting. (By ordinance, the applicant hearing is intended only to modify or approve the Mitigation Plan and is not to be used as an opportunity to modify a license type.)

Background:

This owner is applying for a renewal rental license. This is a single family dwelling. The previous rental license was a Type II Rental License. This property qualifies for a Type IV Rental License based on eighteen (18) property code violations found during the initial rental license inspection and zero (0) validated police nuisance incidents for the past twelve months.

Staff from Administration, Building & Community Standards and Police Departments worked with the property owner regarding a mitigation plan, which requires Phase I, II and III of the Crime Free Housing Program, and other items included by City ordinance for a Type IV Rental License. A Mitigation Plan has been developed addressing the requirements of the ordinance and any issues specific to the property.

Therefore, staff is recommending approval of the Type IV Rental License on condition of adherence to the Mitigation Plan. Please refer to the attached copy of the Mitigation Plan for more information.

The following is a brief history of the license process actions:

08-04-2017	The Owner, Douglas Allen Wahl, applied for renewal of the rental dwelling license for 5351 Irving Ave N, a single family dwelling.
08-28-2017	An initial rental license inspection was conducted and failed. 18 property code violations were cited, see attached rental criteria.

COUNCIL ITEM MEMORANDUM

09-26-2017	A second rental inspection was conducted and failed. A $100 reinspection fee was charged to the property.
10-10-2017	A third inspection was conducted and failed. A $100 reinspection fee was charged to the property.
10-24-2017	A fourth inspection was conducted and corrections complete. However, the $200 in reinspection fees remains unpaid.
10-31-2017	The previous rental license expired.
11-06-2017	The $200 reinspection fees were paid.
11-22-2017	City records indicate 0 validated police nuisance incidents occurred in the past twelve months.
11-22-2017	A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
12-05-2017	A Mitigation Plan was submitted.
12-26-2017	The Mitigation Plan was finalized.
12-29-2017	A letter was sent to the owner notifying that the hearing before the Council will be held January 08, 2018.

If approved, after six months, a new rental license is required. The license process will begin in approximately three months. The new license will be based on the property code violations found during the initial renewal license inspection and the number of validated police calls for services for disorderly activities and nuisances as defined in 12-911. The terms of the mitigation plan must also be met.

Excerpt from Chapter 12 of City Code of Ordinances:

Section 12-913. TYPE IV PROVISIONAL LICENSES.

1. Rental properties that meet the provisional licensing criteria as described in Section 12-901 are eligible only for provisional licenses.

2. The City will provide by mail to each licensee a monthly report of any police and fire calls and incidents and applicable property Code violations as described in Section 12-901.

3. Mitigation Plan. The applicant for a provisional license must submit for Council review a mitigation plan for the license period. The mitigation plan shall describe steps proposed by the applicant to reduce the number of police and fire calls and/or the property Code issues described in Section 12-901 and 12-911 to a level that qualifies for a Type I, II, or III license. The mitigation plan may include such steps as changes in tenant screening procedures, changes in lease terms, security measures, rules and regulations for tenant conduct, security personnel, and time frame to implement all phases of the Crime Free Housing Program.

4. Council Consideration. The application with a proposed mitigation plan will be presented to the City Council together with a recommendation by the City Manager or the Manager's designee as to the disposition thereof. After giving the applicant an opportunity to be heard and present evidence, the Council shall approve, disapprove, or approve with conditions the application and the mitigation plan. If the Council disapproves an application and mitigation plan or approves it with conditions, it shall state its reasons for so doing in writing. In evaluating a mitigation plan, the Council will consider, among other things, the facility, its management practices, the nature and seriousness of causes for police and fire incidences and/or property Code issues and the expected effectiveness of measures identified in the plan to reduce the number of police and fire incidences and/or property Code violations. In evaluating a mitigation plan submitted by an applicant already under a provisional license, the Council will also consider the effectiveness of measures identified in the applicant's previous mitigation plan and the need for different or additional measures to reduce police and fire incidences and/or property Code violations.

5. Compliance with Mitigation Plan. The licensee shall comply with the mitigation plan as approved or modified by the Council. No later than the tenth day after each calendar month, the licensee shall mail or deliver to the City Manager a written report describing all steps taken in furtherance of the mitigation plan during the preceding month.

COUNCIL ITEM MEMORANDUM

Rental License Category Criteria Policy – Adopted by City Council 03-08-10

1. Determining License Categories.

License categories are based on property code and nuisance violations noted during the initial or renewal license inspection or for a category verification inspection, along with excessive validated police service calls occurring over a year. License categories are performance based and more accurately depict the condition of the property and the City costs of service.

2. Fees.

Fee amounts are determined by the costs of the city to license, inspect, monitor and work with the property to ensure category conditions are met. License fees do not include reinspection fees, late fees, charges for criminal or civil enforcement actions, or other penalties.

3. Category Conditions.

The licensee or designated agent must meet the category conditions in the time period specified by the City. A licensee must meet all original conditions required by the License Category, even if a subsequent license category is achieved.

4. License Category Criteria.

a. Property Code and Nuisance Violations.

Property code violation rates will be based on the average number of property code violations per unit identified during the licensing inspection or category verification inspection. Property code violations for purposes of determining licensing categories shall include violations of property code and nuisances as defined in Chapter 12, 19, 7 and other applicable local ordinances. The City may, upon complaints or reasonable concerns that the establishment no longer complies with the license category criteria, perform a category verification inspection to the same standards as the license renewal inspection as indicated below.

Inspections will be conducted in conjunction with established department policies. In cases where 100% of the units are not inspected, the minimum inspection standards will be established as follows:

- At least 75% of units will be inspected for properties with 15 or less units.
- At least 25% of units, to include a minimum of 12 units, will be inspected for properties with 16 or more units.

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	0-1
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than 1 but not more than 4
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than 4 but not more than 8
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than 8
	3+ units	Greater than 3

b. Police Service Calls.

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

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

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

COUNCIL ITEM MEMORANDUM

Budget Issues:

There are no budget issues to consider.

Strategic Priorities:

- Safe, Secure, Stable Community

Attachment
- Mitigation Plan

City of BROOKLYN CENTER

BUILDING AND COMMUNITY STANDARDS

Rental License Mitigation Plan
Type IV License

Handwritten Mitigation Plans will not be accepted. A fillable form can be found on the City's website at www.cityofbrooklyncenter.org or call (763) 569-3330 to have an electronic copy sent to you via email.

Property Address:	5351 Irving Ave N Brooklyn Center MN 55430		
Owner(s) Name(s):	Del Morton	Local Agent(s):	
Owner's Address:	1845 Silmon PkwyW208 Minneapolis, MN 55418	Agent's Address:	
Owner's Phone:	(612) 782-8885	Agent's Phone:	
Owner's Email:	dgtown@comcast.net	Agent's Email:	
Current Expiration Date:	10/31/2017 KM	Pending Expiration Date (if applicable):	4/30/2018 KM

Based on property conditions and/or validated police nuisance incidents, the above referenced property qualifies for a Type IV-6 Month Rental License. Prior to application approval by the City Council a fully completed Mitigation Plan must be completed and approved by City staff. A Mitigation Plan must be completed immediately in order to ensure timely completion of the license application process. The Mitigation Plan should indicate the steps being taken to correct identified violations and the measures that will be taken to ensure ongoing compliance with City Ordinances and applicable codes. A Mitigation Plan allows the owner and the City to review concerns and identify possible solutions to improve overall conditions of the property. If the Mitigation Plan is not submitted, and all items are not completed within the pending license period, or the above property operates beyond the license expiration date, enforcement actions such as citation, formal complaint, or license review may result.

Before submitting, fill-out Sections A, B, and C located on pages 2, 3, 4, and 5.

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City of BROOKLYN CENTER

BUILDING AND COMMUNITY STANDARDS

5351 Irving Ave N
Brooklyn Center MN 55430
PROPERTY ADDRESS

Rental License Mitigation Plan
Type IV License

Section A—Crime Free Housing Program Requirements

Phase I

☑ 1) Use a written lease agreement. The lease agreement shall include the Crime Free Housing Lease Addendum. **A copy of the lease agreement and Crime Free Housing Lease Addendum must be attached to the Mitigation Plan when submitted.**

☑ 2) Agree to pursue the termination of lease agreement or eviction of tenants who violate the terms of the lease or any addendums.

☑ 3) Conduct criminal background check for all new prospective tenants. If it is a current tenant a new background check is not required. Must be able to provide documentation to City if requested.

☑ 4) Attend a City approved eight-hour Crime Free Housing training course. Information for approved courses can be found at www.mncpa.net under the *Training and Events* tab. **A copy of the Crime Free Housing Certificate must be attached to the Mitigation Plan when submitted.**

Crime Free Housing training was completed on/is scheduled for: 1/11/19

Owner or agent attended/is planning to attend training at city of: Brooklyn Center

☑ 5) Submit Monthly Update by the 10th day of each month

Phase II

☑ 1) Complete a Security Assessment and implement improvements requested by the Brooklyn Center Police Department. To schedule an initial or follow-up Security Assessment, call (763) 569-3344. **A follow-up assessment must be completed before the license expiration date to verify the security improvements have been implemented. If a Security Assessment has been previously completed, write the completion date.**

Security Assessment was completed on/is scheduled for: 3/8/2021

Security Assessment follow-up was completed on/is scheduled for: 4/8/2021

Continue Sections A, Phase II on page 3.

City of Brooklyn Center—Building and Community Standards Department www.cityofbrooklyncenter.org
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Section A—Crime Free Housing Program Requirements (continued)

Phase II

☑ 1) Owner or agent will attend at minimum 50% (2) of the A.R.M. meetings. The A.R.M. meetings must be completed within the rental license period and before the pending Type IV License expiration date. Registration is not required, however you must sign-in during the meeting. Write two meeting dates an owner or agent plan to attend.

Owner or agent will attend A.R.M. meetings scheduled on: 1/11/18 and 3/8/18

☑ 2) Have no repeat code violations previously documented with the past year.

The following actions are required for properties with four (4) or more units.

☐ 1) Conduct resident training annually that includes crime prevention techniques.

☐ 2) Conduct regular resident meetings.

City of BROOKLYN CENTER

BUILDING AND COMMUNITY STANDARDS

6351 Irving Ave N
Brooklyn Center MN 55430
PROPERTY ADDRESS

Rental License Mitigation Plan
Type IV License

Section B—Long Term Capital Improvement Plan

Based on condition and age, estimated replacement dates need to be provided for common capital items. Funding should be considered accordingly. Items that are broken, worn, or otherwise in violation prior to the estimated replacement date need to be replaced sooner. All items must have a date for *Estimated Replacement Date*. Dates such as: "unsure", "don't know", or "when broken" will not be accepted. If you are unsure of when an item will need to be replaced, you can make a prediction based on the age, appearance, condition, or manufacture/industry recommendations. Additional information on Expected Useful Life can be found at www.hud.gov.

Item	Date Last Replaced	Condition*	Expected Replacement Date
Example: Water Heater	*May 2010*	*G*	*May 2020*
Furnace	2011	G	2021
Water Heater	2011	G	2019
Kitchen Appliances	2012	G	2020
Laundry Appliances	2012	G	2020
Smoke Alarms/ Carbon Monoxide Alarms	2015	N	2025
Exterior Items			
Paint/Siding	2011	G	2025
Windows	2013	G	2023
Roof	2011	G	2041
Fence	-		
Shed	-		
Garage	Original	G	2041
Driveway	2010	G	2025
Sidewalks	-		
Other:			

*Condition Abbreviations: New=N Good=G Fair=F Needs Replacement=R

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Section C – Steps to Improve Management and Conditions of Property

The items in this section have been proven to assist with property management and property image.

The following actions are required:

- [x] 1) Check-in with tenants every 30-days.
- [x] 2) Drive by property to check for possible code violations.
- [x] 3) Evict tenants in violation of the lease or any addendums.
- [x] 4) Remain current on all utility fees, taxes, assessments, fines, penalties, and other financial claims/payments due to the City.
- [ ] 5) Other: _____

The following actions are optional unless required by the City.

- [ ] 1) Provide lawn/snow service.
- [ ] 2) Provide garbage service.
- [ ] 3) Install security system.
- [ ] 4) Provide maintenance service plan for appliances.

  Name of service company: _____
- [ ] 5) Other: _____

If the Type IV-6 Month Rental License is approved by the City Council, the licensee must comply with the approved Mitigation Plan and all applicable City Codes. A written report must be submitted by the 10th day of each month with an update of actions being taken by the owner and/or agent to comply with this Mitigation Plan. A copy of the Monthly Update can be found on page 7. A fillable form can be found on the City's website at www.cityofbrooklyncenter.org or call (763) 569-3330 to have an electronic copy sent to you via email.

Please attach additional information if necessary.

City of BROOKLYN CENTER

BUILDING AND COMMUNITY STANDARDS

5351 Irving Ave N
Brooklyn Center MN 55430
PROPERTY ADDRESS

Rental License Mitigation Plan
Type IV License

Sign and Verify

I verify that all information provided is true and accurate. I understand that if I do not comply with the approved Mitigation Plan, comply with all items within the license period, or operate beyond the license expiration date, enforcement actions such as citations, formal complaints, or license review may result.

Doug Wahl, Col Manton

Owner or Agent Name and Title (Please Print)

Owner or Agent Signature

12/1/2017
Date

Additional Owner or Agent Name and Title (If Applicable, Please Print)

Additional Owner or Agent Signature (If Applicable)

Date

City Staff Only

Police Department

12/20/2017
Date

Building and Community Standards Department

12/14/17
Date

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City Council Agenda Item No. 10a
#4

COUNCIL ITEM MEMORANDUM

DATE: January 08, 2018

TO: Curt Boganey, City Manager

THROUGH: Michael Ericson, Interim Community Development Director

FROM: Jesse Anderson, Deputy Director of Building and Community Standards

SUBJECT: Type IV 6-Month Provisional Rental License for 5350 Logan Ave N

Recommendation:

It is recommended that the City Council consider **approval of the Mitigation Plan** and issuance of a Type IV 6-Month Provisional Rental License for 5350 Logan Ave N. The applicant or representative has an opportunity to present evidence regarding the submitted Mitigation Plan. If the Council chooses to **modify or disapprove the Mitigation Plan**, it is recommended that the motion be to direct staff to prepare proposed findings for disapproval for modification or disapproval of the Mitigation Plan and notify the license applicant of any pending license actions to be taken at a subsequent Council Meeting. (By ordinance, the applicant hearing is intended only to modify or approve the Mitigation Plan and is not to be used as an opportunity to modify a license type.)

Background:

This owner is applying for a renewal rental license. This is a single family dwelling. The previous rental license was a Type I Rental License. This property qualifies for a Type IV Rental License based on fourteen (14) property code violations found during the initial rental license inspection and one (1) validated police nuisance incidents for the past twelve months.

Staff from Administration, Building & Community Standards and Police Departments worked with the property owner regarding a mitigation plan, which requires Phase I, II and III of the Crime Free Housing Program, and other items included by City ordinance for a Type IV Rental License. A Mitigation Plan has been developed addressing the requirements of the ordinance and any issues specific to the property.

Therefore, staff is recommending approval of the Type IV Rental License on condition of adherence to the Mitigation Plan. Please refer to the attached copy of the Mitigation Plan for more information.

The following is a brief history of the license process actions:

08-14-2017	The Owner, Manoj Moorjani, applied for renewal of the rental dwelling license for 5350 Logan Ave N, a single family dwelling.
08-31-2017	An initial rental license inspection was conducted and failed. 14 property code violations were cited, see attached rental criteria.

10-02-2017	A second rental inspection was conducted and failed. A $100 reinspection fee was charged to the property.
10-17-2017	A third rental inspection was conducted and corrections complete; however, the reinspection fees remain unpaid.
10-26-2017	The $100 reinspection fee was paid and the rental license passed.
11-09-2017	City records indicate 1 validated police nuisance incidents occurred in the past twelve months. 07-29-2017, burglary
11-09-2017	A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
11-27-2017	A second letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
11-30-2017	The previous rental license expired.
12-12-2017	A Mitigation Plan was submitted.
12-26-2017	The Mitigation Plan was finalized.
12-29-2017	A letter was sent to the owner notifying that the hearing before the Council will be held January 08, 2018.

If approved, after six months, a new rental license is required. The license process will begin approximately three months. The new license will be based on the property code violations found during the initial renewal license inspection and the number of validated police calls for services for disorderly activities and nuisances as defined in 12-911. The terms of the mitigation plan must also be met.

Excerpt from Chapter 12 of City Code of Ordinances:

Section 12-913. TYPE IV PROVISIONAL LICENSES.

1. Rental properties that meet the provisional licensing criteria as described in Section 12-901 are eligible only for provisional licenses.

2. The City will provide by mail to each licensee a monthly report of any police and fire calls and incidents and applicable property Code violations as described in Section 12-901.

3. Mitigation Plan. The applicant for a provisional license must submit for Council review a mitigation plan for the license period. The mitigation plan shall describe steps proposed by the applicant to reduce the number of police and fire calls and/or the property Code issues described in Section 12-901 and 12-911 to a level that qualifies for a Type I, II, or III license. The mitigation plan may include such steps as changes in tenant screening procedures, changes in lease terms, security measures, rules and regulations for tenant conduct, security personnel, and time frame to implement all phases of the Crime Free Housing Program.

4. Council Consideration. The application with a proposed mitigation plan will be presented to the City Council together with a recommendation by the City Manager or the Manager's designee as to the disposition thereof. After giving the applicant an opportunity to be heard and present evidence, the Council shall approve, disapprove, or approve with conditions the application and the mitigation plan. If the Council disapproves an application and mitigation plan or approves it with conditions, it shall state its reasons for so doing in writing. In evaluating a mitigation plan, the Council will consider, among other things, the facility, its management practices, the nature and seriousness of causes for police and fire incidences and/or property Code issues and the expected effectiveness of measures identified in the plan to reduce the number of police and fire incidences and/or property Code violations. In evaluating a mitigation plan submitted by an applicant already under a provisional license, the Council will also consider the effectiveness of measures identified in the applicant's previous mitigation plan and the need for different or additional measures to reduce police and fire incidences and/or property Code violations.

5. Compliance with Mitigation Plan. The licensee shall comply with the mitigation plan as approved or modified by the Council. No later than the tenth day after each calendar month, the licensee shall mail or deliver to the City Manager a written report describing all steps taken in furtherance of the mitigation plan during the preceding month.

COUNCIL ITEM MEMORANDUM

Rental License Category Criteria Policy – Adopted by City Council 03-08-10

1. Determining License Categories.

License categories are based on property code and nuisance violations noted during the initial or renewal license inspection or for a category verification inspection, along with excessive validated police service calls occurring over a year. License categories are performance based and more accurately depict the condition of the property and the City costs of service.

2. Fees.

Fee amounts are determined by the costs of the city to license, inspect, monitor and work with the property to ensure category conditions are met. License fees do not include reinspection fees, late fees, charges for criminal or civil enforcement actions, or other penalties.

3. Category Conditions.

The licensee or designated agent must meet the category conditions in the time period specified by the City. A licensee must meet all original conditions required by the License Category, even if a subsequent license category is achieved.

4. License Category Criteria.

a. Property Code and Nuisance Violations.

Property code violation rates will be based on the average number of property code violations per unit identified during the licensing inspection or category verification inspection. Property code violations for purposes of determining licensing categories shall include violations of property code and nuisances as defined in Chapter 12, 19, 7 and other applicable local ordinances. The City may, upon complaints or reasonable concerns that the establishment no longer complies with the license category criteria, perform a category verification inspection to the same standards as the license renewal inspection as indicated below.

Inspections will be conducted in conjunction with established department policies. In cases where 100% of the units are not inspected, the minimum inspection standards will be established as follows:

- At least 75% of units will be inspected for properties with 15 or less units.
- At least 25% of units, to include a minimum of 12 units, will be inspected for properties with 16 or more units.

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	0-1
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than 1 but not more than 4
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than 4 but not more than 8
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than 8
	3+ units	Greater than 3

b. Police Service Calls.

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

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

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

COUNCIL ITEM MEMORANDUM

Budget Issues:

There are no budget issues to consider.

Strategic Priorities:

- Safe, Secure, Stable Community

Attachment
- Mitigation Plan

City of BROOKLYN CENTER

BUILDING AND COMMUNITY STANDARDS

Rental License Mitigation Plan
Type IV License

Handwritten Mitigation Plans will not be accepted. A fillable form can be found on the City's website at www.cityofbrooklyncenter.org or call (763) 569-3330 to have an electronic copy sent to you via email.

Property Address: 5350 Logan ave n Brooklyn Center Mn 55430

Owner's Name(s): Mojo Holding IV LLC

Local Agent(s): Dennis R Mejia

Owner's Address: 9008 Cold Stream Cn EDEN PRAIRIE MN 55347

Agent's Address: 2114 70th ave n Brooklyn Center MN

Owner's Phone: (612) 280-0088

Agent's Phone: (763) 360-0174

Owner's Email: Manoj@urban-homes.net

Agent's Email: Dennis@urban-homes.net

Current Expiration Date: 11/30/17 K

Pending Expiration Date: 5/31/18 K
(6 months from current expiration)

Based on property conditions and/or validated police nuisance incidents, the above referenced property qualifies for a Type IV-6 Month Rental License. Prior to application approval by the City Council a fully completed Mitigation Plan must be completed and approved by City staff. A Mitigation Plan must be completed immediately in order to ensure timely completion of the license application process. The Mitigation Plan should indicate the steps being taken to correct identified violations and the measures that will be taken to ensure ongoing compliance with City Ordinances and applicable codes. A Mitigation Plan allows the owner and the City to review concerns and identify possible solutions to improve overall conditions of the property. If the Mitigation Plan is not submitted, and all items are not completed within the pending license period, or the above property operates beyond the license expiration date, enforcement actions such as citation, formal complaint, or license review may result.

Before submitting, fill-out Sections A, B, and C located on pages 2, 3, 4, and 6.

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Sections A—*Crime Free Housing Program Requirements*

Phase I

☑ 1) Use a written lease agreement. The lease agreement shall include the Crime Free Housing Lease Addendum. A copy of the lease agreement and Crime Free Housing Lease Addendum must be attached to the Mitigation Plan when submitted.

☑ 2) Agree to pursue the termination or lease agreement or eviction of tenants who violate the terms of the lease or any addendums.

☑ 3) Conduct criminal background check for all new prospective tenants. If it is a current tenant a new background check is not required. Must be able to provide documentation to City if requested.

☑ 4) Attend a City approved eight-hour Crime Free Housing training course. Information for approved courses can be found at www.mncpa.net under the *Training and Events* tab. A copy of the Crime Free Housing Certificate must be attached to the Mitigation Plan when submitted.

Crime Free Housing training was completed on/is scheduled for: 1/15/15

Owner or agent attended/is planning to attend training at city of: _____

☑ 5) Submit Monthly Update by the 10th day of each month.

Phase II

☑ 1) Complete a Security Assessment and implement improvements requested by the Brooklyn Center Police Department. To schedule an initial or follow-up Security Assessment, call (763) 569-3344. A follow-up assessment must be completed before the license expiration date to verify the security improvements have been implemented. If a Security Assessment has been previously completed, write the completion date.

Security Assessment was completed on/is scheduled for: 12/14 A

Security Assessment follow-up was completed on/is scheduled for: 12/5/14 A

Continue Sections A, Phase III on page 3.

Sections A—*Crime Free Housing Program Requirements (continued)*

Phase III

☑ 1) Owner or agent will attend at minimum 50% (2) of the A.R.M. meetings. The A.R.M. meetings must be completed within the rental license period and before the pending Type IV License expiration date. Registration is not required, however you must sign-in during the meeting. Write two meeting dates an owner or agent plan to attend.

Owner or agent will attend A.R.M. meetings scheduled on: 1/11/18 and 3/8/18

☑ 2) Have no repeat code violations previously documented with the past year.

The following actions are required for properties with four (4) or more units.

☐ 1) Conduct resident training annually that includes crime prevention techniques.

☐ 2) Conduct regular resident meetings.

Sections B—*Long Term Capital Improvement Plan*

Based on condition and age, estimated replacement dates need to be provided for common capital items. Funding should be considered accordingly. Items that are broken, worn, or otherwise in violation prior to the estimated replacement date need to be replaced sooner. All items must have a date for *Estimated Replacement Date*. Dates such as: "unsure", "don't know", or "when broken" will not be accepted. If you are unsure of when an item will need to be replaced, you can make a prediction based on the age, appearance, condition, or manufacture/industry recommendations. Additional information on Expected Useful Life can be found at www.hud.gov.

Item	Date Last Replaced	Condition*	Expected Replacement Date
Example: Water Heater	*May 2010*	*F*	*May 2020*
Furnace		G	June 2020
Water Heater		G	June 2020
Kitchen Appliances	12-1-17	N	Dec. 2 2020
Laundry Appliances	12- 1-17	N	Dec 2 2020
Smoke Alarms/ Carbon Monoxide Alarms	9-1-17	G	7-31-17
Exterior Items			
Paint/Siding		G	June 2020
Windows	05-1-2016	N	June 2026
Roof	03- 1-2018	N	March 2035
Fence		G	June 2018
Shed		G	June 2020
Garage		G	
Driveway		F	June 2020
Sidewalks			Na
Other:			

*Condition Abbreviations: New=N Good=G Fair=F Needs Replacement=R

Sign and Verify

I verify that all information provided is true and accurate. I understand that if I do not comply with the approved Mitigation Plan, comply with all items within the license period, or operate beyond the license expiration date, enforcement actions such as citations, formal complaints, or license review may result.

Dennis Maja property Manager

Owner or Agent Name and Title (Please Print)

Owner or Agent Signature

12/11/2017

Date

Additional Owner or Agent Name and Title (If Applicable, Please Print)

Additional Owner or Agent Signature (If Applicable)

Date

City Staff Only

Police Department

Date

Building and Community Standards Department

12/13/17

Date

City Council Agenda Item No. 10a
#5

COUNCIL ITEM MEMORANDUM

DATE: January 08, 2018

TO: Curt Boganey, City Manager

THROUGH: Michael Ericson, Interim Community Development Director

FROM: Jesse Anderson, Deputy Director of Building and Community Standards

SUBJECT: Type IV 6-Month Provisional Rental License for 5439 Camden Ave N

Recommendation:

It is recommended that the City Council consider **approval of the Mitigation Plan**, Resolution and issuance of a Type IV 6-Month Provisional Rental License for 5439 Camden Ave N. The applicant or representative has an opportunity to present evidence regarding the submitted Mitigation Plan. If the Council chooses **to modify or disapprove the Mitigation Plan**, it is recommended that the motion be to direct staff to prepare proposed findings for modification or disapproval of the Mitigation Plan and notify the license applicant of any pending license actions to be taken at a subsequent Council Meeting. (By ordinance, the applicant hearing is intended only to modify or approve the Mitigation Plan and is not to be used as an opportunity to modify a license type.)

Background:

This owner is applying for a renewal rental license. This is a single family dwelling. The previous license was a Type IV Rental License issued on June 26, 2017, on condition of adherence to the Mitigation Plan and City Ordinances.

The property would qualify for a Type III Rental License based on eight (8) property code violations found during the initial rental inspection and zero (0) validated police nuisance incidents for the past twelve months. However, the owner failed to comply with the Mitigation Plan and applicable Ordinances, specifically failed to turn in monthly updates. According to City Ordinances, if the requirements of the license category and the Mitigation Plan are not met, the license renewal category remains a Type IV.

City Ordinance Section 12-901.2 requires a licensee of a Type IV Rental Property to complete Phase II of the Crime Free Housing Program. City Ordinance Section 12-914.3.c requires an owner (or authorized representative) to attend a minimum of 50 percent of Owners/Managers Association Meetings.

Staff is recommending approval of the continued Type IV Rental License in lieu of denial, revocation or suspension because the owner is working with staff to meet the license requirements and the property is currently in compliance with the ordinance.

The following is a brief history of the license process actions.

COUNCIL ITEM MEMORANDUM

Current rental license approval activities for license that expires 03/31/2018:

07-21-2017	The owner, Noell McPheeters, applied for renewal of the rental dwelling license for 5439 Camden Ave N, a single family dwelling.
08-25-2017	An initial rental license inspection was not conducted. No access was provided at time of inspection. A $100 reinspection fee was charged to the property.
08-28-2017	An initial rental license inspection was conducted and failed. Eight property code violations were cited, see attached rental criteria.
09-28-2017	A second inspection was conducted and failed. Two new violations were found. A $100 reinspection fee was charged to the property.
09-30-2017	The previous Type IV Rental License expired.
10-05-2017	A $100 reinspection fee was paid.
10-12-2017	A third inspection was conducted and failed. A $100 reinspection was charged to the property.
10-19-2017	A fourth inspection was conducted and corrections complete. However, the reinspection fees remain unpaid.
11-13-2017	A $300 Administrative Citation was issued for operating without a license.
11-22-2017	The $100 reinspection fee was paid and rental license passed.
12-05-2017	City records indicate zero validated police nuisance incidents occurred in the past twelve months.
12-05-2017	A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
12-07-2017	A Mitigation Plan was submitted.
12-26-2017	The Mitigation Plan was finalized.
12-29-2017	A letter was sent to the owner notifying that the hearing before the Council will be held January 08, 2018.

Prior Type IV Rental License approval activities for license that expired on 09/30/2017:

12-13-2016	The Owner, Noell McPheeters, applied for renewal of the rental dwelling license for 5439 Camden Ave N, a single family dwelling.
01-18-2017	An initial rental license inspection was conducted. 14 property code violations were cited, see attached rental criteria.
03-10-2017	A second rental inspection was conducted and failed. A $100 reinspection fee was charged to the property.
03-21-2017	The $100 reinspection fees were paid.
03-31-2017	The previous rental license expired.
04-04-2017	A third inspection was conducted and failed. A $100 reinspection fee was charged to the property.
04-04-2017	City records indicate zero validated police nuisance incidents occurred in the past twelve months.
04-04-2017	A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
04-11-2017	A Mitigation Plan was submitted.

04-20-2017	A fourth inspection was not conducted; no access was provided at the time of inspection. A $100 reinspection fee was charged to the property.
05-12-2017	A fifth inspection was conducted and corrections complete; however, the $200 reinspection fees remain unpaid.
05-16-2017	The Mitigation Plan was finalized.
05-23-2017	The $100 reinspection fee was paid; $100 remains unpaid.
06-12-2017	The $100 reinspection fee was paid and the rental license passed.
06-19-2017	A letter was sent to the owner notifying that the hearing before the Council will be held June 26, 2017.

If approved, after six months, a new rental license is required. The license process will begin in two months. The new license will be based on the property code violations found during the initial renewal license inspection and the number of validated police calls for services for disorderly activities and nuisances as defined in 12-911. The terms of the mitigation plan must also be met.

Excerpt from Chapter 12 of City Code of Ordinances:

Section 12-913. TYPE IV PROVISIONAL LICENSES.

1. Rental properties that meet the provisional licensing criteria as described in Section 12-901 are eligible only for provisional licenses.

2. The City will provide by mail to each licensee a monthly report of any police and fire calls and incidents and applicable property Code violations as described in Section 12-901.

3. Mitigation Plan. The applicant for a provisional license must submit for Council review a mitigation plan for the license period. The mitigation plan shall describe steps proposed by the applicant to reduce the number of police and fire calls and/or the property Code issues described in Section 12-901 and 12-911 to a level that qualifies for a Type I, II, or III license. The mitigation plan may include such steps as changes in tenant screening procedures, changes in lease terms, security measures, rules and regulations for tenant conduct, security personnel, and time frame to implement all phases of the Crime Free Housing Program.

4. Council Consideration. The application with a proposed mitigation plan will be presented to the City Council together with a recommendation by the City Manager or the Manager's designee as to the disposition thereof. After giving the applicant an opportunity to be heard and present evidence, the Council shall approve, disapprove, or approve with conditions the application and the mitigation plan. If the Council disapproves an application and mitigation plan or approves it with conditions, it shall state its reasons for so doing in writing. In evaluating a mitigation plan, the Council will consider, among other things, the facility, its management practices, the nature and seriousness of causes for police and fire incidences and/or property Code issues and the expected effectiveness of measures identified in the plan to reduce the number of police

and fire incidences and/or property Code violations. In evaluating a mitigation plan submitted by an applicant already under a provisional license, the Council will also consider the effectiveness of measures identified in the applicant's previous mitigation plan and the need for different or additional measures to reduce police and fire incidences and/or property Code violations.

5. Compliance with Mitigation Plan. The licensee shall comply with the mitigation plan as approved or modified by the Council. No later than the tenth day after each calendar month, the licensee shall mail or deliver to the City Manager a written report describing all steps taken in furtherance of the mitigation plan during the preceding month.

COUNCIL ITEM MEMORANDUM

Rental License Category Criteria Policy – Adopted by City Council 03-08-10

1. Determining License Categories.

License categories are based on property code and nuisance violations noted during the initial or renewal license inspection or for a category verification inspection, along with excessive validated police service calls occurring over a year. License categories are performance based and more accurately depict the condition of the property and the City costs of service.

2. Fees.

Fee amounts are determined by the costs of the city to license, inspect, monitor and work with the property to ensure category conditions are met. License fees do not include reinspection fees, late fees, charges for criminal or civil enforcement actions, or other penalties.

3. Category Conditions.

The licensee or designated agent must meet the category conditions in the time period specified by the City. A licensee must meet all original conditions required by the License Category, even if a subsequent license category is achieved.

4. License Category Criteria.

a. Property Code and Nuisance Violations.

Property code violation rates will be based on the average number of property code violations per unit identified during the licensing inspection or category verification inspection. Property code violations for purposes of determining licensing categories shall include violations of property code and nuisances as defined in Chapter 12, 19, 7 and other applicable local ordinances. The City may, upon complaints or reasonable concerns that the establishment no longer complies with the license category criteria, perform a category verification inspection to the same standards as the license renewal inspection as indicated below.

Inspections will be conducted in conjunction with established department policies. In cases where 100% of the units are not inspected, the minimum inspection standards will be established as follows:

- At least 75% of units will be inspected for properties with 15 or less units.
- At least 25% of units, to include a minimum of 12 units, will be inspected for properties with 16 or more units.

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	0-1
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than 1 but not more than 4
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than 4 but not more than 8
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than 8
	3+ units	Greater than 3

b. Police Service Calls.

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

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

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

COUNCIL ITEM MEMORANDUM

Budget Issues:

There are no budget issues to consider.

Strategic Priorities:

- Safe, Secure, Stable Community

Attachment
- Mitigation Plan
- Resolution Approving a Type IV Rental License for 5439 Camden Ave N

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING A TYPE IV RENTAL LICENSE FOR 5439 Camden Ave N

WHEREAS, City Ordinance Sections 12-900 to 12-916 set forth requirements for licensed rental properties; and

WHEREAS, the property located at 5439 Camden Ave N, was issued a Type IV Rental License on June 26, 2017; and

WHEREAS, City Ordinance Section 12-901.2 requires a property owner who receives a Type IV Rental License complete Phase I, II and III of the Crime Free Housing Program; and

WHEREAS, City Ordinance Section 12-914.3.c establishes the requirement for Phase II of the Crime Free Housing Program including attendance at a minimum of 50 percent of Owners/Managers Association Meetings and completion of Crime Prevention Through Environmental Design Requirements; and City Ordinance Section 12-913 requires submittal of monthly updates; and

WHEREAS, the property owner of 5439 Camden Ave N, Brooklyn Center failed to turn in monthly updates.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that a TYPE IV Rental License is hereby approved for the property at 5439 Camden Ave N, Brooklyn Center, MN.

January 08, 2018
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.

City of BROOKLYN CENTER

BUILDING AND COMMUNITY STANDARDS

Rental License Mitigation Plan
Type IV License

Handwritten Mitigation Plans will not be accepted. A fillable form can be found on the City's website at www.cityofbrooklyncenter.org or call (763) 569-3330 to have an electronic copy sent to you via email.

Property Address:	6439 Camden Ave. N Brooklyn Center, MN 55430		
Owner's Name(s):	Neal McPheeters / Jeff Benevidez	Local Agent(s):	Renterswarehouse
Owner's Address:	5033 Norwood Lane N. Plymouth, MN 55442	Agent's Address:	13200 Pioneer Trail #100, Eden Prairie, MN 55347
Owner's Phone:	(612) 564-3844	Agent's Phone:	(844) 793-4948
Owner's Email:	Jeff_Benevidez@hotmail.com	Agent's Email:	lwermager@renterswarehouse.
Current Expiration Date:	9/30/17	Pending Expiration Date:	3/31/18 (6+ months from current expiration)

Based on property conditions and/or validated police nuisance incidents, the above referenced property qualifies for a Type IV-6 Month Rental License. Prior to application approval by the City Council a fully completed Mitigation Plan must be completed and approved by City staff. A Mitigation Plan must be completed immediately in order to ensure timely completion of the license application process. The Mitigation Plan should indicate the steps being taken to correct identified violations and the measures that will be taken to ensure ongoing compliance with City Ordinances and applicable codes. A Mitigation Plan allows the owner and the City to review concerns and identify possible solutions to improve overall conditions of the property. If the Mitigation Plan is not submitted, and all items are not completed within the pending license period, or the above property operates beyond the license expiration date, enforcement actions such as citation, formal complaint, or license review may result.

Before submitting, fill-out Sections A, B, and C located on pages 2, 3, 4, and 5.

City of Brooklyn Center—Building and Community Standards Department www.cityofbrooklyncenter.org
6301 Shingle Creek Parkway, Brooklyn Center, MN 55430-2199 | Phone: (763) 569-3330 | TTY: 711 | Fax: (763) 569-3399

Section A—Crime Free Housing Program Requirements

Phase I

☑ 1) Use a written lease agreement. The lease agreement shall include the Crime Free Housing Lease Addendum. A copy of the lease agreement and Crime Free Housing Lease Addendum must be attached to the Mitigation Plan when submitted.

☑ 2) Agree to pursue the termination or lease agreement or eviction of tenants who violate the terms of the lease or any addendums.

☑ 3) Conduct criminal background check for all new prospective tenants. If it is a current tenant a new background check is not required. Must be able to provide documentation to City if requested.

☑ 4) Attend a City approved eight-hour Crime Free Housing training course. Information for approved courses can be found at www.mncpa.net under the *Training and Events* tab. A copy of the Crime Free Housing Certificate must be attached to the Mitigation Plan when submitted.

Crime Free Housing training was completed on/is scheduled for: 11/2018

Owner or agent attended/is planning to attend training at city of: _____

☑ 5) Submit Monthly Update by the 10th day of each month.

Phase II

☑ 1) Complete a Security Assessment and implement improvements requested by the Brooklyn Center Police Department. To schedule an initial or follow-up Security Assessment, call (763) 569-3344. A follow-up assessment must be completed before the license expiration date to verify the security improvements have been implemented. If a Security Assessment has been previously completed, write the completion date.

Security Assessment was completed on/is scheduled for: 2/17/14 C

Security Assessment follow-up was completed on/is scheduled for: 1/22/14

Continue Sections A, Phase II on page 3.

Sections A—Crime Free Housing Program Requirements (continued)

Phase III

☑ 1) Owner or agent will attend at minimum 50% (2) of the A.R.M. meetings. The A.R.M. meetings must be completed within the rental license period and before the pending Type IV License expiration date. Registration is not required, however you must sign-in during the meeting. Write two meeting dates an owner or agent plan to attend.

Owner or agent will attend A.R.M. meetings scheduled on 8/23/17 and 7/31/17

☑ 2) Have no repeat code violations previously documented with the past year.

The following actions are required for properties with four (4) or more units.

☑ 1) Conduct resident training annually that includes crime prevention techniques.

☑ 2) Conduct regular resident meetings.

Section C—Steps to Improve Management and Conditions of Property

The items in this section have been proven to assist with property management and property image.

The following actions are required:

- [x] 1) Check-in with tenants every 30-days.
- [x] 2) Drive by property to check for possible code violations.
- [x] 3) Evict tenants in violation of the lease or any addendums.
- [x] 4) Remain current on all utility fees, taxes, assessments, fines, penalties, and other financial claims/payments due to the City.
- [ ] 5) Other: _____

The following actions are optional unless required by the City.

- [ ] 1) Provide lawn/snow service.
- [ ] 2) Provide garbage service.
- [ ] 3) Install security system.
- [ ] 4) Provide maintenance service plan for appliances.

  Name of service company: _____
- [ ] 5) Other: _____

If the Type IV-6 Month Rental License is approved by the City Council, the licensee must comply with the approved Mitigation Plan and all applicable City Codes. **A written report must be submitted by the 10th day of each month with an update of actions being taken by the owner and/or agent to comply with this Mitigation Plan.** A copy of the Monthly Update can be found on page 7. A fillable form can be found on the City's website at www.cityofbrooklyncenter.org or call (763) 569-3330 to have an electronic copy sent to you via email.

Please attach additional information if necessary.

City of BROOKLYN CENTER

BUILDING AND COMMUNITY STANDARDS

5439 Camden Ave. N
Brooklyn Center, MN 55430

Rental License Mitigation Plan
Type IV License

Sign and Verify

I verify that all information provided is true and accurate. I understand that if I do not comply with the approved Mitigation Plan, comply with all items within the license period, or operate beyond the license expiration date, enforcement actions such as citations, formal complaints, or license review may result.

Jeff Benveniste (Rentonwarehouse is my Agent)

Owner or Agent Name and Title (Please Print)

Jeff Benveniste

Owner or Agent Signature

12/7/2017

Date

Jacob Koch - Renters Warehouse - Property Manager

Additional Owner or Agent Name and Title (If Applicable, Please Print)

Additional Owner or Agent Signature (If Applicable)

12/7/17

Date

City Staff Only

Police Department

Date

Building and Community Standards Department

12/14/17

Date

City of Brooklyn Center—Building and Community Standards Department
6301 Shingle Creek Parkway, Brooklyn Center, MN 55430-2199 | Phone: (763) 569-3330 | TTY: 711 | Fax: (763) 569-3389
www.cityofbrooklyncenter.org

City Council Agenda Item No. 10a
#6

COUNCIL ITEM MEMORANDUM

DATE: January 08, 2017

TO: Curt Boganey, City Manager

THROUGH: Michael Ericson, Interim Community Development Director

FROM: Jesse Anderson, Deputy Director of Building and Community Standards

SUBJECT: Type IV 6-Month Provisional Rental License for 7018 France Ave N

Recommendation:

It is recommended that the City Council consider **approval of the Mitigation Plan**, Resolution and issuance of a Type IV 6-Month Provisional Rental License for 7018 France Ave N. The applicant or representative has an opportunity to present evidence regarding the submitted Mitigation Plan. If the Council chooses to **modify or disapprove the Mitigation Plan**, it is recommended that the motion be to direct staff to prepare proposed findings for modification or disapproval of the Mitigation Plan and notify the license applicant of any pending license actions to be taken at a subsequent Council Meeting. (By ordinance, the applicant hearing is intended only to modify or approve the Mitigation Plan and is not to be used as an opportunity to modify a license type.)

Background:

This owner is applying for a renewal rental license. This is a single family dwelling. The previous license was a Type IV Rental License issued on August 14, 2017, on condition of adherence to the Mitigation Plan and City Ordinances.

The requirements of the Mitigation Plan were met for the previous license. However, the property qualifies for a Type IV Rental License based on eleven (11) property code violations found during the initial rental inspection and zero (0) validated police nuisance incidents for the past twelve months. Therefore, according to City Ordinance, based on the number of property code violations, the license category remains a Type IV.

City Ordinance Section 12-901.2 requires a licensee of a Type IV Rental License to complete Phase II of the Crime Free Housing Program. City Ordinance Section 12-914.3.c requires an owner (or authorized representative) to attend a minimum of 50 percent of Owners/Managers Association Meetings.

Staff is recommending approval of the Type IV Rental License in lieu of denial, revocation or suspension because the owner is working with staff to meet the license requirements and the property is currently in compliance with the ordinance.

COUNCIL ITEM MEMORANDUM

The following is a brief history of the license process actions.

Current rental license approval activities for license that expires 01/31/2018:

07-31-2017	The previous Type IV Rental License expired.
08-01-2017	The owner, Crystal Brummer/Brummer Realty, LLC, applied for renewal of the rental dwelling license for 7018 France Ave N, a single family dwelling.
08-15-2017	An initial rental license inspection was conducted. Eleven property code violations were cited, see attached rental criteria.
09-18-2017	A second inspection was conducted and failed. A $100 reinspection fee was charged to the property.
10-03-2017	The $100 reinspection fees were paid.
10-11-2017	A third inspection was conducted and failed. A $300 Administrative Citation was issued for operating without a license.
10-25-2017	A fourth inspection was conducted and passed.
11-09-2017	A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
11-09-2017	City records indicate zero validated police nuisance incidents occurred in the past twelve months.
12-01-2017	A Mitigation Plan was submitted.
12-26-2017	The Mitigation Plan was finalized.
12-29-2017	A letter was sent to the owner notifying that the hearing before the Council will be held January 08, 2018.

Prior Type IV Rental License approval activities for license that expired on 07/31/2017:

10-27-2016	The Owner, Crystal Brummer, applied for renewal of the rental dwelling license for 7018 France Ave N, a single family dwelling.
11-29-2016	An initial rental license inspection was conducted and failed. 19 property code violations were cited, see attached rental criteria.
01-03-2017	A second rental inspection was conducted and failed.
01-20-2017	A third inspection was conducted and failed. There was no access to the property. A $100 reinspection fee was charged to the property.
01-31-2017	The previous rental license expired.
03-16-2017	A $300 Administrative Citation issued for operating without a rental license.
03-29-2017	A fourth inspection was conducted and failed. There was no access to the property. A $100 reinspection fee was charged to the property.
04-12-2017	A fifth inspection was conducted and failed. There was no access to the property. A $100 reinspection fee was charged to the property.
04-26-2017	The $400 reinspection fee was paid.
05-08-2017	A sixth inspection was conducted and failed. There was no access to the property. A $100 reinspection fee was charged to the property.
05-11-2017	A $600 Administrative Citation issued for operating without a rental license.
05-23-2017	A seventh inspection was conducted and failed. A $100 reinspection fee was charged to the property.

05-25-2017	The $100 reinspection fee was paid.
05-23-2017	A eighth inspection was conducted and passed.
06-15-2017	The $100 reinspection fee was paid.
06-26-2017	City records indicate 0 validated police nuisance incidents occurred in the past twelve months.
06-26-2017	A letter was sent to the owner(s) notifying of qualification for Type IV 6-Month Provisional Rental License, including additional requirements to obtain a rental license. I.e. submit mitigation plan, completion of Phases I, II, and III of Crime Free Housing Program, etc.
06-05-2017	A Mitigation Plan was submitted.
07-06-2017	The Mitigation Plan was finalized.
08-07-2017	A letter was sent to the owner notifying that the hearing before the Council will be held August 14, 2017.

If approved, after six months, a new rental license is required. The license process will begin in immediately. The new license will be based on the property code violations found during the initial renewal license inspection and the number of validated police calls for services for disorderly activities and nuisances as defined in 12-911. The terms of the mitigation plan must also be met.

Excerpt from Chapter 12 of City Code of Ordinances:

Section 12-913. TYPE IV PROVISIONAL LICENSES.

1. Rental properties that meet the provisional licensing criteria as described in Section 12-901 are eligible only for provisional licenses.

2. The City will provide by mail to each licensee a monthly report of any police and fire calls and incidents and applicable property Code violations as described in Section 12-901.

3. Mitigation Plan. The applicant for a provisional license must submit for Council review a mitigation plan for the license period. The mitigation plan shall describe steps proposed by the applicant to reduce the number of police and fire calls and/or the property Code issues described in Section 12-901 and 12-911 to a level that qualifies for a Type I, II, or III license. The mitigation plan may include such steps as changes in tenant screening procedures, changes in lease terms, security measures, rules and regulations for tenant conduct, security personnel, and time frame to implement all phases of the Crime Free Housing Program.

4. Council Consideration. The application with a proposed mitigation plan will be presented to the City Council together with a recommendation by the City Manager or the Manager's designee as to the disposition thereof. After giving the applicant an opportunity to be heard and present evidence, the Council shall approve, disapprove, or approve with conditions the application and the mitigation plan. If the Council

disapproves an application and mitigation plan or approves it with conditions, it shall state its reasons for so doing in writing. In evaluating a mitigation plan, the Council will consider, among other things, the facility, its management practices, the nature and seriousness of causes for police and fire incidences and/or property Code issues and the expected effectiveness of measures identified in the plan to reduce the number of police and fire incidences and/or property Code violations. In evaluating a mitigation plan submitted by an applicant already under a provisional license, the Council will also consider the effectiveness of measures identified in the applicant's previous mitigation plan and the need for different or additional measures to reduce police and fire incidences and/or property Code violations.

5. Compliance with Mitigation Plan. The licensee shall comply with the mitigation plan as approved or modified by the Council. No later than the tenth day after each calendar month, the licensee shall mail or deliver to the City Manager a written report describing all steps taken in furtherance of the mitigation plan during the preceding month.

COUNCIL ITEM MEMORANDUM

Rental License Category Criteria Policy – Adopted by City Council 03-08-10

1. Determining License Categories.

License categories are based on property code and nuisance violations noted during the initial or renewal license inspection or for a category verification inspection, along with excessive validated police service calls occurring over a year. License categories are performance based and more accurately depict the condition of the property and the City costs of service.

2. Fees.

Fee amounts are determined by the costs of the city to license, inspect, monitor and work with the property to ensure category conditions are met. License fees do not include reinspection fees, late fees, charges for criminal or civil enforcement actions, or other penalties.

3. Category Conditions.

The licensee or designated agent must meet the category conditions in the time period specified by the City. A licensee must meet all original conditions required by the License Category, even if a subsequent license category is achieved.

4. License Category Criteria.

a. Property Code and Nuisance Violations.

Property code violation rates will be based on the average number of property code violations per unit identified during the licensing inspection or category verification inspection. Property code violations for purposes of determining licensing categories shall include violations of property code and nuisances as defined in Chapter 12, 19, 7 and other applicable local ordinances. The City may, upon complaints or reasonable concerns that the establishment no longer complies with the license category criteria, perform a category verification inspection to the same standards as the license renewal inspection as indicated below.

Inspections will be conducted in conjunction with established department policies. In cases where 100% of the units are not inspected, the minimum inspection standards will be established as follows:

- At least 75% of units will be inspected for properties with 15 or less units.
- At least 25% of units, to include a minimum of 12 units, will be inspected for properties with 16 or more units.

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	0-1
	3+ units	0-0.75
Type II – 2 Year	1-2 units	Greater than 1 but not more than 4
	3+ units	Greater than 0.75 but not more than 1.5
Type III – 1 Year	1-2 units	Greater than 4 but not more than 8
	3+ units	Greater than 1.5 but not more than 3
Type IV – 6 Months	1-2 units	Greater than 8
	3+ units	Greater than 3

b. Police Service Calls.

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

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

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

COUNCIL ITEM MEMORANDUM

Budget Issues:

There are no budget issues to consider.

Strategic Priorities:

- Safe, Secure, Stable Community

Attachment
- Mitigation Plan
- Resolution Approving a Type IV Rental License for 7018 France Ave N

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING A TYPE IV RENTAL LICENSE FOR 7018 FRANCE AVE N

WHEREAS, City Ordinance Sections 12-900 to 12-916 set forth requirements for licensed rental properties; and

WHEREAS, the property located at 7018 France Ave N, was issued a Type IV Rental License on August 14, 2017; and

WHEREAS, the property qualifies for a Type IV Rental License based on the number of property code violations (11) and validated police nuisance incidents (zero); and

WHEREAS, City Ordinance Section 12-901.2 requires a property owner who receives a Type IV Rental License to complete Phase I, II and III of the Crime Free Housing Program; and

WHEREAS, City Ordinance Section 12-914.3.c establishes the requirement for Phase II of the Crime Free Housing Program including attendance at a minimum of 50 percent of Owners/Managers Association Meetings and complete security improvements; and City Ordinance Section 12-913 requires submittal of monthly updates.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that a TYPE IV Rental License is hereby approved for the property at 7018 France Ave N, Brooklyn Center, MN.

January 08, 2018
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.

Handwritten Mitigation Plans will not be accepted. A fillable form can be found on the City's website at www.cityofbrooklyncenter.org or call (763) 569-3330 to have an electronic copy sent to you via email.

Property Address:	7018 France Ave N		
Owner's Name(s):	Crystal Clear Investments, LLC	Local Agent(s):	Brummer Realty, LLC
Owner's Address:	601 Twelve Oaks Center Dr Suite 803B Wayzata, MN 55391	Agent's Address:	601 Twelve Oaks Center Dr Suite 803B Wayzata, MN 55391
Owner's Phone:	763-208-1566	Agent's Phone:	763-208-1566
Owner's Email:	office@brummerrealty.com	Agent's Email:	office@brummerrealty.com
Current Expiration Date:	7/31/17	Pending Expiration Date: (Six months from current expiration)	1/31/18

Based on property conditions and/or validated police nuisance incidents, the above referenced property qualifies for a Type IV-6 Month Rental License. Prior to application approval by the City Council a fully completed Mitigation Plan must be completed and approved by City staff. A Mitigation Plan must be completed immediately in order to ensure timely completion of the license application process. The Mitigation Plan should indicate the steps being taken to correct identified violations and the measures that will be taken to ensure ongoing compliance with City Ordinances and applicable codes. A Mitigation Plan allows the owner and the City to review concerns and identify possible solutions to improve overall conditions of the property. If the Mitigation Plan is not submitted, and all items are not completed within the pending license period, or the above property operates beyond the license expiration date, enforcement actions such as citation, formal complaint, or license review may result.

Before submitting, fill-out Sections A, B, and C located on pages 2, 3, 4, and 5.

City of Brooklyn Center—Building and Community Standards Department www.cityofbrooklyncenter.org
6301 Shingle Creek Parkway, Brooklyn Center, MN 55430-2199 | Phone: (763) 569-3330 | TTY: 711 | Fax: (763) 569-3560

Sections A—*Crime Free Housing Program Requirements*

Phase I

☑ 1) Use a written lease agreement. The lease agreement shall include the Crime Free Housing Lease Addendum. **A copy of the lease agreement and Crime Free Housing Lease Addendum must be attached to the Mitigation Plan when submitted.**

☑ 2) Agree to pursue the termination or lease agreement or eviction of tenants who violate the terms of the lease or any addendums.

☑ 3) Conduct criminal background check for all new prospective tenants. If it is a current tenant a new background check is not required. Must be able to provide documentation to City if requested.

☑ 4) Attend a City approved eight-hour Crime Free Housing training course. Information for approved courses can be found at www.mncpa.net under the *Training and Events* tab. **A copy of the Crime Free Housing Certificate must be attached to the Mitigation Plan when submitted.**

Crime Free Housing training was completed on/is scheduled for: 9/13/17

Owner or agent attended/is planning to attend training at city of: Brooklyn Park

☑ 5) Submit Monthly Update by the 10th day of each month.

Phase II

☑ 1) Complete a Security Assessment and implement improvements requested by the Brooklyn Center Police Department. To schedule an initial or follow-up Security Assessment, call (763) 569-3344. **A follow-up assessment must be completed before the license expiration date to verify the security improvements have been implemented.** If a Security Assessment has been previously completed, write the completion date.

Security Assessment was completed on/is scheduled for: 8/13/17

Security Assessment follow-up was completed on/is scheduled for: 7/19/17

Continue Sections A, Phase III on page 3.

Sections A—*Crime Free Housing Program Requirements (continued)*

Phase III

☑ 1) Owner or agent will attend at minimum 50% (2) of the A.R.M. meetings. The A.R.M. meetings must be completed within the rental license period and before the pending Type IV License expiration date. Registration is not required, however you must sign-in during the meeting. Write two meeting dates an owner or agent plan to attend.

Owner or agent will attend A.R.M. meetings scheduled on: 2/14/17 and 11/9/17

☑ 2) Have no repeat code violations previously documented with the past year.

The following actions are required for properties with four (4) or more units.

☐ 1) Conduct resident training annually that includes crime prevention techniques.

☐ 2) Conduct regular resident meetings.

Sections B—*Long Term Capital Improvement Plan*

Based on condition and age, estimated replacement dates need to be provided for common capital items. Funding should be considered accordingly. Items that are broken, worn, or otherwise in violation prior to the estimated replacement date need to be replaced sooner. All items must have a date for *Estimated Replacement Date*. Dates such as: "unsure", "don't know", or "when broken" will not be accepted. If you are unsure of when an item will need to be replaced, you can make a prediction based on the age, appearance, condition, or manufacture/industry recommendations. Additional information on Expected Useful Life can be found at www.hud.gov.

Item	Date Last Replaced	Condition*	Expected Replacement Date
Example: Water Heater	*May 2010*	*F*	*May 2020*
Furnace	4/2014	G	2030
Water Heater	2009	G	2025
Kitchen Appliances	In home when purchas	G	2030
Laundry Appliances	~2017 -d in home whe	N	2032/2022
Smoke Alarms/ Carbon Monoxide Alarms	In home when purchas	G	2022
Exterior Items			
Paint/Siding	2017	N	2020
Windows	In home when purcha	G	2030
Roof	In home when purchas	G	2027
Fence	In home when purchas	G	2035
Shed	N/A		
Garage	Existing when purchas	G	Never
Driveway	Existing when purchas	F	2030
Sidewalks	Existing when purchas	G	2030
Other:			

*Condition Abbreviations: New=N Good=G Fair=F Needs Replacement=R

Sections C—*Steps to Improve Management and Conditions of Property*

The items in this section have been proven to assist with property management and property image.

The following actions are required:

- [x] 1) Check-in with tenants every 30-days.
- [x] 2) Drive by property to check for possible code violations.
- [x] 3) Evict tenants in violation of the lease or any addendums.
- [x] 4) Remain current on all utility fees, taxes, assessments, fines, penalties, and other financial claims/payments due to the City.
- [ ] 5) Other: _____

The following actions are optional unless required by the City.

- [ ] 1) Provide lawn/snow service.
- [ ] 2) Provide garbage service.
- [ ] 3) Install security system.
- [ ] 4) Provide maintenance service plan for appliances.

  Name of service company: _____
- [ ] 5) Other: _____

If the Type IV-6 Month Rental License is approved by the City Council, the licensee must comply with the approved Mitigation Plan and all applicable City Codes. A written report must be submitted by the 10th day of each month with an update of actions being taken by the owner and/or agent to comply with this Mitigation Plan. A copy of the Monthly Update can be found on page 7. A fillable form can be found on the City's website at www.cityofbrooklyncenter.org or call (763) 569-3330 to have an electronic copy sent to you via email.

Please attach additional information if necessary.

City of BROOKLYN CENTER

BUILDING AND COMMUNITY STANDARDS

7018 France Ave N

Rental License Mitigation Plan
Type IV License

Sign and Verify

I verify that all information provided is true and accurate. I understand that if I do not comply with the approved Mitigation Plan, comply with all items within the license period, or operate beyond the license expiration date, enforcement actions such as citations, formal complaints, or license review may result.

Crystal Clear Investments, LLC
Owner or Agent Name and Title (Please Print)

Owner or Agent Signature

12/5/17
Date

Additional Owner or Agent Name and Title (If Applicable, Please Print)

Additional Owner or Agent Signature (If Applicable)

Date

City Staff Only

CPS
Police Department

12/26/2017
Date

Building and Community Standards Department

12/14/17
Date

City of Brooklyn Center—Building and Community Standards Department
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www.cityofbrooklyncenter.org

City Council Agenda Item No. 10b

COUNCIL ITEM MEMORANDUM

DATE: January 2, 2018

TO: Curt Boganey, City Manager

THROUGH: Reggie Edwards, Deputy City Manager

FROM: Sharon Knutson, City Clerk

SUBJECT: Select Presiding Officers – President Pro Tem and Acting President Pro Tem

Recommendation:

Mayor Willson requests that the City Council ratify the nomination of Dan Ryan as President Pro Tem. Kris Lawrence-Anderson would serve as Acting President Pro Tem.

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 President 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. Following is a list of Council members by seniority and the votes cast per member in the most recent election.

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

Attachments:
City Charter Section 2.06
City Council Resolution No. 92-262

Budget Issues:

There are no budget issues to consider.

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.

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

COPY

RESOLUTION NO. 92-262

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.

City Council Agenda Item No. 10c

COUNCIL ITEM MEMORANDUM

DATE: January 2, 2018

TO: Curt Boganey, City Manager

THROUGH: Reggie Edwards, Deputy City Manager

FROM: Sharon Knutson, City Clerk

SUBJECT: Resolution Declaring Commitment to the Brooklyn Center City Charter

Recommendation:

It is recommended that the City Council consider adoption of 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 and reminder of Council/Manager responsibilities.

Budget Issues:

There are no budget issues to consider.

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, 2018
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.

City Council Agenda Item No. 10d

COUNCIL ITEM MEMORANDUM

DATE: January 2, 2018

TO: Curt Boganey, City Manager

THROUGH: Reggie Edwards, Deputy City Manager

FROM: Sharon Knutson, City Clerk Sharon Knutson

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

Recommendation:

It is recommended that the City Council consider adoption of 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 would implement that Council policy by an inclusive list of celebrations and contributions in one resolution. We have avoided adopting individual resolutions, while wishing to participate in an inclusive fashion in recognizing the various ethnic and heritage celebrations that occur during the year. By adopting this resolution, the City acknowledges these many events that occur throughout the course of the year. Each year the United States President issues a presidential proclamation for these heritage celebrations (except Norwegian Constitution Day and Swedish National Day).

Budget Issues:

There are no budget issues to consider.

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	Irish-American Heritage Month
March 25	Greek Independence Day
April 14	Pan American Day
May	Asian American and Pacific Islander Heritage Month
May	Jewish American Heritage Month
May 17 (Syttende Mai)	Norwegian Constitution Day
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	Indigenous American Heritage Month

RESOLUTION NO. _____

January 8, 2018
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.

City Council Agenda Item No. 10e

COUNCIL ITEM MEMORANDUM

DATE: January 2, 2018

TO: Curt Boganey, City Manager

THROUGH: Reggie Edwards, Deputy City Manager

FROM: Sharon Knutson, City Clerk

SUBJECT: Mayoral Appointments of City Council Members to Serve as Liaisons to City Advisory Commissions and as City Representatives/Voting Delegates for Other Organizations for 2018

Recommendation:

Mayor Willson e-mailed requesting that the City Council ratify the following appointments for 2018:

Commission/Organization	Council Member
Financial Commission	Kris Lawrence-Anderson
Housing Commission	Marquita Butler
Park and Recreation Commission	April Graves
Brooklyns Youth Council	April Graves
Crime Prevention Program	Kris Lawrence-Anderson
Earle Brown Days Committee	Marquita Butler
	Tim Willson – Alternate
League of Minnesota Cities	Dan Ryan; Tim Willson – Alternate
Metro Cities	Dan Ryan; Tim Willson – Alternate
North Hennepin Area Chamber of Commerce	Tim Willson; Dan Ryan – Alternate

Background:

At the first meeting of the year the Mayor appoints City Council Members 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.

In 2017, Council Members were appointed as follows:

Commission/Organization	Council Member
Financial Commission	Marquita Butler
Housing Commission	Kris Lawrence-Anderson
Park and Recreation Commission	April Graves
Ad Hoc Youth Advisory Commission	April Graves
Crime Prevention Program	Marquita Butler
Earle Brown Days Committee	Kris Lawrence-Anderson
	Tim Willson – Alternate
League of Minnesota Cities	Dan Ryan; Tim Willson – Alternate
Metro Cities	Dan Ryan; Tim Willson – Alternate
North Hennepin Area Chamber of Commerce	Tim Willson

Budget Issues:

There are no budget issues to consider.

City Council Agenda Item No. 10f

COUNCIL ITEM MEMORANDUM

DATE: January 2, 2018

TO: Curt Boganey, City Manager

THROUGH: Reggie Edwards, Deputy City Manager

FROM: Sharon Knutson, City Clerk

SUBJECT: Mayoral Appointment of Members to Serve on Shingle Creek / West Mississippi Watershed Management Commissions

Recommendation:
It is recommended that the City Council consider ratification of the Mayoral appointment of David Vlasin, 5712 Colfax Avenue North, to serve as Commissioner and David Mulla, 6732 Willow Lane, to serve as Alternate Commissioner on the Shingle Creek / West Mississippi Watershed Management Commissions with term to expire January 31, 2021.

Background:
Brooklyn Center is a member of both the Shingle Creek Watershed Management Commission and the West Mississippi Watershed Management Commission. Each member city appoints one Commissioner and one Alternate Commissioner. Notice was posted at City Hall and Community Center and on the City's website and social media beginning November 9, 2017. Official publication was made in the November 9, 2017, edition of *Brooklyn Center Sun-Post*.

A letter was sent to those persons who previously had submitted an application for appointment to a Brooklyn Center advisory commission informing them of the vacancy and requesting that they call the City Clerk if they are interested in applying for the Commission. They were given the choice of either submitting a new application or having their application previously submitted considered. Notices were also sent to current advisory commission members.

Copies of the applications received were forwarded to City Council Members in the December 22, 2017, update. Attached for City Council Members only are copies of the applications received:

David Vlasin	5712 Colfax Avenue North
David Mulla	6732 Willow Lane

The applicants were notified that their application for appointment would be considered at the January 8, 2018, City Council meeting. Mayor Willson recommends appointment of David Vlasin as Commissioner and David Mulla as Alternate Commissioner.

Budget Issues:
There are no budget issues to consider.

City Council Agenda Item No. 10g

COUNCIL ITEM MEMORANDUM

DATE: January 2, 2018

TO: Curt Boganey, City Manager

THROUGH: Reggie Edwards, Deputy City Manager

FROM: Sharon Knutson, City Clerk

SUBJECT: Mayoral Appointment of Member to Serve on Financial Commission

Recommendation:
It is recommended that the City Council consider ratification of the Mayoral appointment of David Dwapu, 1701 69th Avenue North, #303, to the Financial Commission with term to expire December 31, 2020.

Background:
The Financial Commission is composed of a chairperson and six members. There is one vacancy on the Commission. Notice of vacancy on the Commission was posted at City Hall and the Community Center and on the City's website, including Facebook and Twitter, November 22, 2017, through December 22, 2017.

A letter was sent to those persons who previously had submitted an application for appointment to a Brooklyn Center advisory commission informing them of the vacancy and requesting that they call the City Clerk if they are interested in applying for the Commission. They were given the choice of either submitting a new application or having their application previously submitted considered. Notices were also sent to current advisory commission members.

A copy of the application received was forwarded to City Council Members in the December 22, 2017, update. Attached for City Council Members only is a copy of the application received:

David Dwapu 1701 69th Avenue North, #303

The applicant was notified that his application for appointment would be considered at the January 8, 2018, City Council meeting. Mayor Willson recommends appointment of David Dwapu to the Financial Commission.

As previously requested by the City Council, the City Advisory Commission Bylaws are not included in the materials but can be found on the City's website at www.cityofbrooklyncenter.org. The membership roster is also available at this site and in the City Council Reference Book.

Budget Issues:
There are no budget issues to consider.

City Council Agenda Item No. 10h

COUNCIL ITEM MEMORANDUM

DATE: January 2, 2018

TO: Curt Boganey, City Manager

THROUGH: Reggie Edwards, Deputy City Manager

FROM: Sharon Knutson, City Clerk

SUBJECT: Mayoral Appointment of Member to Serve on Housing Commission

Recommendation:
It is recommended that the City Council consider ratification of the Mayoral appointment of Joan Schonning, 5515 Fremont Avenue North, to the Housing Commission with term to expire December 31, 2020.

Background:
The Housing Commission is composed of a chairperson and six members. There are three vacancies on the Commission. Notice of vacancy on the Commission was posted at City Hall and the Community Center and on the City's website, including Facebook and Twitter, November 22, 2017, through December 22, 2017. Notice will be posted until all vacancies are filled.

A letter was sent to those persons who previously had submitted an application for appointment to a Brooklyn Center advisory commission informing them of the vacancy and requesting that they call the City Clerk if they are interested in applying for the Commission. They were given the choice of either submitting a new application or having their application previously submitted considered. Notices were also sent to current advisory commission members.

A copy of the application received was forwarded to City Council Members in the December 22, 2017, update. Attached for City Council Members only is a copy of the application received:

Joan Schonning 5515 Fremont Avenue North

The applicant was notified that her application for appointment would be considered at the January 8, 2018, City Council meeting. Mayor Willson recommends appointment of Joan Schonning to the Housing Commission.

As previously requested by the City Council, the City Advisory Commission Bylaws are not included in the materials but can be found on the City's website at www.cityofbrooklyncenter.org. The membership roster is also available at this site and in the City Council Reference Book.

Budget Issues:
There are no budget issues to consider.

City Council Agenda Item No. 10i

COUNCIL ITEM MEMORANDUM

DATE: January 2, 2018

TO: Curt Boganey, City Manager

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

FROM: Mike Albers, Acting City Engineer

SUBJECT: Resolution Authorizing Acquisition of Easements for Brooklyn Boulevard Corridor Project Phase 1 (49th Avenue to Bass Lake Road), Project No. 2018-05

Recommendation:
It is recommended that the City Council consider approval of a resolution authorizing acquisition of easements for Brooklyn Boulevard Corridor Project Phase 1 (49th Avenue to Bass Lake Road), Project No. 2018-05.

Background:
On May 9, 2016, the City Council directed staff to proceed with the preliminary design, environmental documentation, easement acquisition and final design work for the Brooklyn Boulevard Corridor Project Phase 1 (49th Avenue to Bass Lake Road), Project No. 2018-05. This project is scheduled to be constructed in 2018.

The proposed reconstruction and streetscape improvements will improve roadway safety, enhance traffic operations, reduce access points and provide improved bicycle and pedestrian facilities for a 1.4-mile segment of the corridor in Brooklyn Center between 49th Avenue and Bass Lake Road (County Road 10). The project will enhance bicycle and pedestrian travel by adding a trail, improving sidewalks, transit stops, adding streetscaping and landscaping and improving the functionality of intersections with modified turn lanes.

In order to construct the improvements, permanent drainage, utility, sidewalk and trail easements and/or temporary construction easements are required from 37 separate parcels adjacent to the corridor. Parcel numbers are identified on the right-of-way plan prepared for the project. The City's consulting engineer, SRF Consulting Group, Inc., is negotiating with the affected property owners for the necessary easements. Acquisition Agreements have been reached for the following parcels which require City Council approval:

Parcel No. 4 (PIN 10-118-21-14-0016): This parcel is located at 4929 Brooklyn Boulevard and requires both permanent easements and temporary construction easements with total compensation being offered in the amount of $15,300.

Parcel No. 13 (PIN 10-118-21-14-0016): This parcel is located at 5043 Brooklyn Boulevard and requires both permanent easements and temporary construction easements with total compensation being offered in the amount of $21,000.

Parcel No. 15 (PIN 10-118-21-14-0004): This parcel is located at 5053 Brooklyn Boulevard and requires both permanent easements and temporary construction easements with total compensation being offered in the amount of $1,900.

Parcel No. 19 (PIN 03-118-21-42-0023): This parcel is located at 5501 Brooklyn Boulevard and requires both permanent easements and temporary construction easements with total compensation being offered in the amount of $300.

Parcel No. 21 (PIN 11-118-21-23-0042): This parcel is located at 4900 Xerxes Avenue and requires temporary construction easements with total compensation being offered in the amount of $800.

Parcel No. 23 (PIN 10-118-21-14-0003): This parcel is located at 5010 Brooklyn Boulevard and requires both permanent easements and temporary construction easements with total compensation being offered in the amount of $6,000.

Parcel No. 24 (PIN 10-118-21-14-0002): This parcel is located at 5030 Brooklyn Boulevard and requires both permanent easements and temporary construction easements with total compensation being offered in the amount of $3,300.

Parcel No. 25 (PIN 10-118-21-14-0001): This parcel is located at 5040 Brooklyn Boulevard and requires both permanent easements and temporary construction easements with total compensation being offered in the amount of $4,700.

Parcel No. 27 (PIN 10-118-21-14-0014): This parcel is located at 3001 51st Avenue and requires temporary construction easements with total compensation being offered in the amount of $3,500.

Parcel No. 28 (PIN 10-118-21-11-0020): This parcel is located at 3006 51st Avenue and requires temporary construction easements with total compensation being offered in the amount of $300.

Parcel No. 29 (PIN 10-118-21-11-0019): This parcel is located at 3012 51st Avenue and requires temporary construction easements with total compensation being offered in the amount of $1,200.

Parcel No. 31 (PIN 03-118-21-41-0001): This parcel is located at 5620 Brooklyn Boulevard and requires temporary construction easements with total compensation being offered in the amount of $5,300.

Parcel No. 32 (PIN 03-118-21-14-0001): This parcel is located at 5740 Brooklyn Boulevard and requires both permanent easements and temporary construction easements with total compensation being offered in the amount of $13,764.

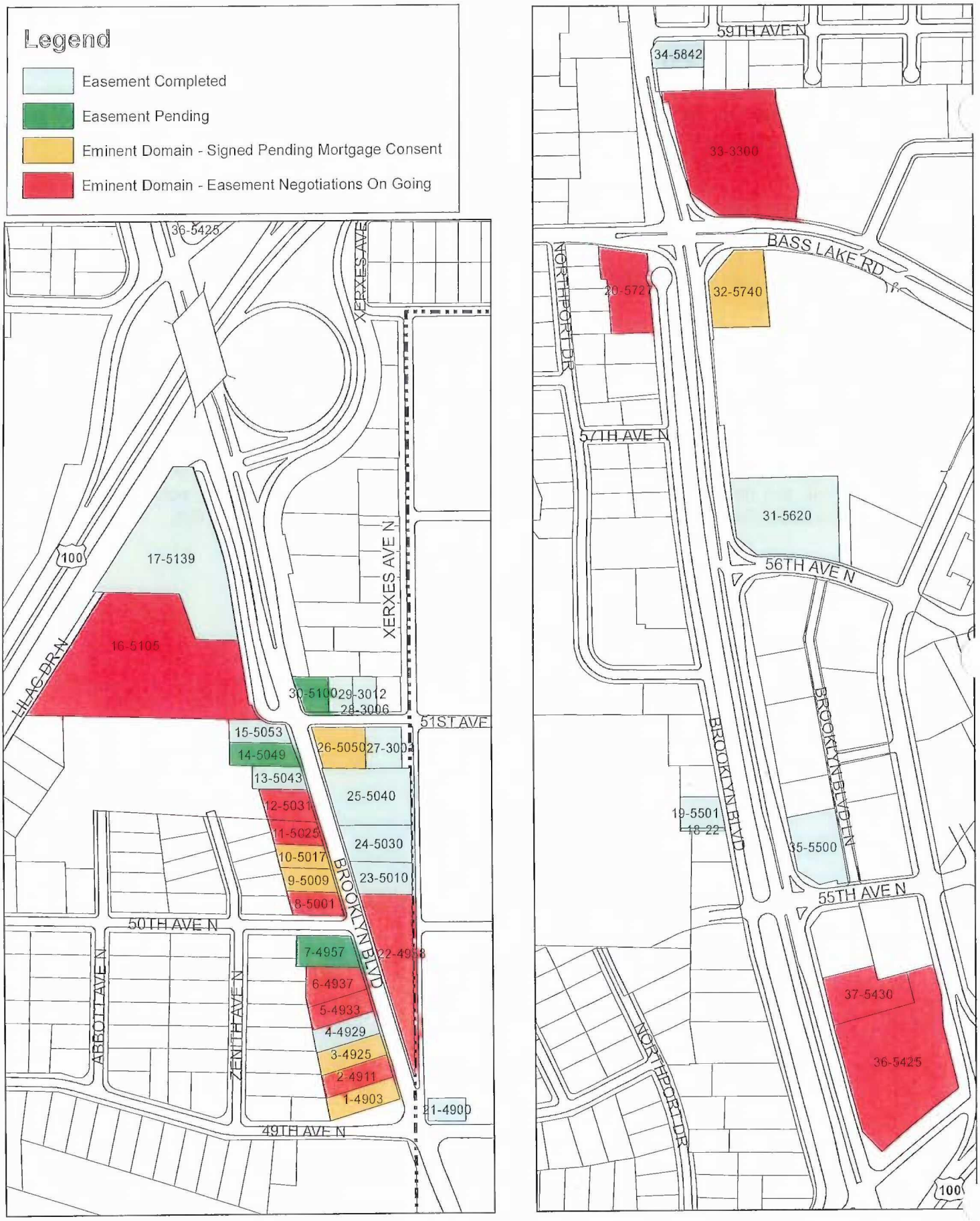
Parcel No. 35 (PIN 03-118-21-44-0032): This parcel is located at 5500 Brooklyn Boulevard and requires temporary construction easements with total compensation being offered in the amount of $1,700.

To date, including the above fourteen parcels, we have acquisition agreements with 15 of the 37 parcels.

The City Attorney has reviewed all easement documents and concurs to the purpose and form of the easements.

Budget Issues:
The 2018 Capital Improvement Program (CIP) budgeted amount for easements on the Brooklyn Boulevard Corridor Project Phase 1 was estimated at $430,000. The total appraised value for all easements on the project are estimated to be approximately $470,000. During the design of the project, it was determined that approximately seven additional properties would require permanent easements and/or temporary construction easements for the construction of the sidewalk and trail. The total value of the permanent easements and temporary construction easements for Parcels 4, 13, 15, 19, 21, 23, 24, 25, 27, 28, 29, 31, 32 and 35 is $79,064.

Strategic Priorities:
- Key Transportation Investments



Brooklyn Boulevard Corridor Project Phase 1
Easement Status

1/2/18

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION AUTHORIZING ACQUISITION OF EASEMENTS FOR BROOKLYN BOULEVARD CORRIDOR PROJECT PHASE 1 (49TH AVENUE TO BASS LAKE ROAD), PROJECT NO. 2018-05

WHEREAS, the City of Brooklyn Center and Hennepin County have planned the improvement of Brooklyn Boulevard between 49th Avenue and 59th Avenue within the City of Brooklyn Center, Minnesota in 2018; and

WHEREAS, a memorandum of agreement has been prepared between the City and the property owners for the acquisition of permanent drainage, utility, sidewalk and trail easements and/or temporary construction easements; and

WHEREAS, for full compensation for conveyance of said property, the City of Brooklyn Center shall pay the owners of Parcel 4 (PIN 10-118-21-14-0016) the sum of $15,300 for land and damages; and

WHEREAS, for full compensation for conveyance of said property, the City of Brooklyn Center shall pay the owners of Parcel 13 (PIN 10-118-21-14-0016) the sum of $21,000 for land and damages; and

WHEREAS, for full compensation for conveyance of said property, the City of Brooklyn Center shall pay the owners of Parcel 15 (PIN 10-118-21-14-0004) the sum of $1,900 for land and damages; and

WHEREAS, for full compensation for conveyance of said property, the City of Brooklyn Center shall pay the owners of Parcel 19 (PIN 03-118-21-42-0023) the sum of $300 for land and damages; and

WHEREAS, for full compensation for conveyance of said property, the City of Brooklyn Center shall pay the owners of Parcel 21 (PIN 11-118-21-23-0042) the sum of $800 for land and damages; and

WHEREAS, for full compensation for conveyance of said property, the City of Brooklyn Center shall pay the owners of Parcel 23 (PIN 10-118-21-14-0003) the sum of $6,000 for land and damages; and

WHEREAS, for full compensation for conveyance of said property, the City of Brooklyn Center shall pay the owners of Parcel 24 (PIN 10-118-21-14-0002) the sum of $3,300 for land and damages; and

RESOLUTION NO. _____

WHEREAS, for full compensation for conveyance of said property, the City of Brooklyn Center shall pay the owners of Parcel 25 (PIN 10-118-21-14-0001) the sum of $4,700 for land and damages; and

WHEREAS, for full compensation for conveyance of said property, the City of Brooklyn Center shall pay the owners of Parcel 27 (PIN 10-118-21-14-0014)the sum of $3,500 for land and damages; and

WHEREAS, for full compensation for conveyance of said property, the City of Brooklyn Center shall pay the owners of Parcel 28 (PIN 10-118-21-11-0020) the sum of $300 for land and damages; and

WHEREAS, for full compensation for conveyance of said property, the City of Brooklyn Center shall pay the owners of Parcel 29 (PIN 10-118-21-11-0019) the sum of $1,200 for land and damages; and

WHEREAS, for full compensation for conveyance of said property, the City of Brooklyn Center shall pay the owners of Parcel 31 (PIN 03-118-21-41-0001) the sum of $5,300 for land and damages; and

WHEREAS, for full compensation for conveyance of said property, the City of Brooklyn Center shall pay the owners of Parcel 32 (PIN 03-118-21-14-0001) the sum of $13,764 for land and damages; and

WHEREAS, for full compensation for conveyance of said property, the City of Brooklyn Center shall pay the owners of Parcel 35 (PIN 03-118-21-44-0032) the sum of $1,700 for land and damages; and

WHEREAS, said memorandum of agreements have been signed by the property owners and it is recommended for approval to the City Council.

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

1. The City Manager is hereby authorized to execute the memorandum of agreement for Parcels 4, 13, 15, 19, 21, 23, 24, 25, 27, 28, 29, 31, 32 and 35 for permanent easements and temporary construction easements that will be conveyed to the City, in the name of the City of Brooklyn Center.

RESOLUTION NO. _____

January 8, 2018 _____
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.

SRF Consulting Group, Inc. | ENGINEERS PLANNERS DESIGNERS

MEMORANDUM OF AGREEMENT

BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT

Parcel No: 4
Fee Owner: Rhonda Mostrom

On this 20th day of November, 2017, Rhonda Mostrom, a single person, Owner of the above described parcel of property located in County of Hennepin, State of Minnesota, did execute and deliver a conveyance to the aforesaid real estate to the City of Brooklyn Center and Hennepin County.

This agreement is now made and entered as a Memorandum of all the terms, and the only terms, agreed upon in connection with the above transaction. It is hereby acknowledged and agreed upon between the parties that:

1. The Owner has been furnished with the approved estimate of just compensation for the property acquired and a summary statement of the basis for the estimate. The Owner understands that the acquired property is for use in connection with the construction of the Brooklyn Boulevard (Hennepin CSAH 152) Project.

2. The Owner understands and acknowledges that SRF's representatives have no direct, indirect, present or contemplated future personal interest in the property or in any benefits from the acquisition of the property.

3. That in full compensation for the conveyance of said property, the City of Brooklyn Center shall pay the Owner the sum of $15,300.00 for land and damages. Owner understands that payment by the City of Brooklyn Center must await approval of title and processing of a voucher.

4. Additionally: Rhonda does not want check mail but wants to be able to pick up check from City Hall – her phone # 612-247-9582

It is understood and agreed that the entire agreement of the parties is contained in this Memorandum of Agreement and that this Agreement supersedes all oral agreements and negotiations between the parties.

Owner(s)

Rhonda Mostrom

The City of Brooklyn Center

By:_____

Its:_____

SRF Consulting Group, Inc. | Engineers Planners Designers

October 31, 2017

Rhonda Mostrom
4929 Brooklyn Blvd
Brooklyn Center, MN 55429

SRF No. 9354.0290

SUBJECT: OFFER TO PURCHASE
BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT
PROPERTY ADDRESS: 4929 BROOKLYN BLVD
PARCEL NO.: 4

Dear Rhonda:

As you may be aware, The City of Brooklyn Center and Hennepin County are acquiring right of way for the above referenced project. This letter constitutes the City's formal offer for the purchase of the necessary land rights. The City of Brooklyn Center hereby offers all parties who may have an interest in the real estate to be acquired the sum of **$15,300.00**, which has been determined to be just compensation for such property and rights based upon the fair market value of the property. Attached to this letter is a *Value Calculation* setting out the basis for this determination.

This offer is made pursuant to the Market Value Appraisal procedures provided for under Minnesota law. The City of Brooklyn Center previously, or with this offer, has provided you with a copy of *"Acquisition Information for Property Owners"* brochure.

You will have a reasonable length of time to consider the offer. To aid in your decision you may wish to secure your own appraisal. Minnesota law provides reimbursement in an amount not to exceed $1,500.00 for the actual costs of an appraisal of property acquired by direct purchase.

If you accept the offer, the parcel will be acquired by direct purchase and you will be paid upon satisfactory evidence of marketable title. In the worst-case scenario that a mutually acceptable agreement cannot be arrived at in a timely manner, the property may be acquired in an eminent domain proceeding.

Your signature on this OFFER TO PURCHASE is only for the verification that such an offer has been made to you and verification that the *"Acquisition Information for Property Owners"* brochure has been received by you. Your signature below does not prejudice your right to have the final amount determined through eminent domain proceedings in the event you do not accept the offer.

On behalf of The City of Brooklyn Center and Hennepin County we wish to thank you for your cooperation and assistance and we look forward to working with you toward a mutually satisfactory completion of the acquisition process.

Sincerely,

SRF CONSULTING GROUP, INC.

Michael C. Iisakka

Mike Iisakka
Senior Right of Way Specialist

Attachments

ACKNOWLEDGMENT OF RECEIPT OF OFFER

I CERTIFY THAT on 20th day of November, 2017, this *Offer to Purchase* and *Value Calculation* was received by me from the above Right of Way Specialist; I also acknowledge the receipt of a brochure explaining the land acquisition process and the Owner's rights, privileges and obligations.

Rhonda Mostrom

Rhonda Mostrom

SRF Consulting Group, Inc. | Engineers Planners Designers

SRF No. 9354.0290

VALUE CALCULATION

BROOKLYN BOULEVARD (HENNEPIN CSAH 152)

Parcel No.: 4

Fee Owners: Rhonda Mostrom

Legal Description of property to be acquired:

See Attached Exhibit A

ACQUISITION INFORMATION

Drainage and Utility Easement:	1,125 square feet
Temporary Construction Easement:	675 square feet

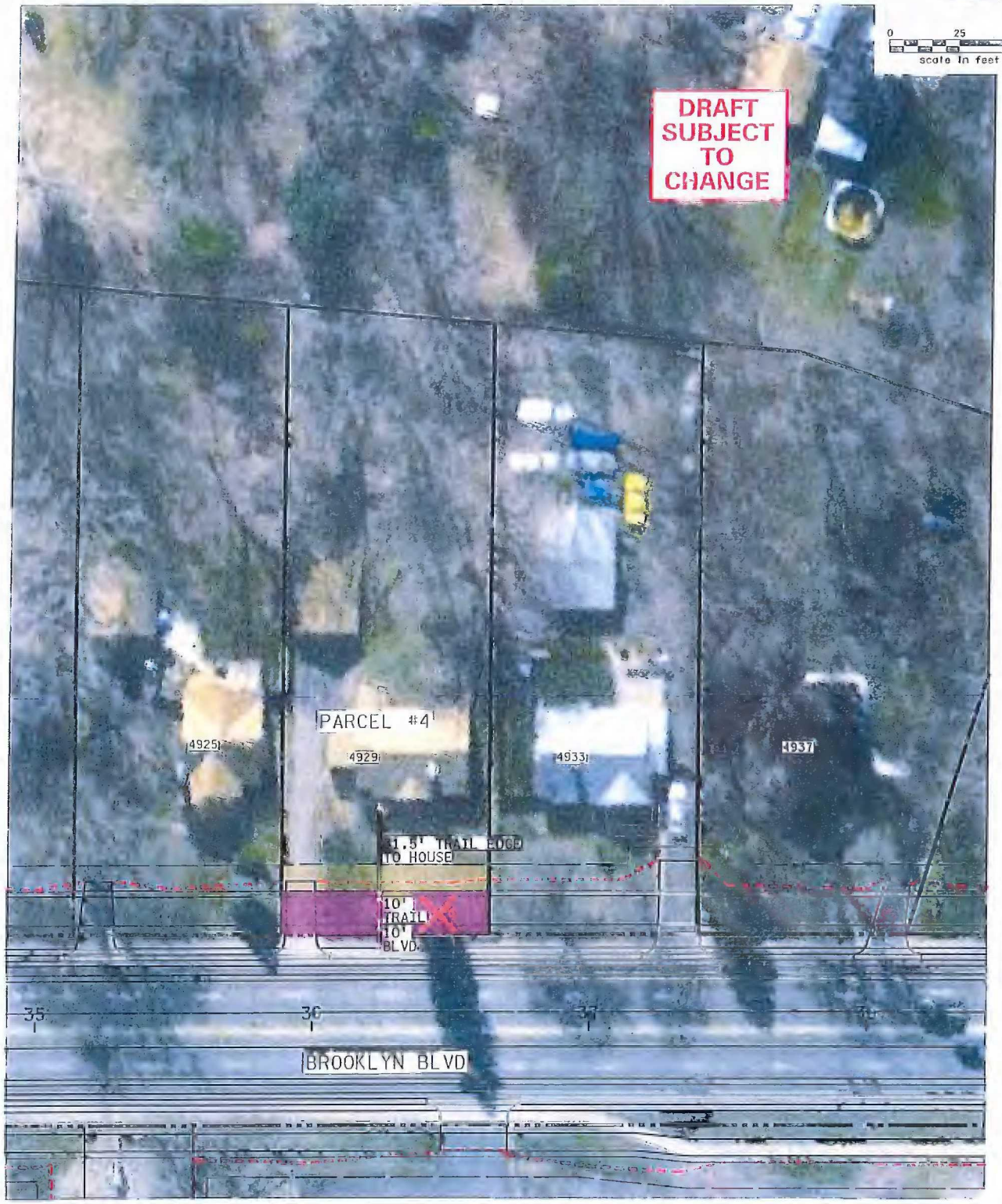
VALUATION

Land Value Before Taking	= $ 172,000.00
Land Value After Taking	= $ 158,600.00
Indicated Damages	= $ 13,400.00
Plus: Temporary Easement	= $ 300.00
Affected Improvements	= $ 1,600.00
TOTAL (rounded)	**= $ 15,300.00**

EXHIBIT A

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through the Northeasterly 15.00 feet of Lot 2, Block 1, BROOKLYN MANOR, Hennepin County, Minnesota.

A temporary easement for construction purposes over, under, across and through the Southwesterly 9.00 feet of the Northeasterly 24.00 feet of Lot 2, Block 1, BROOKLYN MANOR, Hennepin County, Minnesota.



LEGEND

- EXISTING RIGHT OF WAY
- CONST. LIMITS
- PROPOSED FEATURES
- TEMP EASEMENT
- TREE REMOVAL

AREAS (SQ FT)

D&U, S/T EASE	NEW PE	TE
1125		675

4929 BROOKLYN BLVD
PID: 101182114ØØ16 PARCEL #4
SP 109-Ø2Ø-Ø13

10/11/2017

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10/11/2017
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SRF Consulting Group, Inc. | Engineers Planners Designers

Appraisal Receipt and Disclosure

Project Name: Brooklyn Boulevard (Hennepin CSAH 152) Project County: Hennepin

Property Address 4929 Brooklyn Blvd, Brooklyn Center, MN 55429 Parcel No: 4

Owner(s): Rhonda Mostrom

Minnesota law requires that governmental agencies acquiring property for public highways and other purposes provide the affected property owner with a formal offer to purchase the necessary rights, a description of the basis for the valuation used by the Agency and a copy of the Agency's appraisal(s) of just compensation. Accordingly, enclosed is a copy of the appraisal(s) for the above property prepared by DKJ Appraisal, LLC, dated September 8, 2017.

Minnesota law also provides that the owner of the affected property may acquire his/her own independent appraisal for the proposed acquisition and that the governmental agency must reimburse for reasonable costs of the appraisal fee incurred by the owner up to a maximum of $1,500 for single family and two-family residential property and minimum damage acquisition, and up to a maximum of $5,000 for other types of property. In order to be entitled to reimbursement, the owner must comply with the following:

1. The owner's appraisal must be prepared by a qualified appraiser who is licensed under Minnesota appraisal licensing laws.
2. Payment for the appraisal will be reimbursed within 30 days after receiving a copy of the appraisal and the paid receipt from the appraiser. (Upon agreement between the acquiring authority and the owner, the acquiring authority may pay the reimbursement directly to the appraiser.)

If you choose to obtain your own appraisal, we would request that the appraiser be instructed to provide you with two copies of his/her appraisal report.

Please feel free to contact the undersigned agent with any questions you might have. Thank you for your cooperation.

Appraisal received this 20th day of November, 2017

Owner(s):

Rhonda Mostrom

SRF Consulting Group Inc.

Contact: Mike Iisakka
Address: One Carlson Pkwy N., Suite 150
Minneapolis, MN 55447
Phone: 763-249-6775

SRF Consulting Group, Inc. | ENGINEERS PLANNERS DESIGNERS

MEMORANDUM OF AGREEMENT

BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT

Parcel No: 13
Fee Owners: THR Property Illinois, L.P.

On this 17 day of December, 2018, THR Property Illinois, L.P., a Delaware Limited Partnership, Owners of the above described parcel of property located in County of Hennepin, State of Minnesota, did execute and deliver a conveyance to the aforesaid real estate to the City of Brooklyn Center.

This agreement is now made and entered as a Memorandum of all the terms, and the only terms, agreed upon in connection with the above transaction. It is hereby acknowledged and agreed upon between the parties that:

1. The Owners have been furnished with the approved estimate of just compensation for the property acquired and a summary statement of the basis for the estimate. The Owners understand that the acquired property is for use in connection with the construction of the Brooklyn Boulevard (Hennepin CSAH 152) Project.

2. The Owners understand and acknowledge that SRF's representatives have no direct, indirect, present or contemplated future personal interest in the property or in any benefits from the acquisition of the property.

3. That in full compensation for the conveyance of said property, the City of Brooklyn Center shall pay the Owners the sum of $ 21,000.00 for land and damages. Owners understand that payment by the City of Brooklyn Center must await approval of title and processing of a voucher.

4. Additionally: None

It is understood and agreed that the entire agreement of the parties is contained in this Memorandum of Agreement and that this Agreement supersedes all oral agreements and negotiations between the parties.

Owner(s)
THR Property Illinois, L.P.

By: Cheryl King
Cheryl King as authorized signor for THR Property Illinois, L.P., a Delaware Limited Partnership

Its: Vice President Investments

City of Brooklyn Center

By: _____

Its: _____

SRF Consulting Group, Inc. | Engineers Planners Designers

October 31, 2017

2014-2 IH Borrower L.P.
c/o Invitation Homes
Attn: Visnja Vukovic
1717 Main Street, Suite 2000
Dallas, TX 75201

SRF No. 9354.0290

SUBJECT: OFFER TO PURCHASE
BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT
PROPERTY ADDRESS: 5043 BROOKYLN BLVD
PARCEL NO.: 13

Dear Ms. Vukovic:

As you may be aware, The City of Brooklyn Center and Hennepin County are acquiring right of way for the above referenced project. This letter constitutes the City's formal offer for the purchase of the necessary land rights. The City of Brooklyn Center hereby offers all parties who may have an interest in the real estate to be acquired the sum of **$21,000.00**, which has been determined to be just compensation for such property and rights based upon the fair market value of the property. Attached to this letter is a *Value Calculation* setting out the basis for this determination.

This offer is made pursuant to the Market Value Appraisal procedures provided for under Minnesota law. The City of Brooklyn Center previously, or with this offer, has provided you with a copy of *"Acquisition Information for Property Owners"* brochure.

You will have a reasonable length of time to consider the offer. To aid in your decision you may wish to secure your own appraisal. Minnesota law provides reimbursement in an amount not to exceed $1,500.00 for the actual costs of an appraisal of property acquired by direct purchase.

If you accept the offer, the parcel will be acquired by direct purchase and you will be paid upon satisfactory evidence of marketable title. In the worst-case scenario that a mutually acceptable agreement cannot be arrived at in a timely manner, the property may be acquired in an eminent domain proceeding.

Your signature on this OFFER TO PURCHASE is only for the verification that such an offer has been made to you and verification that the *"Acquisition Information for Property Owners"* brochure has been received by you. Your signature below does not prejudice your right to have the final amount determined through eminent domain proceedings in the event you do not accept the offer.

On behalf of The City of Brooklyn Center and Hennepin County we wish to thank you for your cooperation and assistance and we look forward to working with you toward a mutually satisfactory completion of the acquisition process.

Sincerely,

SRF CONSULTING GROUP, INC.

Michael C. Iisakka

Mike Iisakka
Senior Right of Way Specialist

Attachments

ACKNOWLEDGMENT OF RECEIPT OF OFFER

I CERTIFY THAT on 17 day of December, 2017, this *Offer to Purchase* and *Value Calculation* was received by me from the above Right of Way Specialist; I also acknowledge the receipt of a brochure explaining the land acquisition process and the Owner's rights, privileges and obligations.

2014-2 IH Borrower L.P.

By: Cheryl King

Cheryl King as authorized signor for THR Property Illinois, LP., a Delaware Limited Partnership

Its: Vice President, Investments

SRF Consulting Group, Inc. | Engineers Planners Designers

SRF No. 9354.0290

VALUE CALCULATION

BROOKLYN BOULEVARD (HENNEPIN CSAH 152)

Parcel No.: 13

Fee Owners: THR Property Illinois, L.P.

Legal Description of property to be acquired:

See Attached Exhibit A

ACQUISITION INFORMATION

Drainage and Utility Easement:	1,147 square feet
Temporary Construction Easement:	1,104 square feet

VALUATION

Land Value Before Taking	= $ 208,000.00
Land Value After Taking	= $ 190,000.00
Indicated Damages	= $ 18,000.00
Plus: Temporary Easement	= $ 500.00
Affected Improvements	= $ 2,500.00
TOTAL (rounded)	**= $ 21,000.00**

EXHIBIT A

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through the Northeasterly 15.00 feet of the following described property:

That part of the Southeast Quarter of the Northeast Quarter of Section 10, Township 118, Range 21, Hennepin County, Minnesota described as commencing at a point 261.46 feet East and 107.28 feet South of the northwest corner of said Southeast Quarter of the Northeast Quarter; thence East a distance of 390.8 feet; thence South 42.72 feet; thence East 160.88 feet to the actual point of beginning of the tract to be described; thence continuing East 135 feet more or less to the southwesterly right of way line of Trunk Highway No. 152; thence southeasterly along said southwesterly line of Trunk Highway No. 152 a distance of 79.3 feet more or less to a point in a line drawn parallel with and 75 feet South of the north line of the tract herein described as measured at right angles to said north line; thence West parallel with said north line 160.23 feet more or less to a point in a line drawn perpendicular to the north line of the tract herein described from the actual point of beginning; thence North along said perpendicular line 75 feet to the actual point of beginning.

A temporary easement for construction purposes over, under, across and through the Southwesterly 14.00 feet of the Northeasterly 29.00 feet of the following described property:

That part of the Southeast Quarter of the Northeast Quarter of Section 10, Township 118, Range 21, Hennepin County, Minnesota described as commencing at a point 261.46 feet East and 107.28 feet South of the northwest corner of said Southeast Quarter of the Northeast Quarter; thence East a distance of 390.8 feet; thence South 42.72 feet; thence East 160.88 feet to the actual point of beginning of the tract to be described; thence continuing East 135 feet more or less to the southwesterly right of way line of Trunk Highway No. 152; thence southeasterly along said southwesterly line of Trunk Highway No. 152 a distance of 79.3 feet more or less to a point in a line drawn parallel with and 75 feet South of the north line of the tract herein described as measured at right angles to said north line; thence West parallel with said north line 160.23 feet more or less to a point in a line drawn perpendicular to the north line of the tract herein described from the actual point of beginning; thence North along said perpendicular line 75 feet to the actual point of beginning.



LEGEND

- EXISTING RIGHT OF WAY
- CONST. LIMITS
- PROPOSED FEATURES
- TEMP EASEMENT
- TREE REMOVAL

AREAS (SQ FT)

D&U, S/T EASE	NEW PE	TE
1147		1104

5043 BROOKLYN BLVD
PID: 101182114000Ø6 PARCEL #13
SP 109-020-013

10/11/2017

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SRF Consulting Group, Inc. | Engineers Planners Designers

Appraisal Receipt and Disclosure

Project Name: Brooklyn Boulevard (Hennepin CSAH 152) Project County: Hennepin

Property Address: 5043 Brookyln Blvd, Brooklyn Center, MN 55429 Parcel No: 13

Owner(s): THR Property Illinois, L.P.

Minnesota law requires that governmental agencies acquiring property for public highways and other purposes provide the affected property owner with a formal offer to purchase the necessary rights, a description of the basis for the valuation used by the Agency and a copy of the Agency's appraisal(s) of just compensation. Accordingly, enclosed is a copy of the appraisal(s) for the above property prepared by DKJ Appraisal, LLC, dated September 12, 2017.

Minnesota law also provides that the owner of the affected property may acquire his/her own independent appraisal for the proposed acquisition and that the governmental agency must reimburse for reasonable costs of the appraisal fee incurred by the owner up to a maximum of $1,500 for single family and two-family residential property and minimum damage acquisition, and up to a maximum of $5,000 for other types of property. In order to be entitled to reimbursement, the owner must comply with the following:

1. The owner's appraisal must be prepared by a qualified appraiser who is licensed under Minnesota appraisal licensing laws.
2. Payment for the appraisal will be reimbursed within 30 days after receiving a copy of the appraisal and the paid receipt from the appraiser. (Upon agreement between the acquiring authority and the owner, the acquiring authority may pay the reimbursement directly to the appraiser.)

If you choose to obtain your own appraisal, we would request that the appraiser be instructed to provide you with two copies of his/her appraisal report.

Please feel free to contact the undersigned agent with any questions you might have. Thank you for your cooperation.

Appraisal received this 27 day of December, 2017

Owner(s):
THR Property Illinois, L.P.

By: Cheryl King
Cheryl King as authorized signor for THR Property Illinois, L.P., a Delaware Limited Partnership

Its: Vice President, Investments

SRF Consulting Group Inc.

Contact: Mike Iisakka
Address: One Carlson Pkwy N., Suite 150
Minneapolis, MN 55447
Phone: 763-249-6775

SRF Consulting Group, Inc. | ENGINEERS PLANNERS DESIGNERS

MEMORANDUM OF AGREEMENT

BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT

Parcel No: 15
Fee Owners: DeForest Lee Lehr and Dorothy A. Lehr

On this 13th day of November, 2017, DeForest Lee Lehr and Dorothy A. Lehr, husband and wife, as joint tenants, Owners of the above described parcel of property located in County of Hennepin, State of Minnesota, did execute and deliver a conveyance to the aforesaid real estate to the City of Brooklyn Center and Hennepin County.

This agreement is now made and entered as a Memorandum of all the terms, and the only terms, agreed upon in connection with the above transaction. It is hereby acknowledged and agreed upon between the parties that:

1. The Owners have been furnished with the approved estimate of just compensation for the property acquired and a summary statement of the basis for the estimate. The Owners understand that the acquired property is for use in connection with the construction of the Brooklyn Boulevard (Hennepin CSAH 152) Project.

2. The Owners understand and acknowledge that SRF's representatives have no direct, indirect, present or contemplated future personal interest in the property or in any benefits from the acquisition of the property.

3. That in full compensation for the conveyance of said property, the City of Brooklyn Center shall pay the Owners the sum of $ 1,900.00 for land and damages. Owners understand that payment by the City of Brooklyn Center must await approval of title and processing of a voucher.

4. Additionally: None

It is understood and agreed that the entire agreement of the parties is contained in this Memorandum of Agreement and that this Agreement supersedes all oral agreements and negotiations between the parties.

Owner(s)

DeForest Lee Lehr

Dorothy A. Lehr

The City of Brooklyn Center

By: _____

Its: _____

SRF Consulting Group, Inc. | Engineers Planners Designers

November 7, 2017

DeForest Lee Lehr and Dorothy A. Lehr
5053 Brooklyn Blvd
Brooklyn Center, MN 55429

SRF No. 9354.0290

SUBJECT: OFFER TO PURCHASE
BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT
PROPERTY ADDRESS: 5053 BROOKLYN BLVD
PARCEL NO.: 15

Dear DeForest and Dorothy:

As you may be aware, The City of Brooklyn Center and Hennepin County are acquiring right of way for the above referenced project. This letter constitutes the City's formal offer for the purchase of the necessary land rights. The City of Brooklyn Center hereby offers all parties who may have an interest in the real estate to be acquired the sum of **$1,900.00**, which has been determined to be just compensation for such property and rights based upon the fair market value of the property. Attached to this letter is a *Value Calculation* setting out the basis for this determination.

This offer is made pursuant to the Market Value Appraisal procedures provided for under Minnesota law. The City of Brooklyn Center previously, or with this offer, has provided you with a copy of *"Acquisition Information for Property Owners"* brochure.

You will have a reasonable length of time to consider the offer. To aid in your decision you may wish to secure your own appraisal. Minnesota law provides reimbursement in an amount not to exceed $1,500.00 for the actual costs of an appraisal of property acquired by direct purchase.

If you accept the offer, the parcel will be acquired by direct purchase and you will be paid upon satisfactory evidence of marketable title. In the worst-case scenario that a mutually acceptable agreement cannot be arrived at in a timely manner, the property may be acquired in an eminent domain proceeding.

Your signature on this OFFER TO PURCHASE is only for the verification that such an offer has been made to you and verification that the *"Acquisition Information for Property Owners"* brochure has been received by you. Your signature below does not prejudice your right to have the final amount determined through eminent domain proceedings in the event you do not accept the offer.

On behalf of The City of Brooklyn Center and Hennepin County we wish to thank you for your cooperation and assistance and we look forward to working with you toward a mutually satisfactory completion of the acquisition process.

Sincerely,

SRF CONSULTING GROUP, INC.

Michael C. Iisakka

Mike Iisakka
Senior Right of Way Specialist

Attachments

ACKNOWLEDGMENT OF RECEIPT OF OFFER

I CERTIFY THAT on 13th day of November, 2017, this *Offer to Purchase* and *Value Calculation* was received by me from the above Right of Way Specialist; I also acknowledge the receipt of a brochure explaining the land acquisition process and the Owner's rights, privileges and obligations.

DeForest Lee Lehr

Dorothy A. Lehr

SRF Consulting Group, Inc. | Engineers Planners Designers

SRF No. 9354.0290

VALUE CALCULATION

BROOKLYN BOULEVARD (HENNEPIN CSAH 152)

Parcel No.: 15

Fee Owners: DeForest Lee Lehr and Dorothy A. Lehr

Legal Description of property to be acquired:

See Attached Exhibit A

ACQUISITION INFORMATION

Drainage and Utility Easement:	447 square feet
Temporary Construction Easement:	699 square feet

VALUATION

Land Value Before Taking	= $ 43,000.00
Land Value After Taking	= $ 41,500.00
Indicated Damages	= $ 1,500.00
Plus: Temporary Easement	= $ 400.00
TOTAL (rounded)	**= $ 1,900.00**

EXHIBIT A

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through part of the following property:

> That part of the Southeast Quarter of the Northeast Quarter of Section 10, Township 118, Range 21, Hennepin County, Minnesota described as commencing at a point on the north line of said Southeast Quarter of the Northeast Quarter distant 652.26 feet east of the northwest corner of said Southeast Quarter of the Northeast Quarter; thence East on said North line 279 .5 feet to the center of road; thence southeasterly along center of road 78.10 feet; thence west parallel with said north line 301.3 feet; thence North 75.0 feet to the point of beginning. EXCEPT the West 60.0 feet thereof.

Said perpetual easement being that part of said described property lying easterly of a line described as beginning at a point on the north line of said Southeast Quarter of the Northeast Quarter distant 873.90 feet easterly from the northwest corner of said Southeast Quarter of the Northeast Quarter; thence southeasterly 32.32 feet along a non-tangential curve concave to the northeast having a radius of 112.00 feet and a central angle of 16 degrees 32 minutes 03 seconds, the chord of said curve deflects 59 degrees 33 minutes 23 seconds to the right from the north line of said Southeast Quarter of the Northeast Quarter; thence southeasterly 31.09 feet along a reverse curve concave to the southwest having a radius of 88.00 feet and a central angle of 20 degrees 46 minutes 19 seconds; thence southeasterly, tangent to said curve, a distance of 20.29 feet to the southerly line of said described property and there terminating.

A temporary easement for construction purposes over, under, across and through part of the following property:

> That part of the Southeast Quarter of the Northeast Quarter of Section 10, Township 118, Range 21, Hennepin County, Minnesota described as commencing at a point on the north line of said Southeast Quarter of the Northeast Quarter distant 652.26 feet east of the northwest corner of said Southeast Quarter of the Northeast Quarter; thence East on said North line 279 .5 feet to the center of road; thence southeasterly along center of road 78.10 feet; thence west parallel with said north line 301.3 feet; thence North 75.0 feet to the point of beginning. EXCEPT the West 60.0 feet thereof.

EXHIBIT A

Said temporary easement being that part of said described property described as beginning at a point on the north line of said Southeast Quarter of the Northeast Quarter distant 872.68 feet easterly from the northwest corner of said Southeast Quarter of the Northeast Quarter; thence easterly long said north line a distance of 1.22 feet; thence southeasterly 32.32 feet along a non-tangential curve concave to the northeast having a radius of 112.00 feet and a central angle of 16 degrees 32 minutes 03 seconds, the chord of said curve deflects 59 degrees 33 minutes 23 seconds to the right from the north line of said Southeast Quarter of the Northeast Quarter; thence southeasterly 31.09 feet along a reverse curve concave to the southwest having a radius of 88.00 feet and a central angle of 20 degrees 46 minutes 19 seconds; thence southeasterly, tangent to said curve, a distance of 20.29 feet to the southerly line of said described property; thence westerly along said southerly line a distance of 14.72 feet; thence northwesterly a distance of 78.78 feet to the point of beginning.



LEGEND

- EXISTING RIGHT OF WAY
- CONST. LIMITS
- PROPOSED FEATURES
- TEMP EASEMENT
- TREE REMOVAL

AREAS (SQ FT)

D&U, S/T EASE	NEW PE	TE
447		699

5053 BROOKLYN BLVD
PID: 1011821140004 PARCEL #15
SP 109-020-013

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SRF Consulting Group, Inc. | Engineers Planners Designers

Appraisal Receipt and Disclosure

Project Name: Brooklyn Boulevard (Hennepin CSAH 152) Project County: Hennepin

Property Address 5053 Brooklyn Blvd, Brooklyn Center, MN 55429 Parcel No: 15

Owner(s): DeForest Lee Lehr and Dorothy A. Lehr

Minnesota law requires that governmental agencies acquiring property for public highways and other purposes provide the affected property owner with a formal offer to purchase the necessary rights, a description of the basis for the valuation used by the Agency and a copy of the Agency's appraisal(s) of just compensation. Accordingly, enclosed is a copy of the appraisal(s) for the above property prepared by DKJ Appraisal, LLC, dated September 8, 2017.

Minnesota law also provides that the owner of the affected property may acquire his/her own independent appraisal for the proposed acquisition and that the governmental agency must reimburse for reasonable costs of the appraisal fee incurred by the owner up to a maximum of $1,500 for single family and two-family residential property and minimum damage acquisition, and up to a maximum of $5,000 for other types of property. In order to be entitled to reimbursement, the owner must comply with the following:

1. The owner's appraisal must be prepared by a qualified appraiser who is licensed under Minnesota appraisal licensing laws.
2. Payment for the appraisal will be reimbursed within 30 days after receiving a copy of the appraisal and the paid receipt from the appraiser. (Upon agreement between the acquiring authority and the owner, the acquiring authority may pay the reimbursement directly to the appraiser.)

If you choose to obtain your own appraisal, we would request that the appraiser be instructed to provide you with two copies of his/her appraisal report.

Please feel free to contact the undersigned agent with any questions you might have. Thank you for your cooperation.

Appraisal received this 13th day of November, 2017

Owner(s):

DeForest Lee Lehr

Dorothy A. Lehr

SRF Consulting Group Inc.

Contact: Mike Iisakka
Address: One Carlson Pkwy N., Suite 150
Minneapolis, MN 55447
Phone: 763-249-6775

SRF Consulting Group, Inc. | Engineers Planners Designers

MEMORANDUM OF AGREEMENT

BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT

Parcel No: 19
Fee Owners: Mains'l Properties, L.L.C.

On this 15th day of November, 2017, Mains'l Properties, L.L.C., a Minnesota Limited Liabilty Company Owners of the above described parcel of property located in County of Hennepin, State of Minnesota, did execute and deliver a conveyance to the aforesaid real estate to the City of Brooklyn Center.

This agreement is now made and entered as a Memorandum of all the terms, and the only terms, agreed upon in connection with the above transaction. It is hereby acknowledged and agreed upon between the parties that:

1. The Owners have been furnished with the approved estimate of just compensation for the property acquired and a summary statement of the basis for the estimate. The Owners understand that the acquired property is for use in connection with the construction of the Brooklyn Boulevard (Hennepin CSAH 152) Project.

2. The Owners understand and acknowledge that SRF's representatives have no direct, indirect, present or contemplated future personal interest in the property or in any benefits from the acquisition of the property.

3. That in full compensation for the conveyance of said property, the City of Brooklyn Center shall pay the Owners the sum of $ 700.00 for land and damages. Owners understand that payment by the City of Brooklyn Center must await approval of title and processing of a voucher.

4. Additionally:

It is understood and agreed that the entire agreement of the parties is contained in this Memorandum of Agreement and that this Agreement supersedes all oral agreements and negotiations between the parties.

Owner(s)
Mains'l Properties, L.L.C.

By: _____

Its: OWNERS

City of Brooklyn Center

By: _____

Its: _____

SRF Consulting Group, Inc. | Engineers Planners Designers

October 31, 2017

Mains'l Properties, L.L.C.
Attn: Tracy Hinke
7000 78th Ave N
Brooklyn Park, MN 55445

SRF No. 9354.0290

SUBJECT: OFFER TO PURCHASE
BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT
PROPERTY ADDRESS: 5501 BROOKLYN BLVD
PARCEL NO.: 19

Dear Tracy:

As you may be aware, The City of Brooklyn Center and Hennepin County are acquiring right of way for the above referenced project. This letter constitutes the City's formal offer for the purchase of the necessary land rights. The City of Brooklyn Center hereby offers all parties who may have an interest in the real estate to be acquired the sum of **$300.00**, which has been determined to be just compensation for such property and rights based upon the fair market value of the property. Attached to this letter is a *Value Calculation* setting out the basis for this determination.

This offer is made pursuant to the Market Value Appraisal procedures provided for under Minnesota law. The City of Brooklyn Center previously, or with this offer, has provided you with a copy of *"Acquisition Information for Property Owners"* brochure.

You will have a reasonable length of time to consider the offer. To aid in your decision you may wish to secure your own appraisal. Minnesota law provides reimbursement in an amount not to exceed $1,500.00 for the actual costs of an appraisal of property acquired by direct purchase.

If you accept the offer, the parcel will be acquired by direct purchase and you will be paid upon satisfactory evidence of marketable title. In the worst-case scenario that a mutually acceptable agreement cannot be arrived at in a timely manner, the property may be acquired in an eminent domain proceeding.

Your signature on this OFFER TO PURCHASE is only for the verification that such an offer has been made to you and verification that the *"Acquisition Information for Property Owners"* brochure has been received by you. Your signature below does not prejudice your right to have the final amount determined through eminent domain proceedings in the event you do not accept the offer.

On behalf of The City of Brooklyn Center and Hennepin County we wish to thank you for your cooperation and assistance and we look forward to working with you toward a mutually satisfactory completion of the acquisition process.

Sincerely,

SRF CONSULTING GROUP, INC.

Michael C. Iisakka

Mike Iisakka
Senior Right of Way Specialist

Attachments

ACKNOWLEDGMENT OF RECEIPT OF OFFER

I CERTIFY THAT on 15TH day of NOVEMBER, 2017, this *Offer to Purchase* and *Value Calculation* was received by me from the above Right of Way Specialist; I also acknowledge the receipt of a brochure explaining the land acquisition process and the Owner's rights, privileges and obligations.

Mains'l Properties, L.L.C.

By: _____

Its: OWNER

SRF Consulting Group, Inc. | Engineers Planners Designers

SRF No. 9354.0290

VALUE CALCULATION

BROOKLYN BOULEVARD (HENNEPIN CSAH 152)

Parcel No.: 19

Fee Owners: Mains'l Properties, L.L.C.

Legal Description of property to be acquired:

See Attached Exhibit A

ACQUISITION INFORMATION

Drainage and Utility Easement:	21 square feet
Temporary Construction Easement:	388 square feet

VALUATION

Land Value Before Taking	= $ 43,000.00
Land Value After Taking	= $ 42,900.00
Indicated Damages	= $ 100.00
Plus: Temporary Easement	= $ 200.00
TOTAL (rounded)	**= $ 300.00**

EXHIBIT A

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through that part of Tract E, REGISTERED LAND SURVEY NO. 40, Hennepin County, Minnesota lying easterly of line run from a point on the south line of said Tract E distant 3.20 feet westerly from the southeast corner of said Tract E to a point on the easterly line of said Tract E distant 14.20 feet northwesterly from said southeast corner.

A temporary easement for construction purposes over, under, across and through that part of Tract E, REGISTERED LAND SURVEY NO. 40, Hennepin County, Minnesota lying easterly of the West 140.00 feet of said Tract E.



LEGEND

- EXISTING RIGHT OF WAY
- CONST. LIMITS
- PROPOSED FEATURES
- TEMP EASEMENT
- TREE REMOVAL

AREAS (SQ FT)		
D&U, S/T EASE	NEW PE	TE
21		388

5501 BROOKLYN BLVD PARCEL # 19
PID: 031182142002 3
SP 109-020-013

10/11/2017

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10/11/2017
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SRF Consulting Group, Inc. | Engineers Planners Designers

Appraisal Receipt and Disclosure

Project Name: Brooklyn Boulevard (Hennepin CSAH 152) Project County: Hennepin

Property Address: 5501 Brooklyn Blvd, Brooklyn Center, MN 55429 Parcel No: 19

Owner(s): Mains'l Properties, L.L.C.

Minnesota law requires that governmental agencies acquiring property for public highways and other purposes provide the affected property owner with a formal offer to purchase the necessary rights, a description of the basis for the valuation used by the Agency and a copy of the Agency's appraisal(s) of just compensation. Accordingly, enclosed is a copy of the appraisal(s) for the above property prepared by DKJ Appraisal, LLC, dated September 8, 2017.

Minnesota law also provides that the owner of the affected property may acquire his/her own independent appraisal for the proposed acquisition and that the governmental agency must reimburse for reasonable costs of the appraisal fee incurred by the owner up to a maximum of $1,500 for single family and two-family residential property and minimum damage acquisition, and up to a maximum of $5,000 for other types of property. In order to be entitled to reimbursement, the owner must comply with the following:

1. The owner's appraisal must be prepared by a qualified appraiser who is licensed under Minnesota appraisal licensing laws.
2. Payment for the appraisal will be reimbursed within 30 days after receiving a copy of the appraisal and the paid receipt from the appraiser. (Upon agreement between the acquiring authority and the owner, the acquiring authority may pay the reimbursement directly to the appraiser.)

If you choose to obtain your own appraisal, we would request that the appraiser be instructed to provide you with two copies of his/her appraisal report.

Please feel free to contact the undersigned agent with any questions you might have. Thank you for your cooperation.

Appraisal received this 15th day of November, 2017

Owner(s):
Mains'l Properties, L.L.C.

By: _____

Its: OWNER

SRF Consulting Group Inc.

Contact: Mike Iisakka
Address: One Carlson Pkwy N., Suite 150
Minneapolis, MN 55447
Phone: 763-249-6775

SRF Consulting Group, Inc. | Engineers Planners Designers

MEMORANDUM OF AGREEMENT

BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT

Parcel No: 21
Fee Owners: Copa Enterprises LLC

On this 29th day of November, 2017, Copa Enterprises LLC, a Minnesota Limited Liability Company, Owners of the above described parcel of property located in County of Hennepin, State of Minnesota, did execute and deliver a conveyance to the aforesaid real estate to the City of Brooklyn Center.

This agreement is now made and entered as a Memorandum of all the terms, and the only terms, agreed upon in connection with the above transaction. It is hereby acknowledged and agreed upon between the parties that:

1. The Owners have been furnished with the approved estimate of just compensation for the property acquired and a summary statement of the basis for the estimate. The Owners understand that the acquired property is for use in connection with the construction of the Brooklyn Boulevard (Hennepin CSAH 152) Project.

2. The Owners understand and acknowledge that SRF's representatives have no direct, indirect, present or contemplated future personal interest in the property or in any benefits from the acquisition of the property.

3. That in full compensation for the conveyance of said property, the City of Brooklyn Center shall pay the Owners the sum of $ 600.00 for land and damages. Owners understand that payment by the City of Brooklyn Center must await approval of title and processing of a voucher.

4. Additionally: This offer is for the temporary easement only and has nothing to do with purchasing land or business.

It is understood and agreed that the entire agreement of the parties is contained in this Memorandum of Agreement and that this Agreement supersedes all oral agreements and negotiations between the parties.

Owner(s)
Copa Enterprises LLC

By: _____

Its: owner

City of Brooklyn Center

By: _____

Its: _____

SRF Consulting Group, Inc. | Engineers Planners Designers

November 6, 2017

SRF No. 9354.0290

Copa Enterprises LLC
Attn: Sharifa Elaraj
Po Box 421163
Minneapolis, MN 55442

SUBJECT: OFFER TO PURCHASE
BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT
PROPERTY ADDRESS: 4900 XERXES AVE N
PARCEL NO.: 21

Dear Sharifa:

As you may be aware, The City of Brooklyn Center and Hennepin County are acquiring right of way for the above referenced project. This letter constitutes the City's formal offer for the purchase of the necessary land rights. The City of Brooklyn Center hereby offers all parties who may have an interest in the real estate to be acquired the sum of **$800.00**, which has been determined to be just compensation for such property and rights based upon the fair market value of the property. Attached to this letter is a *Value Calculation* setting out the basis for this determination.

This offer is made pursuant to the Market Value Appraisal procedures provided for under Minnesota law. The City of Brooklyn Center previously, or with this offer, has provided you with a copy of *"Acquisition Information for Property Owners"* brochure.

You will have a reasonable length of time to consider the offer. To aid in your decision you may wish to secure your own appraisal. Minnesota law provides reimbursement in an amount not to exceed $5,000.00 for the actual costs of an appraisal of property acquired by direct purchase.

If you accept the offer, the parcel will be acquired by direct purchase and you will be paid upon satisfactory evidence of marketable title. In the worst-case scenario that a mutually acceptable agreement cannot be arrived at in a timely manner, the property may be acquired in an eminent domain proceeding.

Your signature on this OFFER TO PURCHASE is only for the verification that such an offer has been made to you and verification that the *"Acquisition Information for Property Owners"* brochure has been received by you. Your signature below does not prejudice your right to have the final amount determined through eminent domain proceedings in the event you do not accept the offer.

On behalf of The City of Brooklyn Center and Hennepin County we wish to thank you for your cooperation and assistance and we look forward to working with you toward a mutually satisfactory completion of the acquisition process.

Sincerely,

SRF CONSULTING GROUP, INC.

Michael C. Iisakka

Mike Iisakka
Senior Right of Way Specialist

Attachments

ACKNOWLEDGMENT OF RECEIPT OF OFFER

I CERTIFY THAT on 29th day of November, 2017, this *Offer to ~~Purchase~~* and *Value Calculation* was received by me from the above Right of Way Specialist; I also acknowledge the receipt of a brochure explaining the land acquisition process and the Owner's rights, privileges and obligations.

Copa Enterprises LLC

By: _____

Its: Owner

SRF Consulting Group, Inc. | Engineers Planners Designers

SRF No. 9354.0290

VALUE CALCULATION

BROOKLYN BOULEVARD (HENNEPIN CSAH 152)

Parcel No.: 21

Fee Owners: Copa Enterprises LLC

Legal Description of property to be acquired:

See Attached Exhibit A

ACQUISITION INFORMATION

Temporary Construction Easement: 497 square feet

VALUATION

Land Value Before Taking	= $90,250.00
Land Value After Taking	= $90,250.00
Indicated Damages	= $ 0.00
Plus: Temporary Easement	= $ 800.00
TOTAL (rounded)	= $ **800.00**

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EXHIBIT A

A temporary easement for construction purposes over, under, across and through the West 4.00 feet of the South 60.00 feet of Lot 9, Block 3, DAHINDEN'S ADDITION TO MINNEAPOLIS, Hennepin County, Minnesota.

Together with a temporary easement for construction purposes over, under, across and through the East 6.00 feet of the West 10.00 feet of the South 38.00 feet of said Lot 9.

Together with a temporary easement for construction purposes over, under, across and through the East 6.00 feet of the West 16.00 feet of the South 6.00 feet of said Lot 9.



LEGEND

- EXISTING RIGHT OF WAY
- CONST. LIMITS
- PROPOSED FEATURES
- TEMP EASEMENT
- TREE REMOVAL

AREAS (SQ FT)

D&U, S/T EASE	NEW PE	TE
		497

4900 XERXES AVE N
PID: 111821230042
SP 109-020-013

PARCEL #21

10/11/2017

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SRF Consulting Group, Inc. | Engineers Planners Designers

Appraisal Receipt and Disclosure

Project Name: Brooklyn Boulevard (Hennepin CSAH 152) Project County: Hennepin

Property Address: 4900 Xerxes Ave N, Minneapolis, MN 55430 Parcel No: 21

Owner(s): Copa Enterprises LLC

Minnesota law requires that governmental agencies acquiring property for public highways and other purposes provide the affected property owner with a formal offer to purchase the necessary rights, a description of the basis for the valuation used by the Agency and a copy of the Agency's appraisal(s) of just compensation. Accordingly, enclosed is a copy of the appraisal(s) for the above property prepared by DKJ Appraisal, LLC, dated September 7, 2017.

Minnesota law also provides that the owner of the affected property may acquire his/her own independent appraisal for the proposed acquisition and that the governmental agency must reimburse for reasonable costs of the appraisal fee incurred by the owner up to a maximum of $1,500 for single family and two-family residential property and minimum damage acquisition, and up to a maximum of $5,000 for other types of property. In order to be entitled to reimbursement, the owner must comply with the following:

1. The owner's appraisal must be prepared by a qualified appraiser who is licensed under Minnesota appraisal licensing laws.
2. Payment for the appraisal will be reimbursed within 30 days after receiving a copy of the appraisal and the paid receipt from the appraiser. (Upon agreement between the acquiring authority and the owner, the acquiring authority may pay the reimbursement directly to the appraiser.)

If you choose to obtain your own appraisal, we would request that the appraiser be instructed to provide you with two copies of his/her appraisal report.

Please feel free to contact the undersigned agent with any questions you might have. Thank you for your cooperation.

Appraisal received this 29th day of November, 2017

Owner(s):
Copa Enterprises LLC

By: _____

Its: Owner

SRF Consulting Group Inc.

Contact: Mike Iisakka
Address: One Carlson Pkwy N., Suite 150
Minneapolis, MN 55447
Phone: 763-249-6775

SRF Consulting Group, Inc. | ENGINEERS PLANNERS DESIGNERS

MEMORANDUM OF AGREEMENT

BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT

Parcel No: 23
Fee Owners: Michael T. Calder and Janice F. Calder, or successors, as trustees of the Michael T. Calder and Janice F. Calder Joint Revocable Living Trust U/A/D December 20, 2016, as amended

On this 16th day of November, 20 17, Michael T. Calder and Janice F. Calder, or successors, as trustees of the Michael T. Calder and Janice F. Calder Joint Revocable Living Trust U/A/D December 20, 2016, as amended, Owners of the above described parcel of property located in County of Hennepin, State of Minnesota, did execute and deliver a conveyance to the aforesaid real estate to the City of Brooklyn Center and Hennepin County.

This agreement is now made and entered as a Memorandum of all the terms, and the only terms, agreed upon in connection with the above transaction. It is hereby acknowledged and agreed upon between the parties that:

1. The Owners have been furnished with the approved estimate of just compensation for the property acquired and a summary statement of the basis for the estimate. The Owners understand that the acquired property is for use in connection with the construction of the Brooklyn Boulevard (Hennepin CSAH 152) Project.

2. The Owners understand and acknowledge that SRF's representatives have no direct, indirect, present or contemplated future personal interest in the property or in any benefits from the acquisition of the property.

3. That in full compensation for the conveyance of said property, the City of Brooklyn Center shall pay the Owners the sum of $ 6P00.00 for land and damages. Owners understand that payment by the City of Brooklyn Center must await approval of title and processing of a voucher.

4. Additionally: None

It is understood and agreed that the entire agreement of the parties is contained in this Memorandum of Agreement and that this Agreement supersedes all oral agreements and negotiations between the parties.

Owner(s)

Michael T. Calder, Trustee

Janice F. Calder, Trustee

The City of Brooklyn Center

By: _____

Its: _____

SRF Consulting Group, Inc. | Engineers Planners Designers

October 31, 2017

Michael T. Calder and Janice F. Calder
5010 Brooklyn Blvd
Brooklyn Center, MN 55430

SRF No. 9354.0290

SUBJECT: OFFER TO PURCHASE
BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT
PROPERTY ADDRESS: 5010 BROOKLYN BLVD
PARCEL NO.: 23

Dear Michael and Janice:

As you may be aware, The City of Brooklyn Center and Hennepin County are acquiring right of way for the above referenced project. This letter constitutes the City's formal offer for the purchase of the necessary land rights. The City of Brooklyn Center hereby offers all parties who may have an interest in the real estate to be acquired the sum of **$6,000.00**, which has been determined to be just compensation for such property and rights based upon the fair market value of the property. Attached to this letter is a *Value Calculation* setting out the basis for this determination.

This offer is made pursuant to the Market Value Appraisal procedures provided for under Minnesota law. The City of Brooklyn Center previously, or with this offer, has provided you with a copy of *"Acquisition Information for Property Owners"* brochure.

You will have a reasonable length of time to consider the offer. To aid in your decision you may wish to secure your own appraisal. Minnesota law provides reimbursement in an amount not to exceed $1,500.00 for the actual costs of an appraisal of property acquired by direct purchase.

If you accept the offer, the parcel will be acquired by direct purchase and you will be paid upon satisfactory evidence of marketable title. In the worst-case scenario that a mutually acceptable agreement cannot be arrived at in a timely manner, the property may be acquired in an eminent domain proceeding.

Your signature on this OFFER TO PURCHASE is only for the verification that such an offer has been made to you and verification that the *"Acquisition Information for Property Owners"* brochure has been received by you. Your signature below does not prejudice your right to have the final amount determined through eminent domain proceedings in the event you do not accept the offer.

On behalf of The City of Brooklyn Center and Hennepin County we wish to thank you for your cooperation and assistance and we look forward to working with you toward a mutually satisfactory completion of the acquisition process.

Sincerely,

SRF CONSULTING GROUP, INC.

Michael C. Iisakka

Mike Iisakka
Senior Right of Way Specialist

Attachments

ACKNOWLEDGMENT OF RECEIPT OF OFFER

I CERTIFY THAT on 16th day of November, 2017, this *Offer to Purchase* and *Value Calculation* was received by me from the above Right of Way Specialist; I also acknowledge the receipt of a brochure explaining the land acquisition process and the Owner's rights, privileges and obligations.

Michael T. Calder and Janice F. Calder, or successors, as trustees
of the Michael T. Calder and Janice F. Calder Joint Revocable
Living Trust U/A/D December 20, 2016, as amended

Michael T. Calder, Trustee

Janice F. Calder, Trustee

SRF Consulting Group, Inc. | Engineers Planners Designers

SRF No. 9354.0290

VALUE CALCULATION

BROOKLYN BOULEVARD (HENNEPIN CSAH 152)

Parcel No.:	23
Fee Owners:	Michael T. Calder and Janice F. Calder, or successors, as trustees of the Michael T. Calder and Janice F. Calder Joint Revocable Living Trust U/A/D December 20, 2016, as amended

Legal Description of property to be acquired:

See Attached Exhibit A

ACQUISITION INFORMATION

Drainage and Utility Easement:	1,214 square feet
Temporary Construction Easement:	1,175 square feet

VALUATION

Land Value Before Taking	= $ 50,000.00
Land Value After Taking	= $ 47,000.00
Indicated Damages	= $ 3,000.00
Plus: Temporary Easement	= $ 500.00
Affected Improvements	= $ 2,500.00
TOTAL (rounded)	**= $ 6,000.00**

EXHIBIT A

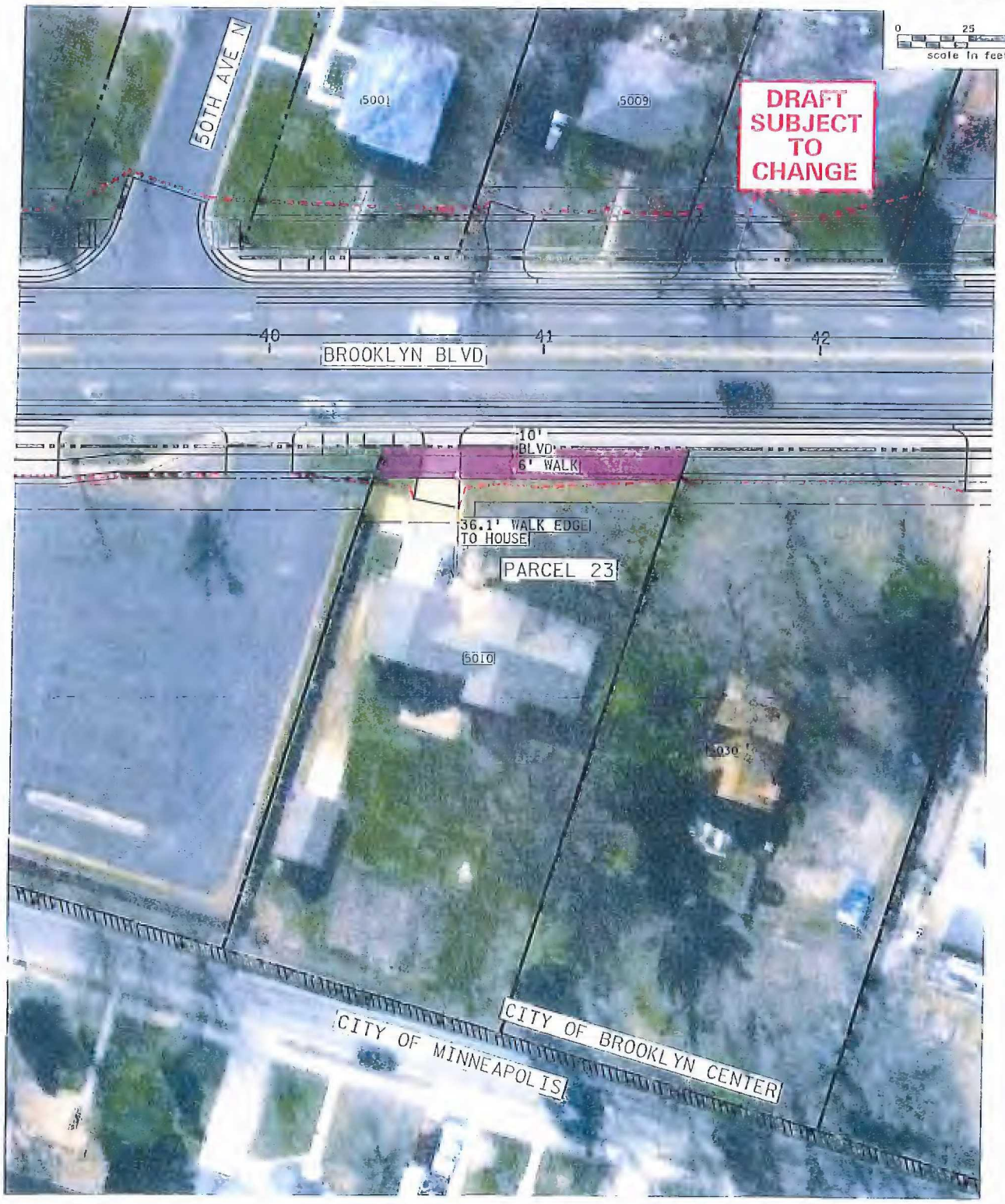
A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through Northeasterly 11.00 feet of the Southwesterly 44.00 feet of the following described property:

That part of the North Half of the South Half of the Northeast Quarter of Section 10, Township 118, Range 21, Hennepin County, Minnesota described as beginning at a point in the east line of said Section 10 distant 105.5 feet north of the southeast corner of the North Half of the South Half of the Northeast Quarter of said Section 10; thence North along the east line of said Section 10 a distance of 105.10 feet; thence West parallel with the south line of said North Half of the South Half of the Northeast Quarter of said Section 10 a distance of 248.63 feet, more or less, to the centerline of County Road No. 14; thence southeasterly along the centerline of said road 110.0 feet to the intersection of the centerline of said road with a line drawn west from the point of beginning and parallel with the south line of aforesaid North Half of South Half of Northeast Quarter of said Section10; thence East parallel with said south line 218.93 feet more or less to the point of beginning.

A temporary easement for construction purposes over, under, across and through the Northeasterly 8.00 feet of the Southwesterly 52.00 feet of the following described property:

That part of the North Half of the South Half of the Northeast Quarter of Section 10, Township 118, Range 21, Hennepin County, Minnesota described as beginning at a point in the east line of said Section 10 distant 105.5 feet north of the southeast corner of the North Half of the South Half of the Northeast Quarter of said Section 10; thence North along the east line of said Section 10 a distance of 105.10 feet; thence West parallel with the south line of said North Half of the South Half of the Northeast Quarter of said Section 10 a distance of 248.63 feet, more or less, to the centerline of County Road No. 14; thence southeasterly along the centerline of said road 110.0 feet to the intersection of the centerline of said road with a line drawn west from the point of beginning and parallel with the south line of aforesaid North Half of South Half of Northeast Quarter of said Section10; thence East parallel with said south line 218.93 feet more or less to the point of beginning.

Together with a temporary easement for construction purposes over, under, across and through the Northeasterly 7.00 feet of the Southwesterly 59.00 feet of the South 39.00 feet of said described property.



LEGEND

EXISTING RIGHT OF WAY
CONST. LIMITS
PROPOSED FEATURES
TEMP EASEMENT
TREE REMOVAL

AREAS (SQ FT)

D&U, S/T EASE	NEW PE	TE
1214		1175

5010 BROOKLYN BLVD
PID: 1011821140003
SP 109-020-013

PARCEL #23

10/11/2017

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SRF Consulting Group, Inc. | Engineers Planners Designers

Appraisal Receipt and Disclosure

Project Name: Brooklyn Boulevard (Hennepin CSAH 152) Project County: Hennepin

Property Address 5010 Brooklyn Blvd, Brooklyn Center, MN 55430 Parcel No: 23

Owner(s): Michael T. Calder and Janice F. Calder, or successors, as trustees of the Michael T. Calder and Janice F. Calder Joint Revocable Living Trust U/A/D December 20, 2016, as amended

Minnesota law requires that governmental agencies acquiring property for public highways and other purposes provide the affected property owner with a formal offer to purchase the necessary rights, a description of the basis for the valuation used by the Agency and a copy of the Agency's appraisal(s) of just compensation. Accordingly, enclosed is a copy of the appraisal(s) for the above property prepared by DKJ Appraisal, LLC, dated September 8, 2017.

Minnesota law also provides that the owner of the affected property may acquire his/her own independent appraisal for the proposed acquisition and that the governmental agency must reimburse for reasonable costs of the appraisal fee incurred by the owner up to a maximum of $1,500 for single family and two-family residential property and minimum damage acquisition, and up to a maximum of $5,000 for other types of property. In order to be entitled to reimbursement, the owner must comply with the following:

1. The owner's appraisal must be prepared by a qualified appraiser who is licensed under Minnesota appraisal licensing laws.
2. Payment for the appraisal will be reimbursed within 30 days after receiving a copy of the appraisal and the paid receipt from the appraiser. (Upon agreement between the acquiring authority and the owner, the acquiring authority may pay the reimbursement directly to the appraiser.)

If you choose to obtain your own appraisal, we would request that the appraiser be instructed to provide you with two copies of his/her appraisal report.

Please feel free to contact the undersigned agent with any questions you might have. Thank you for your cooperation.

Appraisal received this 16th day of November, 2017

Owner(s):

Michael T. Calder, Trustee

Janice F. Calder, Trustee

SRF Consulting Group Inc.

Contact: Mike Iisakka
Address: One Carlson Pkwy N., Suite 150
Minneapolis, MN 55447
Phone: 763-249-6775

SRF Consulting Group, Inc. | Engineers Planners Designers

MEMORANDUM OF AGREEMENT

BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT

Parcel No: 24
Fee Owners: Richard E. Huffman and Diana M. Huffman

On this 8th day of November, 2017, Richard E. Huffman and Diana M. Huffman, husband and wife, as joint tenants, Owners of the above described parcel of property located in County of Hennepin, State of Minnesota, did execute and deliver a conveyance to the aforesaid real estate to the City of Brooklyn Center and Hennepin County.

This agreement is now made and entered as a Memorandum of all the terms, and the only terms, agreed upon in connection with the above transaction. It is hereby acknowledged and agreed upon between the parties that:

1. The Owners have been furnished with the approved estimate of just compensation for the property acquired and a summary statement of the basis for the estimate. The Owners understand that the acquired property is for use in connection with the construction of the Brooklyn Boulevard (Hennepin CSAH 152) Project.

2. The Owners understand and acknowledge that SRF's representatives have no direct, indirect, present or contemplated future personal interest in the property or in any benefits from the acquisition of the property.

3. That in full compensation for the conveyance of said property, the City of Brooklyn Center shall pay the Owners the sum of $3,300.00 for land and damages. Owners understand that payment by the City of Brooklyn Center must await approval of title and processing of a voucher.

4. Additionally:

It is understood and agreed that the entire agreement of the parties is contained in this Memorandum of Agreement and that this Agreement supersedes all oral agreements and negotiations between the parties.

Owner(s)

Richard E. Huffman

Diana M. Huffman

The City of Brooklyn Center

By:_____

Its:_____

SRF Consulting Group, Inc. | ENGINEERS PLANNERS DESIGNERS

October 31, 2017

Richard E. Huffman and Diana M. Huffman
7300 Candlewood Drive
Brooklyn Park, MN 55445

SRF No. 9354.0290

SUBJECT: OFFER TO PURCHASE
BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT
PROPERTY ADDRESS: 5030 BROOKLYN BLVD
PARCEL NO.: 24

Dear Richard and Diana:

As you may be aware, The City of Brooklyn Center and Hennepin County are acquiring right of way for the above referenced project. This letter constitutes the City's formal offer for the purchase of the necessary land rights. The City of Brooklyn Center hereby offers all parties who may have an interest in the real estate to be acquired the sum of **$3,300.00**, which has been determined to be just compensation for such property and rights based upon the fair market value of the property. Attached to this letter is a *Value Calculation* setting out the basis for this determination.

This offer is made pursuant to the Market Value Appraisal procedures provided for under Minnesota law. The City of Brooklyn Center previously, or with this offer, has provided you with a copy of *"Acquisition Information for Property Owners"* brochure.

You will have a reasonable length of time to consider the offer. To aid in your decision you may wish to secure your own appraisal. Minnesota law provides reimbursement in an amount not to exceed $1,500.00 for the actual costs of an appraisal of property acquired by direct purchase.

If you accept the offer, the parcel will be acquired by direct purchase and you will be paid upon satisfactory evidence of marketable title. In the worst-case scenario that a mutually acceptable agreement cannot be arrived at in a timely manner, the property may be acquired in an eminent domain proceeding.

Your signature on this OFFER TO PURCHASE is only for the verification that such an offer has been made to you and verification that the *"Acquisition Information for Property Owners"* brochure has been received by you. Your signature below does not prejudice your right to have the final amount determined through eminent domain proceedings in the event you do not accept the offer.

On behalf of The City of Brooklyn Center and Hennepin County we wish to thank you for your cooperation and assistance and we look forward to working with you toward a mutually satisfactory completion of the acquisition process.

Sincerely,

SRF CONSULTING GROUP, INC.

Michael E. Iisakka

Mike Iisakka
Senior Right of Way Specialist

Attachments

ACKNOWLEDGMENT OF RECEIPT OF OFFER

I CERTIFY THAT on 8th day of November, 2017, this *Offer to Purchase* and *Value Calculation* was received by me from the above Right of Way Specialist; I also acknowledge the receipt of a brochure explaining the land acquisition process and the Owner's rights, privileges and obligations.

Richard E. Huffman

Richard E. Huffman

Diana M Huffman

Diana M. Huffman

SRF Consulting Group, Inc. | Engineers Planners Designers

SRF No. 9354.0290

VALUE CALCULATION

BROOKLYN BOULEVARD (HENNEPIN CSAH 152)

Parcel No.: 24

Fee Owners: Richard E. Huffman and Diana M. Huffman

Legal Description of property to be acquired:

See Attached Exhibit A

ACQUISITION INFORMATION

Drainage and Utility Easement:	1,385 square feet
Temporary Construction Easement:	991 square feet

VALUATION

Land Value Before Taking	= $ 56,000.00
Land Value After Taking	= $ 53,100.00
Indicated Damages	= $ 2,900.00
Plus: Temporary Easement	= $ 400.00
TOTAL (rounded)	**= $ 3,300.00**

EXHIBIT A

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through Northeasterly 11.00 feet of the Southwesterly 44.00 feet of the following described property:

That part of the North Half of the South Half of the Northeast Quarter of Section 10, Township 118, Range 21, Hennepin County, Minnesota described as beginning at a point in the east line of said Section 10 distant 210.15 feet north of the southeast corner of the North Half of the South Half of the Northeast Quarter of said Section 10; thence North along the east line of said Section 10 a distance of 119.93 feet; thence West parallel with the south line of said North Half of the South Half of the Northeast Quarter of said Section 10 a distance of 283 feet, more or less, to the centerline of County Road No. 14; thence southeasterly along the centerline of said road 124.37 feet more or less to the intersection of the centerline of said road with a line drawn West from the point of beginning and parallel with the south line of aforesaid North Half of the South Half of the Northeast Quarter of said Section 10; thence East parallel with the said south line a distance of 248.63 feet more or less to the point of beginning.

A temporary easement for construction purposes over, under, across and through the Northeasterly 8.00 feet of the Southwesterly 52.00 feet of the following described property:

That part of the North Half of the South Half of the Northeast Quarter of Section 10, Township 118, Range 21, Hennepin County, Minnesota described as beginning at a point in the east line of said Section 10 distant 210.15 feet north of the southeast corner of the North Half of the South Half of the Northeast Quarter of said Section 10; thence North along the east line of said Section 10 a distance of 119.93 feet; thence West parallel with the south line of said North Half of the South Half of the Northeast Quarter of said Section 10 a distance of 283 feet, more or less, to the centerline of County Road No. 14; thence southeasterly along the centerline of said road 124.37 feet more or less to the intersection of the centerline of said road with a line drawn West from the point of beginning and parallel with the south line of aforesaid North Half of the South Half of the Northeast Quarter of said Section 10; thence East parallel with the said south line a distance of 248.63 feet more or less to the point of beginning.



LEGEND

- EXISTING RIGHT OF WAY
- CONST. LIMITS
- PROPOSED FEATURES
- TEMP EASEMENT
- TREE REMOVAL

AREAS (SQ FT)

D&U, S/T EASE	NEW PE	TE
1385		991

5030 BROOKLYN BLVD
PID: 1011821140002
SP 109-020-013

PARCEL #24

10/11/2017

10/11/2017 1:01:21 PM
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SRF Consulting Group, Inc. | Engineers Planners Designers

Appraisal Receipt and Disclosure

Project Name: Brooklyn Boulevard (Hennepin CSAH 152) Project County: Hennepin

Property Address: 5030 Brooklyn Blvd, Brooklyn Center, MN 55429 Parcel No: 24

Owner(s): Richard E. Huffman and Diana M. Huffman

Minnesota law requires that governmental agencies acquiring property for public highways and other purposes provide the affected property owner with a formal offer to purchase the necessary rights, a description of the basis for the valuation used by the Agency and a copy of the Agency's appraisal(s) of just compensation. Accordingly, enclosed is a copy of the appraisal(s) for the above property prepared by DKJ Appraisal, LLC, dated September 12, 2017.

Minnesota law also provides that the owner of the affected property may acquire his/her own independent appraisal for the proposed acquisition and that the governmental agency must reimburse for reasonable costs of the appraisal fee incurred by the owner up to a maximum of $1,500 for single family and two-family residential property and minimum damage acquisition, and up to a maximum of $5,000 for other types of property. In order to be entitled to reimbursement, the owner must comply with the following:

1. The owner's appraisal must be prepared by a qualified appraiser who is licensed under Minnesota appraisal licensing laws.
2. Payment for the appraisal will be reimbursed within 30 days after receiving a copy of the appraisal and the paid receipt from the appraiser. (Upon agreement between the acquiring authority and the owner, the acquiring authority may pay the reimbursement directly to the appraiser.)

If you choose to obtain your own appraisal, we would request that the appraiser be instructed to provide you with two copies of his/her appraisal report.

Please feel free to contact the undersigned agent with any questions you might have. Thank you for your cooperation.

Appraisal received this 8th day of November, 2017

Owner(s):

Richard E. Huffman

Diana M. Huffman

SRF Consulting Group Inc.

Contact: Mike Iisakka
Address: One Carlson Pkwy N., Suite 150
Minneapolis, MN 55447
Phone: 763-249-6775

SRF Consulting Group, Inc. | ENGINEERS PLANNERS DESIGNERS

MEMORANDUM OF AGREEMENT

BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT

Parcel No: 25
Fee Owner: John Alfred Weber

On this 10th day of November, 2017, John Alfred Weber, a single person, Owner of the above described parcel of property located in County of Hennepin, State of Minnesota, did execute and deliver a conveyance to the aforesaid real estate to the City of Brooklyn Center and Hennepin County.

This agreement is now made and entered as a Memorandum of all the terms, and the only terms, agreed upon in connection with the above transaction. It is hereby acknowledged and agreed upon between the parties that:

1. The Owner has been furnished with the approved estimate of just compensation for the property acquired and a summary statement of the basis for the estimate. The Owner understands that the acquired property is for use in connection with the construction of the Brooklyn Boulevard (Hennepin CSAH 152) Project.

2. The Owner understands and acknowledges that SRF's representatives have no direct, indirect, present or contemplated future personal interest in the property or in any benefits from the acquisition of the property.

3. That in full compensation for the conveyance of said property, the City of Brooklyn Center shall pay the Owner the sum of $4,700.00 for land and damages. Owner understands that payment by the City of Brooklyn Center must await approval of title and processing of a voucher.

4. Additionally: None

It is understood and agreed that the entire agreement of the parties is contained in this Memorandum of Agreement and that this Agreement supersedes all oral agreements and negotiations between the parties.

Owner(s)

John Alfred Weber

John Alfred Weber

The City of Brooklyn Center

By:_____

Its:_____

SRF Consulting Group, Inc. | ENGINEERS PLANNERS DESIGNERS

October 31, 2017

John Alfred Weber
5040 Brooklyn Blvd
Brooklyn Center, MN 55429

SRF No. 9354.0290

SUBJECT: OFFER TO PURCHASE
BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT
PROPERTY ADDRESS: 5040 BROOKLYN BLVD
PARCEL NO.: 25

Dear John:

As you may be aware, The City of Brooklyn Center and Hennepin County are acquiring right of way for the above referenced project. This letter constitutes the City's formal offer for the purchase of the necessary land rights. The City of Brooklyn Center hereby offers all parties who may have an interest in the real estate to be acquired the sum of **$4,700.00**, which has been determined to be just compensation for such property and rights based upon the fair market value of the property. Attached to this letter is a *Value Calculation* setting out the basis for this determination.

This offer is made pursuant to the Market Value Appraisal procedures provided for under Minnesota law. The City of Brooklyn Center previously, or with this offer, has provided you with a copy of *"Acquisition Information for Property Owners"* brochure.

You will have a reasonable length of time to consider the offer. To aid in your decision you may wish to secure your own appraisal. Minnesota law provides reimbursement in an amount not to exceed $1,500.00 for the actual costs of an appraisal of property acquired by direct purchase.

If you accept the offer, the parcel will be acquired by direct purchase and you will be paid upon satisfactory evidence of marketable title. In the worst-case scenario that a mutually acceptable agreement cannot be arrived at in a timely manner, the property may be acquired in an eminent domain proceeding.

Your signature on this OFFER TO PURCHASE is only for the verification that such an offer has been made to you and verification that the *"Acquisition Information for Property Owners"* brochure has been received by you. Your signature below does not prejudice your right to have the final amount determined through eminent domain proceedings in the event you do not accept the offer.

On behalf of The City of Brooklyn Center and Hennepin County we wish to thank you for your cooperation and assistance and we look forward to working with you toward a mutually satisfactory completion of the acquisition process.

Sincerely,

SRF CONSULTING GROUP, INC.

Michael E. Iisakka

Mike Iisakka
Senior Right of Way Specialist

Attachments

ACKNOWLEDGMENT OF RECEIPT OF OFFER

I CERTIFY THAT on 10th day of November, 2017, this *Offer to Purchase* and *Value Calculation* was received by me from the above Right of Way Specialist; I also acknowledge the receipt of a brochure explaining the land acquisition process and the Owner's rights, privileges and obligations.

John Alfred Weber

SRF Consulting Group, Inc. | Engineers Planners Designers

SRF No. 9354.0290

VALUE CALCULATION

BROOKLYN BOULEVARD (HENNEPIN CSAH 152)

Parcel No.: 25

Fee Owners: John Alfred Weber

Legal Description of property to be acquired:

See Attached Exhibit A

ACQUISITION INFORMATION

Drainage and Utility Easement:	2,083 square feet
Temporary Construction Easement:	1,516 square feet

VALUATION

Land Value Before Taking	= $ 100,000.00
Land Value After Taking	= $ 95,800.00
Indicated Damages	= $ 4,200.00
Plus: Temporary Easement	= $ 500.00
TOTAL (rounded)	**= $ 4,700.00**

EXHIBIT A

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through Northeasterly 11.00 feet of the Southwesterly 44.00 feet of the following described property:

That part of the North Half of the South Half of the Northeast Quarter of Section 10, Township 118, Range 21, Hennepin County, Minnesota described as beginning at a point in the east line of said Section 10 distant 330.08 feet north of the southeast corner of the North Half of the South Half of the Northeast Quarter of said Section 10; thence North along the east line of said Section 10 a distance of 184.5 feet; thence West parallel with the south line of said North Half of the South Half of the Northeast Quarter of said Section 10 a distance of 333.4 feet, more or less, to the centerline of County Road No. 14; thence southeasterly along the centerline of said road 192.16 feet more or less to the intersection of said centerline of said road with a line drawn West from the point of beginning and parallel with the south line of aforesaid North Half of the South Half of the Northeast Quarter of said Section 10; thence East parallel with the said south line a distance of 283 feet more or less to the point of beginning.

A temporary easement for construction purposes over, under, across and through the Northeasterly 8.00 feet of the Southwesterly 52.00 feet of the following described property:

That part of the North Half of the South Half of the Northeast Quarter of Section 10, Township 118, Range 21, Hennepin County, Minnesota described as beginning at a point in the east line of said Section 10 distant 330.08 feet north of the southeast corner of the North Half of the South Half of the Northeast Quarter of said Section 10; thence North along the east line of said Section 10 a distance of 184.5 feet; thence West parallel with the south line of said North Half of the South Half of the Northeast Quarter of said Section 10 a distance of 333.4 feet, more or less, to the centerline of County Road No. 14; thence southeasterly along the centerline of said road 192.16 feet more or less to the intersection of said centerline of said road with a line drawn West from the point of beginning and parallel with the south line of aforesaid North Half of the South Half of the Northeast Quarter of said Section 10; thence East parallel with the said south line a distance of 283 feet more or less to the point of beginning.



LEGEND

- EXISTING RIGHT OF WAY
- CONST. LIMITS
- PROPOSED FEATURES
- TEMP EASEMENT
- TREE REMOVAL

AREAS (SQ FT)

D&U, S/T EASE	NEW PE	TE
2083		1516

5040 BROOKLYN BLVD
PID: 101182140001
SP 109-020-013

PARCEL # 25

10/11/2017

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SRF Consulting Group, Inc. | Engineers Planners Designers

Appraisal Receipt and Disclosure

Project Name: Brooklyn Boulevard (Hennepin CSAH 152) Project County: Hennepin

Property Address 5040 Brooklyn Blvd, Brooklyn Center, MN 55429 Parcel No: 25

Owner(s): John Alfred Weber

Minnesota law requires that governmental agencies acquiring property for public highways and other purposes provide the affected property owner with a formal offer to purchase the necessary rights, a description of the basis for the valuation used by the Agency and a copy of the Agency's appraisal(s) of just compensation. Accordingly, enclosed is a copy of the appraisal(s) for the above property prepared by DKJ Appraisal, LLC, dated September 12, 2017.

Minnesota law also provides that the owner of the affected property may acquire his/her own independent appraisal for the proposed acquisition and that the governmental agency must reimburse for reasonable costs of the appraisal fee incurred by the owner up to a maximum of $1,500 for single family and two-family residential property and minimum damage acquisition, and up to a maximum of $5,000 for other types of property. In order to be entitled to reimbursement, the owner must comply with the following:

1. The owner's appraisal must be prepared by a qualified appraiser who is licensed under Minnesota appraisal licensing laws.
2. Payment for the appraisal will be reimbursed within 30 days after receiving a copy of the appraisal and the paid receipt from the appraiser. (Upon agreement between the acquiring authority and the owner, the acquiring authority may pay the reimbursement directly to the appraiser.)

If you choose to obtain your own appraisal, we would request that the appraiser be instructed to provide you with two copies of his/her appraisal report.

Please feel free to contact the undersigned agent with any questions you might have. Thank you for your cooperation.

Appraisal received this 10th day of November, 2017

Owner(s):

John Alfred Weber

SRF Consulting Group Inc.

Contact: Mike Iisakka
Address: One Carlson Pkwy N., Suite 150
Minneapolis, MN 55447
Phone: 763-249-6775

SRF Consulting Group, Inc. | Engineers Planners Designers

MEMORANDUM OF AGREEMENT

BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT

Parcel No: 27
Fee Owners: Terry L. Nelson and Laurie E. Nelson

On this 9th day of November, 2017, Terry L. Nelson and Laurie E. Nelson, husband and wife, as joint tenants, Owners of the above described parcel of property located in County of Hennepin, State of Minnesota, did execute and deliver a conveyance to the aforesaid real estate to the City of Brooklyn Center and Hennepin County.

This agreement is now made and entered as a Memorandum of all the terms, and the only terms, agreed upon in connection with the above transaction. It is hereby acknowledged and agreed upon between the parties that:

1. The Owners have been furnished with the approved estimate of just compensation for the property acquired and a summary statement of the basis for the estimate. The Owners understand that the acquired property is for use in connection with the construction of the Brooklyn Boulevard (Hennepin CSAH 152) Project.

2. The Owners understand and acknowledge that SRF's representatives have no direct, indirect, present or contemplated future personal interest in the property or in any benefits from the acquisition of the property.

3. That in full compensation for the conveyance of said property, the City of Brooklyn Center shall pay the Owners the sum of $3,500.00 for land and damages. Owners understand that payment by the City of Brooklyn Center must await approval of title and processing of a voucher.

4. Additionally: None

It is understood and agreed that the entire agreement of the parties is contained in this Memorandum of Agreement and that this Agreement supersedes all oral agreements and negotiations between the parties.

Owner(s)

Terry L. Nelson

Terry L. Nelson

Laurie E. Nelson

Laurie E. Nelson

The City of Brooklyn Center

By: _____

Its: _____

SRF Consulting Group, Inc. | Engineers Planners Designers

October 31, 2017

Terry L. Nelson and Laurie E. Nelson
3001 51st Ave N
Brooklyn Center, MN 55429

SRF No. 9354.0290

SUBJECT: OFFER TO PURCHASE
BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT
PROPERTY ADDRESS: 3001 51ST AVE N
PARCEL NO.: 27

Dear Terry and Laurie:

As you may be aware, The City of Brooklyn Center and Hennepin County are acquiring right of way for the above referenced project. This letter constitutes the City's formal offer for the purchase of the necessary land rights. The City of Brooklyn Center hereby offers all parties who may have an interest in the real estate to be acquired the sum of **$3,500.00**, which has been determined to be just compensation for such property and rights based upon the fair market value of the property. Attached to this letter is a *Value Calculation* setting out the basis for this determination.

This offer is made pursuant to the Market Value Appraisal procedures provided for under Minnesota law. The City of Brooklyn Center previously, or with this offer, has provided you with a copy of *"Acquisition Information for Property Owners"* brochure.

You will have a reasonable length of time to consider the offer. To aid in your decision you may wish to secure your own appraisal. Minnesota law provides reimbursement in an amount not to exceed $1,500.00 for the actual costs of an appraisal of property acquired by direct purchase.

If you accept the offer, the parcel will be acquired by direct purchase and you will be paid upon satisfactory evidence of marketable title. In the worst-case scenario that a mutually acceptable agreement cannot be arrived at in a timely manner, the property may be acquired in an eminent domain proceeding.

Your signature on this OFFER TO PURCHASE is only for the verification that such an offer has been made to you and verification that the *"Acquisition Information for Property Owners"* brochure has been received by you. Your signature below does not prejudice your right to have the final amount determined through eminent domain proceedings in the event you do not accept the offer.

On behalf of The City of Brooklyn Center and Hennepin County we wish to thank you for your cooperation and assistance and we look forward to working with you toward a mutually satisfactory completion of the acquisition process.

Sincerely,

SRF CONSULTING GROUP, INC.

Michael C. Iisakka

Mike Iisakka
Senior Right of Way Specialist

Attachments

ACKNOWLEDGMENT OF RECEIPT OF OFFER

I CERTIFY THAT on 9th day of November, 2017, this *Offer to Purchase* and *Value Calculation* was received by me from the above Right of Way Specialist; I also acknowledge the receipt of a brochure explaining the land acquisition process and the Owner's rights, privileges and obligations.

Terry L. Nelson

Laurie E. Nelson

SRF Consulting Group, Inc. | Engineers Planners Designers

SRF No. 9354.0290

VALUE CALCULATION

BROOKLYN BOULEVARD (HENNEPIN CSAH 152)

Parcel No.: 27

Fee Owners: Terry L. Nelson and Laurie E. Nelson

Legal Description of property to be acquired:

See Attached Exhibit A

ACQUISITION INFORMATION

Temporary Construction Easement: 1,680 square feet

VALUATION

Land Value Before Taking	= $ 52,000.00
Land Value After Taking	= $ 52,000.00
Indicated Damages	= $ 0.00
Plus: Temporary Easement	= $ 900.00
Affected Improvements	= $ 2,600.00
TOTAL (rounded)	**= $ 3,500.00**

EXHIBIT A

A temporary easement for construction purposes over, under, across and through the North 14.00 feet of Tract F, REGISTERED LAND SURVEY NO. 492, Hennepin County, Minnesota.



LEGEND

- EXISTING RIGHT OF WAY
- CONST. LIMITS
- PROPOSED FEATURES
- TEMP EASEMENT
- TREE REMOVAL

AREAS (SQ FT)

D&U, S/T EASE	NEW PE	TE
		1680

3001 51ST AVE N
PID: 1011821140014
SP 109-020-013

PARCEL #27

10/11/2017

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SRF Consulting Group, Inc. | Engineers Planners Designers

Appraisal Receipt and Disclosure

Project Name: Brooklyn Boulevard (Hennepin CSAH 152) Project County: Hennepin

Property Address: 3001 51st Ave N, Brooklyn Center, MN 55429 Parcel No: 27

Owner(s): Terry L. Nelson and Laurie E. Nelson

Minnesota law requires that governmental agencies acquiring property for public highways and other purposes provide the affected property owner with a formal offer to purchase the necessary rights, a description of the basis for the valuation used by the Agency and a copy of the Agency's appraisal(s) of just compensation. Accordingly, enclosed is a copy of the appraisal(s) for the above property prepared by DKJ Appraisal, LLC, dated September 7, 2017.

Minnesota law also provides that the owner of the affected property may acquire his/her own independent appraisal for the proposed acquisition and that the governmental agency must reimburse for reasonable costs of the appraisal fee incurred by the owner up to a maximum of $1,500 for single family and two-family residential property and minimum damage acquisition, and up to a maximum of $5,000 for other types of property. In order to be entitled to reimbursement, the owner must comply with the following:

1. The owner's appraisal must be prepared by a qualified appraiser who is licensed under Minnesota appraisal licensing laws.
2. Payment for the appraisal will be reimbursed within 30 days after receiving a copy of the appraisal and the paid receipt from the appraiser. (Upon agreement between the acquiring authority and the owner, the acquiring authority may pay the reimbursement directly to the appraiser.)

If you choose to obtain your own appraisal, we would request that the appraiser be instructed to provide you with two copies of his/her appraisal report.

Please feel free to contact the undersigned agent with any questions you might have. Thank you for your cooperation.

Appraisal received this 9th day of November, 2017

Owner(s):

Terry L. Nelson

Laurie E. Nelson

SRF Consulting Group Inc.

Contact: Mike Iisakka
Address: One Carlson Pkwy N., Suite 150
Minneapolis, MN 55447
Phone: 763-249-6775

SRF Consulting Group, Inc. | ENGINEERS PLANNERS DESIGNERS

MEMORANDUM OF AGREEMENT

BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT

Parcel No: 28
Fee Owners: Trung T. Do and Ngoctham Tran

On this 15th day of November, 2017, Trung T. Do and Ngoctham Tran, husband and wife, as joint tenants, Owners of the above described parcel of property located in County of Hennepin, State of Minnesota, did execute and deliver a conveyance to the aforesaid real estate to the City of Brooklyn Center and Hennepin County.

This agreement is now made and entered as a Memorandum of all the terms, and the only terms, agreed upon in connection with the above transaction. It is hereby acknowledged and agreed upon between the parties that:

1. The Owners have been furnished with the approved estimate of just compensation for the property acquired and a summary statement of the basis for the estimate. The Owners understand that the acquired property is for use in connection with the construction of the Brooklyn Boulevard (Hennepin CSAH 152) Project.

2. The Owners understand and acknowledge that SRF's representatives have no direct, indirect, present or contemplated future personal interest in the property or in any benefits from the acquisition of the property.

3. That in full compensation for the conveyance of said property, the City of Brooklyn Center shall pay the Owners the sum of $ 300.00 for land and damages. Owners understand that payment by the City of Brooklyn Center must await approval of title and processing of a voucher.

4. Additionally: None

It is understood and agreed that the entire agreement of the parties is contained in this Memorandum of Agreement and that this Agreement supersedes all oral agreements and negotiations between the parties.

Owner(s)

Trung T. Do

Ngoctham Tran

The City of Brooklyn Center

By: _____

Its: _____

SRF Consulting Group, Inc. | Engineers Planners Designers

October 31, 2017

Trung T. Do and Ngoctham Tran
3006 51st Ave N
Brooklyn Center, MN 55429

SRF No. 9354.0290

SUBJECT: OFFER TO PURCHASE
BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT
PROPERTY ADDRESS: 3006 51ST AVE N
PARCEL NO.: 28

Dear Trung and Ngoctham:

As you may be aware, The City of Brooklyn Center and Hennepin County are acquiring right of way for the above referenced project. This letter constitutes the City's formal offer for the purchase of the necessary land rights. The City of Brooklyn Center hereby offers all parties who may have an interest in the real estate to be acquired the sum of **$300.00**, which has been determined to be just compensation for such property and rights based upon the fair market value of the property. Attached to this letter is a *Value Calculation* setting out the basis for this determination.

This offer is made pursuant to the Market Value Appraisal procedures provided for under Minnesota law. The City of Brooklyn Center previously, or with this offer, has provided you with a copy of *"Acquisition Information for Property Owners"* brochure.

You will have a reasonable length of time to consider the offer. To aid in your decision you may wish to secure your own appraisal. Minnesota law provides reimbursement in an amount not to exceed $1,500.00 for the actual costs of an appraisal of property acquired by direct purchase.

If you accept the offer, the parcel will be acquired by direct purchase and you will be paid upon satisfactory evidence of marketable title. In the worst-case scenario that a mutually acceptable agreement cannot be arrived at in a timely manner, the property may be acquired in an eminent domain proceeding.

Your signature on this OFFER TO PURCHASE is only for the verification that such an offer has been made to you and verification that the *"Acquisition Information for Property Owners"* brochure has been received by you. Your signature below does not prejudice your right to have the final amount determined through eminent domain proceedings in the event you do not accept the offer.

On behalf of The City of Brooklyn Center and Hennepin County we wish to thank you for your cooperation and assistance and we look forward to working with you toward a mutually satisfactory completion of the acquisition process.

Sincerely,

SRF CONSULTING GROUP, INC.

Michael C. Iisakka

Mike Iisakka
Senior Right of Way Specialist

Attachments

ACKNOWLEDGMENT OF RECEIPT OF OFFER

I CERTIFY THAT on 13th day of November, 2017, this *Offer to Purchase* and *Value Calculation* was received by me from the above Right of Way Specialist; I also acknowledge the receipt of a brochure explaining the land acquisition process and the Owner's rights, privileges and obligations.

Trung T. Do

Ngoctham Tran

SRF Consulting Group, Inc. | Engineers Planners Designers

SRF No. 9354.0290

VALUE CALCULATION

BROOKLYN BOULEVARD (HENNEPIN CSAH 152)

Parcel No.: 28

Fee Owners: Trung T. Do and Ngoctham Tran

Legal Description of property to be acquired:

See Attached Exhibit A

ACQUISITION INFORMATION

Temporary Construction Easement: 320 square feet

VALUATION

Land Value Before Taking	= $ 43,000.00
Land Value After Taking	= $ 43,000.00
Indicated Damages	= $ 0.00
Plus: Temporary Easement	= $ 300.00
TOTAL (rounded)	= $ **300.00**

EXHIBIT A

A temporary easement for construction purposes over, under, across and through the South 4.00 feet of Tract C, REGISTERED LAND SURVEY NO. 492, Hennepin County, Minnesota.



LEGEND

- EXISTING RIGHT OF WAY
- CONST. LIMITS
- PROPOSED FEATURES
- TEMP EASEMENT
- TREE REMOVAL

AREAS (SQ FT)		
D&U, S/T EASE	NEW PE	TE
		320

3006 51ST AVE N
PID: 1011821110020
SP 109-020-013

PARCEL #28

10/11/2017

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SRF Consulting Group, Inc. | Engineers Planners Designers

Appraisal Receipt and Disclosure

Project Name: Brooklyn Boulevard (Hennepin CSAH 152) Project County: Hennepin

Property Address: 3006 51st Ave N, Brooklyn Center, MN 55429 Parcel No: 28

Owner(s): Trung T. Do and Ngoctham Tran

Minnesota law requires that governmental agencies acquiring property for public highways and other purposes provide the affected property owner with a formal offer to purchase the necessary rights, a description of the basis for the valuation used by the Agency and a copy of the Agency's appraisal(s) of just compensation. Accordingly, enclosed is a copy of the appraisal(s) for the above property prepared by DKJ Appraisal, LLC, dated September 7, 2017.

Minnesota law also provides that the owner of the affected property may acquire his/her own independent appraisal for the proposed acquisition and that the governmental agency must reimburse for reasonable costs of the appraisal fee incurred by the owner up to a maximum of $1,500 for single family and two-family residential property and minimum damage acquisition, and up to a maximum of $5,000 for other types of property. In order to be entitled to reimbursement, the owner must comply with the following:

1. The owner's appraisal must be prepared by a qualified appraiser who is licensed under Minnesota appraisal licensing laws.
2. Payment for the appraisal will be reimbursed within 30 days after receiving a copy of the appraisal and the paid receipt from the appraiser. (Upon agreement between the acquiring authority and the owner, the acquiring authority may pay the reimbursement directly to the appraiser.)

If you choose to obtain your own appraisal, we would request that the appraiser be instructed to provide you with two copies of his/her appraisal report.

Please feel free to contact the undersigned agent with any questions you might have. Thank you for your cooperation.

Appraisal received this 15th day of November, 2017

Owner(s):

Trung T. Do

Ngoctham Tran

SRF Consulting Group Inc.

Contact: Mike Iisakka
Address: One Carlson Pkwy N., Suite 150
Minneapolis, MN 55447
Phone: 763-249-6775

SRF Consulting Group, Inc. | Engineers Planners Designers

MEMORANDUM OF AGREEMENT

BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT

Parcel No: 29
Fee Owner: Sri Lakshmi Valiveti

On this 13th day of November, 2017, Sri Lakshmi Valiveti, a single person, Owner of the above described parcel of property located in County of Hennepin, State of Minnesota, did execute and deliver a conveyance to the aforesaid real estate to the City of Brooklyn Center and Hennepin County.

This agreement is now made and entered as a Memorandum of all the terms, and the only terms, agreed upon in connection with the above transaction. It is hereby acknowledged and agreed upon between the parties that:

1. The Owner has been furnished with the approved estimate of just compensation for the property acquired and a summary statement of the basis for the estimate. The Owner understands that the acquired property is for use in connection with the construction of the Brooklyn Boulevard (Hennepin CSAH 152) Project.

2. The Owner understands and acknowledges that SRF's representatives have no direct, indirect, present or contemplated future personal interest in the property or in any benefits from the acquisition of the property.

3. That in full compensation for the conveyance of said property, the City of Brooklyn Center shall pay the Owner the sum of $1,200.00 for land and damages. Owner understands that payment by the City of Brooklyn Center must await approval of title and processing of a voucher.

4. Additionally: Land owners acknowledge that this is only a temporary easement and not a Purchase of the land (440 Sq. ft)

It is understood and agreed that the entire agreement of the parties is contained in this Memorandum of Agreement and that this Agreement supersedes all oral agreements and negotiations between the parties.

Owner(s)

V. Lakshmi

Sri Lakshmi Valiveti

The City of Brooklyn Center

By:_____

Its:_____

SRF Consulting Group, Inc. | Engineers Planners Designers

October 31, 2017

Sri Lakshmi Valiveti
3012 51st Ave N
Brooklyn Center, MN 55429

SRF No. 9354.0290

SUBJECT: OFFER TO PURCHASE
BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT
PROPERTY ADDRESS: 3012 51ST AVE N
PARCEL NO.: 29

Dear Sri:

As you may be aware, The City of Brooklyn Center and Hennepin County are acquiring right of way for the above referenced project. This letter constitutes the City's formal offer for the purchase of the necessary land rights. The City of Brooklyn Center hereby offers all parties who may have an interest in the real estate to be acquired the sum of **$1,200.00**, which has been determined to be just compensation for such property and rights based upon the fair market value of the property. Attached to this letter is a *Value Calculation* setting out the basis for this determination.

This offer is made pursuant to the Market Value Appraisal procedures provided for under Minnesota law. The City of Brooklyn Center previously, or with this offer, has provided you with a copy of *"Acquisition Information for Property Owners"* brochure.

You will have a reasonable length of time to consider the offer. To aid in your decision you may wish to secure your own appraisal. Minnesota law provides reimbursement in an amount not to exceed $1,500.00 for the actual costs of an appraisal of property acquired by direct purchase.

If you accept the offer, the parcel will be acquired by direct purchase and you will be paid upon satisfactory evidence of marketable title. In the worst-case scenario that a mutually acceptable agreement cannot be arrived at in a timely manner, the property may be acquired in an eminent domain proceeding.

Your signature on this OFFER TO PURCHASE is only for the verification that such an offer has been made to you and verification that the *"Acquisition Information for Property Owners"* brochure has been received by you. Your signature below does not prejudice your right to have the final amount determined through eminent domain proceedings in the event you do not accept the offer.

On behalf of The City of Brooklyn Center and Hennepin County we wish to thank you for your cooperation and assistance and we look forward to working with you toward a mutually satisfactory completion of the acquisition process.

Sincerely,

SRF CONSULTING GROUP, INC.

Michael C. Iisakka

Mike Iisakka
Senior Right of Way Specialist

Attachments

ACKNOWLEDGMENT OF RECEIPT OF OFFER

I CERTIFY THAT on 13th day of November, 2017, this *Offer to Purchase* and *Value Calculation* was received by me from the above Right of Way Specialist; I also acknowledge the receipt of a brochure explaining the land acquisition process and the Owner's rights, privileges and obligations.

V. Lakshmi

Sri Lakshmi Valiveti

SRF Consulting Group, Inc. | Engineers Planners Designers

SRF No. 9354.0290

VALUE CALCULATION

BROOKLYN BOULEVARD (HENNEPIN CSAH 152)

Parcel No.: 29

Fee Owners: Sri Lakshmi Valiveti

Legal Description of property to be acquired:

See Attached Exhibit A

ACQUISITION INFORMATION

Temporary Construction Easement: 440 square feet

VALUATION

Land Value Before Taking	= $ 43,000.00
Land Value After Taking	= $ 43,000.00
Indicated Damages	= $ 0.00
Plus: Temporary Easement	= $ 400.00
Affected Improvements	= $ 800.00
TOTAL (rounded)	**= $ 1,200.00**

EXHIBIT A

A temporary easement for construction purposes over, under, across and through the South 4.00 feet of Tract B, REGISTERED LAND SURVEY NO. 492, Hennepin County, Minnesota.

Together with a temporary easement for construction purposes over, under, across and through the North 8.00 feet of the South 12.00 feet of the West 15.00 feet of said Tract B.



LEGEND

- EXISTING RIGHT OF WAY
- CONST. LIMITS
- PROPOSED FEATURES
- TEMP EASEMENT
- TREE REMOVAL

AREAS (SQ FT)

D&U, S/T EASE	NEW PE	TE
		440

3012 51ST AVE N
PID: 1011821110019
SP 109-020-013

PARCEL #29

10/11/2017

3543193 PM
10/11/2017
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SRF Consulting Group, Inc. | Engineers Planners Designers

Appraisal Receipt and Disclosure

Project Name: Brooklyn Boulevard (Hennepin CSAH 152) Project County: Hennepin

Property Address 3012 51st Ave N, Brooklyn Center, MN 55429 Parcel No: 29

Owner(s): Sri Lakshmi Valiveti

Minnesota law requires that governmental agencies acquiring property for public highways and other purposes provide the affected property owner with a formal offer to purchase the necessary rights, a description of the basis for the valuation used by the Agency and a copy of the Agency's appraisal(s) of just compensation. Accordingly, enclosed is a copy of the appraisal(s) for the above property prepared by DKJ Appraisal, LLC, dated September 7, 2017.

Minnesota law also provides that the owner of the affected property may acquire his/her own independent appraisal for the proposed acquisition and that the governmental agency must reimburse for reasonable costs of the appraisal fee incurred by the owner up to a maximum of $1,500 for single family and two-family residential property and minimum damage acquisition, and up to a maximum of $5,000 for other types of property. In order to be entitled to reimbursement, the owner must comply with the following:

1. The owner's appraisal must be prepared by a qualified appraiser who is licensed under Minnesota appraisal licensing laws.
2. Payment for the appraisal will be reimbursed within 30 days after receiving a copy of the appraisal and the paid receipt from the appraiser. (Upon agreement between the acquiring authority and the owner, the acquiring authority may pay the reimbursement directly to the appraiser.)

If you choose to obtain your own appraisal, we would request that the appraiser be instructed to provide you with two copies of his/her appraisal report.

Please feel free to contact the undersigned agent with any questions you might have. Thank you for your cooperation.

Appraisal received this 13th day of November, 2017

Owner(s):

V. Lakshmi

Sri Lakshmi Valiveti

SRF Consulting Group Inc.

Contact: Mike Iisakka
Address: One Carlson Pkwy N., Suite 150
Minneapolis, MN 55447
Phone: 763-249-6775

SRF Consulting Group, Inc. | ENGINEERS PLANNERS DESIGNERS

MEMORANDUM OF AGREEMENT

BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT

Parcel No: 31
Fee Owners: Wells Fargo Bank ~~Minnesota~~ , N.A

On this 29th day of November, 2017, Wells Fargo Bank ~~Minnesota~~, National Association, Owners of the above described parcel of property located in County of Hennepin, State of Minnesota, did execute and deliver a conveyance to the aforesaid real estate to the City of Brooklyn Center.

This agreement is now made and entered as a Memorandum of all the terms, and the only terms, agreed upon in connection with the above transaction. It is hereby acknowledged and agreed upon between the parties that:

1. The Owners have been furnished with the approved estimate of just compensation for the property acquired and a summary statement of the basis for the estimate. The Owners understand that the acquired property is for use in connection with the construction of the Brooklyn Boulevard (Hennepin CSAH 152) Project.

2. The Owners understand and acknowledge that SRF's representatives have no direct, indirect, present or contemplated future personal interest in the property or in any benefits from the acquisition of the property.

3. That in full compensation for the conveyance of said property, the City of Brooklyn Center shall pay the Owners the sum of $ 5,300.00 for land and damages. Owners understand that payment by the City of Brooklyn Center must await approval of title and processing of a voucher.

4. Additionally:

None

It is understood and agreed that the entire agreement of the parties is contained in this Memorandum of Agreement and that this Agreement supersedes all oral agreements and negotiations between the parties.

Owner(s)
Wells Fargo Bank ~~Minnesota~~ N.A.

By: Brent E. Hansen

Its: VP

City of Brooklyn Center

By: _____

Its: _____

SRF Consulting Group, Inc. | Engineers Planners Designers

November 6, 2017

SRF No. 9354.0290

Marquette Bank Brookdale
Corporate Properties Group
Attn: Brent E. Hanson
MAC N9310-097
550 South Fourth Street
Minneapolis, MN 55415

SUBJECT: OFFER TO PURCHASE
BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT
PROPERTY ADDRESS: 5620 BROOKLYN BLVD
PARCEL NO.: 31

Dear Brent:

As you may be aware, The City of Brooklyn Center and Hennepin County are acquiring right of way for the above referenced project. This letter constitutes the City's formal offer for the purchase of the necessary land rights. The City of Brooklyn Center hereby offers all parties who may have an interest in the real estate to be acquired the sum of **$5,300.00**, which has been determined to be just compensation for such property and rights based upon the fair market value of the property. Attached to this letter is a *Value Calculation* setting out the basis for this determination.

This offer is made pursuant to the Market Value Appraisal procedures provided for under Minnesota law. The City of Brooklyn Center previously, or with this offer, has provided you with a copy of *"Acquisition Information for Property Owners"* brochure.

You will have a reasonable length of time to consider the offer. To aid in your decision you may wish to secure your own appraisal. Minnesota law provides reimbursement in an amount not to exceed $5,000.00 for the actual costs of an appraisal of property acquired by direct purchase.

If you accept the offer, the parcel will be acquired by direct purchase and you will be paid upon satisfactory evidence of marketable title. In the worst-case scenario that a mutually acceptable agreement cannot be arrived at in a timely manner, the property may be acquired in an eminent domain proceeding.

Your signature on this OFFER TO PURCHASE is only for the verification that such an offer has been made to you and verification that the *"Acquisition Information for Property Owners"* brochure has been received by you. Your signature below does not prejudice your right to have the final amount determined through eminent domain proceedings in the event you do not accept the offer.

On behalf of The City of Brooklyn Center and Hennepin County we wish to thank you for your cooperation and assistance and we look forward to working with you toward a mutually satisfactory completion of the acquisition process.

Sincerely,

SRF CONSULTING GROUP, INC.

Michael C. Iisakka

Mike Iisakka
Senior Right of Way Specialist

Attachments

ACKNOWLEDGMENT OF RECEIPT OF OFFER

I CERTIFY THAT on 29th day of November, 2017, this *Offer to Purchase* and *Value Calculation* was received by me from the above Right of Way Specialist; I also acknowledge the receipt of a brochure explaining the land acquisition process and the Owner's rights, privileges and obligations.

Marquette Bank Brookdale

By: _____

Its: VP

SRF Consulting Group, Inc. | Engineers Planners Designers

SRF No. 9354.0290

VALUE CALCULATION

BROOKLYN BOULEVARD (HENNEPIN CSAH 152)

Parcel No.: 31

Fee Owners: Wells Fargo Bank, N.A.

Legal Description of property to be acquired:

See Attached Exhibit A

ACQUISITION INFORMATION

Temporary Construction Easement: 1,778 square feet

VALUATION

Land Value Before Taking	= $997,900.00
Land Value After Taking	= $997,900.00
Indicated Damages	= $ 0.00
Plus: Temporary Easement	= $ 3,100.00
Affected Landscaping	= $ 2,200.00
TOTAL (rounded)	**= $ 5,300.00**

EXHIBIT A

A temporary easement for construction purposes over, under, across and through the most Westerly 9.00 feet of that part of Tract A, REGISTERED LAND SURVEY NO. 1029, Hennepin County, Minnesota lying easterly of the previously acquired easement as described in Document No. 914924 on file and of record in the office of the Registrar of Titles, Hennepin County, Minnesota.



LEGEND

- EXISTING RIGHT OF WAY
- CONST. LIMITS
- PROPOSED FEATURES
- TEMP EASEMENT
- TREE REMOVAL

AREAS (SQ FT)

D&U, S/T EASE	NEW PE	TE
		1778

5620 BROOKLYN BLVD
PID: 0311821410001
SP 109-020-013

PARCEL #31

10/11/2017

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SRF Consulting Group, Inc. | Engineers Planners Designers

Appraisal Receipt and Disclosure

Project Name: Brooklyn Boulevard (Hennepin CSAH 152) Project County: Hennepin

Property Address: 5620 Brooklyn Blvd, Brooklyn Center, MN 55429 Parcel No: 31

Owner(s): Wells Fargo Bank ~~Minnesota~~, N.A

Minnesota law requires that governmental agencies acquiring property for public highways and other purposes provide the affected property owner with a formal offer to purchase the necessary rights, a description of the basis for the valuation used by the Agency and a copy of the Agency's appraisal(s) of just compensation. Accordingly, enclosed is a copy of the appraisal(s) for the above property prepared by DKJ Appraisal, LLC, dated September 18, 2017.

Minnesota law also provides that the owner of the affected property may acquire his/her own independent appraisal for the proposed acquisition and that the governmental agency must reimburse for reasonable costs of the appraisal fee incurred by the owner up to a maximum of $1,500 for single family and two-family residential property and minimum damage acquisition, and up to a maximum of $5,000 for other types of property. In order to be entitled to reimbursement, the owner must comply with the following:

1. The owner's appraisal must be prepared by a qualified appraiser who is licensed under Minnesota appraisal licensing laws.
2. Payment for the appraisal will be reimbursed within 30 days after receiving a copy of the appraisal and the paid receipt from the appraiser. (Upon agreement between the acquiring authority and the owner, the acquiring authority may pay the reimbursement directly to the appraiser.)

If you choose to obtain your own appraisal, we would request that the appraiser be instructed to provide you with two copies of his/her appraisal report.

Please feel free to contact the undersigned agent with any questions you might have. Thank you for your cooperation.

Appraisal received this 29th day of November, 2017

Owner(s):
Wells Fargo Bank ~~Minnesota~~ N.A.

By: Brad E. Hansen

Its: VP

SRF Consulting Group Inc.

Contact: Mike Iisakka
Address: One Carlson Pkwy N., Suite 150
Minneapolis, MN 55447
Phone: 763-249-6775

SRF Consulting Group, Inc. | Engineers Planners Designers

MEMORANDUM OF AGREEMENT

BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT

Parcel No: 32
Fee Owners: Brookdale Real Estate Inc.

On this 16 day of November, 2018, Brookdale Real Estate Inc., a Minnesota corporation, Owners of the above described parcel of property located in County of Hennepin, State of Minnesota, did execute and deliver a conveyance to the aforesaid real estate to the City of Brooklyn Center.

This agreement is now made and entered as a Memorandum of all the terms, and the only terms, agreed upon in connection with the above transaction. It is hereby acknowledged and agreed upon between the parties that:

1. The Owners have been furnished with the approved estimate of just compensation for the property acquired and a summary statement of the basis for the estimate. The Owners understand that the acquired property is for use in connection with the construction of the Brooklyn Boulevard (Hennepin CSAH 152) Project.

2. The Owners understand and acknowledge that SRF's representatives have no direct, indirect, present or contemplated future personal interest in the property or in any benefits from the acquisition of the property.

3. That in full compensation for the conveyance of said property, the City of Brooklyn Center shall pay the Owners the sum of $ 13,764.00 for land and damages. Owners understand that payment by the City of Brooklyn Center must await approval of title and processing of a voucher.

4. Additionally: None

It is understood and agreed that the entire agreement of the parties is contained in this Memorandum of Agreement and that this Agreement supersedes all oral agreements and negotiations between the parties.

Owner(s)	City of Brooklyn Center
Brookdale Real Estate Inc.	
By: _____	By: _____
Its: Founder/Owner	Its: _____

SRF Consulting Group, Inc. | Engineers Planners Designers

November 6, 2017

Brookdale Real Estate Inc.
5740 Brooklyn Blvd
Brooklyn Center, MN 55429

SRF No. 9354.0290

SUBJECT: OFFER TO PURCHASE
BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT
PROPERTY ADDRESS: 5740 BROOKLYN BLVD
PARCEL NO.: 32

To Whom It May Concern:

As you may be aware, The City of Brooklyn Center and Hennepin County are acquiring right of way for the above referenced project. This letter constitutes the City's formal offer for the purchase of the necessary land rights. The City of Brooklyn Center hereby offers all parties who may have an interest in the real estate to be acquired the sum of **$11,100.00**, which has been determined to be just compensation for such property and rights based upon the fair market value of the property. Attached to this letter is a *Value Calculation* setting out the basis for this determination.

This offer is made pursuant to the Market Value Appraisal procedures provided for under Minnesota law. The City of Brooklyn Center previously, or with this offer, has provided you with a copy of *"Acquisition Information for Property Owners"* brochure.

You will have a reasonable length of time to consider the offer. To aid in your decision you may wish to secure your own appraisal. Minnesota law provides reimbursement in an amount not to exceed $5,000.00 for the actual costs of an appraisal of property acquired by direct purchase.

If you accept the offer, the parcel will be acquired by direct purchase and you will be paid upon satisfactory evidence of marketable title. In the worst-case scenario that a mutually acceptable agreement cannot be arrived at in a timely manner, the property may be acquired in an eminent domain proceeding.

Your signature on this OFFER TO PURCHASE is only for the verification that such an offer has been made to you and verification that the *"Acquisition Information for Property Owners"* brochure has been received by you. Your signature below does not prejudice your right to have the final amount determined through eminent domain proceedings in the event you do not accept the offer.

On behalf of The City of Brooklyn Center and Hennepin County we wish to thank you for your cooperation and assistance and we look forward to working with you toward a mutually satisfactory completion of the acquisition process.

Sincerely,

SRF CONSULTING GROUP, INC.

Michael C. Iisakka

Mike Iisakka
Senior Right of Way Specialist

Attachments

ACKNOWLEDGMENT OF RECEIPT OF OFFER

I CERTIFY THAT on 15 day of November, 2017, this *Offer to Purchase* and *Value Calculation* was received by me from the above Right of Way Specialist; I also acknowledge the receipt of a brochure explaining the land acquisition process and the Owner's rights, privileges and obligations.

Brookdale Real Estate Inc.

By: _____

Its: Founder

SRF Consulting Group, Inc. | Engineers Planners Designers

SRF No. 9354.0290

VALUE CALCULATION

BROOKLYN BOULEVARD (HENNEPIN CSAH 152)

Parcel No.: 32

Fee Owners: Brookdale Real Estate Inc.

Legal Description of property to be acquired:

See Attached Exhibit A

ACQUISITION INFORMATION

Drainage and Utility Easement:	553 square feet
Temporary Construction Easement:	1,038 square feet

VALUATION

Land Value Before Taking	= $495,500.00
Land Value After Taking	= $489,100.00
Indicated Damages	= $ 6,400.00
Plus: Temporary Easement	= $ 1,800.00
Affected Improvements	= $ 2,900.00
TOTAL (rounded)	**= $ 11,100.00**

EXHIBIT A

A perpetual easement for drainage, utility and sidewalk purposes over, under, across and through that part of the following property:

The Westerly 315 feet of the Southerly 314.31 feet of Lots 45 and 46, AUDITOR'S SUBDIVISION NO. 216, Hennepin County, Minnesota except that part thereof which lies westerly of a line run parallel with and distant 80 feet easterly of the first following described line (Line 1) and except that part thereof lying northerly of a line run parallel with and distant 40 feet southerly of the second following described line (Line 2):

Line 1: Beginning at a point on the south line of Section 3, Township 118, Range 21, Hennepin County, Minnesota distant 752.42 feet west of the southeast corner thereof; thence run northwesterly at an angle of 71 degrees 53 minutes 30 seconds with said south section line for 970.49 feet; thence deflect to the right at an angle of 6 degrees 02 minutes 45 seconds for 1343.96 feet; thence deflect to the right at an angle of 5 degrees 32 minutes 30 seconds for 769.44 feet; thence deflect to the left on a 3 degree 00 minute curve (delta angle 9 degrees 36 minutes 45 seconds) for 320.42 feet and there terminating.

Line 2: From a point on the south line of said Section 3 distant 752.42 feet west of the southeast corner thereof; thence run northwesterly at an angle of 71 degrees 53 minutes 30 seconds with said south section line for 970.49 feet; thence deflect to the right at an angle of 6 degrees 02 minutes 45 seconds for 1343.96 feet; thence deflect to the right at an angle of 5 degrees 32 minutes 30 seconds for 930.03 feet; thence deflect to the left at an angle of 9 degrees 36 minutes 45 seconds for 56.70 feet to the point of beginning of the line to be described; thence deflect to the right at an angle of 103 degrees 37 minutes 30 seconds for 300 feet and there terminating.

And except a triangular piece adjoining and southerly of the above described strip, easterly of a line run parallel with and distant 80 feet easterly of Line 1 described above and northwesterly of the following described line: Beginning at a point on said 80 foot parallel line distant 100 feet southerly of its intersection with a line run parallel with and distant 40 feet southerly of Line 2 described above; thence run northeasterly to a point on said 40 foot parallel line distant 100 feet easterly of said intersection.

Said perpetual easement being that part of said described property lying westerly of a line run parallel with and distant 130.00 feet easterly from the west line of said Lot 46.

A 5.00 foot temporary easement for construction purposes over, under, across and through the following described property:

The Westerly 315 feet of the Southerly 314.31 feet of Lots 45 and 46, AUDITOR'S SUBDIVISION NO. 216, Hennepin County, Minnesota except that part thereof which lies westerly of a line run parallel with and distant 80 feet easterly of the first following described line (Line 1) and except that part thereof lying northerly of a line run parallel with and distant 40 feet southerly of the second following described line (Line 2):

EXHIBIT A

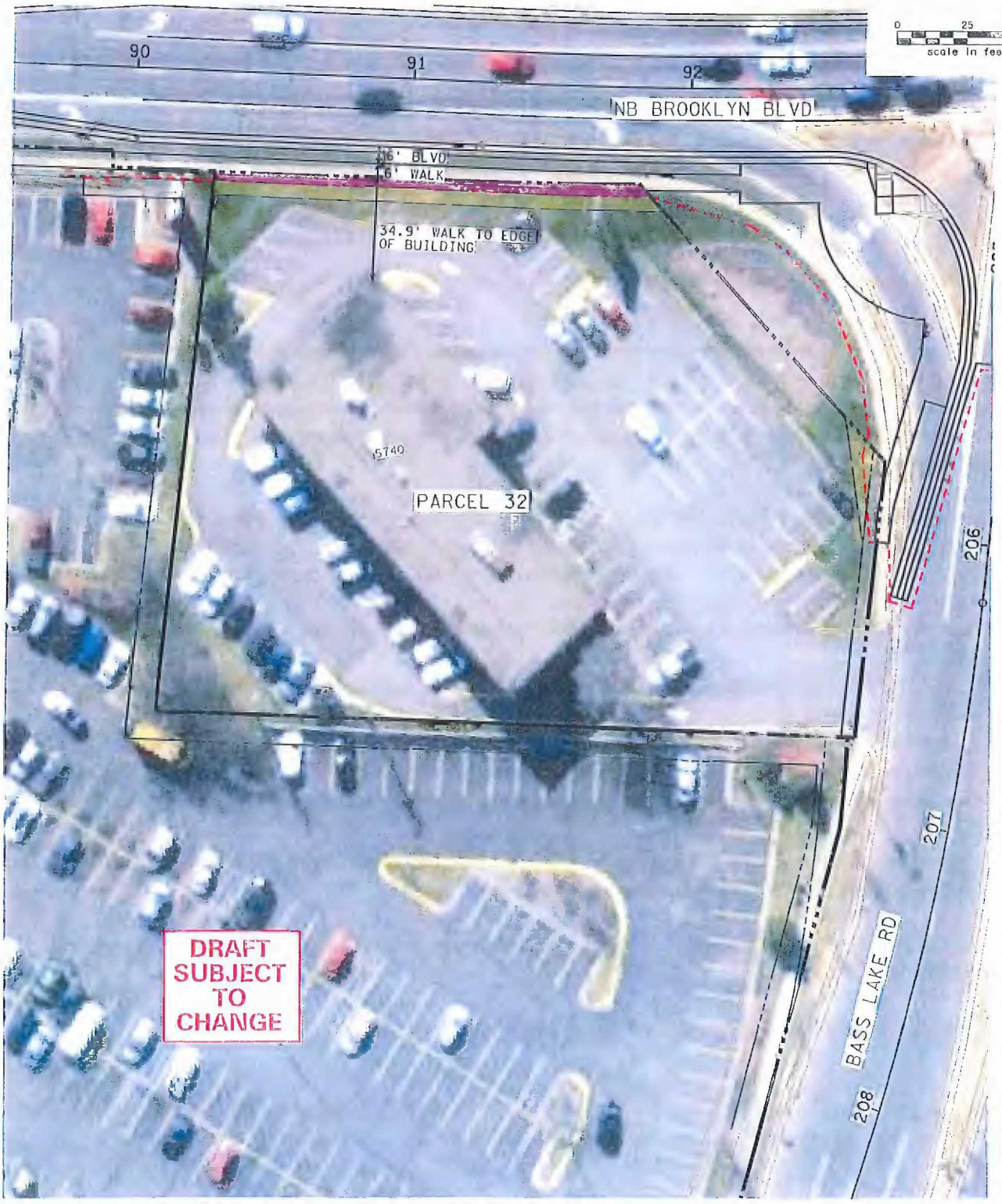
Line 1: Beginning at a point on the south line of Section 3, Township 118, Range 21, Hennepin County, Minnesota distant 752.42 feet west of the southeast corner thereof; thence run northwesterly at an angle of 71 degrees 53 minutes 30 seconds with said south section line for 970.49 feet; thence deflect to the right at an angle of 6 degrees 02 minutes 45 seconds for 1343.96 feet; thence deflect to the right at an angle of 5 degrees 32 minutes 30 seconds for 769.44 feet; thence deflect to the left on a 3 degree 00 minute curve (delta angle 9 degrees 36 minutes 45 seconds) for 320.42 feet and there terminating.

Line 2: From a point on the south line of said Section 3 distant 752.42 feet west of the southeast corner thereof; thence run northwesterly at an angle of 71 degrees 53 minutes 30 seconds with said south section line for 970.49 feet; thence deflect to the right at an angle of 6 degrees 02 minutes 45 seconds for 1343.96 feet; thence deflect to the right at an angle of 5 degrees 32 minutes 30 seconds for 930.03 feet; thence deflect to the left at an angle of 9 degrees 36 minutes 45 seconds for 56.70 feet to the point of beginning of the line to be described; thence deflect to the right at an angle of 103 degrees 37 minutes 30 seconds for 300 feet and there terminating.

And except a triangular piece adjoining and southerly of the above described strip, easterly of a line run parallel with and distant 80 feet easterly of Line 1 described above and northwesterly of the following described line: Beginning at a point on said 80 foot parallel line distant 100 feet southerly of its intersection with a line run parallel with and distant 40 feet southerly of Line 2 described above; thence run northeasterly to a point on said 40 foot parallel line distant 100 feet easterly of said intersection.

Said 5.00 foot temporary easement lies easterly of and adjacent to a line run parallel with and distant 130.00 feet easterly from the west line of said Lot 46.

Together with a temporary easement for construction purposes over, under, across and through that part of said described property lying northerly of a line described as commencing at the northeast corner of said described property; thence westerly along the northerly line of said described property a distance of 47.80 feet to the point of beginning of said described line; thence southwesterly deflecting to the left 14 degrees 37 minutes 00 seconds a distance of 64.30 feet to the northwesterly line of said described property and there terminating.



LEGEND

- EXISTING RIGHT OF WAY
- CONST. LIMITS
- PROPOSED FEATURES
- TEMP EASEMENT
- TREE REMOVAL

AREAS (SQ FT)

D&U, S/T EASE	NEW PE	TE
553		1038

5740 BROOKLYN BLVD
PID: 031182114000I
SP 109-020-013

PARCEL #32

10/11/2017

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SRF Consulting Group, Inc. | Engineers Planners Designers

Appraisal Receipt and Disclosure

Project Name: Brooklyn Boulevard (Hennepin CSAH 152) Project County: Hennepin

Property Address: 5740 Brooklyn Blvd, Brooklyn Center, MN 55429 Parcel No: 32

Owner(s): Brookdale Real Estate Inc.

Minnesota law requires that governmental agencies acquiring property for public highways and other purposes provide the affected property owner with a formal offer to purchase the necessary rights, a description of the basis for the valuation used by the Agency and a copy of the Agency's appraisal(s) of just compensation. Accordingly, enclosed is a copy of the appraisal(s) for the above property prepared by DKJ Appraisal, LLC, dated September 7, 2017.

Minnesota law also provides that the owner of the affected property may acquire his/her own independent appraisal for the proposed acquisition and that the governmental agency must reimburse for reasonable costs of the appraisal fee incurred by the owner up to a maximum of $1,500 for single family and two-family residential property and minimum damage acquisition, and up to a maximum of $5,000 for other types of property. In order to be entitled to reimbursement, the owner must comply with the following:

1. The owner's appraisal must be prepared by a qualified appraiser who is licensed under Minnesota appraisal licensing laws.
2. Payment for the appraisal will be reimbursed within 30 days after receiving a copy of the appraisal and the paid receipt from the appraiser. (Upon agreement between the acquiring authority and the owner, the acquiring authority may pay the reimbursement directly to the appraiser.)

If you choose to obtain your own appraisal, we would request that the appraiser be instructed to provide you with two copies of his/her appraisal report.

Please feel free to contact the undersigned agent with any questions you might have. Thank you for your cooperation.

Appraisal received this 15 day of November, 2017

Owner(s):
Brookdale Real Estate Inc.

By: _____

Its: Founder

SRF Consulting Group Inc.

Contact: Mike Iisakka
Address: One Carlson Pkwy N., Suite 150
Minneapolis, MN 55447
Phone: 763-249-6775

SRF Consulting Group, Inc. | ENGINEERS PLANNERS DESIGNERS

SRF No. 9354.00

ADMINISTRATIVE SETTLEMENT MEMORANDUM

Date: December 7, 2017

To: Mike Albers
PROJECT ENGINEER

From: Mike Iisakka, Right of Way

SUBJECT: PROJECT NAME: CSAH 152 (Brooklyn Boulevard)
PROPERTY ADDRESS: 5740 Brooklyn Blvd.
PARCEL NO.: 32

The certified offer was made on October 30, 2017 in the amount of $11,100.00. The acquisition consists of 1,038 square feet of temporary construction easement and a Drainage and Utility/Sidewalk and Trail Easement consists of 553 square feet. Also, the acquisition compensates $2,900 for irrigation system damages quote submitted by Advanced Irrigation, Inc.

In lieu of additional costs foreseeable in condemnation, we are recommending settlement in the amount of $13,764.00

Certified value:	**$ 11,100.00**

Description of administrative adjustments:
Adjusted per square foot value to temporary easement and drainage and utility/ sidewalk and trail easement. $ 2,664.00

Total Adjustments:	**$ 2,664.00**
SETTLEMENT TOTAL:	**$13,764.00**

APPROVAL:

By:_____

Date_____

Its:_____

SRF Consulting Group, Inc. | Engineers Planners Designers

MEMORANDUM OF AGREEMENT

BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT

Parcel No: 35
Fee Owners: Ridgecrest Brooklyn Center I, LLC

On this 22nd day of December, 2017, Ridgecrest Brooklyn Center I, LLC, a Minnesota limited liability company, Owners of the above described parcel of property located in County of Hennepin, State of Minnesota, did execute and deliver a conveyance to the aforesaid real estate to the City of Brooklyn Center.

This agreement is now made and entered as a Memorandum of all the terms, and the only terms, agreed upon in connection with the above transaction. It is hereby acknowledged and agreed upon between the parties that:

1. The Owners have been furnished with the approved estimate of just compensation for the property acquired and a summary statement of the basis for the estimate. The Owners understand that the acquired property is for use in connection with the construction of the Brooklyn Boulevard (Hennepin CSAH 152) Project.

2. The Owners understand and acknowledge that SRF's representatives have no direct, indirect, present or contemplated future personal interest in the property or in any benefits from the acquisition of the property.

3. That in full compensation for the conveyance of said property, the City of Brooklyn Center shall pay the Owners the sum of $ 1,700.00 for land and damages. Owners understand that payment by the City of Brooklyn Center must await approval of title and processing of a voucher.

4. Additionally: None

It is understood and agreed that the entire agreement of the parties is contained in this Memorandum of Agreement and that this Agreement supersedes all oral agreements and negotiations between the parties.

Owner(s)
Ridgecrest Brooklyn Center I, LLC

By: _____

Its: Partner

City of Brooklyn Center

By: _____

Its: _____

SRF Consulting Group, Inc. | Engineers Planners Designers

November 6, 2017

Ridgecrest Brooklyn Center I, LLC
c/o Trent Mayberry
Two Carlson Parkway, Suite #220
Plymouth, Minnesota, 55447

SRF No. 9354.0290

SUBJECT: OFFER TO PURCHASE
BROOKLYN BOULEVARD (HENNEPIN CSAH 152) PROJECT
PROPERTY ADDRESS: 5500 BROOKLYN BLVD
PARCEL NO.: 35

Dear Trent:

As you may be aware, The City of Brooklyn Center and Hennepin County are acquiring right of way for the above referenced project. This letter constitutes the City's formal offer for the purchase of the necessary land rights. The City of Brooklyn Center hereby offers all parties who may have an interest in the real estate to be acquired the sum of **$1,700.00**, which has been determined to be just compensation for such property and rights based upon the fair market value of the property. Attached to this letter is a *Value Calculation* setting out the basis for this determination.

This offer is made pursuant to the Market Value Appraisal procedures provided for under Minnesota law. The City of Brooklyn Center previously, or with this offer, has provided you with a copy of *"Acquisition Information for Property Owners"* brochure.

You will have a reasonable length of time to consider the offer. To aid in your decision you may wish to secure your own appraisal. Minnesota law provides reimbursement in an amount not to exceed $5,000.00 for the actual costs of an appraisal of property acquired by direct purchase.

If you accept the offer, the parcel will be acquired by direct purchase and you will be paid upon satisfactory evidence of marketable title. In the worst-case scenario that a mutually acceptable agreement cannot be arrived at in a timely manner, the property may be acquired in an eminent domain proceeding.

Your signature on this OFFER TO PURCHASE is only for the verification that such an offer has been made to you and verification that the *"Acquisition Information for Property Owners"* brochure has been received by you. Your signature below does not prejudice your right to have the final amount determined through eminent domain proceedings in the event you do not accept the offer.

On behalf of The City of Brooklyn Center and Hennepin County we wish to thank you for your cooperation and assistance and we look forward to working with you toward a mutually satisfactory completion of the acquisition process.

Sincerely,

SRF CONSULTING GROUP, INC.

Michael C. Iisakka

Mike Iisakka
Senior Right of Way Specialist

Attachments

ACKNOWLEDGMENT OF RECEIPT OF OFFER

I CERTIFY THAT on 6 day of November, 2017, this *Offer to Purchase* and *Value Calculation* was received by me from the above Right of Way Specialist; I also acknowledge the receipt of a brochure explaining the land acquisition process and the Owner's rights, privileges and obligations.

Ridgecrest Brooklyn Center I, LLC

By: _____

Its: MANAGER

SRF Consulting Group, Inc. | Engineers Planners Designers

SRF No. 9354.0290

VALUE CALCULATION

BROOKLYN BOULEVARD (HENNEPIN CSAH 152)

Parcel No.: 35

Fee Owners: Ridgecrest Brooklyn Center I, LLC

Legal Description of property to be acquired:

See Attached Exhibit A

ACQUISITION INFORMATION

Temporary Construction Easement: square feet

VALUATION

Land Value Before Taking	= $554,300.00
Land Value After Taking	= $554,300.00
Indicated Damages	= $ 0.00
Plus: Temporary Easement	= $ 1,700.00
TOTAL (rounded)	**= $ 1,700.00**

EXHIBIT A

A temporary easement for construction purposes over, under, across and through that part of the most Westerly 8.00 feet of Tract E, REGISTERED LAND SURVEY NO. 1419, Hennepin County, Minnesota lying southerly of the North 114.00 feet thereof.

Together with a temporary easement for construction purposes over, under, across and through that part of said Tract E lying southerly of a line run parallel with and distant 227.00 feet southerly of the northerly line of said Tract E and lying westerly of a line run parallel with and distant 93.00 feet easterly of the most westerly line of said Tract E.



LEGEND

- EXISTING RIGHT OF WAY
- CONST. LIMITS
- PROPOSED FEATURES
- TEMP EASEMENT
- TREE REMOVAL

AREAS (SQ FT)

D&U, S/T EASE	NEW PE	TE
		700

5500 BROOKLYN BLVD
PID: 031821440032
SP 109-020-013

PARCEL #35

10/11/2017

3:44:07 PM
10/11/2017
H:\Projects\09000\9354\CAD_BIM\Graphics\Right Of Way\9354_qr35.dgn

SRF Consulting Group, Inc. | Engineers Planners Designers

Appraisal Receipt and Disclosure

Project Name: Brooklyn Boulevard (Hennepin CSAH 152) Project County: Hennepin

Property Address: 5500 Brooklyn Blvd, Brooklyn Center, MN 55429 Parcel No: 35

Owner(s): Ridgecrest Brooklyn Center I, LLC

Minnesota law requires that governmental agencies acquiring property for public highways and other purposes provide the affected property owner with a formal offer to purchase the necessary rights, a description of the basis for the valuation used by the Agency and a copy of the Agency's appraisal(s) of just compensation. Accordingly, enclosed is a copy of the appraisal(s) for the above property prepared by DKJ Appraisal, LLC, dated September 25, 2017.

Minnesota law also provides that the owner of the affected property may acquire his/her own independent appraisal for the proposed acquisition and that the governmental agency must reimburse for reasonable costs of the appraisal fee incurred by the owner up to a maximum of $1,500 for single family and two-family residential property and minimum damage acquisition, and up to a maximum of $5,000 for other types of property. In order to be entitled to reimbursement, the owner must comply with the following:

1. The owner's appraisal must be prepared by a qualified appraiser who is licensed under Minnesota appraisal licensing laws.
2. Payment for the appraisal will be reimbursed within 30 days after receiving a copy of the appraisal and the paid receipt from the appraiser. (Upon agreement between the acquiring authority and the owner, the acquiring authority may pay the reimbursement directly to the appraiser.)

If you choose to obtain your own appraisal, we would request that the appraiser be instructed to provide you with two copies of his/her appraisal report.

Please feel free to contact the undersigned agent with any questions you might have. Thank you for your cooperation.

Appraisal received this 22nd day of December, 2017

Owner(s):
Ridgecrest Brooklyn Center I, LLC

By: _____

Its: Partner

SRF Consulting Group Inc.

Contact: Mike Iisakka
Address: One Carlson Pkwy N., Suite 150
Minneapolis, MN 55447
Phone: 763-249-6775

Work Session Agenda

AGENDA
CITY OF BROOKLYN CENTER
CITY COUNCIL/ECONOMIC DEVELOPMENT AUTHORITY WORK SESSION
January 8, 2018
Immediately Following Regular City Council and EDA Meetings Which Start at 7:00 P.M.

City Hall Council Chambers

A copy of the full City Council packet is available to the public. The packet ring binder is located at the podium.

ACTIVE DISCUSSION ITEMS

1. Trunk Highway (TH) 252 Corridor Study – Update
2. Conducting City Council Business Electronically

PENDING LIST FOR FUTURE WORK SESSIONS

Later/Ongoing

1. Food Trucks Update – January
2. Overnight Parking – January
3. Seasonal Marketplace (Lennie Chism) – January
4. Naturally Occurring Affordable Housing Policy – February
5. South Opportunity Site Development - February
6. City Council Code of Policies (October 9 Study Session Discussion)
   a. Section 2.70 Street and Alley Lighting Policy
   b. Section 2.93 Long-Term Deer Population Management Plan
7. Tobacco Purchase Age 21 (Brooklyn Youth Council)

Work Session Agenda Item No. 1

MEMORANDUM – COUNCIL WORK SESSION

DATE: January 2, 2018

TO: Curt Boganey, City Manager

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

FROM: Mike Albers, Acting City Engineer

SUBJECT: Trunk Highway (TH) 252 Corridor Study - Update

Recommendation:
It is recommended that the City Council provide direction to staff regarding the TH 252 freeway conversion.

Background:
At the February 28, 2011, City Council Work Session, the City Council was provided with information and a possible strategy that could be used to identify and address the longstanding, multiple transportation issues associated with the TH 252 Corridor. In April 2012, the City Council directed staff to proceed with a transportation planning study initiative for the corridor, and WSB & Associates was subsequently hired to perform the study.

In March 2016, the City Council adopted the TH 252 Corridor Study as a planning and development guide for TH 252 from I-94/694 to TH 610 with recommended interchange access configuration in Brooklyn Center including a full access interchange at 66th Avenue, closure of the 70th Avenue intersection and construction of a pedestrian bridge and a full access combination with Brookdale Drive at 73rd Avenue as described and depicted in the TH 252 Corridor Study. It should be noted that the recommended improvements at 73rd Avenue are pending further evaluation and consideration by the City of Brooklyn Park as part of the ongoing Hennepin County TH 252 Freeway Conversion Study.

Following completion of the 2016 study, the City submitted a successful regional solicitation funding application for converting a portion of TH 252 from I-694 to 70th Avenue into a limited access freeway by converting an at-grade signalized intersection to an interchange at 66th Avenue and closing an existing T-intersection at 70th Avenue. This application was the top ranked highway project and was awarded $7 million in federal fiscal year (FY) 2021 funding. The City also submitted a successful regional solicitation funding application for construction of a pedestrian bridge at 70th Avenue and was awarded $1.9 million in federal FY 2021 funding.

In 2017, the City submitted a successful Minnesota Highway Freight Program (MHFP) grant application for the 66th Avenue project. This application was awarded $10 million in FY 2020 funding.

The total estimated project cost for the interchange at 66th Avenue, closing 70th Avenue and a pedestrian bridge at 70th Avenue is $35 million which includes construction costs, easements, engineering, administration and contingencies. The City has budgeted approximately $5.5 million in the Capital Improvements Plan (CIP) for its local share of project costs.

This results in an approximate $10.5 million funding gap for the project. To date, MnDOT has not committed any funds for this project.

In January 2017, Hennepin County initiated a TH 252 Freeway Conversion Study in partnership with MnDOT, the cities of Brooklyn Center and Brooklyn Park and Metro Transit for the development of a concept for the conversion of TH 252 between 66th Avenue in Brooklyn Center to TH 610 in Brooklyn Park from a four/six lane expressway to a four or six lane freeway. The study will develop and review various access layouts to improve safety and mobility along TH 252 between Hwy 610 and I-694. Additional goals of the project include providing community connectivity, pedestrian accommodations, access to transit services and maintaining existing infrastructure investments.

As part of the study, two open houses were held in early September 2017 to provide information about the corridor issues and needs along with the purpose of the study. The meetings were well-attended by local residents, commuters and businesses. The project team also asked open house attendees to provide input on the study for the proposed project. The results of the open house are included in the attached open house summary.

Following the open houses, the Federal Highway Administration (FHWA) recommended starting the Environmental Assessment (EA) process to further refine the social and environmental impacts of converting TH 252 to a freeway. Also following the open houses, MnDOT identified TH 252/I-94 as a strong candidate for a MnPASS express or toll lane from TH 610 to downtown Minneapolis. MnDOT presented the findings of their MnPASS System Study Phase 3 to the TH 252 Policy Advisory Committee (PAC) on November 13, 2017, and a copy of their presentation is attached.

The staffs of Brooklyn Center, Brooklyn Park, Hennepin County and MnDOT have tentatively agreed on a cost sharing scenario for the $3.9 million EA that would include the freeway conversion as well as a MnPASS lane on TH 252 from TH 610 to Dowling Avenue in Minneapolis. The proposed cost share is as follows:

Brooklyn Center – 10 percent
Brooklyn Park – 14 percent
Hennepin County – 25 percent
MnDOT – 51 percent

A formal cost sharing agreement will be prepared by Hennepin County for consideration by the city councils of Brooklyn Center and Brooklyn Park. A separate agreement between Hennepin County and MnDOT will also be prepared by Hennepin County. Hennepin County staff has also requested cost participation from the Metropolitan Council, Anoka County and the City of Minneapolis. None of these entities have agreed to funding the EA as of this date.

The next steps will then be to determine and provide a preferred 66th Avenue interchange alternative to the City Council for formal consideration and to identify additional funding opportunities to bridge the funding gap and to continue the more detailed Freeway Conversion Study led by Hennepin County.

MEMORANDUM – COUNCIL WORK SESSION

The goal of the Freeway Conversion Study is to develop a detailed geometric layout for the entire corridor, including determining a preferred alternative for the Brooklyn Park portion of the corridor north of 73rd Avenue.

The total estimated cost of converting TH 252 to a freeway and add a MnPASS lane excluding the 66th Avenue interchange is $150 million. Hennepin County will be preparing a funding request for the conversion through the Corridors of Commerce program this year.

Policy Issues:
Does the City Council have any comments or questions pertaining to the process, alternatives, or final planned public engagement activities prior to considering a preferred alternative? Will the City Council support Hennepin County's Corridors of Commerce funding request? Does the City Council support the EA funding scenario described above?

Strategic Priorities:

- Key Transportation Investments

TH 252 CONVERSION STUDY

PUBLIC ENGAGEMENT SUMMARY

FOR OPEN HOUSE EVENTS:

SEPTEMBER 06, 2017 | BROOKLYN PARK, MN

SEPTEMBER 07, 2017 | BROOKLYN CENTER, MN



community design group

SRF

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05 What's Next [12]

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01 Introduction



As part of the work, the project team is reaching out and engaging the public using a variety of tools and approaches. These efforts include to date:

- ***Brooklyn Park Open House***
- ***WHEN: Wednesday, September 6, 2017***
- ***TIME: 5:30-7 p.m.***
- ***WHERE: Discover Church, 1400 81st Ave N, Brooklyn Park, MN 55444***

- ***Brooklyn Center Open House***
- ***WHEN: Thursday, September 7, 2017***
- ***TIME: 5:30-7 p.m.***
- ***WHERE: Brooklyn Center Community Center, 6301 Shingle Creek Pkwy, Brooklyn Center, MN 55430***

About This Study

MnDOT, Hennepin County and the cities of Brooklyn Center and Brooklyn Park are studying several access concepts to improve safety and mobility along Hwy 252 between Hwy 610 and I-694. Additional goals of the project include providing community connectivity, pedestrian accommodations, access to transit services, and maintaining existing infrastructure investments.

Two open houses were held in early September to provide information about the corridor issues and needs along with the purpose of the study. The meetings were well-attended by local residents, commuters and businesses. The project team also asked open house attendees to provide input on the proposed project.

Summary of Work

- Study traffic flows and the crash history in the area
- Estimate future traffic flows and options to improve safety and circulation
- Develop options for interchanges, overpasses or closures to replace signalized intersections
- Develop conceptual designs and recommend one option for further study
- Seek feedback from residents, business owners and commuters
- Identify how to fund the improvement

About this Document

Engagement activities yielded a rich variety of information regarding resident ideas and preferences for the future experience of residents and motorists. The Engagement Report summarizes what we learned through Open House engagement activities. Descriptions for each event is included within this document, as well as an Appendix with additional information about community engagement and its importance for the Highway 252 Study.

02 Key Themes

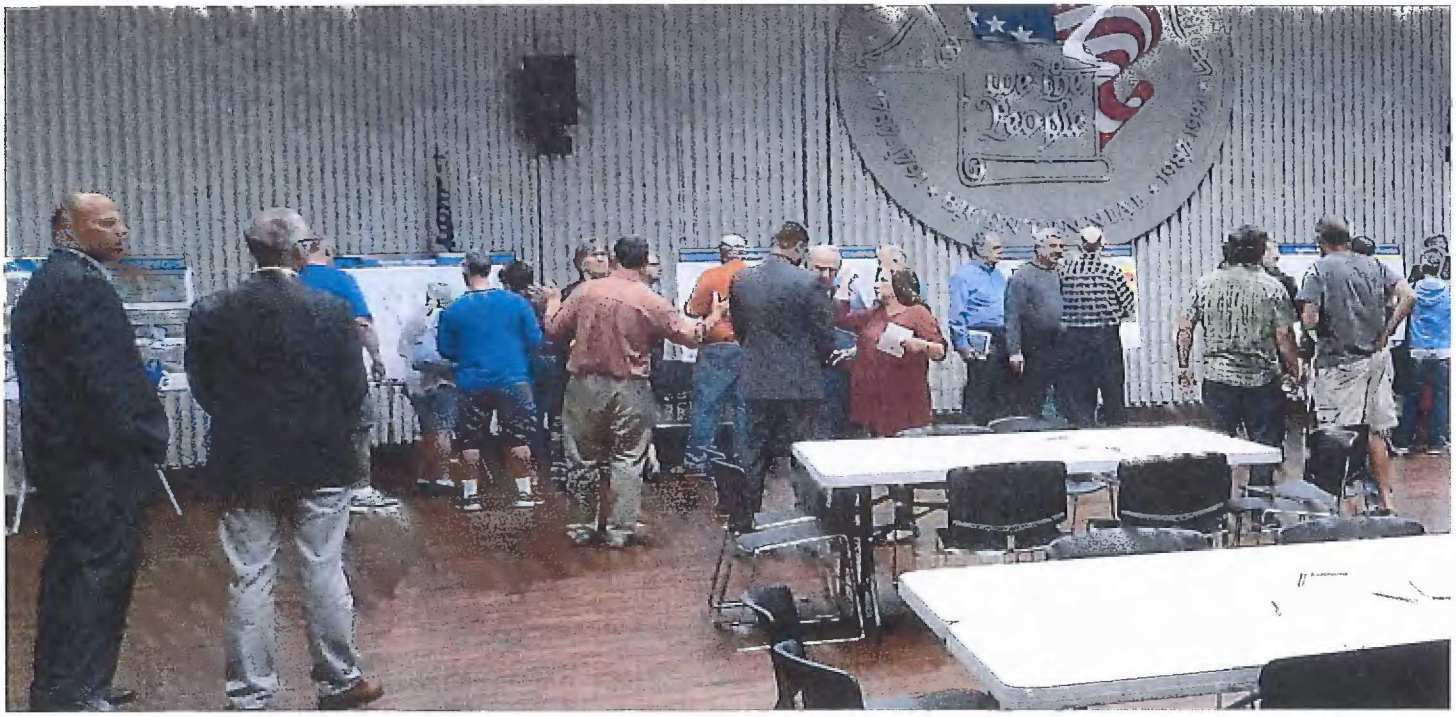
Event goals for participants included opportunities for feedback regarding selection of recommended concepts presented. The project team received around 45 completed comment cards and 487 sticker engagements. A total of 263 people signed in as participants at the two open houses.

Boards Outlined:

- Purpose and Goals
- Overall Process and Schedule
- Corridor Safety Issues
- Existing Traffic Conditions
- Future Traffic Operations
- Expected Roadway Operations
- Access Concepts
- 2040 Traffic Projections on Local Streets
- Access Type Examples
- Access Concept Evaluation Summary
- Existing Roadway Configuration
- Access Concepts 1-6
- Next Steps

Activities Included:

- Sticky dots handed out for use to select preferred access concept(s)
- Sticky notes available for use to provide comments on individual concept boards
- Comment Cards available for providing detailed commentary regarding the overall project and data presented at the open houses



Key Themes from Activities

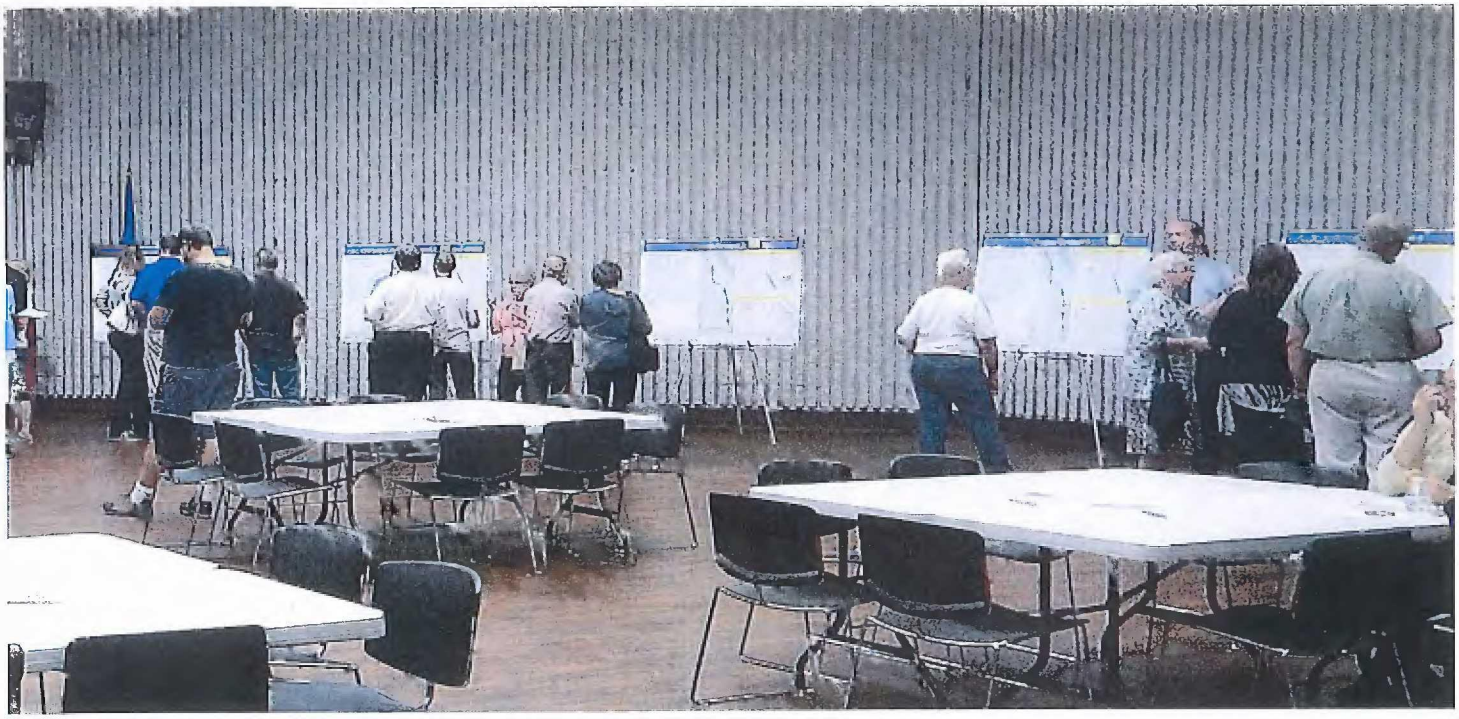
Dot boards presenting the existing condition along with 6 concepts for potential improvement for the TH 252 corridor were made available for participants at each of the two open houses. Participants could use up to two (2) dots to indicate their preferences. Comment cards were available for participants to provide detailed feedback in writing about topics of their choice.

Concept Preference Results:

- Through engagement in both communities, Concept 5 received the most dot stickers indicating preference (159 of 487 total stickers)
- Feedback from the Brooklyn Park open house event favored Concept 5
- Feedback from the Brooklyn Center open house event favored Concepts 3 and 6 equally
- Concept 1 received the fewest dot stickers overall (14)

Comment Card Results - Prominent Themes of Concern/Interest:

- **73rd Avenue N ::** Questions regarding its use as an exit given the fact it dead-ends at Palmer Lake
- 66th Avenue N :: Interchange proposal called "dangerous," "bad place for interchange," "death trap"
- **Safety ::** Concerns that construction will lead to unsafe increases of neighborhood traffic



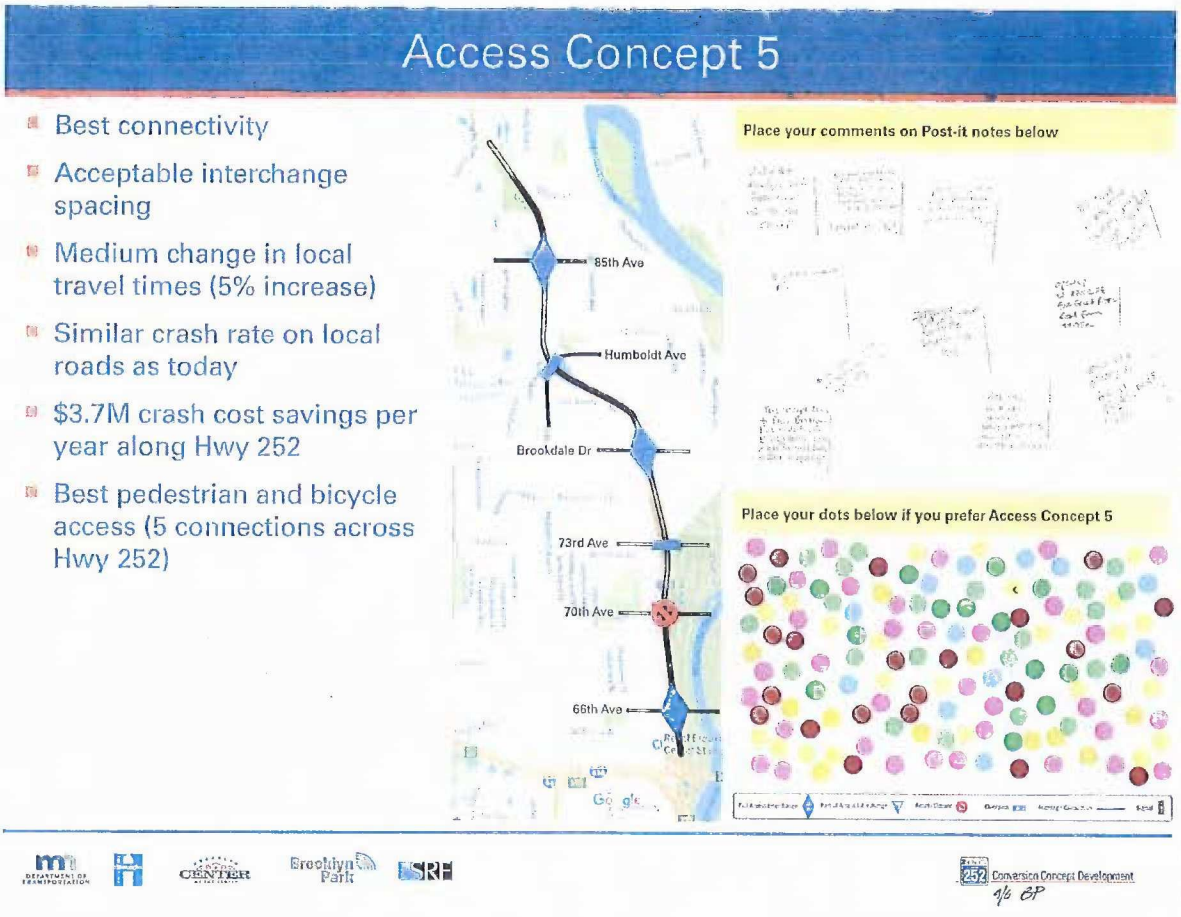
03 Summary Open House #1 Brooklyn Park

An open house was held at Discover Church in Brooklyn Park on Wednesday, September 06, 2017. The project team set up boards on easels to facilitate viewing of project data. Participants could use sticker dots to indicate their preference for specific concepts. Tables were available for filling out comment cards. A total of 190 people signed in as participants at this open house.

Key Points - Dot Preference Activity

Concept 5 received the highest quantity of sticker dots. Preference is ranked below.

Existing Roadway	27
Access Concept 1	13
Access Concept 2	14
Access Concept 3	71
Access Concept 4	40
Access Concept 5	140
Access Concept 6	62
Total Count	367



Key Points - Comments

A number of written comments referenced 12 categories. Of those 12 categories, 73rd Avenue, West River Road and Public Transit were most frequently mentioned.

Major Themes

- **West River Road** :: A majority of comments on this subject requested West River Road be re-opened to traffic at 74th Avenue. A few comments were opposed to this option, and one commenter suggested doing so would make it the "defacto detour"
- **Public Transit** :: Comments pertaining to public transit suggested concern about transit placement and services, including greater east-to-west transit options and questions regarding impacts to the 766 route if the 81st exit is closed
- **73rd Avenue** :: Many questioned the use of 73rd Avenue as an exit point. As one commenter asked: "why leave 73 open - goes nowhere"

Complete Categorized Comment Totals

Safety	W River Road	Public Transit	85th	Hum-boldt	Brook-dale Dr	73rd	70th	66th	Noise	Envi-ron-ment	Bike/ Ped
3	5	5	2	1	2	6	3	2	3	1	2

Selected Comments

"Good job all around. I feel that on all concepts the old west river road should have its connection back to help with locals accessing the proposed freeway, east of 252 in the 73rd Ave neighborhood."

"Yes to improvements on 252. The current merge to 2 lanes and then expand again is cause for fear on driving. Please do not take away any crossings."





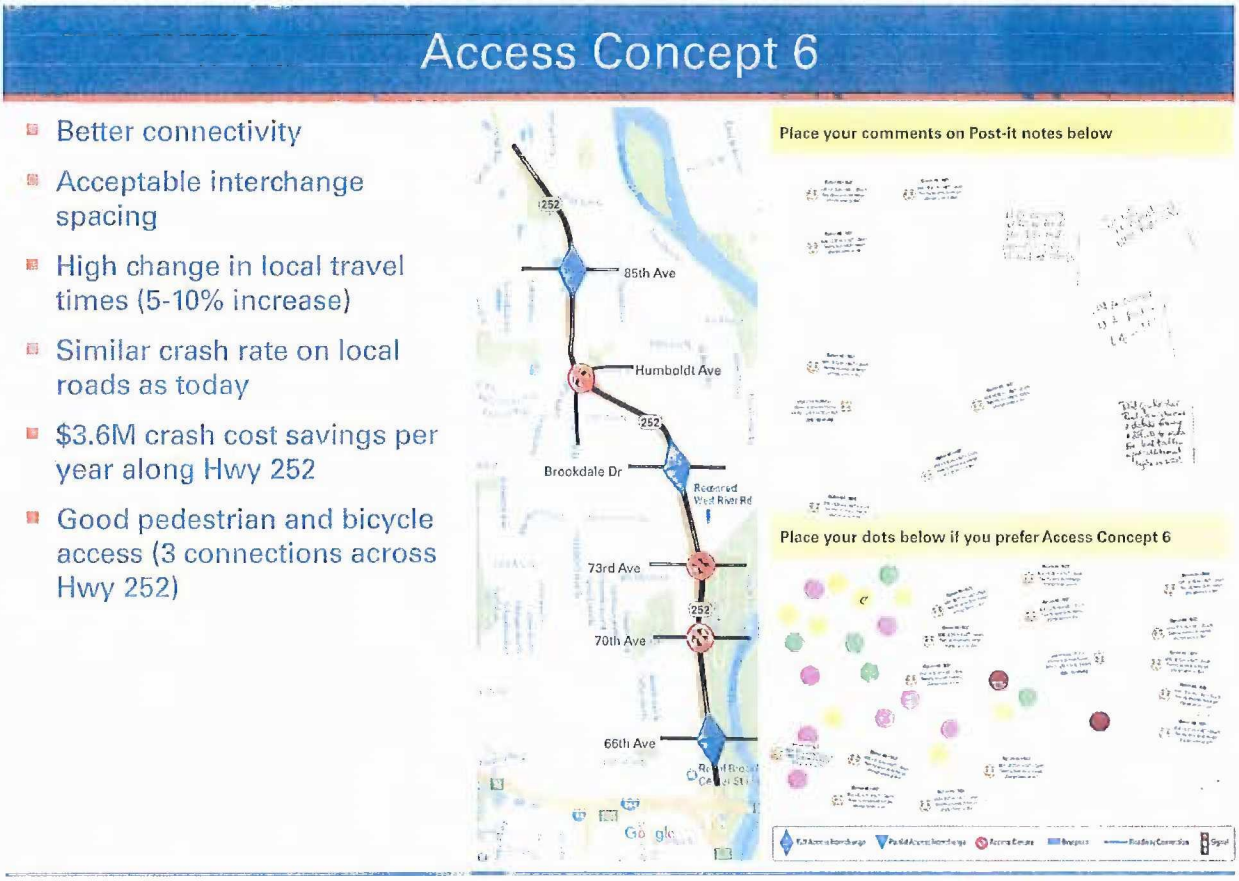
04 Summary Open House #2 Brooklyn Center

An open house was held at the Brooklyn Center Community Center on Thursday, September 07, 2017. The project team set up boards on easels to facilitate viewing of project data and tables were available for filling out comment cards. A total of 73 people signed in as participants at this open house.

Key Points - Dot Preference Activity

Concepts 3 and 6 received the highest quantity of sticker dots. Preference is ranked below.

Existing Roadway	21
Access Concept 1	1
Access Concept 2	13
Access Concept 3	23
Access Concept 4	20
Access Concept 5	19
~~Access Concept 6~~	~~23~~
Total Count	120



Key Points - Comments

A number of written comments referenced 12 categories. Of those 12 categories, 66th Avenue and Safety were most frequently mentioned.

Major Themes

- **66th Avenue N** :: Many commenters were concerned that the proposed 66th avenue interchange would be dangerous and scary and needed to be reconsidered.
- **Safety** :: Comments regarding safety fell into two categories: suggestions for how the project could enhance walking and driving safety, and concern that project construction would increase traffic and make neighborhoods more dangerous.

Complete Categorized Comment Totals

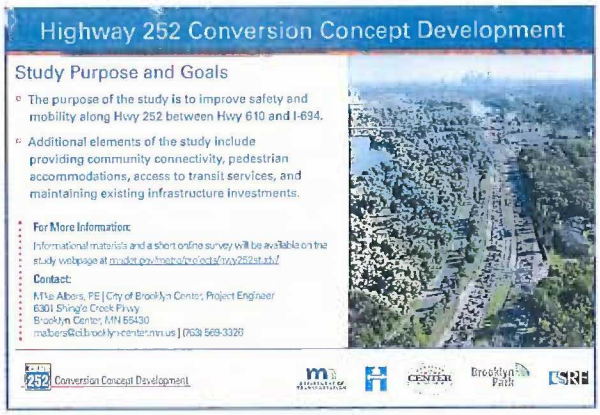
Safety	W River Road	Public Transit	85th	Hum-boldt	Brook-dale Dr	73rd	70th	66th	Noise	Envi-ron-ment	Bike/ Ped
0	0	0	0	1	1	3	0	8	0	1	8

Selected Comments

"The proposed 66th interchange is incredibly dangerous and short sighted."

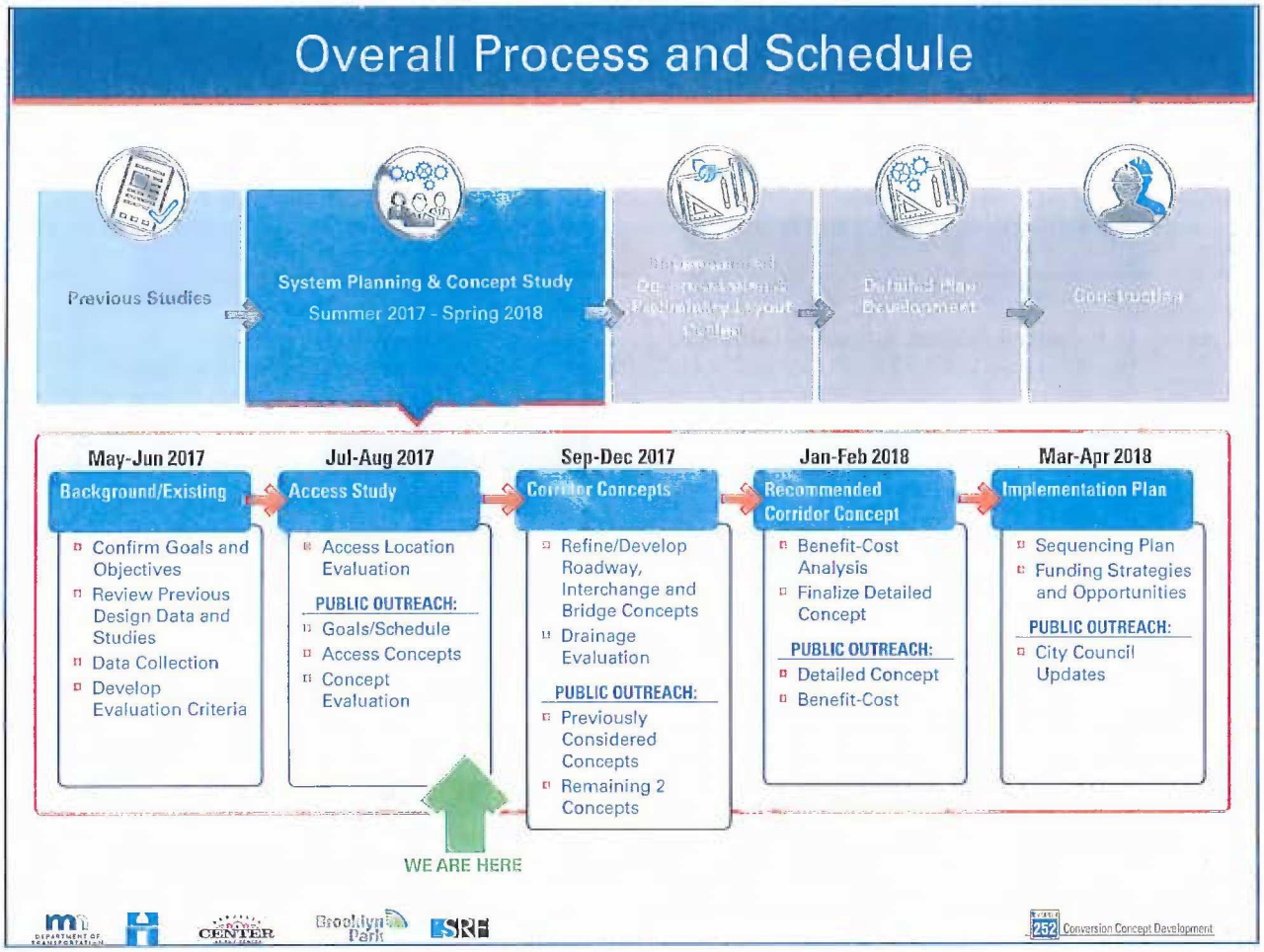
"Our concern is at 66th and 252. The entrance from 252 to 94 seems to close when cars are coming down 252 at 60 MPH and you have to cross over to 60 onto 94."

"I'm concerned about all the traffic coming into my neighborhood and the safety of my grand children, my neighborhood children with a roundabout in front of my house."





05 What's Next?



Next Steps

September-December 2017

Access Study

- Select Access Location Concept

Corridor Concepts

- Refine/Develop Roadway, Interchange and Bridge Concepts
- Drainage Evaluation

PUBLIC OUTREACH:

- Open House late 2017– early 2018
- Previously Considered Concepts
- Remaining 2 Concepts

We appreciate your feedback.
Thank you for attending!

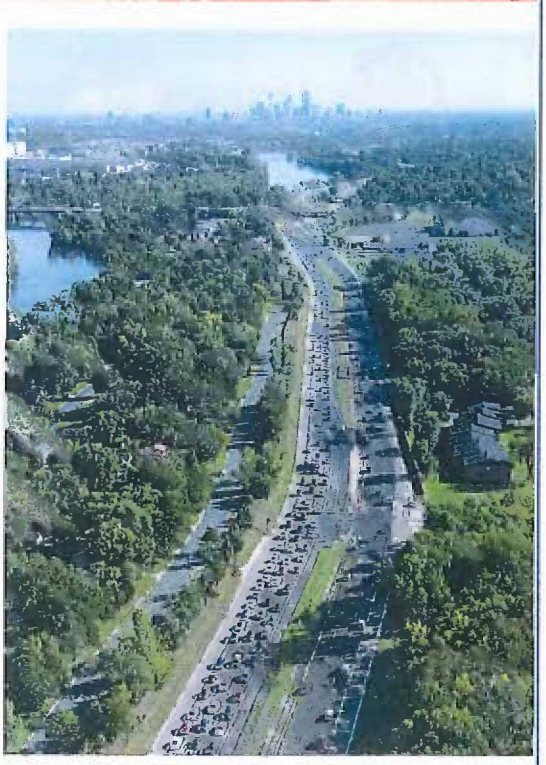
252 Conversion Concept Development

06 Appendix

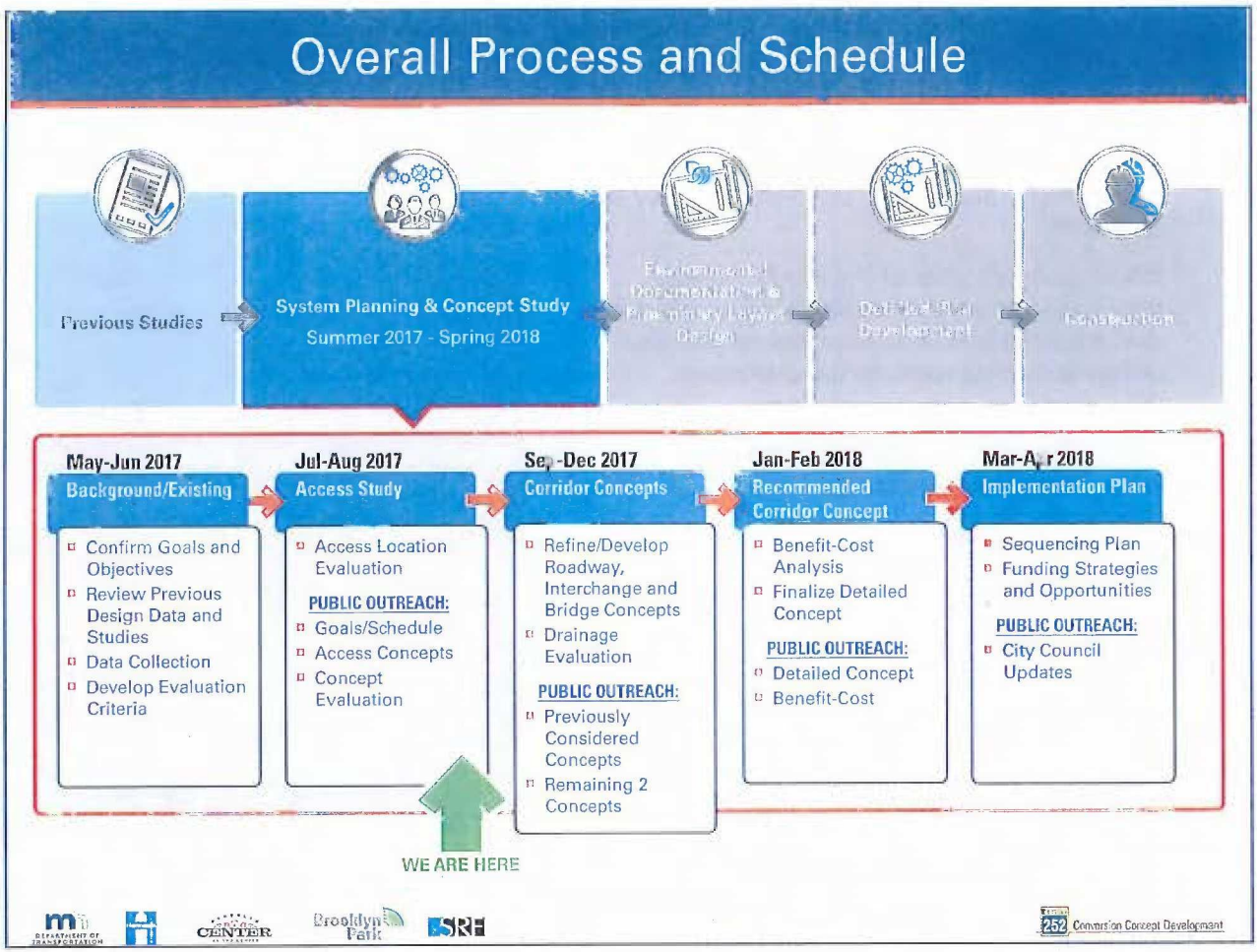
Open House Presentation Boards

Purpose and Goals

- The purpose of the study is to improve safety and mobility along Hwy 252 between Hwy 610 and I-694.
- Additional elements of the study include providing community connectivity, pedestrian accommodations, access to transit services, and maintaining existing infrastructure investments.
- The final recommendations need to be supported by the project partners:
  - » Hennepin County
  - » City of Brooklyn Center
  - » City of Brooklyn Park
  - » MnDOT
  - » FHWA
  - » Metro Transit
  - » Metropolitan Council



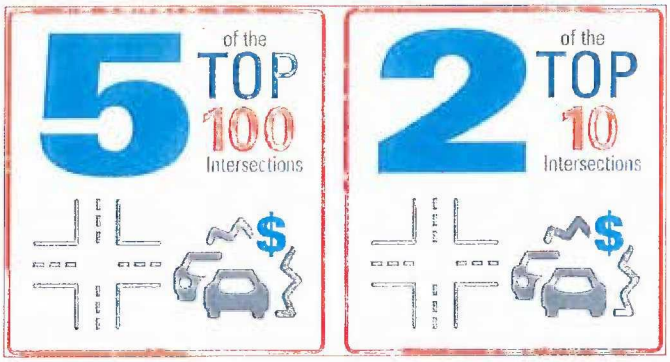
252 Conversion Concept Development


Overall Process and Schedule
Previous Studies
System Planning & Concept Study
Summer 2017 - Spring 2018
May-Jun 2017
Background/Existing
Confirm Goals and Objectives
Review Previous Design Data and Studies
Data Collection
Develop Evaluation Criteria
Jul-Aug 2017
Access Study
Access Location Evaluation
PUBLIC OUTREACH:
Goals/Schedule
Access Concepts
Concept Evaluation
Sep-Dec 2017
Corridor Concepts
Refine/Develop Roadway, Interchange and Bridge Concepts
Drainage Evaluation
PUBLIC OUTREACH:
Previously Considered Concepts
Remaining 2 Concepts
Jan-Feb 2018
Recommended Corridor Concept
Benefit-Cost Analysis
Finalize Detailed Concept
PUBLIC OUTREACH:
Detailed Concept
Benefit-Cost
Mar-Apr 2018
Implementation Plan
Sequencing Plan
Funding Strategies and Opportunities
PUBLIC OUTREACH:
City Council Updates
WE ARE HERE

06 Appendix

Corridor Safety Issues

MnDOT Statewide Crash Cost Comparison 2011-2015



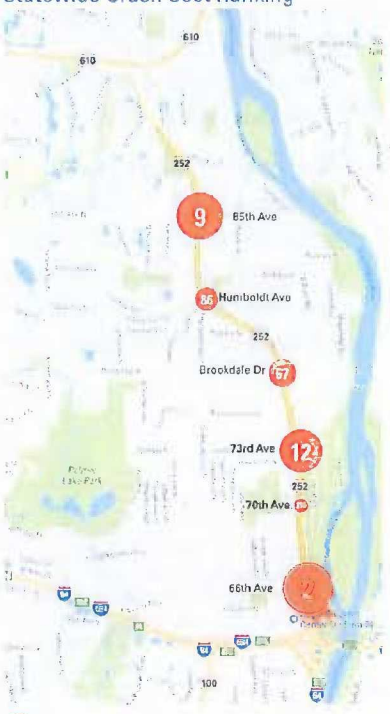


Intersection of 66th Avenue and Highway 252



Intersection of 85th Avenue and Highway 252

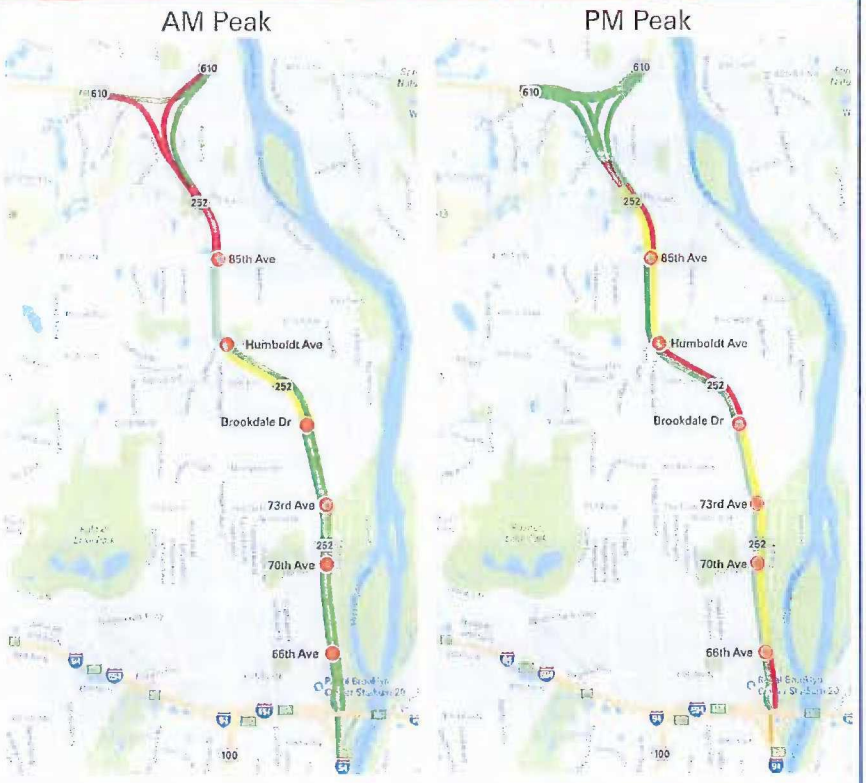
Statewide Crash Cost Ranking



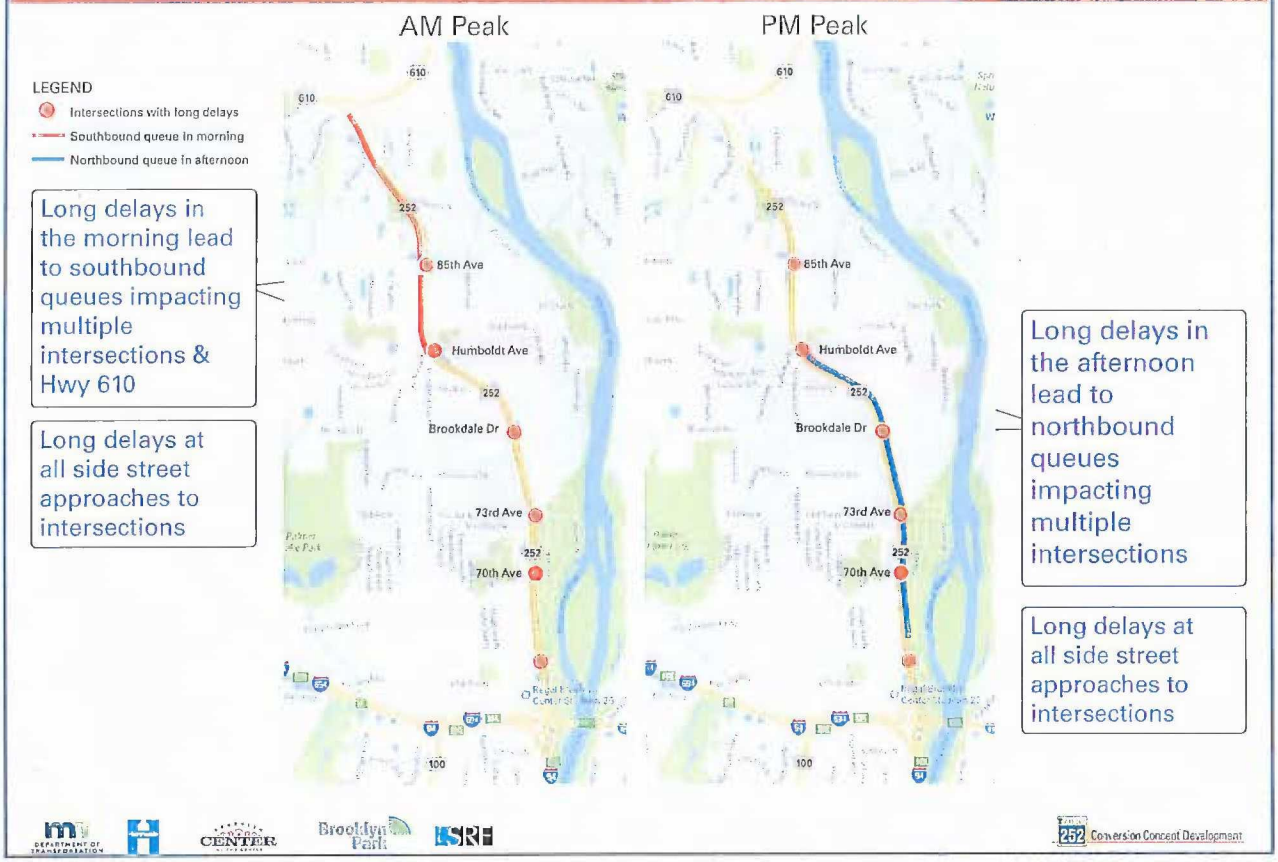
252 Conversion Concept Development

Existing Traffic Conditions

- Very unreliable travel times during peak periods, particularly Northbound in PM
- The corridor has very limited ability to adapt to non-reoccurring factors (weather, crashes, events) contributing to unreliable conditions

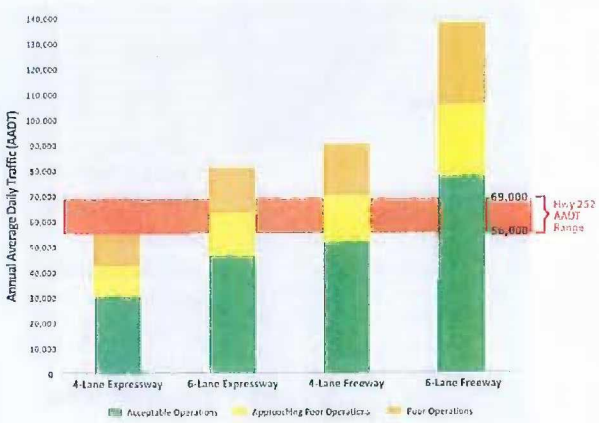


Future Traffic Operations

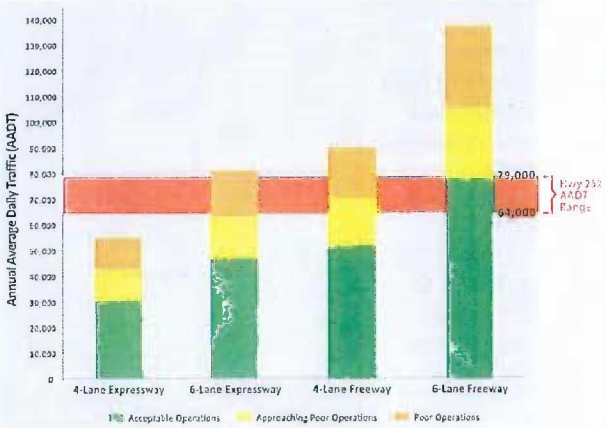


Expected Roadway Operations

Existing Hwy 252 Annual Average Daily Traffic (AADT)

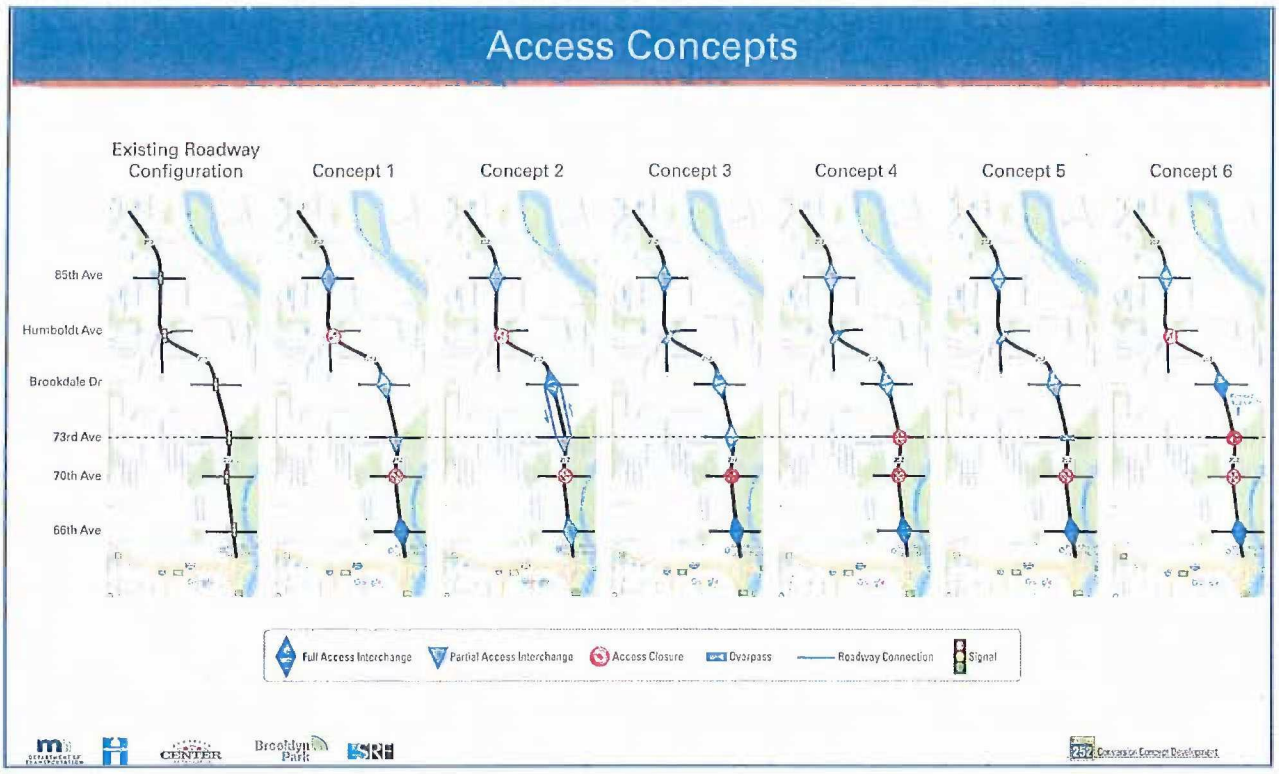


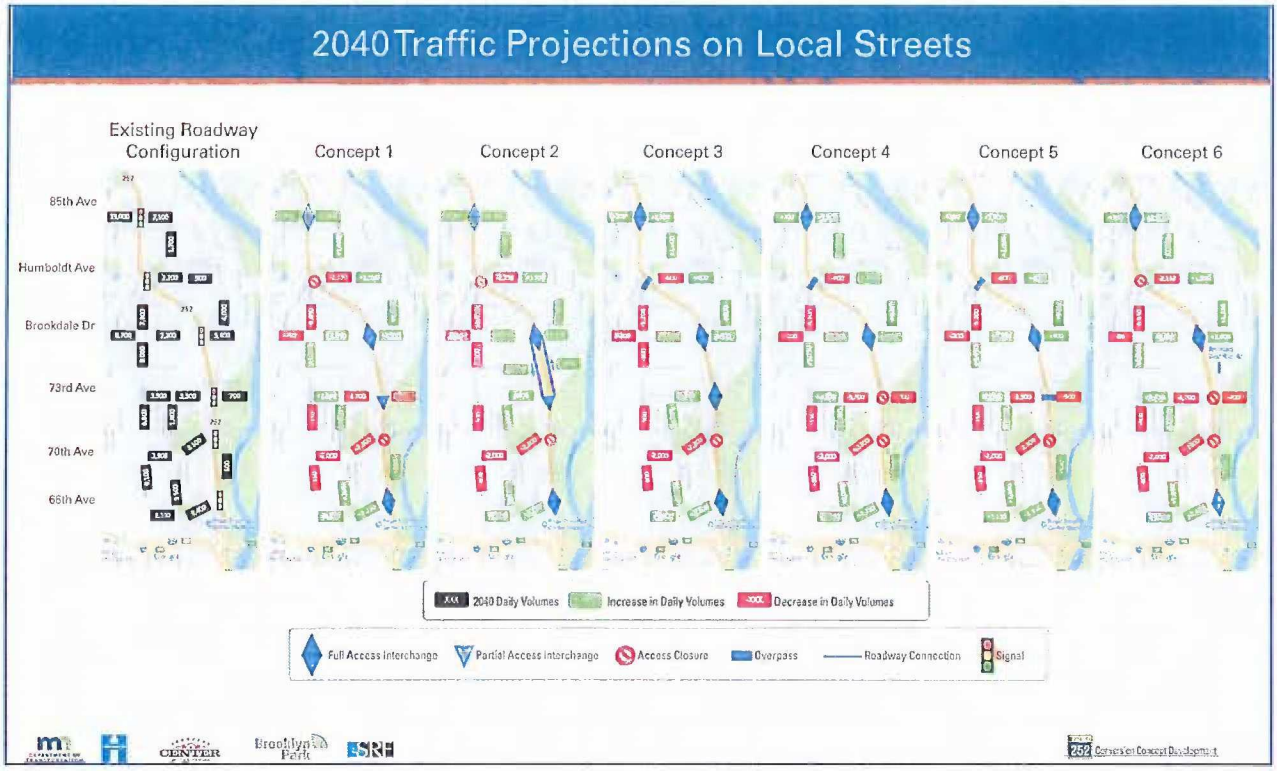
2040 Hwy 252 Annual Average Daily Traffic (AADT)



252 Conversion Concept Development

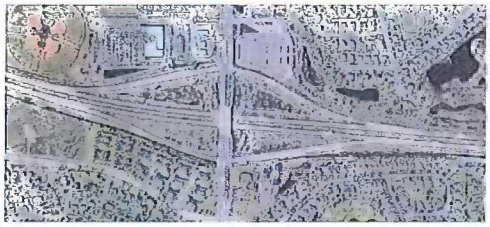
06 Appendix


Access Concepts
Existing Roadway Configuration
Concept 1
Concept 2
Concept 3
Concept 4
Concept 5
Concept 6
85th Ave
Humboldt Ave
Brookdale Dr
73rd Ave
70th Ave
66th Ave
Full Access Interchange
Partial Access Interchange
Access Closure
Overpass
Roadway Connection
Signal
CENTER
Brooklyn Park
SRF
252 Corridor Concept Development


2040 Traffic Projections on Local Streets
Existing Roadway Configuration
Concept 1
Concept 2
Concept 3
Concept 4
Concept 5
Concept 6
85th Ave
Humboldt Ave
Brookdale Dr
73rd Ave
70th Ave
66th Ave
2040 Daily Volumes
Increase in Daily Volumes
Decrease in Daily Volumes
Full Access Interchange
Partial Access Interchange
Access Closure
Overpass
Roadway Connection
Signal

06 Appendix

Access Type Examples



Full Access Interchange: Hwy 610 and Noble Pkwy, Brooklyn Park



Partial Access Interchange: Hwy 169 and 93rd Ave, Maple Grove/Br Park



Full Access Interchange: Hwy 610 and W Broadway Ave, Brooklyn Park



Overpass: Hwy 610 and Revere Ln, Maple Grove



Partial Access Interchange: Hwy 610 and Coon Rapids Blvd, Coon Rapids



Overpass: I-94/ I-694 and Xerxes Ave, Brooklyn Center

252 Conversion Concept Development

Access Concept Evaluation Summary

Evaluation Criteria[1]	Concept 1	Concept 2	Concept 3	Concept 4	Concept 5	Concept 6
Connectivity/ Interchange Spacing	[illegible]	[illegible]	[illegible] od connectivity [illegible] erchange spacing too close	[illegible]	[illegible]	Better Connectivity Adequate Interchange Spacing
Changes in Local Network Travel Times	[illegible]	[illegible]	[illegible] sa in peak ho[illegible] avel times	[illegible]	Medium 5% increase in peak hour travel times	[illegible]
Changes in Safety (Local System)	[illegible]	[illegible]	5 percent reduction in [illegible] lashes	Comparable to no freeway conversion	Comparable to no freeway conversion	Comparable to no freeway conversion
Changes in Safety (Hwy 252)[2]	Crash cost savings per year $3.4M	Crash cost savings per year $3.4M	Crash cost savings per year $3.3M	[illegible]	[illegible]	[illegible]
Pedestrian and Bicycle Access to Transit and Neighborhoods	Better access 4 connections across Hwy 252	Better access 4 connections across Hwy 252	[illegible]	Better access 4 connections across Hwy 252	[illegible]	[illegible]
Right of Way Impacts	Medium	Medium	[illegible]	[illegible]	[illegible]	[illegible]
Preliminary Cost Estimate	Medium	[illegible]	[illegible]	Medium	[illegible]	[illegible]

Note:
[1]All evaluation criteria take into account the need to minimize traffic, safety, and right of way impacts on disadvantaged communities (i.e., low-income, minority).
[2]Crash cost savings compared to the existing conditions.

252 Corridor Concept Development

Existing Roadway Configuration

- Very unreliable travel times
- Limited ability to adapt to weather and crash events
- High crash corridor
- Does not address purpose and goals of study
- Significant local roadway delays accessing Hwy 252



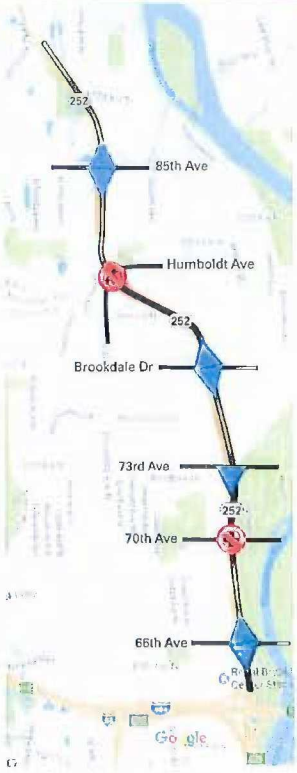
Place your comments on Post-it notes below

Place your dots below if you prefer Existing Roadway Configuration

Conversion Concept Development

Access Concept 1

- Good connectivity
- Does not meet interchange spacing guidelines
- Low change in local travel times
  (< 5% increase)
- 4% reduction in crashes on local roads
- $3.4M crash cost savings per year along Hwy 252
- Better pedestrian and bicycle access (4 connections across Hwy 252)

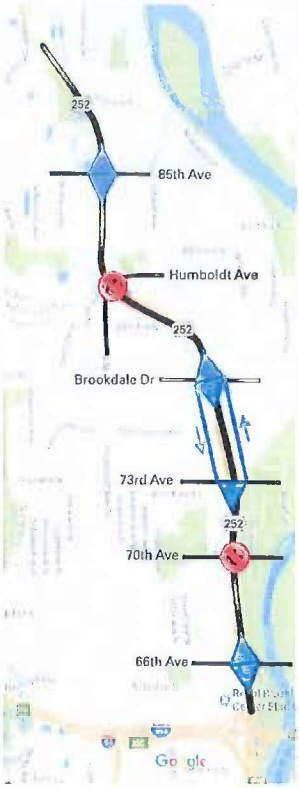


Place your comments on Post-it notes below

Place your dots below if you prefer Access Concept 1

Access Concept 2

- Good connectivity
- Does not meet interchange spacing guidelines
- Low change in local travel times (< 5% increase)
- 6% reduction in crashes on local roads
- $3.4M crash cost savings per year along Hwy 252
- Better pedestrian and bicycle access (4 connections across Hwy 252)



Place your comments on Post-it notes below

Place your dots below if you prefer Access Concept 2

252 Conversion Concept Development

Access Concept 3

- Good connectivity
- Does not meet interchange spacing guidelines
- Low change in local travel times (< 5% increase)
- 5% reduction in crashes on local roads
- $3.3M crash cost savings per year along Hwy 252
- Best pedestrian and bicycle access (5 connections across Hwy 252)



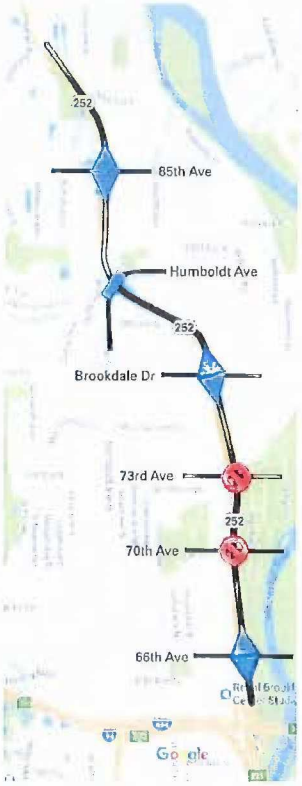
Place your comments on Post-it notes below

Place your dots below if you prefer Access Concept 3

252 Conversion Concept Development

Access Concept 4

- Better connectivity
- Acceptable interchange spacing
- High change in local travel times (5-10% increase)
- Similar crash rate on local roads as today
- $3.7M crash cost savings per year along Hwy 252
- Better pedestrian and bicycle access (4 connections across Hwy 252)



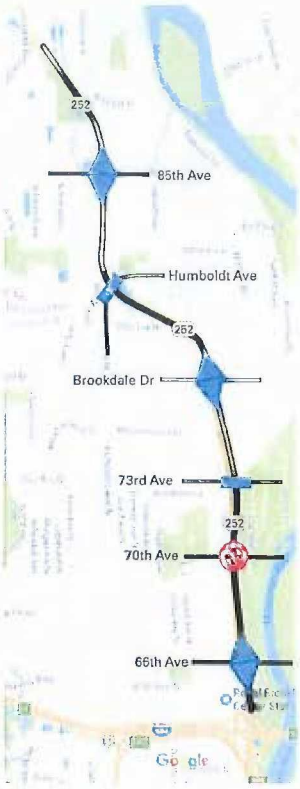
Place your comments on Post-it notes below

Place your dots below if you prefer Access Concept 4

252 Conversion Concept Development

Access Concept 5

- Best connectivity
- Acceptable interchange spacing
- Medium change in local travel times (5% increase)
- Similar crash rate on local roads as today
- $3.7M crash cost savings per year along Hwy 252
- Best pedestrian and bicycle access (5 connections across Hwy 252)



Place your comments on Post-it notes below

Place your dots below if you prefer Access Concept 5

252 Conversion Concept Development

Access Concept 6

- Better connectivity
- Acceptable interchange spacing
- High change in local travel times (5-10% increase)
- Similar crash rate on local roads as today
- $3.6M crash cost savings per year along Hwy 252
- Good pedestrian and bicycle access (3 connections across Hwy 252)



Place your comments on Post-it notes below

Place your dots below if you prefer Access Concept 6

Next Steps

Access Study

- Select Access Location Concept

September-December 2017

Corridor Concepts

- Refine/Develop Roadway, Interchange and Bridge Concepts
- Drainage Evaluation

PUBLIC OUTREACH:

- Open House late 2017– early 2018
- Previously Considered Concepts
- Remaining 2 Concepts

We appreciate your feedback.
Thank you for attending!

MnPASS Express Lane Background and MnPASS System Study Phase 3 Summary

Hwy. 252 PAC – November 13, 2017

DEPARTMENT OF TRANSPORTATION

mnpass.org

MnPASS Express Lanes

- MnPASS = MN's system of priced managed priced managed lanes (a/k/a High Occupancy Toll Lanes)



- MnPASS lanes currently in operation:
  - I-394 since 2005
  - I-35W since 2009
  - I-35E since 2015

- MnPASS is a key strategy for improving the efficiency of the region's highway and transit systems by providing a reliable, congestion-free option for commuters during peak-travel times

How the typical MnPASS lane works

- During peak-travel times (Monday-Friday: 6-10AM and 3-7PM)
  - Transit buses, vehicles with two or more people (HOV2+), and motorcyclists can use the lanes for free
  - Solo motorists who have a MnPASS account and a MnPASS tag can use the lanes for a fee that varies between .25¢ and $8.00 depending on congestion levels - the fee manages the demand for the lanes and keeps them flowing at congestion-free speeds (50-55mph)
    - Average trip fee is app. $1.50
    - Low income discount program available soon
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How the typical MnPASS lane works cont.

1. MnPASS Express Lanes are separated from regular lanes by solid, double white lines and dashed, double-white lines.

2. Overhead signs alert you to the entry and exit locations for MnPASS Express Lanes. You may only enter and exit MnPASS Express Lanes where there are dashed, double-white lines.

3. Overhead electronic signs display the current fee – the price you see is the price you pay.

4. The MnPASS tag is read electronically and the posted fee is automatically deducted from your prepaid MnPASS account balance.

5. You enjoy a reliable, easy commute and arrive on time – time after time.



Visit www.mnpass.org for more information on how to sign up for and use the MnPASS lanes

What are the Benefits of MnPASS?

MnPASS lanes reduce and better manage congestion in a manner that's sustainable over the long-term by:

- Increasing person throughput
  - A single MnPASS lane can carry twice as many people as a single general purpose lane during peak-hour congestion
- Improving travel time reliability
  - Transit buses and commuters can plan for and rely on a 50-55 mph trip in a MnPASS lane (general purpose lanes are much less reliable)
- Improving bus transit service/ridership and increasing carpooling
  - Nearly 90% of the people using the MnPASS lanes are either riding on buses or in carpools

Hierarchy of Regional Highway Mobility Strategies

Active Traffic Management

Transportation partners should first work to apply traffic management technologies to improve traffic flow without adding capacity

Spot Mobility Improvements

The next strategy should be to investigate implementing lower cost/high benefit projects that improve safety and traffic flow at spot locations

MnPASS Express Lanes

If more extensive lane capacity is needed, the regional priority is to evaluate the feasibility of MnPASS Express Lanes

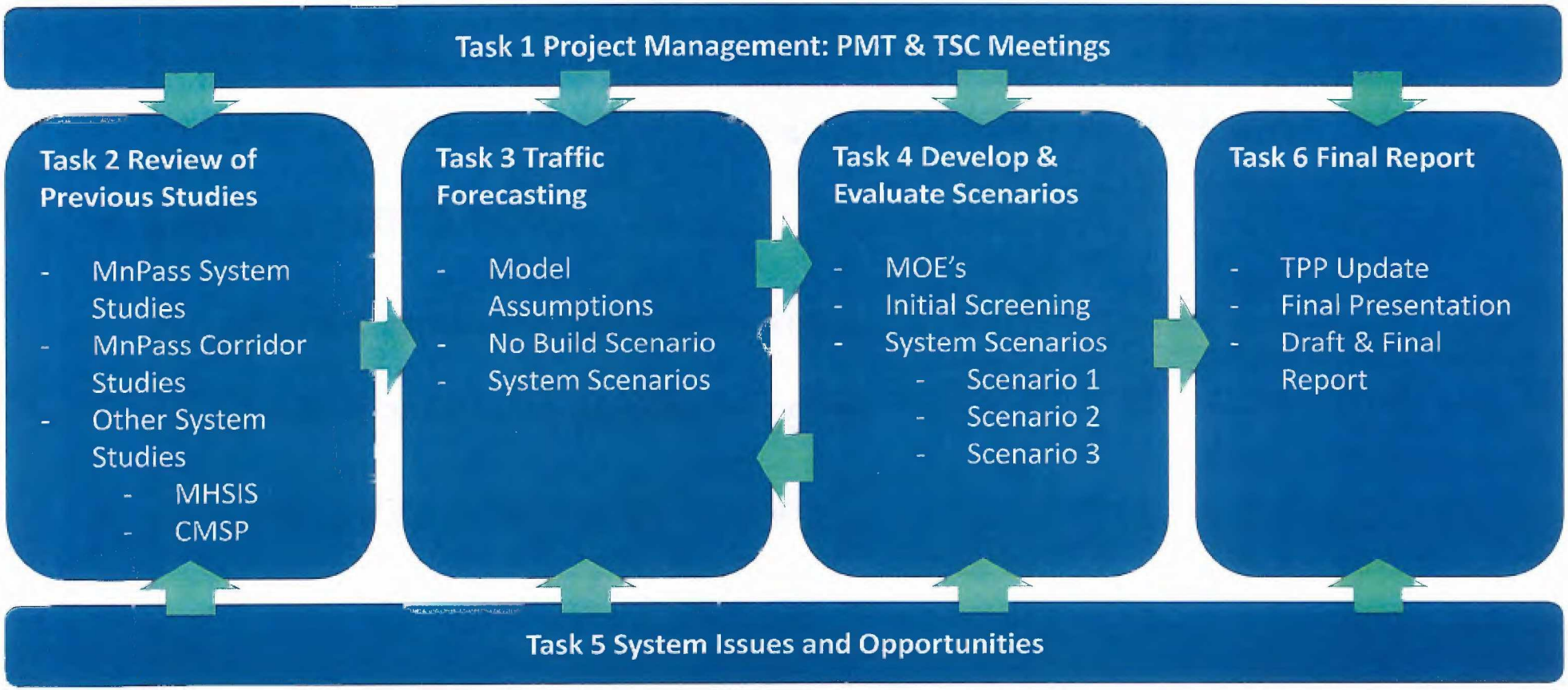
Strategic Capacity Enhancements

This strategy includes interchange improvements and in rare instances traditional lane capacity projects if the above strategies cannot address the problem.

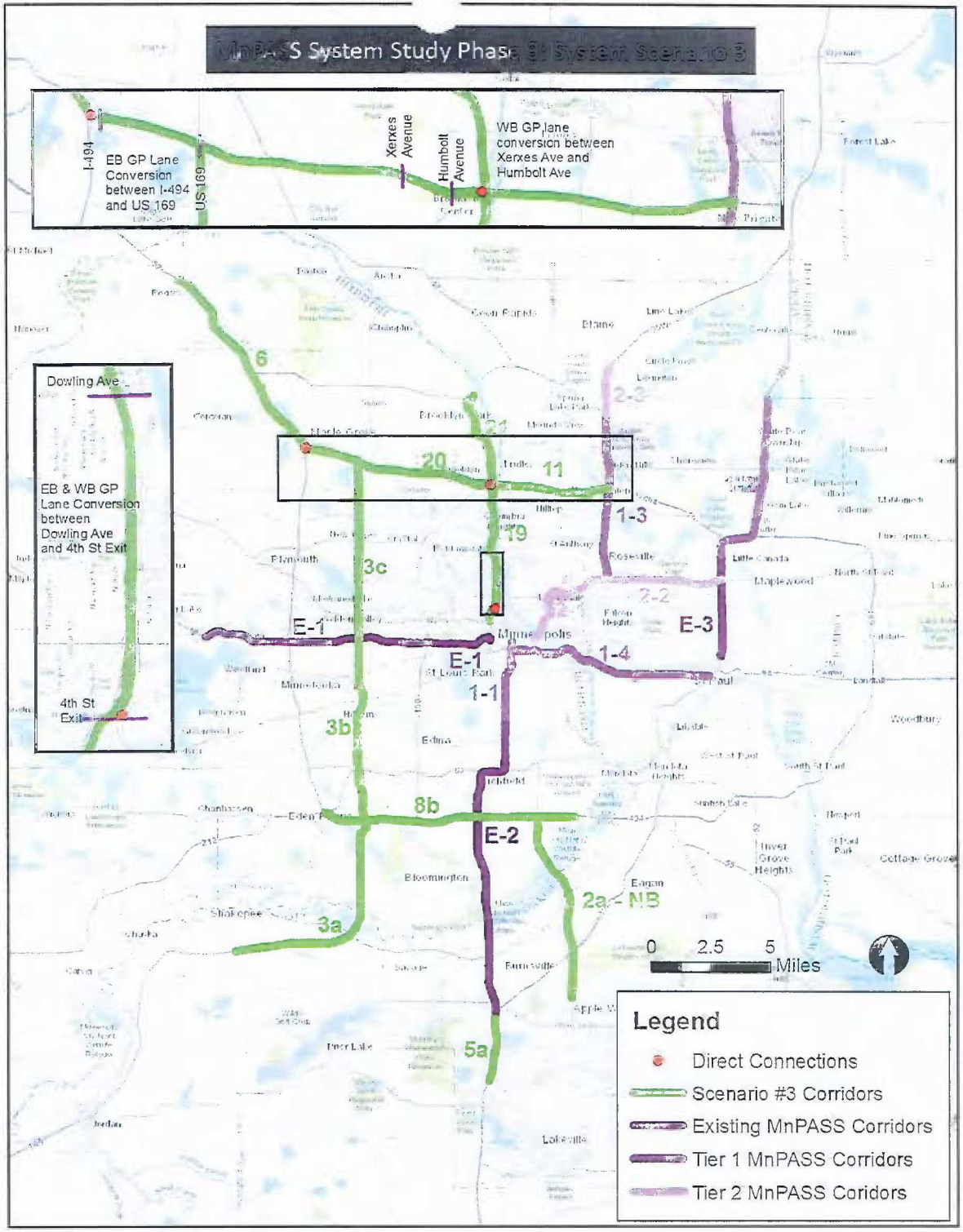
MnPASS Studies – MnPASS System Study Phase 3

- Past MnPASS System studies
  - Phase 1 study completed in 2005
  - Phase 2 study completed in 2010
- Phase 3 study goals:
  - Assist in updating the MnPASS system vision and corridor prioritization in the 2018 update to the TPP
  - Evaluate key MnPASS issues, opportunities, and risks from both a regional needs perspective and a national state-of-the-practice perspective

MnPASS System Study Phase 3 - Process



Technical Steering Committee (TSC) consisted of representatives from MnDOT, Met Council, transit providers, metro counties and FHWA


MnPASS System Study Phase 3 System Scenario 3
I-494
EB GP Lane Conversion between I-494 and US 169
US 169
Xerxes Avenue
Humbolt Avenue
WB GP lane conversion between Xerxes Ave and Humbolt Ave
Dowling Ave
EB & WB GP Lane Conversion between Dowling Ave and 4th St Exit
4th St Exit
6
20
11
21
2-2
1-3
19
3c
E-1
E-3
1-4
1-1
3b
8b
E-2
2a - NB
3a
5a
0 2.5 5 Miles
Legend
Direct Connections
Scenario #3 Corridors
Existing MnPASS Corridors
Tier 1 MnPASS Corridors
Tier 2 MnPASS Coridors

MnPASS System Study Phase 3- Results Overview

- Scenario 3 has similar benefits to previous scenarios, but a lower cost per mile and lower total cost
- Higher performing corridors
  - Corridor 21 (Hwy. 252) performed the highest but is dependent on freeway conversion
  - Corridor 19 (I-94 – Hwy. 252-downtown Mpls.) had fewer hours saved, but a large increase in person throughput and is integral with Corridor 21
  - Corridor 8b (I-494 Bloomington – W. Bush Lk. Rd.-Hwy. 5)
- Moderate performing corridors
  - Corridor 2a-NB (Hwy. 77)
  - Corridors 3a and 3b (Hwy. 169 Shakopee-Golden Valley)
  - Corridor 5a (I-35 Lakeville extension)
- Remaining corridors were lower performing but still strong candidates for Tier 3 in the TPP

Corridor Evaluation Ranking

Rank	Corridor	Change in Average Daily Person Throughput	Cost (M)	Change in Average Person Throughput per $1M
1	**21 - TH 252** (I-94 to TH 610)	36,925 (5,520)*	$140 ($30)*	264 (184)*
2	**19- I-94** (TH 55 to TH 252)	16,552	$110**	151
3	**5a- I-35** (Crystal Lk Rd to Dakota Co 50)	3,490	$40	87
4	8b - I-494 (US 212 to TH 5)	18,786	$220	85
5	**3b – TH 169** (I-494 to I-394)	15,492	$200	78
6	2a - NB TH 77 (138th to I-494)	3,118	$50	62
7	**3a – TH 169** (Marschall Rd to I-494)	7,985	$130	61
8	6 - I-94 (I-494 to TH 101)	3,846	$80	48
9	**3c – TH 169** (I-394 to I-694)	7,788	$180	43
10	20 - I-94 (TH 252 to I-494)	3,044	$110	28
11	**11- I-694** (I-94 to I-35W)	2,361	$120	20

*MnPASS specific benefit/cost in parenthesis

**Cost includes direct connections at 252/94 and 94/4th St.

TH 252 Sensitivity Analysis

- Cost
  - $110 M for Freeway Conversion (79%) / $30 M for MnPASS (21%)
- Benefits
  - Change in Person Throughput
    - 31,500 for Freeway Conversion (85%) / 5,500 for MnPASS (15%)
  - Person Hours Saved
    - 500 for Freeway Conversion (40%) / 700 for MnPASS (60%)

TH 252/I-94 Summary

- TH 252/I-94 (TH 610 – Downtown Minneapolis) corridor has significant potential to benefit from MnPASS Express Lanes
  - Substantial increase in person throughput
  - Significant person-hour savings on TH 252
  - Strong transit demand (approximately 11,600 daily boardings on routes operating in the TH252/I94 corridor), with good potential for increased demand and service from a MnPASS transit advantage
  - Low additional cost to add MnPASS lanes on TH 252

MnPASS Phase 3 Study Schedule/Next Steps

- Draft final report out for review soon
- Council staff drafting TPP update are currently considering:
  - MnPASS corridor tiering
  - Increased revenue scenario

DEPARTMENT OF TRANSPORTATION

Thank you again!

Brad Larsen, MnDOT MnPASS Policy & Planning

651-234-7024

brad.Larsen@state.mn.us

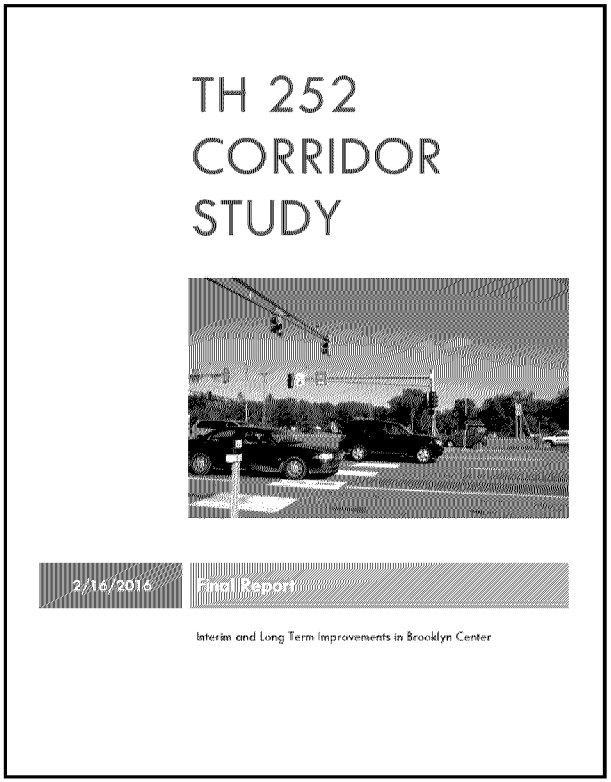
TH 252 Corridor Update

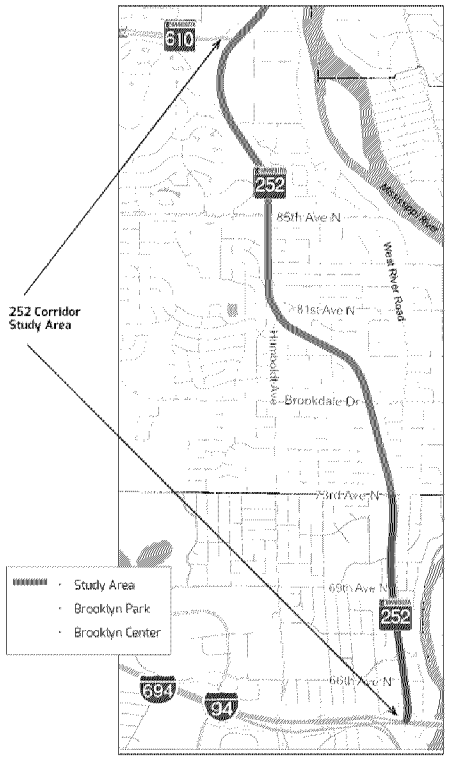
City Council Work Session

January 8, 2018

Strategic Priorities - Key Transportation Investments

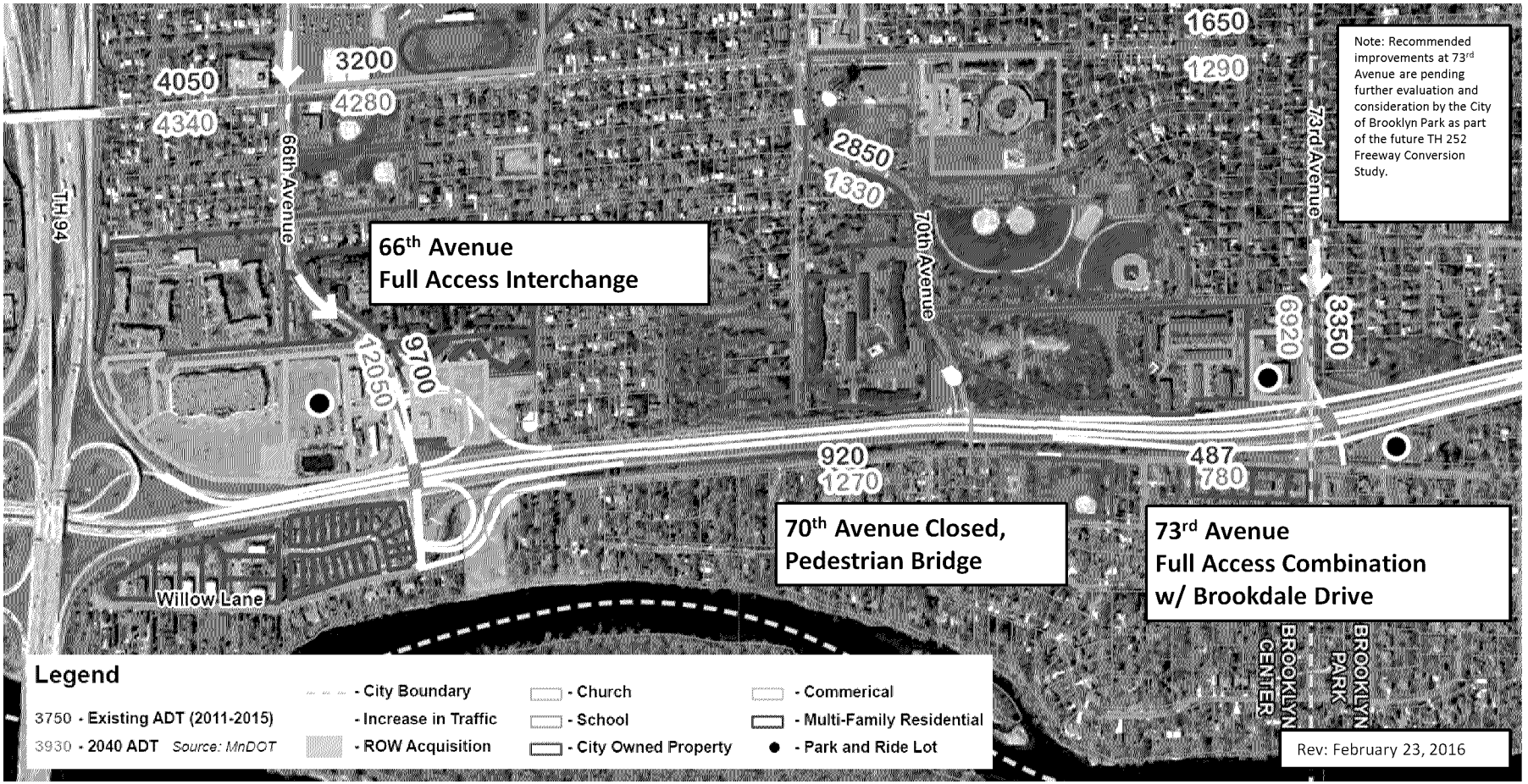
Purpose of the 2016 BC Study





- Address motor vehicle, pedestrian and bicycle safety, congestion and connectivity concerns in the corridor
- Guide future improvements to TH 252

Brooklyn Center – TH 252 Recommended Access Configuration



66th Avenue Interchange Project

- The total estimated project cost for the interchange at 66th Avenue, closing 70th Avenue and a pedestrian bridge at 70th Avenue is $35 million for 2021 construction
- Secured Funding
  - $7 million (66th Ave Interchange) 2016 regional solicitation-FY 2021
  - $1.9 million (70th Ave Ped Bridge) 2016 regional solicitation-FY 2021
  - $10 million (66th Ave Interchange) 2017 Minnesota Highway Freight Program (MHFP) solicitation-FY 2020
  - $5.5 million budgeted in the City's Capital Improvements Plan (CIP)
- Funding gap of $10.6 million

Next Steps for 66th Avenue Interchange Project

- Continue to secure project funding for 66th Avenue Interchange Project
- Begin design process for 66th Avenue Interchange Project
  - Environmental studies and documentation
  - Continued BC involvement and approval
  - Preliminary and final design
    - Roadway alignment
    - Review soundwalls (aesthetics, noise, line of site, etc.)(e.g. Hwy 100)
    - Review roadway bridges (aesthetics, line of sight, etc.)
  - Begin right-of-way acquisition
- Proceed with more detailed Hennepin County Freeway Conversion Study

Hennepin County TH 252 Freeway Conversion Study

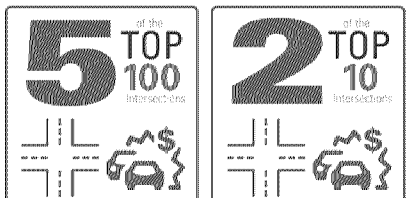
- In January 2017: Hennepin County initiated a TH 252 Freeway Conversion Study in partnership with MnDOT, the cities of Brooklyn Center and Brooklyn Park and Metro Transit for the development of concepts to improve safety and mobility along TH 252 between Hwy 610 and I-694.
  - Technical Advisory Committee (TAC): 8 Meetings since May 2017
  - Policy Advisory Committee (PAC): 3 Meetings

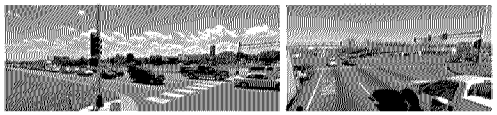
Freeway Conversion Study Open House

- In September 2017, two open houses were held to provide information about corridor issues and needs along with the purpose of the study.
  - 263 people signed in at the open houses.
    - 190 at the Brooklyn Park Open House
    - 73 at the Brooklyn Center Open House

Corridor Safety Issues

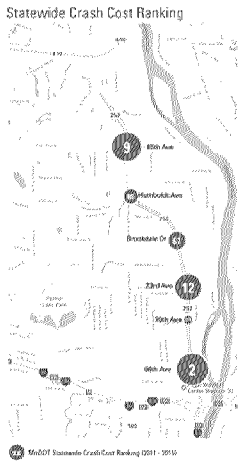
MnDOT Statewide Crash Cost Comparison 2011-2015





Intersection of 66th Avenue and Highway 252 | Intersection of 85th Avenue and Highway 252

Statewide Crash Cost Ranking



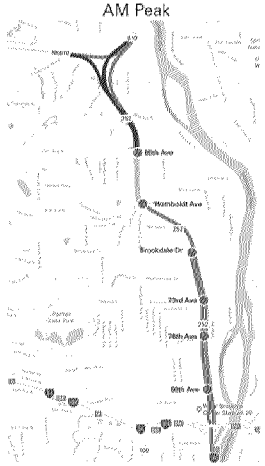
MnDOT Statewide Crash Cost Ranking (2011 - 2015)

Existing Traffic Conditions

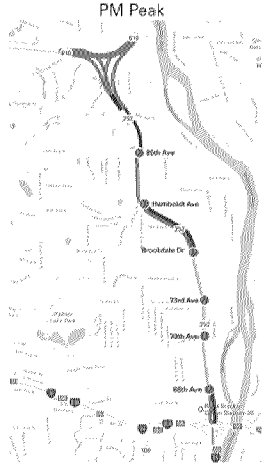
- Very unreliable travel times during peak periods, particularly Northbound in PM
- The corridor has very limited ability to adapt to non-reoccurring factors (weather, crashes, events) contributing to unreliable conditions

LEGEND
- Generally uncongested/reliable
- Slightly congested/unreliable
- Moderately congested/unreliable
- Considerably congested/unreliable
- Extremely congested/unreliable
- Intersections with long delays

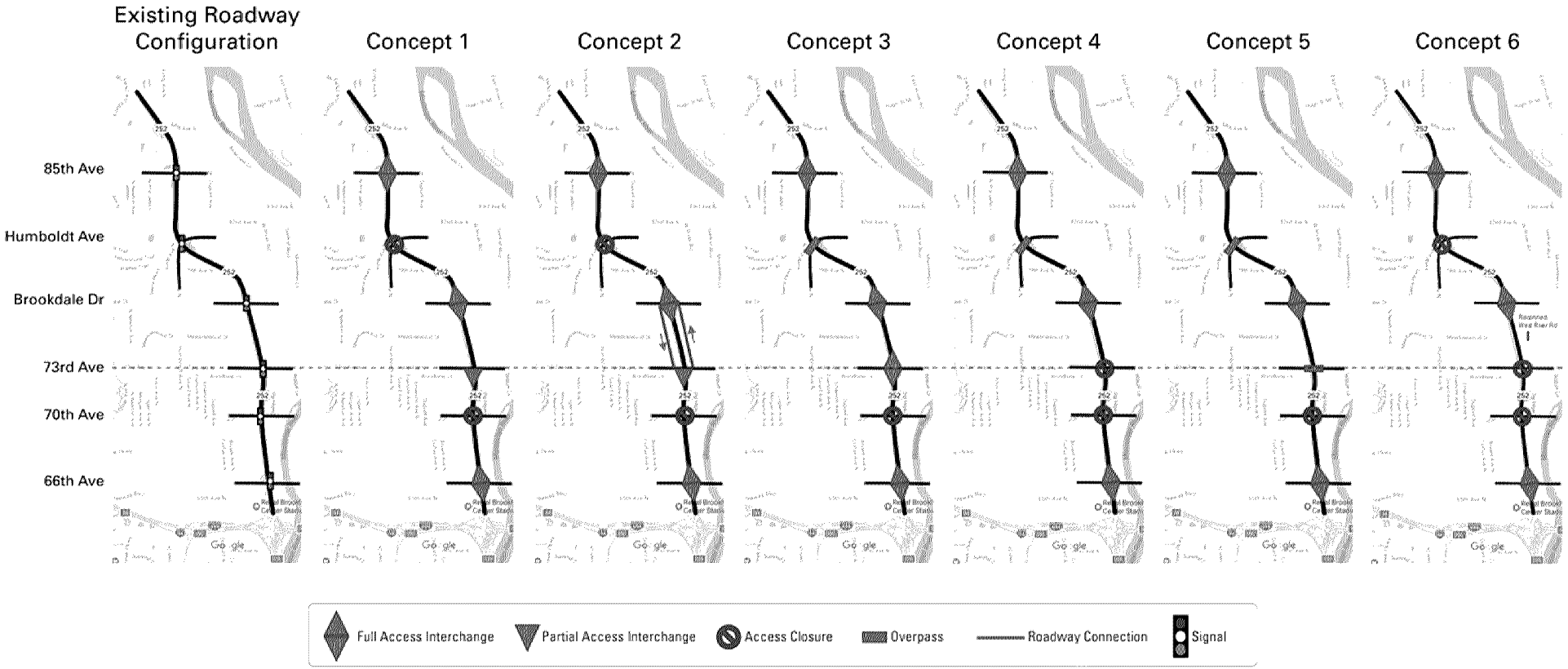
AM Peak



PM Peak



Access Concepts



Following the Open Houses

- The Federal Highway Administration (FHWA) recommended starting the Environmental Assessment (EA) process to further refine the social and environmental impacts of converting TH 252 to a freeway.
  - November 13, 2017, PAC recommended the TAC review the scope and costs to perform an EA for the TH 252 corridor.
- MnDOT identified TH 252/I-94 as a strong candidate for a MnPASS from TH 610 to downtown Minneapolis
  - MnDOT presented the findings of their MnPASS System Study Phase 3 to the PAC on November 13, 2017.
- Corridors of Commerce (CoC) solicitation due in February

MnPASS Express Lane Background and MnPASS System Study Phase 3 Summary

TH 252 PAC – November 13, 2017

DEPARTMENT OF TRANSPORTATION

mnpass.org

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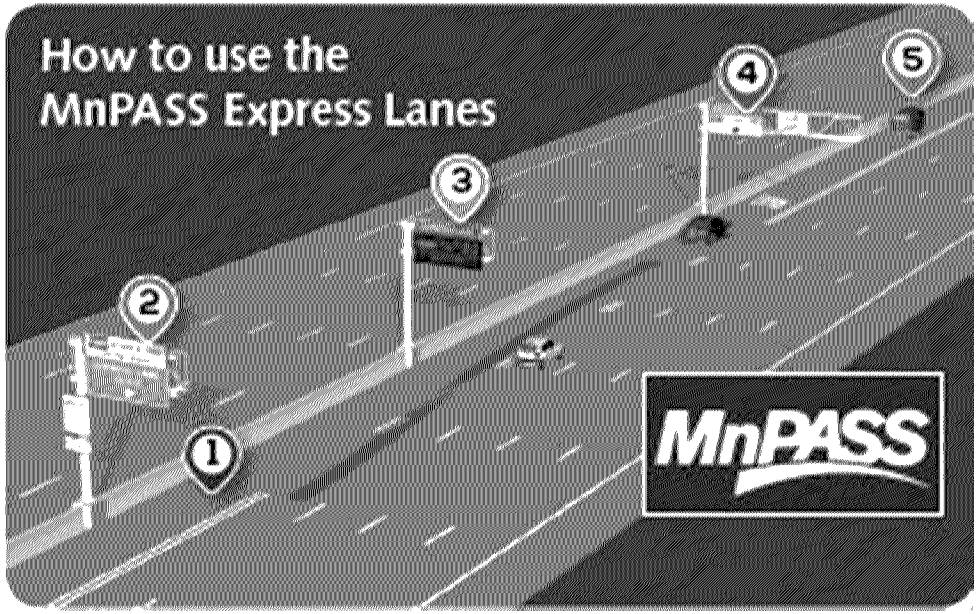
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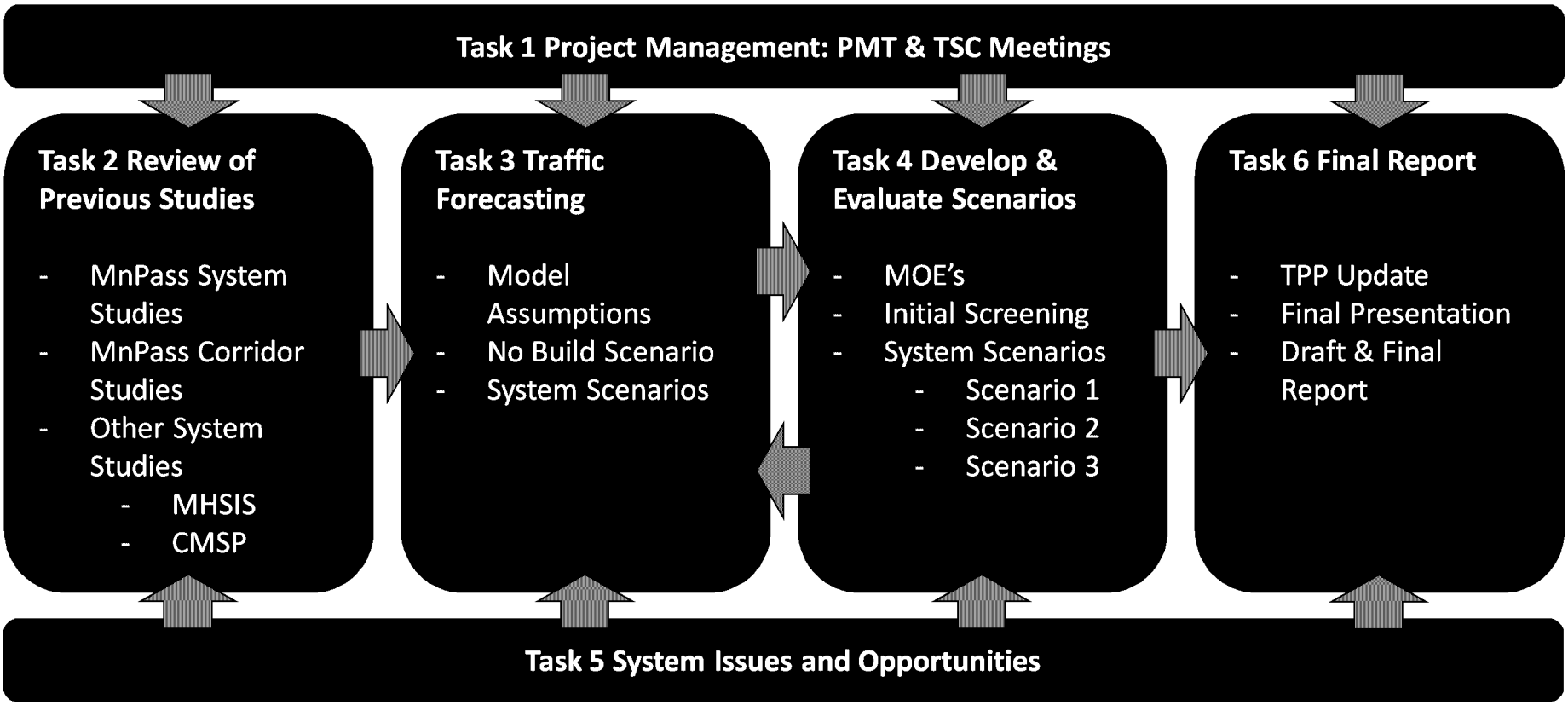
MnPASS Express Lanes

If more extensive lane capacity is needed, the regional priority is to evaluate the feasibility of MnPASS Express Lanes

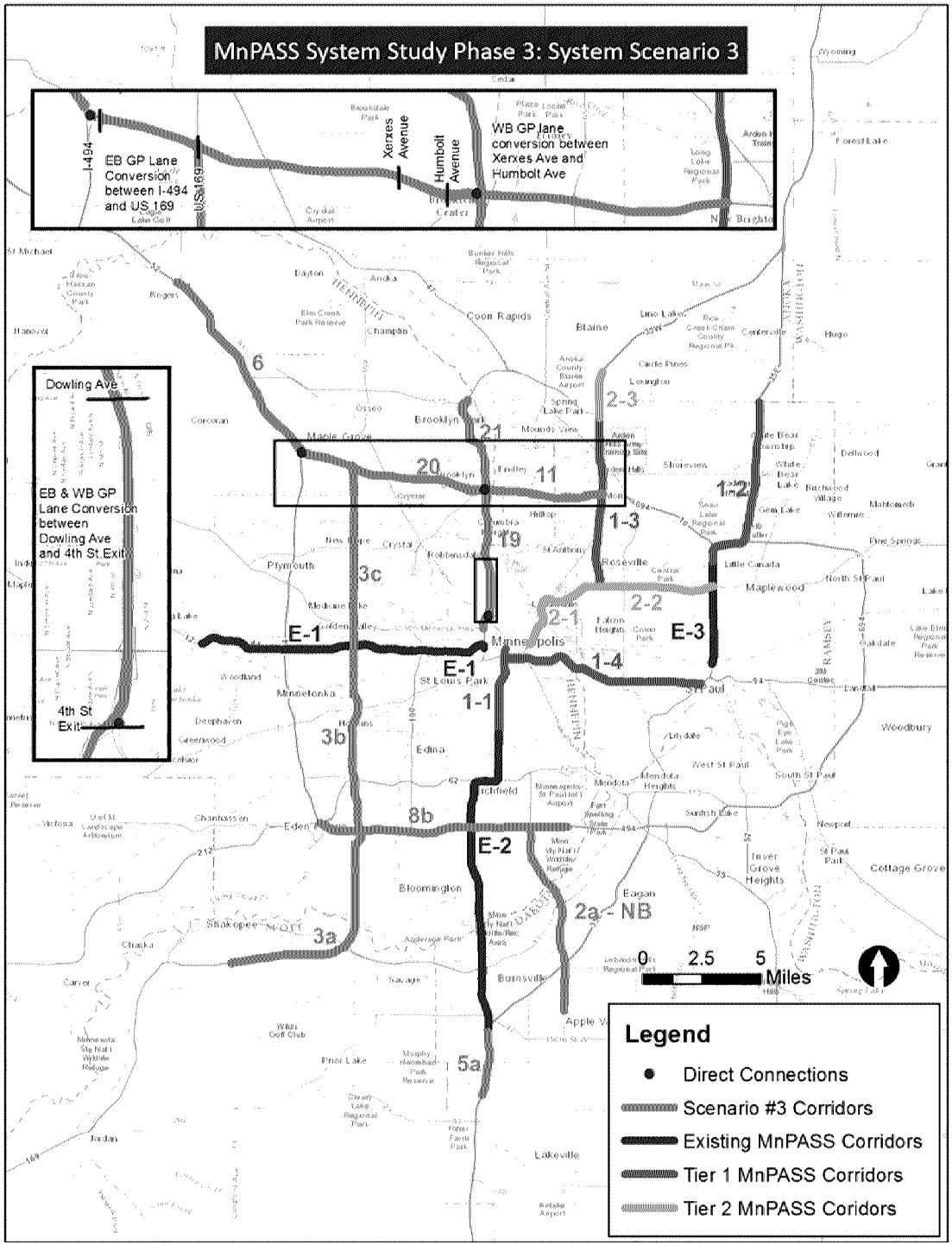
Strategic Capacity Enhancements

This strategy includes interchange improvements and in rare instances traditional lane capacity projects if the above strategies cannot address the problem.

- Past MnPASS System studies
  - Phase 1 study completed in 2005
  - Phase 2 study completed in 2010
- Phase 3 study goals:
  - Assist in updating the MnPASS system vision and corridor prioritization in the 2018 update to the TPP
  - Evaluate key MnPASS issues, opportunities, and risks from both a regional needs perspective and a national state-of-the-practice perspective



Technical Steering Committee (TSC) consisted of representatives from MnDOT, Met Council, transit providers, metro counties and FHWA


MnPASS System Study Phase 3: System Scenario 3
EB GP Lane Conversion between I-494 and US 169
WB GP lane conversion between Xerxes Ave and Humbolt Ave
I-494
US 169
Xerxes Avenue
Humbolt Avenue
Dowling Ave
EB & WB GP Lane Conversion between Dowling Ave and 4th St Exit
4th St Exit
Coon Rapids
Blaine
Maple Grove
Brooklyn Park
Plymouth
Minneapolis
St Paul
Roseville
Maplewood
Edina
Bloomington
Eagan
Burnsville
Prior Lake
Lakeville
Woodbury
Inver Grove Heights
Cottage Grove
6
20
21
11
19
2-3
1-2
1-3
2-2
2-1
1-4
E-1
E-3
3c
3b
1-1
8b
E-2
2a - NB
3a
5a
0 2.5 5 Miles
Legend
Direct Connections
Scenario #3 Corridors
Existing MnPASS Corridors
Tier 1 MnPASS Corridors
Tier 2 MnPASS Coridors

- Scenario 3 has similar benefits to previous scenarios, but a lower cost per mile and lower total cost
- Higher performing corridors
  - Corridor 21 (TH 252) performed the highest but is dependent on freeway conversion
  - Corridor 19 (I-94 – TH 252-downtown Mpls.) had fewer hours saved, but a large increase in person throughput and is integral with Corridor 21
  - Corridor 8b (I-494 Bloomington – W. Bush Lk. Rd.-Hwy. 5)
- Moderate performing corridors
  - Corridor 2a-NB (Hwy. 77)
  - Corridors 3a and 3b (Hwy. 169 Shakopee-Golden Valley)
  - Corridor 5a (I-35 Lakeville extension)
- Remaining corridors were lower performing but still strong candidates for Tier 3 in the TPP

Rank	Corridor	Change in Average Daily Person Throughput	Cost (M)	Change in Average Person Throughput per $1M
1	**21 - TH 252** (I-94 to TH 610)	36,925 (5,520)*	$140 ($30)*	264 (184)*
2	**19- I-94** (TH 55 to TH 252)	16,552	$110**	151
3	**5a- I-35** (Crystal Lk Rd to Dakota Co 50)	3,490	$40	87
4	**8b - I-494** (US 212 to TH 5)	18,786	$220	85
5	**3b – TH 169** (I-494 to I-394)	15,492	$200	78
6	**2a - NB TH 77** (138th to I-494)	3,118	$50	62
7	**3a – TH 169** (Marschall Rd to I-494)	7,985	$130	61
8	**6 - I-94** (I-494 to TH 101)	3,846	$80	48
9	**3c – TH 169** (I-394 to I-694)	7,788	$180	43
10	**20 - I-94** (TH 252 to I-494)	3,044	$110	28
11	**11- I-694** (I-94 to I-35W)	2,361	$120	20

*MnPASS specific benefit/cost in parenthesis

**Cost includes direct connections at 252/94 and 94/4th St.

- Cost
  - $110 M for Freeway Conversion (79%) / $30 M for MnPASS (21%)
- Benefits
  - Change in Person Throughput
    - 31,500 for Freeway Conversion (85%) / 5,500 for MnPASS (15%)
  - Person Hours Saved
    - 500 for Freeway Conversion (40%) / 700 for MnPASS (60%)

- TH 252/I-94 (TH 610 – Downtown Minneapolis) corridor has significant potential to benefit from MnPASS Express Lanes
  - Substantial increase in person throughput
  - Significant person-hour savings on TH 252
  - Strong transit demand (approximately 11,600 daily boardings on routes operating in the TH252/I94 corridor), with good potential for increased demand and service from a MnPASS transit advantage
  - Low additional cost to add MnPASS lanes on TH 252

- Draft final report out for review soon
- Council staff drafting TPP update are currently considering:
  - MnPASS corridor tiering
  - Increased revenue scenario

DEPARTMENT OF TRANSPORTATION

Thank you again!

Brad Larsen, MnDOT MnPASS Policy & Planning

651-234-7024

brad.Larsen@state.mn.us

Corridors of Commerce

- CoC solicitation due in February
  - $400 million over four years (2018-2021) for projects not already in the State Transportation Improvement Program (STIP)

- The Legislation Mandated Criteria
  - Return on Investment
  - Economic Impact
  - Freight Efficiency
  - Safety
  - Regional Connections
  - Policy Objectives
  - Community Consensus
  - Regional Balance

Corridors of Commerce

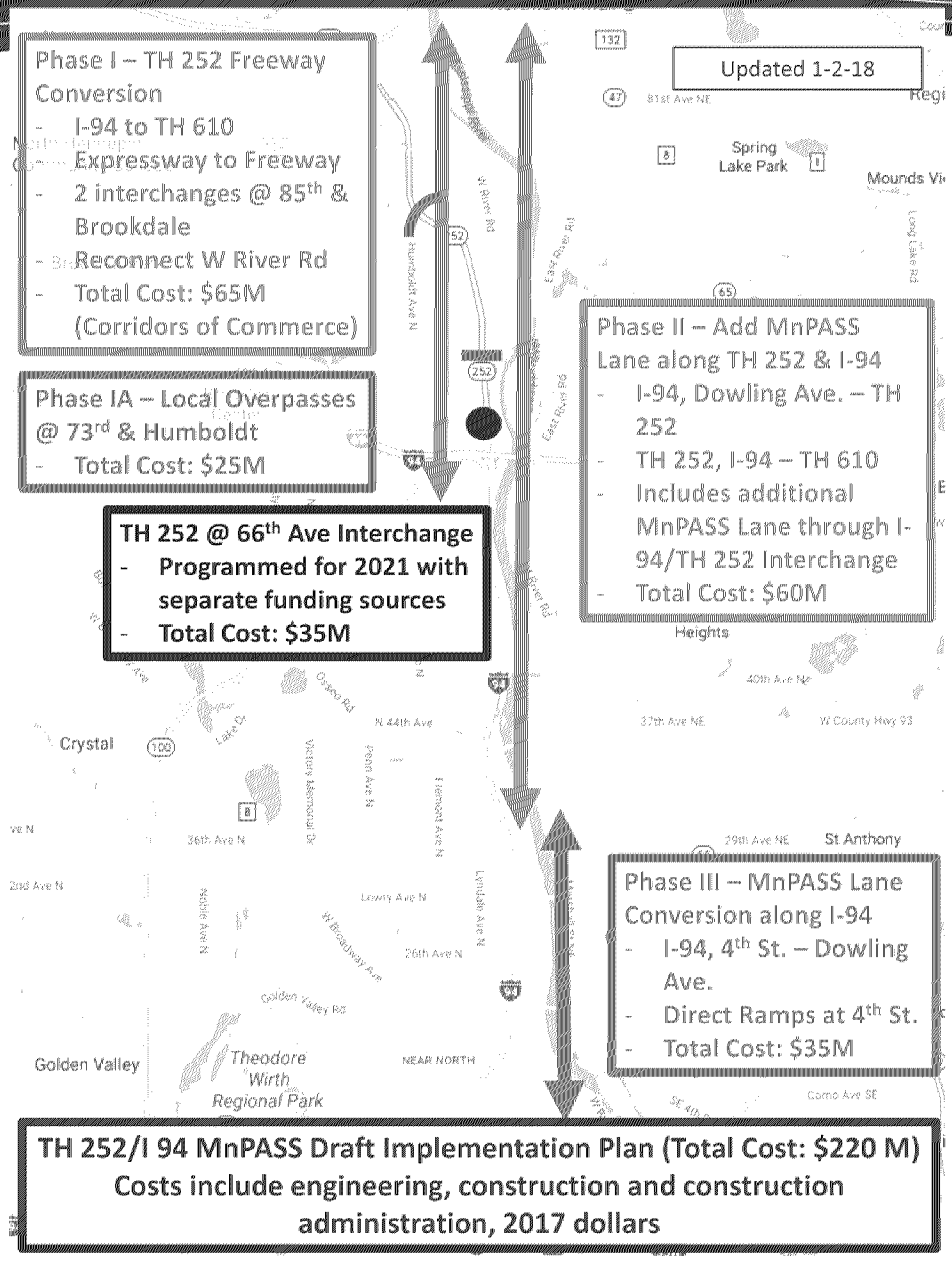
- Project recommendations will be taken from the public, stakeholders and other interest groups via an on-line submission process.

- MnDOT will not be submitting projects.

- Project construction work must be able to commence within four years of award of funding.

Corridors of Commerce

- Anticipate 2 CoC submittals for the TH 252 Corridor
  - Met Council – TH 252 Freeway Conversion + MnPASS lane on from TH 610 to Dowling Avenue (Phase I & II - around $125M)
  - Hennepin County – TH 252 Freeway Conversion from TH 610 to I94 with MnPASS ready ($65M for Phase I + additional costs for I94 interchange work)
- 66th Ave. Interchange is not eligible for CoC funding because it is currently in the STIP
- Potential local overpasses at 73rd Ave. and Humboldt Ave. not included because 100% local costs based on MnDOT Cost participation policy
- Will need resolutions of support from impacted agencies for CoC



Environmental Assessment Summary

- EA scope would include full environmental clearance of the TH 252 freeway conversion as well as a MnPASS lane on TH 252 from TH 610 to Dowling Avenue

- Total estimated cost of EA is $3.9 million
  - Brooklyn Center – 10 percent ($375,000)
  - Brooklyn Park – 14 percent ($562,500)
  - Hennepin County – 25 percent ($967,500)
  - MnDOT – 51 percent ($1,195,000)

- BC's estimated cost share would be $375,000 which is consistent with the cost of an EA at 66th Avenue alone

Environmental Assessment Potential Costs

Scope reflects the cost for full environmental clearance of the TH 252 conversion corridor and I-94 MnPASS lane from TH 610 to Dowling Avenue.

1	**Project Management** Task includes ongoing project coordination, 24 TAC meetings, 12 PAC meetings and 12 additional stakeholder meetings.	$ 485,000.00
2	**Public/Stakeholder Involvement** Task includes a PIP update, 12 Open House meetings (4 for each City) and 4 online surveys, 24 collaborative listening sessions, 12 website and social media updates, 8 pop-up community events and 4 City Council updates with each Council (12 total).	$ 475,000.00
3	**Evaluation** Task includes concept design and estimates to identify corridor impacts.	$ 30,000.00
4	**Traffic Forecasting and Analysis** Task includes VISSIM modeling for 5 scenarios, additional existing traffic operations analysis, travel demand forecasts, transit ridership forecasts, future traffic operations analysis, travel time reliability, benefit-cost analysis, alternatives analysis, Transportation Management Plan, ICE Reports, and Highway Interchange Request. CORSIM modeling will conform to the current MnDOT guidelines.	$ 715,000.00
5	**Concept Design** Task includes concept design and estimates to identify corridor impacts.	$ 875,000.00
6	**Staff Approved Layout** Task includes preparing a Staff Approved Layout and Design Memo to convert TH 252 to a freeway assuming three interchanges along the corridor (assumes 66th, Brookdale and 85th), and MnPASS from TH 610 to Dowling.	$ 675,000.00
7	**Environmental Documentation** Task includes an EA for the entire corridor, Alternatives Evaluation Reports, Wetland Delineations, Noise Analysis, Environmental Justice, Economics and the Public and Agency Involvement Process.	$ 515,000.00
8	**Implementation Plan** Task includes implementation of constructing the project in logical phases as funding is available.	$ 45,000.00
	ESTIMATED EXPENSES	$ 100,000.00
	TOTAL ESTIMATED FEE	$ 3,915,000.00
		$ 3,900,000.00

	66th Avenue		
$ 250,000	- High Level		
	Hennepin County - 30%	$	75,000.00
	Brooklyn Center - 70%	$	175,000.00
$ 200,000	- Enviromental Clearance		
	Hennepin County - 0%	$	-
	Brooklyn Center - 100%	$	200,000.00
	Brookdale Drive		
$ 250,000	- High Level		
	Hennepin County - 30%	$	75,000.00
	Brooklyn Park - 70%	$	175,000.00
$ 200,000	- Enviromental Clearance		
	Hennepin County - 0%	$	-
	Brooklyn Park - 100%	$	200,000.00
	85th Avenue		
$ 250,000	- High Level		
	Hennepin County - 65%	$	162,500.00
	Brooklyn Park - 35%	$	87,500.00
$ 200,000	- Enviromental Clearance		
	Hennepin County - 50%	$	100,000.00
	Brooklyn Park - 50%	$	100,000.00
	TH 252 Corridor		
$ 550,000	- High Level		
	Hennepin County - 30%	$	165,000.00
	MnDOT - 70%	$	385,000.00
$ 100,000	- Enviromental Clearance		
	Hennepin County - 0%	$	-
	MnDOT - 100%	$	100,000.00
	I-94 Corridor		
$ 1,300,000	- High Level		
	Hennepin County - 30%	$	390,000.00
	MnDOT - 70%	$	910,000.00
$ 600,000	- Enviromental Clearance (Ph. II)		
	Hennepin County - 0%	$	-
	MnDOT - 100%	$	600,000.00
$ 400,000	- Enviromental Clearance (Ph. III)		
	Hennepin County - 0%	$	-
	MnDOT - 100%	$	-
	Total	$	3,900,000.00
	Brooklyn Center (10%)	$	375,000.00
	Brooklyn Park (14%)	$	562,500.00
	Hennepin County (25%)	$	967,500.00
	MnDOT (51%)	$	1,995,000.00
		$	3,900,000.00

Questions?

Policy Issues:

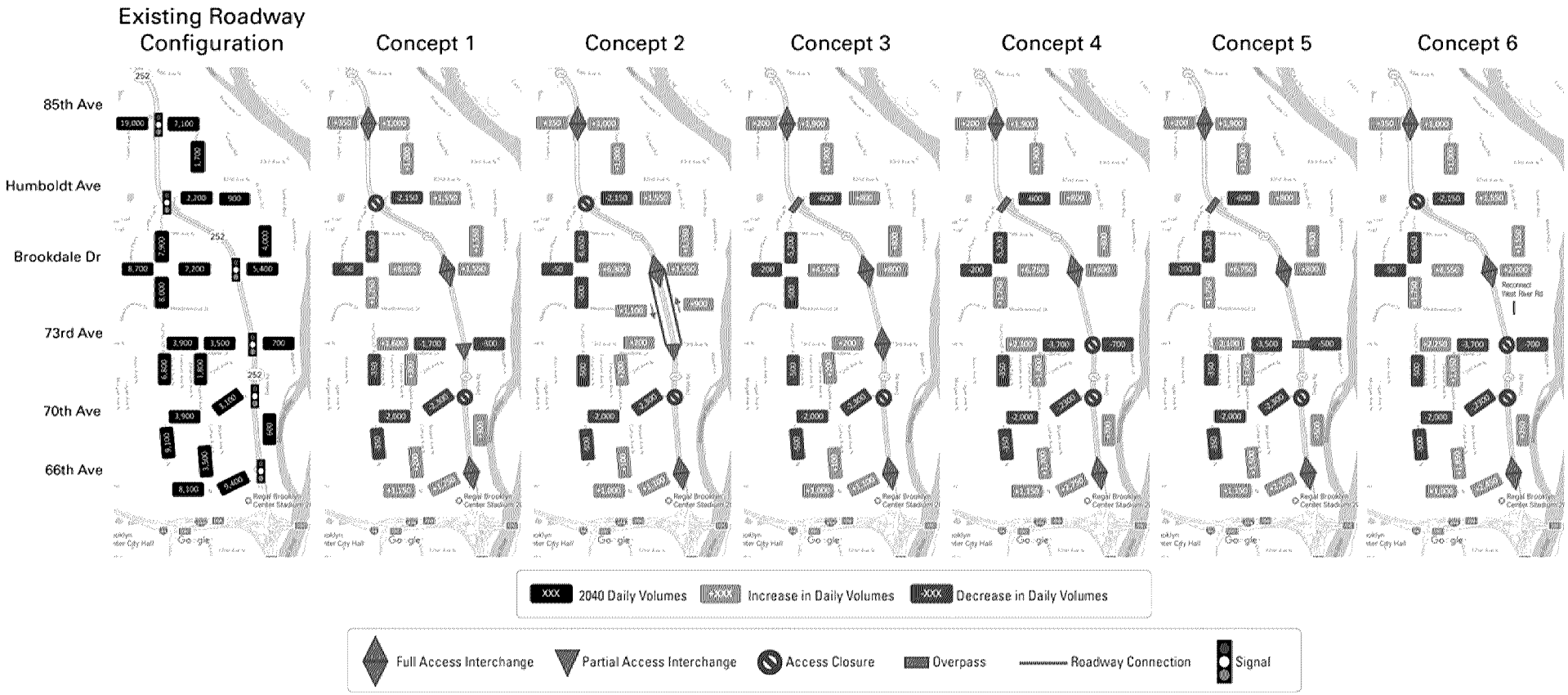
- Does the City Council have any comments or questions regarding MnPASS on the TH 252 Corridor?

- Will the City Council support the Corridors of Commerce funding requests by Hennepin County and Met Council?

- Does the City Council support the EA funding scenario described above?

- Does the City Council have any comments or questions pertaining to the process, alternatives at 73rd Avenue, or final planned public engagement activities?

2040 Traffic Projections on Local Streets



Work Session Agenda Item No. 2

MEMORANDUM – COUNCIL WORK SESSION

DATE: Monday, January 8, 2018

TO: Curt Boganey, City Manager

FROM: Reggie Edwards, Deputy City Manager

SUBJECT: Conducting City Council Business Electronically

Recommendation:
Staff recommends the City Council consider implementation of the proposed electronic agenda system.

Background:
In March 2016, the City Council discussed the issue of conducting Council business electronically and directed staff to investigate and prepare information on the matter for Council discussion.

In July 2016, the League of Minnesota Cities (LMC) assisted Brooklyn Center by surveying cities to ascertain which cities were conducting Council business electronically. Staff followed up with a more extensive electronic survey with the 24 cities that responded to the LMC survey regarding the use and satisfaction with an electronic agenda system.

Staff conducted a comparison of the utilization and efficiency of the current process compared to an electronic agenda system. The comparison assessment revealed the following pros and cons:

Current Process:
Pros
- Very hands-on (paper) / feel and touch documents
- Documents can be easily picked up and carried around from room to room when reading and making notes.
- Cost effective

Cons
- Process efficiency
- Productivity - due to the need for standing over the copy machine during the time of copying the packets and organizing of agenda packets
- Cost of hand-delivered packets
- Excessive paper costs

Electronic Process:
Pros
- Process efficiency
- Productivity - due to reallocation of staff time to other duties
- Positive environmental impact (modest) and related image
- Expansion capacity to increase resident engagement

Cons
- Modest cost savings
- Change process (including: comfort and training)

- Transition cost for manual delivery

Staff researched and/or interviewed four providers of electronic services (i.e. Agenda Quick, Laserfiche, Granicus, and NovusAgenda). Services provided by the providers interviewed varied according to how involved the companies were in managing the electronic system throughout the Council process. NovusAgenda was selected to provide an electronic agenda system (rationale for selection listed in section below - Initiation of Phase One Action Steps).

The implementation outline includes three phases:

Phase One

- Purchase NOVUS electronic agenda system
- Purchase and testing of Council's mobile devices
- Software, Hardware, and Policy Training for of the Council (for iPAD)

Phase Two

- NOVUS Software and Hardware Training of staff
- NOVUS Software, Hardware, and Policy Training for of the Council
- Dual running of system

Phase Three

- Assess and adjust system
- Execute full system change over

Initiation of Phase One Action Steps:

1. Staff propose moving forward with NovusAgenda based on the following factors:
   - Configures data to format of technology
   - Easy to make notes, save and share
   - Easy query of related data or past documents in laserfiche
   - Fluid process in navigating from one part of the system to another (i.e., department to city manager to Council)
   - None static process (search through documents and word finds)

2. Staff propose purchasing an iPAD Pro for each Council's members use to conduct Council business electronically. During this phase the Council will be utilizing static data (i.e. PDFs), while both staff and the Council receives in-depth training on the NOVUSAgenda system.

Over the next 6 to 8 months, the City will transition from the current paper-driven agenda process to that of an electronic agenda system.

Budget Issues:

The costs associated with the NOVUSAgenda system include: setup, training, and annual license. In year one, the approximate cost $11,500 to $12,500. In the following years, the approximate cost would be $9,000 annually. Approximate cost for the iPADS and related software will be approximately $21,250 ($4,250 Per Council Member).

MEMORANDUM – COUNCIL WORK SESSION

Policy Issues:

1. Does the City Council need additional information before implementation commences?
2. Is there a consensus of the Council regarding staff implementing an electronic agenda and Council business system?

Strategic Priorities: Citizen Engagement

Electronic Agenda Implementation Outline			
Phase	**Action**	**Timeline**	**Comments**
Phase One	Purchase NOVUSAgenda electronic agenda system and internal running of the system	2/2018	<u>Why NOVUSAgenda?</u> -Configures data to format of technology -Easy to make notes, save and share -Easy query of related data or past documents in laserfiche -Fluid process in navigating from one part of the system to another (i.e., department to city manager to Council) -None static process (search through documents and word finds)
	Distribute and pilot run of Council's mobile devices	2/2018	Purchase, software loaded and tested prior to distribution.
	iPAD hardware, software, and policy training for of the Council	3/2018	Conducted in a work session. Council would carry and use mobile device 100% of time for all Council related matters. This would be a static format and use of PDFs. This step would not include the NOVUSAgena System, but only iPAD.
Phase Two	NOVUSAgenda software and hardware training of staff	2/2018 – 5/2018	Installation, user designation, authority designation, and train-the-trainers
	NOVUSAgenda software, hardware, and policy training for of the Council	5/2018	Conducted in a work session.
	Dual running of system	5/2018 – 7/2018	

ase Three	Assess and adjust system	8/2018	
	NOVUSAgenda Software modified training of staff/Council	2/2018 – 5/2018	Installation, user designation, authority designation, and train-the-trainers
	Execute full system change over	10/2018	

Mobile Device Spec and Information Sheet

Hardware

- iPad Pro: 64GB, Space Gray with WiFi and Unlimited 4G LTE Cellular Data
- City Council will have option of two sizes 1) 10.5" or 2) 12.9"

Hardware Accessories

1) Smart Keyboard or Smart Cover
2) Optional iPad Pencil
3) Standard Carry Case

Software Solution

- Phase One – Access to City Email and to City Council material in .pdf format. Ability to take electronic notes and securely store on a City supported storage solution/location.
- Phase Two – NovusAgenda Installation

IT Management

- iPads would be managed by AirWatch, which is the City's Mobile Device Management (MDM) Solution. The City currently uses this MDM to manage City Smart Phones.
- AirWatch allows City IT to manage mobile devices, which includes the installation and deployment of software.

consensus will be the best-case scenario.

Mr. Boganey summed up feedback which included that the logos are awfully busy, people in the trees don't represent diversity, and there is an interest in something simpler and less busy and more reflective of diversity.

There was a consensus for the staff to go back to Vitalink with the input and provide other options to the City Council based on that information.

CONDUCTING CITY COUNCIL BUSINESS ELECTRONICALLY – MR. EDWARDS

Mr. Boganey explained that this issue was brought up by Councilmember Lawrence-Anderson quite some time ago, and the Council asked that Staff look at the costs and gather and provide information.

Mayor Willson noted that about six or seven years ago he had also requested that this issue be brought for Council discussion.

Mr. Edwards provided a presentation and background on this issue.

Councilmember/Commissioner Ryan stated he believes moving in this direction is good, but noted he wouldn't be in favor of the interactive option due to the cost. He did note he doesn't see an urgency to move to all electronic.

Councilmember/Commissioner Butler stated she would be in favor of converting, but based on the cost would not want to move to the interactive option.

Councilmember/Commissioner Graves stated she doesn't see an urgency to do this. She stated she prefers paper and pens to write with, but noted she is interested in hearing how staff feels about this.

Councilmember/Commissioner Ryan stated he does know the City of Plymouth went electronic and stated they have since switched back to paper. He noted he thinks that may be an indication that moving in that direction isn't necessarily the best thing to do.

It was the consensus of the City Council/EDA to move forward with having staff get more information including some statistics on paper usage in the current paper process and how switching to electronic versions could help the environment.

TIF FUNDING UPDATE – MR. EITEL

Mr. Boganey introduced this item and asked Mr. Eitel to come forward and provide the presentation.

Councilmembers/Commissioners thanked Mr. Eitel for his hard work on these projects.

ADJOURNMENT

Councilmember/Commissioner Graves moved and Councilmember/Commissioner Butler seconded adjournment of the City Council/Economic Development Authority Work Session at

Pre-Agenda Council Development Process Comparison					
	Efficiency of Doing Business	**Effectiveness of Doing Business**	**Level of Productivity of Doing Business**	**Cost of Doing Business**	**Ease of Doing Business**
Current Process	14 steps (per Council mtg.) at ave. 922.5 minutes or 15.375 hours **(65.89 minutes/per step)** – including CSO carrier time.	-Development of agenda items are completed and reviewed by hand/paper. -Paper documents are scanned into Laserfiche -Completed items are handed off internally to City Manager. -Delivery of complete packets to Council in timely manner. -Adequate time for staff to thoroughly complete agenda packets. -Changes and adjusted documents are hand delivered. -Council review and notes are done by hand.	-Dedication of approximately 31 hours per month to agenda development and delivery (including 3 hours per month delivery of agenda packets to Council.	-Packet delivery / average travel of cost of $11.91 per month ($142.90 annually) -Paper / 10 Council Packets $33.30 monthly ($399.60 annually) -Toner cost	- Staff edit or modify documents, reprint, and forward for distribution. -Council makes handwritten notes and retain. -Deliverability of documents -Access to hand written notes and other related retained documents.
Electronic Process	14 steps at 517.5 minutes or 8.625 hours **(36.96 minutes/per step)** – including CSO carrier time.	-Electronic development of agenda items. -Documents are created and stored in Laserfiche -All documents are accessed electronically by staff and council (including updates/modifications). -Adequate time for staff to thoroughly complete agenda packets. -Notes and modifications are done electronically.	-Reallocation of approximately 31 hours per month to agenda development and delivery (including 3 hours per month delivery	-Packet delivery cost none. - Paper – incidental cost only ($399.60 cost of current package printing is not applicable) - Range of $12,500 to $55,000 for	- Electronically edit or modify Access documents -Deliverability of documents -Staff and Council Access to other relevant information to a specific item when needed

		-A supplemental effect would be an impact on the environment primarily in terms of less paper used and modest reduction of auto gas emission.	of agenda packets to Council.	software and hardware.	

Electronic Agenda System Implementation Proposal and Process

MONDAY, JANUARY 8, 2017



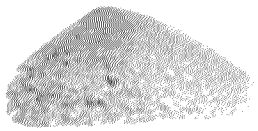
Wood is debarked.



Then it is cut and pulped.



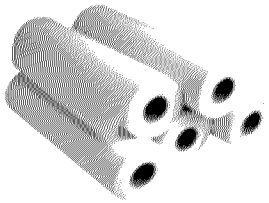
Water is then added to the pulp.



Wood pulp.

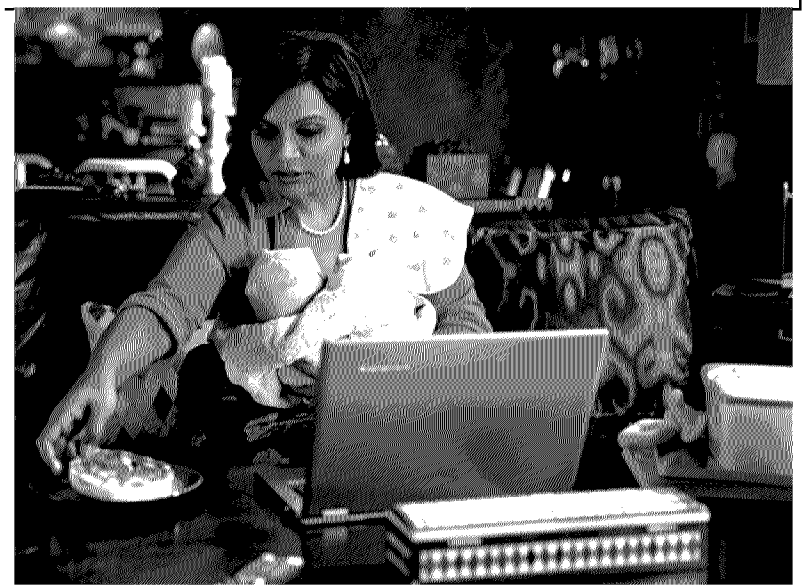


Chemicals are added to the pulp and it is filtered.



The paper is then put on rolls.





Recommendation

Consider staff's proposal regarding implementing an electronic agenda system

What is the Issue?

How and when does the Council transition from a paper driven process for conducting Council business to an electronic or paperless driven process?

What is the Background?

Presentation Approach

- Based on the City Council direction on whether or not to convert from the current paper based method of doing business to an electronic process.

- If conversion was determined, staff would bring the item back following further assessment of the conversion in terms of technology capability, legal implications, administrative execution, and financial assessment.

What is the Background (Continued)?

- In March 2016, the City Council discussed the issue of conducting Council business electronically and directed at the time to investigate and prepare information on the matter for Council discussion.

- In July 2016, the League of Minnesota Cities (LMC) assisted the City by surveying cities on those that conducted Council business electronically. Staff followed up with a more extensive electronic survey with the 24 cities that responded to the LMC survey, of which 12 cities responded.

What is the Background (Continued)?

- Staff researched and/or interviewed four providers of electronic services (i.e. Agenda Quick, Laserfiche, Granicus, and NovusAgenda).

- Services or products provided by providers ranged from developing and reviewing documents by staff, to reviewing and voting on council items by the Council to engaging residents from home. The steps in managing the Council business process are covered by the following four phases:
  - The Pre-Council Meeting
  - The Council Meeting
  - The Post Council Meeting
  - Community Engagement

12 City Survey

- Majority population of less than 25,000
- 1/3 budgets above $11 million
- 58.33% conducted council business electronically 90% of the time
- 4 conducted council business for 3 to 5 years
- iPads used most
- 66.6% reported electronic process less expensive
- 100% reported electronic process more efficient
- 100% reported council satisfaction
- 100% reported staff satisfaction

Pros and Cons (Current System)

Pros

- Very hands-on (paper) / feel and touch documents
- Documents can be easily picked up and carried around from room to room when reading and making notes.
- Cost effective

Cons

- Process efficiency
- Productivity (less) - due to the need to stand over copying and organizing of agenda packets

Pros and Cons (Electronic System)

Pros

- Process efficiency
- Productivity (more) - due to reallocation of staff time to other duties
- Positive environmental impact and related image
- Expansion capacity to increase resident engagement
- Can be configured for easy reading for users with visual disabilities

Cons

- Modest cost savings
- Change process (including: comfort and training)
- Transition cost

Environmental & Economic Impact

- Paper products make up the largest part (approximately 40 percent) of our rubbish.
- One tree can filter up to 60 pounds of pollutants from the air each year.
- The City uses on average 5,000 sheets of paper on Council packets every month (current packet approx. 2,850).

Environmental & Economic Impact

- 5,000 sheets equates to the life of 1 tree (InHouse Communications - Treehouse Calculator, Jan. 2018)
- The City's Council packets annually equate to the life of 12 trees per year or filtration of 720 pounds of pollutants into the air.
- The City currently expends approximately $542.50 per year on paper and delivery of Council packets.

Proposed Phase Implementation Process

What Does Staff Propose?

Phase One

- Purchase NOVUS electronic agenda system.
- Council practice and get use to mobile unit.

Phase Two

- Train staff
- Additional Training of the Council and Staff
- Dual running of system

Phase Three

- Assess and adjust system
- Execute system change

BROOKLYN CENTER
AT THE CENTER

NOVUSAgenda

http://www.novusolutions.com/demo/

NOVUSAgenda

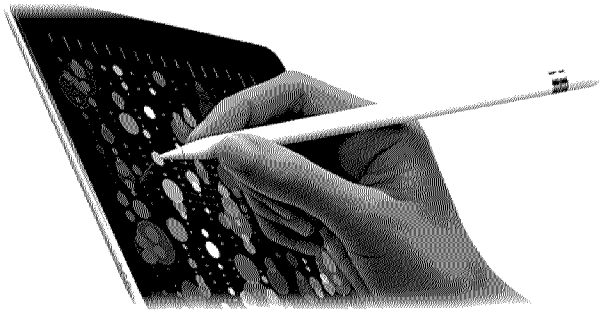
- Workflows
- Agenda
- Reporting
- Related Item Research
- Private Note Comments
- Electronic Voting
- Video Streaming (Future)

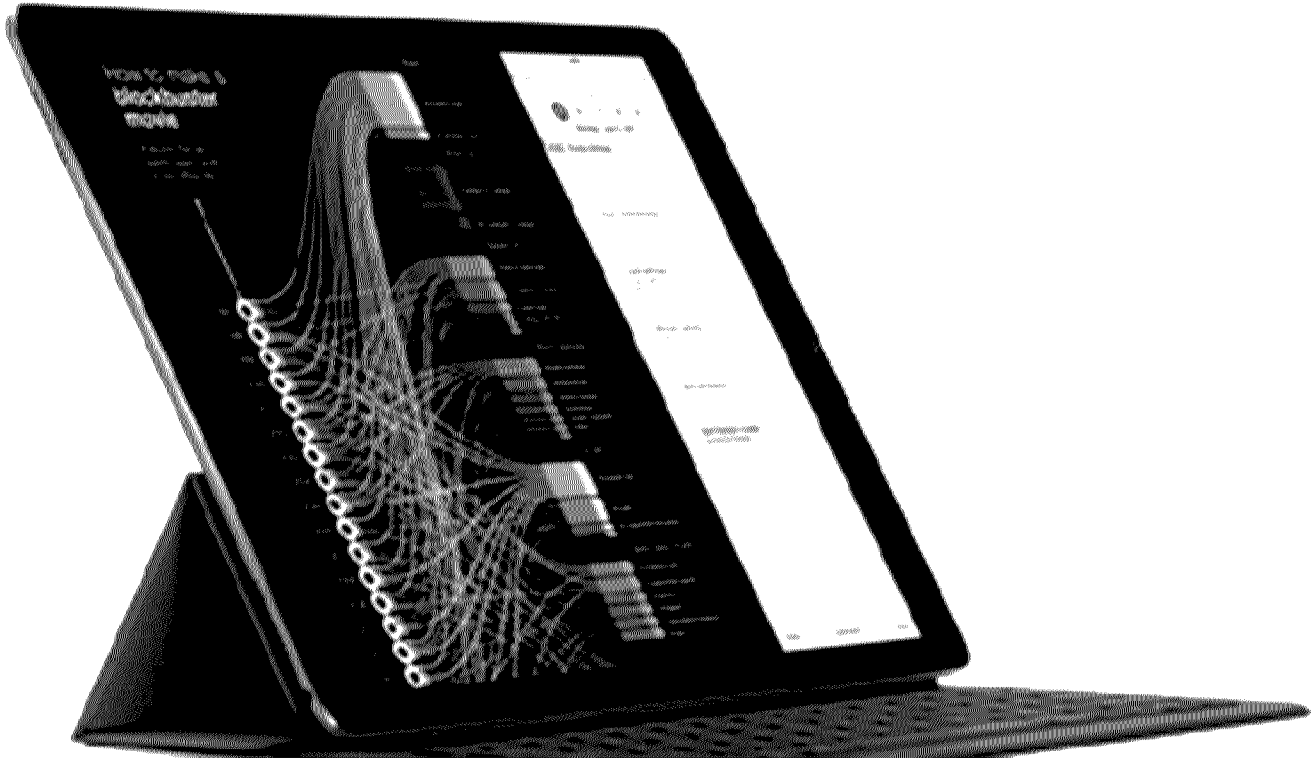
NOVUSAgenda Tools for Council Members?

- Logging in through a secure username and password on City issued device
- Viewing agendas and all materials well before the meeting
- Viewing specific items along with support material including closed session items
- Making secure personal private comments on any item for their own purposes
- Researching past Agenda, Minutes and Personal Private Comments

Phase One - Mobile Unit / Dual System

iPad Pro





iPAD Pro

Hardware Solution:

- iPad Pro: 64GB, Space Gray with WiFi and Unlimited 4G LTE Cellular Data
- Option of two sizes 1) 10.5” or 2) 12.9”

Hardware Accessories:

- Smart Keyboard or Smart Cover
- Optional iPad Pencil
- Standard Carry Case

iPAD Pro

Software Solution:

- Phase 1 – Access to City Email and to City Council material in .pdf format. Ability to take electronic notes and securely store on a City supported storage solution/location.
- Phase 2 – NovusAgenda

Key IT Policy Related Issues

- City Issued Mobile Device
- No expectation of privacy
- Data is subject to Minnesota Data Practices Act
- Prohibited – use for any other public office or employment or private use
- Logins and passwords should be kept confidential

Next Steps

What Does Staff Propose?

Phase One (Jan. – Feb. 2018)

- Purchase NOVUS electronic agenda system.
- Council practice and get use to mobile unit.

Phase Two (Jan. – July, 2018)

- Train staff
- Additional Training of the Council and Staff
- Dual running of system

Phase Three (Jan. – Oct. 2018)

- Assess and adjust system
- Execute system change

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Policy Issue

1. Does the City Council need additional information before implementation commences?

2. Is there a consensus of the Council regarding staff implementing an electronic agenda and Council business system?