Council Study Session
VIRTUAL meeting being conducted by electronic means in accordance with Minnesota Statutes, section 13D.021 Public portion available for connection via telephone Dial: 1-312-626-6799 Meeting ID: 85412029800# Passcode: 457533#
December 13, 2021

AGENDA

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

CITY COUNCIL MEETING
VIRTUAL meeting being conducted by electronic means in accordance with Minnesota Statutes, section 13D.021 Public portion available for connection via telephone Dial: 1-312-626-6799 Meeting ID: 85412029800# Passcode: 457533#
December 13, 2021

AGENDA

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

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

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

2. Invocation - Butler - 7 p.m.

3. Call to Order Regular Business Meeting

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

a. Council Norms

4. Roll Call

5. Pledge of Allegiance

6. Approval of Agenda and Consent Agenda

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

a. Approval of Minutes

- Motion to approve the following minutes:

- *11.15.21-Work Session Meeting*
- *11.22.21-Study Session Meeting*
- *11.22.21-Regular Session Meeting*
- *11.22.21-Work Session Meeting*
- *11.29.21-Special Session Meeting*

b. Approval of Licenses

- Motion to approve the licenses as presented.

c. Approve the 2022 City Council Meeting Schedule

- Motion to approve the 2022 City Council meeting schedule as presented

d. Resolution Designating Polling Places for the 2022 Election

- It is recommended that the City Council consider approving a resolution designating polling places for the City of Brooklyn Center for the 2022 Elections

e. Resolution Setting Salaries for Calendar Year 2022

- It is recommended that the City Council adopt the resolution setting salaries for calendar year 2022.

f. Resolution Approving the 2022 Fee Schedule

- Motion to approve a resolution adopting the 2022 Fee Schedule

g. Resolution Approving an Amendment to the City Personnel Policy Officially Recognizing and Designating the National Holiday of Juneteenth as an Official City Holiday

- Motion to approve an amendment to the City Personnel Policy by officially recognizing and designating the National Holiday of Juneteenth as an official City holiday.

h. Resolution Providing for the Redemption of Certain Outstanding General Obligation Improvement Bonds, Series 2013B of the City

- It is recommended that the City Council consider approval of the attached resolution providing for the redemption of $430,000 General Obligation Improvement Bonds, Series 2013A.

i. Resolution Approving Change Orders 1 and 2 and Accepting Work Performed and Authorizing Final Payment, Improvement Project No. 2018-14, 2018 Bridge Rehabilitation Phase 2

- Motion to approve a resolution Approving Change Orders 1 and 2 and Accepting Work Performed and Authorizing Final Payment, Improvement Project No. 2018-14, 2018 Bridge Rehabilitation Phase 2.

j. Resolution Authorizing Execution of a Conveyance and Lease Termination Agreement Between the City of Brooklyn Center and the Mound Cemetery Association of Brooklyn Center

- Motion to approve a resolution authorizing execution of a Conveyance and Lease Termination Agreement between the City of Brooklyn Center and the Mound Cemetery Association of Brooklyn Center.

k. Resolution Accepting Bid and Awarding Contract, Improvement Project No. 2021-22, Connections II Shingle Creek Restoration Project
- Motion to approve a resolution the lowest responsible bid and awarding a contract to Sunram Construction, Inc. for Improvement Project No. 2021-22, Connections II Shingle Creek Restoration Project.

l. Resolution Accepting Street Improvements for Continual Maintenance for Eastbrook Estates 2nd Addition

Motion to approve the resolution accepting street improvements for continual maintenance for Eastbrook Estates 2nd Addition.

m. Extension of Civil and Criminal Law Services RFP Timeline One Year

City Council authorizes the City Manager to extend the civil and criminal law services RFP timeline for the City an additional one year.

n. Resolution Approving the Execution of the Joint Powers Agreement Superceded the Existing Agreement, for the Brooklyn Bridge Alliiance for Youth Effective January 1, 2022, and Authorizing the Mayor and City Manager to Execute the Document

- Motion to approve a Joint Powers Agreement for the Brooklyn Bridge Alliance for Youth Effective January 1, 2022 and Authorizing the Mayor and City Manager to Execute the Document

7. Presentations/Proclamations/Recognitions/Donations

8. Public Hearings

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

a. Approving an Ordinance Amending Chapter 12 of the City Code of Ordinance Regarding Tenant Protections and Approve a Resolution to allow a Summary Publication of the Ordinance

- Motion to open public hearing, take public comment, and close public hearing

- Motion to approve a resolution approving of the second reading of an ordinance amending Chapter 12 of the City of ordinances regarding tenant protection and summary publication of the ordinance.

b. Resolution Approving the Establishment of Tax Increment Financing District No. 9

- Motion to open a public hearing, take public comment, and close the public hearing

- Motion to approve a resolution approving a modification to the Redevelopment Plan for a Housing Development and Redevelopment Project No. 1, establishing Tax Increment Financing District No. 9 therein and approving a Tax Increment Financing Plan therefor

9. Planning Commission Items

a. Planning Commission Application No. 2021-006, for the Rezoning and Establishment of a Planned Unit Development to Allow for an Approximately 64,000-Square Foot Mixed Office/Light Industrial Building and Related Site Improvements (6440 James Circle North)

- Motion to adopt a resolution approving Planning Commission Application No. 2021-006 for approval of a site and building plan, rezoning, and establishment of a Planned Unit Development (PUD) for the Subject Property located at 6440 James Circle North based on the findings of fact and submitted plans, and as amended by the conditions of approval in the resolution.

- Motion to approve a first reading of an ordinance amending Chapter 35 of the Zoning Code of Ordinances regarding the zoning classification of the Subject Property located at 6440 James Circle North and set the second reading and public hearing for January 10, 2022.

10. Council Consideration Items

a. Public Safety Act - Professional Service Contract (LEAP)

City Council approve professional service agreement with Law Enforcement Action Partnership (LEAP) to assist the Public Safety Act Implementation Committee.

b. Resolution Approving an Amendment to the City Manager's Agreement that in lieu of the City Providing a Vehicle for use by the Manager, the Manager will receive an annual car allowance for $6,000 Annually

- Motion to approve a resolution for an amendment to the City Manager's employment agreement

11. Council Report

12. Adjournment

We Agree To

Internal Council Relations – Norms for 2021 – Practiced for next 90 days

- Seek to not repeat or re-iterate points that were already shared
- Engage in discussion and sharing alternate perspectives *without* weaponizing other people's words
- Recognize others with "What I heard you say is _____, with your permission, I'd like to move forward now."
- Call for consensus when it's time to make a discussion
- Allow new solutions in a time of dynamic change, process: (1) name the problem (2) find the process to resolve (3) have the discussion (4) make a decision.
- After open discussion, close down the chat during council chamber discussion (*need to vote on it).

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Barb Suciu, City Clerk

SUBJECT: Approval of Minutes

Requested Council Action:

- *Motion to approve the following minutes:*
  - *11.15.21-Work Session Meeting*
  - *11.22.21-Study Session Meeting*
  - *11.22.21-Regular Session Meeting*
  - *11.22.21-Work Session Meeting*
  - *11.29.21-Special Session Meeting*

Background:

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

Budget Issues:

None

Inclusive Community Engagement:

None

Antiracist/Equity Policy Effect:

None

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
11.15 Work Session	12/4/2021	Backup Material
11.22 Study Session	12/4/2021	Backup Material
11.22 Regular Session	12/4/2021	Backup Material
11.22 Work Session	12/4/2021	Backup Material
11.29 Special CC Meeting	12/4/2021	Backup Material

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL/ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF BROOKLYN CENTER IN THE COUNTY OF HENNEPIN AND THE STATE OF MINNESOTA

WORK SESSION
NOVEMBER 15, 2021
VIA ZOOM

CALL TO ORDER

The Brooklyn Center City Council/Economic Development Authority (EDA) met in Work Session called to order by Mayor/President Mike Elliott at 6:10 p.m.

ROLL CALL

Mayor/President Mike Elliott and Councilmembers/Commissioners Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Reggie Edwards, City Attorney Troy Gilchrist, and City Clerk Barb Suciu.

PROPOSED 2022 BUDGET

Mayor/President Elliott explained the purpose of tonight's Work Session is to focus on the 2022 budget and for the Council to discuss and bring things to light or request additional information. He noted that in light of the Public Safety Resolution adopted in May, geared at transforming the City's public safety system to provide different responses to the community's needs, he asked for information to be shared this evening by Michelle Gross, Communities United Against Police Brutality, relating to numbers for a community response team for mental health and other types of calls. He noted Ms. Gross has many years in this type of work so he had asked her to put together what a model might look like. Ms. Gross will also speak to what traffic response will look like and potential costs.

Mayor/President Elliott stated he also invited Munira Mohamed, American Civil Liberties Union (ACLU), to speak on what they have put together in terms of estimates around the model for response and funding for 2022.

Mayor/President Elliott stated this information will be presented and there will be an opportunity to have discussion and conversation around all of those budget items. He indicated he feels fortunate the Council has folks who can provide some perspective on these conversations.

Mayor/President Elliott stated another agenda for tonight is to discuss succession planning for the City Manager. He referenced the e-mail from City Clerk Suciu that several people want an opportunity to comment during this Work Session so that will be provided.

Councilmember/Commissioner Lawrence-Anderson stated she would appreciate having public comment at the end of the Work Session. Mayor/President Elliott agreed it will be held at the end.

Mayor/President Elliott noted the Council/EDA has the proposed 2022 budget information that was presented earlier and is included in tonight's meeting packet. He invited Ms. Gross to begin her presentation, noting she is aware of the City's resolution and was active during the uprising.

Michelle Gross introduced herself and stated she is one of the founders and current president of Communities United Against Police Brutality, an all-volunteer organization in its 21st year. She has personally been involved in work around policing response, police accountability, and alternative responses for the last 34 years and would like to share her valuable insights and help to consider options related to the public safety portion of the City's budget.

Ms. Gross explained that budgets are policy documents because what you fund is what you value. Councilmembers/Commissioners and the City Manager have the responsibilities of being a good steward of the community's resources and determining where spending will do the most good. That means being willing to take a fresh look and not just consider and rubber stamp what has always been done. Considering what has happened over the last year and a half, the City Council/EDA needs to consider how they can advance what they want to do in the community by way of budget allocations.

Ms. Gross addressed the role of policing in our society, noting it has a specific role and the core work of policing is to determine if a crime has occurred, who may have been involved, and gather evidence for prosecution. However, over time, policing has experienced mission creep and because society has not been good about creating multiple types of response systems beyond fire, ambulance, and police, anything not sent to fire or ambulance is routed to the police. She stated a lot of things come into the police department from dispatch that is not policing issues. They are calls that do not require a law enforcement license.

Ms. Gross stated tonight she will be speaking about those pieces that do not require a law enforcement license. She clarified that her organization does not support the abolition of police in our society because people who have been harmed by violent crime, financial exploitation, etc., their access to the court system is by way of law enforcement investigations. That is the proper and appropriate role of the police. She noted we cannot deny people who have been harmed access to the court system. She is talking about looking at that segment of 911 calls that come to the police department that is not necessary for police to respond to and other responders could respond to them at significant savings and better outcomes.

Ms. Gross explained that to understand it, she spent a lot of time looking at the City's budget and the kinds of calls the police department receives. She noted that in 2019, Brooklyn Center police responded to 38,370 calls for service with 43% or 16,499 being general calls for help; 22% or 8,441 being criminal; 10% or 3,837 being medical; and, 1% or 384 is for mental health. She noted trends for calls since 2015 show an increase of 2.33%. She then used that figure to bring us up to 2022.

Ms. Gross stated she also looked at the cost of policing. The City's 2022 proposed budget is about $24.5 million, the proposed police budget is just over $9.5 million, so the bottom line is that policing is 39% of the City's budget, which is a lot when compared to other communities. She

noted other communities typically allocate 22% to 25% of their budget to policing so Brooklyn Center is using an expensive model for policing because they are responding to things that do not require a law enforcement license. Ms. Gross stated the City's cost per call is $234.57.

Ms. Gross explained to implement the Resolution, what can the City take away from the police that allows more focus on core activities and functions while at the same time deflecting some calls to other responders who are more appropriately equipped, such as the case of mental health or social service types of calls. Or, calls that do not require a law enforcement skillset. Ms. Gross stated when she looked at this, she came out with two 'buckets.' One 'bucket' would be for a Community Response Unit to cover calls for mental health (currently under 500 calls per year), social services, and conflict resolution. The other 'bucket' would be for a Civilian Traffic Enforcement Unit to address non-moving traffic/parking enforcement tasks. She noted that by law, to stop a moving vehicle, it must be done by a law enforcement licensed officer because it is considered a seizure. But when she looked at the breakdown of enforcement activities, there are a ton that is not moving violations related to parking, abandoned vehicles, etc. that could be addressed by non-law enforcement licensed personnel.

Ms. Gross stated she looked at the way the City was organizing the Office of Prevention, Health, and Safety, noting there is already staff in the Director role overseeing police, fire, community response, and civilian traffic enforcement. She noted these four units should collaborate and work closely together and some may benefit from co-location to assure good collaboration. That would also be considered best practices so work occurs on a continuum.

Ms. Gross reviewed a slide showing costs related to the Community Response Unit and Traffic Response Unit. She noted that mental health crisis response if provided, must by State Statute be provided 24 hours a day and 7 days a week and provided by a mental health professional or mental health practitioner if overseen by a mental health professional. She stated she has a few ideas about how the City could implement this service, noting the Implementation Committee can iron out the details as long as in compliance with State Statute. Ms. Gross explained that other types of responses such as social work could be done fewer hours a day such as 12 or 16 hours a day.

Ms. Gross referenced a chart showing the cost to provide these levels of response 12 hours a day, 16 hours a day, and 24 hours a day knowing the mental health part would have to be 24 hours a day. She stated when you look at these personnel costs, it comes down to what it would cost to provide these services, noting the cost per call is significantly less than the cost for police to respond to these same types of calls so the return on investment (ROI) is fantastic with alternative response units. Ms. Gross stated she has seen this same thing play out in every community in the country that has taken up this alternative response, the ROI is terrific.

Ms. Gross noted this alternative frees up police while improving the response. In the case of a mental health crisis, the City needs to recognize it is not just a matter of having the right person respond but when the City does send mental health response, it stabilizes the person in the community most of the time and an ambulance is not needed for hospitalization, which is a huge cost saving. The person also does not end up in the criminal justice system and cycle further into the system.

Ms. Gross stated she looked at the civilian traffic enforcement unit and thought of it as two 8-hour shifts per day, five days a week, so significantly less coverage but could still handle most parking and other non-moving violation issues in that period. She looked at 2020 nonmoving violations and all 911 traffic calls and considered only those that were nonmoving. She stated this team would be able to address 80% of the calls with police covering the other 20% during after-hours. She noted in doing this, will drop the cost per call down to $69.16, which is way cheaper so the ROI comes down to over $500,000 that can be saved by shifting those calls to a civilian traffic enforcement unit.

Ms. Gross pointed out that the Community Response Unit could also oversee conflict resolution, noting if they get a call for a neighborhood dispute, the team could address that call and attempt to resolve it. But, if it cannot be resolved due to ongoing problems, conflict resolution circles could be facilitated by respected elders in the community. She suggested the Implementation Committee look for individuals to apply for this role who would not be on the payroll but a roster and then when the need arose, these folks could facilitate a conflict circle and perhaps receive a stipend of $50-$60 per circle. She stated this would be a way to address ongoing and simmering conflicts and bring in competent people the community respects.

Ms. Gross stated she wanted to present that option, but noted it is not included in the chart of figures on display. She estimated there may be 35-40 circles per year based on the number and types of calls that came in that were not police calls. She estimated a cost of about $2,000 per year.

Ms. Gross stated the good news is that there are sources of funding for alternative response start-up costs as well as ongoing costs. In addition, ROI is a very good way to fund it and if money is being saved on the police, it gives the City money to spend for other responses. Great sources for start-up grant funds include the US Department of Justice, which has been used by several cities, and particularly for starting mental health response. She estimated they have funded 45 such programs in the last few years, they are easy to work with, and come with expertise and resources. There are also funds from the MacArthur Foundation Safety and Justice Challenge Grant, private foundation grants such as Pohlad and local foundations, and State mental health and public safety funds. She reported that during the last Legislative session, $15 million was made available for mental health crisis response units and during this session, they will be asking for more.

Ms. Gross explained that during the last legislative funding cycle, a new State Statute was passed called Travis' Law that requires 911 call centers to deflect calls for mental health crisis units as much as humanly possible. That means mental health crisis units have to be available in every single county in the State. She stated this is not going to be optional for a lot longer because Travis' Law is in effect now and workshops are being held with members of County Boards and staff to educate them about this new law and its requirements. She stated Brooklyn Center will have to put pressure on Hennepin County for services needed because allowing police to handle mental health crisis calls is no longer an option.

Ms. Gross restated there is funding available to do this. She noted the City has several unfulfilled policing positions and all cannot remain unfulfilled but perhaps some of them could and especially if calls are deflected to other responders. She suggested the City could see where they could trim

down the budget a little and deflect some of the money to other types of responders, just as the calls are going to get deflected. She stated these are good pieces of news and that the City is not alone in figuring this out.

Ms. Gross stated the City plans to start an Implementation Plan workgroup and it would be her pleasure to assist them in any way she can. She stated Brooklyn Center is in the position where they literally can get something going for next year with ease. Ms. Gross stated they have worked with Minneapolis to figure out how to fund and implement their mental health crisis response, which will launch next week. She again offered her assistance and answer questions.

Councilmember/Commissioner Butler thanked Ms. Gross for spending time to put this information together and giving a thorough presentation. She referenced the comment that Minneapolis is launching next week and asked about the timeline to launch a mental health program once funding is available.

Ms. Gross explained it depends on the model used. If folks are hired as staff, it may take a little longer. She stated Minneapolis started working on this in July and was hoping for a September launch but there were issues with their contract with Canopy, a private organization, that took a while to iron out. She stated there are several different models and she thinks it is quite doable within five to six months at most.

Ms. Gross noted that mental health crisis response requires access to medical records that are separate from police recordkeeping and other requirements must be met but it is being done by people all over the country, including communities of the City's size, and very doable.

Councilmember/Commissioner Graves asked about other cities that have implemented some of these strategies, the size of their police departments, and how the transition worked within those police departments. She thought what Ms. Gross said made a lot of sense fiscally and in terms of responding to humans, meeting them where they're at, and providing the correct service at the right time. She wondered about the humans on the other side that had specific roles within the Police Department if people just left the Department, and how many were able to transition into a new role within that new structure. She asked Ms. Gross if she has that type of information.

Ms. Gross stated the best place to look for an answer like that is in the City of St. Paul in collaboration with Ramsey County, noting they are unique because the City of St. Paul is the largest part of the footprint of Ramsey County and there ended up being a partnership between St. Paul, all of Ramsey County, and specific municipalities like Maplewood and Woodbury. They are doing this type of work collaboratively and focus their energies on mental health specifically. She stated they have collaborated closely with their police departments. Most calls for mental health crisis response are responded to by a well-developed mental health crisis response unit. Ms. Gross stated they presented at a recent workshop about Travis' Law and she could provide the City with that information and presentation.

Ms. Gross stated in some cases social workers are embedded with the police department but most of the time mental health crisis response is happening by responders without police presence and co-response if there is an element of danger. In that case, the officer clears the scene and then the

professional practitioner takes over. She stated she does not think there was a widespread gutting of their police department because police still have a role and the problem is that we have gotten away from that role. This would allow police to be able to engage in their role, solve more crimes, be more present in the community, address things they haven't had the time to address before, and not worry about being short-staffed.

Ms. Gross stated they did not see, in other communities that took this up, a mass exodus of police or any kind of firing of police. She explained if there was any need to contract the size of the department, it would generally be done by attrition.

Councilmember/Commissioner Graves asked Ms. Gross if she is familiar with what the City and City Manager have done to secure additional foundation funding for pilot projects over the next two years and how in alignment is that work with the recommendations Ms. Gross is making.

Ms. Gross stated she is familiar that the City Manager has done that but she does not have absolute knowledge of every detail of the pilots. But she would say the kinds of things she is talking about, the community response and civilian traffic response can happen relatively quickly and there is no good reason not to get them going quickly. She stated the amount of money the City would save and human ROI where people have a better outcome is measurable and important. She urged some haste with implementing these things as opposed to pilots and so forth. Most particularly, she would urge haste because there are a lot of other communities they can learn from all around the country. Ms. Gross offered to connect Brooklyn Center with communities that have done this work and experts all over the country to share their experiences.

Councilmember/Commissioner Graves stated she appreciates that answer and is trying to understand how the City can be doing better. She feels that the City is trying and she shares Ms. Gross' desire to try to move as hastily as possible while also as responsibly as possible. She stated she works in the Office of Violence Prevention in Minneapolis so she has a good understanding of two alternatives for policing and work done in the Office of Violence Prevention from the time they started with a blueprint to end youth violence. She stated understanding violence as a public health issue is work she does day in and day out in addition to being on the City Council. She is trying hard to think along the lines of what she knows about implementation and evidence-based practice and also what she knows as a policy maker in connecting to the community.

Councilmember/Commissioner Graves stated she feels that a lot of pieces that we need are in place, they are just not clicking the way she would like to see them clicking. She stated Ms. Gross' expertise would be really valuable as the City moves forward in this work so if she is not looped into the level she could be, she would appreciate Ms. Gross' expertise with the Implementation Committee, continuing to give case studies and examples to cite, and with evaluating the process of implementation and how it is integrated from a pilot into daily operations or ways the City can connect the two.

Ms. Gross stated it would be her pleasure to do that. She stated she didn't put anything in her presentation on measuring results but those things are vitally important, how you track and measure results. She stated Councilmember/Commissioner Graves knows that is important because of her work. She noted all-new programs go through iterations and you need to make

tweaks as you learn things. Ms. Gross stated they have not talked at all about measuring and tracking results and acting on that information. She just wanted to give a high-level overview because she thinks the numbers work out so well for Brooklyn Center. In addition, it is the human ROI that is incredibly important here.

Councilmember/Commissioner Ryan thanked Ms. Gross for the presentation and stated he had the opportunity to listen to her workshop webinar on this topic and he learned a lot.

Ms. Gross stated she was delighted that Councilmember/Commissioner Ryan was at the workshop and was glad he found the information valuable. She stated they work with experts all over the country and would be happy to help the City avail themselves of their expertise as well.

Councilmember/Commissioner Lawrence-Anderson thanked Ms. Gross for the information, which she appreciated, and the experience she brought to the conversation.

Mayor/President Elliott thanked Ms. Gross and invited Ms. Mohamed to speak.

Munira Mohamed, ACLU of Minnesota, stated they provided testimony to the Councilmembers/Commissioners and public and hope Councilmembers/Commissioners get a chance to read it. She stated the information provided presents a high-level view of how they think about funding the Resolution, not necessarily focused on the numbers because ACLU is not an expert on budget analysis. She stated the ACLU is good at the policy portion of it and hopes to refocus a lot of their efforts in places outside of Minneapolis and St. Paul to expand the idea of civil liberties, not just the right to protest but also having a community that is safe and equal and equitable. She hopes the Resolution can do that so they are taking the approach of looking at the policy goals, what the City is trying to achieve, to see where money can be spent better, and how to fund the Resolution.

Ms. Mohamed stated Ms. Gross covered a lot of stuff and is a veteran of Minneapolis politics and public safety in general so she is the expert on this. But she wanted to highlight a few things. She explained that in looking at the Resolution and thinking about how to fund it, they wanted to see what is the best avenue. She thinks it is what causes the City of Brooklyn Center the least stress, shakes things up the least, keeps things the same, but also strikes to slowly fund critical social services we need and all provisions within the Resolution passed earlier this spring after the killing of Dante Wright.

Ms. Mohamed stated they think the best avenue for moving forward might be allotted at least $1.5 million for the next fiscal year. She stated they have seen from public records that $1.5 million would be 7% of the City's overall budget and 15% of the City's policing budget. They are trying to hit the lowest threshold where money can be moved around without shaking things up too drastically for the police, City government, and residents. This would provide a slow-phased approach to the Resolution.

Ms. Mohamed stated they want to lead with policy and see how we think about funding the Resolution and what are the big components within that Resolution. She stated the Resolution has a laundry list of provisions and public safety reforms, everything from mental health crises to

traffic enforcement. They were thinking about what should be prioritized and where should we think about putting money.

Ms. Mohamed stated they came up with five policy goals that would bring the Resolution to life, which would be what is the most strategic to do first, the most feasible for the next year, and the lowest threshold of money needed to be moved.

Ms. Mohamed stated the first policy objective would be to fully fund the Community Response Department, which is the mental health crisis team that Ms. Gross talked eloquently about how it would save more money and how social services lead to a decrease in violence prevention. She noted Councilmember/Commissioner Graves would know all about this. Ms. Mohamed stated they think this is the most impactful policy change and the one that should be done first. She noted in the last few hearings, Law Enforcement Accountability Project (LEAP), which is a police organization dedicated to public safety, gave an estimate of how much mental crisis teams would cost and it is usually close to $1 million to have 24/7 coverage. That is the first policy, right out of the gate, that would be easy to do.

Ms. Mohamed stated the second policy objective would be funding the Director of Community Safety and Wellness Prevention to oversee the whole Public Safety Department and handle the details related to logistics and management and how it works together. She stated getting that person and salary in the budget would be beneficial from streamlining a lot of this stuff and supporting Councilmembers/Commissioners.

Ms. Mohamed stated the third policy objective is the Implementation Committee, which is the transition phase where it is a working group, where policy ideas are figured out, the writing of ordinances or policies, and how to get these programs off the ground and do a co-creation model. She stated there will be regular community members alongside professionals and policy facilitators with monthly or bi-monthly meetings with this open meeting group. She noted the Implementation Committee will need money for facilitators to organize the conversations, schedule meetings, take notes, provide resources, get the Zoom links to people. They will also need research consultants who can dig into the opaque policy details and a stipend for Brooklyn Center community leaders who serve on the Implementation Committee and model what this Resolution will look like in the next year.

Ms. Mohamed stated the fourth policy objective is funding a community support program. She stated we have heard a lot from Brooklyn Center residents about what they need and it is not just public safety or policing. It is also things like senior programs, youth programs, mutual aid support, and resources and help that everyday people would need whether in poverty or middle class. It could also be for after-school programming. Ms. Mohamed stated something outside of public safety is incredibly important to help the community and it is public safety because the healthier people are, the less violence there is.

Mr. Mohamed stated the fifth policy goal is funding the Traffic Enforcement Department, which could be a pilot study or a more robust program. They are not sure about the details on this one so it would have to be left up to Commissioners/Councilmembers or Ms. Gross. She stated that civilian traffic enforcement is not modeled naturally as it is a very new innovative idea that a lot

of people are starting to work on, including bigger cities. She stated having money allotted for that and how it would fit into the Resolution is important.

Ms. Mohamed stated this is the way the ACLU is suggesting to fund the Resolution, considering what can get off the ground quickly and what needs to, the mental health crisis team, the Director's salary, the Implementation Committee, and more money allotted for community programs.

Ms. Mohamed stated they are suggesting a budget model that essentially maintains the staffing level of the police department but not rehiring police officers to save $1.5 million and to transfer that money into those five policy goals and the Resolution. She noted that saving police time so they can focus on violent crime versus traffic enforcement or mental health episodes would be useful. Ms. Mohamed stated maintaining current staffing levels and not rehiring lost police officers would create a pool of $1.5 million.

Ms. Mohamed displayed a colored visual depicting how much money each department gets including the Fire Department, Police Department, and other social services. She stated they propose stripping a little from the Police Department, just 15%, over to social services and creating a more even split in how the Departments are funded.

Ms. Mohamed stated these are some things to consider from national studies that police officers will be asked to respond to fewer incidents when money goes to social services for mental health crises. It decreases the need for high police staffing levels and the need for spending 40% of the City's budget just on policing.

Ms. Mohamed stated the alternative programs can save the City thousand and potentially millions of dollars as Ms. Gross overviewed. She emphasized that the more you fund social services, you see rates of violence drop in the community. She stated this would be a proactive thing to do while also funding the Resolution.

Ms. Mohamed stated if the City maintains current staffing levels, it will create a pool of $1.5 million. She referenced the five policy goals to determine the smartest place to put the City's money and what needs to get going right now to get the Resolution off its feet for the next year, which is community response, a Director's salary, the Implementation Committee, community programs, and studying a Traffic Enforcement Department.

Ms. Mohamed reiterated this is just an initial view of how the ACLU thinks about funding the Resolution and they are open to working with Councilmembers/Commissioners to get the needed resources. She noted the ACLU is a big organization and if Councilmembers/Commissioners are identifying a need, the ACLU can make sure the right calls are made and that need is filled.

Ms. Mohamed stated she is happy she could testify and thanked the Mayor/President and Councilmembers/Commissioners for this time.

Mayor/President Elliott thanked Ms. Mohamed. He asked Ms. Gross to talk about the number of 911 calls the City gets now and the breakdown.

Ms. Gross estimated the police department would receive 41,115 calls and when you look at the numbers, very conservatively, the community response team could cover 12,293 calls. She stated this is a small piece but a significant piece because she looked at the types of calls coming to the police that did not require a law enforcement response so she thinks this is a very reasonable number.

Ms. Gross stated in terms of the civilian traffic team response, she took Hennepin County 911 numbers from 2020 and the traffic enforcement calls that were non-moving, which is estimated at 3,638 calls per year. She stated this would be manageable with two shifts per day at 5 days per week. She stated it may turn out that the teams can handle more but she wanted to start conservatively. Ms. Gross stated we definitively know that the City is getting about 500 mental health crisis calls a year.

Mayor/President Elliott stated that looks to be about 37% of the calls that come in now. Ms. Gross stated that sounds correct.

Ms. Mohamed stated the Police Organization League works with police officers in communities to get programs on mental health crises and she will share their estimates with the City Council/HRA.

Ms. Gross stated the figures the City Council/EDA talked about are interesting because they closely match her estimates of what it would cost between the community response unit at a little under $935,000 to run 24 hours a day and the civilian traffic response would run about $250,000.

Ms. Gross stated this is quite doable with the City's budget as long as budgetary priorities are changed a bit. This is not something the City Council/EDA will do once. If it works well, it will become a permanent fixture so it is a matter of reallocating and not having to find new sources of funding every year. Ms. Gross stated given the number of calls and lower cost, it is quite doable, which is the biggest point from both of them.

Mayor/President Elliott stated several residents want to comment.

Councilmember/Commissioner Lawrence-Anderson noted the City Council/EDA was going to wait until the end of the Work Session for public comment. She thanked Ms. Gross and Ms. Mohamed and stated she would appreciate receiving the PowerPoint presentations used tonight.

Mayor/President Elliott stated the ACLU memorandum and Ms. Gross' memorandum were e-mailed to Councilmembers/Commissioners and the PowerPoint will be sent to Councilmembers/ Commissioners after the meeting.

Councilmember/Commissioner Lawrence-Anderson stated the e-mail came at 6:05 p.m. after the meeting began, so she did not have time to read it thoroughly before tonight's meeting. She stated any information she can get would be very much appreciated.

Ms. Gross apologized the City Council/EDA did not get this information in advance of the meeting.

Councilmember/Commissioner Graves stated she appreciates the presentations received tonight as it has given her something to think about and affirm her thoughts, feelings, and values in a lot of ways. She asked what staff has to say, noting the meeting packet contained a PowerPoint presentation from staff.

Mayor/President Elliott invited Dr. Edwards to present.

City Manager Reggie Edwards asked if there is another meeting of the City Council where staff can bring back their perspective on what was presented tonight as well as general thoughts around the issue. He would like time to assess what was presented and prepare something for the City Council/EDA.

Dr. Edwards noted he can present what he had previously prepared and is included in the meeting packet if it is the will of the Mayor/President and Councilmembers/Commissioners but would also request another time that staff can present the information provided tonight.

Mayor/President Elliott stated that is a good idea and in terms of next steps, anyone can take any policy initiative so he has taken some policy initiatives to explore, particularly the Implementation Committee and what different models might look like for funding next year. He stated his intention to have this presentation tonight, receive the information, get information from other Councilmembers/Commissioners, draft a proposal for how to go about looking at the funding plan for next year as it relates to public safety in light of these two presentations, and work with staff. Mayor/President Elliott stated he does not envision that everyone is on the same page right now.

Councilmember/Commissioner Graves asked for the opportunity to respond to Dr. Edwards' comments.

Mayor/President Elliott stated he will first wrap up what he wanted to say. He stated his response to Dr. Edwards is yes, he thinks staff should bring back their thoughts on tonight's presentations. He stated he wants to go through a process and he intends to present some amendments to the spending plan and to do that eyes wide open and collaborate with the City Council/EDA and experts who have been on the call this evening, LEAP, and others who have done this work. He stated he is not tied to one model or the other but wants to make sure we are moving forward into the new year fully exploring options in terms of what we can do to have the most impact on our community.

Mayor/President Elliott stated for him, the next step would be continued conversation with the City Council/EDA and arrive at some kind of proposal they can spend time looking at and consider.

Councilmember/Commissioner Graves stated she has had conversations with Mayor/President Elliott about this work and its importance but she honestly wishes we would have had this presentation and conversation months ago as a City Council/EDA rather than right now. She stated she is not opposed to amendments or propositions that Mayor/President Elliott wants to make now but also feels the work has to happen together continuously and the City Council/EDA needs to keep having these conversations in Work Sessions so all are looped in.

Councilmember/Commissioner Graves stated she feels, again, like Mayor/President Elliott is putting the City Council/EDA in a position where he is saying, 'Let's do this now, right now,' when the City Council/EDA has already voted on the preliminary budget. She explained she is not saying the City Council/EDA can't do the things we are talking about doing, because she thinks they can, but she also thinks we should let City Manager Edwards look at the numbers and presentation because he knows our values too and been a great City Manager working to implement them.

Councilmember/Commissioner Graves stated we can continue to have the discussion and not put it all on us to make a decision right now tonight. She stated this is frustrating because we could have had this conversation in June. Councilmember/Commissioner Graves stated she hears what Mayor/President Elliott is saying but also thinks that what she is saying is true and Mayor/President Elliott pushing ahead on his own and not bringing everybody along, just saying, 'We're going to do it together but only if we do what I'm saying right now,' leaves the City Council/EDA in the dark and put on the spot again. She stated this does not feel together and staff has to be with us too because we have to do it together.

Councilmember/Commissioner Graves stated she wants to hear what staff has to say and have time to digest and look at our numbers specifically. She restated she hears Mayor/President Elliott and is not opposed to what he is saying but he is putting the City Council/EDA on the flame again to say, 'Act now in the name of justice in all-time.' But she would ask why can't have been having discussions all these months. Then we would have been further along. She noted it says we need to fund it but it also means we need to communicate and talk to each other, the people at the table already. She stated she feels like she is getting triggered and anxiety is lifting in her body right now.

Mayor/President Elliott stated he thoroughly appreciates what Councilmember/Commissioner Graves is saying and deeply apologizes that this feels frustrating and triggering right now, and feels like a reminder of when we were passing the Resolution and it was done, 'Here it is and let's act on it.' He stated he fully appreciates that and, again, apologized for his actions leading to Councilmember/Commissioner Graves feeling triggered in that way. He stated he really and sincerely apologizes, noting he is not perfect in how he moves forward and, in some ways, it is a flaw. He stated he didn't put this out in June and he apologizes for that and doesn't want to make any excuses because he wishes he would have put this forward in June and made sure the City Council/EDA felt they had a lot of time to digest it and act on it.

Mayor/President Elliott stated he is also working within the time that resources are made available and people are made available, but that is no excuse. The stated the folks presenting this evening, he agrees with what they are saying and would like to see a proposal like that come forward. That is why he does not have a proposal for the City Council/EDA this evening. He stated again that he sincerely wants this to be a thing where we do have discussions about it and hopes to get better at that as well.

Councilmember/Commissioner Ryan stated he hears Mayor/President Elliott and concurs with Councilmember/Commissioner Graves. In the interest of time, he stated he won't deliberate her

comments but thinks we are at two questions, what is doable for us this year and having that conversation next year. At this point, he thinks the City Council/EDA should hear from staff, have the City Manager present the budget and preliminary levy that was presented on September 27, 2021, and have him explain how he addresses the first question of what can we do without creating chaos and confusion or not knowing how to implement these things.

Councilmember/Commissioner Ryan stated we all agree on emergency mental health responders but how do we implement it, noting there are different models which are what he learned when listening in on Ms. Gross' webinar on November 4, 2021. He noted that implementation is always the hard part.

Councilmember/Commissioner Ryan suggested the City Council/EDA take the presentation to the next possible Work Session for the City Manager to respond to some of these points and continue the discussion then.

Councilmember/Commissioner Lawrence-Anderson stated she appreciates the comments of her colleagues and thinks it is very important that when going forward, we do this correctly and weigh all and any potential outcomes and anticipate unintended consequences before taking action. She stated with that said, she would like to look at data from other cities that have a resolution as we have who have implemented it and what their success and/or failure rates have been.

Councilmember/Commissioner Lawrence-Anderson stated what the City Council/EDA passed in May, she is curious who else has something very similar and would like to see data on how it was implemented as well as statistics on the outcomes since implementation. She asked what cities she can look into that have taken this action.

Mayor/President Elliott stated he will send that information to Councilmember/Commissioner Lawrence-Anderson, noting Ms. Gross has also offered to provide that information. He stated in some instances, there will be cities that have done parts of what we are aiming to do but there is also always a first city to do something. Mayor/President Elliott stated he forwarded everyone the action that Philadelphia took to ban low-level traffic stops and by the action of the city council were the first to do that in the country. He stated there is always somebody who does it first provided you go into it well measured and with experts to make sure you are weighing all of the potential outcomes, unintended as well.

Councilmember/Commissioner Lawrence-Anderson stated her concern is that no one has made such sweeping changes in one Resolution so she is going to proceed cautiously because if Brooklyn Center is going to be first, she wants to make certain we are going to be successful at being the first and a benchmark for something that went very well. She stated again she wants to proceed cautiously and not fast as Mayor/President Elliott had been quoted in the *Sun Post* that he wanted to do this fast. Councilmember/Commissioner Lawrence-Anderson stated she thought the City Council/EDA had to be a little more reserved, cautious, and make change for the right reasons that are sustainable and can be supported years down the road that we made solid, well-balanced, and educated decisions to benefit everyone who lives, works, and worships in Brooklyn Center and pays taxes here. Those are the people she is concerned about, the people who live and work in our

City and she wants safety for everyone here. Councilmember/Commissioner Graves stated that concludes her comments.

Mayor/President Elliott stated he is not exactly sure which quote Councilmember/Commissioner Lawrence-Anderson is referring to but he does recall making comments about wanting to move forward expeditiously in doing this work because we must be addressing these issues in our community. But he thinks he also said, at least in one of the interviews, talking about the need to make sure we are doing this to the best of our ability and with the assistance of experts and those who have done this work for a long time. So, not just haste but to do it right as well.

Councilmember/Commissioner Graves apologized, explaining she was feeling emotional because these are heavy issues and she knows all have their hearts in the right place and want to make positive change. She stated she has breathed a little bit and has some questions. She was thinking about what the City already has in place, how we can build upon things that are working for us and are in place to move towards a more unified response to the whole person/individual. She noted since April we have had a community response team made up of several community members, organizations that do community work with expertise in violence prevention and trauma response. Earlier in the year during the height of the unrest, she worked hard to get community members to go through a Marshal's training that teaches you how to respond during an event and keep people safe and things orderly. Councilmember/Commissioner Graves stated she knows there are already community members that continue to meet with the City Manager and many have also been through conflict resolution training and trauma response. She would like that to continue to be something that the City has, noting even though it is in place right now, there is no guarantee it will be in place in the future and it is a need in our community. Councilmember/Commissioner Graves stated for her, that is the start of what we are talking about with a community response unit because it has crisis response.

Councilmember/Commissioner Graves noted the City has also had one social worker embedded in the Police Department since May. But it is just one social worker so the City Council/EDA know our mental health calls are a smaller percentage than our social service calls. She would like to know if it makes more sense to invest in a mental health response or to get another social worker embedded in the Police Department, such as being done by Brooklyn Park with Hennepin County, or both. She also wants to know how that will interact with a community response team unit.

Councilmember/Commissioner Graves stated she is also thinking about the contract the City has had for many years with Community Mediation Restorative Services (CMRS) who do work in schools and wondered how closely they have worked with police response for calls like a neighborhood dispute. She asked if that type of call would be within the purview of the current contract and if not, would or wouldn't it work, and are they the right people or not. She asked if not, then should the City consider contracting with someone else that would better serve our community in that way. She explained she is thinking about different ways and had the idea years ago that it would make sense to use the Multicultural Advisory Committee to help respond to neighborhood disputes because a lot of the time there can be a cultural barrier in some of those situations where a police officer may not be the right person to respond but it should be someone who speaks their language and knows their community members because ethnic background may

have better luck doing that. Councilmember/Commissioner Graves stated she has asked these questions in the past and feels it is an untapped resource the City has not fully utilized.

Councilmember/Commissioner Graves stated she is also thinking about what the cost would be for expanding those services and how it would align with proposed pilot projects that are funded into the next two years and how that aligns with other ideas around units of response and the new department being created. She asked if the City needs another staffer or if a Manager sufficient to operationalize these types of implementation programs. She stated most of her questions are directed at staff and they can think about it for their response at an upcoming Work Session.

Councilmember/Commissioner Graves stated she is not certain on the number of officers but thinks it may be down 12 or 14 officers currently so she wants to know how many exactly the City is down, the cost difference for getting another social worker or contracting with Hennepin County to have mental health response, which is expensive because it has to be 24 hours a day but may not be as expensive because the City does not have as many of those calls. She noted the City Council/EDA also has to think proactively about Travis' Law and get something in place regardless.

Councilmember/Commissioner Graves stated she has a lot of questions and hopes the City Council/EDA is thinking deliberately about what we are talking about because it is not far fetched in any of our minds, but it is a matter of being deliberate in how we can make it happen and encourage other people within our City to understand it. She stated the City Council/EDA has to do it with our staff as they are the ones implementing it with the community so she wants to allow Dr. Edwards and others to think about it with an open mind and determine how it can be beneficial and where there is a natural alignment with what we are already doing.

Councilmember/Commissioner Butler stated she does not necessarily disagree with a lot of the comments that have been said and thinks Councilmember/Commissioner Graves posed a lot of great questions. She stated when asking why we didn't hear about this months ago, she would say the City Council/EDA passed this in May so her questions to staff about why didn't hear more alternative ideas, often when we do the budget it is staff talking to us and giving presentations and she felt the last couple of years they have been able to make changes and be more vocal about what we want, which is seen reflected in the budget. She stated she was too shy to say anything her first year on the City Council/EDA but remembers Councilmember/Commissioner Graves bringing things up, stating a suggestion, and the reply back was that they'd have to find the money for that and there was never a conversation about being creative and how to find money within the budget that already exists.

Councilmember/Commissioner Butler stated she appreciates Mayor/President Elliott bringing this forward with experts to speak to how we can make this work without raising our budget because none of us want that to happen. She also wants to hear staff's input, which is very valuable because they will ultimately be implementing this. Her biggest questions to the experts are around the timeline and what it looks like to roll out all of these programs in conjunction with what the City already is planning to do.

Councilmember/Commissioner Butler stated one of the things talked about was vacancies in the Police Department and why are we budgeting for ten officers if we, ideally, can only get five in the next year based on the timing shown from Dr. Edwards in terms of how many months it takes from recruiting through training. She stated it does not make sense to hold in the budget funds for hiring officers if we are not able to fulfill that. She feels the same way about these policies and if we are not able to implement them right away, then be mindful if we choose to move forward about the timing and how that is put in the budget.

Councilmember/Commissioner Butler stated she wants to see the City Council/EDA move forward and does not think time is as restrictive as it is being characterized because everyone has received the presentation and hopefully the information is in our in-boxes so we can review, and Dr. Edwards and staff will have a chance to get into the information over the week and within a week we will have a better idea. When staff brings back the presentation, the City Council/EDA can be in a better position to decide what they want to do. Councilmember/Commissioner Butler stated she agrees we need to be collaborative with each other, Mayor, City Council/EDA, staff, and inclusive community, the Police Department, Fire Department, and all agencies that this will impact.

Mayor/President Elliott stated this brings us to a point where the City Council/EDA can entertain public comments.

Councilmember/Commissioner Ryan stated according to the agenda, the City Council/EDA is to discuss succession planning for the City Manager next.

SUCCESSION PLANNING FOR CITY MANAGER

Mayor/President Elliott noted Councilmember/Commissioner Lawrence-Anderson had requested this item be added to the Work Session agenda.

Councilmember/Commissioner Lawrence-Anderson stated she pondered this as much as she has many other issues with the budget and initially accepted the City Manager allocating the Deputy City Manager duties to others within the Department yet she believes that is not going to be a suitable solution going forward long term. She explained the reason is that a succession plan is therefore recent so if there is a departure of an individual, there is a plan in place for who can immediately step in, such as there is a president and a vice president and succession after which.

Councilmember/Commissioner Lawrence-Anderson stated she believes that long-term, it is not a viable option and that we need, for the fiscal year 2022, a Deputy City Manager who can be groomed and mentored by City Manager Edwards so going forward the City has a safety net. She noted the City Council/EDA has two employees, the City Manager and City Attorney. She is not worried about the City Attorney because he works for a firm that has someone who can step in if Mr. Gilchrist chose to leave. However, with the City Manager, the City Council/EDA does not have anyone with the skill, expertise, and education in City administration who can step in.

Councilmember/Commissioner Lawrence-Anderson stated she believes this is one of the City Council's/EDA's number one responsibilities to make certain that if there is a vacancy in that

position, there is a plan in place. She stated the City Council/EDA needs to think about how Dr. Edwards' duties are being allocated and to make certain their top number one individual is grooming a successor.

Mayor/President Elliott asked Dr. Edwards to comment on whether he is working with folks to ensure they could serve in his role long term.

City Manager Reggie Edwards stated he has asked both City Clerk Suciu and Communication Engagement Manager Smith to serve as Interim Assistant City Managers. He stated they identified a timeframe to determine if that would be a viable option going forward based on whether they can achieve what needs to be done. He stated he looked at the work he was doing as Deputy City Manager, split those tasks, and set a time to assess if it could be done as a team of three as opposed to the previous structure in which there were two. Dr. Edwards stated he will know, as he moves forward if they can be as productive as needed with that structure as he and former City Manager Boganey were.

Dr. Edwards stated he did some backfilling in Communications and felt there was capacity in the City Clerk's office to move forward with that structure. As it relates to long-term and grooming, he also wants to create opportunity for upward mobility within the organization and was attempting to address gender and ethnic race diversity because, in the field of a city manager and leadership government, it is fairly homogenous. He reported that at the current time, he is the only African American in the State of Minnesota who manages a city and there is one other person of color who is a Manager. Dr. Edwards stated if the City is going to be intentional about diversifying and creating opportunities, that is what he is also trying to do. He noted that folks can't become city managers unless they are given some opportunity to develop, learn, and be part of the pipeline of that growth opportunity and capacity building.

Dr. Edwards stated the structure he looked at was along those lines and twofold. He wanted to get the work done at a high level of quality and to create opportunities for capacity building and diversification within the field. Dr. Edwards stated they are just getting started and they set benchmarks at 6 months and 9 months so he has to wait and see how that is going.

Dr. Edwards stated as it relates to someone being able to fill the role of City Manager, in the short term, he is very confident we have Directors of Departments as well as the Interim City Managers so should he need to take a vacation, the staff is more than capable to direct and address the issues that come up with any Department as well as overall issues.

Dr. Edwards stated should he be hit by a truck and not come back tomorrow, then currently there is not one person designated to step up to do that but he could identify someone so the City is not left without a point person.

Dr. Edwards stated with the current process, he is trying to build long-term capacity that the City would have multiple options as it relates to City Manager or the City Council/EDA can go outside of the organization and look. He repeated some very capable Directors could step into and navigate the role of City Manager over time and excel in that.

Dr. Edwards stated he has been very thoughtful about the City and how, within the field of city managers, to create opportunities and assure the quality of work that comes from the office of the City Manager. He restated it will take several months to see how the plan in place pans out and should he find it is not productive or not at the level needed, then he will make adjustments.

Councilmember/Commissioner Lawrence-Anderson stated she very much appreciates what Dr. Edwards is trying to do in creating opportunity for individuals to step into the type of role he has and she is in no way challenging Dr. Edwards or his decision nor is she opposed to how Dr. Edwards is altering the previous direction to how we have City administrators. She just wants to ascertain that the City will be in good hands and there is a plan. Councilmember/ Commissioner Lawrence-Anderson stated she is very pleased to hear that Dr. Edwards is anticipating providing the City Council/EDA with his input throughout what he is currently piloting. She stated she trusts Dr. Edwards' decision-making and if he feels that is adequate to have individuals in place that could, in an emergency, step in. She just wants to make certain the City Council/EDA is looking at all scenarios when making decisions because the City Manager is a very important role.

Councilmember/Commissioner Lawrence-Anderson stated she also appreciates how Dr. Edwards is trying to grow new talent. She thanked Mayor/President Elliott and the City Council/EDA for indulging her questions on this matter.

PUBLIC COMMENT

Mayor/President Elliott opened the floor for public comment.

Shari Hagans thanked the City Council/EDA for the opportunity to address them. She stated her concern after having sat through this meeting leaves her with real concern about the direction her City is going. She stated we need to make a change and there is no doubt about it but there seems to be some terrible in-fighting going on between the Mayor and City Council as far as the direction we should be going. Ms. Hagans stated she is fully aware that this budget has been in the works for six months and we are now at the end of approving and the City Council/EDA wants to re-write it without the specifics on the impact it will have on the people who pay bills, and that is the taxpayer.

Ms. Hagans stated there is nothing she has heard tonight that gives her any more confidence in the direction her City is going in. All she hears are gun fires, sees drug dealings, and traffic issues that no one is addressing. She doesn't know where the City Council/EDA lives but, in her neighborhood, it has become very scary.

Ms. Hagans asked Dr. Edwards about the budget he put together and if he feels at this point that the budget is sufficient for 2022 to address, at least initially, the issues of public safety. She would like to know Dr. Edwards' view and whether he would sign off on the budget that has been in the works for six months going into 2022. She apologized if that put Dr. Edwards on the spot but as a citizen of this City, believes she has a right to know. She also asked if outside influences are starting to take control of our City Council/EDA.

At the request of Dr. Edwards, Ms. Hagans repeated her questions and asked whether, at the eleventh hour, the City is in the position of having to rewrite the entire budget to accommodate outside influences. She asked if the 2022 budget being discussed will be adequate with the additional recommendations to address public safety so taxpayers are not overly burdened to support new departments, new department heads, and staffing. She noted it comes down to who pays the bills and they should have a say in this.

Ms. Hagans stated residents are afraid out here, they are seeing things happening that are not being addressed, and while she'd love to live in a world of kumbaya where everybody gets along, that is not the reality and we have to take accountability ourselves. She asked Dr. Edwards if it were up to him, would the budget he has been overseeing for 2022 be sufficient.

Dr. Edwards stated he appreciates the questions and he is very confident we have a sound budget that he presented to the City Council/EDA and he is confident that it accommodates some of the challenges and changes asked by the City Council/EDA. He stated tonight he and the City Council/EDA have heard some information so he would want to defer to the next time when we come back and he can go back into the budget and look at whether there are things that could be changed. As he heard the City Council/EDA accept and appreciate the presentations made, he will go back and assess those as well as have conversations with staff to determine if there are changes or modifications. However, he would not bring back a budget that is not fiscally doable or denigrates or reduces the quality of services the City provides.

Dr. Edwards stated he will present a doable budget and in place of what was heard tonight, he will talk with staff and the experts to determine if there are ways to marry some of the ideas and thoughts made along with adjustments in things that we already have made within the City to see if that can be accomplished within the limitations and tax capacity of the City.

Dr. Edwards stated he thinks we have a very sound budget as presented and he will consider what was presented tonight, talk with staff, analyze the budget, and present modifications if any are to be made the next time we meet. He stated he has continued confidence that whatever he brings before the City Council/EDA will be, to the best of his knowledge and capacity, within the means of the City and provide the highest quality services that can be provided given the limited resources we have.

Ms. Hagans asked if there is an additional $154,000 on a line item that is going to be built into the current budget for next year that can be used to offset some of these costs and start assisting with the concerns we're all dealing with right now.

Dr. Edwards answered in the affirmative and stated in the budget there is $154,000 for the Office of Community Prevention Health and Safety to do work in coordination with public safety departments around the spirit of the Resolution. There is also a program for pilot grant funds and other allocations of resources that are within the budget and his estimate are around $1.4 million in related allocations or newly developed resources that will contribute towards achieving what has been outlined in the Resolution and articulated by the City Council/EDA.

Mayor/President Elliott stated personally he would like to keep this going and Ms. Hagans asks all the questions she has but he also wants to make sure other folks on the call have an opportunity to ask their questions. He suggested Ms. Hagans ask one more question and then he will open the meeting to other's questions.

Ms. Hagans stated just so the City Council/EDA knows, there are many out there who are extremely concerned about the direction that our City management is going. She stated the City can bring in all the outside resources they want but the fact is that we are living it and she thinks the City Council/EDA has lost sight of that. She stated the residents are the ones ducking the gunshots, running when people are going through red lights, and ignoring traffic systems, but the City Council/EDA has gotten so involved with their point of view that they have forgotten residents who pay the bills and without them, there wouldn't even be a budget. She stated that is all she'll say.

Mayor/President Elliott stated she appreciates Ms. Hagans being here this evening and speaking. He explained that in discussions tonight, the City Council/EDA cannot do anything to increase residents' taxes because those limits were set earlier this year and cannot go up so anything decided going forward will increase taxes for 2022. He stated he wanted residents to know that.

Mayor/President Elliott stated to Ms. Hagans that what she is saying personally matters to him, he lives in a part of Brooklyn Center where he does hear the gunshots, and the shootings do happen just a couple blocks from his home. He stated he has a young daughter and he worries about her as well. He noted he is very vested in this and wants to see our safety improve and to that point, the idea as he understands it, a lot of folks have socio-economic and mental health issues, so the more the City can get them stable and connected to resources and on a good track, the less violence we will see in our community. That is, to him, what this is about, improving safety. He agreed we need to keep an eye on the money, our taxes are high, so it is taking all of those things into consideration and making the best decisions and judgments we can.

Ms. Hagans encouraged Mayor/President Elliott to trust his team, who are trying to give guidance but he is not listening.

Mayor/President Elliott stated he thinks it is important that we are all working together and, as Councilmember/Commissioner Butler said, collaboratively. That is the commitment of the City Council/EDA and staff to work together collaboratively. He noted there will be differences and while it might appear they conflict, and they might be, all are committed to going forward in a way that is going to focus on getting the best outcomes for the residents of Brooklyn Center. He stated he wished he had another opportunity to talk with Ms. Hagans and again thanked her.

Steve Landis stated he wants to voice grave concerns about what appears to be a poorly executed end game to implement significant last-minute changes to our 2022 City budget. He stated as several City Council/EDA members noted, the conversation we had tonight should have taken place months ago in June when budget discussions began and while we all recognize the importance of police reform and are obligated to work together in an efficient way to assure it happens in our City, this proposal if implement in the form of a budget re-write could result in

significant reductions in other parts of our budget which could easily drive staff losses and reduction of services to the public.

Mr. Landis stated forcing this conversation on City Council/EDA and the citizens at so late a stage really is reckless and irresponsible, although he must say it was hardly unexpected. He stated our City needs to get this right and that means better implementation planning and thoughtful consideration to the funding required.

Mr. Landis stated he is also gravely concerned about any ongoing conversations surrounding police staff reduction when violent crime in our City is up around 48% since October of last year. He noted, as Ms. Gross stated in her presentation, policing cannot end and our community needs to be made safer as a higher priority now, not later. He noted if we, as a City, intend to implement positive meaningful long-term change in police practices, it cannot be borne out of tonight's chaotic proposal to implement what amounts to little more than a framework that has been prepared up to this point. Mr. Landis stated that is all he has to say.

Lori B. stated she wants to address a couple of things from the meeting tonight. She stated she agrees there has been a lack of communication across the board but before the Resolution was passed, there was testimony from experts, including a retired officer, and later there was a presentation on Crisis Assistance Helping Out On The Streets (CAHOOTS) in Portland and even on October 11 there was a presentation given by Acting Chief Gruenig referencing a program that has been successfully implemented in Denver.

Lori B. stated in doing her research on what programs have been successful, she found a lot of information that is huge for Brooklyn Center and asked the City Council/EDA to do their research and find out what is working and not working. She stated that while this is a huge change for us, it is happening across the country so we are not alone in this.

Lori B. stated she wanted to address Ms. Hagan's concern that the $154,000 in Dr. Edwards' proposal was something separate from the Resolution and would raise taxes but the presentation tonight is talking about reallocation of funds. In that case, it does not raise taxes and paying attention to the details of everything tonight would save the City money. She stated as a taxpayer and homeowner, she understands the concerns of taxes going up and how to pay for this but with reallocation, it is very doable.

Lori B. read excerpts from the Brooklyn Center Police Department Policy Manual starting with the Law Enforcement Code of Ethics as follows: 'As a law enforcement official, my fundamental duty is to serve the community, to safeguard lives and property, to protect the innocent against deception, the week against oppression or intimidation, and the peaceful against abuse or disorder and to respect the Constitutional rights of all to liberty, equality, and justice. I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or my agency. I will maintain courageous calm in the face of danger, scorn, or ridicule, develop self-restraint, and be constantly mindful of the welfare of others, honest in thought and deed both in my personal and official life. I will be exemplary in obeying the law and regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity, it will be kept ever secret unless revelation is necessary for the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political believes, aspirations, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals I will enforce the law courteously and appropriately without fear or favor, without malice or ill will, never employing unnecessary force or abuse and never accepting gratuities.'

Lori B. stated furthermore, under Minnesota Statue 304, deadly force applications, which is also in the Police Procedure Manual states, 'When reasonable, the officer shall, prior to the use of deadly force, make efforts to identify him or herself as a peace officer and to warn that deadly force may be used unless the officer has objectively reasonable grounds to believe the person is aware of those facts. Use of deadly force is justified only if an objectively reasonable officer would believe, based on the totality of the circumstances known to the officer at the time and without the benefit of hindsight that such force is necessary.'

Lori B. stated with these policies in mind, she would like to take a moment to reflect. She stated 2021 Daunte Wright was pulled over for an air freshener dangling from his rearview mirror and expired license tabs. He was unarmed. In 2019, Kobe Heisler, a mental health crisis that had de-escalated on its own and the only threat posed were to himself. In 2015, Mr. Khottavongsa, where Officers Salvosa and Turner acknowledged his lack of understanding of English yet decided to deploy a taser, causing him to fall and hit his head, also made comments that he was acting like a drama queen while he lay there dying. This resulted in an $800,000 settlement against the City of Brooklyn Center. Lori B. stated the list of officer-involved shootings continues in 2014 with Jonathan Denmar, in 2013 with Edmond Fair, and 2021 with Daunte Wright.

Lori B. asked what do these cases have in common, how much is this costing our City, what is effect this has on our community, how does this affects the families that will never see their loved ones. She stated we can do better.

Lori B. stated she would like to address cost, noting the average salary of officers involved in wrongful death suits is over $93,000, Officer Salvosa's salary was $91,000. The shooter of Jonathan Denmar was also the officer who deployed the taser that killed Mr. Khottavongsa. Branden Akers employment of seven years, medal of valor in 2016, salary of $88,000, shooter of Kobe Heisler. Cody Turner, employment of 12 years, firearms training specialist in SWAT, Chief's certificate of commendation in 2016, an officer who displayed a pattern of reckless behavior and disregard during community interaction with zero reprimands, salary of $99,000, shooter of Kobe Heisler and also the defendant in the case of Mr. Khottavongsa. Kim Potter, a 26-year veteran, union president, member of the honor guard and negotiation team, salary $90,000, and shooter of Dante Wright.

Lori B. stated as a concerned community member, she is demanding accountability and asking why our best trained, highest-paid officers are unjustly killing her neighbors, her community, and her sons. She stated the Brooklyn Center Police Department has proven to be ineffective in carrying out the duties they swore to uphold. She stated we will no longer tolerate the good old boy mentality and have come up with a viable alternative to public safety.

Lori B. stated she hopes that the Brooklyn Center Police Department will review their code and policies so we can count on them to apprehend the most violent offenders. In the case of traffic stops and mental health crises, we chose an alternative to police so there are no more stolen lives. She stated we want justice for Mr. Khottavongsa, Kobe Dimock-Heisler, and Daunte Wright. May we live in peace without fear of those we pay to protect us.

Mayor/President Elliott thanked Lori B. and asked speakers to keep their comments to five minutes.

Matt stated as was mentioned by Steve, in October Commander Stauber shared with the Brooklyn Center Business Association that violent crime is up 48% over last year and they have only 29 active patrol officers at the moment when the Department is allotted 49. He stated we don't want to defund the police but to invest the resources from the lack of police officers into recruiting new officers. We want there to be less violent crime and our employees to be safe when working in the City of Brooklyn Center.

Mindy stated Shari is amazing and Matt had a very valid point. She stated she is also concerned about the crime, which is increasing and police are decreasing. She stated the City Council/EDA talk about mental health and she gets that people have those issues but who are they going to call. She stated they need to call the police so she would like to know what will happen there.

Mayor/President Elliott explained that all the research shows that people with mental health issues need to be responded to by mental health professionals to address the situation as police are not trained in mental health.

Mindy stated she understands that but they will still call 911 first and if nobody is there to respond to 911, then what are they going to do if they don't know any better.

Mayor/President Elliott stated they will always call 911 and who makes the decision whether mental health professionals or a police officer goes is 911. All will continue to dial 911 but people in dispatch will be trained to tirage the response and if police need to go because it is a dangerous situation, they will go also.

Mindy asked what is being done about the robberies and stolen cars and who they will call if the numbers of police officers keep going down.

Mayor/President Elliott explained the whole idea is to make sure they are being freed up because 22% of the calls they get now are crimes and the rest are for other stuff. If other folks can respond to the other stuff, then the police can respond and be more available to the crime calls. He stated nobody is more concerned about that than him and the City Council/EDA and they want to look at how to improve the situation because they know what has been happening is not working.

Matt stated he wants to speak on behalf of small businesses because he has had enough. He stated he has called Mayor/President Elliott several times but he never calls back so he feels like his voice is just not heard. With this forum, he would like to say he has had shootings in his parking lot, his employees have almost gotten shot, he has handguns shown to his manager when people don't get

their way at the checkout counter, he has had multiple carjackings, muggings of old women getting credit cards stolen and used at his facility, drug dealings, overdoses, theft, and the worst part is that there are no repercussions.

Matt stated he listened to two presentations on how the Resolution is mental health and only 1% of all the phone calls are mental health folks but they will do a sweeping impact on the budget. His question for Mayor/President Elliott and the City Council/EDA is that in all reality, in every scenario that he laid out that is taking place at his business, how are mental health professionals going to deescalate these egregious crimes.

Mayor/President Elliott explained the whole idea is to free up police of their time to not be responding to these other calls so they can be available to respond when Matt calls.

Matt asked where that has ever worked.

Mindy pointed out that before, the police always responded and were wonderful.

Matt agreed and stated he is not saying there doesn't need to be change but from his perspective, he cannot staff his business because his employees are scared to death. He stated there was a shooting in his parking lot and two employees almost got killed.

Mayor/President Elliott warned Mindy that if she is going to continue to speak, she will be put on mute. He stated she had an opportunity and he wants to assure all are respectful and not talking over each other.

Matt stated he feels that small businesses in the community have not had a voice to be heard because it has been a lot of outside influence and people who do not live in Brooklyn Center trying to dictate what happens next. He stated the reality is that we are scared, things are not safe, they are not trending in the right direction with crime growing at the rate it is growing, and the plan being proposed to fix it is terrifying. He thanked the City Council/EDA for their time.

Mayor/President Elliott stated Matt spoke at the last meeting as well and if Matt tried to reach out to him, he does not know Matt's last name so he can't follow up with him but would like to do so. He stated if Matt represents a business here, he has scheduled a meeting with Luther.

Matt stated that is not him.

Mayor/President Elliott asked Matt to send him another e-mail.

Matt stated he does not like to send e-mails and wants to be able to talk with the Mayor to get a pulse of what is going on with him. He would like the Mayor to come to his business and see him out in the community. That is what he wants.

Mayor/President Elliott stated he can arrange that and the best way to do that is by e-mail. He asked Matt to reach out again.

Matt asked Mayor/President Elliott to pick up his phone.

Myrna Kragness, former Brooklyn Center Mayor, stated she is calling as a taxpayer, noting the City Council/EDA is talking about community response and health and safety team but if they had come out in the first place and said they wanted to organize these groups to assist our Police Department, it would have been better accepted by the citizens of Brooklyn Center instead of taking away from the job that our police do and replacing it with people who don't seem to know about our City.

Ms. Kragness stated the other concern she has is bringing new people in and paying them for the time they are putting in to be part of the Commission. She asked about the volunteer Commissions that have been in the City for years and never accepted pay. Instead, they do it because they love their city and want to be part of it. She asked the City Council/EDA to think about that because they are picking out a few people and making them feel wonderful but what about the other volunteers working for the City. She stated if the City is going to pay some, they should pay them all. Otherwise, they will walk away too, just like the police have done.

Julie B. stated as a taxpayer she would like to comment because she too pays taxes, owns a home, volunteers on some committees, and is a member of MAC. She stated she is also a mental health professional who works in the area. Julie B. stated she wants people to know that the people who are speaking for the residents of Brooklyn Center, she respectfully asks them to stop. She stated she will not try to be everybody's voice because she knows that is not her place. She wants the City Council/EDA to know some residents support this Resolution and thinks there needs to change that has been coming for a long time and the voices that have been silenced are finally being heard in our City. She stated that might be uncomfortable for some people but they are voices that need to be heard.

Julie B. stated there is a myth floating around about outside influences and she does not know who the outside influences are that people think are taking over the City and running the City Council/EDA but everyone she knows who are in support of this and wants this, live here, pay taxes here, and are homeowners here, which is important to note.

Julie B. stated this myth has been circulating on social media and amongst the community that it is just outside people who want this and are putting pressure on everybody but that is absolutely not the truth. She stated outside people are coming inside the City to show support for these families, absolutely, but are they the ones driving this, no. She stated the citizens of the City are driving this, citizens who are tired of what has been happening are driving this, and citizens who see the need for change are driving this. Julie B. stated people need to understand that.

Julie B. stated change is hard and it is going to be hard and there will be hills and people will disagree on what change should look like and what should happen, but it needs to happen. She stated we can't continue on the path we have been on and change needs to happen. She stated she wants people to know that there are people in support of this too and what is being missed is that we want all of our residents to feel safe. She stated it is unfortunate that people don't feel safe right now and residents have been living that reality for years who have never been heard, whose voices have been silenced, and they are finally speaking up and being heard and it is about time.

Alfreda Daniels stated the nonexistence of crime does not equal safety and all on the call are asking for the same thing. What they are confused by is the definition and what specifically some are asking for right now. She noted some are asking for safety in the sense of the reduction of crime and gun violence and others are asking for safety from police brutality and violence.

Ms. Daniels stated she has heard a lot from her fellow residents. She stated she is a taxpayer, black, owns a home in Brooklyn Center, and also worried about the safety of her very black, tall dark husband, about the safety of her black daughter, about her safety, and the safety of her community. That may mean something different from the rest of the residents and she is by no means saying that the guns shots heard do not exist. What she is asking for tonight is that we allow the police to do the job that they were initially hired to do and that is to fight crime while we as a City try to figure out and fill the gaps. She stated police officers are not responding to a lot of the concerns listed tonight because they are super busy showing up for a neighbor who has a cat stuck in the tree, calls for people who have mental breakdowns, and they are not trained for that.

Ms. Daniels stated currently we have about 29 police officers and that is not a low number if they were not doing everything but their jobs. She stated that are enough police officers if they are doing the job they have been paid to do. She would like the City to emphasize the definition of safety as far as this Resolution is concerned. She also wants to urge fellow residents that as we are trying our best to air our concerns, which we have the right to, we need to understand the reason we are here is that someone's child, father, brother was killed, murdered in cold blood by our police officers.

Ms. Daniels stated she is in no way saying gun violence does not exist in our City and people are not killing each other. It is happening and we are asking for the police to hold them accountable but who do we have to hold police accountable. That is why we are creating policies, to make sure police are held accountable because currently, as it is, there hasn't been any accountability.

Ms. Daniels stated historically, the police were created for people like her, to keep them in line so they can be incarcerated and for free and low-cost labor. She stated police were not created to protect them until protesters came up and fought for their rights. She stated they are still asking and pleading for our voices to be heard, for police to represent and protect and not kill us. They are not asking to abolish the police but to relieve our police officers to fight crime. She stated the police officer's job is to fight crime.

Ms. Daniels stated if she is going through a mental breakdown and calls the police, they will criminalize her state of mind at the moment if she is still alive to attest to it. She urged the City Council/EDA to not put aside the true experience of residents that look like her. She stated we are all in this together and want our City to be better and don't want gunshots. She stated you all talk about taxpayers as if black and brown people don't own homes in the City but they are also taxpayers.

Ms. Daniels urged us to come together and have this conversation so we all can be heard. She asked how we can collaborate as a community and speak in a way to understand each other so we can represent each other's interests. She stated she believes that the absence of crime does not

equal safety because safety equates to housing, livable jobs, good and accessible schools, good transportation, and that list goes on. She stated if today we have zero crime but still have these issues, we are not safe as a community.

Ms. Daniels stated she wants to address City Council/EDA members who spoke earlier and say most of what she heard concerning this Resolution are excuses and a lot of what they are saying about not having this conversation back in May, she is sorry but the conversation has been held since before Dante was murdered. She stated we have been having this conversation as community members and come to the City Council/EDA with their concerns, so she cannot believe they are pretending this is the first time they have heard this.

Ms. Daniels stated a City Council/EDA member said that we need to take this very slowly until we figure what safety looks like for all of our members. She stated this triggered something in her mind with Black Lives Matter and All Lives Matter. She stated we can't come up with a solution for all of our safety issues, all at once before we finally make a move. She stated we can take it in bits and pieces and now, for tonight, we can talk about safety from police brutality and accountability for our police officers and then tomorrow we can talk about safe housing and gun violence and other things. She stated when we are talking about this and the people who represent us are making excuses finding different avenues to say we need to figure this out before, people that look like her in this City feel like they don't matter and the City Council/EDA will find excuses for everything else but to address the very issue that has been in existence before some of us were born. She stated all know about the issues of racist bias among our police officers, police brutality against black and brown people, police not being held accountable, so why are we acting like this is the first time we are hearing about it. Ms. Daniels asked the City Council/EDA to not use that as an excuse to not make this change that the City disparately needs, noting Brooklyn Center is one of three cities in the State of Minnesota where the majority of people are people of color, 63% people of color.

Ms. Daniels stated residents who look like her also deserve to feel safe and if the City Council/EDA can make this change, it will open avenues to make many other changes to address the different issues that residents like herself spoke about on the call today.

Jay Moe stated he wanted to address the comment that the homeowners pay taxes, noting that renters pay taxes as well because they fill out a renter's return to be reimbursed for property taxes inputted on the land. He stated Brooklyn Center has a lot of apartments and he has lived in a couple of them. Mr. Moe asked if they would go with a second social worker or the violence protection team or based on current finances could they do both.

Mayor/President Elliott stated the City Council/EDA has to work through that and will consider more details and how to move forward but the presentation we saw tonight by Ms. Gross included a team that had mental health workers and social workers on the same team and respond together.

Ms. Gross explained that social workers embedded with the police provide follow-ups but that is not the same as being a primary responder to the mental health crisis and cannot be a substitute for it. Under State law, social workers actually can't provide the kinds of services that mental health crisis response requires. Under state law, that has to be done by mental health professionals, which

are psychologists or licensed clinical social workers, or a team of a professional and a practitioner. It would be a completely separate response unit.

Mr. Moe thanked Ms. Gross for the clarification.

Cortez Rice stated he has a couple of things to address. He is thankful for the two presentations, noting there have been great comments such as made by Ms. Daniels that this is supposed to be about police reform and we still need the Daunte Wright and Kobe Heisler Resolution passed. He stated we need to stop using terms to prolong change and talk about a couple of years because we need this right now. He stated it is time to act now and he is glad someone is taking the initiative to see and hear what the people want and execute it.

Mr. Rice asked who will be allowed to do community response and out of the $1.5 million, will there be training, stipends, and insurance.

Ms. Gross stated there are a few things needed and one is a training of 911 dispatchers to help them recognize and understand a mental health crisis call when it comes in and understand the appropriate response to it. There is ongoing training for all mental health professionals. She stated she just presented a quick PowerPoint but will prepare an entire presentation that is detailed and breaks out these expenses, noting insurance is part of fixed operating costs. In addition, there will be the need for a vehicle and various things like that.

Mr. Rice stated someone asked about the other States that have implemented this resolution or something similar and at the last meeting Ms. Dimock, Justice for Kobe Heisler, said that Illinois is working on the Daunte Wright and Kobe Heisler Resolution. He stated Philadelphia has a lot of stuff going on with police reform and resolutions to help members of the community and taxpayers. He asked what is wrong with being first, noting sometimes you have to set the example for others to let them know we want to change and this is what it will look like. Mr. Rice stated it is nothing that is going to harm you but we are so stuck in our old ways that we are not getting anywhere and, as Ms. Daniels said, this is what we are fighting for and having these conversations. He stated what we had before wasn't working. He thanked the City Council/EDA for hearing his comments.

Joy stated she wants to echo some of the sentiments of community members. She stated she is a taxpayer, BIPOC, and has black children who live in this city and go to school here so she understands it is real and close to home. She stated Daunte Wright looks like her son so let that sink in for a minute. She stated when a murder happens near your home at the hands of an officer of a boy who looks like yours, she can relate to that.

Joy stated for those speaking about my City, it is not your City, it is our City. We live here, work here, worship here and it is our City. She asked what are we going to do if we are rewriting at the eleventh hour as Ms. Hagans referred to, will we be having this conversation had it not been for some initiative taken on anybody's part, and would anybody have even gotten this information. She stated she has seen a lot of these budgets and they are presented as if staff is talking to the City Council/EDA, and the City Council/EDA is supposed to be representing the people and vote for

the people. So, wouldn't it make more sense for us to have all of this information so the City Council/EDA can make informed decisions and vote about the direction our city is headed?

Joy noted today is November 15 so we have six weeks before the year ends. She stated it is concerning to her that veteran officers with an average rate of pay of $93,000 a year are the ones who are involved in these killings, and people are dying at the hands of seasoned officers. She stated if we are talking about paying volunteers across the board, as we heard in the presentation, the money is there and what was proposed was a reallocation of money already being budgeted so nobody's taxes would go up or have to pay more. She stated when our police force started in 2021, we budgeted for 49 officers but didn't start with 49 officers so this budgeted amount does not take that into account. She asked how many officers will come to our City, what is the feeling about Brooklyn Center that makes officers want to come here, and especially when we have such resistance from some of our Councilmembers/Commissioners and maybe even our community members.

Joy stated the position of the Implementation Committee Director, which has not been filled as of yet, is the one that was going to help move this Resolution forward. The City's FUSE fellows started earlier this month and now we have the Implementation Committee Manager position that will be the next one. That is where the real work will begin. She noted we have had community engagement to a level but also thinks as it is written in the Resolution, that is who will be responsible for the meetings and community engagement. Joy asked people to not speak for my City as if they were the majority when 63% is BIPOC.

Amity Dimock stated she is the mother of Kobe Dimock Heisler and would like to address everybody, the City Council/EDA, and residents concerned about the budget. She stated they heard Ms. Gross speak and she has more experience in the arena of police reform and budgeting and showing how it can and does work than everybody on this call combined so she hopes people take what Ms. Gross said with as much weight as her knowledge should impart. Ms. Dimock stated she will continue to help and answer questions, as she said, and is not some outside organizer with some agenda. She was called in as an expert because this is something she has been doing and she is that expert.

Ms. Dimock stated as far as the first lady and others who spoke about taxes, she is one of the people who comes on the calls and pokes herself in their business even though she lives two hours north but seeing as the Brooklyn Center police murdered her one and only 21-year old son, an autistic boy, in his home on a reversed call, she will continue to come on these calls and bring in the support she needs to help people understand the gravity of where we are at and necessity of not only moving this forward but doing it in a meaningful manner because lives are on the line. Ms. Dimock stated you may have paid taxes but the Wright family and Kobe Heisler's family paid with their son's lives.

Ms. Dimock stated she does not understand why people think that police deter crime. She stated in Minneapolis they did not defund the police but that is just what is happening with all of that police because the problem is, the police are not the answer. She stated we have been trying it and doing it but it is not working and we are not talking about making the police obsolete, but we're talking about taking the responses they are not qualified for, which is not an insult to the police, it

is just a fact. They are not qualified or educated or trained and the little training they get is not enough. She stated she does not get why people don't understand what we are trying to do because it will be better for the police and community. She stated in general, police don't stop crime.

Ms. Dimock stated you call the police after a crime has been committed and the presence of police, is just not working out. She stated the definition of crazy is doing the same thing over and over again and hoping it changes and it is just not changing. In fact, in situations across the nation, it is getting worse.

Ms. Dimock stated she found out that Evanston, Illinois, which is 40 miles from Chicago, is adopting the Daunte Wright and Kobe Dimock Heisler Resolution as it is written. To her, that means it is because it is a very well-written resolution for another city to adopt and shows this is the future. She would not be surprised if, in the next several months, she finds out that another city is adopting the resolution. Ms. Dimock stated she comes to the meetings to tell her thoughts and thanked the City Council/EDA for letting her speak.

Mr. Rice stated Ms. Gross made some awesome points and he loved her presentation.

Katie Wright stated when she raised her hand in the beginning, she had so much to say. She thanked community members for touching base on a lot of what she had wanted to say. She stated she comes to the City Council/EDA meetings and hears the same excuses over and over again, noting what Ms. Gross brought was a plan and put in their laps, saying here is what we can do to fund the Resolution that will save lives, give community members resources, and protect our BIPOC people from having a mental crisis and not getting murdered. She stated it seems like every single time we have a few who give us stall tactics. Her biggest concern is that we will see another memorial on the corner of City street in Brooklyn Center. She feels like Brooklyn Center was in the eyes of the media so much that some on the City Council/EDA agreed to pass this Resolution for the hype of it and to appease people and the media to make it look like they cared. Now she is wondering if they do care because there are so many resources being given with answers and solutions to the problem and a budget from day one and now, we have the problem fixed yet it is still a problem. She stated this leads her to think Brooklyn Center does not want better.

Ms. Wright stated community members who spoke tonight, she is also a community member, and her son was murdered in our community. Every time she talks on this call, she gets emotional because, as Ms. Dimock said, they paid the ultimate price. She stated if her property tax dollars go up and she has to spend $20 more dollars a year to save her son's friend from getting shot by the police, she is willing to chalk it up as a loss and pay it. But they are not asking the City Council/EDA to do that, they are asking the City Council/EDA to support the Resolution, make a change in our community, and continue to move forward. But it seems like it will never happen and it is hurtful and she feels like she has been slapped in the face over and over because it is always something, with every single call, there is never a resolution because there is always something.

Ms. Wright stated to a couple of the community members that not once has anyone heard on the call that they want the police to go away. She stated some would think she would want that because

that is who took her 20-year-old baby that drove and got shot in the sixth rib cage, through his heart and lungs, and killed him. She stated if anybody wanted the police to go away, it would be her but she has never said that and knows we need the police. But it is the fact that they need to be in the right spot at the right time and if we can make it better and make the Resolution pass and police reform to save our community, then she thinks that is what we should do. She thinks some people need to look at it like that.

Ms. Gross stated with the point raised by Mr. Landis, people need to understand that the things we are talking about doing would essentially set up other types of response systems to respond to other kinds of calls that the police don't need to be responding to. This is not a form of police reform; this is a form of alternative response. She explained that police reform would be digging into the policies and practices and things like that. That needs to happen also but is not what they are doing. Ms. Gross stated this is about what kind of responses we want to have, ones that create a better outcome and also save money.

Ms. Gross stated she lives in North Minneapolis, not Brooklyn Center, and could be considered an outsider and in North Minneapolis, she has heard gunshots regularly so she does understand the fears people have. But she wants people to understand that the kinds of responses they are talking about don't take away from policing and their ability and it may enhance the ability of police to address those concerns that Mr. Landis and Ms. Hagans and others addressed.

Ms. Gross stated again she wants to make it clear she is not talking about police reform; she is talking about having the right responders at the right place at the right time to elicit a much better outcome for various kinds of social service issues as well as mental health and traffic responses.

Mayor/President Elliott closed public comment.

Councilmember/Commissioner Graves stated she appreciates all of the comments from everyone tonight and is feeling very emotional. She stated she can sympathize with everyone here and has a 20-year-old black son who will be 21-years-old in April, lives with her in Brooklyn Center, graduated from Brooklyn Center High School, and is trying to figure it out. She stated she takes these issues to heart and she has had issues with police that have been discriminatory and also knows we need to seriously change this stuff. She knows also she wants to have staff to talk to and do it with them.

Councilmember/Commissioner Graves stated she knows the City does not necessarily need to spend all of the money allocated on police officers but wants to talk about it because we don't want the ones we have to leave either. No one wants to get rid of the police and sometimes there are repercussions that we don't anticipate if we don't bring as many people along as we can so giving staff an opportunity to think about these things and an opportunity to talk and figure out how to do it together is bringing as many along as we can. She stated she does not want to lose any more police officers unless it has been a bad police officer in our City. She stated we need to do a deeper dig around policy too, as Ms. Gross suggested.

Councilmember/Commissioner Graves stated, on her part, she feels like people think she is doing that and it hurts if people are thinking she is doing that because that is not what she is doing. She

is trying to make sure the police officers we have to feel appreciated and we have what we need to respond to these violent crimes that we need a response to. She also wants to do other responses but has not fully figured them out yet. She stated it is a 'what plan' but not a 'how plan' in Brooklyn Center and that is what she wants staff, the City Council/EDA, and the community to do together.

Councilmember/Commissioner Graves stated she does not want people to feel like just this one conversation is the end-all, be-all because it has to be continuous. She stated in her mind, the City Council/EDA has passed the Resolution and since then all have been working on it. She thinks they are making progress but it is not as fast as they would like. She asked the community to not lose hope and faith and try to understand and love each other so we can all make it better. Councilmember/Commissioner Graves stated she believes in Brooklyn Center and everybody who spoke from their heart on this call tonight.

Mayor/President Elliott thanked Councilmember/Commissioner Graves for those words and stated he will wrap up the meeting now, noting it is late. He stated staff will come back with information and a presentation on what was presented tonight. He intends to continue working through this process and present the City Council/EDA working with these experts and staff to present a proposal in due course for the City Council/EDA to consider. He takes that seriously as his role as a policymaker on the City Council/EDA and one who is deeply embedded in this process. He stated he appreciates the insights that all City Council/EDA members have, the historical perspective some bring, and the practice of doing this work that Councilmember/Commissioner Graves brings.

Mayor/President Elliott stated he also believes in Brooklyn Center and let's move forward in a way that collectively, we can all be proud of. He stated as he has information that he will circulate it to the City Council/EDA with enough time for them to look it over.

ADJOURNMENT

Councilmember/Commissioner Butler moved and Mayor/President Elliott seconded adjournment of the City Council/Economic Development Authority Work Session at 9:25 p.m.

Motion passed unanimously.

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

STUDY SESSION
NOVEMBER 22, 2021
VIA ZOOM

CALL TO ORDER

The Brooklyn Center City Council met in Study Session called to order by Mayor Mike Elliott at 6:02 p.m.

ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Reggie Edwards, Community Development Director Meg Beekman, and City Clerk Barb Suciu.

CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

Mayor Elliott requested a change in the agenda for the Work Session. He suggested they move item 2. Follow Up to Budget Presentation to be before item 1. Concept Review Follow-up Discussion Regarding the Former Sears Site. City Manager Reggie Edwards stated there are presenters for item 1. Concept Review Follow-up Discussion Regarding the Former Sears Site that is prepared to present at the beginning of the Economic Development Authority Work Session.

Mayor Elliott stated the City Attorney needs to speak on item 2. Follow Up to Budget Presentation before he has to leave for another meeting. He asked if Council would be amenable to pushing back the public comment time to allow for both presentations sooner.

Councilmember Ryan stated they should move forward with the Study Session agenda as written because of what Dr. Edwards mentioned regarding the outside presenters.

Councilmember Lawrence-Anderson stated she agrees with Councilmember Ryan and Dr. Edwards.

Councilmember Butler stated they should start the meeting and see how quickly they could get through it as written.

Ms. Suciu noted City Attorney Troy Gilchrist was not yet at the meeting.

Mayor Elliott asked if Jason Hill was present. Mr. Hill confirmed he was logged onto the meeting platform.

MISCELLANEOUS

None.

DISCUSSION OF WORK SESSION AGENDA ITEMS AS TIME PERMITS

CONCEPT REVIEW FOLLOW-UP DISCUSSION REGARDING THE FORMER SEARS SITE

Dr. Edwards stated they are bringing this topic up to receive further instruction from the Council as to the next steps. He introduced Community Development Director Meg Beekman to continue the presentation.

Community Development Director Meg Beekman stated the presentation is meant to be a concept review and nothing said in the presentation or discussion is binding. Instead, the presentation provides an opportunity for the developer to share ideas about the development and for the Council to ask questions and provide input. She noted there will not be a vote on the presentation and any official applications and decisions were yet to come.

Ms. Beekman explained the former Sears site has been vacant since 2018. The Brooklyn Center site, along with multiple other former Sears sites were purchased by TransformCo, to redevelop the sites. TransformCo has been exploring redevelopment options on the site for the last year and a half. This process has included conducting their market studies and working with local brokers to identify feasible reuse for the site. They initiated a request for proposals process in late 2020 to identify a redevelopment partner. Through that process, Scannell Properties was selected, and they have now entered into an option agreement with TransformCo for the site.

Ms. Beekman stated Scannell Properties is a developer of primarily light industrial and commercial business centers. They have most recently completed projects in Brooklyn Park and Maple Grove. At a Council work session In May 2021, Scannell presented a concept plan for redevelopment to an office/warehouse use which would classify under the City's current light industrial zoning district and the 2040 Comprehensive Plan's future land use designation of Business Mixed Use. The office/warehouse product type is in high demand in the market and is not a product that is readily available in the Brooklyn Center market. Office/warehouse buildings typically provide a 24–28-foot clear ceiling height, which offers the most flexibility for businesses.

Ms. Beekman added Scannell began their due diligence of the site and completed an environmental assessment of the property, which identified significant amounts of asbestos in the existing buildings, which will need to be remediated before demolition can take place. The total estimated cost to remediate the asbestos in the former Sears building is nearly $1 million. This work will be required before the demolition of the existing structures.

Ms. Beekman noted, at their May work session, the Council provided feedback on the concept plan, and indicated that the proposed concept was not satisfactory. Councilmembers provided direction to the developer to go back and rework their concept. The Council's feedback on the plan fell into four main areas: to provide a greater mix of uses, primarily a desire to see more retail/entertainment uses on the site, and overall high finish level on any buildings, with four-sided

architecture, and a focus on enhancing the Highway 100 frontage, a site layout, and design that adds value to the adjacent Shingle Creek Crossing shopping center, and a community benefit through opportunities for space for local businesses or local hiring goals.

Ms. Beekman stated Scannell and TransformCo have been exploring the regional market, seeking opportunities to provide a greater mix of retail and entertainment uses. They have been working with a local broker, and have not had any interest in the site for this type of use. They have also focused on enhancing the architectural design and finish level of the building, as well as the layout to better consider the adjacent shopping area. Additionally, they are exploring ways to provide greater community benefits from the site.

Ms. Beekman stated TransformCo and their partner developer Scannell, have requested a work session to discuss the site, their revised concept plan, and how they intend to more closely align with the City's goals. The Staff has asked Julie Kimble, with KimbleCo, to also participate in the discussion on behalf of the City to ensure a collective understanding of the City's goals as well as the market realities and constraints on the site. TransformCo requested this discussion as they are at a decision point around whether to proceed with a project in Brooklyn Center or to begin to focus on other sites and are seeking direction on their development concept. Ms. Beekman introduced Dan Salzer, Senior Development Manager with Scannell Properties, to continue the presentation.

Mr. Salzer introduced himself along with Ted Gonsior, Executive Vice President of JLL, and Joe David, Divisional Vice President and Head of Real Estate Transactions for TransformCo. He asked Mr. David to introduce himself. Mr. David thanked the Council for their time and summarized their presentation from May 2021. He noted they went back to the drawing board taking note of the Council's concerns. He added they were all available for questions at any time.

Mr. David explained TransformCo is what is left of Sears and Kmart as their company purchased the remains of Sears and Kmart out of bankruptcy. They have been on a mission to redevelop Sears properties across the country. TransformCo was later joined by JLL on a national basis to market their assets, and Ted Gonsior oversees that effort by JLL.

Mr. Gonsior noted Brooklyn Center's staff have been excellent to work with. Mr. Gonsior explained he is the head of the retail department in Minneapolis for JLL, which is the second-largest brokerage firm in the world. He has been in commercial real estate for 18 years, but he currently focuses purely on retailers.

Mr. Gonsior explained they have been working on securing an anchor tenant, which would be a tenant of substantial size to spur on further development, and those efforts have been documented and shared with Ms. Beekman. The biggest hurdle he has faced relates to proximity. Brooklyn Center is a well-located community near the river with access to the City and highways and a healthy residential density, but the City is unique in the sense that it is located within proximity to Northtown Mall, 610 Avenue, and Maple Grove to the north, and Minnetonka and St. Louis Park to the south. The retailers he has spoken with do not need additional coverage in Brooklyn Center. Mr. Gonsior added retailers used to focus on interstate access and school locations, but they have

learned that the daytime population is also significant to their success. This change in the market has changed the conversations about land use potential for Sears and Kmart sites.

Mr. Salzer showed a slide with a map depicting the existing land use, the retail market overview, a photo of the existing site aerial, and a concept site plan. He explained they have worked with engineers on screening the highway and creating a nice view for adjacent buildings. The latest site plan would allow for car parking on the outsides of the buildings with a shared truck space between the two buildings. Additionally, there was intentional landscaping placed to allow for a more hidden truck entrance. Mr. Salzer stated there is good visibility from the highway for tenants. He added they separated the truck space to the frontage road to creating a better view from the highway.

Mr. Salzer stated they added several sidewalks throughout the concept site plan and possibilities for tenants to have patio space. Mr. Salzer then showed potential renderings of the buildings and a chart comparing other business parks and their uses. In terms of business park job creation comparisons, the property has the potential to attract at least 230 new, high-quality jobs with a likelihood of generating 300. With the changing of retail space due to the pandemic, there are more varying numbers of jobs per square foot. Objectives of the business park include the growth of local companies, attracting new employers, creating quality jobs for residents, increasing the tax base by over 400%, and an employment base to support local retailers.

Councilmember Graves asked how long ago Northpark in Brooklyn Park was built. Mr. Salzer stated the park includes about 15 buildings. He stated the oldest buildings represented in the table were built in 2016 and a few of the buildings are still being finished. Councilmember Graves asked what the vacancy rate has been with Northpark. Mr. Salzer stated the vacancy rate is low, and the buildings have been filling up as fast as they can be built. There is one building that is being finished that doesn't have tenants, so it was not included in the table, but all of the other buildings are full.

Councilmember Graves asked if the comparison buildings have a similar configuration. Mr. Salzer stated the building layouts depend on the sites themselves, but four of the seven have set-ups that share a truck site and have comparable building sizes. Councilmember Graves asked what the site looks like when there are no tenants in terms of security gates in the truck court. Mr. Salzer stated no fences or gates are enclosing the truck courts, but one building that holds a data center has a fence around it due to the nature of the business.

Councilmember Graves asked if one of the complementary objectives is for the potential new tenants and employees to patronize the local businesses. Mr. Salzer confirmed that is a complementary objective. Councilmember Graves asked if creating jobs and improving jobs were also complementary objectives. Mr. Salzer stated she was correct.

Mr. David stated more activity on the site would help the existing retail, but the available plats on nearby sites would also be beneficial. Councilmember Graves asked how the building would be marketed, how likely it would be for the building to be filled, and for the time frame on the whole project. Mr. David stated once they have entitlements moving forward and an approved site plan,

then they start marketing efforts. He stated they have no concerns at all about filling the buildings with tenants because it is a desirable location.

Councilmember Graves asked Ms. Beekman how this site plan aligns with alternative redevelopment strategies the Council had previously discussed. Ms. Beekman noted Julie Kimble of KimbleCo, who presented about redevelopment strategies, was present on the call, so she would defer the question to her.

Ms. Kimble, Founder, and CEO of KimbleCo stated the market report she copied supported industrial and multi-family for redevelopment and did not support retail and office sites. She stated the site plan was aligned with market research and supported the tax base. Ms. Kimble stated a lot of the issues and ideas they spoke about previously are addressed in the proposed site plan. She added she believes the space would be leased pretty quickly.

Councilmember Ryan stated he believes Brooklyn Center's commercial areas have suffered from a lack of investment. The potential of 230-300 jobs and supporting other retail is a great concept. He noted his support of the concept. Currently, only market-rate housing or light industrial commercial developments have any significant interest by developers.

Councilmember Lawrence-Anderson stated she concurs with Councilmember Ryan. She noted her appreciation of previous questions and the presentation. She believes this is a step in the right direction.

Councilmember Butler asked how this project differs from a previous discussion regarding a company that manufactured medical equipment. Ms. Beekman stated the feedback Staff received from Council at the aforementioned meeting included concerns with adjacent site interaction, views from the highway, and community benefit opportunities. She explained the developers have gone back and improved the site plan and how it interacts with the context around it, so this is their best foot forward on what the market can do with this site. Additionally, Ms. Beekman explained Ms. Kimble is helping the City through the process of a potential formal application.

Mayor Elliott noted he had a question similar to Councilmember Butler. He noted he believed the Council wanted a retail space or global market to take up the space. He stated a lot of the City's light industrial is near Medtronic, and he has seen vacancies in that area. Considering it seems like such a vibrant space, he would like to do something besides a light industrial build. Mayor Elliott stated he would like a presentation about a global market space to use the area, similar to Minneapolis' Midtown Global Market.

FOLLOW UP-TO BUDGET PRESENTATION

Mr. Hill, Assistant City Attorney stated along with the adoption of the Daunte Wright and Kobe Dimlock-Heisler Community Safety and Violence Prevention Act, there was also a plan for the Implementation Committee, Community Response Department, Department of Community Safety and Violence Prevention, and the hiring of a director for the Department of Community Safety and Violence Prevention. The new resolution intends to direct the City Manager through the budget process to allocate funds toward the implementation of the Daunte Wright and Kobe Dimlock-

Heisler Community Safety and Violence Prevention Act. The Resolution would direct the Council to reassess the allocations in the 2022 budget, specifically to allocate $1,220,000 from the general fund to the implementation of the Daunte Wright and Kobe Dimlock-Heisler Community Safety and Violence Prevention Act.

Councilmember Ryan stated they should move on to the regular meeting and continue the presentation at the appropriate time during the work session.

Mayor Elliott stated the presentation was only a few minutes and Mr. Hill was already presenting, so they will finish the presentation before transitioning to the regular meeting.

Mr. Hill stated the allocation of the $1,220,000 would include $950,000 to the Department of Community Safety and Violence Prevention, $350,000 to community programming, $70,000 to the Traffic Enforcement Department and pilot study, $150,000 to the Implementation Committee, and $150,000 Director of the Department of Community Safety and Violence Prevention. That is a total of $1,870,000, but they have obtained $500,000 in grants, and the City Manager offered $150,000 from a budget line item. The funds to be budgeted for Safety Act implementation under this Resolution shall, to the greatest extent possible, be transferred from funds allocated to current City staff vacancies, while ensuring the City maintains at least the current level of public services.

Mr. Hill explained the Resolution allows the City Manager is authorized and directed to revise the proposed 2022 budget to reflect the budget allocations contained within this Resolution and to take all other steps necessary to be able to present the revised budget at the public hearing scheduled for December 6, 2021, which may be continued to December 13, 2021, if needed.

Mr. Hill added the Implementation Committee, in performing its work as directed in the Safety Act, shall consider the range of issues that affect public safety including, but not limited to, the conditions that drive, contribute, and lead to public safety issues; a framework for social and economic justice policies and plans; youth and community programming in health, technology, financial, and education; tutoring and mentoring options focused on a whole-person approach to provide hope and critical crime prevention and healthy community support; and a design for the City's public safety departments that identifies and integrates systems to address the whole needs of the City's residents in a comprehensive way. Mr. Hill explained Council could discuss the Resolution further at a special meeting.

A resident asked why they could not address the issue now as people's lives are at stake.

Mayor Elliott asked City Clerk Barb Suciu to continue muting people that are not recognized to speak. Ms. Suciu stated she was doing her best. Mayor Elliott encouraged residents to raise their hands or comment in the message box rather than unmuting themselves.

Councilmember Ryan stated this will be discussed at the December 6, 2021, meeting, so he believes they should move on to the regular meeting. Councilmember Ryan asked Dr. Edwards if he would be presenting a follow-up to the budget meeting during the work session. Dr. Edwards confirmed.

Dr. Edwards stated the Clerk is not authorized to permit anyone to speak and is following the direction of the Council to continue to mute people. He explained the Council recognizes people to speak based on the structure of the meeting.

Discussion of this item continued and concluded the November 22, 2021, Work Session.

ADJOURN STUDY SESSION TO INFORMAL OPEN FORUM WITH CITY COUNCIL

Hearing no objections, Mayor Elliott adjourned the Study Session at 7:10 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
NOVEMBER 22, 2021
VIA ZOOM

1. INFORMAL OPEN FORUM WITH CITY COUNCIL

CALL TO ORDER INFORMAL OPEN FORUM

The Brooklyn Center City Council met in Informal Open Forum called to order by Mayor Mike Elliott at 7:10 p.m.

ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Reggie Edwards, Acting Finance Director Andy Splinter, Community Development Director Meg Beekman, City Clerk Barb Suciu, and City Attorney Troy Gilchrist.

Mayor Mike Elliott opened the meeting for Informal Open Forum.

Lori B. stated allies have been advising residents in Brooklyn Center. If the Council wants to look at outside influences, then they should look at the Brooklyn Center Police Department. Although not one Brooklyn Center police officer lives in Brooklyn Center, they are deciding how tax dollars are spent. Golden Valley allocates 28 percent of their budget to law enforcement, Crystal allocates 18 percent of their budget to law enforcement, Fridley allocates 15 percent of their budget to law enforcement, but Brooklyn Center has proposed to allocate 41 percent of their budget to law enforcement in 2022. Police do not prevent crime; they react to it. Lori B. stated they used to be concerned about the drinking water, but now they are talking about their children being killed at the hands of the police. The City needs to fund the Daunte Wright and Kobe Dimlock-Heisler Community Safety and Violence Prevention Act so they can get back to discussing their schools, opportunities, employment, housing, and things that will give back to the community.

Janet T. stated she has lived in Brooklyn Center for 35 years, been a captain of National Night Out for 16 years, and is concerned. The residents in Brooklyn Center in the area of Zane and 63rd are very concerned for their lives with the shootings and the violence that continues to go on. They are concerned about the reduction of police officers as Brooklyn Center is down to 19 officers. Janet T. stated they do not want to have money taken from the police services to fund the Mayor's three positions. She stated people are fearful for their lives with the Kim Potter trial coming up.

Mayor Elliott reminded people to not interrupt one another.

Janet T. asked if there are any plans regarding the upcoming trial and preventing riots or more deaths.

Lori Best stated she has been a citizen of Brooklyn Center for 30 years. She stated the protestors have the right to a peaceful protest, but asked if they can implement a curfew during the upcoming trial.

Tanya J. asked why they are discussing property over people when it should be people over property. A curfew would not have to be implemented if the City were not corrupt and accepted the worst outcome. She stated Kim Potter is going to be found guilty of a lesser charge than the murder of Duante Wright. A curfew is unnecessary as anything that can be done at night can also be done during the day. She stated they should talk about why the Daunte Wright and Kobe Dimlock-Heisler Community Safety and Violence Prevention Act has not been implemented as it has been over six months. If the City implements a curfew, then they are going to need the National Guard because the City knows how its residents feel about curfews. She stated the residents will not abide by the curfew because the power of the people will not stop when it comes to Duante Wright.

A resident stated they need the National Guard to come to Brooklyn Center.

Tanya J. stated the Police Department would not need a fence if they acted correctly or did not have corruption within their system. A curfew is unnecessary as they are grown, adults.

A resident asked if the comments could be turned on for those who are not speaking to engage with one another. Mayor Elliott stated the comments have devolved into inappropriate conversations in the past, so the Council has decided to leave commenting turned off.

Tanya J. stated she sees her questions are not going to be answered by the Council and added curfews are unnecessary. The City has the funding to implement the Daunte Wright and Kobe Dimlock-Heisler Community Safety and Violence Prevention Act, and no other discussion is as important as ensuring the Resolution is fully funded. She added people are overreacting.

Christian R. stated he is a leader with the Barbershop and Black Congregation Cooperative, and he lives in Brooklyn Center. He noted his support of fully funding the Daunte Wright and Kobe Dimlock-Heisler Community Safety and Violence Prevention Act. Brooklyn Center has a chance to do something revolutionary, so they must not hold to fear. They have a chance to make everybody feel safe and to have the proper responses going forward. Christian R. stated the entire nation is watching Brooklyn Center and asked Mayor Elliott and the Council to lead boldly.

Matt O. of Luther Auto thanked the Council for the meeting last week to hear the concerns of the residents. With the police force numbers being down, Brooklyn Center does not have an active unit addressing street crimes and preventing violent crime. He noted there has been a 48% increase in violent crime since 2019. Additionally, there is not an officer assigned to auto theft currently. As a large employer, Luther Auto wants its employees to feel safe coming to work in Brooklyn Center. He encouraged Mayor Elliott and the Council to fully fund the Police Department.

Bri S. stated she works as a bus driver in Brooklyn Center and daily drives past Brooklyn Center Police Department. She added she is also a volunteer with Barbershop and Black Congregation Cooperative. She noted her support of fully funding the Daunte Wright and Kobe Dimlock-Heisler Community Safety and Violence Prevention Act. Having worked very closely with youth in the community, she has seen the emotions they experience whenever there is an unarmed killing of a Black person. She stated they feel dejected and worried they are about their futures. She has seen students go from open and loving to being shut in within themselves. If the youth see the Daunte Wright and Kobe Dimlock-Heisler Community Safety and Violence Prevention Act fully passed, then they can see the future Brooklyn Center. As the students get older, they begin to participate more in and feel a connection to their community if their community is pouring back into them. Fully funding the Act shows that the City fully cares about its students.

Jean L. stated he is supportive of fully funding the Daunte Wright and Kobe Dimlock-Heisler Community Safety and Violence Prevention Act and explained he wants to remind everyone of the human element of that. The house that is over his head is in Minneapolis, but he spends 90% of his time in Brooklyn Center and Brooklyn Park. Most of the relationships he has been in Brooklyn Center. In thinking about the new Public Safety Department and what it means, he thought of a time when he was jogging home one night and ended up in a domestic altercation. There was a domestic altercation between a young, pregnant girl and her partner. As he was separating the two of them, he didn't know what to do. There was not a simple answer about who to call to respond to the situation. Some people say the police prevent crime, but he stated he would challenge those people to rethink their definition of public safety. He explained they do need police in their communities and for police to do their jobs, but there need to be alternative responses. Ultimately, it is a public health issue. Jean L. stated he does not know what would have happened if the police would have responded to the situation rather than him and some neighbors. The man in the altercation had a flight response, and he could have been the next man shot. Jean L. stated they need appropriate responses for every type of situation. While he lives in Minneapolis, Jean L. explained the majority of his potential interactions with law enforcement happen in Brooklyn Center. He stated the common-sense option is for the Council to take steps towards fully funding the Daunte Wright and Kobe Dimlock-Heisler Community Safety and Violence Prevention Act.

Joy asked why they are talking about buildings. In hearing about proposed developments, she asked what community engagement efforts have taken place. She asked when the community would have an opportunity to provide input on the buildings and what the point of the current open forum was.

Mayor Elliott stated the public can ask questions and the Council can ask clarifying questions in return. Sometimes if the Staff has a brief answer, they can also shed light on that. Generally speaking, residents can ask a question, and it typically goes unanswered in the forum. He explained those are the Council's rules for the public forum. Mayor Elliott stated they will follow up about answers to Joy's questions about community engagement and the Sears building.

Joy asked what percentage of the community was engaged in the process and noted it is important to have a high level of community engagement. She added there was a comment on taxes and how the taxes would increase because the property is vacant, but looking at the tax structure in Brooklyn

Center, industrial taxes are lower than residential taxes. Therefore, she does not see how the proposed development would benefit the community as a whole.

Joy stated someone made a comment about 63rd and Zane which is actually in Brooklyn Park. She noted she appreciates folks that work in their community or spend a lot of time in Brooklyn Center because that goes a long way. It is concerning to hear the Council leaning so heavily on opinions of staff who do not live in the City.

Matt acknowledged the Mayor has a tough job and must-see various perspectives. He stated his businesses have been looted twice. Matt asked Mayor Elliott if he is saying the police in Brooklyn Center does not matter. Mayor Elliott stated he is not saying that. Matt stated if he were a law enforcement officer, he would be scared because the Mayor doesn't sound like he supports them. Matt stated if the Council cuts the Police Department budget more, then law enforcement won't want to work in the City. He asked what would happen if his house got broken into and there was no law enforcement available to respond.

Matt stated in reallocating the budgeted yet unfilled law enforcement to other items, they are saying that they do not believe they can fill those police officer positions. He noted it makes sense at a high level, but it says that they do not care about their police because the money is not going to go back to them. Matt asked if the City steps out to do something radical, what happens if it fails and someone dies. He stated his employees have called the police many times only to have no one respond and that it is a scary situation to be in. Matt asked everyone on the call to consider a scenario where their house is broken into, someone steals their little girl or their TV or their merchandise, 911 is called, and no one shows up to help. The men and women in blue may need more training, but they are good people. A previous presentation said, "what you fund is what you value." In cutting funding to law enforcement, the City is saying they do not value them. It is very obvious to everyone that the Council does not care about law enforcement. Matt stated no other city has accomplished what Brooklyn Center is trying to do. He stated it is not the right time, it is not the right City, and it is not the right thing to do. Matt added he would like to return to the format of previous meetings as there is no order with the current meeting setup.

Shanna W. expressed her excitement in seeing so much engagement and participation. She stated she is a community leader with Barbershops and Black Congregation Cooperative and grew up in Brooklyn Center. She explained it has been an honor to work, live, and serve in Brooklyn Center. Shanna W. noted Matt swore in his statement, and she wanted to make sure the Council is being consistent in how they uphold rules in the space because someone was held accountable earlier for swearing.

Shanna W. stated the conversation around policing and public safety has been largely misguided and misunderstood. It seems that people either want reform and are against the police or are supportive of the police and want to take no action at all. She stated it is, however, not an accurate picture of what is going on. This Resolution is also to support and provide additional tools and resources to the police. Therefore, it is an insincere and inaccurate representation that Mayor Elliott does not care about the police. Brooklyn Center is trying to take a step to create meaningful resources to support law enforcement with mental health specialists or other tools. She stated they

need to take a step back and refrain from making the discussion so watered down and as simple as being for or against the police. Everybody is for safety and commitment to their communities.

Shanna W. noted Matt asked if there have been alternative responses for police. She stated Reuters did a study on Minneapolis about alternative responses. There is an African proverb that says, "if you only have a hammer, every problem looks like a nail." If the community's only response option is law enforcement, then they are asked to be psychiatrists and could therapists and community healers. This Resolution is saying the community needs a more well-rounded response, but no one is disregarding the significance of the police. Police feel targeted in the public asking for alternative responses and resources. There are many times she has heard of her family not receiving a response from law enforcement when called, so that concern is real for a lot of people.

Shanna W. stated they are all proponents of safety, but the Resolution is trying to make a more sensible, well-rounded response to public safety. Portland and a city in Wisconsin have adopted approaches that incorporate mental health specialists and social workers into the response, and those have shown wonderful outcomes. This would allow different components of the community to work in sync rather than have reductive, surface-level conversations about not supporting the police.

Sohmma G. stated she is a leader with Barbershops and Black Congregation Cooperative and noted her agreement with Shanna W. She explained she is a single mother of three young adults, and she would be crazy to think they would be safe without police. However, the police is not a one-stop-shop which has resulted in negligent behavior. They need to provide law enforcement with more resources. If people are actively listening to discussions, then they would not believe anyone wants to eliminate the police. At a workplace, there are different departments with different duties. All that is being said is that law enforcement should handle what they are trained to handle then other trained professionals can handle the other issues.

Mayor Elliott stated he appreciates the public comments and explained they would continue comments after completing the agenda items

Hearing no objection, Mayor Elliott closed the Informal Open Forum at 7:50 p.m.

2. INVOCATION

Councilmember Ryan waived his invocation in the interest of time.

3. CALL TO ORDER REGULAR BUSINESS MEETING

The Brooklyn Center City Council met in Regular Session called to order by Mayor Mike Elliott at 7:51 p.m.

4. ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Reggie Edwards, Acting Finance Director Andy Splinter, Community Development Director Meg Beekman, City Clerk Barb Suciu, and City Attorney Troy Gilchrist.

5. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Councilmember Lawrence-Anderson stated there was one brief change she would like to make to the meeting minutes. She suggested adding "plan for the City Manager" at the end of a sentence in the Study Session Meeting minutes regarding the succession of the City Manager.

Councilmember Lawrence-Anderson moved and Councilmember Ryan seconded to approve the Agenda and Consent Agenda, as amended, with amendments to the Study Session Meeting minutes of November 8, 2021, and the following consent items were approved:

6a. APPROVAL OF MINUTES

1. November 8, 2021 — Study Session Meeting
2. November 8, 2021 — Regular Session Meeting
3. November 8, 2021 — Work Session Meeting

6b. LICENSES

GASOLINE SERVICE STATION

Royalty & Sons / Soad Dahdal DBA Brooklyn BP	6044 Brooklyn Boulevard Brooklyn Center, MN 55429

LIQUOR LICENSE CLUB

American Legion Post 630	6110 Brooklyn Boulevard Brooklyn Center, MN 55429

LIQUOR LICENSE OFF-SALE 3.2%

Diamond Lake 1994 Inc DBA Cub Foods	3245 County Road Number 10 Brooklyn Center, MN 55429

LIQUOR LICENSE ON-SALE 3.2%

Brooklyn Center Restaurant Inc. DBA 50's Grill	5524 Brooklyn Boulevard Brooklyn Center, MN 55429
Davanni's Inc DBA Davanni'a Pizza & Hot Hoagies	5937 Summit Drive Brooklyn Center, MN 55430

LIQUOR LICENSE ON-SALE INTOXICATING

Apple Minnesota Partners Inc DBA Applebee's Neighborhood Grill	1400 Shingle Creek Crossing Brooklyn Center, MN 55430
Bayou Crab Shack DBA Captain Crab	1360 Shingle Creek Crossing Brooklyn Center, MN 55430
Brooklyn Hotel Partners DBA Embassy Suites	6300 Earle Brown Drive Brooklyn Center, MN 55430
Jambo Africa Restaurant and Bar	1601 Freeway Boulevard Brooklyn Center, MN 55430

LIQUOR LICENSE ON-SALE INTOXICATING SUNDAY

American Legion Post 630	6110 Brooklyn Boulevard Brooklyn Center, MN 55429
Apple Minnesota Partners Inc. DBA Applebee's Neighborhood Grill	1400 Shingle Creek Crossing Brooklyn Center, MN 55430
Bayou Crab Shack DBA Captain Crab	1360 Shingle Creek Crossing Brooklyn Center, MN 55430
Brooklyn Hotel Partners DBA Embassy Suites	6300 Earle Brown Drive Brooklyn Center, MN 55430
Jambo Africa Restaurant and Bar	1601 Freeway Boulevard Brooklyn Center, MN 55430

LIQUOR ON-SALE WINE

Brooklyn Center Restaurant Inc DBA 50's Grill	5524 Brooklyn Boulevard Brooklyn Center, MN 55429
Davanni's Inc DBA Davanni'a Pizza & Hot Hoagies	5937 Summit Drive Brooklyn Center, MN 55430

MECHANICAL LICENSES

All Pride Plumbing	21930 Heidelberg Street NE Stacy, MN 55079
Wencl Services	8148 Pillsbury Avenue S Bloomington, MN 55420
Wenzel Heating & A/C.	4145 Old Sibley Memorial Highway Eagan, MN 55122

TOBACCO-RELATED PRODUCTS

Holiday Station Stores	6890 Shingle Creek Parkway Brooklyn Center, MN 55430
Royalty & Sons / Soad Dahdal DBA Brooklyn BP	6044 Brooklyn Boulevard Brooklyn Center, MN 55429

RENTAL

INITIAL (TYPE III – one-year license)

1800 57th Avenue N	Zenaldo & Carmela Alonso Contreras

RENEWAL (TYPE IV – six-month license)

5700 Camden Avenue N	Quality Residences / Danmark Properties

RENEWAL (TYPE III – one-year license)

1510 69th Avenue N	Marsha Darnell
7256 Unity Avenue N Unity Place	CHDC LTD Partnership
7148 Morgan Ave N	Fred Hanus
6430 Toledo Ave N	David Habimana / Touchstone Properties LLC

RENEWAL (TYPE II – two-year license)

2113 55th Avenue N	IH3 Property / Invitation Homes
6119 Beard Avenue N	Konrad Wagner / Wagner Property Rentals
6430 Indiana Avenue N	Omolooa Akinsoji / Newdoor Property LLC
6900 Regent Avenue N	Houa Her
6937 Unity Avenue N	Wells Bovard
819 Woodbine Lane	FYR SFR Borrower

RENEWAL (TYPE I – three-year license)

5524 Knox Avenue N	Michael Ude
5912 Xerxes Avenue N	Jesse MacDonald

6c. RESOLUTION 2021-143 ACCEPTING BID AND AWARDING A CONTRACT, IMPROVEMENT PROJECT NO. 2021-18, LIFT STATION 8 REHABILITATION PROJECT

6d. RESOLUTION 2021-144 ACCEPTING BID AND AWARD CONTRACT FOR DIESEL EXHAUST CAPTURE SYSTEM FOR BOTH FIRE STATIONS

Motion passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

7a. OPPORTUNITY SITE PILOT PROJECT - COMMUNITY ENGAGEMENT UPDATE

City Manager Dr. Edwards introduced the item and invited Community Development Director Meg Beekman to make the presentation.

Community Development Director Meg Beekman stated at the June 28, 2021, meeting, the City Council approved moving ahead with a community engagement process related to the Opportunity Site. The engagement process would focus on the initial pilot development project being led by developer Alatus. The approved engagement process authorized staff to enter into contracts with up to 10 local community-based organizations to lead community engagement efforts. As part of this work, a citizen advisory task force was to be formed, which would distill the larger engagement efforts and work to identify a term sheet for the development, which would form the basis of a community benefits plan. The city contracted with NEOO Partners to manage the engagement effort and provide technical assistance to the local community partners conducting the engagement work. In addition to leading their community engagement efforts, African Career Education & Resource, Inc (ACER) was contracted to form and facilitate the citizen advisory task force.

Ms. Beekman explained much work has been accomplished since June. Community partners have been out in community door-knocking, holding focus group sessions, and larger community listening sessions. ACER has convened the citizen advisory task force and they have begun their work. NEOO Partners and ACER, Inc will be presenting an update to the Council on their work and discussing the next steps this evening. She added they will be available for any questions as well.

Christina Berry, Senior Partner with NEOO and Engagement Manager for the Opportunity Site, explained her role has been to work closely with community partners who were selected through a request for proposal process. She showed a slide depicting the master plan framework for public engagement. The engagement process began in late August of 2021 and included meeting with groups and in one-on-one settings. Since then, they have met collectively five times to provide updates on the project. Many of the partners have invited the development team to meetings to discuss the project. The community engagement that has happened includes door-knocking, live community circles, and consensus-building. The community partners include Africans United,

Minnesota Institute for Nigerian Development, Minnesota Zej Zog, Minnesota African Coalition, the Brooklyn Bridge for Youth Alliance, the Liberian Business Association, and ACER.

Ms. Berry stated the community partners have received feedback from the community. A common concern was how residents would be directly impacted or benefited due to the Opportunity Site. People asked how immigrant and BIPOC communities would be considered in the site and how they would make it a safe, comfortable environment for the entire community. Additionally, there has been a lack of Black contractors and handymen in the development of the Opportunity Site. There is a strong desire of residents to have ownership of the Opportunity Site. Residents are excited about the Opportunity Site and would like more opportunities to be a part of it. Furthermore, they would like to see the Opportunity Site support the arts and local small business owners. There is the support of the small business owner incubation program and a widespread desire for programs related to financial literacy, mental health, and youth learning about their culture. Additionally, they would like increased accessibility for day-to-day needs. There are concerns about the location and placement of the Opportunity Site, how it could affect housing, if it would be family-friendly, public safety, intentional ADA accessibility, and cleanliness.

Ms. Berry stated, in terms of impact, there have been 200 Hmong residents, 70 students in the Brooklyn Center High School Early College Academy, approximately 10 Asian businesses, and over 100 African immigrants reached. They expect the community engagement efforts to wrap up at the end of the year and for deliverables to be complete after that. It is meant to inform the developer about implementing the ideals listed in the results.

Nelima Sitati Munene, Executive Director of ACER, introduced herself. She stated a Community Benefits Agreement (CBA) is a project-specific agreement between a developer and a broad community coalition that details the project's contributions to the community and ensures community support for the project. Addressing a range of community issues, properly structured CBAs are legally binding and directly enforceable by signatories. The task force was created as a necessary means of creating a CBA and was based on the City's values of creating equitable outcomes. ACER sent out invitations to local business owners, renters, organizations, homeowners, and the wider community of stakeholders to apply to be a part of the task force. The task force currently consists of 13 individuals that represent a range of Brooklyn Center entities and residents.

Ms. Sitati Munene stated the components of a Community Benefits Agreement include enforceable provisions such as potential remedies which are available if the signed agreement is not fulfilled and two different sides where the community gives support of the project and the City and developer agree to produce outcomes that create true benefits for the community. Then usually one or two organizations and some community members come together to form an entity.

Ms. Sitati Munene noted there have been two task force sessions so far. The first meeting set levels and laid the groundwork for how the task force would work moving forward. The second session covered the overall process, expectations for the Opportunity Site, and structure of the task force.

Ms. Sitati Munene explained this project dictates that the City use this opportunity to address community concerns that have been difficult to address so far, from the beginning to the end and not just in the final product. Some of the main points the task force has discussed include affordable housing for the people who need it the most, using homeownership as a wealth-building strategy for the community member to whom mortgages have been out of reach, minimum minority and women contracting requirements, hiring women and minority workers, job training to prepare for construction and future jobs, opportunities for affordable commercial space and community ownership, and the first right to hiring from future employers and providing services that the community needs.

Ms. Sitati Munene stated the future sessions will assess what is missing so far in the process. They need a better understanding of what agreement the City has with the developer in their contract, to create a structure that will maintain the work and conversations to create and negotiate the CBA going forward and to create an overall summary of the engagement strategies and analysis.

Councilmember Ryan asked Ms. Beekman if the Opportunity Site was being funded out of Tax Increment Finance District Three funds. Ms. Beekman stated Councilmember Ryan was correct. Councilmember Ryan stated the Council passed a majority vote that capped spending on community engagement efforts. Ms. Beekman stated she would not characterize that vote as a spending cap, but the process was approved by the Council and the Council authorized spending up to a certain amount of dollars.

Councilmember Ryan stated he is concerned about the community engagement process reaching all parts of the community, such as those who do not have professional organizations reaching out to them to solicit their interest in and opinion on the Opportunity Site. He noted a couple of years back there was a large gathering for community engagement at the library, but there was still concern not enough engagement had been undertaken. Councilmember Ryan stated he has not seen the Latino community engaged in the discussion.

Ms. Beekman stated the engagement process has been going on for several years and has happened in phases. The earlier, broad-reaching sessions were towards the beginning of the process and produced guiding values from the community. From there, there was a phase of pop-up meetings to have the community prioritize and distill the values. In that portion, there were concerns that not all segments of the communities were being reached through traditional pathways. The task force was formulated to address the gap in engagement. The development team is planning a series of community-wide meetings to be held both in-person and online to share the concept and get feedback from the community. She added there is a website that has been recently updated that was built out to provide information about the process, and they have asked the development team to build a site of their own. Overall, community engagement has been intentional, high touchpoint efforts.

Councilmember Ryan stated he appreciates the efforts in outreach and noted it seems like they are trying to avoid leaving anyone out of the engagement process. Ms. Beekman stated this is an investment in building infrastructure and community. In terms of the Sears site, it is a different situation because it is privately owned rather than owned by the City. However, the City can continue to have conversations with the owners of the Sears site to encourage community

engagement and assist in setting up opportunities for that. Councilmember Ryan noted he believes the Council is interested in moving forward with the proposed plan for the Sears site if there will be sufficient community engagement. He thanked Ms. Beekman for her efforts.

Councilmember Lawrence-Anderson asked Ms. Beekman if the information is in alignment with the information received at the last meeting by Julie Kimble. Ms. Beekman stated when they are doing development, they are balancing feasible realities of the market with the community information that is produced through a robust engagement process. The Opportunity Site is a larger site that includes parks and various types of land use. The City is trying to diversify its land use and increase its tax base. The Sears site is an opportunity to do a project without using City dollars and is ready to move forward whereas other sites take a longer time to develop. Not every site is going to be able to deliver every goal, so they are trying to meet as many goals as possible across sites. Councilmember Lawrence-Anderson thanked Ms. Beekman, her team, and the partners for all of their work.

Councilmember Graves thanked the presenters for their work and Staff working with community partners. She noted it is important to distinguish the difference between City-owned and privately owned property.

Councilmember Graves moved and Councilmember Ryan seconded to accept the presentation Opportunity Site Pilot Project - Community Engagement Update.

Motion passed unanimously.

7b. COVID PRESENTATION

Dr. Edwards stated the Council has previously discussed when to meet in person. He explained Fire Chief Todd Berg was there to present on COVID-19 in Minnesota. He added the COVID Resolution related to meeting virtually sunsets on December 7, so the Council will have to decide on that.

Fire Chief Todd Berg stated 3.5 million people in Minnesota have at least one vaccine dose and 60 percent of Minnesotans have a complete vaccine series. The age group of people over 65 has the highest rate of vaccination. Hennepin County is at 67.7 percent vaccinated. There have been 44,033 hospitalizations in the stated, 8,814 of which were in the ICU. 14.5 million tests have been completed in Minnesota, and Minnesota only has a population of around 5 million. There are about 45,000 Minnesotans currently diagnosed with COVID-19. The numbers were higher a year ago, but they are not great currently either. The children and the unvaccinated are driving up the numbers.

Chief Berg noted cumulatively, Minnesota has lost 9,192 people due to COVID-19. Hennepin County has had 171,633 positive cases of COVID-19 since the beginning of the pandemic. So far, there have been 2,004 deaths in Hennepin County due to COVID-19. Brooklyn Center has had 5,715 cases of COVID-19 and 55 deaths due to COVID-19. In the past week, there has been an increase of 131 cases and 1 death in Brooklyn Center. As of November 11, Brooklyn Center

represents 2.51 percent of the Hennepin County population, 3.3 percent of the County's cases, and 2.7 percent of the deaths due to COVID-19.

Chief Berg showed a chart about the age demographics, race and ethnicity, and vaccine breakthrough cases. Approximately 2.569 percent of fully vaccinated Minnesotans have had COVID-19 since being vaccinated, with 0.11 percent resulting in hospitalizations and 0.019 percent resulting in deaths. Brooklyn Center used to have the highest rate of cases in Hennepin County, but now they are in the middle of the pack.

Chief Berg stated the Council could return to in-person meetings inside the chambers, but considering there were up to 82 people present at the City Council meeting that evening, the chambers would be unable to hold that amount. Every comparable, neighboring city is meeting in person again, except for Golden Valley meet both in-person and with a hybrid model.

Councilmember Lawrence-Anderson stated the quick temperature tool is used in many facilities and asked if that is something that could be implemented. Chief Berg stated the City has temperature scanners. Additionally, the City buildings still have mask requirements and the City rooms could be set up to accommodate social distancing.

Councilmember Ryan asked if in-person meetings could be safe and if the City improved its air circulation system to mitigate some of the COVID-19 risks. Chief Berg confirmed that the air circulation was updated to support new standards. He added he believes in-person meetings can be set up safely. He encouraged everyone to get vaccinated. Councilmember Ryan stated he hopes they can return to meeting in person on the first of the new year, if not sooner. He added meeting in person would be helpful to navigate the more contentious and controversial topics the Council has been facing.

Mayor Elliott stated the Governor just called in the National Guard to reinforce nursing homes and staff because of COVID-19. As of a week ago, Minnesota was the worst in the nation for the seven-day rate of new infections. He stated it is an evolving situation that they have to keep an eye on. He thanked Chief Berg for his presentation.

Councilmember Graves thanked Chief Berg for his presentation. She noted cases are going up and Minnesota has a high infection rate. She thinks they could meet in person safely, but they should wait until after the holidays to begin meeting in person.

Councilmember Butler stated they should not meet in person before the end of the year. She would like to see the vaccination rate higher. If they are going to meet in person, they need to have a clear system set up to allow for safety. Additionally, they are receiving a lot of community input and they have had standing room only in meetings before, so she believes they should look at alternative meeting locations to allow for appropriate distancing with large groups.

Councilmember Lawrence-Anderson stated she concurs with her colleagues. She anticipates this would be an agenda item to vote on during the December 6, 2021 meeting to address the mask mandate and virtual meetings.

Mayor Elliott moved and Councilmember Ryan seconded to accept the presentation COVID Presentation.

Motion passed unanimously.

8. PUBLIC HEARINGS

8a. RESOLUTION 2021-145 RELATING TO THE ISSUANCE OF CONDUIT REVENUE BONDS TO FINANCE THE COSTS OF A MULTIFAMILY HOUSING DEVELOPMENT (THE CREST APARTMENTS PROJECT)

City Manager Reggie Edwards introduced the item and invited Ms. Beekman to make the staff presentation.

Ms. Beekman stated the action is related to a request from Aeon to issue conduit revenue bonds to finance the cost of a multifamily housing development. The project is a renovation of an existing building and an addition of 43 units of family workforce housing at the Crest Apartments. At their June 28, 2021, meeting, the City Council approved a resolution (2021-83) approving the establishment of a Planned Unit Development and amendments to the City's zoning map and 2040 Comprehensive Plan to allow for the construction of a 48-unit addition to the existing 122-unit Crest Apartment building. As part of that project, Aeon intends to renovate the existing building as well.

Ms. Beekman explained Aeon is now requesting that the City of Brooklyn Center issue up to $19,000,000 of tax-exempt, conduit Housing Revenue Bonds to finance the rehabilitation and new construction of the Crest Apartments. Conduit revenue bonds give the borrower access to tax-exempt financing so the borrower realizes lower interest costs and the City achieves a public purpose, in this case, the preservation and rehabilitation of existing affordable housing units. Additionally, Aeon has submitted a request for tax increment financing for $1.4 million to support deeper affordability levels in the project.

Ms. Beekman stated conduit debt, in this case, authorizes a maximum amount of $19 million. Conduit debt is allowed for by Minnesota state law and allows for tax-exempt bonds with lower interest rates. Conduit debt does not constitute a charge, lien, or encumbrance upon the City or impact the City’s credit rating. The City would receive an administrative fee of approximately $95,000.

Ms. Beekman explained, to proceed, Brooklyn Center would need to hold a public hearing and adopt a resolution authorizing the issuance of the bonds and execute various related documents, including the Bonds and the Loan Agreement. Kennedy and Graven, as bond counsel, will provide forms of resolutions and all the necessary documents. Furthermore, the borrower will be required to pay all the expenses of Brooklyn Center paid or incurred concerning the bonds and will be required to indemnify Brooklyn Center for any potential liability incurred by Brooklyn Center concerning the bonds, the project, and granting the necessary approvals.

Mayor Elliott moved and Councilmember Ryan seconded to open the Public Hearing.

Motion passed unanimously.

No one appeared to address this item.

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

Motion passed unanimously.

Councilmember Ryan moved and Mayor Elliott seconded to adopt RESOLUTION NO. 2021-145 Reciting a Proposal for a Housing Finance Program for a Multifamily Rental Housing Development, Approving the Project and the Program, and Authorizing the Issuance of Conduit Multifamily Housing Revenue Obligations and the Execution of Related Documents (The Crest Apartments Project).

Motion passed unanimously.

8b. RESOLUTIONS APPROVING THE 2022 UTILITY RATES

City Manager Dr. Reggie Edwards introduced the item and invited Acting Finance Director Andy Splinter to make the staff presentation.

Acting Finance Director Andy Splinter stated some of the rate considerations included maintaining service levels, stabilizing rate changes, and providing cash for operating needs, capital projects, and debt service. Mr. Splinter showed a table depicting the utility improvements over the next two years. He noted the Woodbine Area improvements are the highest expense in 2022. There would be about $12.2 million in capital spending.

Mr. Splinter showed a slide with a table detailing the 2022 proposed rate changes. There would be a slight increase in each category except for street light base charges. He explained the average residential user uses 18,000 galls of water and receives a quarterly utility bill; the change would increase the utility charges by $12.17 each quarter.

Mr. Splinter showed a chart comparing the water rates to neighboring communities. He stated they are on the low end of the spectrum. He noted Brooklyn Center saved money by building their water treatment plant rather than paying Minneapolis for theirs. As for sanitary sewer utility rate comparisons, they are in the middle of the pack for comparable cities. Brooklyn Center is on the lower end of the storm drainage utility rate. Overall, the comparable bill for Brooklyn Center to other cities is almost the lowest. The street light utility fee is in the middle of the comparisons, as is the recycling utility rate.

Mayor Elliott moved and Councilmember Ryan seconded to open the Public Hearing.

Motion passed unanimously.

No one appeared to address this item.

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

Motion passed unanimously.

Mayor Elliott moved and Councilmember Ryan seconded to adopt RESOLUTION NO. 2021-146 2022 Water Utility Rates, RESOLUTION NO. 2021-147 2022 Sanitary Sewer Utility Rates, RESOLUTION NO. 2021-148 2022 Storm Sewer Utility Rates, RESOLUTION NO. 2021-149 2022 Street Light Rates, and RESOLUTION NO. 2021-150 2022 Recycling Rates.

Motion passed unanimously.

9. PLANNING COMMISSION ITEMS

None.

10. COUNCIL CONSIDERATION ITEMS

10a. EMERGENCY ORDINANCE FOR THE CURFEW PROCESS

City Manager Dr. Edwards introduced the item and explained the process to enact a curfew in April was difficult and inefficient. The conversations with the Council determined they would pursue a jacketed ordinance rather than a blanket curfew to allow the City Manager to enact a curfew if certain variables were met.

Chief Berg stated they heard from the community that it was difficult to plan and organize when there were last-minute changes to the curfew. One of the obstacles with a last-minute curfew is in relationship with Metro Transit. Advertising the curfew in advance would allow the public to prepare in advance.

Dr. Edwards added the ordinance does not preclude the Mayor from calling for a curfew. He offered to answer any questions about the curfew and proposal and noted it would require a unanimous vote from the Council.

Mr. Hill confirmed it does require a unanimous vote from the Council. He stated the Council should have a summary resolution that includes a summary of the Ordinance. He noted the ordinance enacts a curfew the day of the verdict and allows the City Manager to take action if certain requirements are met.

Councilmember Lawrence-Anderson stated she has read the document and noted she believes it is a commonsense approach. She added she is in favor of the Ordinance. Mayor Elliott stated he is not sure about the Council telling people they preemptively think the public will do something wrong. He stated he would like to think about it more, though it does make sense to address it before the trial verdict. Mayor Elliott added he does not think they need to vote on it right now.

Councilmember Ryan stated he would like clarification about what the Resolution would do if passed. His understanding is that it would allow the City Manager, as the City's chief administrator, to have the authority to determine whether or not there should be a curfew on any night following the verdict. Mr. Hill stated the curfew would be imposed on the day of the verdict and limits the curfew to four days. Then the City Manager would have the authority to extend or end the curfew based on certain requirements being met. Therefore, the City Manager would have the authority for a maximum of four days.

Councilmember Ryan asked if extenuating circumstances arise, then the Council would be able to extend the emergency declaration. Mr. Hill stated the Council could extend or amend the Ordinance, but there is an issue with speed and properly noticing a hearing. Councilmember Ryan explained the Council's priority is safety and the Resolution seems to be a flexible document that allows for public safety.

Councilmember Butler asked if the Resolution were to pass, would there be an automatic curfew in place the day of the verdict. Mr. Hill stated the Resolution would impose a curfew the day of the verdict with the option to extend by the City Manager.

Councilmember Butler stated she is conflicted about the curfew. The way the curfew was mishandled during the civil unrest, but she would rather have an option to implement a curfew on the day of a verdict. She explained she is concerned about the message they would be sharing if they were to pass this before the trial subsided, so she is not ready to vote on it.

Councilmember Graves stated she interpreted the Resolution as an option for the City Manager to implement a curfew based on his discretion and not that it was an automatic curfew. She explained she would prefer for it to be purely up to the City Manager's discretion without an automatic implementation. She asked if it needed to be an automatic curfew to give power to the City Manager. Mr. Hill stated he does not believe the automatic curfew is required to give the City Manager discretionary power and added they proposed the automatic curfew to give people an opportunity to plan for it. Councilmember Graves stated the Resolution could be written to give the City Manager discretionary power and include a timeline of some sort to ensure the decision is made promptly. It would be beneficial to have the flexibility for the City Manager to make that decision.

Dr. Edwards stated the intent was to create a set of criteria that would allow him to make a call about a curfew but not necessarily for an automatic curfew. He explained he would like to be able to respond to the needs of the community. Ultimately, they would like to mitigate interactions between the public and law enforcement and create a safe space for peaceful protests.

Councilmember Lawrence-Anderson stated the main objective is to strike a balance between individuals who would like to express their opinions and to allow families and children peace. Her biggest concern is the apartment near the police station and the ability for the children there to sleep at night. The effort of implementing a one-day curfew was to give people an opportunity to plan, and the 1:00 p.m. deadline to announce the curfew is desirable. However, if the verdict doesn't come back until later in the evening, then the Resolution wouldn't assist in implementing a curfew.

Councilmember Ryan agreed he has concerns for those who live near the Police Station and have suffered unintended consequences of the civil unrest following the death of Duante Wright. They are facing the prospect of that occurring again with participants that live in Brooklyn Center or travel from other cities. He stated they want to have a safe and secure community, so they have to revisit issues about maintaining security around the Police Station and the multifamily homes across from the Police Station. At the same time, the City supports the Constitutional rights of people who want to express their concerns. Therefore, it is a daunting issue.

Mayor Elliott stated he would like to speak with the City Attorney further about the proposed Resolution and hopes the Council will allow him to do that.

Councilmember Lawrence-Anderson stated she understands his desire to speak with the City Attorney, but time is of the essence with deciding on the matter.

Mayor Elliott noted he is planning to ask the Council to add another meeting date on November 29, 2021, which would allow them to revisit this matter.

Councilmember Graves asked if there was still work being done with the residents in the apartment buildings. Dr. Edwards confirmed they are still working on providing resources to residents in the area among other strategies to help the protests be as peaceful as possible. Councilmember Graves stated she wanted to make sure they have direct access to resources and communication about what is going on.

Mayor Elliott stated the City worked with the apartment building to secure the doors and asked what the condition of the doors was currently. Dr. Edwards stated staff would look into that and report back to Council.

Mayor Elliott stated he would like to speak with the City Attorney and revisit the topic on November 29, 2021.

Councilmember Graves stated that would be fine, especially since the vote needs to be unanimous to pass the Resolution.

Mayor Elliott noted he believes they can arrive at something that addresses the issue.

11. COUNCIL REPORT

Council did not have any Council Reports to provide.

12. ADJOURNMENT

Mayor Elliott moved and Councilmember Butler seconded adjournment of the City Council meeting at 9:47 p.m.

Councilmember Ryan noted the last issue was not properly resolved.

Motion passed unanimously.

MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL/ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF BROOKLYN CENTER IN THE COUNTY OF HENNEPIN AND THE STATE OF MINNESOTA

WORK SESSION
NOVEMBER 22, 2021
VIA ZOOM

1. CALL TO ORDER

The Brooklyn Center City Council/Economic Development Authority (EDA) met in Work Session called to order by President Mike Elliott at 9:48 p.m.

2. ROLL CALL

Mayor/President Mike Elliott and Councilmembers/Commissioners Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Reggie Edwards, and City Clerk Barb Suciu.

FOLLOW UP-TO BUDGET PRESENTATION

City Manager Reggie Edwards introduced the presentation on the 2022 Annual Preliminary Budget Continued Public Safety Discussion. He provided an overview of the presentation and background on previous conversations.

Dr. Edwards explained he is steeped in his family history, generations of understanding issues of police as a Black male, trained in how to be safe in a community, educated in organizational management, and has over 25 years of management experience at various levels of government. He has heard a call for change. They need to eliminate systemic racism, eliminate inequalities, prevent the loss of life by law enforcement, shift the mindset, structures, and patterns of behavior related to systemic racism and inequalities, build community trust, particularly those who have been historically marginalized, and create a feeling of safety and protection for all.

Dr. Edwards stated strategies have been proposed to address those needs. The Public Safety Act begins to address patterns of behavior and structure change. The Act includes unarmed personnel for non-motorized traffic offenses. Police cannot be the only solution to help the community. Dr. Edwards explained he grew up in a community that did not have access to appropriate resources and rarely called police due to fear and distrust of them. He added he had a cousin with a mental disorder and an uncle that would sleep with his door locked and a pistol under his pillow. He had another cousin with a mental disorder that bludgeoned Dr. Edwards' uncle to death. The City is talking about providing mechanisms for the public to access before needing to call the police. A community response such as unarmed mental health and social work practitioners to address 911 calls for mental health, social, and medical needs can help with violence prevention. He noted there needs to be more than an organizational change to dismantle racism.

Dr. Edwards stated they have compared the costs of their police to ten similar cities: Shoreview, Golden Valley, Crystal, Richfield, Fridley, White Bear Lake, New Hope, Maplewood, and Roseville. They use the same cities whenever doing comparisons of cost, such as earlier when talking about utility costs. The proposed 2022 budget allocates 40.23 percent of the City's general budget to policing, and they rank sixth out of the ten comparison cities. White Bear Lake, New Hope, Maplewood, and Roseville spend a higher portion of their budget on policing than Brooklyn Center. Richfield and Fridley are within one percent of Brooklyn Center. Ultimately, the policing budget only accounts for less than ten percent of the total $100 million City budget. Dr. Edwards showed a graph comparing the City budgets.

Dr. Edwards stated there are currently 14 vacant positions in the Police Department, and they need to consider what the City is lacking with those vacancies. He showed a graph depicting the rate of violent crime per 100,000 people in Brooklyn Center in comparison with other cities for the last three years. The rate of violent crime in Brooklyn Center is typically higher than in other cities, and 2020 still outpaced other cities. He showed a graph depicting the rate of property crime per 100,000 people in Brooklyn Center in comparison with other cities for the last three years. Brooklyn Center is the second-highest for property crime rates with about 3,700 property crimes per 100,000 people in 2020.

Dr. Edwards stated the 2021 Brooklyn Center Community Survey showed the community stated the most serious issue was the rising crime. In 2017, the same question showed the largest concern was still a crime. In 2008 and 2012, they asked about the amount of police patrolling, and the majority said it was the right amount with about one-fourth of folks stating it was not enough. Only one percent said it was too much. The 2017 Community Survey asked about the quality of various City services. 37 percent stated police protection was excellent and 54 percent said police protection was good. As for fire protection, 49 percent rated it as excellent and 44 percent as good. Dr. Edwards noted no other type of service broke 35 percent for the excellent rating. Overall, the community surveys show the value of the Brooklyn Center Police Department and Fire Department.

Dr. Edwards stated 14 unfilled positions that account for $1.3 million in the budget. He showed an organizational structure for the Brooklyn Center Police Department. If they transferred the budget for the 14 police officers to another area, they would lose an investigations unit, street crimes unit, and all but one of the community service officers. There would be no community engagement and a reduction in proactive law enforcement, including traffic stops, be it motorized or moving, and response related to crime trends.

Dr. Edwards explained patrol minimums vary throughout the day as calls for service increase and decrease. In summary, having 20 patrol officers would affect the schedule by forcing them to consistently be at minimum staffing until that changes. It would be extremely challenging to train officers, allow for vacation, or offer officer wellness programs with lower staffing numbers. There are always sick calls, and this would have to be filled with overtime call-backs and forced overtime. Additionally, having four sergeants would mean periods with no patrol supervision. There are four rotating 12-hour shifts, two days and two nights, and if one shift is working the other shift is off. If one sergeant takes the day off, has training, or is sick, we will have no supervision.

Dr. Edwards stated the Street Crimes Unit is the group of officers dedicated to being law enforcement liaisons with business owners and hotel managers. Without the Street Crimes Unit, there will be no proactive law enforcement liaisons in the business areas.

Dr. Edwards added that comparing the wages of a police officer to taking parking complaints, responding to abandoned vehicles, and similar calls for service is misleading. The Police Department doesn't send police officers to those types of calls, but Community Service Officers who are unarmed, part-time staff with an average wage of $19 per hour and are non-benefit earning.

Dr. Edwards stated before the shooting and death of Duante Wright, calls for service were held for an average of 9 minutes and 50 seconds with an average response time to the calls for service being 9 minutes and 52 seconds. As of September 1, 2021, calls for service were held for an average of 17 minutes and 58 seconds and average response times to the calls for service were 10 minutes 47 seconds. That is an 83 percent increase for holding time and almost a 10 percent increase for response times. He noted calls are not a one-to-one ratio as police must respond to certain calls and certain calls such as a violent crime require multiple police respondents.

Dr. Edwards stated the vision and mission of the City matter when looking at the budget. The mission of the City of Brooklyn Center is to ensure an attractive, clean, safe, and inclusive community that enhances the quality of life for all people and preserves public trust. The Council/EDA has identified strategic priorities, one of which being a safe, secure, stable community. Additionally, the 2022 City budget priorities include accountability in policing activities, economic stability, and equitable city spending. The budget also included the introduction of the Office of Prevention, Health, and Safety to the City structure. They also created the Office of Inclusion, Equity, and Diversity. Both of those offices will work toward the spirit of the Resolution.

Dr. Edwards stated the mission of the Office of Prevention, Health, and Safety is to provide leadership, programming, coordination, and evaluation of prevention, health, and safety across the enterprise and in the community, and coordination of efforts within the enterprise shall focus principally on all public safety-related departments. The functions of the Office of Prevention, Health, and Safety include prevention, Health, and Community Safety Program management and coordination, Civilian Traffic Enforcement Division, meaning unarmed civilian personnel response to non-moving traffic violations, and a Community Response Division with community mental health 911 and community health response.

Dr. Edwards stated the department budget highlights include an initial start with coordination across the enterprise, piloting civilian traffic response grant-funded for two years, piloting mental health 911 calls and community response grant-funded for two years, and initiating data analysis and communication. That equates to $879,850 for each 2022 and 2023 with some funding from tax money and others from grants. Overall, the 2022 and 2023 budgets would result in over $2.6 million investment in the Implementation Committee, FUSE fellows, Office of Prevention, Health, and Safety, the community response pilot, traffic enforcement pilot, community transformational change innovation, youth gun violence prevention, new health focus embedded in the Recreation

Department, and the Office of Inclusion, Equity, and Antiracism. Ultimately, each of those programs addresses public health.

Dr. Edwards stated it would be unsustainable for the Police Department to lose funding for the 14 police officers, but the upcoming budgets still have a huge financial and programming commitment for police alternatives. The intent is to build resources over time. The budget creates offices, commences pilot programs, combines mental health models, maintains public safety, prioritizes transformational change, and is fiscally responsible within the means of the City. The preliminary budget is based on hearing the Council/EDA articulate a need for policing service need, public health, and well-being and crime prevention priorities, strategies to address these multi-variate and dynamic priorities without diminishing the quality of service delivery, and seeking innovative strategies to address the needs articulated by the Council/EDA in an innovative, cost-efficient and service outcome effective manner.

Dr. Edwards noted these efforts are revolutionary as no other city has a successful model for what Brooklyn Center wants to do. The Council/EDA is consistent and committed to transformational community change. There is a proposed investment of $1.5 million in 2022 and $1.1 million in 2023.

Councilmember/Commissioner Lawrence-Anderson noted her appreciation for Dr. Edwards' presentation and efforts in balancing various priorities and viewpoints. She stated she had a couple of clarifying questions for Dr. Edwards but asked President Elliott what the plan for the evening would be considering the late hour.

Mayor/President Elliott asked the Council/EDA for their input on how to finish the meeting.

Councilmember/Commissioner Ryan stated he agrees with Commissioner Lawrence-Anderson and would like to adjourn for the evening to process the information presented by Dr. Edwards. He stated the Council/EDA, with the advice of staff, needs to answer to how they will organize the City and address police reform.

Councilmember/Commissioner Ryan supported a motion to adjourn the meeting.

Mayor/President Elliott stated there are several community members on the call who have been waiting for an opportunity to speak.

Councilmember/Commissioner Ryan stated that is important to consider, but for the Council/EDA to be effective as a representative body and is responsible to the City's residents, they must make decisions in a timely fashion. There is a time and a place for business meetings and listening sessions. It is inefficient for meetings to drag on when answers are required. Commissioner Ryan stated he wants to hear from everyone in the community and has wanted to in his 15 years of City involvement. He suggested they conclude the meeting and schedule a listening session to hear from folks and give people a full opportunity to share their concerns and feelings with the Council/EDA.

Mayor/President Elliott stated Monday, November 29, 2021, could be an opportunity for residents to share those feelings. Councilmember/Commissioner Butler confirmed that date works for her.

Councilmember/Commissioner Graves agreed that date works for her and noted she will be a lot more prepared to talk about Dr. Edwards' presentation, the new Resolution, and the public interest. She acknowledged it is frustrating for residents who have been waiting to speak, but noted her capacity to listen attentively and fully absorb public comments was diminished. She stated most of the Council/EDA probably feels really tired and asked for the public to have grace with each other despite the potential disappointment.

Mayor/President Elliott stated he wanted to be respectful of everyone's time, so he would like to close the meeting after hearing from one resident whose comments were mentioned in the presentation.

Michelle Gross, President of Communities United Against Police Brutality, stated policies are a completely different conversation, but they are talking about establishing appropriate responses for the kinds of things that are being referred to the Police Department by default because there are not appropriate responses available. She stated she is interested in Dr. Edwards' presentation and would like to speak with him further outside of the meeting. When presenting her model last week, it was only a thought process and a way to look at the return on investment and was not necessarily the only model. Digging into the details will be the role of the Implementation Committee.

Ms. Gross noted there has been talk about outside forces and, being a resident of North Minneapolis and spending a large amount of time in Brooklyn Center, she would venture to say the developers who presented on the potential use of the old Sears building also do not live in Brooklyn Center. It is not a matter of one's zip code but rather a matter of what one cares about or where people put their energy and time. She stated she has some expertise she is willing to lend to the City at no cost. Ultimately, she hopes to contribute in a way to better Brooklyn Center. Ms. Gross added this is not looking at police reform but rather a way to respond to various kinds of calls that are currently weighing down the Police Department and hindering what they need to do.

Mayor/President Elliott asked the residents who wanted to speak to return to the next Council/EDA meeting for a chance to share their comments and concerns. He apologized for running out of time.

Liz resident stated she hopes the City will take up Ms. Gross on her offer to provide free services to assist with the implementation of the Resolution. She added curfew is fine but asked that law enforcement does not use tear gas on them.

5. ADJOURNMENT

Commissioner Ryan moved and Commissioner Butler seconded adjournment of the Economic Development Authority meeting at 10:31 p.m.

Motion passed unanimously.

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

SPECIAL SESSION
NOVEMBER 29, 2021
VIA ZOOM

CALL TO ORDER

The Brooklyn Center City Council met in a Special Meeting called to order by Mayor Mike Elliott at 6:54 p.m.

ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Reggie Edwards, City Attorney Troy Gilchrist, and City Clerk Barb Suciu.

CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

Councilmember Ryan moved and Councilmember Graves seconded to approve the agenda as written.

Motion passed unanimously.

MISCELLANEOUS

CONTINUED DISCUSSION OF CURFEW ORDINANCE

City Manager Reggie Edwards reintroduced the item and reviewed the discussions leading up to the evening. He stated the Ordinance intended to give residents an option to plan for curfews and to keep the protestors and law enforcement as separated as possible. The curfew in the proposed Ordinance would begin at 9:30 p.m. on the evening of the verdict for the Kim Potter trial and would give the City Manager more discretion in the curfew process.

Councilmember Butler stated she was not in the initial meeting where the Ordinance was presented. She explained she is not comfortable with the curfew being automatically imposed, but she would support the City Manager having increased discretion.

Councilmember Lawrence-Anderson noted she is comfortable with the Ordinance. She asked if there is information about potential protests, would that authorize the City Manager to impose a curfew. Dr. Edwards confirmed that that is part of the criteria used to determine the implementation of a curfew.

Councilmember Ryan stated Councilmember Lawrence-Anderson asked his question and noted his reassurance with this approach. He stated he hopes the Council will approve it and asked City Attorney Troy Gilchrist if passing the Ordinance would require a unanimous vote. Mr. Gilchrist stated the Ordinance is being proposed as an emergency ordinance, and the City's Charter requires a unanimous vote in the case of an emergency ordinance. Councilmember Ryan asked if, under certain circumstances, jurisdictions are allowed to contain gatherings without violating people's Constitutional rights. Mr. Gilchrist stated Councilmember Ryan is correct and noted the Ordinance is a public safety measure to allow the City to have the proper tools in place in the case of unsafe circumstances. Councilmember Ryan thanks Mr. Gilchrist for the clarification and stated he would be comfortable in moving forward with the passing of the Ordinance.

Councilmember Butler asked if Mayor Elliott would implement a time limit to allow for comments from any attendees. As for the curfew, she stated it was interesting that the Ordinance was proposed as an emergency ordinance because it means they would be declaring an emergency before one even exists. Some of the things that happened during the spring were ignited by what was happening in Minneapolis, so Councilmember Butler believes they could simply call a special meeting on the day of the verdict to make the determination. She acknowledged the City did not handle the curfew well previously, but she does not appreciate the message it is sending. The Council wants to keep people and businesses and private properties and protestors safe, but calling for an emergency ordinance without an emergency in place is contradictory.

Mayor Elliott asked for attendees to keep their comments to one minute each.

Katie W. stated she was under the impression that declaring an emergency for the curfew was illegal. She added she is supportive of keeping the community safe, but putting the curfew in place before an emergency has arisen sends the wrong message to community members, activists, and family members. Katie W. noted April 11 was one of the hardest days of her life and explained it was peaceful until the Police Department decided to use tear gas and rubber bullets.

Lesley stated she is comfortable with the curfew if it is an emergency and keeps the community safe. She asked why it would be imposed at 9:30 p.m. instead of 9:00 p.m. when the whistle blows.

Jean L. agreed with the comments of Katie W. There are business owners in Humboldt Square that should be heard about a curfew. Additionally, there should be processes implemented to assist businesses in the scenario that a curfew should be imposed. Some people do not know about the curfew discussion, and the community should be engaged further. Jean L. added this spring, there were people tear-gassed, shot with rubber bullets, and arrested that were unaware of a curfew. It sends the wrong message to set a curfew without giving people resources and the ability to protest and go home safely.

Randy noted he applauds the Council for their preparedness as there were issues before. It shows they are ready to help and protect the citizens of Brooklyn Center.

Samie B. stated she thinks everyone should know about a curfew if it is going to be imposed. The City needs to inform everyone if they are making such impactful decisions. Furthermore, if there is no emergency, then there does not need to be a curfew.

Bri S. stated she is part of the Barbershops and Black Congregation Cooperative. She noted she believes a curfew should only be implemented in the case of an emergency. Protestors prefer to keep it peaceful because that is the most productive route for change, but if a curfew is imposed in advance, then it gives the City a bad look. It gives the impression that people are already being demonized.

Michael S. stated he has not seen anything alarming regarding potential protests. He believes the Council is underestimating the community. People have had time for what happened in April to settle. People are going to show up for Duante Wright, but it will be peaceful. What they are doing is steeped in darkness because the community is unaware, and the curfew is adding unnecessary fuel to a fire that doesn't need to exist. The community believes more in the residents than the Council does.

Shanna W. noted she is with Barbershops and Black Congregation Cooperative. She resonated with the sentiments that have been shared. She loves America and wants America to love her back. The Constitutional right to protest is how the people reform and protect their union. There is a concentration of Black and Brown folks that are protesting, so it is a bad sentiment that diminished the voices of people of color if there is a preemptive notion of hostility. Protests are very healing and positive for her and other community members, and it is an intersectional movement that significantly impacts people of color. A preemptive curfew sends a negative message to people of color saying they cannot exercise their rights. Creating a curfew in advance does not bring people together. The City needs to support, respect, and love the citizens of Brooklyn Center. Many of the residents hold the same values of the Council to improve the community, but it is ultimately hurtful to the community to preemptively implement a curfew.

Jeffrey D. stated he agrees with previous statements, and there are other ways to be creative and be in community with one another. A preemptive curfew does not send the right message.

Toshira G. stated she is with Families Supporting Families Against Police Violence. She noted the father of her son was killed by St. Paul police. The day Duante Wright was killed, Toshira had to leave and shut down a birthday party for her child's lost father to attend the protests. That day she met Katie Wright and saw police act violently toward multiple people, including children. The way law enforcement treated the community was inhumane. Protests are a way for a community to express themselves, and they have the right to do that. Implementing curfew limits that expression. It is not fair to send that message to the community. Ultimately, it is the police that needs to be policed. Law enforcement committed the murder, and that is the reason for the protest. The community has the right to speak their feelings, to mourn, and peacefully protest, and they should not be silenced again.

Jackie L. stated she disagrees with the previous comments. Communication has been lacking in the community. Peaceful protests will only occur in the case of a guilty verdict in the Kim Potter trial. To wait for an emergency to occur is too late. The community has already experienced protests that were supposed to be peaceful but instead caused damages to businesses, homes, and the community's reputation. The Ordinance is a proactive route to avoid negative conditions in the City.

Lori stated the curfew is a proactive measure she and her neighbor's support. Peaceful protestors are one thing, but people that want to express violence and throw things are another. She does not want there to be further issues. She is sorry about what happened, but it is a wise decision to implement a curfew.

Julie B. stated she is a resident of Brooklyn Center. One thing that hasn't been discussed is that the curfew doesn't just affect protestors or people at the Police Department, but it affects every single resident in the City. Several residents work second and third shifts, and it limits everyone in the City. It impacts people who need transportation, needs to get to work, or need to take care of their families.

Kiki W. stated they should address proximity and where people live compared with their opinions about the curfew. The Council is not thinking about people who work in the evenings or people without personal transportation. Additionally, people are not just protesting because of the situations the recent murders but also because they want to change. In-office, their voices are not heard. The protests happen because people want to be heard. Kiki W. noted she lives across the street from the Police Department and hears the concerns of the people. She asked how people are being protected with the trial starting. The Council has not addressed the issue of tear gas. The people want change, and the City is not listening. When people are not heard, it turns to riot. The Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act needs to be funded, and there should be no curfew implemented. Riots happen when people are silenced, and the Council needs to push for change.

Noreen stated she grew up in an era where they had a curfew. If they had a second shift job, then they had a pass in case they were pulled over. They did not protest or huff about it. She believes they should have a curfew where young people need to be home by a certain time.

Kiki W. stated people that who support a curfew are not oppressed and are not single parents.

John S. stated they need to stay in order. Some people are safely protesting while others are rioting off to the side. He explained Dr. Edwards has done a great job responding to the crisis, having conversations, and making demands of the police. Outside police have brought in tear gas. Brooklyn Center's Police Department is in an unorthodox position because it is in the middle of a residential area rather than near a large parking lot or other governmental buildings. They have talked about putting out signs that notify people about a curfew and having interrupters out there to have community conversations. People have the right to protest, and they are protesting because of their trauma. He noted he is sorry it is inconveniencing people, but this has been going on for over 150 years. The world is watching their community, so people need to protest correctly, and the City needs to follow through with making a change.

Tamara stated she is a 34-year resident of Brooklyn Center and business owner. She noted she would appreciate a curfew for the safety of all. Just as people work at night, people can peacefully protest during the day.

Lavish M. stated he would like to say when police presence is involved, it only escalates the issue. Protestors show up with the intent of being peaceful. When their rights are diminished by law enforcement and the use of tear gas or rubber bullets, it turns away from peaceful. Three percent of rubber bullets result in fatality. Protestors come from a place of love and are responded to with utter disregard. Police presence is a form of offense rather than defense. It is egregious and disrespectful to Americans. Police disrupting people by expressing what is right is ultimately wrong.

Jaylani H. stated he is from CAIR Minnesota. He noted he was one of the individuals who reached out to the former Police Chief and former City Manager the night of Duante Wright's death. Once they decided to turn the lights off and assault the community, instead of deescalating the situation, they turned it into a war zone. They had no respect for the community and the children that lived across from the Police Department. Everyone is interested in public safety. They want everyone to be home and for everyone to be free. The main reason why people are protesting is to stop injustice, so the first thing they need to consider is the challenges of the past curfews. There is the fact that the curfew invites other law enforcement agencies that will not respect the authority of the jurisdiction. Outside law enforcement agencies have shown they are only interested in creating chaos rather than bringing peace. The nights that Operation Safety Net did not come into town ended peacefully.

Jaylani H. added it is always important to plan. However, it is interesting they only plan when it is Black people protesting. On January 6, 2021, they saw white nationalists attack the Capitol and attack democracy. There were no curfews. There have been no curfews implemented against white supremacists. For example, many of the people burning buildings in Minneapolis were white supremacists who drove from real Minnesota. They need to be very careful about enacting a curfew where the City loses jurisdiction. They should have a curfew that stops the aggression of law enforcement and outside agencies because they create more terror and invite even more chaos. They are more of a threat to the community than peaceful protestors. Many of the Brooklyn Center protestors want to peacefully demand change in their community.

Jaylani H. stated, especially on the eve of the Kim Potter trial, the people want to see the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act funded. The curfew is an effort to bring some sort of order, but experiences have shown order was lost when Operation Safety Net entered the community. They wreaked havoc and chaos every single night they were in the City and violated the rights of many protestors, neighbors, and journalists. It was unfortunate for the residents to know their tax money was going toward people that violated their rights.

Alfreda D. stated the concerns are legitimate. In times of protests, some people take advantage of the situation, come into the City, and harm the community. There are a lot of people who may be at a disadvantage during the protests, such as those who work at night who may have to get to work that the community needs. They are having the conversation looking at the two different sides, but they are the same thing: both sides want people safe. If the City starts restricting people, they will protest. They cannot stop the people.

Alfreda D. stated a Councilmember suggested they do not have a preemptive curfew set, but instead they implement one based on what happens. If they see that people are not peacefully protesting or things are getting out of hand in the middle of the night, then the City Manager can call for a curfew. A lot of residents who left work after curfew were pulled over by police; the police were already tired and took their frustrations out on the people they pulled over. She stated they need to prepare the police to handle people who are going from and to work. They all know that Brooklyn Center is not the best when it comes to communication, so the people driving to and from work may not even know about a curfew.

Jonathan M. stated he is president of the Minnesota Justice Coalition, and they oppose a curfew. He explained they question the Constitutionality of such an order as it is not a real emergency. Additionally, historically the orders have been used to target persons of color. An alleged claim would shift the scrutiny over to the City to show an emergency exists. People should be allowed to exercise their First Amendment right and seek redress from their government. They will be weighing a legal challenge absent a bonafide emergency. The last time there were protests, it was the police who were out of control. The police asked people to go across the street, protestors then crossed the street, and police came out with assault rifles and flashbangs. The police escalated the situation. There is a problem with a preemptive curfew barring a bonafide emergency. The City should weigh the Constitutionality of the order and the taxpayer costs associated with litigation fees when this issue would go to court.

Councilmember Graves asked if the City Manager could provide more information about the language in the proposed Ordinance. Several of the concerns raised by community members would be addressed with a reading of the Ordinance.

Dr. Edwards stated the Ordinance would not create a blanket curfew. Instead, it says that if certain criteria are met, such as multiple criminal acts including but not limited to assault, theft, and property damage, the City Manager could implement a curfew. The Crisis Response Team meets regularly, and they have been for several months. They can meet more frequently if needed. Their goal is to create a safe space for peaceful protest, and it is made up of community members, community organizers, and some City staff. In that setting, information is shared about what is happening in the group as a means to determine the best tactics to create a safe space for peaceful protests. If circumstances warrant a curfew, they want the ability to act swiftly and communicate with residents to provide a warning about the curfew.

Dr. Edwards added the curfew is not meant to be a means to address peaceful protesting. There is a multitude of methods they are employing to create a safe space for peaceful protesting such as communicating, providing resources, engaging with the community, and having a lower amount of law enforcement in the area of protests. They want to pay attention to the residents of the area. Curfew is one option of many. The proposed Ordinance does not implement a mandatory curfew, but it allows for the City to implement a curfew more quickly in the case it is warranted.

Mr. Gilchrist stated there are essentially three ways the issue can be approached based on the Charter and relevant statutes. First, they could adopt an emergency ordinance as proposed that sets up criteria enabling the City Manager to decide on a curfew and allows sufficient time to give a public notice. If the Council is not in unanimous support of the proposed Ordinance, there are

two other options available. The Council could call an emergency meeting of the Council to adopt an emergency ordinance on the spot to impose a curfew that evening. Otherwise, as experienced before, they could rely on the Mayor's authority to call for a curfew and issue a proclamation to impose the curfew.

Councilmember Graves stated she appreciates the comments by Dr. Edwards and Mr. Gilchrist. This is really about giving the power to the City Manager to make the determination, and it is not an automatic curfew. In the spring, it was the Mayor who called for all of the curfews. The Council is trying to be more prepared to make that determination in the case it is needed. Councilmember Graves noted she trusts Dr. Edwards to make that determination.

Councilmember Graves stated a community member mentioned the issue of transportation about the curfew. She asked Dr. Edwards if he has been in communication with Metro Transit, the residents of the apartment buildings, and the businesses on Humboldt regarding the curfew. Dr. Edwards stated he has been in communication with Metro Transit and trying to ascertain where they may be transit needs. They will determine where the public transit would be and which residents may need to access the bus routes. Should a curfew go into effect, they want to provide strategies to law enforcement on how to handle situations where people are traveling to and from work after curfew. Councilmember Graves stated she would like to know more about that.

Councilmember Graves noted she agrees with most of the sentiments shared by commenters. Everyone cares about safety in the community. The Council is trying to be proactive, not prescriptive. They want to create space for the City Manager to determine a curfew. It seems more organized than having the Mayor call for a curfew or to call the Council together for an emergency order.

Councilmember Graves stated she has concerns about curfews in general. She explained she has been to several protests herself. It is a difficult decision, and she appreciates the community coming together to share their concerns. She stated she does not want a curfew automatically put into place, but she does want the power to be in the hands of the City Manager to make the call about a curfew. The City has tried to address most of the concerns brought to them while being proactive.

Mayor Elliott noted most of the people on the call would be problematic in terms of the message it sends and legal challenges the City may face if put into place. An emergency ordinance can and should be called for in the case of an emergency. The Charter makes it clear that the Mayor or the Council, by unanimous vote, can implement an emergency order. It is important that either an elected leader or an elected body calls for or imposes a curfew on a population. Giving that to a non-elected City Manager does not align with the City Charter. The Council could meet via Zoom if there is a need for a curfew. Mayor Elliott added he can call for an emergency curfew. He noted the Charter provides sufficient options for a potential emergency, and he believes they should stay in line with the Charter.

Councilmember Ryan stated the legal fallback position is if the Council does not unanimously approve the proposed Emergency Ordinance, then it falls to the Mayor should there be an emergency curfew declared. Councilmember Ryan asked if that is correct. Mr. Gilchrist

confirmed Councilmember was correct. Any time the Council does not unanimously pass an emergency ordinance, the Mayor could implement an emergency proclamation for a curfew. Councilmember Ryan stated he would prefer not to place the burden upon Mayor Elliott. Considering the experience in April, it was very difficult to present a consistent decision tonight about the curfew. Councilmember Ryan stated he does not want to see that happen again as it was not entirely successful. He does not want to place blame on anyone, and he would like to avoid the situation. Having the City Manager, in consultation with other emergency management personnel, would be a better approach. The Council wants Brooklyn Center to be a welcoming place for people to come and express themselves. He hopes they could have a positive outcome without the need for a curfew. If there is a need for a curfew, then it would be best implemented by emergency management personnel. Ultimately, Councilmember Ryan stated he hopes the Council can come to a unanimous decision in support of the proposed Emergency Ordinance.

Councilmember Ryan moved and Councilmember Lawrence-Anderson seconded to approve the Emergency Ordinance regarding curfews.

Councilmember Butler and Mayor Elliott voted against the same. Motion failed.

Councilmembers Butler stated she is in favor of a curfew if necessary and noted she did not agree with implementing an emergency ordinance without an emergency. She would like the City Manager to keep the Council informed and for the Council to keep themselves available should they need an emergency meeting.

Mayor Elliott stated they were all thrown into an unprecedented situation in April. They were all working to make the best decisions with the information they had. They have all learned lessons from that time and are committed to making the best decisions for the City. He stated he takes exception to the idea that some in the City can improve and others cannot. The City Charter has made it clear where the Charter stands on who has the responsibility to make a curfew on a population. That responsibility lies with the elected officials, be it the Council in union or the Mayor independently.

Councilmember Lawrence-Anderson stated she appreciates the comments of the Mayor. She appreciates the notes on the Charter. Everyone wants the same things: balance and safety. The reason for implementing an emergency ordinance was purely organizational. She added everyone will make every effort to do what is best for the City.

CONTINUED DISCUSSION OF 2022 BUDGET

Mayor Elliott introduced the item and explained a representative from the Law Enforcement Action Partnership (LEAP) was present to continue the presentation.

Tom Thompson, a retired Police Chief and speaker with Law Enforcement Accountability Project (LEAP), gave details about the organization. LEAP includes hundreds of law enforcement officials and civilians and has a mission to improve police responses. Mr. Thompson stated communities need civilian first responders. He explained there are as many as 800,000 law enforcement officers in the county, and a mass majority of those officers have been a part of or a

witness to an encounter with an individual suffering from mental health issues that resulted in a use of force or criminal charges that could have been avoided by sending an appropriate responder. That is an enormous amount of harm to society. The standard eight-hour law enforcement training on mental health is not enough to properly respond to a mental health crisis. Mr. Thompson stated, like most cities, Brooklyn Center's default response for most 911 calls is law enforcement. When police are the only option to respond to calls, they are forced into social worker or counselor roles, for which they have not trained. This takes away the police's ability to respond to actual crime and breaks down the community's trust.

Amos Irwin, Program Director with LEAP, showed a presentation with statistics about calls for service across the county. A majority of calls are low or medium-priority. In Dayton, Ohio, about 23 percent of the calls were for mental health assistance and 19 percent were high-risk issues that required a response from an armed officer.

Lionel King, Program Specialist with LEAP, stated a lot of the low-risk issues need a response but not an armed officer response. There should be an option to dispatch civilians to the scene instead. Eugene, Oregon, Olympia, Washington, and Denver, Colorado are examples of cities that have implemented such a response with several other cities following in their footsteps. The community responder model looks different in each jurisdiction, but it should meet three different criteria. First, it should involve 911 calls and not just calls to hotlines. Second, it should involve two civilians. Third, it should involve a first response rather than a follow-up to an armed response.

Mr. King stated one of the first reactions people have to the first responder model is to ask if it is too dangerous to send unarmed civilians to police calls. Before joining LEAP, Mr. King worked as a child protection investigator in Louisiana. In that role, they were unarmed and had to deescalate the situation using skills they had learned. Mr. King noted he is also a part of an organization in New Orleans that provides alternative civilian mediation and de-escalation response.

Mr. Thompson stated, as a police officer, his largest concern was safety. In Eugene, Oregon, the CAHOOTS program has been operating for over 30 years without so much as an injury or close call. Sometimes it is the uniform and badge that escalates a situation. Community responders are very well-trained. In the case of an escalated situation, community responders have access to a radio to request further assistance. Denver's program has operated for a year and a half and has not needed a single backup call to police.

Lisa Tennenbaum, Program Specialist with LEAP, stated she has spent several years in California as a municipal lawyer. She worked closely with the liability manager in that role. There is a concern about liability when dispatching civilian responders rather than police. The city is far more likely to face liability when sending an armed officer to a call. The risk of armed violence is essentially removed when dispatching a civilian and lowers the liability to the city. Any city should not be negligent in their duties, and they are not aware of any negligence that has happened in any cities that have implemented a first responder model.

Mr. Irwin showed a chart with statistics of call response. In Minneapolis, they estimate one-fourth of the calls could be responded to by community responders, one-fourth could be handled by an

administrative alternative, and half by law enforcement. They also compiled a budget analysis and estimated a little over $800,000 for a community responder model. A large majority of the budget goes toward salaries for the responders and managers.

Mr. Thompson noted LEAP is very excited for Brooklyn Center to become a leader in the country and they look forward to working with the City to create a locally-tailored model to best serve the community members and the police. He offered to answer any questions from the Council or attendees.

Councilmember Lawrence-Anderson thanked the presenters for the information. She stated they have been talking about the 2022 budget since July 2021 with several meetings. She asked if they are dismissing the budget they have been working on to replace it with a budget written by someone outside of the City less than a week ago. The deadline for budget submission is less than three weeks away. She asked if the Council would be in consensus for that action.

Councilmember Butler stated she does not expect someone who voted against the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act to be a changemaker. The Council passed the Resolution in April, so it is on the Council for not getting more proposals. They need to be realistic about what happens. Councilmember Butler stated in the five years she has been on the Council, very rarely does the Council challenge the budget. Last year was the first time the Council implemented more of their ideas. The Council is not taking away from the Police Department budget. The budget has been preemptively approved, so there is no change to the budget. However, there is room to change how the money is going to be spent. She cautioned Councilmembers from creating an untrue narrative of stopping progress. If the Council doesn't agree with the budget modification, rather than saying there is not enough time, they need to figure out a compromise to better fund the Resolution they accepted in April. They need to find what they can agree on. It makes no sense to keep the budget as is.

Councilmember Lawrence-Anderson stated she is not opposed to making changes to the budget, but they should have been discussing it as a Council back in July. As a Council, they should have been more proactive. She explained she is not comfortable making decisions at the late hour when they have already discussed the budget with the department heads and the Finance Commission. They should be talking about change, but they should have had these intense conversations earlier.

Councilmember Butler asked Mr. Gilchrist when the budget deadline submission is. Mr. Gilchrist stated the deadline is December 24. Councilmember Butler stated they have three weeks to come to a decision.

Councilmember Ryan stated they need to be real about the budget. They have heard they have plenty of time to change the budget. Councilmember Ryan stated he is concerned about the rhetoric around removing $1.3 million from the Police Department budget, which is needed to fill at least fourteen positions where there is a current deficit. People say this is not defunding the police, but they need to be honest. If the Council is going to take $1.3 million away from the Police Department budget, they cannot say they are not defunding the police.

Councilmember Ryan added he is concerned about the safety of the police officers and their

burnout. He asked what the impact of police officer morale, resignation rates, and potential recruits would be if they take away the $1.3 million. He asked who would want to work for the Brooklyn Center Police Department if the Council is even talking about defunding the police while there has been a rise in shootings. They can have a robust discussion about the budget at a late hour and use rhetoric to suggest they are not defunding the police. It is offensive to the intelligence of the citizens of Brooklyn Center. Councilmember Ryan stated he voted in support of the Resolution which was problematic to police because he wanted to show his support of police reform. The Resolution was designed for a city larger than Brooklyn Center. The City Manager has come up with a budget that addresses the goals of the Council without placing too great of a burden on their limited resources or creating an additional unnecessary layer of bureaucracy.

Councilmember Butler stated Councilmember Ryan can have his perspective about the rhetoric around the term defunding the police, but they are not defunding the police. The funds will still be within the Police Department, but they will be redirected to create more tools for police officers. Councilmember Butler stated she is not in favor of defunding the police.

Councilmember Butler stated they currently have 14 openings in the Police Department. Knowing that it takes four or five months to onboard new officers, how realistic is it for Brooklyn Center to onboard 14 officers in the next fiscal year. Dr. Edwards stated they are using multiple strategies to onboard new officers. The typical recruiting process would yield 12 officers within the year. They are also trying to do lateral hires and find more experienced officers, but that has only yielded one or two so far. Councilmember Butler asked if there were five vacancies there were at the beginning of 2021. Dr. Edwards stated at any given time there are likely some vacancies. Councilmember Butler asked if they have ever had a fully staffed Police Department. Dr. Edwards stated he is not sure if they have ever been fully staffed to 49 officers during his time with the City, but it is typical for at least one person to be in transition at any time in any department. Dr. Edwards stated he will return to the Council with that information.

Mayor Elliott asked the Council if they had questions specifically for the presenters.

Councilmember Graves asked if the presenters have an understanding of how the community responder models were funded in other cities. Mr. Irwin stated most of the existing programs are funded through the city's general fund. There are opportunities to leverage grant fundings, some jurisdictions have passed tax levies to fund public safety efforts, and others have been able to access federal or recovery funds.

Councilmember Graves asked if the cities reduced the number of police officers when implementing the first responder model or if that happened later on. Mr. Irwin stated the earliest existing models were created by the police as they saw a need for a change. In that sense, they reduced their budget to fund those programs. Mr. Irwin stated the community responder models that exist have not had concerns about the ways they allocate their budget that has led to reversing the decision later on. In general, the police are extremely satisfied with how it improves public safety in their jurisdictions. Councilmember Graves thanked Mr. Irwin for his answers and noted she is curious about implementation. She stated she appreciates the additional information.

Councilmember Graves stated she works in Minneapolis and is aware of the various kinds of

community response there. She stated the City does have the data about the proportion of calls that were mental health-related, and it would be helpful for LEAP to help them sort through that data. Councilmember Graves asked if LEAP has any information about violence interrupter models. The City Manager has been overseeing a crisis response team, so they are starting the work of alternative responses. Mr. Irwin stated it is important to build on the local landscape of what is being done, in particular with violent interrupters. In Newark, for example, their community responders are trained as violence interrupters. He noted it is an important intersection to explore and see what is right for Brooklyn Center.

Councilmember Graves stated Staff and the Council have been trying to make progress on the Resolution, though it hasn't been fast enough. After initially joining the Council, she thought the Police Department budget was quite large. Percentage-wise, the police budget has somewhat decreased. The money was reallocated to other community programs, which is something they should continue to grow and provide money for. The community programs ultimately both support the community and decrease the need for law enforcement down the line.

Councilmember Graves explained Brooklyn Center started tracking Police Department data in 2018. Around the same time, the Council created the Communications and Community Engagement Departments. There was a presentation done by the previous Police Chief that covered information about the number and types of mental health calls at the end of 2019. There were also conversations about crisis intervention, which lead to the discussion about creating funding for an embedded social worker in 2020. Also in 2020, the Council received a presentation about the Attorney General's working group which created several options for police reform and talked about the Can't-Wait Campaign. There was a follow-up presentation from the City's previous Police Chief about Brooklyn Center's policies and how they did or did not align with the recommendations from the Can't-Wait Campaign and the Attorney General's working group. Some of the recommendations included community healing and engagement, prevention and training, investigations and accountability, policy and implications, and officer wellness. They outlined ways in which those areas could be improved. The meeting was held on July 22, 2020.

Councilmember Graves stated the Council, as a whole, has been trying to work on issues related to policing. It did not start with the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act in 2021. In 2020, the Council also talked about a civilian review board and the different types of review boards in surrounding cities. The Council did budget $10,000 to keep working on a review board and engaging community members on what that could look like.

Councilmember Graves stated the Council did pass an Ordinance about banning the use of tear gas and rubber bullets on peaceful protestors earlier in the year. Some people are not aware of that. About 55 percent of the Brooklyn Center police officers have been trained in de-escalation, but that is not enough. Councilmember Graves stated that should happen soon and should be a priority of the Police Department. She explained there is a lot of room for improvement around community healing, prevention and training, policies and legal implications, and investigations and accountability. Officer wellness is also very important. When officers are in traumatic situations, they need to process those situations and return to the community to serve with a healthy state of mind.

Councilmember Graves added community engagement has been very important for the Council. Whether that be development or the creation of a new department, they have tried to engage the community and the staff. There is a need for more engagement surrounding community health response and mental health response. She agrees with some of the Council about the timing of the discussion. They should have had presenters come to the meetings earlier in the year to allow for more time to discuss the topics and for more community engagement opportunities.

Councilmember Graves stated Dr. Edward's budget and the Mayor's budget are not that different. They both want to create more funding for a community response strategy. Looking at the Mayor's proposal, the Department of Public Safety and Violence Prevention would be $950,000. The City Manager's proposal has the Office of Violence Prevention, which includes community response, traffic enforcement, and transformational change innovation, and is budgeted for $879,000.

Councilmember Graves explained the Mayor's budget includes a Traffic Enforcement Pilot Study with a budget of $270,000. The City Manager has a pilot project for traffic enforcement budgeted at $250,000. The difference is the City Manager has it within the Office of Violence Prevention.

Councilmember Graves explained the Mayor has proposed an allocation of $350,000 for community program support services. There are several ideas in the Mayor's proposal that Councilmember Graves loves and holds near to her heart. There is also room for the City to better partner with community organizations and the County. They have recently created the Office of Inclusion, Equity, and Antiracism and have a new focus on health embedded within the Recreation Department. There is a continued connection to Cities United, which has a focus on working with Black and Brown boys and men and has a budget of $230,000.

Councilmember Graves added the Mayor's budget includes an Implementation Committee for $150,000. They have funded an Implementation Committee Manager in the City Manager's budget for $80,000. There is a gap there, but it is not significant overall. The Mayor's budget also includes a Director of Public Safety and Violence Prevention for $150,000. Similarly, the City Manager has budgeted for the Office of Prevention Manager and Operations for $154,000.

Councilmember Graves stated, ultimately, the two budgets are not that far off. She noted the City Manager's budget covers two years, and she has only spoken to the first year. The City Manager has secured funding for two years. The City needs data, and they need to hear from community members and all stakeholders. Everyone needs to be included.

Councilmember Graves noted this needs to be a time to come together and work together, so it is frustrating for the Mayor to propose an alternative at this time. The discussion is doing more to be divisive. They are all human beings doing their best and they all want the best for the City. The Council believes in the people in the community. They can come up with solutions together and stop polarizing the situation.

Mayor Elliott stated the discussion at hand is about coming together and figuring out how to move the work forward while acknowledging the work that has been done. They need to ground themselves at the moment. He noted Councilmember Graves spoke eloquently about the Council's efforts. Earlier this year, the City faced a life-changing event when Duante Wright was killed.

They can move forward with transforming the conditions of the current system in honor of his legacy. The City has the opportunity to make changes to ensure nothing like what happened to Kobe Dimock-Heisler happens again in the community. They need a community response option as soon as possible.

Mayor Elliot explained the discussion at hand is to further fund solutions to the problems the community has called for. Funding the work is going to save the City money based on the projections made available to them. They want to add more tools to the toolbox and support a more comprehensive public safety system. Mayor Elliott explained he supports police officers, and his proposal supports them. He noted Michelle Gross asked to provide additional information in response to questions to the Council.

Michelle Gross, a representative with Communities United Against Police Brutality, stated she presented a model in a previous meeting and has additional, updated numbers from Hennepin County dispatch which are specific to Brooklyn Center. The purpose of the revised models is not to tell the City how to respond to their emergency response options but suggestions to show a potential return on investment. She provided Mayor Elliott with the data provided by the County.

Ms. Gross stated the Police Chief in Austin, Texas has shared his support of a similar model, but she has decided to forgo playing the video in the interest of time. There is a long list of cities with similar programs across the country. For example, the Psychiatric Emergency Response Team (PERT) program in San Diego deals with mental health and community resource responses and has been in place for 24 years. PERT has not had a single incident or threat of harm for the responders in its existence. Overall, similar community response programs have very positive track records.

Ms. Gross showed a slide with data based on Hennepin County's Computer-Aided Dispatch's response to Brooklyn Center in 2020. In 2020, Brooklyn Center Police Department received 34,198 calls for service. 51.1 percent of the calls required a police response while 29.8 percent of the calls could have been handled by civilian teams, 16.5 percent by a community response team, and 13.3 percent by a civilian traffic team. The Fire Department was required in 2.4 percent of calls and an ambulance was needed for 16.7 percent of the calls.

Ms. Gross added people in the community want expanded response options. Based on a poll of 312 adults in Brooklyn Center in May 2021, 60 percent support the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act, 75 percent support dispatching community response teams for calls not requiring a police response, 63 percent support the creation of a civilian traffic enforcement team, and 58 percent support reallocating budget toward expanded response options.

Ms. Gross stated the goals of the Resolution are to provide more appropriate and economical responses to 911 calls that do not require a law enforcement response and to free up law enforcement for calls that do require their skill set. The community response team would handle social services referrals, conflict resolution, and, potentially, mental health calls. The civilian traffic enforcement team would handle non-moving traffic and parking enforcement tasks.

Ms. Gross showed a slide with a chart showing a financial breakdown for a community response team. She explained there are two requirements by Minnesota law for a mental health response. First, there must be a response available 24 hours a day for seven days a week each of the 365 days in a year. Second, it must be provided by mental health providers. Hennepin County has a mental health response unit called Community Outreach for Psychiatric Emergencies (COPE). Considering Brooklyn Center receives about 500 mental health calls each year, it does not justify having full-time professionals around the clock for what would amount to a call or two each day. Instead, COPE could handle those calls and put a supervisor into Brooklyn Center for less money for the City. The return on investment would be tremendous as it would save the City over $440,000 each year. She noted she tried to be very conservative with her projections and assumed 20 percent of the community needs calls would still be handled by law enforcement. Ms. Gross also showed a slide with a chart showing a financial breakdown for a civilian traffic enforcement team.

Ms. Gross stated she used the International City/County Management Association figures on how to calculate the number of police officers needed based on the number of calls a city has. Based on the transfer of 80 percent of the appropriate calls to the community response team and civilian traffic enforcement team, the City would have a surplus of 4.9 FTEs of patrol officers. Those officers could then be used for other functions within the Brooklyn Center Police Department.

Mayor Elliott thanked Ms. Gross for her presentation. He asked Ms. Gross about the potential cost savings of her proposed model. She stated it was based on what has been done across the country. The community response model includes an expenditure of $517,000, but the savings would be $443,000. The civilian traffic enforcement unit would cost around $251,000 and would save the City roughly $601,000. It is a significant saving for a civilian to respond to a call rather than a police officer. While it requires some more money on the front end, it results in savings for the City in the long run. Altogether, it would save the City over $1 million and it would cost the City $759,000. Ms. Gross noted the documents she provided include all of the details about how she put the numbers together.

A resident made repeated disparaging comments about Kim Potter.

Mayor Elliott reminded the attendees to remain muted and only speak if they are recognized by him. If an attendee does not follow the rules set forth, then they may be removed from the meeting.

Councilmember Graves stated she appreciates the presentation by Ms. Gross and thanked her for the information. She sees the connection between the work they are already doing and the City Manager's proposed budget to Ms. Gross' presentation. The City Manager has budgeted $250,000 for community response and $250,000 for civilian traffic enforcement, both of which are pilot programs. The community response option, as presented by Ms. Gross, requires closer to $500,000. LEAP's presentation had the expenses broken down into six-month increments to account for training and starting the program as compared to the program itself. The budget proposed by the City Manager would get them started for six months based on LEAP's projections. Councilmember Graves stated she feels confident about the budget proposed by the City Manager to fund the alternative response teams.

Councilmember Graves stated she has feelings about needing 49 officers. Based on the presentation by Ms. Gross and her projection showed the potential decrease in 4.9 patrol officers, Councilmember Graves stated she would be comfortable with freezing two or three positions, which likely would not have been filled in 2022 anyway, to reinforce the community response team budget.

Councilmember Graves added they have talked about COPE as a Council, and she would love to be a part of the County's mental health response efforts. Brooklyn Center already has a social worker on staff, so it may not be an additional cost as shown by Ms. Gross' projections and presentation.

Councilmember Lawrence-Anderson stated she appreciates the presentation by Ms. Gross. Considering the time, the Mayor needs to make a time limit for the evening and public comment. Councilmember Lawrence-Anderson noted her appreciation for the emails she has received and the level of community engagement. She added she would prefer to see a vote on the matter rather than having the five members of the Council decide for the City of over 30,000 residents.

Councilmember Butler thanked the presenters for their time and for the community that has shown up for the meeting. Although it is not typical for the Council to amend the budget so late in the timeline, it is something that happens in other council settings. They should not be afraid of doing something because it has not been done before. Councilmember Butler explained she would like to see the Council more united on the topic and come to some sort of a compromise. She does not believe it is likely to fill the 14 open police officer positions based on the trends both within the City and across the country. With that in mind, they should use that money to provide additional support and resources to the officers. There is a narrative that believes the funding changes do not support law enforcement, but that is not the case. She supports police officers and does not support defunding law enforcement. Councilmember Butler proposed they continue the vote to the next meeting to allow for people to digest the information that had been presented to them.

Mayor Elliott stated he would allow for public comments and reminded the attendees to keep their comments to one minute. He noted the late hour and stated he plans to wrap up around 10:15 p.m.

Katie W. stated she is concerned why some Staff and members of the Council are using the term "defund" to refer to the allocation of money for the Resolution passed in May. It is a stall tactic. What was done in Brooklyn Center before her son's murder was not working. She asked when preparing for a budget, have they factored in any of the pending or upcoming lawsuits against the City. Katie stated Councilmember Ryan and Councilmember Lawrence-Anderson will never agree to any kind of funding for the Resolution. While they may have voted for it, they continue to use stalling tactics.

Katie W. added tomorrow she will face her son's murderer at trial and see autopsy photos and watch body camera footage over and over again for the next three weeks. She asked the City to prevent another murder from happening. The Council has resources and options to do it. Katie W. explained her son's murder was the worst thing that ever happened in her life, and she does not want it to happen to anyone else. She asked the Council to fully fund the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act the way it is written. They cannot

afford to lose any more life.

Arvid S. stated he has lived in Brooklyn Center for 49 years, noting Dr. Edwards had stated the budget he presented makes good progress towards the goals of the Resolution as well as meeting other goals the Council has tasked him with. Dr. Edwards has also explained the dire consequences of diverting funds from the Police Department budget and not replacing the staffing vacancies. Dr. Edwards was appointed to his role due to his extensive expertise. The Council is questioning the budget after hearing information from outside groups that do not have the expertise in city management with little to no hands-on knowledge about Brooklyn Center.

Arvid S. explained his previous professional tasks have included data analysis and making recommendations. The recommendations nearly always require some assumption. The overall assumption is that relieving some of the tasks of the police officers would result in the need for a lesser number of police personnel. This assumption results in a traffic stop where the responding personnel cannot intervene in the case an emergency were to arise. There is the argument that an alternative response would free up law enforcement to respond to an emergency, but there would be less law enforcement in this scenario. Therefore, this alternative response would not decrease emergency response times. The residents of Minneapolis have rejected an alternative response option due to similar concerns.

Mayor Elliott reminded the commenters to keep their remarks to two minutes or less.

Lesley stated they are traveling down a slippery slope, and it could become very dangerous. She stated the Council needs to vote no on this proposal. It puts too many people and places at risk. Four homes have been listed for sale because of related concerns. People are going to leave the City, and they will have a harder time getting people back in the City. The citizens need to vote on the decision rather than having only five people make such a big decision for the City.

Tamara S. stated she has lived in Brooklyn Center for over 34 years and owns a business in Brooklyn Center. She would like the Council to vote on the matter that evening and approve the City Manager's budget proposal. She noted her appreciation of Councilmember Graves' comments and explanation of the previous efforts of the City Council to work towards police reform.

Shanna W. stated she grew up in Brooklyn Center and greatly values the City and the work they are trying to do. She sees folks trying to be productive and finding a way to navigate issues such as the rampant deaths of Black people. The concerns people have are against a Resolution that has already been approved. The Resolution does not defund the police, but rather it gives public servants further resources and support. There is the thought that law enforcement needs to be wary against Black people to protect the community, its residents, and the businesses. However, there is more nuance to it than that, but it is very intense to hear the opposition and racism. People are trying to use democracy to create effective change, but they are being met with racism.

Jeffrey D. explained he is an organizer with Barbershops and Black Congregation Cooperative and has relationships with many Brooklyn Center business owners. He added he frequents Brooklyn Center. The people deserve to have appropriate resources and services to meet their needs. Not

knowing if a good cop or a bad cop is going to respond when someone calls 911 is not reassuring. In his experience, Jeffrey D. has been singled out and wrongly accused of criminal acts. His heart jumps when he passes by a police officer. Not all cops are bad, but they need to move toward a place where they can have peace of mind when calling for help through 911. He added the City Council needs to take steps toward fully funding the new public safety efforts.

Amity D. stated she is the mother of Kobe Dimock-Heisler who was killed unjustly by the Brooklyn Center Police Department in 2019. She noted she appreciates the information presented by LEAP. They were able to explain the other cities that have implemented alternative response options in a very clear way.

Amity D. added the Council needs to stop discussing the budget and that they do not have enough money to fund the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act. She stated the term "defunding" has a negative connotation to it, and the spirit of the Resolution is to reallocate funds. The proposal is to take funding away from the Police Department and put it into other efforts. Amity D. noted Councilmember Ryan stated the Resolution was an ill-conceived notion. She asked if the Resolution was so ill-conceived, then why did Evanston, Illinois adopt a resolution for alternative responses. This is the way of the future.

Amity D. noted her appreciation of the efforts by the Council to address police reform in years prior. The problem is alternative responses for mental health or various disabilities keep getting presented to the Council, but they are not passed. Then the Council finally passed an alternative response option through the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act, but now they claim there is not enough funding for it.

Amity D. stated her son was murdered because of these issues. If these programs were implemented the first time it was brought to the Council, her son would still be alive. Kim Potter was involved in her son's murder, but she was only reprimanded. If there was actual police accountability, then Duante Wright would still be alive. The Council may have hesitations, but if they were going through the same things as herself or Katie Wright, they would be demanding the same changes. The people are not trying to take police officers away from the community, but when someone is dealing with a mental health situation, it is not appropriate to bring four armed officers into their house. It is not okay that Duante Wright was pulled over and murdered for expired tabs when the State told police to stop pulling over. Duante Wright and Kobe Dimock-Heisler were not criminals, but they were murdered by criminals. Amity D. stated the Council needs to fund the Resolution they have already passed. The Council needs to make it work.

Mayor Elliott stated he is aware of timing, but Ms. Dimock has the right to speak without being interrupted.

Randy C. stated he is a resident of Brooklyn Center. He noted he was appreciative of the opportunity to speak as he was silenced at the last meeting. Mayor Elliott stated Randy C. was not silenced at the last meeting. Randy C. stated he does not need to be interrupted, and he was silenced at the last meeting.

Randy C. stated Councilmember Butler raised concerns about onboarding timelines for new police officers, but she did not express concerns or ask questions about onboarding timelines for alternative community response personnel or when the money is needed. Randy C. stated he is frustrated by the meetings where City Council and Staff do not have reports from the presenters. It is difficult for attendees to follow along and participate in the discussion. Randy C. stated Councilmember Graves and the Staff need the information ahead of the time to have intelligent conversations. Randy C. stated whether the term "defunding" has a negative connotation or not, is the same thing as reallocation. It appears the two budget proposals are very similar, and Council should go with the one prepared by Staff.

Councilmember Butler stated she asked about on-boarding for mental health response options in the last meeting. The answer to that question was about three months. Mayor Elliott thanked Councilmember Butler for the information.

Jay noted he strongly supports the Resolution and asked why it is taking so long. He asked why there has been opposition to it, especially by Councilmembers who voted in support of it. Change needs to happen because two children were murdered.

Jean L. stated he does not understand how people can deny the mountain of evidence that has been presented and comments made in support of the new departments. Nor does he understand the lack of support for elected officials that have also been bolstered by the community ever since the spring. People cannot sit there and pretend these things haven't happened and continue speaking the language of division. What is at stake is a policy about preserving the dignity of human life. They do not get to have justice for what happened to Kobe Dimock-Heisler and Duante Wright, but they do get to have accountability and justice in the future.

Jean L. stated he is in support of the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act being fully funded. As someone whose primary interactions with law enforcement and recourse to public safety would involve the Brooklyn Center Police Department, Jean L. noted he is concerned and wary of conversations that negatively frame the expansion of community resources and alternative response options. The community needs to stay aware of the dignity of human life. Additionally, these measures are not radical and the efforts need to move forward.

Councilmember Graves asked Mayor Elliott to elevate the voices on the call that have not had an opportunity to speak yet.

Phillip G. shared his condolences with the affected families and noted the community is there for them. The community has to be better in terms of the language being used in Council meetings. The courts have implemented various programs similar to what is being proposed in Brooklyn Center. For example, there is a program called Sentencing to Service which allows low-level offenders to avoid court convictions, Juvenile Detention Alternatives Initiative which moves juveniles into alternative living situations, and National Alliance on Mental Illness has a crisis intervention team that works in Minneapolis. The Resolution does not defund the police and it is not soft on crime. By reallocating funds, it allows policing a better opportunity to handle higher-level crimes.

Phillip G. asked how many responders would be allowed by the funding. He added the affected communities need to be at the table to be a part of the discussions. The community needs this change. Armed responders are not needed for every situation. He stated they need to keep it civil to work together toward a safe community.

A resident tried to comment, and Mayor Elliott stated people can only speak when he recognizes them. He explained there is only one presiding officer at a time.

Kiki W. stated the only people on the Council that are listening to the community are Mayor Elliott and Councilmember Butler. The Resolution does need to be pushed for. She added she does not agree with a lot of things in the budget and that they sit on the meetings and discuss buildings or other things that do not support the community. Kiki W. recommended Mayor Elliott and Councilmember Butler better inform the rest of the Council and stated Dr. Edwards seems like a pawn for the Police Department. She stated the Council needs to be more organized, but Councilmember Butler does have the community's best interest in mind.

Bri S. stated it was very misleading when one of the Councilmembers said they are defunding the police. She works with students, and the point of the Resolution is similar to decreasing class sizes. They are creating gateways for the police officers to be less overworked and less stressed. Teachers have lower burnout and students get a better education with smaller class sizes. Law enforcement should not have to respond to every call, and there should be alternative response options. There are psychiatrists and support groups and mental health advocates in the community as alternative avenues, and there need to be similar alternatives available to the police. Ultimately, alternative responses would provide more appropriate responses.

Brian P. explained he spent 15 years as a police officer for Brooklyn Center and left in 2015. His overall goal was community engagement, but what he has seen over the last 20 months is sad. Any progress law enforcement had made in the community has failed. It does not seem there is a collaborative response to fix the issues, and it is divisive.

Brian P. stated the community of Brooklyn Center is excellent. Unfortunately, due to recent events, the people of Brooklyn Center seem divided, and Mayor Elliott continues to divide the community. Mayor Elliott has never reached out to Brian P. or his organization to collaborate. Brian P. stated he has lived and worked in the community for 15 years, and he refuses to be silent about the divisiveness. He commented that Mayor Elliott has no control over the meetings. The citizens of Brooklyn Center need to come together and realize Mayor Elliott is using a very charged political event to be divisive.

Zarita stated she is wholeheartedly behind funding the Resolution. Parsing out costs to a more appropriate response unit is part of making a change in a very substantiative way. Once people know better, they need to do better. Social workers are not going to go into unsafe environments, and police officers are not going to quit because some funding was reallocated. A few years ago, when an autistic boy's caretaker was shot by police, it should have been a wake-up call for the Council. Brooklyn Center also lost someone on the spectrum recently due to police violence. If officers are removed from situations they are not trained for, it will be better for police officers.

Crime is not going to stop, and it should not stop progress.

Mayor Elliott reminded attendees to keep their comments to less than two minutes.

Samie B. stated when it comes to the Resolution, it would be a lot better to reallocate funds to keep police from being overwhelmed. People are not as caring and sympathetic when they are overloaded or stressed. These changes will build trust within the community due to action and change rather than words. Samie B. stated she has a nine-month-old, and law enforcement has been called twice because she has done what babies do. If the police were not as understanding that she has a baby, it would be a whole different story. It is a waste of time for a police officer to respond to a crying baby.

Jim M. stated the devil is in the details. In listening to the comments, it appears there is no solid plan in place. Defunding is exactly what is happening as they are taking away funds from 14 officers. This is a dramatic change in how calls for service are going to be handled, and it doesn't appear to have any organizational chart prepared. Most of the presenters have not been law enforcement. The Council has not spoken with communities that have implemented these changes nor have they spoken with the Police Department about the effects. Brooklyn Center's crime statistics are through the roof, and the call load is only going to increase in Brooklyn Center. Jim M. asked what the Council is going to do about the increased crime rates in the proposed plan.

Mayor Elliott noted Jim M. is the Executive Director of the Law Enforcement Association of Minnesota. Violent crimes in Brooklyn Center are down dramatically since 2003. It has gone up slightly in the last couple of years, but it is still dramatically lower than in years past. Brian P. and another resident commented that those statistics are incorrect.

Mayor Elliott added a former Police Chief was one of the presenters, so there was a law enforcement perspective shared in the presentations. He asked for attendees to stop interrupting him.

Brian P. stated Mayor Elliott is being untruthful. Leslie R. added crime statistics are up 200 percent.

Shanna W. asked for others to stop interrupting Mayor Elliott. Brian P. repeated Mayor Elliott is being untruthful.

Mayor Elliott stated if Brian P. and Leslie R. interrupt him again, they will be removed from the meeting. Brian P. stated he is the Executive Director of the Minnesota Police and Peace Officers Association, and Mayor Elliott is not being truthful.

Shanna W. told Brian P. to stop commenting. Phillip G. stated the people are being divisive. Paul C. stated he thought the Mayor was in support of law and order.

Councilmember Graves stated open forum is not a time for dialogue. She explained she would like to continue hearing from the community, and Mayor Elliott was out of order for engaging in dialogue. Mayor Elliott stated he has heard Councilmember Graves give information in response

to comments previously. Councilmember Graves stated she has directly provided clarification or direction to Staff, but that was not what Mayor Elliott was doing.

John S. asked the Council to move on. Andrew S. stated Council meetings are an activist echo chamber.

Hans stated he supports fully funding the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act. He noted he is a father of three Black girls and has been married to a Black woman for fifteen years. White supremacy is blatant in the Twin Cities, and they cannot trust law enforcement to tell the people they will not be safe. Those are the same people killing people that the Resolution is seeking to protect. The police have a personal interest in maintaining funding levels. The legal system has a history of oppression, and it continues to not support reforms. Hans asked the Council to listen to oppressed voices and support funding the Resolution. The community will improve and become safer if the Resolution is fully supported.

Myrna K. stated the inappropriate photos shown for attendees should have been taken down a long time ago. The decrease of police officers on the force has to do with the attitudes of law enforcement and even more so due to the fault of Mayor Elliott. The way Mayor Elliott speaks about police is unhelpful. Bringing additional resources into the Police Department needs to be framed as assistance rather than replacement because they do need the help. However, they cannot take 14 police out of the City. The City added staff to the Police Department a few years ago. The Police Department will never be fully staffed due to the training time.

Zoya C. explained she is a victim of police brutality. She thought the City was moving forward earlier this year. She noted she does not want to be a civil rights activist. Her parents and grandparents did that, and she wants to move forward. They are talking about $1.3 million while there are funeral costs and the City is being sued. She can keep her medical expenses down because she believes in the church. Duante Wright died right before her eyes. George Floyd was murdered before that. She stated she wants to walk away, but she doesn't have a choice to be a civil rights activist. She stated she has done nothing wrong, and she is terrified by the police. Gender has nothing to do with hate. Her kids believe only blue lives matter, and she has to explain to them that all lives matter. She stated the City needs to listen to the victims and fully fund the Resolution that was already passed and supported by the community. They can talk about 2003, but they need to move forward.

Billie J. stated they are all there because of people with mental health issues. She stated she has mental health issues due to side effects from her disability medication. There are times where she had sworn at her mother, which was huge for her and meant she was on the edge. She finally went to the emergency room for assistance. Billie J. explained she was lucky enough to know she could understand something was wrong, but she still had apprehension about seeking help. She doesn't know what would have happened if it had gone on longer as she was ready to take her own life. She doesn't know what would have happened if the police had responded and did not know what to do with her. Billie J. stated there is anxiety and worry from the entire community. Looking at it from the perspective of people with mental health issues, they see police officers as something to be afraid of. At this point, people are just trying to survive.

Billie J. stated they cannot change the past. All they have is now. The City can make everyone safer by having trained responders available to handle mental health crises. The Council needs to remember what this is about and understand the money is available. They are not taking away police officers, but they are making their jobs a little lighter. She encouraged people to love one another and support one another. She stated a mental health crisis could happen to anyone. Black and White people both struggle with mental health issues. People with mental health issues are far more likely to be killed by law enforcement. Additionally, jails and prisons are filled with folks struggling with mental health. This Resolution is intended to prevent more people from dying.

Marcus J. stated he is in support of fully funding the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act. Reallocation is not defunding the police. By fully funding the Resolution, they are reimagining how power operates in Brooklyn Center. They are creating a more fully operative and responsive alternative for the people. There need to be different levels of support within the community depending on what individuals need.

Marcus J. stated the opposition keeps mentioning fear-mongering. He asked why the opposition keeps sensationalizing safety for their self-interest at the detriment of Black and Brown folks. The opposition believes their property is more important than the lives of Black and Brown people. Additionally, if officers do resign due to fully funding the Resolution, it would benefit the community. Their resignation would be saying they do not value the lives of Black and Brown people.

A resident stated it is not an issue of race.

Mayor Elliott called on a few attendees to speak who did not have any comments. Councilmember Graves asked what list Mayor Elliott was working through. Mayor Elliott stated he is managing the meeting, and he has a list of people who have emailed as well. Councilmember Graves asked if the emails were from before the meeting. Mayor Elliott confirmed the emails were from before the meeting. Councilmember Graves stated she wanted to make sure Mayor Elliott was not showing favoritism on who he was calling on. Mayor Elliott stated Councilmember Graves' comments were inappropriate.

Joy told Councilmember Graves it was inappropriate to dialogue. Mayor Elliott stated he has a list of people that have asked to speak.

Julie B. stated she is a children's mental health case manager and resident of Brooklyn Center. She explained she supports the Resolution because it addresses mental health needs in the community by allowing for trained professionals to respond to appropriate situations. What happened to Kobe Dimock-Heisler should have never happened. She explained she works alongside the police every day, and families call her first because they are fearful of the police. Mental health workers are asking the police to work with them.

Julie B. noted the first level of force for a police officer is their presence. Many components of a police officer's presence and uniform are triggering. Children who are fearful of law enforcement carry that idea into adulthood. The residents of the City deserve better, and the police should not

have to do everything on their own. Responding to mental health crises was not intended to be on their plate in the first place. Police officers do not want mental health crises on their plates and admit they have not been properly trained for it.

Joy stated they are looking at a cookie-cutter budget. While some people might be uncomfortable with a late hour, change is uncomfortable. People need to stretch to be effective. They heard from presenters that police have initiated some efforts, and they have seen success. While it currently hasn't been initiated by police, it could be supported by police. The community needs to work together. They do not need a police officer to do all of the tasks they are called to do. The police need more support. Although the details are not ironed out, that is the beauty of something new.

Joy asked how are they currently operating while being understaffed by 14 officers, how they are currently responding to calls for service, and who is filling the Street Crime Unit and the juvenile officer role. She asked the names of the organizations the City Manager is working with the surrounding community response. Growing and changing are good. It is important to recognize they do not need police officers to police poverty. It is impossible to be an expert in all things. The City needs to address the trauma of law enforcement, the trauma of police, and historical trauma.

Matt O. from Luther Automotive stated residents have been hearing more and more gunshots. There has been a 48 percent increase in violent crime in the City over the past two years. Luther Automotive cares about its employees and does not want them to be subject to crimes. Their employees have been involved in various crimes in the City, and they are concerned about the City.

Matt O. noted Ms. Gross presented that a low percentage of calls are for mental health, perhaps around 1 percent as stated by presenter Ms. Gross. However, the proposed budget moves 15 percent of funds to mental health responses. That is not appropriate. Mental health is a big deal, and it makes a lot of sense to address mental health issues. However, taking away 15 percent of the budget to address one percent of the issues does not make sense.

Matt O. noted Dr. Edwards pointed out the positions that would be eliminated from the Police Department if they were to reallocate the funds of the 14 police officers. He clearly showed the positions that would be defunded if the measure goes forward. Luther Automotive has done a lot to partner with the City and supports the growth of the community. No one wants to pick sides. Dr. Edwards' budget incorporates several of the components of the Resolution without defunding law enforcement. He encouraged the Council to listen to the residents, businesses, and employees of Brooklyn Center who want the City to come together. In passing the Mayor's proposal, police officers will leave Brooklyn Center. Law enforcement will not want to work in a City where they are part of an experiment. He wants the police to be a part of the solution. Matt O. encouraged the Council to listen to their employees and support Dr. Edwards proposed budget.

Amity D. stated she looks forward to protesting at Luther Automotive.

Jaylani H. explained this is a historical moment for Brooklyn Center and the country. Brian P. noted Jaylani H. gets a second opportunity to speak.

Jaylani H. clarified he spoke on the previous topic. Mayor Elliott asked for Brian P. to be removed from the meeting. Jaylani H. asked for Brian P. to be allowed to remain in the meeting. Earlier this year, Jaylani H. sent a letter to Brian P.'s organization, Minnesota Police and Peace Officers Association, asking them to condemn white supremacy. Brian P. did not condemn white supremacy.

A resident stated the meeting is unfocused and ridiculous. Elizabeth F. asked how many times the Mayor was going to allow outside people to speak at the meeting.

Jaylani H. asked for people to stop interrupting him.

A resident stated this is not an issue of race. Another resident noted Brian P. spent 15 years in the community of Brooklyn Center and asked how many years Jaylani H. has been a part of Brooklyn Center.

Jaylani H. stated his interrupters were out of order, have no respect for decorum, and are unable to listen to a Black man. Phillip G. asked for the meeting to be adjourned.

Jaylani H. stated people need to be respectful. Elizabeth F. stated Jaylani H. is disrespectful. Jaylani H. told people to listen.

A resident stated Mayor Elliott is not doing his job. Another resident stated they are not there to talk about race.

Jaylani H. told people to listen to him. Jaylani H. stated this is not an opportunity for a white mob to gather. A resident stated they need justice for Kim Potter. Jaylani H. told people to listen.

Mayor Elliott stated if anyone else is being disruptive, they will also be removed from the meeting. He explained the City Clerk has muted everyone and will unmute people one at a time to speak. He stated he wants to give people the opportunity to speak as they have been on the call for quite a few hours.

Jaylani H. stated he is not surprised with the response because it is hard for a Black person to say anything in the country without being disrespected. Mayor Elliott and Councilmember Butler have also been treated disrespectfully. He explained this is an opportunity for the City to showcase what is possible. The Resolution brings forth a plan to do less harm, give police more tools, and address the real needs of the community. Brooklyn Center is the most diverse city in Minnesota, and the residents care about all people. The Resolution means hope and means that police across the country can start changes of their own. Good policing comes with accountability. A former Police Chief said it himself.

Jaylani H. added the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act needs to be fully funded. It will not solve every problem, but it projects the City in the right direction. On the eve of the trial of Kim Potter, the City has an opportunity to move forward by fulfilling the promise made in April. Politics are messy, but politics that reflect the

needs of the community are historic.

Jaylani H. added Brian P. of the Minnesota Police and Peace Officers Association refuses white supremacy and led a white mob in that night's meeting. Brian P.'s comments are disrespectful and distasteful, and the people should be ashamed of themselves. The Resolution is above and beyond their hate, and it is about love and the sanctity of human life. The Council needs to do the right thing, even if it means some people are unhappy. Jaylani H. thanked the mothers of the victims of police violence for continuing to speak. There are many officers in the Brooklyn Center Police Department and across that country that support alternative response options to support their work.

Jaylani H. stated his interrupters need to rethink the meaning of democracy. The core tenant of democracy is that people can disagree with one another, but they should still be able to be in the same room as one another and treat each other respectfully.

Mayor Elliott reminded commenters to be brief.

Julie N. implored opponents of the Resolution to look into what it looked like before the 1960s when police officers responded to medical crises. Communities of color particularly were affected by the failure of imagination before the creation of ambulances. They do not need armed officers to respond to every type of call.

John S. noted his appreciation for the presentations. He stated he would like the Implementation Committee to move forward. Having worked alongside police in the past as a civilian, both the police and the families they responded to were happy to have a civilian join in the response. The community wants the police to work in the right way. If police leave after the reallocation of funds, then they didn't want to be in the community anyways. Similarly, if residents want to leave after the reallocation of funds, then that would make a better community. Police and Staff have been working hard in the community to make improvements. People under-appreciated and under-recognized marginalized communities. The Council needs to move forward with funding the Resolution.

Sohnma G. stated she is shocked about the level of disrespect toward Mayor Elliott. She added law enforcement has made a commitment to protect and serve the community, and if they do not do that, they need to reevaluate. Opponents think things have been going smoothly because the affected people do not look like them. Opponents value their safety without regard for the safety of people of color. The community is trying to come together to improve Brooklyn Center, but opponents are being divisive. It is especially divisive to disrespect the Mayor. Sohnma G. added critiquing the police does not mean they do not want them in the community, but the people do want them to do better. The police need to protect and serve everyone in Brooklyn Center.

Mohamed I. explained shifting funding in any type of industry is just good governance. The community can continue having positive conversations and de-stigmatize those with mental health issues or addictions. Similarly, the community needs to stop criminalizing poor people. The State has never really addressed any of those problems, but Mayor Elliott is showing leadership to address those problems. If police officers quit because they are unable to respond to mental health

calls, then they should seek out mental health licensure if that's what they want to do. Law enforcement cannot continue to terrorize people under the guise of keeping them safe. It is time to be courageous and answer the demands of society to keep all people safe. They need to stop people from being killed by state-sanctioned personnel. The Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act needs to be fully funded, and Brooklyn Center needs to support Mayor Elliott and his efforts to fully fund the Resolution.

Steve noted the Mayor carefully allowed those he wanted to hear from speak for extended lengths of time and inferred violence might occur in the City without dramatic changes. It is not a surprise that outside influencers, including those from out of Minnesota, showcased the discussion around dramatically transferring funds by as much as 30 percent. The crime in their City and nation is getting worse by the day, regardless of what Mayor Elliott would like the people to believe. Steve stated redistributing duties of law enforcement makes sense, but it does not have to happen overnight. They need to move forward, but they need to do so at a rationed pace. They need police reform but moving too quickly than they are prepared for organizationally and financially is not the answer. There is not a plan, yet the last few weeks of discussion have been far from collaborative. The new departments have been fleshed out more in the last two weeks than in the last year.

Steve explained the decision process has been placed in the hands of limited groups of people with limited, fractured viewpoints being unnecessarily influenced by people outside of the community. The citizens of Brooklyn Center should have had an opportunity on such momentous changes. They all hope the new departments are a success, but they hope the changes are not too dramatic for them to succeed. They all hope to become a model for other cities across the nation. Steve explained his concern is not about changes but the speed of the changes.

Steve added Councilmember Butler has mentioned the idea of a false narrative. A false narrative is spending almost six months putting a budget together only to have it tossed aside at the last minute. The Mayor listens to special interest groups rather than to the citizens. The false narrative is pretending they are not discussing a significant reduction of funding for the Police Department. The false narrative is believing they should rush into the reform plan rather than ease into it, study it thoroughly, and use data and statistics to form it. The community needs to hope the proposal does not turn into a catastrophe that ultimately puts its citizens at greater risk. With crime on a dramatic rise across the Metro and the whole country, they could easily be one incident away from losing more businesses than have already fled. They are limiting potential new residents' interest in the City. The number of vacant homes may go up, and the property values may go down.

Lori B. stated, as a resident of Brooklyn Center, she would like to apologize to Jaylani H. for being disrespected on the call. His expertise on these matters is valuable, and Lori B. thanked him for supporting Brooklyn Center. Lori B. has been expressing her concerns about police accountability since the murder of Kobe Dimock-Heisler two years ago. She stated she has heard several people comment that has not been a part of the process that has demanded a lot of time. They agree change needs to happen.

Lori B. stated she stands in solidarity with the family of Kobe Dimock-Heisler and the family of Duante Wright. She gave her heartfelt condolences for the loss of their beautiful sons. She stated

she supports fully funding the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act and reallocating a small portion of the $9.6 million proposed Police Department budget.

Lori B. stated she stands behind the Mayor and noted he is not alone in the making of the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act. As for the topic of race, this is completely a racial issue. Over 60 percent of Brooklyn Center is made up of people of color.

Mayor Elliott thanked the community for engaging in the process and for everyone's patience throughout the meeting. Commenters have said community engagement is important and they do not want the Council to feel rushed in their decision. Since they have a few weeks until the budget is due, Mayor Elliott suggested they continue the vote to later meeting date. Additionally, he would like to move the final vote on the budget from December 6 to December 20. That would allow them to have ample time to ask questions of the staff and get more information before making a decision. Mayor Elliott asked Councilmembers for their thoughts on his proposal.

Caroline L. asked how many of the police officers are vaccinated and how many of them are wearing masks. She stated she has seen police officers go into houses without masks on. There is a new variant of COVID-19. If law enforcement is meant to protect and serve, they should protect people from the virus. Additionally, she believes they should fully fund the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act. White supremacists will not listen, and they need to listen to understand what is being said. She stated it was embarrassing to witness the disrespect that happened in the meeting. They should be ashamed of themselves and they cannot even follow directions.

Councilmember Butler noted it was almost midnight, so it might not be the best time to vote on the matter. They have received a lot of community input and presentations. She agreed to move the vote to a later meeting and encouraged other members of the Council to speak with Staff to get their questions answered. She added she hopes they can come to a compromise where all Councilmembers are on board with the same thing.

Mayor Elliott stated they need more time to discuss the topic, so he believes they should move the final votes to a later date.

Dr. Edwards noted they have limited staff in the Finance Department, and it takes a lot of time to put together a budget. They have already provided notice for truth in taxation, so they are required to have that meeting on December 6. Mayor Elliott explained he spoke with Mr. Gilchrist about moving the meeting, and Mr. Gilchrist suggested they have the truth in taxation meeting and have the continued budget discussion on the same date for which there was already a notice.

Dr. Edwards explained the purpose of the truth in taxation meeting is to provide residents with a presentation of the budget. Therefore, there is an expectation to provide residents with a notice of that presentation and a reliable timeline for the truth in taxation meeting.

Mr. Gilchrist stated ideally the proposed budget would be presented at the truth in taxation meeting

scheduled for December 6. The hope was for there to be time between the vote on the proposed Resolution and the truth in taxation meeting. However, that is not going to happen. The conversation can be continued on December 6, and he is not aware of any reason why they could not continue that hearing to a later date while the budget is being finalized. The Council needs to decide on the budget, so he encouraged the Council to come to the December 6 meeting with the idea of reaching a direction on the matter. Then they could finally act at the December 20 meeting.

Mayor Elliott moved and Councilmember Butler seconded to continue the discussion of the 2022 budget to the meeting on December 6, 2021, and reschedule the final budget vote to December 20, 2021.

Councilmember Ryan explained he does not understand the intention of the motion to move the budget resolution beyond December 6 when they have gone through the extensive process to bring it forward. Councilmember Ryan stated he plans to be out of town on December 20 as do other members of the community and the Council. It is an egregious misuse of the process to move the vote to a date where all interested parties cannot be involved. They need to vote on the 2022 budget on December 6, 2021. Next year they can have a full and robust debate about the 2023 programming. It is manipulative to make such a motion at such a late hour. He stated he objects strongly to the motion and hopes other members of the Council will vote to approve the City Manager's budget on December 6.

Mayor Elliott clarified the final budget vote can be a different day than December 20. Councilmember Ryan stated the process is being manipulated, and the Mayor has done similar actions over and over again to get exactly what he wants. There is a process that has been repeated year in and year out. They voted for a certain budget going into 2021with programs supporting and counteracting the effects of COVID-19 because it was the greatest good for the greatest number of people. A good process ensures good outcomes. He stated he strongly objects to Mayor Elliot's motion.

Councilmember Lawrence-Anderson stated they need to respect Staff, the Finance Commission, and the time the Council has put into the budget. The budget presented by City Manager should be the one they vote on during the truth in taxation meeting on December 6 and that is the proposal she will be prepared to vote on. She added she will do her due diligence to review all submitted materials from the presenters over the last several weeks to prepare for discussion concerning the 2022 budget. Asking the staff to prepare a budget on December 20 with a four-day deadline, the week of Christmas and Hannukah is really inconsiderate and disrespectful to the staff.

Councilmember Graves asked what type of vote is needed to pass a budget. Mr. Gilchrist stated the budget requires a simple majority to pass. Councilmember Graves asked about the type of vote needed to pass Mayor Elliott's proposed Resolution. Mr. Gilchrist stated Mayor Elliott's proposed Resolution also needs a simple majority to pass, meaning three affirmative votes from the Council.

Councilmember Graves stated she is frustrated because she did her best to compare the budget presented by the City Manager and the budget presented by Mayor Elliott. She added she could prepare a PowerPoint for the next meeting with those comparisons if it would be helpful for attendees. After seeing the presentations from Michelle Gross and LEAP, there is a gap in the

community response initiative of about $250,000. It is possible to fund the police and fill the positions for the Street Crimes Unit, investigators, and juvenile officers while also funding alternative response options. They should work with the Staff to determine the best route to do so. Hopefully, the Implementation Commission can form and start informing the process along with the listening sessions and work sessions.

Councilmember Graves stated if they do not support Mayor Elliott's proposal, it does not mean they are not funding the Daunte Wright and Kobe Dimock-Heisler Community Safety & Violence Prevention Act. That is a false narrative. There is a fair amount of the budget allocated to support the Resolution. The Council can support funding of the Police Department and the funding of the alternative response options. It seems like the Council is talking and no one is listening. She added they could call a vote tonight, but she wants the Council to consider a more nuanced approach. The Council and Staff can come together to create a compromise that combines both pieces. She stated she does not want to extend the meeting until December 20, especially if the Mayor is unwilling to compromise. Councilmember Graves stated Mayor Elliott has been manipulative, and she has told him that in person.

Councilmember Graves added she is trying her best to do a good job and care about the role to which she has been elected for the past seven years. She noted she is stressed out, and she is concerned about all of the families in Brooklyn Center. People are touting the line of rhetoric and media and having the mic drop moment, but people need to get together and take action. She explained she is suggesting a solution that incorporates both sides. She added she is tired even though most of the people she works with have similar, aligning values. People need to be held accountable even when the community doesn't agree on everything else. Councilmember Graves stated she was willing to discuss the budget and proposals further on December 6, 2021, but she was not willing to push it out to December 20. Pushing people is good, but people need to be brought in.

Councilmember Butler stated it is past midnight, and she needs to end for the evening. She agreed with Councilmember Graves that they need to come to some type of compromise, and she doesn't want the Council or the City to be fractured. She noted they all need a vacation, so they hope they can work with Staff to come up with some compromise that everyone can be happy with.

Councilmember Butler added she would be willing to meet before December 6 to have a discussion and be prepared to vote on December 6. She stated they need to wrap the meeting up. It seems there is not a consensus for Mayor Elliott's motion.

Mayor Elliott withdrew his motion to continue the discussion of the 2022 budget to December 6, 2021, and reschedule the final budget vote to December 20, 2021. He stated he will call another meeting this week if that seems appropriate. If they need another meeting, it would probably be on Thursday, December 2, if need be. He added they are all trying to do the best that they can.

Councilmember Ryan stated he would appreciate for his voice to be heard rather than the Mayor having a unilateral decision. He added the Council should decide on December 6 because that is the scheduled date to decide on the levy and the 2022 budget. He stated it was difficult to make decisions at such a late hour in the day.

Councilmember Graves noted she was amenable to vote on December 6 as well. She added she would like a report back from staff based on what they heard tonight from the public, community organizations, experts, and Staff. From there, they could have a robust conversation as a Council with advice from Staff. She stated she does not want to open it up for public comment again as they have already heard a lot from the community.

Mayor Elliott stated they do need to open the floor for public comment on December 6 as that is the point of the meeting. Councilmember Graves asked if the public comment was for the truth in taxation portion. Mayor Elliott stated they do have to have public comment on December 6 because there was a
notice given for that opportunity.

Councilmember Graves asked if the agenda would have two public hearings, one for the Mayor's proposed Resolution and one for the truth in taxation portion. Mr. Gilchrist stated they do need to call the hearing to order on December 6, and clarified that the purpose of the meeting is to hear from the public on the proposed budget. Ideally, they would have a consensus budget by then. If the thought is to meet further on the night's topic, then they could continue the meeting. They could schedule a special hearing to try to reach a consensus before calling the December 6, 2021 hearing to order. Even if it is not a final adoption on December 6, they could schedule another meeting after December 6 for a final adoption without discussion. He added Staff will need time to compile the numbers for the final budget after there is a consensus reached by the City Council.

Councilmember Graves stated she wants to make sure staff has time to do what they need to do. She does not want to shut down the conversation. They are moving in a good direction in a lot of ways, though it may be frustrating or involve an over-complicated process. Nonetheless, the City is moving in a better direction. She stated they could meet again later in the week, although she does not want to. She noted she would like Staff to prepare something for the Council to respond to base on their discussion.

Mayor Elliott agreed he would like more time to hash it out. Dr. Edwards stated the Staff will do all that they can to prepare for a meeting before December 6.

Councilmember Graves asked if they could have a Work Session before the truth in taxation meeting on Monday. In that scenario, the Staff could have more time to prepare for the meeting. Mayor Elliott confirmed that would be possible. He suggested they continue the meeting until Thursday, December 2, because they could also implement a Work Session if needed. Hearing the staff presentation right before going into a vote may not allow for enough time. Additionally, staff could prepare more information over the weekend before the truth in taxation meeting if need be.

The Council reached a consensus to continue the discussion of the 2022 budget to a continued Special Meeting at 6:00 p.m. on Thursday, December 2, 2021, via Zoom. Mayor Elliott asked the Council to come to the meeting prepared and informed on the proposals.

CONTINUATION TO DECEMBER 2, 2021

Mayor Elliott moved and Councilmember Graves seconded to continue the discussion of the 2022 budget at a City Council Special Meeting to be held at 6:00 p.m. on Thursday, December 2, 2021, via Zoom.

Motion passed unanimously.

ADJOURNMENT

The meeting adjourned at 12:13 a.m. on November 30, 2021.

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Alix Bentrud, Deputy City Clerk

SUBJECT: Approval of Licenses

Requested Council Action:

- *Motion to approve the licenses as presented.*

Background:

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

Gasoline Service Station

AM PM Corner Market DBA Winner Gas	6501 Humboldt Ave N Brooklyn Center MN 55430
Two Rivers Investment Inc DBA Van's Automotive	6840 Humboldt Ave N Brooklyn Center MN 55430

Liquor License Off-sale 3.2%

Casey's Retail Company DBA Casey's General Store	2101 Freeway Blvd Brooklyn Center MN 55430
Kabalan Co DBA Pump N Munch	1505 69th Ave N Brooklyn Center MN 55430

Liquor License On-sale Intoxicating

FLIK International Corp	6155 Earle Brown Drive Brooklyn Center MN 55430
Topgolf USA Brooklyn Center	6420 Camden Ave N Brooklyn Center MN 55430

Liquor License On-Sale Intoxicating Sunday

FLIK International Corp	6155 Earle Brown Drive Brooklyn Center MN 55430
Topgolf USA Brooklyn Center	6420 Camden Ave N

Brooklyn Center MN 55430

Mechanical Licenses

ACI Plumbing LLC	6217 W Lake St St Louis Park MN 55416
All Pride Plumbing	21930 Heidelberg St NE Stacy MN 55079
C P H Investment Co dba Dryer Vent Wizard of St Paul	19456 Ellington Tr Farmington MN 55024
C & M Heating & Air Conditioning Inc	13862 Wintergreen St Andover MN 55304
J-Berd Mechanical	1 Industrial Blvd Sauk Rapids MN 56379
Liberty Comfort Systems	627 East River Rd Anoka MN 55303
Recher HVAC	1125 Mississippi Dr N Champlin MN 55316
SPI Mechanical LLC	1116 Lincoln St NE Minneapolis MN 55413
Three Rivers Mechanical	1147 5th Ave Anoka MN 55303
Weld & Sons Plumbing	3410 Kilmer Lane N Plymouth MN 55441
Wencl Services	8148 Pillsbury Ave S Bloomington MN 55420
Wenzel Heating & A/C	4145 Old Sibley Memorial Hwy Eagan MN 55112

Tobacco Related Products

A M Brothers DBA Cloud Nine Smokeshop	66th Ave N Ste 5 Brooklyn Center MN 55430
AM PM Corner Market DBA Winner Gas	6501 Humboldt Ave N Brooklyn Center MN 55430
Diamond Lake 1994 LLC DBA Cub	3245 Co Rd No 10 Brooklyn Center MN 55430
Two Rivers Investment Inc DBA Van's Automotive	6840 Humboldt Ave N Brooklyn Center MN 55430

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

ATTACHMENTS:

Description	Upload Date	Type
Rental Criteria	3/16/2021	Backup Material
Rental Licenses 12-14-2021	12/7/2021	Backup Material

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

b. Police Service Calls.

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

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

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

Rental Licenses for Council Approval on December 14, 2021								
Property Address	Dwelling Type	Renewal or Initial	Owner	Property Code Violations	License Type	Police CFS *	Final License Type **	Previous License Type ***
1107 57th Ave N	Multi 1bldg 3 units	Initial	Alexander Irwin / Irwin Properties	20 6.67 per unit	IV	N/A	IV	
5245-47 Drew Ave N	2 Family 2 units	Initial	Jesse Forsell	11	IV	N/A	IV	
1501 Amy La	Single	Initial	HP Minnesota I/Pathlight Mgt	2	II	N/A	II	
6835 Colfax Ave N	Single	Initial	HP Minnesota I/Pathlight Mgt	0	II	N/A	II	
6807 Quail Ave N	Single	Initial	Tai Pham	4	II	N/A	II	
4220 Lakeside Ave N	2 Family 1 unit	Renewal	Richard Arnston	2	I	0	I	I
3349 49th Ave N	Single	Renewal	Isaac Obi	3	II	0	II	II
3813 58th Ave N	Single	Renewal	Xian Lin / Prosperous Property	0	I	0	I	I
3813 61st Ave N	Single	Renewal	Dhaneshwarie Himraj - missing CPTED	12	IV	0	IV	IV
3213 62nd Ave N	Single	Renewal	Sara Brang	2	I	0	I	II
2208 69th Ave N	Single	Renewal	3511 Fremont LLC - met requiremenrs	7	III	0	III	IV
5351 71st Cir	Single	Renewal	Ghulam Abbas Pyarali	4	II	0	II	I
1300 72nd Ave N	Single	Renewal	Marinela & Scott Selseth	8	III	0	III	I
5606 Bryant Ave N	Single	Renewal	MNSF II W1 LLC / Michael Atwood - met requirements	0	I	0	I	IV
3834 Oak St	Single	Renewal	Xian Lin / Prosperous Property	0	I	0	I	I
3007 Ohenry Rd	Single	Renewal	IH3 Properties/Invitation Homes	3	II	0	II	IV
6407 Orchard Ave N	Single	Renewal	HP Minnesota I/Pathlight Mgt - missing CPTED	0	I	0	III	III
3012 Thurber Rd	Single	Renewal	Angelique Kapilla /Risen Home Care-Missing CPTED & CFH cert	8	III	0	IV	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

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

All properties are current on City utilities and property taxes

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Barb Suciu, City Clerk

SUBJECT: Approve the 2022 City Council Meeting Schedule

Requested Council Action:

- *Motion to approve the 2022 City Council meeting schedule as presented*

Background:

Annually, the City Council meeting schedule is set for the upcoming year. Attached for you approval is the schedule for 2022.

Budget Issues:

N/A

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
2022 Calendar	12/9/2021	Backup Material

2022 City Council Meeting Schedule

Regular City Council Meetings

Meetings will be held either via Zoom or in person

Study/Work Session	**6:00 p.m.**
Informal Open Forum	**6:45 p.m.**
Regular Session	**7:00 p.m.**
Work Session – After regular session	

Brooklyn Center City Council regularly meets the 2nd and 4th **Monday** each month, unless Monday is a holiday.

January 10	January 24
February 14	February 28
March 14	March 28
April 11	April 25
May 9	May 23
June 13	June 27
July 11	July 25
August 8	August 22
September 12	September 26
October 10	October 24
November 14	November 28
December 12	

Additional Work Session Dates:

January 3	March 7

Scheduled meetings with Common Sense

February 17 – 6 pm to 9 pm	TBD
May 2 – 6 pm to 9 pm	TBD
August 6 – 8:30 am to 11:30 am	TBD
November 5 – 8:30 am to 11:30 am	TBD

Special City Council Meetings

All dates are **Monday** unless otherwise noted

April 4	**7:00 p.m.**
Board of Appeal & Equalization	CC
April 18	**6:00 p.m.**
Board of Appeal & Equalization Reconvene	CC
June 6	**6:30 p.m.**
Work Session w/Auditor and Budget Work Session w/Financial Commission	CC
July 5	**6:30 p.m.**
Work Session w/Financial Commission Capital Improvement Plan & Capital Project Funds	CC
July 18	**6:30 p.m.**
Work Session w/Financial Commission 2023 Budget Overview	CC
August 1	**6:30 p.m.**
Work Session w/Financial Commission General Fund – Department Requests	CC
August 15	**6:30 p.m.**
Work Session w/Financial Commission General Fund – Department Requests	CC
August 29	**6:30 p.m.**
Work Session w/Financial Commission General Fund – Department Requests	CC
October 3	**6:30 p.m.**
Work Session w/Financial Commission Special Revenue Funds, Debt Service Funds, Internal Service Funds	CC
October 17	**6:30 p.m.**
Work Session w/Financial Commission Utility/Enterprise Funds	CC
December 5	**6:30 p.m.**
2023 Budget Hearing and Special Meeting	CC

CC –Council Chambers located in upper level City Hall

All dates are subject to change. Contact City Hall at 763-569-3300 to verify dates and times.

12/13/2021

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Barb Suciu, City Clerk

SUBJECT: Resolution Designating Polling Places for the 2022 Election

Requested Council Action:

- It is recommended that the City Council consider approving a resolution designating polling places for the City of Brooklyn Center for the 2022 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 in 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. An excerpt from Minnesota Statutes 204B.16 has been attached for your reference.

In 2022, the city will go through the redistricting process and after the redistricting is completed and approved the city will reset polling places for 2022.

Budget Issues:

None

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

Strategic Priorities and Values:

Safe, Secure, Stable Community, Customer Intimacy , Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/7/2021	Resolution Letter
Excerpt from MN Statutes 204B.16	12/8/2020	Backup Material

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DESIGNATING POLLING PLACES FOR THE CITY OF BROOKLYN CENTER FOR 2022 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 2022 elections as follows:

Precinct 1 – Brooklyn Center Community Center, 6301 Shingle Creek Parkway

Precinct 2 – Brooklyn Center Community Center, 6301 Shingle Creek Parkway

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

December 13, 2021
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

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

Excerpt from Minnesota State Statute 204B.16

204B.16 POLLING PLACES; DESIGNATION.

Subdivision 1. **Authority; location.** By December 31 of each year, the governing body of each municipality and of each county with precincts in unorganized territory must designate by ordinance or resolution a polling place for each election precinct. The polling places designated in the ordinance or resolution are the polling places for the following calendar year, unless a change is made:

(1) pursuant to section 204B.175;

(2) because a polling place has become unavailable; or

(3) because a township designates one location for all state and federal elections and one location for all township only elections.

Polling places must be designated and ballots must be distributed so that no one is required to go to more than one polling place to vote in a school district and municipal election held on the same day. The polling place for a precinct in a city or in a school district located in whole or in part in the metropolitan area defined by section 200.02, subdivision 24, shall be located within the boundaries of the precinct or within one mile of one of those boundaries unless a single polling place is designated for a city pursuant to section 204B.14, subdivision 2, or a school district pursuant to section 205A.11. The polling place for a precinct in unorganized territory may be located outside the precinct at a place which is convenient to the voters of the precinct. If no suitable place is available within a town or within a school district located outside the metropolitan area defined by section 200.02, subdivision 24, then the polling place for a town or school district may be located outside the town or school district within five miles of one of the boundaries of the town or school district.

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Kim Moore, Human Resources

SUBJECT: Resolution Setting Salaries for Calendar Year 2022

Requested Council Action:

- It is recommended that the City Council adopt the resolution setting salaries for calendar year 2022.

Background:

Section 2.07 of the City Charter requires that the City Council shall fix the salary of all employees of the City. Generally speaking, the City employs three different sets of employees, union, non-union and city manager.

Union employees encompass the vast majority of public works and police department employees. Salaries and wages for these employees are established through the collective bargaining process. Contracts are settled with all union groups for 2021 with the exception of LELS Local 82 that covers police officers.

The action before you relates to the wages and salaries of the ninety-seven (97) non-union full-time employees out of a total of 171 full time employees working for the City. These at-will employees have no contract and rely upon the actions of the City Council through policy to assure reasonable working conditions, salaries and wages that are competitive in the market place.

The proposed budget provides for a 2.75 percent general wage increase. It also provides for scheduled performance based step increases for employees below the range maximum. Staff recommends approval of the pay plan with a 2.75% general wage increase for 2021.

Budget Issues:

The proposed budget will support a 2.75% pay plan adjustment and scheduled performance step increases provided by the resolution.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/7/2021	Resolution Letter
2022 Pay Plan	12/9/2021	Backup Material

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING THE 2022 FEE SCHEDULE

WHEREAS, the City of Brooklyn Center has a comprehensive fee schedule that is used by staff during the year; and

WHEREAS, this this fee schedule has been amended for the fees for 2022.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the 2022 Fee Schedule be adopted.

December 13, 2021
Date

_____
Mayor

ATTEST:_____
City Clerk

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

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

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

2022 Pay Plan

FULL-TIME EMPLOYEES

Effective January 1, 2022

2022 Brooklyn Center Regular Full-Time Positions

Position	Positions Authorized	Organized	Exempt from Overtime
ADMINISTRATION			
City Manager	1	Contract	Yes-Exec
City Clerk	1	No	Yes-Adm
Deputy City Clerk	1	No	No
License Clerk – Front Desk	1	No	No
Human Resources Manager	1	No	Yes-Adm
Human Resources/Benefits Specialist	2	No	No
Human Resources/Payroll Specialist	1	No	No
IT Manager	1	No	Yes-Adm
IT Technician	1	No	No
IT Specialist	1	No	No
IT Intern	1	No	No
Communications & Community Engagement Mgr	1	No	Yes-Adm
Communications Specialist	1	No	No
Community Engagement Specialist	2	No	No
Digital Communication Specialist	1	No	No
Inclusion & Diversity	1	No	Yes-Adm
Community Safety and Violence Prevention Mgr	1	No	Yes-Adm
COMMUNITY DEVELOPMENT			
Community Development Director	1	No	Yes-Exec
City Planner	1	No	Yes-Adm
Associate Planner/Zoning Administrator	1	No	No
Economic Development Coordinator	1	No	Yes-Adm
Building and Community Standards Division			
Deputy Director of Building & Community Standards	1	No	Yes-Adm
Housing/Community Standards Supervisor	1	No	Yes-Adm
Building Official	1	No	Yes-Adm
Building Inspector	3	No	No
Housing/Code Enforcement Inspector	4	No	No
Community Development Administrative Assistant	2	No	No
FISCAL AND SUPPORT SERVICES			
Director of Finance	1	No	Yes-Exec
Assistant Director of Finance	1	No	Yes-Adm
Accountant	1	No	Yes-Adm
Utilities Technician II	1	No	No
Accounting Technician II	1	No	No
Liquor Stores Division			
Liquor Operations Manager	1	No	Yes-Exec
Liquor Store Manager	2	No	Yes-Adm
Liquor Store Assistant Manager	2	No	Yes-Adm
Liquor Store Category Lead	1	No	No
Liquor Store Office Assistant	1	No	No

Position	Positions Authorized	Organized	Exempt from Overtime
FIRE DEPARTMENT			
Fire Chief	1	No	Yes-Exec
Deputy Fire Chief	1	No	Yes-Exec
Fire Inspector/Educator	1	No	No
Fire Administrative Coordinator	1	No	No
POLICE DEPARTMENT			
Chief of Police	1	No	Yes-Exec
Police Commander	3	L #86	Yes-Adm
Police Sergeant	7	L #86	No
Police Officer	33	L #82	No
Police Detective	5	L #82	No
Support Services Manager	1	No	Yes-Adm
Crime Analyst	1	No	No
Crime Prevention Specialist	1	No	No
Police Administrative Assistant	1	No	No
Police Records Specialist	1	No	No
Police Records Technician	7	No	No
Property Technician	1	No	No
PUBLIC WORKS DEPARTMENT			
Director of Public Works	1	No	Yes-Exec
City Engineer	1	No	Yes-Adm
Principle Engineer	1	No	Yes-Adm
Assistant City Engineer	1	No	Yes-Adm
Engineering Technician IV	1	No	No
Engineering Technician III	3	No	No
Public Works Administrative Assistant	1	No	No
Streets and Parks Division			
Deputy Director of Public Works	1	No	Yes-Exec
Supervisor of Streets and Parks Maintenance	1	No	Yes-Adm
Crew Leader	3	L #49	No
Maintenance II	11	L #49	No
Central Garage Division			
Mechanic	2	L #49	No
Crew Leader	1	L #49	No
Night Service Person	1	L #49	No
Central Garage Administrative Technician	1	No	No
Public Works Administrative Technician	1	No	No
Public Utilities Division			
Supervisor of Public Utilities	1	No	Yes-Adm
Water Treatment Plant Lead Operator	1	L #49	No
Crew Leader	1	L #49	No
Maintenance II	6	L #49	No

Position	Positions Authorized	Organized	Exempt from Overtime
Government Buildings Division			
Maintenance Lead	1	No	No
Maintenance Custodian	1	No	No
Maintenance Technician	1	No	No
RECREATION			
Director of Recreation	1	No	Yes-Exec
Deputy Director of Recreation	4	No	Yes-Adm
Recreation Program Supervisor			Yes-Adm
Recreation Coordinator	2	No	No
Golf Course Superintendent	1	No	Yes-Adm
Recreation Administrative Assistant	1	No	No
Recreation Clerk	1	No	No
Earle Brown Heritage Center Division			
EBHC General Manager	1	No	Yes-Exec
EBHC Operations Director	1	No	Yes-Exec
EBHC Crew Chief	2	No	No
EBHC Sales Director	1	No	Yes-Exec
EBHC Sales Manager	4	No	Yes-Adm
EBHC Catering Sales Manager	2	No	Yes-Adm
EBHC Maintenance Custodian	3	No	No
EBHC Secretary/Billing Clerk	1	No	No
EBHC Secretary/Receptionist	1	No	No
TOTAL REGULAR FULL-TIME POSITIONS AUTHORIZED: 176			

Disclaimer for non-organized exempt positions and non-organized non-exempt positions.

Normal progression: Minimum is the starting rate. After successful completion of six-months of a probationary period. Individuals move to the next step. After eighteen months of successful performance of job duties, individuals move to the next step. Additional advances in steps up to the maximum shall be at the discretion of the City Manager based upon the recommendation of the Department Head.

City Manager's Discretion: The City Manager is authorized to set salaries below the minimum rate when performance or qualifications are less than required for the position. The City Manager is authorized to set salaries above the minimum rate when qualifications exceed those required for the starting rate.

Merit Steps: Merit steps up to 10 percent above the maximum rate shall only be awarded with the express approval of the City Manager as recommended by the City Manager.

2022 City Manager and Department Head Pay Plan

Exempt from overtime

Position Title	Minimum	Maximum
City Manager:	Salary pursuant to employment contract	
Director Fiscal & Support Services Chief of Police Chief of Fire Director of Community Development Director of Public Works Director of Recreation	$117,838 Annual	$144,485 Annual

The City Manager is authorized to set salaries within the established ranges. This schedule reflects a 2% increase as of January 1, 2022.

2022 Non-Organized Full-time Employee Pay Plan - Exempt

1/1/22

Exempt from overtime (not eligible for overtime)

Pay Grade	Title		Step A	Step B	Step C	Step D	Step E	Step F	Step G
C30	Supervisor Public Utilities Supervisor Streets/Parks Deputy Fire Chief	**Annual**	$ 88,697	$ 93,132	$ 97,793	$ 100,233	$ 102,742	$ 105,306	$ 107,942
		Hourly	$ 42.643	$ 44.775	$ 47.016	$ 48.189	$ 49.395	$ 50.628	$ 51.895
C28	Assistant City Engineer	**Annual**	$ 84,423	$ 88,643	$ 93,078	$ 95,403	$ 97,789	$ 100,233	$ 102,742
		Hourly	$ 40.588	$ 42.617	$ 44.749	$ 45.867	$ 47.014	$ 48.189	$ 49.395
C27	Assistant Finance Director Building Official	**Annual**	$ 82,360	$ 86,480	$ 92,887	$ 90,998	$ 95,403	$ 97,789	$ 100,233
		Hourly	$ 39.596	$ 41.577	$ 44.657	$ 43.749	$ 45.867	$ 47.014	$ 48.189
C25	City Planner/Zoning Adm Economic Dev. Coordinator Communication Coordinator	**Annual**	$ 78,395	$ 82,316	$ 86,430	$ 88,591	$ 90,807	$ 93,078	$ 95,403
		Hourly	$ 37.690	$ 39.575	$ 41.553	$ 42.592	$ 43.657	$ 44.749	$ 45.867
C22	Accountant	**Annual**	$ 72,796	$ 76,438	$ 80,257	$ 82,262	$ 84,323	$ 86,430	$ 88,591
		Hourly	$ 34.998	$ 36.749	$ 38.585	$ 39.549	$ 40.540	$ 41.553	$ 42.592
C20	Rec. Program Supervisor EBHC Operations Director EBHC Sales Director Golf Course Supt.	**Annual**	$ 69,291	$ 72,754	$ 76,394	$ 78,304	$ 80,257	$ 82,262	$ 84,323
		Hourly	$ 33.313	$ 34.978	$ 36.728	$ 37.646	$ 38.585	$ 39.549	$ 40.540
C18	Liquor Store Manager	**Annual**	$ 65,953	$ 69,247	$ 72,708	$ 74,528	$ 76,394	$ 78,304	$ 80,257
		Hourly	$ 31.708	$ 33.292	$ 34.956	$ 35.831	$ 36.728	$ 37.646	$ 38.585
C12	EBHC Sales Manager	**Annual**	$ 56,867	$ 59,715	$ 62,700	$ 64,268	$ 65,876	$ 67,517	$ 69,208
		Hourly	$ 27.340	$ 28.709	$ 30.144	$ 30.898	$ 31.671	$ 32.460	$ 33.273
C8	Assistant Liquor Manager	**Annual**	$ 51,522	$ 54,099	$ 56,805	$ 58,221	$ 59,677	$ 61,169	$ 62,700
		Hourly	$ 24.770	$ 26.009	$ 27.310	$ 27.991	$ 28.691	$ 29.408	$ 30.144

This schedule provides a salary range for non-organized employees in exempt positions. The schedule reflects all current salary ranges for this group and provides a 2% increase as of January 1, 2022. This employee is exempt from overtime under FLSA.

2022 Supervisory Full-time Pay Plan - Exempt

1/1/22

Exempt from overtime (not eligible for overtime)

Pay Grade	Title		Step A	Step B	Step C	Step D	Step E	Step F	Step G
S35	IT Manager	Annual	$ 100,587	$ 105,614	$ 110,897	$ 113,666	$ 116,507	$ 119,419	$ 122,406
		Hourly	$48.359	$50.776	$53.316	$54.647	$56.013	$57.413	$58.849
S34	Human Resource Director	Annual	$ 98,132	$ 103,039	$ 108,185	$ 110,897	$ 113,666	$ 116,507	$ 119,427
		Hourly	$47.179	$49.538	$52.012	$53.316	$54.647	$56.013	$57.417
S33	Dep. Director of Public Works City Engineer	Annual	$ 95,740	$ 99,840	$ 103,480	$ 106,068	$ 108,720	$ 111,436	$ 114,223
		Hourly	$46.029	$48.000	$49.750	$50.994	$52.269	$53.575	$54.915
S32	EBHC General Manager	Annual	$ 91,570	$ 96,148	$ 100,957	$ 103,480	$ 106,068	$ 108,720	$ 111,436
		Hourly	$44.024	$46.225	$48.537	$49.750	$50.994	$52.269	$53.575
S30	Liquor Operation Manager	Annual	$ 87,158	$ 91,516	$ 96,092	$ 98,494	$ 100,957	$ 103,480	$ 106,068
		Hourly	$41.903	$43.998	$46.198	$47.353	$48.537	$49.750	$50.994
S29	Dep. Director of Community Development	Annual	$ 85,032	$ 89,284	$ 93,748	$ 96,092	$ 98,494	$ 100,957	$ 103,480
		Hourly	$40.881	$42.925	$45.071	$46.198	$47.353	$48.537	$49.750
S24	City Clerk	Annual	$ 75,157	$ 78,913	$ 82,859	$ 84,931	$ 87,054	$ 89,230	$ 91,462
		Hourly	$36.133	$37.939	$39.836	$40.832	$41.853	$42.899	$43.972
S22	Support Services Manager	Annual	$ 71,535	$ 75,111	$ 78,867	$ 80,839	$ 82,859	$ 84,931	$ 87,054
		Hourly	$34.392	$36.111	$37.917	$38.865	$39.836	$40.832	$41.853

This schedule provides a salary range for non-organized employees in exempt positions. The schedule reflects all current salary ranges for this group and provides a 2% increase as of January 1, 2022. This employee is exempt from overtime under FLSA.

2022 Non-organized Full-time Employee Pay Plan - Non-exempt

1/1/22

Non-exempt eligible for overtime

Pay Grade	Title		Step A	Step B	Step C	Step D	Step E	Step F	Step G
D40	Principal Engineer	**Hourly**	$36.956	$38.804	$40.744	$41.763	$42.807	$43.877	$44.974
D37	Engineering Tech IV	**Hourly**	$35.852	$37.645	$39.527	$40.515	$41.528	$42.566	$43.630
D35	Building Inspector	**Hourly**	$34.124	$35.831	$37.622	$38.563	$39.527	$40.515	$41.528
D33	IT Specialist	**Hourly**	$32.480	$34.104	$35.809	$36.705	$37.622	$38.563	$39.527
D32	Engineering Tech III	**Hourly**	$31.688	$33.272	$34.936	$35.809	$36.705	$37.622	$38.563
D31	Crime Analyst	**Hourly**	$30.915	$32.461	$34.084	$34.936	$35.809	$36.705	$37.622
D30	Housing & Code Enf. Inspect.	**Hourly**	$30.161	$31.669	$33.253	$34.084	$34.936	$35.809	$36.705
D29	Maintenance Lead IT Technician	**Hourly**	$29.425	$30.897	$32.442	$33.253	$34.084	$34.936	$35.809
D24	Fire Inspector HR/Benefits Specialist Payroll/HR Technician	**Hourly**	$27.324	$28.691	$30.125	$30.878	$31.650	$32.442	$33.253
D21	Fire Adm. Coordinator	**Hourly**	$26.008	$27.308	$28.674	$29.390	$30.125	$30.878	$31.650
D20	Dep. City Clerk Police Adm. Assist. PW Admin Assist-Eng PW Admin Assist -Central Garage Recreation Admin Assist Comm Dev Admin Assist Assist Accounting Tech II Utilities Technician II Police Records Specialist Community Eng Specialist	**Hourly**	$24.151	$25.358	$26.626	$27.292	$27.974	$28.674	$29.390
D17	PW Adm. Tech EBHC Sec/Billing Clerk EBHC Maintenance Custodian PD Records Tech Maintenance Tech	**Hourly**	$23.562	$24.740	$25.977	$26.626	$27.292	$27.974	$28.674
D13	EBHC Sec./Receptionist Cust. Service Rep Liquor Store Office Assist Recreation Cust. Serv Rep Maintenance Custodian	**Hourly**	$21.879	$22.973	$24.122	$24.725	$25.343	$25.977	$26.626
D8	EBHC Crew Chief Liquor Store Category Lead	**Hourly**	$19.822	$20.813	$21.853	$22.400	$22.960	$23.534	$24.122

This schedule provides a salary range for non-organized employees in non-exempt positions. This schedule reflects all current salary ranges for this group and provides for a 2% increase as of January 1, 2022. This employee group is not exempt from overtime under FLSA.

2022 IUOE Local 49 Employee Pay Plan

1/1/22 (contract still in negotiations

Non-exempt (eligible for overtime)

Position title		1-Jan 2021
Maintenance III	**Hourly**	$32.55
Maintenance II	**Hourly**	$31.03
Step 3	**Hourly**	$29.04
Step 2	**Hourly**	$27.08
Step 1	**Hourly**	$25.12
Start	**Hourly**	$23.13
Mechanic	**Hourly**	$32.55
Night Service Person	**Hourly**	$31.03

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This schedule provides a salary range consistent with the labor agreement.

Crew Leader: An employee assigned, in writing by the Department Head or Public Works Superintendent, to assist asupervisor as a crew leader will be paid an additional $1.50 per hour above the base wage of their regular position.

The current agreement extends through December 31, 2021.

2020 LELS 82 Employee Pay Plan

1/1/22

Non-exempt (eligible for overtime)

Position Title		January 1, 2022
Police Officer	**Starting**	$31.129
	After 12 months	$36.165
	After 24 months	$39.370
	After 36 months	$45.779

This schedule provides a salary range consistent with the labor agreement and the labor agreement extends through December 31, 2024.

2022 Police Commander & Sergeant (LELS Local 86) Pay Plan

1/1/22

Exempt from Overtime **Position Title**		Min	Max
Commander	**Annual**	$ 129,979.20	$135,324.80
	Monthly	$10,831.60	$11,277.66

1/1/22

Non-exempt from Overtime **Position Title**		Max	
Sergeant	**Start**	$ 51.42/hr	
after 12 months	**Step 1**	$ 55.50/hr	
3%	**After 36 months**	$ 56.81/hr	

This schedule provides a salary range consistent with the labor agreement and the labor agreement extends through December 31, 2024.

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Barb Suciu, City Clerk

SUBJECT: Resolution Approving the 2022 Fee Schedule

Requested Council Action:

- *Motion to approve a resolution adopting the 2022 Fee Schedule*

Background:

Before you tonight for approval is the 2021 Fee Schedule. This is a comprehensive document that entails all of the fees for the city and is approved annually. The changes to the 2021 Fee Schedule include:

Budget Issues:

No budget issues related to this item

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/7/2021	Resolution Letter
2022 Fee Schedule	12/7/2021	Backup Material

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING THE 2022 FEE SCHEDULE

WHEREAS, the City of Brooklyn Center has a comprehensive fee schedule that is used by staff during the year; and

WHEREAS, this this fee schedule has been amended for the fees for 2022.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the 2022 Fee Schedule be adopted.

December 13, 2021
Date

_____
Mayor

ATTEST:_____
City Clerk

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

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

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



2022
FEE SCHEDULE

Licenses, Permits, Miscellaneous Services

Adopted March 1987
Updated 12/13/2021

6301 Shingle Creek Parkway ~ 55430-2199
763-569-3000

www.cityofbrooklyncenter.org

Introduction

In March 1987, the Brooklyn Center City Council approved an amendment to the City Ordinances that removed the fees for licenses and permits from the City Ordinances and established fees by Council resolution. The resolutions establishing fees for licenses and permits were collated into the following fee schedule, and it is updated whenever fees are amended or new fees are established. It provides a means by which fees for permits, licenses, and miscellaneous services are incorporated into one document to aid employees who need to collect fees or provide public information regarding fees. Fees for licenses and permits are set forth by Council resolution. Fees for copies, research projects, maps, and ordinances are generally set by the City Manager.

Fees relating to the Community Center and Centerbrook Golf Course can be obtained directly from the Department of Community Activities, Recreation, and Services and are not included in this fee schedule.

Fees relating to the Earle Brown Heritage Center can be obtained directly from the Heritage Center and are not included in this fee schedule.

Table of Contents

Licenses..... 2-4

Permits..... 5-10

Miscellaneous Services..... 11-19

License Type	Annual Fee	Expiration	City Code Reference
Amusement Device Operator Kiddie Ride	$15/location, plus $15/machine Res. 87-31 $10/ride	June 30	23-2101 Minn. Stat. 449.15
Animals (Cats and Dogs) Commercial Kennel	Res. No. 97-180 $100	September 30	1-102
Bowling Alley	Res. No. 97-180 $20/alley	December 31	23-209.01
Cesspool Cleaning	Res. No. 87-31 $25	April 30	7-501
Christmas Tree Sales Deposit	Res. No. 97-180 $60/lot $100/lot	January 5	23-1301
Entertainment	Res. No. 2020-17 $300	December 31	23-301
Filling Station First Nozzle/Hose Each Additional Nozzle/Hose	Res. No. 97-180 $90 $10	December 31	23-402
Filming & Photography	$400		23-2500 Ord. No. 2017-02
Fireworks Temporary Stand Permanent Structure	Res. No. 2004-65 $350/location $100/location	December 31	19-403
Garbage and/or Rubbish Collection Company Vehicle	Res. No. 97-180 $100 $25	June 30	7-103
Hospitality Accommodations Level I Level II Level III	Res. No. 2017-19 $150 $200 $300	April 30	23-2401
Liquor – Civil Penalties **Offense** / **Civil Fine** / **Suspension/ Revocation** **First offense** / **$500** / None **Second offense** / **$1,000** / 1 day suspension **Third offense** / **$1,500** / 3 day suspension **Fourth offense** / **$2,000** / 5 day suspension **Fifth offense** / **$2,000** / Revocation	Res. No. 2019-116		11-107
Liquor – Consumption and Display Temporary (maximum 10 days for City)	Res. No. 2017-203 $300 $25	December 31 N/A	11-106
Liquor – Off-Sale 3.2 Malt Liquor	Res. No. 2017-203 $100	December 31	11-106
Liquor – Off-Sale Brew Pub	Res. No. 2017-203 $200	December 31	11-106
Liquor – Off-Sale Microdistillery	Res. No. 2017-203 $200	December 31	11-106

License Type	Annual Fee	Expiration	City Code Reference
Liquor – Off-Sale Small Brewer License	Res. No. 2017-203 $200	December 31	11-106
Liquor – On-Sale 3.2 Malt Liquor Temporary	Res. No. 2017-203 $500 $10/day	December 31 N/A	11-106
Liquor – On-Sale Brew Pub On-Sale Intoxicating On-Sale 3.2 Percent Malt Liquor	Res. No. 2017-203 $6,500 $500	December 31	11-106
Liquor – On-Sale Brewer Taproom	Res. No. 2017-203 $600	December 31	11-106
Liquor – On-Sale Club Up to 200 members 201-500 members 501-1,000 members 1,001-2,000 members 2,001-4,000 members 4,001-6,000 members Over 6,000 members	 $300 $500 $650 $800 $1,000 $2,000 $3,000	December 31	11-106
Liquor – On-Sale Intoxicating Hotels & Clubs Earle Brown Heritage Center Culinary Class	Res. No. 2017-203 $6,500 $5,000 $100	December 31	11-106
Liquor – On-Sale Microdistillery Cocktail Room	Res. No. 2017-203 $600	December 31	11-106
Liquor – On-Sale Sunday Sales	Res. No. 2017-203 $200	December 31	11-106
Liquor – On-Sale Temporary Maximum 3 consecutive days; no more than 12 days per year Special Event Permit Maximum 10 consecutive days; no more than 40 days per year	$25/per day $25/per day		11-106
Liquor – On-Sale Wine	Res. No. 2017-203 $2,000	December 31	11-106
Massage Establishment Establishment Investigation – Establishment Masseur or Masseuse Investigation – Masseur/Masseuse	Res. No. 87-31 $3,000 $1,500 $50 $100	December 31	23-1703
Mechanical Systems	Res. No. 97-180 $60	April 30	23-1500
Motor Vehicle Dealer Class A Class B	Res. No. 97-180 $250 $75	April 30	23-1202

License Type	Annual Fee	Expiration	City Code Reference
Pawnbroker Establishment Investigation	Res. No. 2004-101 $3,000 $1,500	December 31	23-603
Rap Parlors, Conversation Parlors, Adult Encounter Groups, Adult Sensitivity Groups, Escort Services, Model Services, Dancing Services, or Hostess Services Investigation	Res. No. 87-31 $1,500 $1,500	December 31	23-1804
Rental Single Family Dwelling Initial License/New Owner Renewal License (no change in license holder) Two Family Dwelling Each Rental Unit Multiple Family Dwelling Each Building Each Unit Minimum Base Fee License Reinstatement **Conversion to Rental** A residential property converted to a rental property or a registered residential vacant building re-occupied as a rental property. This applies to lawful single-family and Single-family attached dwellings.	Res. No. 2005-152 $400 $300 $200 $200 $18 $450 Res. No. 2011-65 $100 Res. No. 2008-150 $500	Varies	12-901 12-910 12-902
Saunas or Sauna Baths Establishment Investigation	Res. No. 87-31 $3,000 $1,500	December 31	23-1602
Secondhand Goods Dealer Investigation	Res. No. 98-227 $750, plus $1.50 per reportable transaction $1,500	December 31	23-652
Sign Hanger	Res. No. 97-180 $60	April 30	34-160
Taxicab	Res. No. 2004-101 $100/vehicle	December 31	23-702
Tobacco Related Products Investigation	Res. No. 97-180 Res. No. 2014-57 $150 $150	December 31	23-101

Permit Type	Fee	City Code Reference
Administrative Land Use		35-800 Res. No. 99-172; 2005-65
Outdoor church & civic functions, charities, carnivals, etc.	$25/10 days	
Off-site signs for civic functions or community events	$25/10 days per location	
Outdoor nursery & garden center sales & displays	$100/30 weeks	
Miscellaneous outdoor sales, displays, or promotional events	$50/10 days	
Miscellaneous outdoor sales, displays, or promotional events for gasoline service stations	$50/30 days	
Car wash fundraisers	$25/10 days	
Alarm		23-2006 Res. No. 93-233
Fire	1/No Charge 2/$150 3+/$300	
Police	1-4/No Charge 5/$50; after 5, each alarm increased by $25	

Permit Type	Fee	City Code Reference
Building and Fire Protection		3-103 Res. No. 2018-09
Valuation $1 to $1,000 Valuation $1,001 to $2,000	$49.50 $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 fee	
Residential Siding Replacement up to 4 units	$150	
Residential Family Roof Replacement up to 4 units, not including flat roofs	$150	
Residential Solar Panel Installation	$200	
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	

Permit Type	Fee	City Code Reference
Cesspool Cleaning Permit	$18.75	7-502 Res. No. 87-32
Courtesy Bench Permit Inspection	 $50/bench $50/bench	23-902 23-903 Res. No. 2007-47
Demolition Permit	$50	23-1501 Res. No. 2005-65
Electrical Minimum Fee for one inspection trip	$50 per trip	3-103 Res. No. 2020-20
Two trip fee (Every job where wiring will be Covered needs a rough-in and final inspection. Examples: remodel or new bath, kitchen, porch, basement, laundry, detached garage, swimming pool, etc.)	$100 (includes two inspections)	
Service changeout	$110	
Temporary service	$55	
Service changeout with one or two remodeled or added rooms	$160 includes two inspections	
Subpanel change out	$50	
New or major remodel of apartment or condominium (this includes main service, feeders, house panel, circuit breakers, and temp power)	$100 per unit	
Residential maximum (includes new houses, townhouses, remodels with 50% or more of the lights, receptacles and switches being replaced	$190 includes three inspections	
Outside electrical reinstalled after siding replacement, house, duplex, triplex, four-plex, attached townhouses, and apartments	$50 first unit plus $25 each additional unit	
Electronic inspection fee for these items only: furnace, air conditioning, bath fan, fireplace, or receptacle for water heater vent. Must email required pictures.	$40	
Solar fees for PV System: Residential & Commercial 0 – 5,000 watts 5,001 – 10,000 watts 10,001 – 20,000 watts 20,001 – 30,000 watts 30,001 – 40,000 watts	 $90 $150 $225 $300 $375 plus $25 for each additional	

Commercial Electrical Fees

Description	Fee Calculation
Valuation $1 to $1,000	$50.00
Valuation $1,001 to $2,000	$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 $6.00 for each additional $1,0001,000 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 $1,000,000 and up	$6,013.55 for the first $1,000,000 plus $4 for each additional $1,000 or fraction thereof
Re-inspection Fee (in addition to all other fees)	$50
Investigation Fee (working without a permit) the fee is doubled	
Refunds issued only for permits over	$1

Permit Type	Fee	City Code Reference
Flood Plain Use		35-2182
Up to 1 acre	$50	Res. No. 2005-65
1 acre to 5 acres	$50/acre	
Over 5 acres	$250 plus $37.50 per acre for each acre or fraction thereof over 5 acres	
House moving		23-1501
Permit	$200	Res. No. 2005-65
Code Compliance Review Prior to Moving Structure into City	$100	
Land Disturbing Activities	Res. No. 2005-162	35-235
Permit	$50	
Mechanical Systems	Res. No. 2018-09	3-103
Valuation $0 to $500	$25	
Valuation $501 to $50,000	$25 plus 2% of value of any amount in excess of $500	
Valuation Over $50,000	$1,012.50 plus 1% of value of any amount in excess of $50,000	
Mechanical Plan Review (only when submitted without a building permit)	65% of base permit fee	
2" and less diameter pipe 1-3 fixtures	$5.75 each	
Additional openings	$2.50 each	
2" and over diameter pipe 1-3 fixtures	$15 each	
Additional opening	$3.25 each	
Residential Air Conditioner Installation	$60	
Residential Air Conditioner & Furnace Installation	$60	
Residential Boiler or Fireplace up to 4 units	$60	
Residential Furnace Installation	$60	
Residential Gas Stove or Dryer up to 4 units	$60	
Planning Commission Fees*	Res. No. 2019-03	
Zoning Code Text	$500	
Amendment Rezonings	$1,050	35-210
Site and Building Plan	$750	35-230
Preliminary Plat	$400	15-104
Final Plat	$200	
Variance	$200	35-240
Interim Use Permit (IUP)	$250	35-310
IUP Extension/Amendment	$150	35-310
Special Use Permit (SUP)	$250	35-220
SUP Amendment	$250	35-220
Extension of Special Use	$100	35-220
Permit Appeal	$200	35-251
Planned Unit Development (PUD)	$1,800	35-355
PUD Amendment	$700	35-355
Comprehensive Plan Amendment	$1,050	
* For all Planning Commission Applications, a refundable escrow of $1,000 will be added to the fee to cover any additional costs associated with the review of the application. Additional escrow may be required subject to the determination of the City Planner.		

Permit Type	Fee	City Code Reference
Plumbing	Res. No. 2018-09	3-103
Minimum Fee	$25	
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	
Right-Of-Way	Res. No. 2018-42	25-1009
Administration	$100 per permit	
Fee Excavation	$250 per permit	
Fee Obstruction	$200 per permit	
Fee Pole	$1,500 per site	
Attachment Fee	$50 per permit	
Extension	$50/day for pavement; $25/day for boulevard/turf	
Delay Penalty		
Sewer and Water	Res. No. 2005-65	3-103
Sewer or water connection	$50	
Sewer or water disconnection	$50	
Sewer and water disconnection	$90	
New commercial sewer and water connection	$150	
New residential sewer and water connection	$100	
Commercial/Industrial fire line	$50	
Water/Sewer repair	$50	
Storm Water	$50	
Minimum Fee	$50	
Sign	Res. No. 2005-65	34-150
50 sq. ft in area or less	$50	
Over 50 sq. ft in area	$50/1st 50 sq. ft and $15.00 for each additional 50 sq. ft or fraction	
Minimum Fee	$50	
Footing inspection, when required	$50	

Service	Fee
Abatement Application (Assessing) Taxpayer caused only (others no charge)	$45
Abatement (City-Facilitated)/Administrative Service Charge $999 or less $1,000 or Higher	Res. No. 2008-150 $75 $150
Accident Reports (Police)	< 10 pages no charges $0.25 per page $0.15 per page, if subject of data $0.50 per report, commercial user [defined as a user who requests access to more than five reports per month Minn. Stat. 169.09, Subd. 13(5) (f)]
Administrative Penalty System Fees Level 1 Level 2 Level 3 Level 4 **Violation Type (Ordinance reference) — Level** Waste container setback violation (7-102) — 1 Local Traffic and Parking (27) — 1 Parking Surface violation (12-316) — 2 All other city code violations, designated as a misdemeanor or petty misdemeanor — 2 Animal (10) — 2 Failure to register a vacant property (12-1500) — 2 Failure to obtain a permit or license — 3 Tenant protection violation (12-912D) — 4	Res. No. 2010-79 $60 $125 $300
Appeal Filing Fee – Chapters 12 and 19	$50 Res. No. 2005-65
Beekeeping Registration	$40 Res No. 2019-26
Business Subsidy Application Fee Escrow for consulting services related to review of application	$3,000 $10,000
Hearing Request Deposit	$20
Special Assessment Charge for unpaid fine amounts that are specially assessed	$30

Service	Fee
Copy Charges for Public Government Data Requests **Not from the Data Subject** **100 Pages or Fewer Black and White Photocopies** 8.5 x 11 or 8.5 x 14 Two-Sided Copy (8.5 x 11 or 8.5 x 14) **All Other Public Government Data Requests** The City will charge the requester **actual costs** of *searching* for and *retrieving* the data, including the cost of employee time, and for *making, certifying, compiling,* and *transmitting* copies of the data or the data themselves **Exception:** There will be no charges for searching, retrieving, compiling, and electronically transmitting readily available data	Minn. Stat. 13.03, Subd. 3 (c) **< 10 pages no charge** $0.25 $0.50 **Actual Costs** Labor – $0.40 per minute Paper – $0.01 per sheet Black/White Photocopier – $0.01 per page Color Photocopier - $0.07 per page Black/White Printer – $0.02 per page Color LaserJet Printer – $0.09 per color page **Other Actual Costs** that may or may not be included – refer to the document *Fees for Providing Copies of Public Government Data* compiled by the State of Minnesota, Department of Administration, Information Policy Analysis Division at www.ipad.state.mn.us or 651-296-6733 **Total Actual Costs** require that you add labor cost at $0.40 per minute to the supply and materials costs to establish total actual costs
Copy Charges for Public Government Data Requests by the Subject of Data When the requester is the subject of the data, the City *will not charge for searching for and retrieving data*. The requester will be charged the actual costs associated with *making, certifying, compiling,* or *transmitting* copies of the data themselves. **Exception:** There will be no charge for compiling and electronically transmitting readily available data.	**Actual Costs** **<10 pages no charge** $0.15 per page
Dogs Registration – Dangerous and Potentially Dangerous Contest Declaration Hearing Fee Review Declaration Hearing Fee Contest Sterilization Requirement for Potentially Dangerous Boarding Fee Impounding Penalty	 $35/annual Res. No. 2004-132 $250 Res. No. 2014-43 $100 Res. No. 2014-43 $250 Res. No. 2015-31 Joint & Cooperative Agreement with PUPS $31/day
Fingerprinting (Police) Brooklyn Center resident or Brooklyn Center business owner and/or owner's employees (Saturday 1:00 pm to 7:00 pm)	$10/card

Service	Fee
Franchise (Natural Gas)	Ord. No. 2019-03
Residential	$1.66/month
Commercial A	$1.74/month
Commercial Industrial B	$5.63/month
Commercial C	$22.50/month
SVDF A	$56.23/month
SVDF B	$107.96/month
LVDF	$107.96/month
Franchise (Electric)	Ord. No. 2019-02
Residential	$1.65/month
Small Commercial & Industrial – Non-Demand	$4.25/month
Small Commercial & Industrial – Demand Large	$22.75/month
Commercial & Industrial	$103.00/month
Public Street Lighting	$13.50/month
Municipal Pumping – Non-Demand	$13.50/month
Municipal Pumping – Demand	$13.50/month
Inspections	Res. No. 2011-55
Fire Inspection, Commercial	
Initial Inspection	No Charge
First Re-Inspection	No Charge
Second Re-Inspection	$100
Third Re-Inspection	$150
Fourth and Subsequent Re-Inspections Fire	$200
Inspection, Daycare Re-inspection	$50/each Res. No. 2009-130
A re-inspection fee for the second re-inspection and each subsequent re-inspection shall be collected from the applicant, owner, or responsible party.	Res. No. 2008-150
Properties with 1 to 3 units	$100
Properties with 4 or more units	$100 for each common area, plus $50 for each unit/Res. No. 2008-151
Re-Occupancy Inspection	
A property maintenance re-occupancy inspection fee is required for registered vacant buildings.	
Apartment/Condo	$115
Townhome	$195
Single Family	$195
Duplex (same owner)	$275
Triplex (same owner)	$415 Res. No. 2009-29
Fourplex (same owner)	$550 Res. No. 2009-29
Intoxilyzers Logs (Police)	$5/page
Maps	
8 1/2 x 11	$3
8 1/2 x 11 with Imaging (aerials)	$5
11 x 17	$4
11 x 17 with Imaging (aerials)	$6
24 x 24	$10
24 x 24 with Imaging (aerials)	$15
23 x 36	$15
23 x 36 with Imaging (aerials)	$25
NSF Check (Finance)	$30

Service	Fee
Posting and/or Removal of Posting for Residential Properties Identified as Unsafe for Human Occupancy	Res. No. 2005-65 $50
Police Reports (Police)	< 10 pages no charge $0.25 per page $0.15 per page, if subject of data $0.50 per page, commercial user
Recycling Utility Minimum charge per household per quarter Certification for collection with property taxes	Res. No. 2021-150 $12.10/quarter $50
Right of Way Registration	$1,000/New $25/Renewal
Sanitary Sewer Utility Base Rate Quarterly Residential Single Family Apartment Senior Citizen Non-Residential Rate SAC charge set by MCES Certification for collection with property taxes Line cleaning charge Sanitary Sewer Connection	Res. No. 2021-147 $98.27 $68.79 $54.04 $4.15 per 1,000 gallons Fee established by MCES $50 Labor, materials, equipment, and overhead Established annually by resolution
Satisfaction/Sub Agreements (Community Development)	$50
Site Plans/Surveys (Community Development) 8 1/2 x 11 copies	 $5
Special Assessment Interest Rate	Res. No. 2021-136 3.5 Percent
Special Assessment Search (Assessing)	$25
Special Computer Search (Police)	$7/each address
Storm Sewer Utility (quarterly rates) Base Rate Cemeteries and Golf Courses Parks Single Family, Duplex, Townhouse School, Government Buildings Multiple Family, Churches Commercial, Industrial Vacant Land Certification for collection with property taxes Private facility cleaning charge	Res. No. 2021-148 $68.39/acre $17.10/acre $34.20/acre $17.10/lot $85.49/acre $205.18/acre $341.97/acre As assigned $50 Labor, materials, equipment, and overhead

Service	Fee
Street Light Utility (quarterly rates)	Res. No. 2021-149
Single, Double, and Multiple Family Residential	$6.55/dwelling unit
Parks	$10.90/acre
Schools, Government Buildings, Churches	$21.80/acre
Retail and Service-Office	$32.69/acre
Commercial and Industrial	$32.69/acre
Vacant Land and Open Space	As Assigned
Certification for collection with property taxes	$50
Street and Storm Drainage Special Assessment Rates	Res. No. 2021-135
R-1 zoned, used as one-family site that cannot be subdivided	$4,924 per lot (street) $1,477 per lot (storm drainage)
R-2 zoned, or used as a two-family site that cannot be subdivided	$65.6533 per front foot with a $4,924 per lot minimum (street) $19.6933 per front foot with a $1,477 per lot minimum (storm drainage)
R-3 zoned (per unit)	Assess. frontage x $65.6533 (street) Number of residential units Assess. frontage x $19.6933 (storm) Number of residential units
Partial Street Reconstruction	
R-1 zoned, used as one-family site that cannot be subdivided	$3,692 per lot (street)
R-2 zoned, or used as a two-family site that cannot be subdivided	$49.2267 per front foot with a $3,692 per lot minimum (street)
R-3 zoned (per unit)	Assess. frontage x $49.2267 (street) Number of residential units
Pavement Rehabilitation	
R-1 zoned, used as one-family site that cannot be subdivided	$1,628 per lot (street)
R-2 zoned, or used as a two-family site that cannot be subdivided	$21.7067 per front foot with a $1,628 per lot minimum (street)
R-3 zoned (per unit)	Assess. frontage x $21.7067 (Street) Number of residential units
The residential assessment rates for street and storm drainage construction and pavement rehabilitation shall not apply to R-4, R-5, R-6, or R-7 zoned districts. The assessment rates for street reconstruction and pavement rehabilitation for R-4, R-5, R-6, or R-7 zoned property shall be based on an evaluation of the project cost and project benefit for each project.	
Tow to City Property (Police)	Tow charge plus $15 administrative fee
Tree Contractor Registration	Res. No. 2000-09 $35

Service	Fee
Tree Removal	
Each non-assessed diseased tree/stump removal (by agreement)	$50
Special Assessments Service Charge	$30/parcel on which a special assessment is levied
Capitalized Interest Charge (assessed trees only)	$30/per tree
Vacant Building Registration	Res. No. 2008-151
An annual registration fee shall be collected from the applicant, owner, or responsible party.	
Category 1 – property vacant for less than 1 year and does not have any code violation or has not been issued a compliance notice for code violations	$100
Category 2 – property vacant for less than 1 year and has a code violation(s) or has been issued a compliance notice for code violations Category 3 – property vacant for 1 year up to 3 years	$400 $1,000
Category 4 – property vacant for 3 years or more	$3,000
Vacation – Street, Alley, Easement (Engineering)	$125 Res. No. 92-132
Video Tape Duplicating (Police)	$20
Water and Sanitary Sewer Connection	Res. No. 2001-161
Commercial/Industrial Water > 5 Acres	$10,000
Commercial/Industrial Sewer > 5 Acres	$5,000
Commercial/Industrial Water < 5 Acres	$5,000
Commercial/Industrial Sewer < 5 Acres	$3,000
Retail/Office Water > 5 Acres	$5,000
Retail/Office Sewer > 5 Acres	$3,000
Retail/Office Water < 5 Acres	$3,000
Retail/Office Sewer < 5 Acres	$1,500
Multi Family Water > 5 Acres Multi	$5,000
Family Sewer > 5 Acres Multi	$3,000
Family Water < 5 Acres Multi	$3,000
Family Sewer < 5 Acres Single	$1,500
Family Water per connection	$1,000
Single Family Sewer per connection	$1,000

Service	Fee
Water Utility	Res. No. 2021-146
Water Conservation	
Rate 5/8" and 3/4" Meter	$19.01 Quarterly Base Charge
0-30,000 gallons per quarter	$3.17 per 1,000 gallons
30,001-60,000 gallons per quarter	$3.95 per 1,000 gallons
60,001 or more gallons per quarter	$5.90 per 1,000 gallons
Base Rate	$ 4.18
Quarterly Minimum Rate	
1" Meter	$ 55.24
1 1/2" Meter	$ 71.02
2" Meter	$ 138.10
3" Meter	$ 276.24
4" Meter	$ 465.65
6" Meter	$1,065.48
8" Meter	$2,017.95
10" Meter	$2,690.91
Water Meter Charge 5/8" or 3/4"	$149.00
Water Meter Charge Larger than 3/4"	Actual cost + $2.00
Certification for collection with property taxes	$50
Quarterly Fire Service Line Charge	$12.50/Res. No. 2007-140
Fire protection inspection	$52
Private hydrant maintenance	Labor, materials, equipment, and overhead
Service Restoration, Monday through Friday (except holidays) Between the hours of 7:30 AM and 3:00 PM	$31
Service Restoration, Saturday, Sunday, and Holidays Between the hours of 3:00 PM and 7:30 AM	$83
Assistance with Seasonal Shut-down and Restoration of Commercial Irrigation Systems, Monday through Friday (except holidays) Only Between the hours of 3:00 PM and 7:30 AM	$45 per hour, 1 hour minimum
Hydrant Meters (water use will be paid in addition to the rental fee at the Commercial Rate)	Res. No. 2020-80
5/8" or 3/4" Meter	$250
Deposit	$25
Rental Fee (per month or portion thereof)	
3" Meter	$2,500
Deposit	$150
Rental Fee (per month or portion thereof)	$25
Penalty for violation of odd-even sprinkling	
Water Conservation Violations (based on preceding 12-month period)	Res. No. 2020-80
First Offense	Warning
Second Offense	$25
Subsequent Offenses	$50

Service	Fee
Weed Inspection/Removal Weed Cutter's Fee Re-inspection Fee Special Assessments Service Charge Capitalized Interest Charge (assessed weeds only)	Res. No. 2000-09 $45/hour $100 $30 per parcel on which a special assessment is levied $10 per notice
Well Water Test	$10
Zoning Letters (Community Development)	$75

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Dr. Reginald Edwards, City Manager

SUBJECT: Resolution Approving an Amendment to the City Personnel Policy Officially Recognizing and Designating the National Holiday of Juneteenth as an Official City Holiday

Requested Council Action:

- *Motion to approve an amendment to the City Personnel Policy by officially recognizing and designating the National Holiday of Juneteenth as an official City holiday.*

Background:

On July 27, 2020 the City Council passed a resolution supporting Federal Legislation that official recognized June 19th, Known as Juneteenth, as a National Holiday.
Staff were given half of a workday off in celebration of the newly established National Holiday.
Staff proposes to amend its personnel policy by adding June 19th, Known as Juneteenth, to the official listing of City holidays. In recognition of the holiday, City facilities will closed to the public and staff will have the day off in celebration of Juneteenth. All essential and emergency services will be provided on June 19th.

Budget Issues:

N/A

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Enhanced Community Image, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/9/2021	Resolution Letter

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING AN AMENDMENT TO THE CITY PERSONNEL POLICY OFFICIALLY RECOGNIZING AND DESIGNATING THE NATIONAL HOLIDAY OF JUNETEENTH AS AN OFFICIAL CITY HOLIDAY.

WHEREAS, June 19th, known as Juneteenth in recognition of June 19, 1865, the date on which Major Gordon Granger land in Galveston Texas to announce the Civil War had ended and the enslaved in Texas were now free even though the emancipation proclamation took effect on January 1, 1863; and

WHEREAS, African-Americans who had been enslaved in the Southwest celebrated June 19th as inspiration and encouragement for future generations; and

WHEREAS, African-Americans across the country have continued the tradition of observing Juneteenth Independence Day for over 150 years; and

WHEREAS, 45 States and the District of Columbia have designated Juneteenth Independence Day as a special day of observance in recognition of emancipation of all enslaved persons in the United States; and

WHEREAS, the faith and strength of character demonstrated by former enslaved persons and descendants of former enslaved persons remain an example for all people of the United States, regardless of background, religion, or race; and

WHEREAS, over the course of its history, the United States has grown into a symbol of democracy and freedom around the world; and

WHEREAS, Federal Legislation recognizing June 19th, known as Juneteenth, as a National Holiday; and

WHEREAS, the City of Brooklyn Center is in full support of the Federal Legislation.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that as a combined body, approve the amendment to the City's personnel policy officially recognizing and designating the National Holiday of Juneteenth as an official City Holiday.

December 13, 2021
Date

_____
Mayor

RESOLUTION NO. _____

ATTEST: _____
City Clerk

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

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

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

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Andy Splinter, Interim Finance Director

SUBJECT: Resolution Providing for the Redemption of Certain Outstanding General Obligation Improvement Bonds, Series 2013B of the City

Requested Council Action:

- It is recommended that the City Council consider approval of the attached resolution providing for the redemption of $430,000 General Obligation Improvement Bonds, Series 2013A.

Background:

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/6/2021	Resolution Letter

Extract of Minutes of Meeting of the
City Council of the City of Brooklyn Center,
Hennepin County, Minnesota

Pursuant to due call and notice thereof, a regular meeting of the Council of the City of Brooklyn Center, Minnesota, was duly held in the City Hall in the City of Brooklyn Center, on Monday, December 13, 2021, commencing at 7:00 P.M.

The following members were present:

and the following were absent:

* * * * * * * * *

Member _____ introduced the following resolution and moved its adoption the reading of which was dispensed with by unanimous consent:

RESOLUTION NO. _____

RESOLUTION PROVIDING FOR THE REDEMPTION OF CERTAIN OUTSTANDING GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2013B OF THE CITY

BE IT RESOLVED By the City Council of the City of Brooklyn Center, Hennepin County, Minnesota (the "City"), as follows:

1. The City has issued its General Obligation Improvement Bonds, Series 2013B, dated December 19, 2013 (the "Bonds"), in the original aggregate principal amount of $4,920,000. The Bonds maturing on February 1 in the years 2023 and 2024, in the aggregate principal amount of $430,000 (the "Callable Bonds"), are subject to redemption and prepayment on February 1, 2022 and any date thereafter at a price of par plus accrued interest.

2. It is determined that it is in the sound financial management of the City that the Callable Bonds be prepaid and redeemed on February 1, 2022, or such later date for which proper notice of redemption may be given, and such bonds are hereby called for redemption on such date.

3. The City Finance Director is authorized and directed to request that U.S. Bank National Association, the paying agent and bond registrar (the "Registrar"), mail the Notice of Call for Redemption in substantially the form attached hereto as EXHIBIT A to the registered owners of each Bond to be redeemed at the addresses shown on the registration books kept by the Registrar.

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:

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
)
COUNTY OF HENNEPIN) SS.
)
CITY OF BROOKLYN CENTER)

I, the undersigned, being the duly qualified and acting City Clerk of the City of Brooklyn Center, Minnesota (the "City"), do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City Council held on Monday, Decmber 13, 2021, with the original thereof on file in my office and the same is a full, true and complete transcript therefrom insofar as the same relates to the prepayment and redemption of a portion of the General Obligation Improvement Bonds, Series 2013B, of the City.

WITNESS My hand as City Clerk this ____ day of _____, 20__.

_____
City Clerk
City of Brooklyn Center, Minnesota

EXHIBIT A
NOTICE OF CALL FOR REDEMPTION

GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2013B
CITY OF BROOKLYN CENTER
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that, by order of the City Council of the City of Brooklyn Center, Hennepin County, Minnesota, there have been called for redemption and prepayment on

February 1, 2022

all outstanding bonds of the City designated as General Obligation Improvement Bonds, Series 2013B, issued in the original aggregate amount of $4,920,000, dated December 19, 2013, having stated maturity dates of February 1 in the years 2023 and 2024, totaling $430,000 in principal amount, and with the following CUSIP numbers:

Year of Maturity	Amount	CUSIP
2023	$215,000	113835 J78
2024	215,000	113835 J86

The bonds are being called at a price of par plus accrued interest to February 1, 2022, on which date all interest on said bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of U.S. Bank National Association, in St. Paul, Minnesota, on or before February 1, 2022.

U.S. Bank National Association
Attention: Corporate Trust Operations
111 Fillmore Avenue East
St. Paul, MN 55107

Important Notice: In compliance with the Jobs and Growth Tax Relief Reconciliation Act of 2003, federal backup withholding tax will be withheld at the applicable backup withholding rate in effect at the time the payment by the redeeming institutions if they are not provided with your social security number or federal employer identification number, properly certified. This requirement is fulfilled by submitting a W-9 Form, which may be obtained at a bank or other financial institution.

Dated: December 13, 2021.

BY ORDER OF THE CITY COUNCIL

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Mike Marsh, Acting Public Works Director
BY: Mike Albers, P.E., City Engineer

SUBJECT: Resolution Approving Change Orders 1 and 2 and Accepting Work Performed and Authorizing Final Payment, Improvement Project No. 2018-14, 2018 Bridge Rehabilitation Phase 2

Requested Council Action:

- Motion to approve a resolution Approving Change Orders 1 and 2 and Accepting Work Performed and Authorizing Final Payment, Improvement Project No. 2018-14, 2018 Bridge Rehabilitation Phase 2.

Background:

On February 24, 2020, the City Council awarded Project No. 2018-14 to PCI Roads, LLC for the rehabilitation of two bridges over Shingle Creek on Shingle Creek Parkway. PCI Roads, LLC has successfully completed the construction work and is requesting final payment for the project.

The Engineer in concurrence with the City of Brooklyn Center and the Contractor, agreed that additional repairs to the bridge railings were required during the bridge rehabilitation. After pulling off the railings, it was found the railing components were seized and could not be field repaired as intended per contract. In order for the railing to function as required, a specialty contractor was required to perform the railing rehabilitation work and portable precast concrete barriers were used to protect the traveling public during the bridge railing rehabilitation.

- Change Order 1 in the amount of $17,752 was for the installation of portable precast concrete barriers and impact attenuators.
- Change Order 2 in the amount of $65,981.18 was for a specialty contractor to complete railing repairs.

Budget Issues:

The original contract amount with PCI Roads, LLC for the 2018 Bridge Rehabilitation Phase 2 improvements was $314,328.10. The total value of work certified for final payment is $398,355.28 which includes Change Order Nos. 1-2 ($83,733.18) The total project cost including contingencies/administration/engineering/legal is $430,912.72 and was completed 22.1 percent over budget in the amount of $78,012.72. The attached resolution provides a summary of the final amended costs and funding sources for the project.

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/7/2021	Cover Memo

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING CHANGE ORDERS 1 AND 2 AND ACCEPTING WORK PERFORMED AND AUTHORIZING FINAL PAYMENT, IMPROVEMENT PROJECT NO. 2018-14, 2018 BRIDGE REHABILITATION PHASE 2

WHEREAS, pursuant to a written contract signed with the City of Brooklyn Center, Minnesota PCi Roads, LLC of St. Michael, Minnesota, was instructed to complete additional work as itemized on Change Order Nos. 1-2 for Improvement Project No. 2018-14, 2018 Bridge Rehabilitation Phase 2; and

WHEREAS, Change Order 1 in the amount of $17,752 was for the installation of portable precast concrete barriers and impact attenuators; and

WHEREAS, Change Order 2 in the amount of $65,981.18 was for a specialty contractor to complete railing repairs; and

WHEREAS, pursuant to a written contract signed with the City of Brooklyn Center, Minnesota, PCi Roads, LLC of St. Michael, Minnesota has completed Improvement Project No. 2018-14, 2018 Bridge Rehabilitation Phase 2.

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

1. Final payment shall be made on Improvement Project No. 2018-14, 2018 Bridge Rehabilitation Phase 2, taking the contractor's receipt in full. The total amount to be paid for said improvements under said contract shall be $398,355.28.

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

COSTS	per Low Bid	As Final
Construction Cost	$ 314,328.10	$ 314,622.10
Change Orders 1 & 2	$ 0.00	$ 83,733.18
Engineering and Administrative	$ 37,843.00	$ 32,557.44
Contingency	$ 728.90	$ 0.00
TOTAL	$ 352,900.00	$ 430,912.72

REVENUES	As Awarded	As Final
Street Reconstruction Fund	$ 352,900.00	$ 430,252.72
Miscellaneous (plan sales)	$ 0.00	$ 660.00
Total Estimated Revenue	$ 352,900.00	$ 430,912.72

RESOLUTION NO. _____

December 13, 2021 _____
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

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

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Michael Marsh, Acting Director of Public Works

SUBJECT: Resolution Authorizing Execution of a Conveyance and Lease Termination Agreement Between the City of Brooklyn Center and the Mound Cemetery Association of Brooklyn Center

Requested Council Action:

- Motion to approve a resolution authorizing execution of a Conveyance and Lease Termination Agreement between the City of Brooklyn Center and the Mound Cemetery Association of Brooklyn Center.

Background:

The January 5, 1970 City Council meeting minutes indicate that the "City Attorney and the attorney for Mound Cemetery Association had tentatively agreed upon the language of a document through which the City of Brooklyn Center will obtain a 75 year lease of the southern 4 acres of Mound Cemetery for park purposes at a cost of $15,000.00. The subject parcel represents the last parcel to be acquired under the 1966 HUD Open Space Program." A 75 year lease between the City and the Mound Cemetery Association was recorded in January, 1970. The expiration of the lease is December 31, 2044.

In December, 2013, the Mound Cemetery Association approached staff with a proposal to vacate the lease and transition Freeway Park back to the cemetery to be used for its original purposes. The Association indicated an emerging interest in natural burials, more families who desire upright monumentation, and a growing religious community whose burial requirements vary from the traditional East-West rotation.

The City and the Mound Cemetery Association continued to meet and discuss the termination of the lease until 2018. The City had proposed retaining a portion of the cemetery for park purposes but the Association rejected the proposal. The Association cited the financial impracticality of a smaller cemetery and the need for public utilities and a maintenance facility.

After meeting with the Mound Cemetery Association in July, 2018, the City agreed to retain the services of a consultant to master plan the future of Freeway Park. In October, 2018, the City retained the services of ISG, a landscape architecture firm with a strong reputation for park planning and design and community engagement to prepare a Master Plan for Freeway Park.

On April 15, 2019, staff and ISG met with the Mound Cemetery Association to discuss the outcome of the park planning process and the recommended option for Freeway Park. The Association in response agreed to donate an acre of the cemetery with some conditions to facilitate the master plan. After additional discussion with the Association, the City drafted a Memorandum of Understanding (MOU) to memorialize the parties' understanding of the terms of the vacation of the lease and the donation of the land.

On January 13, 2019, the City Council held a Work Session at which the history, background and current status of Freeway Park and the Mound Cemetery were discussed and it was generally agreed that accepting one acre of land for a permanent park was a reasonable outcome of negotiations with the Cemetery Association. Staff was given direction to bring the MOU back to the City Council for consideration. The MOU was approved by the City Council on February 6, 2020.

As of November 2021, the items contained within the MOU for the City to address have been completed, leaving only the conveyance of property and the recording of the plat remaining. The Conveyance and Lease Termination Agreement lays out the conditions for the conveyance. Once approved, the land transfer and closing can be complete, the lease will be terminated, and the property can be platted.

Budget Issues:

The cost for items related to closing and platting will be funded through the Park Maintenance operating budget (45201).

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Resident Economic Stability

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/7/2021	Cover Memo
Agreement	12/7/2021	Cover Memo

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION AUTHORIZING EXECUTION OF A CONVEYANCE AND LEASE TERMINATION AGREEMENT BETWEEN THE CITY OF BROOKLYN CENTER AND THE MOUND CEMETERY ASSOCIATION OF BROOKLYN CENTER

WHEREAS, the city has met with the Mound Cemetery Association to discuss termination of an existing lease on 4.02 acres of Mound Cemetery for the purposes of providing a public park called Freeway Park; and

WHEREAS, the city hired a consultant to prepare a Master Plan for Freeway Park; and

WHEREAS, one of the options developed by the city's consultant only requires approximately one acre of cemetery property; and

WHEREAS, the Mound Cemetery Association has agreed to convey approximately one acre of land to the city for park purposes subject to certain conditions; and

WHEREAS, the city and the Mound Cemetery Association previously entered into an MOU memorializing the parties' intentions; and

WHEREAS, the Mound Cemetery Association will convey Lot 2, Block 1 of Mound Cemetery Second Addition to the City of Brooklyn Center; and

WHEREAS, for full compensation for conveyance of said parcel, the City of Brooklyn Center shall terminate the existing Lease between the City and the Mound Cemetery Association and perform all other conditions subsequent contained in the Conveyance and Lease Termination Agreement.

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

1. The Conveyance and Lease Termination Agreement between the City of Brooklyn Center and the Mound Cemetery Association of Brooklyn Center is hereby approved. The Mayor and City Manager are hereby authorized to execute said agreement.

2. All conditions of the Conveyance and Lease Termination Agreement shall be carried out by the appropriate party. City staff and consultants are authorized to perform all actions that are necessary and convenient to carry out the intent of said agreement

RESOLUTION NO. _____

December 13, 2021 _____
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

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

CONVEYANCE AND LEASE TERMINATION AGREEMENT

THIS CONVEYANCE AND LEASE TERMINATION AGREEMENT (the "Agreement") is made and entered into as of this ___ day of _____, 2021 by and between Mound Cemetery Association of Brooklyn Center, a Minnesota public cemetery association (the "Cemetery"), and the city of Brooklyn Center, a Minnesota municipal corporation (the "City").

RECITALS

A. The Cemetery owns and operates the Mound Cemetery (the "Cemetery"), located at 3515 69th Avenue North, Brooklyn Center, Minnesota.

B. Pursuant to that certain Lease of Cemetery Land, dated January 27, 1970 (the "Lease"), a portion of the Cemetery property has been long used by the City for a public park (the "Park"). A copy of the Lease is attached hereto as Exhibit A.

C. The Cemetery property is in the process of being re-platted as *Mound Cemetery Second Addition*, and a copy of the approved final plat is attached hereto as Exhibit B.

D. Although the Lease is not scheduled to expire until December 31, 2044, the Cemetery desires to terminate the Lease and convey a portion of the Cemetery property to the City, pursuant to that certain Memorandum of Understanding between the parties, dated February 6, 2020.

E. Following the recordation of the aforementioned plat, the Cemetery desires to convey to the City for use as a public park the parcel legally described as *Lot 2, Block 1, Mound Cemetery Second Addition, Hennepin County, Minnesota* (the "Subject Lot"), and the City desires to accept said conveyance, all subject to the terms and conditions of this Agreement.

AGREEMENT

In consideration of the mutual covenants made below and other good and valuable consideration, the parties agree as follows:

1. Offer and Acceptance of Conveyance; Consideration. The Cemetery agrees to convey the Subject Lot to the City and the City agrees to accept said conveyance, subject to the terms and conditions of this Agreement. In exchange for said conveyance, the City agrees to terminate the Lease in accordance with Section 8 of this Agreement. This conveyance does not include any personal property.

2. Title Matters. The City has obtained and reviewed, at its own expense, a commitment for title insurance for the Subject Lot and, as of the date of this Agreement, does not have any objections to the condition of title.

3. Conditions to Closing. The closing of the transaction contemplated by this Agreement and the obligation of the Cemetery to convey the Subject Lot and of the City to accept the

Subject Lot shall be subject to the following conditions:

3.1. All approvals necessary for the final plat of *Mound Cemetery Second Addition*, and the subsequent execution and recordation of said final plat with Hennepin County.

3.2. The City, in its sole discretion, having determined on or before the Closing Date, as hereinafter defined, that there are no conditions that would interfere with the City's desired use of the Subject Lot.

3.3. The City constructing a chain-link fence to delineate the property that will make up the Subject Lot and rest of the Cemetery property, which shall be similar in height and material as the existing chain-link fence on other portions of the Cemetery property. Following its construction, said fence shall be owned and maintained by the Cemetery.

3.4. The City's restoration of the property that is subject to the Lease and not part of the conveyance contemplated herein with appropriate soils and grass plantings, as otherwise required in the Lease. Said restoration shall be subject to the approval of the Cemetery, which shall not be unreasonably withheld.

The City alone shall have the right to waive the contingencies in subsections 3.1 and 3.2 above by giving written notice to the Cemetery. The Cemetery alone shall have the right to waive the contingencies in subsection 3.3 and 3.4 above by giving written notice to the City. If the contingencies set forth in this Section 3 have not been satisfied by the Closing Date, the City, in the case of subsections 3.1 and 3.2, and the Cemetery, in the case of subsections 3.3 and 3.4, may terminate this Agreement without any liability on its part by giving written notice to the other party on or before the Closing Date.

4. Survey; Environmental and Soil Investigations. After execution of this Agreement, the City and its agents shall have the right but not the obligation, at its sole option and expense, to enter onto the property that will make up the Subject Lot for the purposes of environmental investigation and soil testing, surveying, and undertaking such other work and inspections as may be necessary to determine the suitability of the Subject Lot for use by the City. If the City surveys, investigates, or tests the Subject Lot pursuant to this Section 4, the City shall pay all costs and expenses that are associated with this work and shall hold the Cemetery harmless from all damages and liabilities arising out of the City's activities.

5. Real Estate Taxes. On or before the Closing Date, the Cemetery will have paid all real estate taxes due in the year of and the years prior to closing, if any, pursuant to the requirement contained in Minnesota Statutes, section 505.04, including any penalties or interest due thereon. The City will be responsible to pay real estate taxes on the Subject Lot, if any, payable in the year following closing and in subsequent years.

6. Special Assessments. At Closing, the City shall pay or assume all special assessments levied or pending against the Subject Lot, if any.

7. Closing.

7.1. The closing shall take place on or before January 14, 2022 at the offices of the City or on such other date and at such other place as may be agreed to by the parties in writing (the "Closing Date").

7.2. On the Closing Date, the Cemetery shall deliver to the City possession of the Subject Lot, and shall deliver to the City:

a) a duly executed quit claim deed in the form attached hereto as Exhibit C, conveying marketable title to the Subject Lot to the City, subject only to: (i) building and zoning laws, ordinances, state and federal regulations; (ii) utility and drainage easements which do not interfere with the City's intended use of the Subject Lot; and (iii) reservation of mineral rights, if any, in favor of the state of Minnesota;

b) a duly executed affidavit of seller;

c) an affidavit of non-foreign identity;

d) any notices, certificates and affidavits regarding private sewage systems, underground storage tanks and environmental conditions as may be required by Minnesota statutes or rules;

e) well disclosure certification, if required, or, if there is no well on the Subject Lot, the deed must include the following statement: "The Grantor certifies that the Grantor does not know of any wells on the described real property"; and

f) such other documents as may be required by the City's title examiner or title insurance company.

7.3. The City shall pay all costs at closing, including the state deed tax, all recording fees and charges relating to the transaction, the City's title insurance premium, if any, and the title company closing fee, if any.

8. Termination of Lease. Immediately upon the recordation of the quit claim deed referenced in Section 7.2(a) hereof, the parties hereby agree that the Lease, as described in Recital B and attached hereto as Exhibit A, shall terminate and be of no further force or effect. Upon such termination, neither party shall have any additional or ongoing rights or obligations under said Lease. Upon satisfaction of the contingencies set forth in subsections 3.3 and 3.4 of this Agreement, all of the City's obligations related to site restoration and chain-link fencing under the Lease shall be deemed satisfied. The parties agree to execute a written termination of lease agreement in the general form attached hereto as Exhibit D following the conveyance contemplated herein, with any revisions necessary to ensure that said agreement can be duly recorded against all real property that is subject to said Lease.

9. Covenants, Representations and Warranties of the Cemetery. The Cemetery hereby warrants and represents to the City that, as of the date of this Agreement each of the following is true and accurate to the best of the Cemetery's knowledge:

9.1. The Cemetery has the full right and authority to convey the Subject Lot to the City as provided in this Agreement.

9.2. The Cemetery warrants that the Cemetery has not used the property that makes up the Subject Lot for the storage of hazardous substances or petroleum products. The Cemetery represents and warrants that the Cemetery has not received notice and has no knowledge of any condition that may exist on said property that may support a claim or cause of action under: (a) the Comprehensive Environmental Response Compensation and Liability Act of 1980 ("CERCLA"), 42 U.S.C. § 9601-9657, as amended, or any similar state law or local ordinance; (b) the Resource Conservation and Recovery Act of 1976, 42 U.S.C. § 6901, et seq.; (c) the Federal Water Pollution Control Act, 33 U. S.C. § 1251 et seq.; (d) the Clean Air Act, 42 U.S.C. § 7401, et seq.; (e) the Clean Water Act 33 U.S.C. § 1251 et seq.; (f) the Toxic Substances Control Act, 15 U.S.C. 2601 et seq.; (g) the Safe Drinking Water Act, 42 U.S.C. 300(1) et seq.; (h) the Minnesota Environmental Response and Liability Act, Minn. Stat. § 155B; (i) the Minnesota Petroleum Tank Release Cleanup Act, Minn. Stat. § 115C; (j) any rules or regulations promulgated under any of the foregoing: (k) any amendments of the foregoing; or (l) any other federal, state, county, city, special governmental entity or other statute, law, ordinance, or regulation.

9.3. The Cemetery warrants that, prior to the Closing Date, payment in full will have been made for all labor, materials, machinery, fixtures, or tools furnished within the 120 days immediately preceding the Closing Date in connection with construction, alteration, or repair of any structure on or improvement to the Subject Lot ordered by the Cemetery.

9.4. The Cemetery represents there are no boundary line questions affecting the Subject Lot. There is no claim of adverse possession or of any alteration of any boundary by practical location, and the Cemetery has and will convey good title to the Subject Lot, subject only to those exceptions as permitted by Section 7.2(a) of this Agreement. The Cemetery warrants that there have been no bankruptcy proceedings involving the Cemetery during the time the Cemetery has had any interest in the Subject Lot, and there are no unsatisfied judgments or state or federal tax liens of record against the Cemetery.

9.5. To the Cemetery's knowledge, there is no action, litigation, investigation, condemnation, or proceeding of any kind pending or threatened against the Cemetery or the property that will make up the Subject Lot which could materially adversely affect said property, any portion thereof or title thereto. The Cemetery shall give the City prompt written notice if any such action, litigation,

condemnation or proceeding is commenced or, to the Cemetery's knowledge, threatened prior to the Closing Date.

9.6. To the Cemetery's knowledge, there are no wells, underground storage tanks, or individual sewage treatment systems located on the property that will make up the Subject Lot. The Cemetery has no knowledge of any methamphetamine production on said property.

9.7. To the Cemetery's knowledge, the Cemetery has insurable and indefeasible title in fee simple to all of the Subject Lot.

9.8. Except for the tenancy established by the Lease, the Subject Lot is not occupied by any other tenant nor will the Subject Lot be subject to any rights of another tenant under a written or oral lease which expires after the Closing Date.

9.9. The Cemetery has no knowledge that any condition on the Subject Lot violates in any material respect any provisions of any applicable building code, health code, fire regulation, building restriction, or other statute, ordinance, order, or regulation.

The Cemetery shall take no actions to further encumber title to the Subject Lot after the date of this Agreement.

10. Representations and Warranties of the City.

10.1. The City is a municipal corporation under the laws of Minnesota and has the power to enter into this Agreement.

10.2. The City represents that following the conveyance, it will commit to rename the Park to better reflect the memory and legacy of the families who originally donated the Cemetery property to the Cemetery, though said renaming shall remain subject to the discretion and approval of the city council.

10.3 The City represents that following the conveyance, it will use the Subject Lot only for a public park and other purposes that do not interfere with its use as a public park or adversely impact the operation of the cemetery.

11. Specific Performance. If either party, through no fault of the other party, defaults in its obligations hereunder in any manner, said party, may by notice upon the other party, (i) terminate this Agreement, in which case the Lease will not be terminated, or otherwise affected and the Subject Lot shall remain under the ownership of the Cemetery, or (ii) avail itself for action for specific performance.

12. Miscellaneous.

12.1 This Agreement represents the complete and final agreement of the parties and supersedes any prior oral or written understanding. This Agreement may be

amended only by a writing executed by both parties. This Agreement shall be binding on the parties hereto, their successors and assigns.

12.2 The City and the Cemetery represent and warrant that the recitals contained herein are true and accurate, and such recitals are made part of the Agreement as if fully set forth herein.

12.3 All notices required hereunder shall be given by depositing in the U.S. mail, postage prepaid, certified mail, return receipt requested, to the following addresses (or such other addresses as either party may notify the other):

To the Cemetery:

Mound Cemetery
c/o Michael Howe
14092 Balsam Lane North
Dayton, MN 55327

To the City:

City of Brooklyn Center
6301 Shingle Creek Crossing
Brooklyn Center, MN 55430
Attn: City Manager

12.4 This Agreement shall be governed by the laws of the state of Minnesota.

[signature page to follow]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

MOUND CEMETERY ASSOCIATION OF BROOKLYN CENTER:

By: _____

Its: _____

CITY OF BROOKLYN CENTER

By: _____
Mike Elliott
Its: Mayor

By: _____
Reggie Edwards
Its: City Manager

EXHIBIT A
The Lease

3825318

LEASE OF CEMETERY LAND

PARTIES: This Lease made this 27th day of January, 1970, between MOUND CEMETERY ASSOCIATION, (hereinafter referred to as the "Cemetery") and THE CITY OF BROOKLYN CENTER, (hereinafter referred to as the "City"). The Cemetery warrants that it is a public cemetery association organized pursuant to Chapter 62, Laws of 1864, State of Minnesota, and that it has full right to let the Lease to premises in accordance with that certain Order of the District Court, Fourth Judicial District, dated November 30, 1968, and recorded in the office of the Clerk of District Court, in and for Hennepin County as File #C-768 and that any right of appeal pursuant to said Order has been voluntarily terminated. The City warrants that it is a City of the second class, operating pursuant to the Statutes and the Constitution of the State of Minnesota and its Home Rule Charter.

DESCRIPTION OF LEASED PREMISES: The Cemetery hereby leases to the City that certain tract of land legally described as:

The South 354.87 Feet of Lot 2,
AUDITOR'S SUBDIVISION NO. 25,
Hennepin County Minnesota

herein called the Premises. The Cemetery warrants that it owns the leased premises in fee simple and that the property is free from all encumbrances except those restrictions imposed by law upon public cemetery associations.

TERM: The term of this lease shall be seventy-five (75) years, commencing on the 1st day of January, 1970 and ending on the 31st day of December, 2044, unless terminated earlier as hereinafter provided.

RENT: In consideration of this lease, the City shall pay to the Cemetery the lump sum of Fifteen Thousand ($15,000.00) Dollars.

This Instrument was drafted by: Schieffer, Hadley, Bakke & Jensen
1290 Brookdale Center
Minneapolis, Minn. 55430

This sum shall be payable on or before the expiration of thirty (30) days from the approval of this lease by both parties. The City shall take possession of the premises immediately upon payment of the rent.

PURPOSE: The City is limited in its useage of the premises to those purposes set forth in that certain Court Order referred to in the first paragraph of this Lease Agreement.

ALTERATIONS AND IMPROVEMENTS: The City shall have the right to make changes or alterations to the leased premises which are reasonably necessary for use as a public park and recreation facility. No change or alteration shall at any time be made which shall permanently impair the leased premises for cemetery purposes upon the expiration of this lease. Any structures or improvements presently existing on the leased premises may be removed and any structures or alterations consistent with the intended use by the City may be placed upon the leased premises subject to the provisions hereinafter set forth except that no public improvement may be placed on said premises, the financing of which will extend beyond the term of this lease or affect the underlying fee interest of the Cemetery. The financing of all public improvements on the leased premises or serving the leased premises or serving the leased premises shall be the obligation of the City.

TAXES, ASSESSMENTS AND GOVERNMENTAL CHARGES: All taxes, special assessments, or other government charges imposed by any public body or governmental unit with respect to the leased premises described herein, shall be paid by the City, regardless of whether the charge, tax, or assessment is imposed upon the occupant, lessee, lessor, or fee owner of the premises.

SURRENDER AT EXPIRATION OF TERM: The City shall vacate the leased premises upon the expiration of the term. The City shall

remove all its park improvements and other property therefrom so that the Cemetery can repossess the leased premises for future use in accordance with its dedicated purposes. No ordinance, act, or other proclamation of the City, or its successor governmental unit shall in any way prevent the termination of this lease, except on the terms expressed herein. The City may, at the expiration of the term of this Lease, or from time to time at any time prior to the termination of this Lease, remove from the leased premises any or all material, equipment and/or property of any kind installed by the City thereon, provided that such property is removed without substantial injury to the leased premises. No injury shall be considered substantial if it is promptly corrected by restoration to the condition existing prior to the installation of such property. The City shall not be responsible for the restoration of any improvements made upon the leased premises by the Cemetery prior to the term of this Lease.

CHAIN LINK FENCE: Upon taking possession of the leased premises, the City shall move the chain link fence existing across the Southerly boundary of the premises to the Northerly boundary of the premises. Upon surrender or expiration of the term of this lease, the City shall move the existing fence across the Northerly boundary of the premises back to its original position, across the Southerly boundary of the premises.

ASSIGNMENTS AND SUBLEASING: The City specifically reserves to itself the right to assign or transfer its interest in this lease to a duly constituted public authority charged with the responsibility of maintaining the system of public parks for the City of Brooklyn Center. The Cemetery pledges that it will not assign or sell the underlying fee interest to anyone except a

successor cemetery association. Other than the above, both parties agree that they will not assign or sublet, sell or convey their interests in the premises herein.

REVERSION: If the City shall cease to use the premises for its intended purpose, it shall revert to the Cemetery.

DISSOLUTION OF CEMETERY: Upon any voluntary dissolution or termination of its existence, without a duly qualified successor cemetery organization, the Cemetery warrants that it will assign all of its right, title and interest in the leased premises to the City, but subject to duties imposed upon the Cemetery by law.

HOLD HARMLESS AND INSURANCE: The Cemetery shall not be liable for injury or damage to persons or property occuring within the leased premises, unless caused by or resulting from the overt negligence of one of the agents, servants, or employees of the Cemetery. The City shall cause the Cemetery to be named as an additional insured upon any liability insurance policies which the City shall have covering itself for liability and damage arising from the leased premises.

LESSORS OBLIGATIONS: The Cemetery shall have no duties nor obligations with respect to this Lease other than to make the land available to the City of Brooklyn Center.

CONDEMNATION PROCEEDINGS: If the whole of the leased property, or such portion thereof as will make the leased property unsuitable for the park purposes contemplated herein, is condemned for any public use or purpose by any legally constituted authority, other than the City of Brooklyn Center, then in either of such events this Lease shall cease, at the option of the City, from the time when possession is taken by such public authority. Such termination shall be without prejudice to the rights of either the Cemetery or the City to recover compensation from the condemning authority

for any loss or damage caused by such condemnation. Neither the Cemetery nor the City shall have any rights in or to any award made to the other by the condemning authority, nor shall the Cemetery be obligated to refund to the City any rent paid under this lease.

MISCELLANEOUS PROVISIONS: The paragraph headings used in this Lease are for purposes of convenience only and shall not be used for purposes of interpretation.

IN WITNESS WHEREOF, the parties have set their hands and seals this 27th day of January, 1977.

MOUND CEMETERY ASSOCIATION

By: Henry Engvall, President

By: Carl Swing, Trustee

NO SEAL

NO CORPORATE SEAL

THE CITY OF BROOKLYN CENTER

By: Donald G. Poss, Its City Manager

By: Philip Q. Cohen, Its Mayor

CORPORATE SEAL

Witness

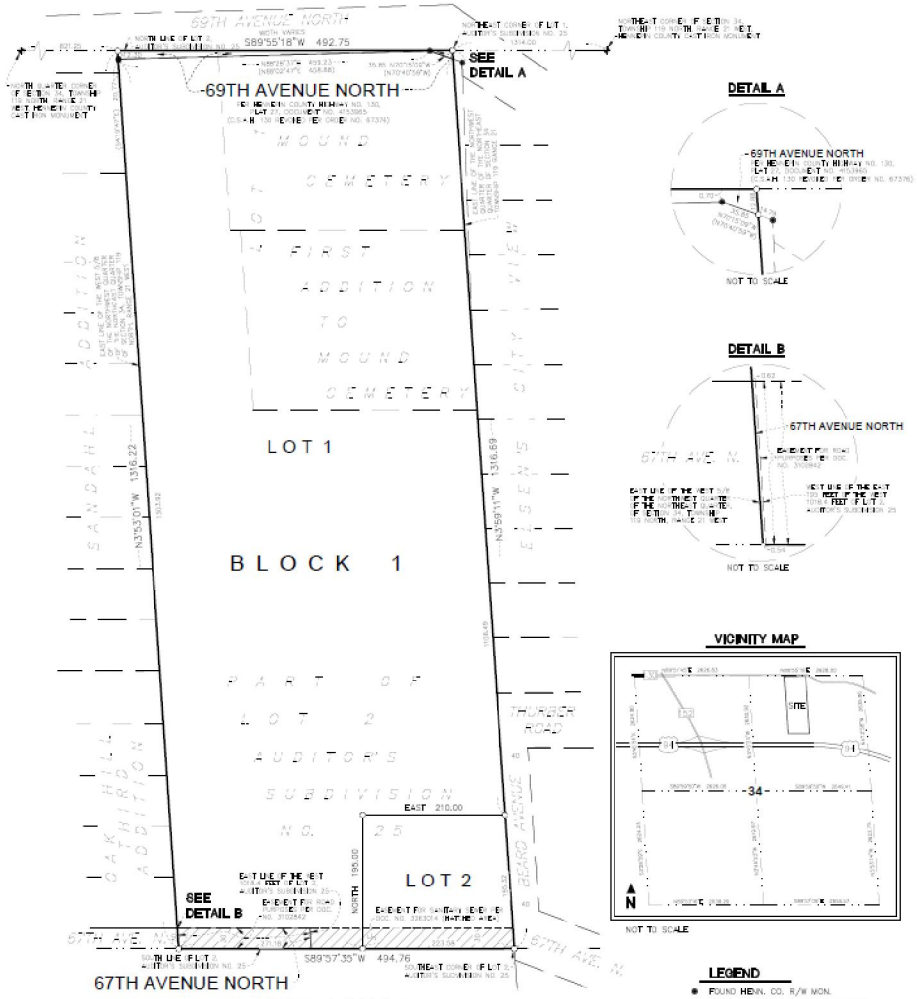
Witness

-5-

EXHIBIT B

MOUND CEMETERY SECOND ADDITION

C.R. DOC. NO. _____



LEGEND

● FOUND HENN. CO. R/W MON.

○ SET IRON PIPE WITH P.L.S. NO. 43501

(N70°40'59"W) RECORD BEARINGS

KNOW ALL MEN BY THESE PRESENTS: That the Mound Cemetery Association, the owner of the following described property situate in the County of Hennepin, State of Minnesota, to wit:

That part of Auditor's Subdivision No. 25 described as follows:

Beginning at the southeast corner of Lot 2; thence west along the south line thereof 494.76 feet, more or less to the east line of the west 5/8 of the Northwest Quarter of the Northeast Quarter of Section 34, Township 119, Range 21; thence north along said east line to the north line of said Lot 2; thence east, along said north lines of Lot 2 and Lot 1, of Auditor's Subdivision No. 25, a distance of 492.75, more or less, to the northeast corner of said Lot 1; thence south along the east lines of said Lot 1 and Lot 2 to the point of beginning, Hennepin County, Minnesota.

Abstract Property

Has caused the same to be surveyed and platted as MOUND CEMETERY SECOND ADDITION and does hereby dedicate to the public for public use the public way as created by this plat.

In witness whereof said Mound Cemetery Association, has caused these presents to be signed by its proper officer this _____ day of _____, 2020.

Signed:

by _____, its _____.

STATE OF MINNESOTA
COUNTY OF HENNEPIN
The foregoing instrument was acknowledged before me this _____ day of _____, 2020,

by _____, its _____ of Mound Cemetery Association on behalf of the Mound Cemetery Association.

Signed:

by: _____
(Notary Signature)
_____
(Notary Printed Name)

Notary Public, Hennepin County, Minnesota.

My Commission Expires _____

I hereby certify that I have surveyed and platted the property described on this plat as MOUND CEMETERY SECOND ADDITION; that this plat is a correct representation of said survey; that all distances are correctly shown on the plat in feet and hundredths of a foot; that all monuments have been correctly placed in the ground as shown or will be placed as required by the local governmental unit; that the outside boundary lines are correctly designated on the plat; and that there are no wet lands as defined in MS 505.02 Subd. 1 or public highways to be designated on the plat except as shown.

_____
David Anderson, Land Surveyor
Minnesota License No. 43501

STATE OF MINNESOTA
COUNTY OF HENNEPIN
The foregoing Surveyors Certificate was acknowledged before me this _____ day of _____, 2020, by David Anderson, Land Surveyor, Minnesota License No. 43501.

Signed:

by: _____
(Notary Signature)
_____
(Notary Printed Name)

Notary Public, Hennepin County, Minnesota.

My Commission Expires _____

CITY COUNCIL, CITY OF BROOKLYN CENTER, MINNESOTA
This plat of MOUND CEMETERY SECOND ADDITION was approved and accepted by the City Council of Brooklyn Center, Minnesota at a regular meeting thereof held this _____ day of _____, 2020. 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 Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of Brooklyn Center, Minnesota.

by: _____, Mayor by: _____, Manager

RESIDENT AND REAL ESTATE SERVICES, Hennepin County, Minnesota
I hereby certify that taxes payable in _____ and prior years have been paid for land described on this plat. Dated this _____ day of _____, 2020.

Jill Atkinson, Hennepin County Auditor by: _____, Deputy

SURVEY DIVISION, Hennepin County, Minnesota
Pursuant to MINN. STAT. Sec. 383B.565 (1969), this plat has been approved this _____ day of _____, 2020.

Chris F. Mavis, Hennepin County Surveyor by: _____

COUNTY RECORDER, Hennepin County, Minnesota
I hereby certify that the within plat of MOUND CEMETERY SECOND ADDITION was filed in this office this _____ day of _____, 2020 at ____ o'clock ____m.

Martin McCormick, County Recorder by: _____, Deputy

N W E S

0 80 160
SCALE IN FEET

ANDERSON
ENGINEERING • ARCHITECTURE • LAND SURVEYING
ENVIRONMENTAL SERVICES • LANDSCAPE ARCHITECTURE
Anderson Engineering of Minnesota, LLC
13605 1st Avenue North, Suite 100
Plymouth, MN 55441
763-412-4000 (o) 763-412-4090 (f)
www.ae-mn.com

EXHIBIT C

Form of Quit Claim Deed

QUIT CLAIM DEED

STATE DEED TAX DUE HEREON: $1.70
Total consideration for this transfer is $500.00 or less.

Date: _____

FOR VALUABLE CONSIDERATION, Mound Cemetery Association of Brooklyn Center, a Minnesota public cemetery association, the Grantor, hereby conveys and quitclaims to city of Brooklyn Center, a municipal corporation under the laws of Minnesota, Grantee, real property in Hennepin County, Minnesota, described as follows:

Lot 2, Block 1, Mound Cemetery Second Addition, Hennepin County, Minnesota

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: NONE

☐ The Grantor certifies that the seller does not know of any wells on the described real property.
☐ A well disclosure certificate accompanies this document.
☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

MOUND CEMETERY ASSOCIATION OF BROOKLYN CENTER:

By: _____

Its: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day of _____, 2021, by _____, the _____ of Mound Cemetery Association of Brooklyn Center, a Minnesota public cemetery association, on behalf of the association.

_____
Notary Public

Check here if part or all of the land is Registered (Torrens) ☐

Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

City of Brooklyn Center
6301 Shingle Creek Crossing
Brooklyn Center, MN 55430

This instrument drafted by:

Kennedy & Graven, Chartered
700 Fifth Street Towers
150 South Fifth Street
Minneapolis, MN 55402
(612) 337-9300

EXHIBIT D

Form of Termination of Lease

TERMINATION OF LEASE

This Termination of Lease is entered into and effective this _____ day of _____, 20__ (the "Termination Date"), by the City of Brooklyn Center, a Minnesota municipal corporation ("Lessee"), and Mound Cemetery Association of Brooklyn Center, a Minnesota public cemetery association ("Lessor") (together, the "Parties").

RECITALS

WHEREAS, Lessor and Lessee entered into a Lease of Cemetery Land, dated January 27, 1970, and filed in the Office of the County Recorder on December 16, 2010, as Document No. 3825318 (the "Lease"), regarding certain property legally described as:

> The South 354.87 Feet of Lot 2, AUDITOR'S SUBDIVISION NO. 25, Hennepin County, Minnesota

(the "Premises"); and

WHEREAS, the Parties desire to terminate the Lease effective as of this Termination Date.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the Parties hereto agree as follows:

1. Termination of Ground Lease. The Lease is hereby terminated and of no effect as of the Termination Date, and neither Lessor nor Lessee shall have any further obligation or liability thereunder.

2. Mutual Release. Lessor and Lessee mutually release each other, their successors and assigns, from all obligations, covenants, and restrictions imposed by, and from any and all claims arising out of, the Lease.

(The remainder of this page is intentionally left blank.)

IN WITNESS WHEREOF, the Parties hereto have executed this Termination of Lease as of the date first above written.

CITY OF BROOKLYN CENTER

By: _____
Mike Elliott
Its: Mayor

By: _____
Reggie Edwards
Its: City Manager

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

On this _____ day of _____, 20___, before me, a Notary Public within and for said County, personally appeared Mike Elliott and Reggie Edwards, to me personally known, who being by me duly sworn, did say that they are the Mayor and City Manager of the City of Brooklyn Center, and that they acknowledged this Termination of Lease to be the free act and deed of said city.

_____
Notary Public

MOUND CEMETERY ASSOCIATION OF BROOKLYN CENTER:

By: _____

Its: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

On this _____ day of _____, 20___, before me, a Notary Public within and for said County, personally appeared _____ to me personally known, who being by me duly sworn, did say that they are the _____ of Mound Cemetery Association of Brooklyn Center, a Minnesota public cemetery association, and that they acknowledged this Termination of Lease to be the free act and deed of said entity.

_____
Notary Public

This document drafted by:
Kennedy & Graven
700 Fifth Street Towers
150 South Fifth Street
Minneapolis, MN 55402
(612) 337-9300

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Mike Marsh, Acting Public Works Director
BY: Andrew Hogg, P.E., Assistant City Engineer

SUBJECT: Resolution Accepting Bid and Awarding Contract, Improvement Project No. 2021-22, Connections II Shingle Creek Restoration Project

Requested Council Action:

- Motion to approve a resolution the lowest responsible bid and awarding a contract to Sunram Construction, Inc. for Improvement Project No. 2021-22, Connections II Shingle Creek Restoration Project.

Background:

Bids for the Connections II Shingle Creek Restoration Project, Project No. 2021-22, were received and opened on December 3, 2021. The bidding results are tabulated below:

BIDDER	TOTAL BASE BID
Sunram Construction, Inc.	**$183,684.00**
Minger Construction Companies, Inc.	$246,798.00
Geomorphic Restoration, Inc.	$287,660.71
Rachel Contracting, LLC	$290,555.00

Of the four (4) bids received, the lowest bid of $183,684.00 was submitted by Sunram Construction, Inc. of Corcoran, Minnesota. Sunram Construction, Inc. has the experience, equipment and capacity to qualify as the lowest responsible bidder for the project.

Budget Issues:

The Connections II Shingle Creek Restoration Project is identified in the City's Capital Improvement Program and the total project cost is estimated to be $410,000. Project costs up to $410,000 will be borne by the Shingle Creek Watershed Management Commission ("Commission").

Grant funding through Minnesota Board of Water and Soil Resources ("BWSR") has been awarded to the Commission for this project in the amount of $328,0000 and the remaining project costs are to be funded from Commission funding as part of the required cost share agreement. The total reimbursement paid by the Commission from BWSR grant and levy funds to Brooklyn Center for the Project will not exceed the Eligible Costs, which are estimated to total $410,000. All costs of the Project incurred by Brooklyn Center in excess of such reimbursement, including all costs incurred in excess of estimated project costs due to unforeseen conditions or any other cause, shall be borne by Brooklyn Center or secured by Brooklyn Center from other sources. The City will act as the project lead and will temporarily fund the project out of the

Storm Drainage Utility Fund which will be reimbursed by the BWSR grant funding and the Commission funding.

The bid amount of $183,684.00 is within the 2021 budgeted amount. The total estimated budget including contingencies, administration, engineering and legal was $410,000.00 and is amended to $265,684.00, an approximate 35 percent decrease. (see attached Resolution – Costs and Revenues tables).

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Enhanced Community Image

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/7/2021	Cover Memo

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT, IMPROVEMENT PROJECT NO. 2021-22, CONNECTIONS II SHINGLE CREEK RESTORATION PROJECT.

WHEREAS, pursuant to an advertisement for bids for Improvement Project No. 2021-22, bids were received, opened and tabulated by the City Clerk and Engineer on the 3th day of December, 2021. Said bids were as follows:

Bidder	Total Base Bid
Sunram Construction, Inc.	**$183,684.00**
Minger Construction Companies, Inc.	$246,798.00
Geomorphic Restoration, Inc.	$287,660.71
Rachel Contracting	$290,555.00

WHEREAS, it appears that Sunram Construction, Inc. of Corcoran, Minnesota is the lowest responsible bidder.

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 Sunram Construction, Inc. of Corcoran, Minnesota, in the name of the City of Brooklyn Center, for Improvement Project No. 2021-22, according to the plans and specifications therefore approved by the City Council and on file in the office of the City Engineer.

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

COSTS	Estimated	Amended per Low Bid
Construction Cost	$ 328,000.00	$ 183,684.00
Engineering and Administrative	$ 50,000.00	$ 50,000.00
Contingency	$ 32,000.00	$ 32,000.00
TOTAL	$ 410,000.00	$ 265,684.00

REVENUES	Estimated	Amended per Low Bid
BWSR Grant Funding	$ 328,000.00	$ 183,684.00
Commission Funding	$ 82,000.00	$ 82,000.00
Total Estimated Revenue	$ 410,000.00	$ 265,684.00

RESOLUTION NO. _____

December 13, 2021 _____
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

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

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Mike Marsh, Acting Director of Public Works
BY: Mike Albers, P.E., City Engineer

SUBJECT: Resolution Accepting Street Improvements for Continual Maintenance for Eastbrook Estates 2nd Addition

Requested Council Action:

Motion to approve the resolution accepting street improvements for continual maintenance for Eastbrook Estates 2nd Addition.

Background:

In 2019, the Eastbrook Estates 2nd Addition development with Centra Homes, LLC was approved by City Council, Resolutions 2019-087, 2019-104 and 2019-105. The Eastbrook Estates 2nd Addition development required the developer to construct street, sanitary sewer and water improvements that serve the lots within the subdivision and upon completion and acceptance by the City dedicate the street, sanitary sewer and water main to the City as pubic improvements.

In addition, the developer also agreed to undertake the work to remove and replace the existing City water main within the 68th Avenue North right-of-way from Aldrich Avenue to 5th Street as part of the subdivision improvements. The City agreed to reimburse the developer for the costs associated with the water main replacement. The sanitary sewer and water main improvements were accepted for continuous maintenance on January 25, 2021.

Staff has received a request from the developer to accept the street improvements in Eastbrook Estates 2nd Addition which reflects completed work in the development. Staff inspected the work and required deliverables and determined it is acceptable. The developer is requesting a reduction in the Letter of Credit that was required by the Development Agreement dated October 22, 2019 and also reimbursement for the 68th Avenue water main replacement. The City will retain a maintenance bond for the required two-year warranty period for the street improvements.

Budget Issues:

The replacement of the 68th Avenue water main was estimated at $90,000 as part of the 2018 Firehouse Park Area Street and Utility Improvements project. The City agreed to reimburse the developer for the costs associated with the 68th Avenue water main replacement work per the development agreement. The developer is requesting final payment of $49,288 for the 68th Avenue water main work, which was completed 45.2 percent under budget and is funded out of the Water Utility Fund.

Routine street maintenance will be included in future operating budgets.

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/10/2021	Resolution Letter

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ACCEPTING STREET IMPROVEMENTS FOR CONTINUAL MAINTENANCE FOR EASTBROOK ESTATES 2ND ADDITION

WHEREAS, in accordance to with the Development Agreement dated October 22, 2019, Centra Homes, LLC, developer of Eastbrook Estates 2nd Addition, has agreed to install certain improvements for said development; and

WHEREAS, the developer has completed a portion of the street, utility and site grading as noted below; and

WHEREAS, the developer has requested a reduction of the required financial guarantee to reflect the completed work and reimbursement for the 68th Avenue water main replacement.

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

1) Final payment shall be made on the 68th Avenue Water Main Replacement, taking the developer's receipt in full. The total amount to be paid for said improvements under said development agreement shall be $49,288.
2) The financial guarantee requirements are reduced as follows below and that the required guarantee and Bridgewater Bank Letter of Credit No. 519 for the items be reduced from $122,273.88 to $0.00:

Item	Original Amount	Current Amount	New Amount	% of Original Amount
Sanitary Sewer System	$95,923.80	$0.00	$0.00	0%
Watermain System	$99,165.00	$0.00	$0.00	0%
Storm Sewer System	$195,446.00	$26,165.00	$0.00	0%
Street Construction	$265,961.50	$55,350.92	$0.00	0%
Watermain System in Existing Right-of-Way	$35,535.00	$0.00	$0.00	0%
Subtotal	**$692,031.30**	**$81,515.92**	**$0.00**	**0%**
Development Agreement Security (150%)	$346,015.65	$40,757.96	$0.00	
Total	**$1,038,046.95**	**$122,273.88**	**$0.00**	**0%**

BE IT FURTHER RESOVLED that the street improvements are accepted for continuous maintenance as of December 13, 2021.

RESOLUTION NO. _____

December 13, 2021 _____
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

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

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Dr. Reggie Edwards, City Manager

SUBJECT: Extension of Civil and Criminal Law Services RFP Timeline One Year

Requested Council Action:

City Council authorizes the City Manager to extend the civil and criminal law services RFP timeline for the City an additional one year.

Background:

Section 2.81 of City Council General Policies states that the Council resolves to request proposals for Legal Civil and Criminal Services on an alternating four year basis, beginning in 1997 for Criminal Law and 1999 for Civil Law Services unless there is justification for an earlier request.

Based on the subject policy a Civil Legal RFP should have been solicited in 2019 and the Criminal Services is due in 2021. The Council extended the RFP timeline for the Civil Legal services for an additional year in 2020. Due to the pandemic, civil unrest and associated conditions significantly disrupted our ability to proceed on the RFP for both legal services in 2021.

Therefore, I am requesting that the Council amend the Schedule so that an RFP for both services occur in 2022.

Budget Issues:

N/A

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

By engaging in an RFP process the City is better positioned to ensure equitable opportunities or accessibility for providing legal services to the City are given to an inclusive group of legal firms.

Strategic Priorities and Values:

Operational Excellence

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Dr. Reginald Edwards, City Manager

SUBJECT: Resolution Approving the Execution of the Joint Powers Agreement Superceded the Existing Agreement, for the Brooklyn Bridge Alliiance for Youth Effective January 1, 2022, and Authorizing the Mayor and City Manager to Execute the Document

Requested Council Action:

- Motion to approve a Joint Powers Agreement for the Brooklyn Bridge Alliance for Youth Effective January 1, 2022 and Authorizing the Mayor and City Manager to Execute the Document

Background:

The Brooklyn Bridge Alliance for Youth (Alliance) has served youth in Brooklyn Center and Brooklyn Park since 2013 with the mission of coordinating a system of high-quality, accessible and fully resourced opportunities that lead to an increase in high school graduation, pathways to college and career, and youth safety and well-being. Members of the Alliance are the City of Brooklyn Center, City of Brooklyn Park, Osseo Area Schools, Anoka-Hennepin School District, Robbinsdale School District, Brooklyn Center Schools, North Hennepin Community College, Hennepin Technical College and Hennepin County.
These members are currently working under a five-year joint powers agreement that began January 1, 2018. Councilmember Marquita Butler and Recreation Director Cordell Wiseman and Interim Police Chief Tony Gruenig currently serve on the Alliance board of directors, with City Manager Dr. Reggie Edwards serving as a board alternate.
The execution of this Joint Powers Agreement for a five-year term was approved by the Alliance board in November 2021 and would supersede the existing agreement. It has been requested that each Alliance member organization approve the Joint Powers Agreement by January 1, 2022.These new joint powers reflect changes that reflect the organizations commitment to including those most impacted in governing bodies.
Changes to the Joint Powers include:

1. College partners become voting directors.
2. Directors will be appointed to 2-year terms.
3. Adding four young adults 18-24 as voting directors.

Changes to the Joint Powers Approved by the Alliance Board:
College partners become voting directors.
Since 2013, the Colleges (North Hennepin Community College and Hennepin Technical College) have been active partners in advancing our mission. The College partners are dues paying members of the Alliance and participate in all aspects of our work. Building pathways to college and career is one of our three primary

goals and their representation on matters.

2-year Term for Directors

Two-year terms create more stability on the board. Appointments to the Alliance board DO NOT supersede the appointment process of their organization. If a director is unable to complete their term, a replacement will be appointed for the remainder of the unfinished term. Two-year terms would apply only to director positions. Officer positions are 1-year terms. To change the terms of officers the board would need to amend the bylaws or section 3.4 of the Joint Powers.

Adding four Youth Directors ages 18-24 that represent the Brooklyns

Youth Directors must have direct experience with the schools, colleges and community in which the Alliance serves. Adding four youth directors ensures representation. It is recommended that four youth directors be added for the following reasons. 1) Youth may have conflicts and we want to ensure that there are more than 1 youth director attending at any meeting. 2) Diversity; we live in a diverse community and adding four directors enables the board to create more diversity in the student perspectives added. 3) Adding four directors enables the board to maintain an odd number of directors.

Appointments will be made by the following:

- One from NHCC President; student who has lived, goes to school in Brooklyns and now attends NHCC
- One from HTC President; student who has lived, goes to school in Brooklyns and now attends HTC
- Two appointed with input from the Brooklyns Youth Council and Executive Director from the BBA

This spring, the Alliance working with its partners developed a new short-term strategic plan, *Responding to the Needs of Youth.* This plan illustrates the organizations' ability to respond, pivot and activate in these tumultuous times with youth and equity centered efforts. This new short-term strategic plan (attached) will guide the work through Fall of 2022, when the organization will engage in comprehensive strategic planning.

Over the last several years, the Alliance has led and contributed to several instrumental efforts to accelerate the success of youth in Brooklyn Center and Brooklyn Park leading to improved outcomes for youth:

- **Expanded Youth Outreach, Engagement and launched a new program - Youth OnBoard.** This last year we have galvanized efforts to engage youth as equal partners. Intentionally deepening our work with youth by continuing to respond to the needs that are real for youth, right now. Incorporating the unpredictability of how things are and creating ways of working that are responsive and include taking space for healing. Programming efforts include the Youth Data Squad, Brooklyns Youth Council, Youth OnBoard, Amplify Youth Voice, and Youth as Facilitative Leaders.

- **Expanding Equitable Access to Park & Recreation:** the BBA has expanded from program level effort to department level efforts. As long-standing partners to the city, we are positioned to support this change overtime, and to support partners as they address disparities and grow expertise in equity efforts.

- **Coordinated the development of Health on the Go!** This program created a new hub for connecting County Public Health resources to our community, with a focus on providing culturally responsive services and building local health assets. Through this project, the County allocated new resources - a full-term one-year community health worker to focus on our community. This was transitioned to City and County partners in the fall and is continuing to grow.

Budget Issues:

The city contribution of $57,500 remains the same in this new agreement.

Inclusive Community Engagement:

~ None

Antiracist/Equity Policy Effect:

~ None

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/10/2021	Resolution Letter
BBAFY 2022-2026 Contract	12/10/2021	Backup Material
BBAY Strategic Plan	12/10/2021	Backup Material

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING THE EXECUTION OF THE JOINT POWERS AGREEMENT SUPERCEDED THE EXISTING AGREEMENT, FOR THE BROOKLYN BRIDGE ALLIANCE FOR YOUTH EFFECTIVE JANUARY 1, 2022, AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE THE DOCUMENT.

WHEREAS, The Brooklyn Bridge Alliance for Youth (Alliance) has served youth in Brooklyn Center and Brooklyn Park since 2013 with the mission of coordinating a system of high-quality, accessible and fully resourced opportunities that lead to an increase in high school graduation, pathways to college and career, and youth safety and well-being; and

WHEREAS, Members of the Alliance are the City of Brooklyn Center, City of Brooklyn Park, Osseo Area Schools, Anoka-Hennepin School District, Robbinsdale School District, Brooklyn Center Schools, North Hennepin Community College, Hennepin Technical College and Hennepin County. ; and

WHEREAS, Councilmember Marquita Butler and Recreation Director Cordell Wiseman and Interim Police Chief Tony Gruenig currently serve on the Alliance board of directors, with City Manager Dr. Reggie Edwards serving as a board alternate.; and

WHEREAS, The execution of this Joint Powers Agreement for a five-year term was approved by the Alliance board in November 2021 and would supersede the existing agreement.; and

WHEREAS, Changes to the Joint Powers include:

1. College partners become voting directors.
2. Directors will be appointed to 2-year terms.
3. Adding four young adults 18-24 as voting directors; and

WHEREAS, Over the last several years, the Alliance has led and contributed to several instrumental efforts to accelerate the success of youth in Brooklyn Center and Brooklyn Park leading to improved outcomes for youth:

- **Expanded Youth Outreach, Engagement and launched a new program - Youth OnBoard.** This last year we have galvanized efforts to engage youth as equal partners. Intentionally deepening our work with youth by continuing to respond to the needs that are real for youth, right now. Incorporating the unpredictability of how things are and creating ways of working that are responsive and include taking space for healing. Programming efforts include the Youth Data Squad, Brooklyns Youth Council, Youth OnBoard, Amplify Youth Voice, and Youth as Facilitative Leaders.

- **Expanding Equitable Access to Park & Recreation:** the BBA has expanded from

RESOLUTION NO. _____

program level effort to department level efforts. As long-standing partners to the city, we are positioned to support this change overtime, and to support partners as they address disparities and grow expertise in equity efforts.

- **Coordinated the development of Health on the Go!** This program created a new hub for connecting County Public Health resources to our community, with a focus on providing culturally responsive services and building local health assets. Through this project, the County allocated new resources - a full-term one-year community health worker to focus on our community. This was transitioned to City and County partners in the fall and is continuing to grow. ; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, approving the execution of the joint powers agreement, superseded the existing agreement, for the Brooklyn Bridge Alliance for youth effective January 1, 2022, and authorizing the Mayor and City Manager to execute the document.

December 13, 2021
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

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

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION

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

1.

RESOLUTION NO. _____

2.

July 25, 2009 _____
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.

THE BROOKLYN BRIDGE ALLIANCE FOR YOUTH

A JOINT POWERS AGREEMENT

2022-2026

The parties to this Agreement may include the City of Brooklyn Center, City of Brooklyn Park, Hennepin County, Anoka-Hennepin School District, Brooklyn Center Schools, Osseo Area Schools and Robbinsdale Area Schools, Hennepin Technical College, North Hennepin Community College all of which are governmental units within the State of Minnesota. This Agreement is made pursuant to Minnesota Statutes, Section 471.59.

ARTICLE I. GENERAL PURPOSE

The general purpose of this Agreement is to create a collaborative initiative through which the parties may cooperatively create a community-wide vision that will focus on developing a detailed action plan to collaborate in support of positive youth development opportunities for all youth in Brooklyn Center and Brooklyn Park. The parties hereby form a joint powers organization for that purpose, which shall be named The Brooklyn Bridge Alliance for Youth (herein referred to as the "Alliance"). The Alliance will concentrate on encouraging community partnerships that will improve the factors building positive youth development and diminish or eliminate influences that limit healthy youth development. The Alliance will serve as a formal collaborative structure to assemble permanent partnerships within and across member organizations that will be responsible for implementing this action plan.

ARTICLE II. PARTIES

Section 2.1. Eligible Members. The governmental units that are

eligible to become parties to this Agreement are the City of Brooklyn Center, the City of Brooklyn Park, Hennepin County, Anoka-Hennepin School District, Brooklyn Center Schools, Osseo Area Schools, Robbinsdale Area Schools, Hennepin Technical College, North Hennepin Community College and such other governmental units as are admitted in accordance with Section 2.2.

Section 2.2. Additional Members. Any additional governmental unit desiring to enter into this Agreement shall seek approval of the Alliance Board of Directors. If the Board approves the addition of the proposed Member it shall specify the contribution to be made by the proposed Member in accordance with Section 5.1.

Section 2.3 Membership Process. Governmental units authorized to become a Member under Section 2.1 or 2.2 will become a Member upon filing of a duly executed copy of this Agreement, together with a certified copy of the authorizing resolution or other action, with the Fiscal Agent.

ARTICLE III. MEETINGS, ELECTIONS, AND DUTIES OF COMMITTEE MEMBERS

Section 3.1. Fiscal Agent. The City of Brooklyn Park will act as the fiscal agent ("Fiscal Agent") of the Alliance unless otherwise specified by the Board of Directors. The Fiscal Agent may be authorized by the Board to hire employees or contract for services as necessary to carry out the functions of the Alliance. The Alliance shall defend and indemnify the Fiscal Agent by, and to the extent of, insurance coverage, to protect against claims arising out of the actions and inactions of the Fiscal Agent in providing financial services and hiring employees or contracting for services to the Alliance under this Section 3.1.

Section 3.2. Alliance Board of Directors. Members will make appointments to the Alliance Board of Directors as follows:

3.2.1 Voting Directors. Each Member will appoint one member

of its governing body as a voting Director of the Alliance Board of Directors, except that the voting Directors from Hennepin Technical College and North Hennepin Community College will be their respective Presidents.

3.2.2 Alternate Directors. Each Member shall appoint an Alternate Director who may participate in Board meetings but may only vote in the absence of that Member's Director.

3.2.3 Additional Voting Directors. The city managers of the cities of Brooklyn Center and Brooklyn Park shall each appoint two additional Directors, one from each city's police department and one from each city's parks and recreation department. Such additional Directors shall each have one vote. Board members shall serve at the pleasure of the appointing authority.

3.2.4 Youth Directors. The Board of Directors will include four seats to be filled by individuals representing the community being served by the Board's purpose who, at the time of appointment, are at least 18 years old but have not yet turned 25 years old. These four Directors will be appointed as follows:

1. One appointed by Hennepin Technical Community College President and who is or was a student at Hennepin Technical Community College.

2. One appointed by North Hennepin Community College President and who is or was a student at North Hennepin Community College.

3. Two Directors appointed by the Alliance Executive Director as advised by the Brooklyns Youth Council members, and who has attended one of the Member school districts or colleges or lives in either Brooklyn Center or Brooklyn Park.

Section 3.3. Terms. Directors shall serve two-year terms. If a Director is unable to complete their term, a replacement will be appointed for the remainder of the unfinished term.

Section 3.4. Officers. At the first organizational meeting of the Alliance, the Board shall elect from its members a Chair and Vice Chair or co-Chairs, a Secretary and a Treasurer. The office of Secretary and Treasurer may be combined. The new officers shall take office for the calendar year in which they are elected. An officer may serve only while a Director. The Board may appoint a Recording Secretary and Assistant Treasurer who need not be Directors.

Section 3.5. Meetings. At the first organizational meeting, or as soon thereafter as may reasonably be done, the Board shall determine its procedures, including the time, place, and frequency of its meetings. The Chair shall ensure that notice by email, mail or personal delivery shall be given of the time and place of the meeting to all Directors. The Alliance shall comply with the requirement of the Minnesota Open Meeting Law, Minn. Statutes, Chapter 13D.

Section 3.6. Duties of Alliance Members. The Alliance and its Members will work to support the shared vision and implement strategies that best leverage resources, both human and financial, to improve access and quality of positive youth development opportunities.

ARTICLE IV. ALLIANCE POWERS

Section 4.1. Employment. The Board may employ permanent and temporary employees, as it may require, and determine their qualifications, duties and compensation.

Section 4.2. Local Services. The Board may use the services of staff of any Member on such terms and conditions as are agreed upon by the Board and the Member.

Section 4.3. Contracts. The Board may execute contracts or other instruments as are necessary for the purposes of this Agreement.

Section 4.4. Task Force Members. The Board may appoint such task forces or committees as it deems necessary. The task forces or committees so appointed may include persons who are not Directors

and representatives of parties that are not Members but must include a representative of at least one Member.

Section 4.5. Expenditures. The Board may receive and expend funds from public and private sources for its purposes. The Board may accept gifts or grants of money or other property for its purposes.

Section 4.6. Insurance. The Board shall procure public liability insurance with such limits as it deems appropriate. However, such insurance shall provide coverage for at least the amount of the liability limits set forth in Minnesota Statutes, Section 466.04. In addition, the Board shall procure insurance for the benefit of the Fiscal Agent to cover the indemnification obligation of the Alliance under Section 3.1.

Section 4.7. General. The Alliance may take all such other actions as are necessary or convenient to carry out its purposes.

ARTICLE V. FINANCING

Section 5.1. Funding. Operating funds of the Alliance shall be provided and furnished in each calendar year by each of the Members in accordance with the following schedule:

	2022	2023	2024	2025	2026
City of Brooklyn Center	$ 57,500	$ 57,500	$ 57,500	$ 57,500	$ 57,500
City of Brooklyn Park	$ 57,500	$ 57,500	$ 57,500	$ 57,500	$ 57,500
Hennepin County	$ 57,500	$ 57,500	$ 57,500	$ 57,500	$ 57,500
Anoka-Hennepin School District	$ 5,750	$ 5,750	$ 5,750	$ 5,750	$ 5,750
Brooklyn Center Schools	$ 5,750	$ 5,750	$ 5,750	$ 5,750	$ 5,750
Osseo Area Schools	$ 11,500	$ 11,500	$ 11,500	$ 11,500	$ 11,500
Robbinsdale Area Schools	$ 5,750	$ 5,750	$ 5,750	$ 5,750	$ 5,750
Hennepin Technical College	$ 5,750	$ 5,750	$ 5,750	$ 5,750	$ 5,750
North Hennepin Community College	$ 5,750	$ 5,750	$ 5,750	$ 5,750	$ 5,750

For each calendar year, funds shall be provided by the Alliance Members within thirty (30) days of receipt of a copy of the budget approved by the Board, submitted on an annual basis. With the support

of two-thirds of Directors, the Chair may request and the Members shall pay an increase in these amounts of up to an additional 15 (fifteen) percent for each year this Agreement is in effect.

Section 5.2. Base Budget. For each calendar year, the Board shall prepare a budget as soon as is practicable after its organization. Each year thereafter, the Board shall prepare an annual base budget for the ensuing calendar year. The budget shall show estimated expenses of operation and the amount to be paid by each of the Members, to be apportioned among them, up to the amount specified in Section 5.1. If a majority of the Directors vote in favor of the budget and if those voting in favor include representatives of half or more of the Members, the budget shall be approved. After the base budget has been approved, the Chair shall give written notice to each of the Members of the amount owing for the base budget. The funds for such budget shall be provided by Members within thirty (30) days of written notice. If the amount of the budget is less than the sum of the contributions of the Member listed in Section 5.1, the contribution of each Member shall be prorated on the basis of the amounts listed in Section 5.1.

Section 5.3. Supplementary Budget. The Chair may prepare and provide a supplementary budget in addition to the base budget. Any funding of the supplementary budget shall be by voluntary contributions by Members, income, gifts, grants and sources other than public funds provided under subsections 5.1 and 5.2. The supplementary budget shall be approved in the same manner as the base budget.

Section 5.4. Interest. Interest accrued on Alliance funds may be used by the Board for any lawful purpose.

ARTICLE VI. WITHDRAWAL

Any Member may at any time give written notice of withdrawal from the Alliance. Withdrawal after January 1st of any year shall not relieve the Member from its obligation to contribute its share to the budget for that year in accordance with Article V.

ARTICLE VII. DISSOLUTION

Section 7.1. Dissolution. The organization shall be dissolved upon adoption of resolutions of dissolution by a majority of all remaining Members of the Alliance.

Section 7.2. Assets Upon Dissolution. Upon dissolution, the remaining non-cash assets of the organization, after payment of all obligations, shall be distributed among the remaining Members as determined by the Board. Cash assets shall be distributed among remaining Members prorated by their cumulative contributions made in accordance with Sections 5.1 and 5.2.

ARTICLE VIII. DURATION

This Agreement shall continue in effect until December 31, 2026 unless the parties agree upon an Agreement extension. Upon termination, assets shall be distributed in accordance with Section 7.2.

ARTICLE IX. EFFECTIVE DATE.

This Agreement shall become effective upon approval and execution by the following parties: City of Brooklyn Center, City of Brooklyn Park, Hennepin County, Anoka-Hennepin School District, Brooklyn Center Schools, Osseo Area Schools, Robbinsdale Area Schools, North Hennepin Community College and Hennepin Technical College.

City of Brooklyn Center

By: _____
Its: _____

And by: _____
Its: _____

City of Brooklyn Park

By: _____
Its: _____

And by: _____
Its: _____

Hennepin County

By: _____
Its: _____

And by: _____
Its: _____

Anoka-Hennepin School District

By: _____
Its: _____

And by: _____
Its: _____

Brooklyn Center Schools

By: _____
Its: _____

And by: _____
Its: _____

Osseo Area Schools

By: _____

Its: _____

And by: _____
Its: _____

Robbinsdale Area Schools

By: _____
Its: _____

And by: _____
Its: _____

Hennepin Technical College

By: _____
Its: _____

And by: _____
Its: _____

North Hennepin Community College

By: _____
Its: _____

And by: _____
Its: _____

RESPONDING TO THE NEEDS OF YOUTH

12–18-month Strategic Plan

February 2021

Shared Vision

The Brooklyn Bridge Alliance assures the success of all youth by challenging the conditions that diminish their hope, by assuring that all youth are connected to a trusted adult who is vested in their healthy development as measured by educational success and mastery of essential life skills.

Our Mission

To coordinate a system of high-quality, accessible, and fully resourced opportunities that lead to an increase in high school graduation, pathways to college and career, and youth safety and well-being.

Core Values

- Youth Engagement, Voice and Leadership.
- Courageous Leadership and Action.
- Positive Development for Each Young Person, in All Places.
- Authentic, Timely and Respectful Communication.
- Inclusive Processes to Maximize our Resources.
- Individual and Collective Learning, Growing, Assessing and Celebrating.

Strategies

1. Increase **Youth Engagement** across our systems.
2. Increase **Equitable Access** to opportunities.
3. Increase **Resources** to accomplish our mission.
4. Increase **Quality** of existing programs.
5. Increase **Coordination** amongst Alliance members and broader community.

Goals

Short-term:

1. Programs will provide culturally responsive, youth centered opportunities; so that youth will master essential life skills such as creating positive mental health, building a positive identity, and building skills they see as needed to enter adulthood.
2. Youth are connected to a network of resources, trusted adults, and peers.

Long-term:

1. Increase in Youth Safety and Well-Being.
2. Increase in High School Graduation.
3. Increase in Pathways to College and Career.

Board Approved February 16, 2021

Tactics

1) We will expand **YOUTH ENGAGEMENT** in leadership opportunities to support their own growth and to vitalize the work of our community.
    a. Develop the **Youth on Boards initiative**; assessing readiness and preparing adults to share decision making power with youth. We will begin with the Alliance governance structure.
    b. Mobilize the efforts of the Brooklyns Youth Council to expand youth leadership; support their efforts for education reform, exploring the health and safety impacts of marijuana legalization, and continue to advise to city and police partners on matters related to our shared goals.
    c. Organize and whenever possible, hire youth for opportunities to lead research, marketing, organizing and governance projects; Leverage BrookLynk to increase internship commitments for all members, and community partners for summer 2021.
    d. Provide technical assistance to members who seek to expand youth centered approaches, such as youth participatory action research, to examine root causes and build solutions.

2) We will increase **EQUITABLE ACCESS** to opportunities.
    a. We will convene and support partners to **use the Youth-to-Youth Survey** results to build new programming and ensure equitable access to (summer) youth engagement and participation for those most impacted by COVID.
    b. **Accelerate equity** through program, organization, and staff development to address disparities in hiring, retention and results for youth serving areas. Knowing that when we create spaces of belonging for youth of color, we are supporting their positive mental health.
    c. Advance the **Blueprint for Persistence** collective action plan to increase pathways to and through college and career, prioritizing student centered approaches as we implement.
    d. As partners lead equity efforts, facilitate the expansion of these efforts to include young people and families, to create more inclusive and responsive systems.
    e. Support efforts for online engagement and when feasible face-to-face outreach to promote opportunities aligned with youth needs.

3) We will optimize, leverage, and maximize the use of public and private **RESOURCES** to enhance the infrastructure and systems that advance positive youth development.
    a. Lead development projects or incubate collaborative efforts; complete the Health on the Go pilot project and transition to partners.
    b. Cultivate new resources, and advocate for dedicated funding streams that advance our priorities through a coordinated policy agenda, re-alignment of existing funds and collaborative resource development.
    c. Organize existing and build new resources for maintaining positive mental health, and developing anti-racist practices, policy, and processes.

4) We will increase the **QUALITY** of afterschool, summer, enrichment, and Out-of-School opportunities.
    a. Strengthen the capacity of Alliance members and community-based organizations to build intentional programs that are designed to ensure racial equity, belonging, wellness and youth centered approaches for skill-building.

5) We will increase **COORDINATION** to decrease competition, duplication and maximize impact.
    a. Create a short and long-term strategic plan built with the engagement, voice, and input from all members of our governance structure; so that once approved, they collectively implement.
    b. Build a strong, youth-centered governance structure; beginning with the Board of Directors; that leverages the time, talent, and resources of JPA members, youth leaders, and community.

Board Approved February 16, 2021

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Meg Beekman, Community Development Director
BY: Jesse Anderson, Deputy Director of Community Development

SUBJECT: Approving an Ordinance Amending Chapter 12 of the City Code of Ordinance Regarding Tenant Protections and Approve a Resolution to allow a Summary Publication of the Ordinance

Requested Council Action:

- Motion to open public hearing, take public comment, and close public hearing

- Motion to approve a resolution approving of the second reading of an ordinance amending Chapter 12 of the City of ordinances regarding tenant protection and summary publication of the ordinance.

Background:

Overview
City staff have had multiple discussions with the City Council relating to affordable housing policies and programs. The City is currently working with the Center for Urban and Regional Affairs (CURA) and Research in Action (RIA) on a citywide housing study. That work has completed its engagement phase, and the Housing Advisory Council is being reconvened to begin reviewing that work and identifying policy recommendations for the City. The housing study is anticipated to be completed in early 2022. The deliverables from the study will be used to complete a Housing Policy Action Plan to address the housing priorities in the city. Staff is anticipating moving forward with programs and polices based on the results of that study. However, while that work is wrapping up, Brooklyn Center and the Twin Cities region are continuing to experience ongoing and extreme low vacancy rates. According to a recent 2020 Census Report (https://www.census.gov/library/stories/2021/08/united-states-housing-vacancy-rate-declined-in-past-decade.html), Minneapolis has the lowest vacancy rate among the 30 largest U.S. cities.

In addition to a significant and sustained housing shortage, the state legislature recently repealed the eviction moratorium. The state has created an off-ramp process to step back from the moratorium, but already Brooklyn Center has seen increased calls about evictions, and is seeing an increased number of filings. With the lifting of the eviction moratorium, landlords can once again get rid of unwanted tenants through non-renewals, avoiding the eviction process altogether.

Staff has been meeting regularly with residents to talk about issues related to tenant protections and to understand the concerns and increased issues they are facing as a result of compounding regional and national housing shortage trends.

As a result of extensive input from community, Staff have been working with the City Attorney's office to draft an ordinance relating to tenant protections. This ordinance was to include multiple areas of concerns from tenants.

- Just Cause Non-renewal
- Pre-eviction Notices
- Maintenance Fees
- Damage Deposits
- Material changes to the lease
- Discrimination relating to public assistance status

Based on the current low vacancy rates and the urgency created by the phasing out of the Eviction Moratorium, staff thought it to be necessary to expedite the ordinance relating specifically to items addressing evictions and non-renewals. Putting anti-displacement measures into effect sooner rather than later is intended to get ahead of a growing problem, and provide renters with more leverage in negotiations with landlords.
The proposed ordinance amendment summary:

- Pre-Eviction Filing Notice requires an owner of an affordable housing unit to provide a 30 day written notice to a tenant prior to filling an eviction. Evictions would be restricted to non-payment of rent or Material Breach of a Lease
- Just Cause Non-Renewals establishes requirements that prevents a property owner or property manager from non-renewing an existing tenant lease without just cause.
    - Non-Payment of Rent
    - Material Non-compliance
    - Refusal to Renew
    - Occupancy by property owner of family member
    - Building Demolishing or Conversion
    - Rehabilitation or Renovation
    - Complying with a Government order to vacate
    - Occupancy conditioned on employment
- Waiver is not allowed by a tenant to waive their rights under the new ordinance.
- Private Enforcement – A tenant or former tenant of an affordable housing united harmed by an owner in violation of this ordinance may bring and action again the owner in district court.

The Brooklyn Center Housing Commission met on October 19, 2021, and discussed the proposed tenant protection ordinance. The Housing Commission received feedback from multiple Housing Advocacy Groups including ACER, Homeline, and the Housing Justice Center as well as numerous Brooklyn Center tenants. It was strongly recommended from all agencies and tenants to expedite and approve the ordinance specifically relating to evictions and non-renewals.

Further, the Housing Commission unanimously approved a recommendation to approve the proposed ordinance.

At their November 8, 2021, meeting the City Council approved a first reading of the ordinance and ordered a public hearing for December 13.

The city has received some communication from landlords since the November 8 Council meeting. An email from a landlord, with specific concerns regarding this ordinance, is attached to this report. The following is a summary of those concerns.

- Eviction Notice Requirement:
    - The increase in time for eviction will include more time the property is not available for collecting rent.
    - Owners will be more likely to increase income and credit score requirements.
    - Landlords will be quicker to provide notice of eviction rather than accepting late payments or working out payment plans.
- Just Cause Non-Renewal:

- This will increase evictions as non-renewals are often used instead of an eviction.
- Landlords will need to be more stringent on lease infractions regardless of their severity.
- It was suggested that an alternative be to require a 75-90 day notice for non-renewals.
- Generally, any property on the edge of being 80% AMI will raise their rents in order to exempt themselves from this ordinance.

Background

Housing and the policy issues related to housing have become some of the most pressing and important matters facing communities today. For most suburban communities, housing comprises a significant majority of a cities land use and tax base. Maintaining and preserving a safe, quality, and desirable housing stock is critical to a community's long term economic health and resiliency. Further, a diverse housing stock which offers a wide range of housing choices and price points ensures that a community can be resilient through economic ups and downs as well as provide housing options for a diverse population throughout their lives. In addition to maintaining a quality and diverse supply of housing, communities are more and more becoming focused on concerns regarding livability and accessibility of housing.

Brooklyn Center's Current Rental Housing

The result of the regional trends facing the Twin Cities are being felt in Brooklyn Center. Vacancy rates in the community remain lower than the regional average, hovering around 2 percent. This is common in communities with more affordable rental units. Thirty-seven percent of Brooklyn Center's housing stock is comprised of rental units. Nearly 100 percent of the multi-family housing in Brooklyn Center are one and two bedroom units built between 1961 and 1971, and nearly all of it is naturally occurring affordable housing (NOAH).

Average rents in Brooklyn Center are naturally occurring affordable because the market rents, based on the age and condition of the units make them affordable at around 50 percent AMI in the metropolitan area. Rents in Brooklyn Center are lower than the regional average. While NOAH properties are affordable, they can be at risk of being lost as market demand increases and rents continue to go up. They can also experience disinvestment over time, causing deterioration, loss of value, and most importantly poor quality or unsafe living situations if they are not properly inspected and maintained.

The City's 2040 Comprehensive Plan identifies several broad housing goals

2040 Housing & Neighborhood Goals:

- Promote a diverse housing stock that provides safe, stable, and accessible housing options to all of Brooklyn Center's residents.
- Recognize and identify ways to match Brooklyn Center's housing with the City's changing demographics.
- Explore opportunities to improve the City's housing policies and ordinances to make them more responsive to current and future residents.
- Maintain the existing housing stock in primarily single-family neighborhoods through proper ordinances, incentive programs and enforcement.
- Explore opportunities to incorporate new affordable housing into redevelopment areas that promote safe, secure and economically diverse neighborhoods.

In addition to these goals, the 2040 Comprehensive Plan identifies implementation strategies as well as resources and tools for achieving its housing goals.

Budget Issues:

There are no budgetary issues to consider at this time.

Inclusive Community Engagement:

Staff has been working closely with housing advocacy groups, and met regularly with residents to gather information regarding the need for this ordinance.

Antiracist/Equity Policy Effect:

Renters in Brooklyn Center are disproportionately more likely to be people of color than home owners. Over 50 percent of Brooklyn Center renters pay more than 30% of their incomes on rent and are considered low income. Low income renters have the fewest housing choices and are more likely to experience retaliation by landlords, evictions and displacement. The purpose of this ordinance is to provide protections for primarily low-income and renters of color in Brooklyn Center.

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Ordinance	12/6/2021	Ordinance
Resolution	12/6/2021	Resolution Letter
10-19-2021 Draft Housing Commission Minutes	10/25/2021	Cover Memo
Email - Soderberg Apartments	12/2/2021	Backup Material

CITY OF BROOKLYN CENTER

Notice is hereby given that a public hearing will be held on the 13th day of December, 2021, at 7:00 p.m. or as soon thereafter as the matter may be heard to consider an ordinance related to tenant protections. City Council meetings are being conducted by electronic means under Minnesota Statutes, section 13D.021 and information on how to connect to the meeting is provided on the City's website. Please notify the City Clerk at 763-569-3306 if there are any questions about how to connect to the meeting.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12 OF THE CITY CODE OF ORDINANCES REGARDING TENANT PROTECTION

THE CITY OF BROOKLYN CENTER DOES ORDAIN:

Article I. Legislative Findings. The City Council of the City of Brooklyn Center hereby finds and determines as follows:

a. Tenants of affordable housing units have an income of 80% or less, and in some case much less, of the area median income and so have few resources to fight predatory practices, unjustified repair fees, retaliation, or other practices that exploit tenants within affordable housing buildings;

b. The City Council regularly receives complaints at its meetings from residents of affordable housing units regarding how they are treated by the owners and the resulting negative emotional and financial impacts of those interactions;

c. The City Council previously adopted Section 12-912D to establish certain tenant protections for those living within affordable housing units as an initial step to address the exploitation of these tenants;

d. The City Council determines it is necessary to expand those initial protections in order to promote housing stability and protect the health, safety, and welfare of those living within affordable housing units; and

e. The tenant protections adopted as part of Section 12-912D are intended to be part of the health and safety covenants in Minnesota Statutes, section 504B.161, subdivision 1(a)(4) and as additional conditions provided for by ordinance as acknowledged in subdivision 4 of the same statute.

Article II. Brooklyn Center City Code, Section 12-201 is amended by adding the following definition and renumbering the subsequent definitions as needed:

__. Just Cause – any of the bases listed under Section 12-912D(5) upon which an owner of an affordable housing building may terminate tenancy.

Article III. Brooklyn Center City Code, Section 12-912D is amended by adding subsections 12-912D(4), 12-912D(5), and 12-912(6) as follows, and renumbering the subsequent subsections as needed:

4. Pre-Eviction Filing Notice. Except as provided otherwise in this subsection, an owner of an affordable housing unit shall provide at least 30 days' written notice to a tenant prior to filing an eviction action on the basis of either: (a) an alleged non-payment of rent; or (b) an alleged material breach of a lease.

   a. Notices for Non-payment of Rent. For an allegation of any non-payment of rent, the notice shall, at a minimum, include the following information:

      (1) The name, mailing address, and telephone number of the person authorized to receive rent and fees on behalf of the owner;

      (2) The total amount of money due and owing to the owner by the tenant;

      (3) A specific accounting of the money due and owing to the owner by the tenant, including any past due rents, any late fees, and any other charges; and

      (4) The deadline by which the total amount due and owing to the owner by the tenant shall be paid to avoid an eviction action, which shall be no earlier than 30 days from the date on which the notice is delivered.

   b. Notices for Material Breach of a Lease. For an allegation of a material breach of a lease, the notice shall, at a minimum, include the following information:

      (1) The name, mailing address, and telephone number of the owner;

      (2) A description of the specific conduct that the owner alleges is a violation of the lease, including the dates of the violations and the persons who committed the alleged violations;

      (3) Identification of the specific clause of the lease alleged to have been violated;

      (4) Notification that the tenant has the right to correct the alleged breach;

      (5) Notification of how the tenant may correct the alleged breach;

      (6) The deadline by which the alleged breach shall be corrected to avoid an eviction action, which shall be no earlier than 30 days from the date on which the notice is delivered; and

(7) A copy of the lease attached to the notice.

c. Exception for Expedited Eviction Actions. For an expedited eviction action filed pursuant to Minnesota Statutes, section 504B.321, subdivision 2, the owner shall provide the notice required by Section 12-912D(3)(d) at least three days in advance of filing the eviction action.

d. Additional Notice Requirements. All notices under this subsection shall also include the following information:

(1) Notification that the tenant may be evicted if they do not pay the past due rent or correct the alleged breach of lease by the deadline, as applicable;

(2) Information about accessing rental assistance by calling 211 or visiting https://www.211unitedway.org/; and

(3) Information about accessing legal help by visiting the Law Help Website at https://www.lawhelpmn.org/.

e. Delivery of Notice. The owner, or an agent for the owner, shall deliver any notice required by this subsection personally or by first-class mail to the address of the affordable housing unit. Such notice may, in addition to but not in place of personal delivery or delivery by first-class mail, be delivered to any email or other electronic means to the tenant at the tenant's email address or electronic account.

f. Enforcement. In addition to any other remedy available at equity or law, failure to comply with the provisions of this subsection may result in adverse rental license actions, the imposition of administrative fines, or other penalties as provided in law.

g. Waiver Not Allowed. The parties to a written or oral lease of an affordable housing unit shall not waive or modify the requirements imposed by this subsection. Any such waiver provision that may exist in a lease is not enforceable.

5. Just Cause Notice of Nonrenewal of Lease to Tenants.

a. Just Cause Notice. An owner of an affordable housing unit shall not issue a notice of nonrenewal of tenancy, refuse to renew, or issue a notice to quit unless the owner is able to establish one or more of the following grounds for such action:

(1) Non-payment of Rent. The tenant fails to pay all monies owed to an owner after receiving a written notice of non-payment from the owner;

(2) Material Non-Compliance. The tenant fails to cure a material breach of the lease after receiving a written notice from the owner;

(3) Refusal to Renew. The tenant refuses to renew or extend the lease after the owner requests in writing that the tenant do so;

(4) Occupancy by Property Owner or Family Member. The owner, in good faith, seeks to recover possession of the unit so that the owner or a family member may occupy the unit as that person's principal residence;

(5) Building Demolishment or Conversion. The owner either:

(i) Elects to demolish the building in which the affordable housing unit is located, convert it to a cooperative, provided the owner complies with the provisions of Minnesota Statutes, chapter 515B, or convert it to non-residential use, provided that the owner shall obtain all permits necessary to demolish or change the use before terminating any tenancy;

(ii) The owner seeks, in good faith, to recover the unit to sell it in accordance with a condominium conversion, provided the owner complies with the provisions of Minnesota Statutes, chapter 515B; or

(iii) The unit is being converted to a unit subsidized under a local, state, or federal housing program and the tenant does not qualify to rent the unit under that program;

(6) Rehabilitation and Renovation. The owner seeks, in good faith, to recover possession of the unit that will render the unit uninhabitable for the duration of rehabilitation or renovation;

(7) Complying with a Government Order to Vacate. The owner is complying with a government agency's order to vacate, order to abate, or any other order that necessitates the vacating of the unit as a result of a violation of City Code or any other provision of law including, but not limited to, Section 12-911 related to conduct, disorderly activities, or nuisances; or

(8) Occupancy Conditioned on Employment. The tenant's occupancy is conditioned upon employment on the property and the employment relationship is terminated.

b. Owner Responsibilities. Any lease for an affordable housing unit shall include just cause notice language as follows:

"The landlord under this lease shall not unilaterally terminate or attempt to terminate the tenancy of any tenant unless the landlord can prove that just cause exists. The reasons for termination or nonrenewal of tenancy listed in the City of Brooklyn Center's Just Cause Notice (Section 12-912D(5)), and no others, shall constitute just cause under this provision."

c. Nonrenewal Notice Requirements. An owner providing a notice of nonrenewal of a tenancy to a tenant of an affordable housing unit shall: (1) comply with all notice requirements under the lease and applicable law; and (2) include in such notice a written statement of the reasons for the nonrenewal and the facts in support of those reasons.

d. Application. This Section applies to every lease, written or oral, for an affordable housing unit.

e. Waiver Not Allowed. The parties to a written or oral lease of an affordable housing unit shall not waive or modify the requirements imposed by this subsection. Any such waiver provision that may exist in a lease is not enforceable.

6. Private Enforcement of Tenant Protection Ordinance. Any tenant or former tenant of an affordable housing unit harmed by an owner's violation of this Section 12-912D may bring an action against the owner in district court. Such person shall be entitled to all remedies available at law or in equity including, but not limited to, damages and injunctive relief. Any plaintiff that prevails in such action may be awarded reasonable attorney's fees and expenses.

Article V. Effective Date. This ordinance shall become effective after adoption and upon thirty days following its legal publication.

Adopted this 13th day of December, 2021.

_____
Mike Elliott, Mayor

ATTEST: _____
City Clerk

Date of Publication _____

Effective Date _____

(~~Strikeout~~ indicates matter to be deleted, double underline indicates new matter.)

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-____

CITY OF BROOKLYN CENTER, MINNESOTA

A RESOLUTION APPROVING THE SECOND READING OF AN ORDINANCE AMENDING CHAPTER 12 OF THE CITY CODE OF ORDINANCES REGARDING TENANT PROTECTION AND SUMMARY PUBLICATION OF THE ORDINANCE

WHEREAS, the City of Brooklyn Center ("City") previously amended the City Code to establish certain protections for tenants of affordable housing units and now desires to expand those protections; and

WHEREAS, City staff developed a proposed ordinance titled "An Ordinance Amending Chapter 12 of the City Code of Ordinances Regarding Tenant Protections" ("Ordinance"), which amends Section 12-912D of the City Code; and

WHEREAS, the City Council discussed this issue at several work sessions and the proposed Ordinance was presented to the City Council to conduct a first reading on November 8, 2021 in accordance with Section 3.04 of the City Charter; and

WHEREAS, the proposed Ordinance was presented to the City Council to conduct a public hearing and a second reading on December 13, 2021 in accordance with Section 3.04 of the City Charter; and

WHEREAS, the City Council acted at its meeting on December 13, 2021 to adopt the above-referenced Ordinance;

WHEREAS, Minnesota Statutes, section 412.191, subdivision 4 allows publication of adopted ordinances by title and summary in the case of lengthy ordinances or those containing maps or charts; and

WHEREAS, the City Council determines publishing the entire text of the Ordinance is not in the best interests of the City as the Ordinance is readily available to the public on the City's website and by contacting City Hall; and

WHEREAS, the City Council determines the following summary clearly informs the public of the intent of Ordinance and where to obtain a copy of the full text.

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

1. A second reading has been conducted and the Ordinance is hereby adopted.

2. The City Clerk is hereby authorized and directed to publish the following notice and summary of the Ordinance, which is hereby approved, once in the City's official newspaper:

City of Brooklyn Center

AN ORDINANCE AMENDING CHAPTER 12 OF THE CITY CODE OF ORDINANCES REGARDING TENANT PROTECTION

Please take notice that the City Council of the City of Brooklyn Center has adopted an ordinance to amend Chapter 12 of the City Code by amending Section 12-912D to expand the protections provided to tenants of affordable housing units. The ordinance establishes new requirements for landlords to provide tenants a notice at least 30 days before filing an eviction action, to provide notice explaining the basis of a just cause nonrenewal of a lease, and provides for filing a private enforcement action in district court for a violation of the tenant protections under the section, including the seeking of an award of attorney's fees. A copy of the full ordinance is available on the City's website.

3. City staff and consultants are authorized to take such other actions as may be needed to incorporate the Ordinance into the City Code and to otherwise carry out the intent of this Resolution.

December 13, 2021
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

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

REGULAR SESSION
OCTOBER 19, 2021

CALL TO ORDER

The Brooklyn Center Housing Commission was called to order by Chairperson Goodell at 7:00 p.m. The meeting was conducted virtually.

MEETING ATTENDEES

Chair Mark Goodell
Commissioner Paul Oman
Commissioner Michael Donnelly
Commissioner Zarita Hester
Commissioner Johnson Yang

City Staff present: Staff Liaison Jesse Anderson, Community Development Director Meg Beekman, City Attorney Sam Ketchum, Planning Staff Olivia Boerschinger, and City Council Liaison Kris Lawrence-Anderson.

Also present: Anab; Agnes; Leah DeGrazia; Lana Hamilton; Victoria Karmo; Madeleine Lerner, ACER; Fadumo Mohamed; Lovetee Polahn; Eric Hauge, HOME Line; Samuel Spaid, HOME Line; Tally; Shana Tomenes; Marie Vincent.

APPROVAL OF AGENDA

There was a motion by Commissioner Oman and seconded by Commissioner Donnelly to approve the agenda as submitted. The motion passed.

APPROVAL OF MINUTES

There was a motion by Commissioner Oman and seconded by Commissioner Donnelly to approve the minutes of the Housing Commission meeting on August 18, 2021. The motion passed.

TENANT PROTECTION ORDINANCE DISCUSSION AND DRAFT ORDINANCE REVIEW

Staff Liaison Jesse Anderson gave an overview of the proposed tenant protection Ordinance He added the City Council has held multiple work sessions regarding housing programs, and the City is currently undergoing a City-wide housing study, which will provide recommendations for City housing policies, housing priorities, and a housing action plan.

Mr. Anderson stated there is urgency related to this issue created by the phasing out of the eviction moratorium as well as low vacancy rates. The proposed Ordinance addresses evictions, requiring a 30-day written notice as well as preventing landlords or property owners from not renewing an existing tenant lease without cause. He added some just cause reasons for non-renewal, as listed in the proposed Ordinance, are non-payment of rent; material non-compliance; refusal to renew;

conversion, demolition, rehab or renovation; compliance with a government order; or occupancy conditional upon employment. He noted the Ordinance also addresses evictions and non-renewal and provides support for tenants who have just cause to bring action against landlords.

Mr. Anderson stated City Staff received feedback and recommendations from ACER, HOME Line and the Housing Justice Center to expedite the proposed Ordinance due to urgency related to evictions and non-renewals. He added representatives of community organizations have joined tonight's meeting. He noted the proposed Ordinance will likely have its first reading at the November 8, 2021 City Council meeting, and second reading and public hearing scheduled for the City Council's December 13, 2021 meeting, with the Ordinance going into effect in January 2022.

Chair Goodell requested feedback and comments from the Housing Commissioners and guests.

Commissioner Oman requested clarification regarding the timing of the Ordinance and actions that can be brought against landlords for something that has already happened. Mr. Anderson stated the Ordinance would go into effect in January 2022, so any violations could not have happened before that.

City Attorney Sam Ketchum agreed with Mr. Anderson's assessment. He added the enforcement provisions would apply to evictions after the Ordinance goes into effect.

A resident requested clarification regarding what control renters have with regard to friendly rental agreements. Chair Goodell stated he believes there has been some investigation into concerns about rental agreements, in terms of changes to a renewal or other limitations.

Mr. Anderson stated the proposed Ordinance amendment relates to non-renewals and evictions. He added there are some areas of the Ordinance that have not been brought forward yet, that could provide limitations on changes to lease agreements, which may be discussed under a future Ordinance amendment.

The resident stated he has been living at Georgetown for 11 years, and management does whatever they want, and imposes restrictions. He added he got a letter that they will not renew his lease and put him on a month-to-month lease. He added he is concerned and hopes the Commission can make some changes. He asked whether the Commission could go into people's homes and find out how they live and how they are being treated.

Chair Goodell thanked the resident for his comments. He added the Commission is interested in hearing about the issue of lease agreements, although tonight's amendment relates to evictions and non-renewals. He added City Staff is researching these other important issues, and he appreciates the resident bringing his concerns to the Housing Commission's attention.

A resident, Tally, stated retaliation by landlords at Georgetown is not fair to tenants, and they are not allowed to have visitors. She added they are not being treated as though Georgetown is their home. She noted they have been towing cars and not giving any information about restrictions or when they can park their cars.

Another resident agreed, stating people do not speak up because they are afraid that they will get an eviction notice. She added she was given an eviction notice because she did not apply for rental assistance. She noted she told them her application was pending.

Tally stated it is not fair to Georgetown residents. She said the landlord does not fix anything, but no one asks questions or asks for help. She added they are taking cars.

Lovetee stated she has been a Georgetown tenant for 2-3 years. She added she is concerned about tenant protections. She asked what it will protect. She noted she has 6 living children, and the Ordinance cannot protect her from being evicted. She added her lease has not been renewed for no reason, and the landlord gave her 3 months to find a new home.

Lovetee stated she went to the office to ask about why her lease cannot be renewed, and she was told she could not enter the office and she was not welcome. She added she is a tenant, and they have no reason for not renewing her lease. She noted this is an emergency and she asked the City for help. She noted the Ordinance needs to be passed now so their leases can be renewed.

Lovetee tasked whether something can be added to the Ordinance about lease renewal. She added the only reason a lease should not be renewed is if a tenant does something crazy. She noted landlords should not be able to renew leases without a reason.

Chair Goodell stated there are some serious issues with renewal of leases and evictions, and it is his understanding that this Ordinance amendment will address both lease renewals and evictions. He added the Ordinance would put restrictions on evictions and eviction notices, and a limit list of reasons why a lease cannot be renewed. He noted the Ordinance will directly affect the residents' situations when it is passed.

Chair Goodell stated the Housing Commission will not be passing the Ordinance, but rather making a recommendation to the City Council. He added the Commission is a board of volunteer citizens, and their job is to provide feedback and recommendations to the City Council. He noted he truly appreciates everyone's comments and feedback.

Sam Spaid, staff attorney for HOME Line, stated his organization supports the proposed Ordinance. HOME Line is a state-wide nonprofit organization providing free, confidential legal advice to residential tenants in Minnesota. He added the personal statements that are being expressed tonight are the same things that HOME Line staff hear on a daily basis from tenants in Minnesota. He noted the proposed Ordinance will address many of these issues – preventing non-renewal without cause and giving tenants time to solve the problem when there are eviction threats, and to seek legal advice to protect their interests.

Mr. Spaid stated there are tenant protections under State law, but they fall short of providing solutions and do not help tenants as much as they should. He added tenant protections are extremely important especially now that Covid restrictions are being lifted.

Madeleine Lerner, Organizing Manager at ACER, thanked the Housing Commission for the opportunity to address this issue. She added the proposed Ordinance is a critical first step in

instituting more comprehensive tenant protections in the City of Brooklyn Center. She noted ACER staff continuously hears these same stories about evictions without notice, no direct contact from landlords, and insufficient notice period for eviction or non-renewal.

Commissioner Zarita Hester stated she fully supports the Ordinance as there should be protection for renters, because there is protection for landlords. She asked whether the Ordinance addresses non-renewal of a lease if the property changes hands. She asked whether the Ordinance addresses leases that are reduced to month-to-month leases.

Mr. Anderson stated there is an existing Ordinance on the books adopted 2 years ago that has a notification requirement of 120 days before the landlord can make any changes to a lease.

Mr. Anderson stated the issue of month-to-month leases is not addressed and could be reviewed in a different revision of this Ordinance, and a future policy change.

A resident asked whether there must be a specific cause for a landlord to change to a month-to-month lease. He added landlords are using month-to-month leases as a form of retaliation.

Mr. Anderson stated just cause for non-renewals is included as a requirement in the Ordinance. The proposed Ordinance will make it more enforceable.

Marie Vincent stated she has lived in Georgetown for 2 years. The lease renewal and eviction issues are very serious, and reasons for eviction should be revealed to the tenant. One neighbor stated that she could not go to the office and speak her mind because she was afraid of being evicted. Brooklyn Center should be a free place for people to live and speak their minds, but they are not able to do so at Georgetown. She asked for the Commission's help with these issues.

Chair Goodell stated the proposed Ordinance includes a limited list of items that could be a reason for eviction or non-renewal of lease, but notice needs to be given to the resident, and there must be facts to support it.

Tally asked if the agreement could include information about when cars are going to be towed in Georgetown. She asked whether the City has anything in place for people with a low credit score to help them get a home, so they don't have to go through this anymore.

Chair Goodell stated he is unsure about the towing regulations at Georgetown. He added the proposed Ordinance being reviewed tonight does not address towing in particular.

Mr. Anderson agreed, adding further discussions can be initiated with the City Attorney for this issue under future Ordinances, regarding regulations and enforcement.

Mr. Anderson stated the City of Brooklyn Center has a down payment assistance program that provides up to $10,000 assistance for current Brooklyn Center renters who want to buy a home in Brooklyn Center.

Chair Goodell agreed to post a link for the down payment assistance program in the chat function.

A resident asked what the Commission is doing to support townhomes and rental complexes as homes that people live in. He added people should not have their cars towed. He asked whether the Commission plans to do something to see how people are living.

Chair Goodell stated he understands the resident is interested in having the Commission or City do a survey of rental properties to find out what conditions tenants are living in, and what their lives are like. He added there are concerns about towing. He noted the proposed Ordinance is related to evictions and just causes for lease changes, but there are many other areas that the City is looking at and these items can be included.

Chair Goodell stated the Housing Commission is a volunteer board that makes recommendations to the City Council, with input from City Staff. He added the City will continue to look into these issues and he appreciates everyone sharing their stories and concerns.

Eric Hauge, HOME Line, stated his organization has provided suggestions and recommendations regarding policies for immediate response to the end of the eviction moratorium. He added his organization hears about these kinds of issues regularly, and there has been inadequate response from the State legislature to address tenant and landlord issues. He noted HOME Line is committed to working with the City of Brooklyn Center to address these issues, recognizing that the majority of tenant/landlord law is at the State level, but cities like Brooklyn Center are taking important roles in regulating the businesses that operate in their City.

Community Development Director Meg Beekman stated the City began a Housing Study in January 2021. An Advisory Council was formed, and the City contracted with CURA and Research in Action to provide quantitative and qualitative analysis regarding housing stock and housing gaps. The Advisory Council, made up of residents, will provide recommendations focused on housing needs in the community, including anti-displacement and tenant protections, as well as housing choice and diversity. The recommendations of the Advisory Council are expected to be received by the City Council early in 2022. These recommendations will form the basis of City-wide Housing Policy Action Plan.

Ms. Beekman stated tenant protection issues are important and extremely urgent, and some housing topics have been tabled until the Housing Study is completed, to form recommendations and implement solutions, so tenant protections can move forward more rapidly. She added City Staff have met with tenants of Georgetown multiple times, as well as ACER and HOME Line, to identify a broad collection of regulations pertaining to tenant protections, and to address concerns that have been voiced this evening, including repairs and maintenance, towing policies, and safety and security.

Ms. Beekman stated, as part of this review, the City has looked at how other cities, particularly St. Paul, have addressed these issues. The City of St. Paul adopted a broad tenant protection Ordinance last year, which covers many of the provisions proposed in the draft Ordinance, including non-renewal without just cause. St. Paul was promptly faced with a lawsuit brought by landlords, and the city rescinded the Ordinance due to an injunction. This situation has been part of the City of Brooklyn Center's consideration and discussions, and the provisions addressed in

the proposed Ordinance that is being reviewed tonight address urgent anti-placement concerns driven by the ending of the eviction moratorium.

Ms. Beekman stated there will be many more discussions, and City Staff will continue to work with residents and community organizations. She added she wants to underscore that the City Council takes these issues very seriously and they have directed City Staff to focus on actively pursuing solutions.

Chair Goodell stated, to underscore the urgency of the situation, the eviction moratorium ended on October 12, 2021.

Sam Spaid, HOME Line, stated most protections ended October 12, but there is still protection for tenants who are behind on rent but have already applied for financial assistance through Rent Help. He added protection for tenants with pending applications is extended through June 2022.

Meg Beekman stated these issues are not unique to Brooklyn Center. She added it has been a failing of the State legislature to leave cities to deal with these concerns. She noted no other cities have adopted a non-renewal without just cause Ordinance, and this is new territory, so the City wanted to be fairly cautious about how it is brought forward to address concerns within the authority of the City.

Mr. Hauge stressed the importance of understanding that there is nothing that automatically stops an eviction from happening, which is why this Ordinance is so critically important. He added housing instability can happen even when there are protections in place. He expressed his agreement with Ms. Beekman that this is a unique and important protection that no other city in Minnesota has ever done and that the State of Minnesota has not provided support in these areas.

Chair Goodell requested feedback from the Commissioners.

Lovetee asked how strong the Commission is in its relationship with the City. She added the Commissioners have said they are a group of volunteers. She asked how much influence the Commission has over the City. She asked whether the City could have a meeting with landlords and tenants, to create a safe environment for renters and keep people safe in their homes. She added she wants the City to create an atmosphere in which landlords and tenants can be friendly and cooperative, so that non-renewals and evictions will stop. She noted she has lived in Brooklyn Park and Crystal where meetings were held with landlords to evaluate leases.

Chair Goodell stated the Housing Commission is an advisory body comprised of citizens of Brooklyn Center, whose job it is to review issues related to housing and provide recommendations to the City Council. He added the Commission will provide a recommendation to the City Council regarding this Ordinance, and that will be part of their consideration, but the Commission does not pass Ordinances. He noted there have been questions in the past about improving relationships between landlords and tenants.

Ms. Beekman stated the State law related to landlord/tenant relations is vague and untested, and what cities can and cannot do has not been addressed in State statute. She added some cities are

considering measures, including Minneapolis, which is looking into a Charter amendment via referendum that would circumvent State statute with regard to addressing these issues. She noted it is difficult to regulate mutual respect and common decency in landlord/tenant interactions, especially when there are underlying factors, although many landlords and property owners have positive relationships with their tenants.

Ms. Beekman stated City Staff is exploring ways to clarify expectations for how residents should be treated, and what regulations are within the City's authority to impose. She added the City does not regulate private contracts but has some leverage with rental housing licensing. She noted Type 3 and Type 4 rental license properties are required to enter into a mitigation plan, which includes demonstrating communication with tenants.

Commissioner Oman stated the Ordinance should be passed as soon as possible, as it is well-written and concise, and addresses concerns raised by the community.

There was a motion by Commissioner Oman and seconded by Commissioner Hester to recommend City Council approval of the Tenant Protection Ordinance. The motion passed.

Chair Goodell stated he supports expediting this Ordinance as much as possible.

Commissioner Donnelly asked whether the lawsuit regarding the St. Paul Ordinance affects this Ordinance in any way, and whether the City should be concerned about lawsuits.

Ms. Beekman stated the City Attorney's office drafted the proposed Ordinance and followed the proceedings in St. Paul very closely, although no decisions were made in that case.

Mr. Spaid stated the proposed Ordinance is quite different from St. Paul's Ordinance, as it focuses on two items – notice for non-renewal and evictions. He added there is always a risk for a lawsuit in this arena, but this Ordinance is taking a more targeted approach toward anti-displacement.

Chair Goodell thanked everyone for their input, and for sharing their stories and concerns. He added it has been very moving and he appreciates all the comments. He noted the issue of tenant rights and protections is of primary concern to the City Council and Commissions, and there will be many more discussions on this issue.

A resident thanked the Housing Commission for listening to them and expressed her appreciation for everything the City is trying to do for them.

Another resident thanked the Housing Commission for listening. She added she is overwhelmed and hopeful that things will work out. She added the Commission and City Staff explained things well, and she hopes that the City will move as fast as possible so change can come, and they can be happy in their homes.

Lovetee requested a recap of the timetable for the Ordinance. Mr. Anderson stated the first reading of the proposed Ordinance will be at the City Council's November 8, 2021 meeting, at which they will call for a second reading and public hearing, to be held at the City Council's December 13,

2021 meeting. He noted the earliest the proposed Ordinance would go into effect would be mid-January 2022.

NEW NEIGHBOR WELCOME PROGRAM

Chair Goodell stated there have been two deliveries of New Neighbor welcome bags since the Housing Commission's last meeting, and they covered approximately 100 homes. He added there are 139 homes left on the list, and he would like to suggest a few weekend dates for deliveries. He noted, after the last meeting, he sent out a poll with potential dates, and he can do that again. The Commissioners agreed.

City Council Liaison Kris Lawrence-Anderson requested that she be added to the email distribution list. Chair Goodell agreed.

Chair Goodell thanked Commissioners Oman and Yang for delivering bags with him last time. He thanked Mr. Anderson for putting the welcome bags together.

COUNCIL LIAISON REPORT

City Council Liaison Lawrence-Anderson stated City Staff are updating the City calendar with links to Commission meetings. She requested that the Housing Commission meeting information be sent to City Clerk Barb Suciu to be added to the calendar. She added she would like to receive links to the Charter Commission meetings as well.

City Council Liaison Lawrence-Anderson stated the City Council will be finalizing 2022 budgets at their first meeting in December.

City Council Liaison Lawrence-Anderson stated the City is working to secure the safety of residents and City Staff in preparation for the trial of Kim Potter which starts on November 30, 2021.

City Council Liaison Lawrence-Anderson stated she hopes to request a City Council review of the issue of solicitor's licenses in terms of predatory practices. She added this could be related to tenant protections.

Chair Goodell asked whether there has been any movement from the City Council on Commission re-appointments. He stated he received Commissioner Amdahl's resignation recently, so there will be another opening. He added Commissioner Amdahl has been on the Housing Commission since 2008.

City Council Liaison Lawrence-Anderson stated that is very sad, and she will reach out to Commissioner Amdahl.

City Council Liaison Lawrence-Anderson stated the City Council reviewed several applications at our their meeting, and additional appointments will be reviewed at the next meeting in November.

DRAFT

Chair Goodell asked whether that will include re-appointments for Commissioners whose terms have expired. City Council Liaison Lawrence-Anderson confirmed this.

CHAIRPERSONS REPORT

Chair Goodell expressed his appreciation to the Commissioners at tonight's meeting. He thanked City Staff for their hard work on the proposed Ordinance.

OTHER BUSINESS

There was no other business addressed by the Commission.

ADJOURNMENT

There was a motion by Commissioner Oman and seconded by Commissioner Yang to adjourn the meeting. The motion passed. The Brooklyn Center Housing Commission adjourned at 8:41 p.m.

_____

Chair Goodell

DRAFT

From: Erik Falkman <erik@sasapartments.com>
Sent: Wednesday, November 24, 2021 10:08 AM
To: Meg Beekman <mbeekman@ci.brooklyn-center.mn.us>
Subject: RE: Tenant Protection Ordinance

Thank you Meg,

You are certainly free to forward to council.

I am sorry to hear this feedback from renters in Brooklyn Center, and I have no doubt that these issues are very real to some in our community, but as you said this ordinance does not do anything to specifically address these concerns. Additionally, as one of the largest owners in Brooklyn Center, this ordinance will affect our current and future residents even though as you stated none of these concerns were at our properties. It seems like a few bad apples are driving an ordinance that may potentially have a negative impact on everyone.

As far as retaliation is concerned, there are already severe penalties for "retaliation" and non-renewal as described in your response, on the state and national level. If that is the primary concern, then this ordinance is redundant and overly burdensome for all concerned and it will drive up the cost and availability of housing in Brooklyn Center. More politics than policy.

As my email outlined, eviction is a last resort only when residents are unresponsive to efforts to communicate. While I certainly believe (and our company practices) that it is in everyone's interest to try to resolve issues outside of the eviction process, the reality is, that it is not always possible. And while the intent is to create space for this to happen, I truly believe that in application it will have the exact opposite effect for most if not all renters, the risk to "work it out" will be too great given the notice requirements. Where the unfortunate circumstances some of these renters are calling about are due to a few bad landlords or managers, the result will be higher costs to all renters, and I believe a higher incidence of eviction filings.

My initial thoughts on how to address this issue through regulatory or administrative means are:

> Why not increase licensing requirements and fees and have a review process established for these on-going repeat offenders and have it affect rental licensing tiers? If property maintenance is not being completed that seems more like an inspection/licensing issue. Brooklyn Center already has a robust and effective tiering system and that could be implemented a little more stringently.
>
> Fears of personal and property safety is tricky, as some of the steps (like towing unauthorized vehicles) are done for these reasons but result in complaints by residents. But overall this seem to me to be a policing issue and not any place where a landlord could be effective. If it is fear of personal harm or stealing committed by a landlord that is again a policing issue. Laws such as Kari Koskinen and penalties for entering without notice etc… already exist and are prohibitive and punitive for managers that violate them. Any decent manager knows these laws, and any crime should be reported to the police, not left to a property manager to enforce, that seems dangerous for people not trained to handle these situations.
>
> If retaliation is a concern, I would think city staff could direct frightened renters to advocacy groups for reporting and intervention, as those laws already exist. Once a complaint is formalized then it is established for correlation to any type of non-renewal or termination of tenancy as retaliation.

Overall I believe again that this ordinance proposal negatively affects all renters in our community while the issues reside with just a few of the owners/managers, and these concerns could be addressed administratively without the long term and unintended consequences of creating more conflict, more eviction filings and more expense to renters with stricter screening requirements, all of which will also impact the quality and availability of housing in Brooklyn Center.

I am happy to discuss further in person, or via zoom or phone.

All my best Meg and have a nice Thanksgiving-

Erik

SODERBERG APARTMENT SPECIALISTS

Erik Falkman
Chief Operating Officer, Soderberg Apartment Specialists
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6401 Camden Ave N. Brooklyn Center, MN 55430

From: Meg Beekman [mailto:mbeekman@ci.brooklyn-center.mn.us]
Sent: Tuesday, November 23, 2021 11:43 AM
To: Erik Falkman <erik@sasapartments.com>
Subject: RE: Tenant Protection Ordinance

Erik,

The public hearing is scheduled for December 13, and the Council meetings are virtual. A link to the meeting can be found on the City's website.

I really appreciate your comments and thoughts on this matter. Your insight as a property manager in how this ordinance will be implemented is helpful. Would you like me to forward your email to our Councilmembers?

From the tenant side of things, the Council has been inundated in recent months from tenants complaining about a whole host of issues related to their rental conditions. I will say that none of these complaints have originated from any of your properties. That said, for many renters, the fear of retaliation from their landlords for raising their concerns and asking for better, fairer, policies is very real. Many of these issues center around timely and proper maintenance of units, overly aggressive towing practices, and concerns of personal and property safety. While this ordinance doesn't address these issues specifically, it does attempt to address the underlying concern of non-renewals as a retaliatory act for raising these other concerns.

Further, the purpose of the eviction notification provision within the ordinance is exactly intended to create space for renters and landlords to work through issues, or allow time for the tenant to leave if issues cannot be solved, prior to an eviction being filed.

I welcome your insights in how to better address these issues through regulatory means, if not through a prohibition on non-renewals without just cause.

Thanks,

Meg

Meg Beekman, AICP | Community Development Director
City of Brooklyn Center
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General Email: communitydevelopment@ci.brooklyn-center.mn.us
www.ci.brooklyn-center.mn.us | mbeekman@ci.brooklyn-center.mn.us

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From: Erik Falkman <erik@sasapartments.com>
Sent: Tuesday, November 23, 2021 11:20 AM
To: Meg Beekman <mbeekman@ci.brooklyn-center.mn.us>
Subject: Tenant Protection Ordinance

Dear Ms. Beekman,

Can you please let me know when the hearing is for the tenant protection ordinance currently under consideration (attached) and if there will be an opportunity for the public to speak at this hearing? It would be nice if the meeting could be in person especially given the potential profound impact of this proposal.

As written, this ordinance has the very real potential to have significant negative consequences to all renters in Brooklyn Center. As is the case in many of these well intentioned ordinances, the unintended consequences could have a devastating effect on the individuals it was meant to help.

As the manager of approximately 25% of the rental units in Brooklyn Center I can tell you that eviction is a remedy of last resort for most property managers and owners. It is expensive, time consuming and we are acutely aware of the damaging effects this has on our residents. It is primarily used when a resident is unresponsive to attempts to communicate and find a solution outside of eviction. At that point it is the only tool available to gain possession of a unit, and even then, it is usually negotiated in court for a resident to stay in their unit if they desire, and the eviction is cancelled.

Most of our units are at or below the 60% AMI level and we take pride in providing safe, quality housing, at a good value. We also take pride in our service and relationship with our residents. While there are certainly some bad landlords, most owners and managers are fair, honest and try to do their best by their residents, keeping up the property, addressing maintenance issues in a timely manner, and updating the property to provide what residents are asking for all while balancing rising costs of labor, materials, property taxes, insurance etc...

Common practice is to have a grace period on rent, in our case it is four days before late fees are assessed and communication efforts begin. Current best practices are to provide notice or a "pay or quit" depending on amount due and communication with the manager around the 7th of the month, as evictions take approximately three weeks to process meaning we most likely will gain possession of a unit 45 days after a notice of intent to file an eviction.

If this ordinance passes, rent will only be due on the first of the month (no grace period) with a notice of intent to file an eviction delivered on the second of the month. This will also trigger late fees on the second day of the month increasing costs to the residents. I believe this ordinance will actually increase evictions. Where before owners and managers are incentivized to find a workable solution or payment plan, with this ordinance the risk is too great if that plan is defaulted upon given the notice provisions. I believe owners and managers will not be willing to work with residents moving forward and will give notice immediately if rent is late.

If this ordinance process works as planned we would most likely be 60-75 days to gain possession of an apartment. That risk is significant, as again that is just for possession and doesn't account for time for repairs, and marketing and re-leasing that apartment. That window of time also allows for potential damage to be done to the apartment. There may be no rent being paid on that unit for 3-4 months in addition to costs. The impact on the renters of Brooklyn Center of this ordinance will be dramatic as owners and managers will not risk any payment plans or other arrangements.

These risks will also require a different approach to screening to minimize that potential loss of income and costs associated with this ordinance. It will be even more critical to try and mitigate risk of default by increasing income and credit score requirements at the time of application for residency. With higher screening requirements, less renters will qualify meaning fewer housing options. This will result in more applications made by renters, increasing their costs to secure housing, and managers and owners less willing to make exceptions.

In regards to the non-renewal portion of the ordinance; non-renewal of leases is another tool alternative to eviction, as again it is understood by all that evictions are time consuming, expensive for manager/owner and renter, and the impact of an eviction is devastating to the ability to secure future housing. This provision will lead to managers being less forgiving and understanding, and will result in more stringent documentation and giving notice to any and all infractions of the lease, regardless of severity. This is also a very signbificant provision, as it increases the stress on both renters and property staff and will inevitably lead to confrontations. The impact on all parties' mental health cannot be understated. In our case, a notice of intent to non-renew a lease is delivered at minimum, 75 days prior to lease expiration. An alternative to this provision would be a simple requirement of a 75-90 day notice on non-renewal of lease.

Lastly, any property on the cusp of the 80% AMI will immediately raise rents to exempt themselves from this ordinance.

This is a solution in search of a problem. A 30 day notice period is one of the longest and most burdensome in the metro area. In most municipalities it is 7-14 days. If there are frequent offenders it would be wiser to address specific concerns with specific management companies or

owners rather that use such a blunt tool that will have these consequences and many others for all renters in the city.

While well intentioned, I believe this ordinance will increase evictions in our community, decrease new investment, increase the cost burden to renters, and result in scarcer housing for the people this ordinance is intended to benefit.

I am happy to discuss further with any member of the city staff or council. Please feel free to share this.

Warmest Regards,

Erik



Erik Falkman
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Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Meg Beekman, Community Development Director

SUBJECT: Resolution Approving the Establishment of Tax Increment Financing District No. 9

Requested Council Action:

- *Motion to open a public hearing, take public comment, and close the public hearing*

- *Motion to approve a resolution approving a modification to the Redevelopment Plan for a Housing Development and Redevelopment Project No. 1, establishing Tax Increment Financing District No. 9 therein and approving a Tax Increment Financing Plan therefor*

Background:

Aeon has made application, and received approval from the City, to construct a 43-unit addition to their existing multi-family property at 6221 Shingle Creek Parkway, known as the Crest. As part of the project, Aeon intends to renovate the existing units and building, construct an addition to the building, and complete certain site and parking lot improvements.

The City Council has approved the land use request, as well as the use of conduit bonding, which will be used as the primary mechanism to finance the project. Below is a summary of previous Council action on this project:

- April 26, 2021 - Concept Plan Review Worksession
- June 28, 2021 - Approval of PUD, Comprehensive Plan Amendment and Site and Building Plan Review
- November 22, 2021 - Approval of the use of conduit bond financing

At their April 26, 2021 meeting, the City Council discussed a concept plan submitted by Aeon. One of the questions asked by Aeon at that meeting was pertaining to the use of tax increment financing funding in order to achieve more deeply affordable units in the project. The Council indicated their support of the use of up to $1,400,000 in TIF to achieve a reduction in the average rents for the project.

Aeon is now requesting the establishment of Tax Increment Financing District No. 9, and the use of increment generated by the district to support the project, and the proposed rent structure.

The use of TIF would allow additional, three-bedroom units, to be provided at a more deeply affordable rate. The following table shows the rent restrictions planned for the building:

UNIT / RENT GRID								
Unit Type	# of Bath-rooms	# of Units	Unit Sq Ft	Monthly Contract Rent	Total Annual Contract Rent	Tenant Paid Utilities	Monthly Gross Rent	Rent Limit
1BR	1.00	8	575	923	88,608		923	30% MTSP
1BR	1.00	17	575	688	140,352		688	40% MTSP
1BR	1.00	47	575	877	494,628		877	50% MTSP
1BR	1.00	5	575	1,070	64,200		1,070	60% MTSP
2BR	1.00	3	1,050	1,128	40,608		1,128	30% MTSP
2BR	1.00	8	1,050	850	81,600		850	40% MTSP
2BR	1.00	16	1,050	987	189,504		987	50% MTSP
2BR	1.00	18	1,050	1,214	262,224		1,214	60% MTSP
0BR/Eff	1.00	1	450	735	8,820		735	50% MTSP
1BR	1.00	1	745	709	8,508	78	787	40% MTSP
1BR	1.00		745	906		78	984	50% MTSP
1BR	1.00	3	745	1,103	39,708	78	1,181	60% MTSP
2BR	1.00	7	1,050	850	71,400	95	945	40% MTSP
2BR	1.00		1,050	1,056		95	1,151	50% MTSP
2BR	1.00	21	1,050	1,322	333,144	95	1,417	60% MTSP
3BR	2.00	4	1,300	978	46,944	113	1,091	40% MTSP
3BR	2.00		1,300	1,250		113	1,363	50% MTSP
3BR	2.00	12	1,300	1,523	219,312	113	1,636	60% MTSP

Based on the final financial analysis, Aeon is requesting up to $1,100,000 in tax increment financing from the City in order to achieve the project rents. it is anticipated that the TIF note would be paid within 15 years. The District is set up to begin in 2024 and may be open for up to 26 years. The Council may choose to close the District once the TIF note is paid, or may opt to keep it open. One hundred percent of any excess increment collected, once the TIF note is paid, would be collected by the City and must be used to support the preservation or creation of affordable housing units.

It is estimated that the district would collect a total of $6,833,786 during its 26 year collection period.

The City Council is being asked to approve the establishment of Tax Increment Financing District No. 9 and approve a Tax Increment Financing Plan for the district. Once the District is established and the plan approved, the Brooklyn Center Economic Development Authority will be asked to approve a TIF Assistance Plan between the EDA and the developer, which outlines the conditions for the use of the increment.

Budget Issues:

There are no budget issues to consider at this time.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/6/2021	Resolution Letter
TIF No. 9 Plan	12/6/2021	Backup Material
powerpoint	12/13/2021	Presentation

CITY OF BROOKLYN CENTER
COUNTY OF HENNEPIN
STATE OF MINNESOTA

RESOLUTION NO. _____

APPROVING A MODIFICATION TO THE REDEVELOPMENT PLAN FOR HOUSING DEVELOPMENT AND REDEVELOPMENT PROJECT NO. 1, ESTABLISHING TAX INCREMENT FINANCING DISTRICT NO. 9 THEREIN AND APPROVING A TAX INCREMENT FINANCING PLAN THEREFOR

WHEREAS, it has been proposed that the Economic Development Authority of the City of Brooklyn Center, Minnesota (the "EDA") modify the Redevelopment Plan for its Housing and Redevelopment Project No. 1 (the "Redevelopment Project"); establish Tax Increment Financing District No. 9: Crest Apartments (a housing district) ("TIF District No. 9") within the Redevelopment Project; and adopt the related Tax Increment Financing Plan (the "TIF Plan") therefor; all pursuant to and in conformity with applicable law, including Minnesota Statutes, Sections 469.174 to 469.1794, as amended (the "TIF Act"), Minnesota Statutes, Sections 469.001 to 469.047 and Sections 469.090 to 469.1081, all inclusive, as amended, (collectively, and together with the TIF Act, the "Act"), and all as reflected in that certain document entitled in part "Modification of the Redevelopment Plan for Housing Development and Redevelopment Project No. 1 and Tax Increment Financing Plan for Tax Increment Financing District No. 9: Crest Apartments (a Housing District)," dated December 13, 2021 (collectively, the "Plans"), presented for consideration by the City Council (the "Council") of the City of Brooklyn Center, Minnesota (the "City");

WHEREAS, the Council has investigated the facts relating to the Plans and certain information and material (collectively, the "Materials") relating to the TIF Plan and to the activities contemplated in TIF District No. 9 have heretofore been prepared and submitted to the Council and/or made a part of the City files and proceedings on the TIF Plan. The Materials include the tax increment application, project pro forma financial statement, project sources and uses and other information supplied by Aeon, a Minnesota non-profit corporation (or one or more limited partnerships or other entities to be formed thereby or affiliated therewith, the "Developer") as to the activities contemplated therein, the items listed under the heading "Supporting Documentation" in the TIF Plan, and information constituting or relating to (1) why the assistance satisfies the so-called "but for" test and (2) the bases for the other findings and determinations made in this resolution. The Council hereby confirms, ratifies and adopts the Materials, which are hereby incorporated into and made as fully a part of this resolution to the same extent as if set forth in full herein;

WHEREAS, the City has performed all actions required by law to be performed prior to the adoption and approval of the Plans, including but not limited to notice to the County Commissioner representing the area of the County to be included in TIF District No. 9, delivery of the Plans to Hennepin County and Independent School District No. 281 (Robbinsdale), and the holding of a public hearing by the City thereon following notice thereof published in accordance with state law;

WHEREAS, the Council has considered the documentation submitted in support of TIF District No. 9 and the Plans and has taken into account the information and knowledge gained in hearings upon and during consideration of other matters relating to the proposed development;

WHEREAS, TIF District No. 9 is being established to facilitate the acquisition of an approximately 122-unit rental housing facility located at 6221 Shingle Creek Parkway in the City, the rehabilitation thereof to include, among other things, one additional unit, and the construction of an approximately 48-unit addition and related amenities to be located on the same property in TIF District No. 9 (the "Development") to be constructed by the Developer.

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

Section 1. Findings for the Adoption and Approval of the Plans.

1.01. The Council finds that the boundaries of the Project Area are not being expanded and the Redevelopment Plan is not being modified other than to incorporate the establishment of TIF District No. 9 therein and therefore the Council reaffirms the findings and determinations originally made in connection with the establishment of the Redevelopment Project area and the adoption of the Redevelopment Plan therefor. The Council hereby finds that: (a) the land within the Project Area would not be available for redevelopment without the financial aid to be sought under the Plans; (b) the Plans will afford maximum opportunity, consistent with the needs of the City as a whole, for the development of the Project Area by private enterprise; and (c) the Plans conform to the general plan for the development of the City as a whole, and otherwise promotes certain public purposes and accomplishes certain objectives as specified in the Plans, including without limitation the development of affordable housing. The purposes and development activities set forth in the Redevelopment Plan, as modified, are hereby expanded by to include all development and redevelopment activities occurring within the TIF District.

1.02. The Council hereby finds that TIF District No. 9 is in the public interest and is a "housing district" within the meaning of Minnesota Statutes, Section 469.174, Subdivision 11, because it consists of a project or portions of a project intended for occupancy, in part, by persons or families of low and moderate income as defined in Chapter 462A, Title II of the National Housing Act of 1934; the National Housing Act of 1959; the United States Housing Act of 1937, as amended; Title V of the Housing Act of 1949, as amended; and any other similar present or future federal, state or municipal legislation or the regulations promulgated under any of those acts. No more than 20% of the square footage of buildings that receive assistance from tax increments will consist of commercial, retail or other nonresidential uses.

The Development to be constructed in TIF District No. 9 will consist of approximately 171 units of affordable multi-family housing. The Developer has represented that at least 40% of the units (i.e., 69 units) will be rented to and occupied by individuals or families whose income is not greater than 60% or less of area median income and that no more than 20% of the square footage of buildings that receive assistance from tax increments will consist of commercial, retail or other nonresidential uses.

1.03. The Council hereby makes the following additional findings in connection with TIF District No. 9:

(a) The Council further finds that the proposed development, in the opinion of the Council, would not occur solely through private investment within the reasonably foreseeable future and, therefore, the use of tax increment financing is deemed necessary. The specific basis for such finding being:

> The construction of the Development would not be undertaken in the reasonably foreseeable future. The rents for affordable housing projects do not provide a sufficient return on investment to stimulate new development. The Developer has represented that it could not proceed with the Development without the tax increment assistance to be provided to the Developer. The Developer has provided the City its estimated Development proforma outlining project sources and uses as well as projected rent, vacancy and financing assumptions. City staff and the City's advisors reviewed the information and have determined the Development is not feasible without the proposed assistance due to anticipated rent levels and market returns not supporting the development costs. Based on the review, the City does not expect that a development of this type would occur in the reasonably foreseeable future but for the use of tax increment assistance.

(b) The Council further finds that the TIF Plan conforms to the general plan for the development or redevelopment of the City as a whole. The specific basis for such finding being:

> The TIF Plan conforms with the general development plan of the City and will generally complement and serve to implement policies adopted in the City's comprehensive plan. The development contemplated on the property is in accordance with the existing zoning for the property, as modified in accordance with an approved planned unit development agreement.

(c) The Council further finds that the TIF Plan will afford maximum opportunity consistent with the sound needs of the City as a whole for the development of TIF District No. 9 by private enterprise. The specific basis for such finding being:

> The proposed Development to occur within TIF District No. 9 is the construction by private enterprise of primarily low and moderate income multi-family rental housing. The Development will increase the taxable market valuation of the City, and the number of available low and moderate income multi-family housing units in the City. Through the implementation of the TIF Plan, the City will provide an impetus for residential development, which is desirable or

necessary for increased population and an increased need for workforce, life cycle, and affordable housing within the City.

1.04. The City elects the method of tax increment computation set forth in Minnesota Statutes, Section 469.177, Subdivision 3(b). The City elects to retain all of the captured tax capacity to finance the costs of TIF District No. 9 and the Redevelopment Project and elects to delay the receipt of the first increment until tax payable year 2024.

1.05. The provisions of this Section 1 are hereby incorporated by reference into and made a part of the TIF Plan and the findings set forth in Appendix C to the TIF Plan are hereby incorporated by reference into and made a part of this Resolution.

1.06. The Council further finds that the Plans are intended and in the judgment of the Council their effect will be to promote the public purposes and accomplish the objectives specified in the TIF Plan for TIF District No. 9 and the Redevelopment Plan for the Redevelopment Project.

Section 2. Approval and Adoption of the Plans; Policy on Interfund Loans and Advances.

2.01. TIF District No. 9 is hereby established and the Plans, as presented to the Council on this date, including without limitation the findings and statements of objectives contained therein, are hereby approved, ratified, established, and adopted and shall be placed on file in the office of the Finance Director. Approval of the Plans does not constitute approval of any project or a development agreement with any developer. The Business and Development Director is hereby directed to request, in writing, the Hennepin County Auditor to certify the new TIF District No. 9 and to file the Plans with the Commissioner of Revenue and the Office of the State Auditor.

2.02. The Council hereby approves a policy on interfund loans or advances ("Loans") for TIF District No. 9, as follows:

(a) The authorized tax increment eligible costs (including without limitation out-of-pocket administrative expenses in an amount up to $621,253, interest in an amount up to $1,514,751 and other development costs in an amount up to $4,697,782) payable from TIF District No. 9, as provided in the TIF Plan as originally adopted or as it may be amended, may need to be financed on a short-term and/or long-term basis via one or more Loans, as may be determined by the City Finance Director from time to time.

(b) The Loans may be advanced if and as needed from available monies in the City's general fund or other City fund designated by the City Finance Director. Loans may be structured as draw-down or "line of credit" obligations of the lending fund(s).

(c) Neither the maximum principal amount of any one Loan nor the aggregate principal amount of all Loans may exceed $6,833,786 outstanding at any time.

(d) All Loans shall mature not later than February 1, 2050 or such earlier date as the City Finance Director may specify in writing. All Loans may be pre-paid, in whole or in part, whether from tax increment revenue, tax increment revenue bond proceeds or other eligible sources.

(e) The outstanding and unpaid principal amount of each Loan shall bear interest at the rate prescribed by the statute (Minnesota Statutes, Section 469.178, Subdivision 7), which is the greater of the rates specified under Sections 270C.40 or 549.09 at the time a Loan, or any part of it, is first made, subject to the right of the City Finance Director to specify a lower rate (but not less than the City's then-current average investment return for similar amount and term).

(f) Such Loans within the above guidelines are pre-approved. The Loans need not take any particular form and may be undocumented, except that the City Finance Director shall specify the principal amount and interest rate and maintain all necessary or applicable data on the Loans.

The motion for the adoption of the foregoing resolution by member _____ 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 CLERK'S CERTIFICATE

I, the undersigned, being the duly qualified and acting City Clerk of the City of Brooklyn Center, Minnesota, DO HEREBY CERTIFY that I have carefully compared the attached and foregoing extract of minutes of a duly called and regularly held meeting of the City Council of said City held on December 13, 2021, with the original minutes thereof on file in my office and I further certify that the same is a full, true, and correct transcript thereof insofar as said minutes relate to the tax increment and related actions referenced therein with respect to the Economic Development Authority of the City of Brooklyn Center, Minnesota's Housing and Redevelopment Project No. 1 and Tax Increment Financing District No. 9 therein.

WITNESS My hand this ____ day of December, 2021.

_____

City Clerk
Brooklyn Center, Minnesota

Adoption Date: December 13, 2021

City of Brooklyn Center Economic Development Authority

City of Brooklyn Center, Hennepin County, Minnesota

MODIFICATION TO THE REDEVELOPMENT PLAN

Housing Development and Redevelopment Project No. 1

&

Tax Increment Financing (TIF) Plan

Establishment of Tax Increment Financing District No. 9: Crest Apartments (a housing district)

Prepared by:

Ehlers
3060 Centre Pointe Drive
Roseville, Minnesota 55113

BUILDING COMMUNITIES. IT'S WHAT WE DO.

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Modification to the Redevelopment Plan for Housing Development and Redevelopment Project No. 1

FOREWORD

The following text represents a Modification to the Redevelopment Plan for Housing Development and Redevelopment Project No. 1. This modification represents a continuation of the goals and objectives set forth in the Redevelopment Plan for Housing Development and Redevelopment Project No. 1. Generally, the substantive change includes the establishment of the Tax Increment Financing District No. 9: Crest Apartments.

For further information, a review of the Redevelopment Plan for Housing Development and Redevelopment Project No. 1, is recommended. It is available from the Executive Director at the City of Brooklyn Center. Other relevant information is contained in the Tax Increment Financing Plans for the Tax Increment Financing Districts located within Housing Development and Redevelopment Project No. 1.

Tax Increment Financing Plan for the Tax Increment Financing District No. 9: Crest Apartments

FOREWORD

The City of Brooklyn Center Economic Development Authority (the "EDA"), the City of Brooklyn Center (the "City"), staff and consultants have prepared the following information to expedite the establishment of Tax Increment Financing District No. 9: Crest Apartments (the "District"), a housing tax increment financing district, located in Housing Development and Redevelopment Project No. 1.

STATUTORY AUTHORITY

Within the City, there exist areas where public involvement is necessary to cause development or redevelopment to occur. To this end, the City has certain statutory powers pursuant to *Minnesota Statutes ("M.S."), Sections 469.090 - 469.1082*, inclusive, as amended, and *M.S., Sections 469.174 to 469.1794*, inclusive, as amended (the "Tax Increment Financing Act" or "TIF Act"), to assist in financing public costs related to this project.

This section contains the Tax Increment Financing Plan (the "TIF Plan") for the District. Other relevant information is contained in the Modification to the Redevelopment Plan for Housing Development and Redevelopment Project No. 1.

STATEMENT OF OBJECTIVES

The District currently consists of one parcel of land and adjacent roads and internal rights-of-way. The District is being created to facilitate rehabilitation of 122 units of affordable housing and the construction of 49 new affordable apartments in the City. The City intends to enter into an agreement with AEON as the developer of the project. Development is anticipated to begin in 2022. This TIF Plan is expected to achieve many of the objectives outlined in the Redevelopment Plan for Housing Development and Redevelopment Project No. 1.

The activities contemplated in the Modification to the Redevelopment Plan and the TIF Plan do not preclude the undertaking of other qualified development or redevelopment activities. These activities are anticipated to occur over the life of Housing Development and Redevelopment Project No. 1 and the District.

REDEVELOPMENT PLAN OVERVIEW

Pursuant to the Redevelopment Plan and authorizing state statutes, the City is authorized to undertake the following activities in the District:

1. Property to be Acquired - Selected property located within the District may be acquired by the City and is further described in this TIF Plan.

2. Relocation - Relocation services, to the extent required by law, are available pursuant to *M.S., Chapter 117* and other relevant state and federal laws.

3. Upon approval of a developer's plan relating to the project and completion of the necessary legal requirements, the City may sell to a developer selected properties that it may acquire within the District or may lease land or facilities to a developer.

4. The City may perform or provide for some or all necessary acquisition, construction, relocation, demolition, and required utilities and public street work within the District.

DESCRIPTION OF PROPERTY IN THE DISTRICT AND PROPERTY TO BE ACQUIRED

The District encompasses all property and adjacent roads rights-of-way and abutting roadways identified by the parcels listed below. Please also see the map in Appendix A for further information on the location of the District.

Parcel number	Address	Owner
35-119-21-34-0004	6221 Shingle Creek Pkwy.	The Crest, LLC

The City may acquire any parcel within the District including interior and adjacent street rights of way. Any properties identified for acquisition will be acquired by the City only in order to accomplish one or more of the following: storm sewer improvements; provide land for needed public streets, utilities and facilities; carry out land acquisition, site improvements, clearance and/or development to accomplish the uses and objectives set forth in this plan. The City may acquire property by gift, dedication, condemnation or direct purchase from willing sellers in order to achieve the objectives of this TIF Plan. Such acquisitions will be undertaken only when there is assurance of funding to finance the acquisition and related costs.

DISTRICT CLASSIFICATION

The City, in determining the need to create a tax increment financing district in accordance with *M.S., Sections 469.174 to 469.1794*, as amended, inclusive, finds that the District, to be established, is a housing district pursuant to *M.S., Section 469.174, Subd. 11 and M.S., Section 469.1761.*

- The District consists of one (1) parcel
- The development will consist of 122 units of existing multi-family rental housing and will include construction of 49 additional units
- 40% of the units will be occupied by person with incomes less than 60% of median income

Pursuant to *M.S., Section 469.176, Subd. 7*, the District does not contain any parcel or part of a parcel that qualified under the provisions of *M.S., Sections 273.111*, *273.112, or 273.114* or *Chapter 473H* for taxes payable in any of the five calendar years before the filing of the request for certification of the District.

DURATION & FIRST YEAR OF DISTRICT'S TAX INCREMENT

Pursuant to *M.S., Section 469.175, Subd. 1, and Section 469.176, Subd. 1*, the duration and first year of tax increment of the District must be indicated within the TIF Plan. Pursuant to *M.S., Section 469.176, Subd. 1b.*, the duration of the District will be 25 years after receipt of the first increment by the City (a total of 26 years of tax increment). The City elects to receive the first tax increment in 2024, which is no later than four years following the year of approval of the District.

Thus, it is estimated that the District, including any modifications of the TIF Plan for subsequent phases or other changes, would terminate after 2049, or when the TIF Plan is satisfied. The City reserves the right to decertify the District prior to the legally required date.

ORIGINAL TAX CAPACITY, TAX RATE & ESTIMATED CAPTURED NET TAX CAPACITY VALUE/INCREMENT & NOTIFICATION OF PRIOR PLANNED IMPROVEMENTS

Pursuant to *M.S., Section 469.174, Subd. 7 and M.S., Section 469.177, Subd. 1*, the Original Net Tax Capacity (ONTC) as certified for the District will be based on the market values placed on the property by the assessor in 2021 for taxes payable 2022.

Pursuant to *M.S., Section 469.177, Subds. 1 and 2*, the County Auditor shall certify in each year (beginning in the payment year 2024) the amount by which the original value has increased or decreased as a result of:

1. Change in tax exempt status of property;
2. Reduction or enlargement of the geographic boundaries of the district;
3. Change due to adjustments, negotiated or court-ordered abatements;
4. Change in the use of the property and classification;
5. Change in state law governing class rates; or
6. Change in previously issued building permits.

In any year in which the current Net Tax Capacity (NTC) value of the District declines below the ONTC, no value will be captured and no tax increment will be payable to the City.

The original local tax rate for the District will be the local tax rate for taxes payable 2022, assuming the request for certification is made before June 30, 2022). The ONTC and the Original Local Tax Rate for the District appear in the table below.

Pursuant to *M.S., Section 469.174 Subd. 4 and M.S., Section 469.177, Subd. 1, 2, and 4*, the estimated Captured Net Tax Capacity (CTC) of the District, within Housing Development and Redevelopment Project No. 1, upon completion of the projects within the District, will annually approximate tax increment revenues as shown in the table below. The City requests 100 percent of the available increase in tax capacity for repayment of its obligations and current expenditures, beginning in the tax year payable 2024. The Project Tax Capacity (PTC) listed is an estimate of values when the projects within the District are completed.

Project Tax Capacity		
Project estimated Tax Capacity upon completion	325,882	
Original estimated Net Tax Capacity	78,713	
Fiscal Disparities	0	
Estimated Captured Tax Capacity	**247,170**	
Original Local Tax Rate	159.1130%	Pay 2021
Estimated Annual Tax Increment	**$393,279**	
Percent Retainted by the City	100%	

Note: Tax capacity includes a 3% inflation factor for the duration of the District. The tax capacity included in this chart is the estimated tax capacity of the District in year 26. The tax capacity of the District in year two, at full build out, is estimated to be $160,313.

Pursuant to *M.S., Section 469.177, Subd. 4*, the City shall, after a due and diligent search, accompany its request for certification to the County Auditor or its notice of the District enlargement pursuant to *M.S., Section 469.175, Subd. 4*, with a listing of all properties within the District or area of enlargement for which building permits have been issued during the eighteen (18) months immediately preceding approval of the TIF Plan by the municipality pursuant to *M.S., Section 469.175, Subd. 3.* The County Auditor shall increase the original net tax capacity of the District by the net tax capacity of improvements for which a building permit was issued.

The City is reviewing the area to be included in the District to determine if any building permits have been issued during the 18 months immediately preceding approval of the TIF Plan by the City.

SOURCES OF REVENUE/BONDS TO BE ISSUED

The total estimated tax increment revenues for the District are shown in the table below:

SOURCES	
Tax Increment	$ 6,212,533
Interest	621,253
TOTAL	**$ 6,833,786**

The costs outlined in the Uses of Funds will be financed primarily through the annual collection of tax increments. The City reserves the right to incur bonds or other indebtedness as a result of the TIF Plan. As presently proposed, the projects within the District will be financed by pay-as-you-go notes and interfund loans. Any refunding amounts will be deemed a budgeted cost without a formal TIF Plan Modification. This provision does not obligate the City to incur debt. The City will issue bonds or incur other debt only upon the determination that such action is in the best interest of the City.

The City may issue bonds (as defined in the TIF Act) secured in whole or in part with tax increments from the District in a maximum principal amount of $5,319,035. Such bonds may be in the form of pay-as-you-go notes, revenue bonds or notes, general obligation bonds, or interfund loans. This estimate of total bonded indebtedness is a cumulative statement of authority under this TIF Plan as of the date of approval.

USES OF FUNDS

Currently under consideration for the District is a proposal to facilitate rehabilitation of 122 units of affordable housing and the construction of 49 new affordable apartments. The City has determined that it will be necessary to provide assistance to the project(s) for certain District costs, as described.

The City has studied the feasibility of the development and redevelopment of property in and around the District. To facilitate the establishment and development and redevelopment of the District, this TIF Plan authorizes the use of tax increment financing to pay for the cost of certain eligible expenses. The estimate of public costs and uses of funds associated with the District is outlined in the following table.

USES	
Land/Building Acquisition	$ 1,500,000
Site Improvements/Preparation	500,000
Affordable Housing	2,500,000
Utilities	75,000
Other Qualifying Improvements	**122,782**
Administrative Costs (up to 10%)	621,253
PROJECT COSTS TOTAL	**$ 5,319,035**
Interest	1,514,751
PROJECT AND INTEREST COSTS TOTAL	**$ 6,833,786**

The total project cost, including financing costs (interest) listed in the table above does not exceed the total projected tax increments for the District as shown in the Sources of Revenue section.

Estimated costs associated with the District are subject to change among categories without a modification to this TIF Plan. The cost of all activities to be considered for tax increment financing will not exceed, without formal modification, the budget above pursuant to the applicable statutory requirements. The City may expend funds for qualified housing activities outside of the District boundaries.

FISCAL DISPARITIES ELECTION

Pursuant to *M.S., Section 469.177, Subd. 3*, the City may elect one of two methods to calculate fiscal disparities.

The City will choose to calculate fiscal disparities by clause b (inside).

ESTIMATED IMPACT ON OTHER TAXING JURISDICTIONS

The estimated impact on other taxing jurisdictions assumes that the redevelopment contemplated by the TIF Plan would occur without the creation of the District. However, the City has determined that such development or redevelopment would not occur "but for" tax increment financing and that, therefore, the fiscal impact on other taxing jurisdictions is $0. The estimated fiscal impact of the District would be as follows if the "but for" test was not met:

Impact on Tax Base			
Entity	2020/Pay 2021 Total Net Tax Capacity	Estimated Captured Tax Capacity upon completion	Percent of CTC to Entity Total
Hennepin County	2,080,642,179	247,170	**0.0119%**
City of Brooklyn Center	22,044,844	247,170	**1.1212%**
ISD 286 (Brookyln Center)	7,188,586	247,170	**3.4384%**

Impact on Tax Rates				
Entity	Pay 2021 Extension Rate	Percent of Total	Captured Tax Capacity	Potential Taxes
Hennepin County	38.2100%	24.01%	247,170	**$ 94,444**
City of Brooklyn Center	66.2600%	41.64%	247,170	**163,775**
ISD 286 (Brookyln Center)	45.9870%	28.90%	247,170	**113,666**
Other	8.6560%	5.44%	247,170	**21,395**
	159.1130%	**100.00%**		**$ 393,279**

The estimates listed above display the captured tax capacity when all construction is completed. The tax rate used for calculations is the Pay 2021 rate. The total net capacity for the entities listed above are based on Pay 2021 figures. The District will be certified under the Pay 2022 rates, which were unavailable at the time this TIF Plan was prepared.

Pursuant to *M.S. Section 469.175 Subd. 2(b)*:

(1) Estimate of total tax increment. It is estimated that the total amount of tax increment that will be generated over the life of the District is $6,212,533;

(2) Probable impact of the District on city provided services and ability to issue debt. An impact of the District on police protection is expected. With any addition of new residents or businesses, police calls for service will be increased. New developments add an increase in traffic, and additional overall demands to the call load. The City does not expect that the proposed development, in and of itself, will necessitate new capital investment in vehicles or facilities.

The probable impact of the District on fire protection is not expected to be significant. Typically, new buildings generate few calls, if any, and are of superior construction. The pre-existing building had public safety concerns and no built-in fire protection. The City does not expect that the proposed development, in and of itself, will necessitate new capital investment in vehicles or facilities.

The impact of the District on public infrastructure is expected to be minimal. The development is not expected to significantly impact any traffic movements in the area. The current infrastructure for sanitary sewer, storm sewer and water will be able to handle the additional volume generated from the proposed development. Based on the development plans, there are no additional costs associated with street maintenance, sweeping, plowing, lighting and sidewalks.

The probable impact of any District general obligation tax increment bonds on the ability to issue debt for general fund purposes is expected to be minimal. It is not anticipated that there will be any general obligation debt issued in relation to this project, therefore there will be no impact on the City's ability to issue future debt or on the City's debt limit.

(3) Estimated amount of tax increment attributable to school district levies. It is estimated that the amount of tax increments over the life of the District that would be attributable to school district levies, assuming the school district's share of the total local tax rate for all taxing jurisdictions remained the same, is $1,795,552;

(4) Estimated amount of tax increment attributable to county levies. It is estimated that the amount of tax increments over the life of the District that would be attributable to county levies, assuming the county's share of the total local tax rate for all taxing jurisdictions remained the same, is $1,491,901;

(5) Additional information requested by the county or school district. The City is not aware of any standard questions in a county or school district written policy regarding tax increment districts and impact on county or school district services. The county or school district must request additional information pursuant to *M.S. Section 469.175 Subd. 2(b)* within 15 days after receipt of the tax increment financing plan.

No requests for additional information from the county or school district regarding the proposed development for the District have been received.

SUPPORTING DOCUMENTATION

Pursuant to *M.S. Section 469.175, Subd. 1 (a), clause 7* the TIF Plan must contain identification and description of studies and analyses used to make the determination set forth in *M.S. Section 469.175, Subd. 3, clause (b)(2)* and the findings are required in the resolution approving the District.

(i) In making said determination, reliance has been placed upon (1) written representation made by the developer to such effects; and (2) City staff awareness of the feasibility of developing the project site within the District, which is further outlined in the city council resolution approving the establishment of the TIF District and Appendix C.

(ii) A comparative analysis of estimated market value both with and without establishment of the TIF District and the use of tax increments has been performed. Such analysis is included with the cashflow in Appendix B and indicates that the increase in estimated market value of the proposed development (less the indicated subtractions) exceeds the estimated market value of the site absent the establishment of the TIF District and the use of tax increments.

DISTRICT ADMINISTRATION

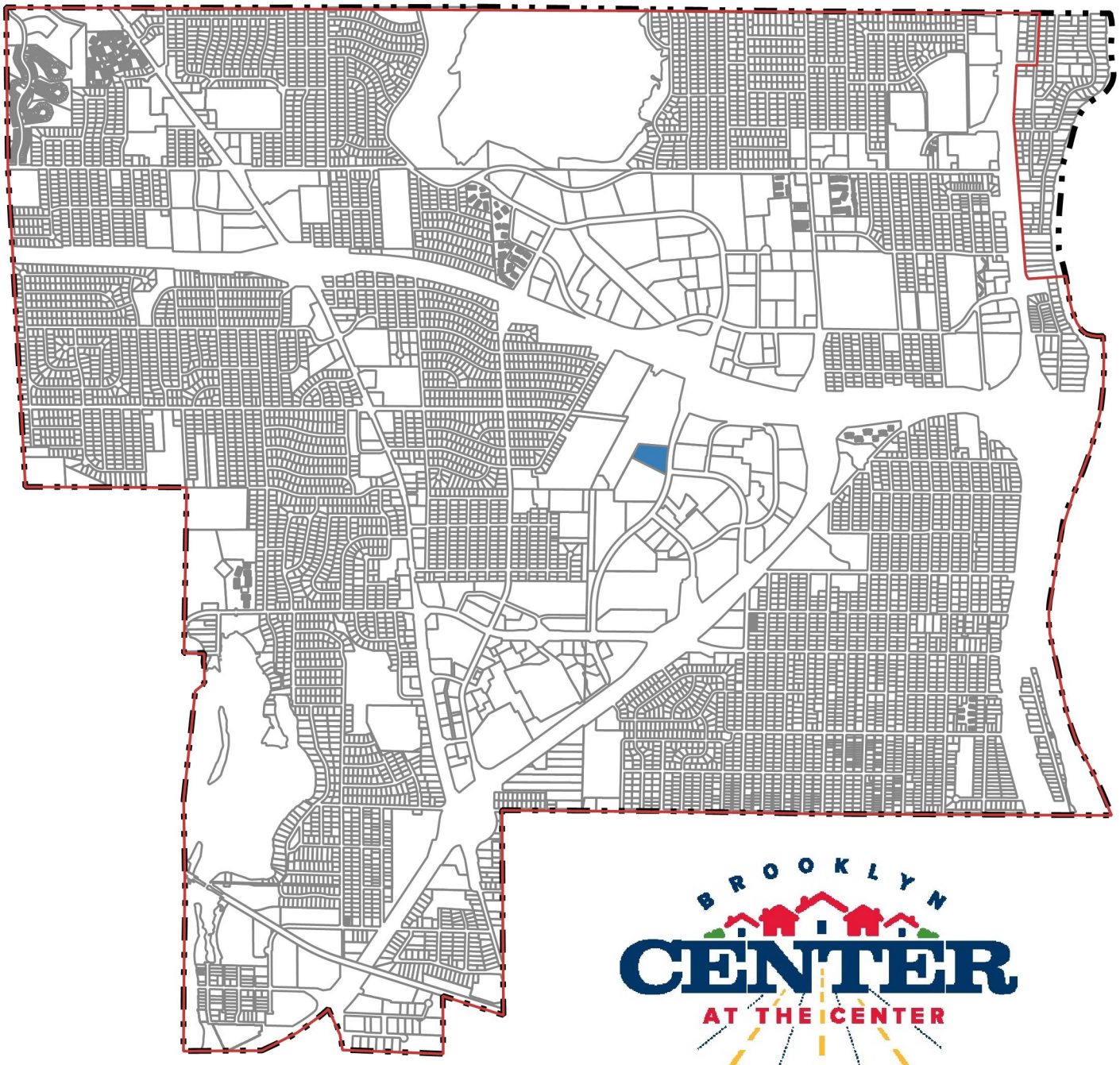
Administration of the District will be handled by the Executive Director.

Appendix A: Map of Housing Development and Redevelopment Project No. 1 and the TIF District

Tax Increment Financing District No. 9

Housing Development & Redevelopment Project No. 1

City of Brooklyn Center
Hennepin County, Minnesota



Legend

- Housing Development & Redevelopment Project No. 1
- Municipal Boundary
- Parcels
- TIF District No. 9

Appendix B: Estimated Cash Flow for the District

AEON Crest - No Inflation

City of Brooklyn Center, MN

171 Apartment Units

ASSUMPTIONS AND RATES

DistrictType:	**Housing**	
District Name/Number:		
County District #:		
First Year Construction or Inflation on Value	**2022**	
Existing District - Specify No. Years Remaining		
Inflation Rate - Every Year:	**3.00%**	
Interest Rate:	**2.00%**	
Present Value Date:	**1-Aug-23**	
First Period Ending	1-Feb-24	
Tax Year District was Certified:	**Pay 2022**	
Cashflow Assumes First Tax Increment For Development:	2024	
Years of Tax Increment	26	
Assumes Last Year of Tax Increment	2049	
Fiscal Disparities Election [Outside (A), Inside (B), or NA]	**Inside(B)**	
Incremental or Total Fiscal Disparities	**Incremental**	
Fiscal Disparities Contribution Ratio	32.8022%	Pay 2021
Fiscal Disparities Metro-Wide Tax Rate	139.5040%	Pay 2021
Maximum/Frozen Local Tax Rate:	159.113%	Pay 2021
Current Local Tax Rate: (Use lesser of Current or Max.)	159.113%	Pay 2021
State-wide Tax Rate (Comm./Ind. only used for total taxes)	35.9780%	Pay 2021
Market Value Tax Rate (Used for total taxes)	0.19085%	Pay 2021

Tax Rates

Exempt Class Rate (Exempt)		0.00%
Commercial Industrial Preferred Class Rate (C/I Pref.)		
First	$150,000	1.50%
Over	$150,000	2.00%
Commercial Industrial Class Rate (C/I)		2.00%
Rental Housing Class Rate (Rental)		1.25%
Affordable Rental Housing Class Rate (Aff. Rental)		
First	$100,000	0.75%
Over	$100,000	0.25%
Non-Homestead Residential (Non-H Res. 1 Unit)		
First	$500,000	1.00%
Over	$500,000	1.25%
Homestead Residential Class Rate (Hmstd. Res.)		
First	$500,000	1.00%
Over	$500,000	1.25%
Agricultural Non-Homestead		1.00%

BASE VALUE INFORMATION (Original Tax Capacity)

Map ID	PID	Owner	Address	Land Market Value	Building Market Value	Total Market Value	Percentage Of Value Used for District	Original Market Value	Tax Year Original Market Value	Property Tax Class	Current Original Tax Capacity	Class After Conversion	After Conversion Orig. Tax Cap.	Area/ Phase
1	35-119-21-34-0004	The Crest, LLC	6221 Shingle Creek Pkwy.	1,222,000	9,273,000	10,495,000	100%	10,495,000	Pay 2022	Aff. Rental	78,713	Aff. Rental	78,713	1
				1,222,000	**9,273,000**	**10,495,000**		**10,495,000**			**78,713**		**78,713**	

Note:

1. Base values are for pay 2022 based upon review of County website on 7-20-21.
2. Located in SD #286 and WS #8

AEON Crest - No Inflation

City of Brooklyn Center, MN

171 Apartment Units

EHLERS PUBLIC FINANCE ADVISORS

PROJECT INFORMATION (Project Tax Capacity)													
Area/Phase	New Use	Estimated Market Value Per Sq. Ft./Unit	Taxable Market Value Per Sq. Ft./Unit	Total Sq. Ft./Units	Total Taxable Market Value	Property Tax Class	Project Tax Capacity	Project Tax Capacity/Unit	Percentage Completed 2022	Percentage Completed 2023	Percentage Completed 2024	Percentage Completed 2025	First Year Full Taxes Payable
1	Apartments	175,000	175,000	171	29,925,000	Aff. Rental	160,313	938	75%	100%	100%	100%	2025
TOTAL					**29,925,000**		**160,313**						
Subtotal Residential				**171**	**29,925,000**		**160,313**						
Subtotal Commercial/Ind.				**0**	**0**		**0**						

Note:

1. Market values are based upon estimates from the County Assessor.

TAX CALCULATIONS									
New Use	Total Tax Capacity	Fiscal Disparities Tax Capacity	Local Tax Capacity	Local Property Taxes	Fiscal Disparities Taxes	State-wide Property Taxes	Market Value Taxes	Total Taxes	Taxes Per Sq. Ft./Unit
Apartments	160,313	0	160,313	255,078	0	0	30,596	285,674	1,670.61
TOTAL	160,313	0	160,313	255,078	0	0	30,596	285,674	

Note:

1. Taxes and tax increment will vary significantly from year to year depending upon values, rates, state law, fiscal disparities and other factors which cannot be predicted.

WHAT IS EXCLUDED FROM TIF?	
Total Property Taxes	**285,674**
less State-wide Taxes	**0**
less Fiscal Disp. Adj.	**0**
less Market Value Taxes	**(30,596)**
less Base Value Taxes	**(125,242)**
Annual Gross TIF	**129,836**

MARKET VALUE BUT / FOR ANALYSIS	
Current Market Value - Est.	10,495,000
New Market Value - Est.	29,925,000
Difference	19,430,000
Present Value of Tax Increment	4,545,841
Difference	14,884,159
Value likely to occur without Tax Increment is less than:	**14,884,159**

EHLERS
PUBLIC FINANCE ADVISORS

AEON Crest - No Inflation

City of Brooklyn Center, MN

171 Apartment Units

TAX INCREMENT CASH FLOW

% of OTC	Project Tax Capacity	Original Tax Capacity	Fiscal Disparities Incremental	Captured Tax Capacity	Local Tax Rate	Annual Gross Tax Increment	Semi-Annual Gross Tax Increment	State Auditor 0.36%	Admin. at 10%	Semi-Annual Net Tax Increment	Semi-Annual Present Value	PERIOD ENDING Yrs.	Tax Year	Payment Date
							-	-	-	-				02/01/24
100%	120,234	(78,713)	-	41,522	159.113%	66,067	33,033	(119)	(3,291)	29,623	29,039	0.5	2024	08/01/24
							33,033	(119)	(3,291)	29,623	57,791	1	2024	02/01/25
100%	160,313	(78,713)	-	81,600	159.113%	129,836	64,918	(234)	(6,468)	58,216	113,735	1.5	2025	08/01/25
							64,918	(234)	(6,468)	58,216	169,126	2	2025	02/01/26
100%	165,122	(78,713)	-	86,409	159.113%	137,489	68,744	(247)	(6,850)	61,647	227,200	2.5	2026	08/01/26
							68,744	(247)	(6,850)	61,647	284,700	3	2026	02/01/27
100%	170,076	(78,713)	-	91,363	159.113%	145,370	72,685	(262)	(7,242)	65,181	344,893	3.5	2027	08/01/27
							72,685	(262)	(7,242)	65,181	404,491	4	2027	02/01/28
100%	175,178	(78,713)	-	96,465	159.113%	153,489	76,744	(276)	(7,647)	68,821	466,794	4.5	2028	08/01/28
							76,744	(276)	(7,647)	68,821	528,480	5	2028	02/01/29
100%	180,433	(78,713)	-	101,721	159.113%	161,851	80,925	(291)	(8,063)	72,571	592,883	5.5	2029	08/01/29
							80,925	(291)	(8,063)	72,571	656,648	6	2029	02/01/30
100%	185,846	(78,713)	-	107,134	159.113%	170,464	85,232	(307)	(8,492)	76,432	723,142	6.5	2030	08/01/30
							85,232	(307)	(8,492)	76,432	788,977	7	2030	02/01/31
100%	191,422	(78,713)	-	112,709	159.113%	179,335	89,667	(323)	(8,934)	80,410	857,552	7.5	2031	08/01/31
							89,667	(323)	(8,934)	80,410	925,449	8	2031	02/01/32
100%	197,164	(78,713)	-	118,452	159.113%	188,472	94,236	(339)	(9,390)	84,507	996,098	8.5	2032	08/01/32
							94,236	(339)	(9,390)	84,507	1,066,048	9	2032	02/01/33
100%	203,079	(78,713)	-	124,367	159.113%	197,883	98,942	(356)	(9,859)	88,727	1,138,764	9.5	2033	08/01/33
							98,942	(356)	(9,859)	88,727	1,210,759	10	2033	02/01/34
100%	209,171	(78,713)	-	130,459	159.113%	207,577	103,789	(374)	(10,341)	93,073	1,285,534	10.5	2034	08/01/34
							103,789	(374)	(10,341)	93,073	1,359,569	11	2034	02/01/35
100%	215,447	(78,713)	-	136,734	159.113%	217,562	108,781	(392)	(10,839)	97,550	1,436,396	11.5	2035	08/01/35
							108,781	(392)	(10,839)	97,550	1,512,463	12	2035	02/01/36
100%	221,910	(78,713)	-	143,197	159.113%	227,846	113,923	(410)	(11,351)	102,162	1,591,336	12.5	2036	08/01/36
							113,923	(410)	(11,351)	102,162	1,669,429	13	2036	02/01/37
100%	228,567	(78,713)	-	149,855	159.113%	238,438	119,219	(429)	(11,879)	106,911	1,750,343	13.5	2037	08/01/37
							119,219	(429)	(11,879)	106,911	1,830,456	14	2037	02/01/38
100%	235,424	(78,713)	-	156,712	159.113%	249,349	124,674	(449)	(12,423)	111,803	1,913,405	14.5	2038	08/01/38
							124,674	(449)	(12,423)	111,803	1,995,533	15	2038	02/01/39
100%	242,487	(78,713)	-	163,775	159.113%	260,587	130,293	(469)	(12,982)	116,842	2,080,513	15.5	2039	08/01/39
							130,293	(469)	(12,982)	116,842	2,164,651	16	2039	02/01/40
100%	249,762	(78,713)	-	171,049	159.113%	272,161	136,081	(490)	(13,559)	122,032	2,251,656	16.5	2040	08/01/40
							136,081	(490)	(13,559)	122,032	2,337,800	17	2040	02/01/41
100%	257,255	(78,713)	-	178,542	159.113%	284,084	142,042	(511)	(14,153)	127,377	2,426,827	17.5	2041	08/01/41
							142,042	(511)	(14,153)	127,377	2,514,973	18	2041	02/01/42
100%	264,972	(78,713)	-	186,260	159.113%	296,363	148,182	(533)	(14,765)	132,883	2,606,019	18.5	2042	08/01/42
							148,182	(533)	(14,765)	132,883	2,696,163	19	2042	02/01/43
100%	272,921	(78,713)	-	194,209	159.113%	309,011	154,506	(556)	(15,395)	138,555	2,789,223	19.5	2043	08/01/43
							154,506	(556)	(15,395)	138,555	2,881,362	20	2043	02/01/44
100%	281,109	(78,713)	-	202,396	159.113%	322,039	161,020	(580)	(16,044)	144,396	2,976,435	20.5	2044	08/01/44
							161,020	(580)	(16,044)	144,396	3,070,567	21	2044	02/01/45
100%	289,542	(78,713)	-	210,830	159.113%	335,457	167,729	(604)	(16,712)	150,412	3,167,650	21.5	2045	08/01/45
							167,729	(604)	(16,712)	150,412	3,263,772	22	2045	02/01/46
100%	298,228	(78,713)	-	219,516	159.113%	349,278	174,639	(629)	(17,401)	156,609	3,362,863	22.5	2046	08/01/46
							174,639	(629)	(17,401)	156,609	3,460,973	23	2046	02/01/47
100%	307,175	(78,713)	-	228,463	159.113%	363,514	181,757	(654)	(18,110)	162,992	3,562,071	23.5	2047	08/01/47
							181,757	(654)	(18,110)	162,992	3,662,168	24	2047	02/01/48
100%	316,391	(78,713)	-	237,678	159.113%	378,177	189,088	(681)	(18,841)	169,567	3,765,271	24.5	2048	08/01/48
							189,088	(681)	(18,841)	169,567	3,867,353	25	2048	02/01/49
100%	325,882	(78,713)	-	247,170	159.113%	393,279	196,640	(708)	(19,593)	176,339	3,972,461	25.5	2049	08/01/49
							196,640	(708)	(19,593)	176,339	4,076,529	26	2049	02/01/50
	Total						**6,234,978**	**(22,446)**	**(621,253)**	**5,591,279**				
		Present Value From	**08/01/2023**	**Present Value Rate**	**2.00%**		**4,545,841**	**(16,365)**	**(452,948)**	**4,076,529**				

Appendix C: Findings Including But/For Qualifications

The reasons and facts supporting the findings for the adoption of the Tax Increment Financing Plan for Tax Increment Financing District No. 9: Crest Apartments, as required pursuant to Minnesota Statutes, Section 469.175, Subdivision 3 are as follows:

1. *Finding that Tax Increment Financing District No. 9: Crest Apartments is a housing district as defined in M.S., Section 469.174, Subd. 11.*

   Tax Increment Financing District No. 9: Crest Apartments consists of one parcel. The development will consist of rehabilitation of 122 units of affordable housing and the construction of 49 new affordable apartments, all or a portion of which will receive tax increment assistance and will meet income restrictions described in *M.S. 469.1761.* At least 40 percent of the units receiving assistance will have incomes at or below 60 percent of area median income.

2. *Finding that the proposed development, in the opinion of the City Council, would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future.*

   The proposed development, in the opinion of the City, would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future: This finding is supported by the fact that the development proposed in this plan contains affordable, housing units that meet the City's objectives for development. The cost of land acquisition and construction are the same for workforce housing units as they are for market rate projects. The decreased rental income from the affordable units, means there is less cash flow available to service the operating and debt expenses for the project. The leaves a gap in funding for the project. The need to offset this reduction in rents for the affordable housing units makes this housing development feasible only through assistance, in part, from tax increment financing. The developer was asked for and provided a letter and a pro forma as justification that the project would not have gone forward without tax increment assistance.

   The increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the TIF District permitted by the TIF Plan: This finding is justified on the grounds that

the costs of acquisition, building demolition, site improvements, utility improvements and construction of affordable housing add to the total development cost. Historically, the costs of site and public improvements, as well as high market rate rents in the City have made development of affordable housing infeasible without tax increment assistance. Although other projects could potentially be proposed, the City reasonably determines that no other redevelopment of similar scope providing the desired affordability can be anticipated on this site without substantially similar assistance being provided to the development.

3. *Finding that the TIF Plan for Tax Increment Financing District No. 9: Crest Apartments conforms to the general plan for the development or redevelopment of the municipality as a whole.*

   The City Council will review the TIF Plan to determine whether the TIF Plan conforms to the general development plan of the City.

4. *Finding that the TIF Plan for Tax Increment Financing District No. 9: Crest Apartments will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development or redevelopment of Housing Development and Redevelopment Project No. 1 by private enterprise.*

   Through the implementation of the TIF Plan, the City will provide an impetus for residential development, which is desirable or necessary for increased population and an increased need for life-cycle housing within the City.

The Crest Tax Increment Financing Request

Public Hearing

City Council Meeting – December 13, 2021
Meg Beekman, Community Development Director

TIF District No. 9

- Establishes a Housing TIF District with a 26-year term (2024-2049)
- Places parcel in new TIF District No. 9

Project Tax Capacity		
Project estimated Tax Capacity upon completion	325,882	
Original estimated Net Tax Capacity	78,713	
Fiscal Disparities	0	
Estimated Captured Tax Capacity	**247,170**	
Original Local Tax Rate	159.1130%	Pay 2021
Estimated Annual Tax Increment	**$393,279**	
Percent Retained by the City	100%	

TIF District No. 9

- Payment from increment on PayGo note up to $1,100,000 for up to 15 years (for workforce housing building)
- City may close the district at the time the TIF Note is paid, or keep the district open and use excess increment for the creation or preservation of affordable housing citywide
- Total increment anticipated during life of the District: $6,833,786 with interest
- Eligible uses of funds:
  - Land acquisition
  - Site Improvements
  - Utilities and street work
  - Administrative Costs incurred by City
  - Affordable Housing

3

TIF District No. 9

- City Council must hold a public hearing and establish the District and approve a TIF Plan
- The EDA will then need to take action to approve the TIF Plan and a TIF Agreement between the EDA and Aeon

4

Requested Council Action

- *Motion to open a public hearing, take public comment, and close the public hearing*

- *Motion to approve a resolution approving a modification to the Redevelopment Plan for a Housing Development and Redevelopment Project No. 1, establishing Tax Increment Financing District No. 9 therein and approving a Tax Increment Financing Plan therefor*

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Meg Beekman, Community Development Director
BY: Ginny McIntosh, City Planner / Zoning Administrator

SUBJECT: Planning Commission Application No. 2021-006, for the Rezoning and Establishment of a Planned Unit Development to Allow for an Approximately 64,000-Square Foot Mixed Office/Light Industrial Building and Related Site Improvements (6440 James Circle North)

Requested Council Action:

- Motion to adopt a resolution approving Planning Commission Application No. 2021-006 for approval of a site and building plan, rezoning, and establishment of a Planned Unit Development (PUD) for the Subject Property located at 6440 James Circle North based on the findings of fact and submitted plans, and as amended by the conditions of approval in the resolution.

- Motion to approve a first reading of an ordinance amending Chapter 35 of the Zoning Code of Ordinances regarding the zoning classification of the Subject Property located at 6440 James Circle North and set the second reading and public hearing for January 10, 2022.

Background:

McGlynn Partners LLC ("the Applicant") is requesting review and consideration of a proposal to re-develop the former AMF Earle Brown Lanes property, located at 6440 James Circle North ("the Subject Property"), to an approximately 64,000-square foot mixed office and light industrial building with related site improvements on an approximately 4.03-acre site. The City's 2040 Comprehensive Plan guides the Subject Property as "Business Mixed-Use" and would therefore not require an amendment.

The Subject Property was formerly home to the AMF Earle Brown Lanes, which closed in 2015. The building and site subsequently sat vacant until 2017, when the property was purchased by Tashitaa Tufaa/ODAA Center LLC ("the Property Owner"). While the Property Owner successfully brought through a request for issuance of a Special Use Permit in 2018 to operate an event center with ancillary restaurant and bar, and requested a re-issuance of the permit in 2019 to allow additional time to initiate the project, the plans were never realized.

The Property Owner kept City staff up-to-date and discussed potential redevelopment opportunities for the Subject Property as they came up; however, it was not until this past year when a relationship was formed between the Applicant and Property Owner for the current proposal. A concept review ultimately went before City Council on May 24, 2021 for the proposed approximately 64,000-square foot mixed office and light industrial building. Based on the feedback provided, the Applicant submitted an application for review and consideration under Planning Commission Application No. 2021-006.

The Planning Commission held a public hearing for the aforementioned application at their meeting on November 18, 2021, and were generally supportive of the proposed improvements to the Subject Property. The Commissioners asked a number of questions with regard to previous attempts to redevelop the property into an event center, appropriate fire access, and City staff requests to prohibit distribution

facilities as a primary use (they would be allowed in certain instances as an accessory use) and provide a minimum 20-percent finish level upon full lease up.

No public comments were received either in advance of or at the public hearing, although two members of the public were in attendance, including a representative of neighboring CES Imaging (1701 James Circle North) who had a general interest in the development proposal, but no immediate concerns or questions. Representatives of the Applicant, including Endeavor Development, who is co-developing the project with Applicant McGlynn Partners LLC were present and provided background on the proposal, the market need for this type of development in Brooklyn Center and across the Twin Cities, and their company.

Following close of the public hearing, the Planning Commission elected to unanimously (5-0) recommend City Council approval of the requested site and building plan, rezoning, and establishment of a Planned Unit Development.

A copy of the planning report for Planning Commission Application No. 2021-006, dated November 18, 2021, and City Council resolution regarding the requested site and building plan, rezoning, and establishment of a Planned Unit Development are included with the memorandum. In order for the proposal to proceed, an approval of all requests is ultimately required.

As the request by the Applicant includes a request to re-zone the Subject Property from C-2 (Commerce) District to Planned Unit Development-Neighborhood/Business Mixed-Use (PUD/BM-U) District, City Code dictates that the City Zoning Ordinance be amended to reflect the rezoning. A draft copy of the ordinance language is included for review. Should the City Council proceed with the rezoning, a motion to approve a first reading of an ordinance amending Chapter 35 of the Zoning Code of Ordinances regarding the Subject Property located at 6440 James Circle North would be needed. Following the motion, a second reading and public hearing would be scheduled for January 10, 2022.

Budget Issues:

None to consider at this time.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
Staff Report and Exhibits - 6440 James Circle North (694 Business Center)	12/7/2021	Backup Material
Resolution-Disposition of Planning Commission Application No. 2021-006	12/7/2021	Resolution Letter
Ordinance - Rezoning of 6440 James Circle North (for 1st Reading)	12/7/2021	Ordinance

- Application Filed: 10/19/2021
- Review Period (60-day) Deadline: 12/18/2021
- Extension Declared: N/A
- Extended Review Period Deadline: N/A

Planning Commission Report

Meeting Date: November 18, 2021

Application No.	2021-006
Applicant | Property Owner:	McGlynn Partners LLC | ODAA Center LLC
Location:	6440 James Circle North
Request:	(1) Site and Building Plan, (2) Establishment of a Planned Unit Development, and (3) Rezoning

INTRODUCTION

McGlynn Partners LLC ("the Applicant") is requesting review and consideration of a proposal to re-develop the former Earle Brown Bowl property, located at 6440 James Circle North ("the Subject Property"), to an approximately 64,000-square foot mixed office and light industrial building with related site improvements on an approximately 4.03-acre site—**refer to Exhibit A**. The City's 2040 Comprehensive Plan guides the Subject Property as "Business Mixed-Use."

The Subject Property was formerly home to the AMF Earle Brown Lanes, which closed in 2015. The building and site subsequently sat vacant until 2017, when the property was purchased by Tashitaa Tufaa/ODAA Center LLC ("the Property Owner"). While the Property Owner successfully brought through a request for issuance of a Special Use Permit in 2018 to operate an event center with ancillary restaurant and bar, and requested a re-issuance of the permit in 2019 to allow additional time to initiate the project, the plans were never realized.

Although the site and building plan request does not require a public hearing, the request for the establishment of a Planned Unit Development (PUD) and re-zoning requires that a public hearing be scheduled. A public hearing notice was published in the Brooklyn Center *Sun Post* on November 4, 2021 **(Exhibit B)**. Mail notices were also sent out to those taxpayers and occupants with property falling within the designated notification area, and the City of Brooklyn Center Public Works installed two "Development Proposal Under Review" signs on the Subject Property and facing Freeway Boulevard and the west portion of James Circle North for additional visibility.

2040 COMPREHENSIVE PLAN AND ZONING STANDARDS

Land Use Plan:	Business Mixed-Use (BM-U)
Neighborhood:	Shingle Creek
Existing Zoning:	C2 (Commerce) District
Surrounding Zoning:	North: I1 (Industrial Park) District East: C2 (Commerce) District South: C2 (Commerce) District West: C2 (Commerce) District

Site Area: Approximately 4.03 acres

Setback Standards:
The proposal requests establishment of a Planned Unit Development (PUD), as well as a rezoning. As the Subject Property is located on a loop road (James Circle North), with one side fronting Freeway Boulevard, and two sides fronting James Circle North, this property would be considered a "triple frontage" lot. If viewing the Subject Property as having three frontages, the setbacks would be:

Front Yard #1: 25 feet **Front Yard #2:** 62 feet **Front Yard #3:** 25 feet **Side Interior Yard:** 115 feet

Although the Subject Property is zoned C2 (Commerce) District, the proposed use is light industrial in nature. With the current Zoning Code underway with a major update, City staff reviewed the proposal against the existing setback standards for the I1 (Industrial Park) District, which are:

Front Yard: 50 feet **Corner Side Yard:** 50 feet **Interior Side Yard:** 10 feet **Rear Yard:** 25 feet

Based on the proposed setbacks, the Applicant will need to obtain flexibility from the existing Zoning Code with regard to minimum building setbacks.

Additionally, no parking shall be permitted within 15 feet of the street right-of-way (ROW), and this area shall be maintained as a "green strip" under the City's Zoning Code. This area is reflected on the submitted site plan (Sheet C-2.0) and the provided parking layout appears to meet the minimum green strip standards.

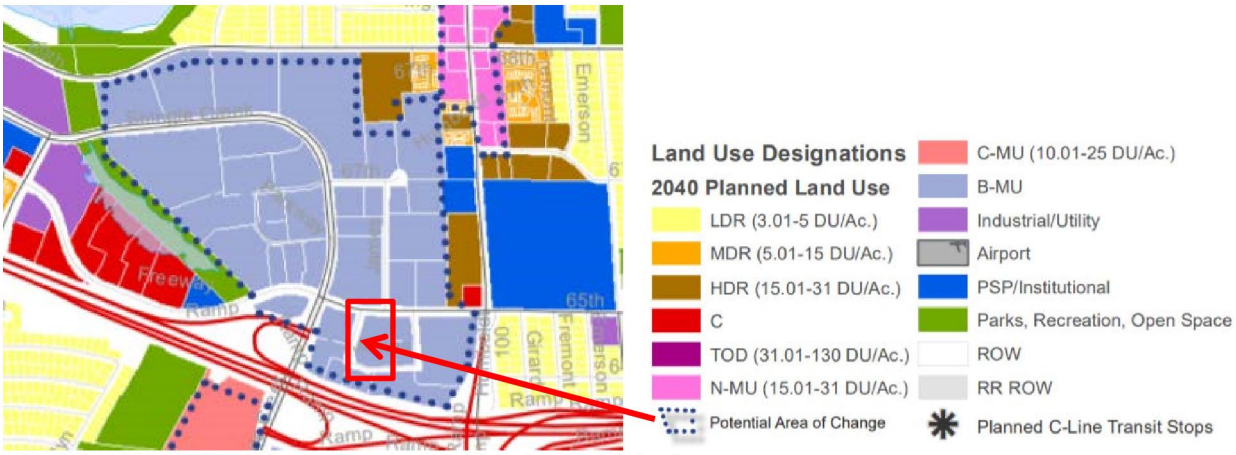
Conformity to:

2040 Land Use Plan:	Yes
Zoning Ordinance:	No—would require a re-zoning, but in line with 2040 Comprehensive Plan Future Land Use Designation
Subdivision Ordinance:	Existing—no alterations proposed (Tract F, Registered Land Survey #1482, Hennepin County, MN)
Sign Ordinance:	No requests under consideration at this time

The Subject Property is currently zoned C2 (Commerce) District; however, the 2040 Comprehensive Plan Future Land Use designates the property as, "Business Mixed-Use":

Business Mixed-Use (B-MU)	None	The B-MU is a new land use designation and guides land for a mix of business, light industrial and supporting retail/service uses. This designation encourages redevelopment or development of commercial, office, general business and light industrial uses in coordination with supporting retail/commercial uses to encourage a more dynamic and connected experience for workers. This land use does not plan for residential uses but may include limited live-work opportunities as established through supporting official controls.

Table 1. Business Mixed-Use (B-MU) Designation Description under 2040 Comprehensive Plan.

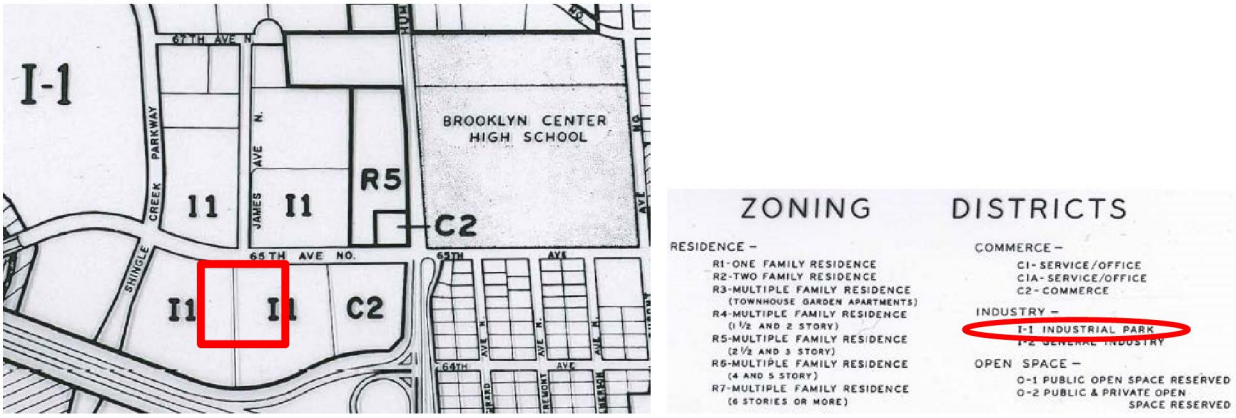


Map 1. 2040 Future Land Use Designations (Subject Property in Red).

As noted in Map 1 above, the 2040 Comprehensive Plan, which was adopted in January 2020, identifies the Subject Property and surrounding area as a "potential area of change," and the Business Mixed-Use land use designation, which is a new designation, is generally a flexible land use intended to accommodate manufacturing, warehouse, office, and other uses typically considered under the existing adjacent I1 District properties to the north, but also supporting retail and other commercial uses that would allow for a more dynamic business park area.

BACKGROUND

The existing approximately 35,462-square foot building was originally approved for and constructed in 1978 for use as the Earle Brown Bowl (bowling alley) under Planning Application Nos. 78023 and 78024 following site and building plan and Special Use Permit approvals by the City Council. The approval of Special Use Permits under these applications allowed for live entertainment and a bowling alley in an area that was previously zoned I1 (Industrial Park) District. This allowed for the Subject Property to function as a bowling alley, restaurant, and game room/recreational facility.



Map 2. 1975 City of Brooklyn Center Zoning Map—approximate location of Subject Property (Highlighted in Red).

The bowling alley and restaurant closed in April 2015 and sat vacant until 2017 when the current Property Owner purchased the property. The Property Owner subsequently brought through a request to renovate the bowling alley into an event center with ancillary restaurant and bar. City Council ultimately granted approval of the site and building plan and issued a Special Use Permit, which were contemplated under Planning Commission Application No. 2018-002 in 2018.

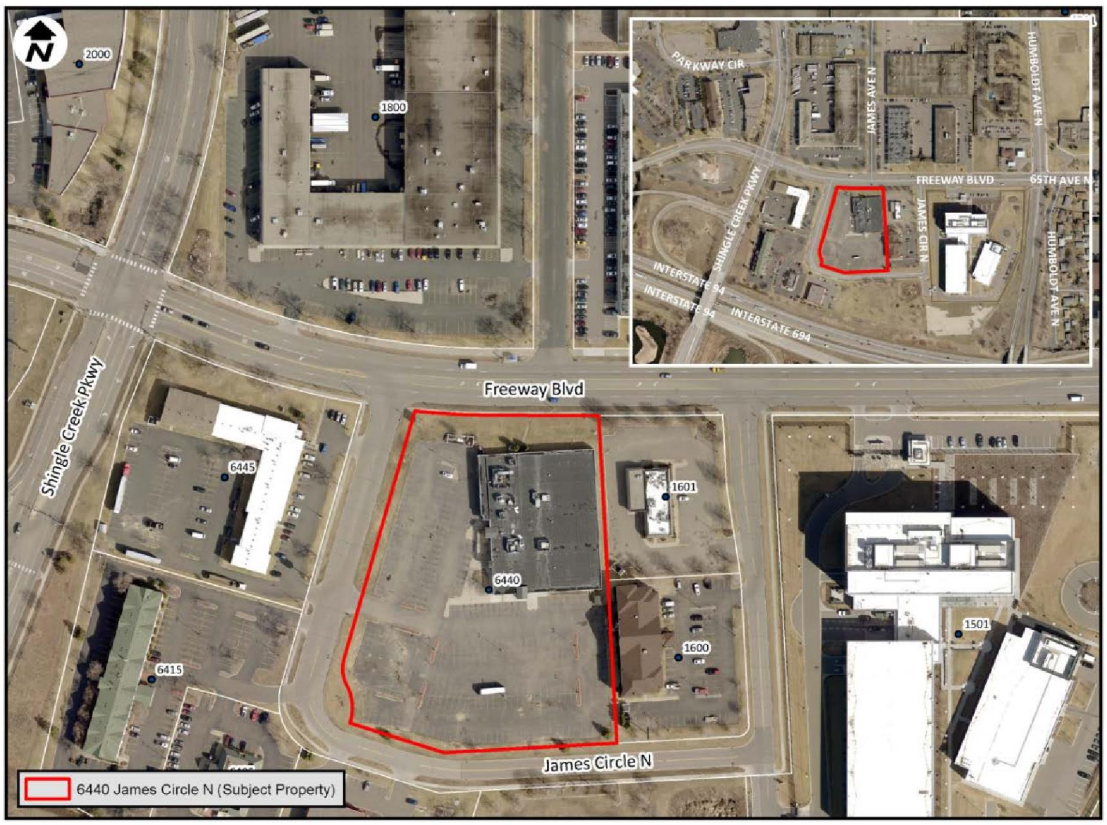
Special Use Permits require work to commence on the use within one (1) year of issuance of said permit, unless a request for extension is approved prior to expiration of the one year period. The Property Owner requested an extension under Planning Commission Application No. 2019-018; however, no work was undertaken or permits pulled to move the event center use forward and the Special Use Permit extension has since expired. It should be further noted that the building's interior was substantially cleared out a couple years ago following water damage and the building is now effectively a shell.

The Property Owner remained in contact with City staff and discussed potential redevelopment opportunities for the Subject Property as they came up. The Property Owner eventually partnered with Applicant Patrick McGlynn (McGlynn Partners LLC) and through their discussions determined that an industrial-type product might be better suited for the Subject Property. A concept review ultimately went before City Council on May 24, 2021 for the proposed approximately 64,000-square foot mixed office and light industrial building. Refer to **Exhibit C** for an excerpt of the meeting minutes.

SITE AND BUILDING PLAN REVIEW

Building

The proposal calls for the construction of a mixed office and light industrial building on the Subject Property located at 6440 James Circle North. The Subject Property is approximately 4.03-acres in size and would be in close proximity to freeway access via Interstates 94 and 694, as well as Trunk Highways 252 and 100. A civil set, containing site, utility, grading and drainage, landscaping, and photometric plans, have been provided by the Applicant and are attached as **Exhibit A**.



Map 3. Subject Property Location (Highlighted in Red).

As proposed, the existing former bowling alley building and site improvements would be razed to accommodate the new building. A demolition and removals plan was not provided as part of the submittal, but would need to be provided as part of any construction set submitted for any permit issuance.

The west elevation fronting the Super 8 (6445 James Circle North) and Travelodge (6415 James Circle North) hotels would be designated office space, while the rear portion of the building, which backs along Jambo Africa (1601 Freeway Boulevard) and the Quality Inn (1600 James Circle North), would be designated industrial/warehouse space. The architectural set provided outlines interior, floor, and exterior elevations and renderings of the new building, which would feature 28-foot clear heights and an overall 36-foot height, but does not provide a detailed breakdown of the building material composition. It appears the majority of the building would be comprised of tip up walls (precast concrete) and glazing.



Image 1. *Proposed 694 Business Center—North and West Elevations (6440 James Circle North).*

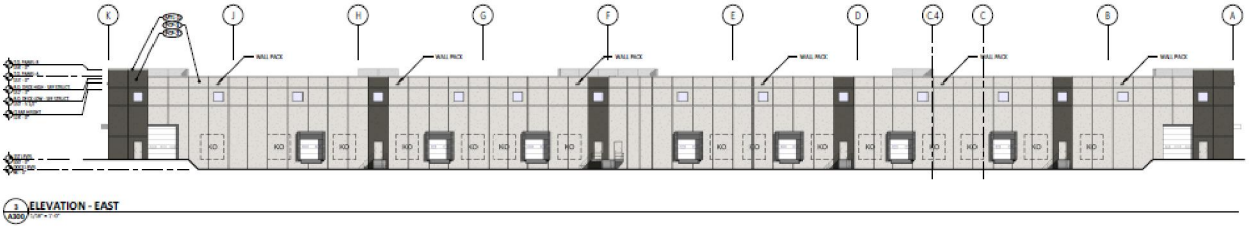


Image 2. *Proposed 694 Business Center—East Elevation (6440 James Circle North).*

The City does reference a set of design guidelines when reviewing site and building plan applications, and more so in cases where a Planned Unit Development (PUD) is to be established. These guidelines are based on the *Shingle Creek Crossing Architectural Design Guidelines*, which were approved in 2011. These guidelines strive to have *at least* 50-percent of all four sides (wall surfaces) of new buildings constructed with Class I materials, with the remaining surfaces to be constructed of Class II materials. In certain cases, buildings may be allowed to have two of its elevation faces (typically front and back faces) with at least 50% of Class I and 50% Class II; with the remaining side faces of 25% Class I and 75% Class II materials. It should be noted that this location is highly visible from not only Freeway Boulevard and James Circle North, but also Interstate 694/94.

Class I materials include: brick or acceptable brick-type material, marble; granite; other natural stone or acceptable natural looking stone; textured cement stucco; copper; porcelain, glass; architectural textured concrete pre-cast panels; and other materials including masonry units with enhanced detailing such as patterns, textures, color, dimension, banding, and brick inlay, as approved by the City Planning Commission and City Council.

Class II materials include: exposed aggregate concrete panels; burnished concrete block; integral colored split face (rock face) and exposed aggregate concrete block; cast-in-place concrete; artificial stucco (e.g., E.I.F.S., Drivit); artificial stone; fiber-reinforced cement board siding with a minimum thickness of ¼ inch; canvas or vinyl awnings; prefinished metal; and other materials not listed elsewhere, as approved by the City Planning Commission and City Council.

Following a review by City staff of the proposal, and in consideration of the request for establishment of a Planned Unit Development (PUD) and the existing adjacent uses, City staff had requested that the following alterations be made to the plan set:

- Push 4-sided architecture, with articulation and architectural consideration on all four sides;
- Additional glazing, particularly focused around entrances and the building front;
- Additional/enhanced design elements around entrances: metal canopies, architectural ornamentation attached to exterior panels;
- Fencing along rear (east) property line between loading area and adjacent properties – enhanced fencing materials such as cedar, or ornamental metal; and
- Enlarged glazing along rear of property, in the upper area over the loading bays

The Applicant updated their architectural set; however, did not address a number of the above items. The Applicant had initially submitted their application for review at the October 2021 Planning Commission meeting, but as City staff was still waiting for the outstanding architectural revisions, along with signature pages, and the payment of the application fee/escrow, the application was determined to be incomplete and a letter was sent to the Applicant, informing of this decision, on September 30, 2021.

The Applicant ultimately re-submitted their application but only addressed revisions to the north elevation of the proposed building in the revised architectural set. As part of any approval, City staff is requesting that the above items be included as conditions of approval, and particularly as the general area surrounding the Subject Property is designated under the 2040 Comprehensive Plan as "Business Mixed-Use" has been identified as an area of potential change. This area also has good visibility from adjacent roadways and Interstate 694/94, and pending any approval, would be the first major redevelopment in the area, with the exception of the FBI Regional Headquarters (2010).

As the proposed building's loading docks would face a restaurant (Jambo Africa) and hotel (Quality Inn), City staff is requesting that this area provide enhanced screening, as well as attention to detail in terms of offering additional glazing in the upper areas above the loading bays. Similarly, as the building will front multiple streets, City staff is requesting revisions to the materials and ornamentation (e.g. metal canopies) at the building corners. An example of this would be the recently approved Arbor Lakes Phase II project in Maple Grove, which provided a series of metal canopies and stonework to break up the overall flatness of the tip up panels. Endeavor Development, who has been working in conjunction with Applicant McGlynn Partners, LLC on this project is also involved with the Arbor Lakes Phase II project.

ACCESS AND PARKING

Vehicular Access

The site plan submitted identifies the addition of a new curb cut along the north end of the Subject Property and fronting Freeway Boulevard. Per City staff discussions, there was concensus that this curb cut should not be necessary given there are already two access points off Freeway Boulevard via James Avenue North. Both access points provide full access and allow quick access to I-694, 94, 100, and 252. City staff has, in general, taken an approach to minimizing additional curb cuts, both through consolidation and elimination. Given that there are already a number of curb cuts along this portion of Freeway Boulevard, the fact that neither end of James Avenue North is a controlled intersection, and discussions about the intensity of use, the proposed curb cut should not be necessary. Section 35-600 of the City's Zoning Code also specifies that berth access "shall be located as to provide convenient access to a public street or alley in a manner that will least interfere with traffic."

With the removal of the curb cut off Freeway Boulevard, the Subject Property would still provide two access points off James Circle North for those utilizing the west parking lot, and a 30-foot wide curb cut would be maintained off James Circle North along the south portion of the site for both vehicular and truck traffic.

Parking

The proposed driveway aisles would meet the minimum two-way, 90-degree drive aisle requirement of 24-feet in width, and the proposed 90-degree parking spaces along the west and east portions of the Subject Property would meet the City's minimum requirements as the site plan notes a typical width of nine (9) feet wide by 18 feet deep.

In reviewing the potential overall parking needs, and specifically, in reviewing parking for a speculative industrial development, City staff looked to other neighboring communities who have brought through similar type development—specifically, Brooklyn Park and Maple Grove. As part of the submittal, the Applicant offered the following assumptions with regard to use:

Provided # of Stalls	Square Feet of Use	Minimum Parking Language	Minimum Parking	Provided # of Stalls
Office (9.3%)	±6,000 SF	Office buildings, exclusive of those specific uses otherwise listed (20,000 SF and under): Gross Floor Area ÷ 200	**30 stalls**	40 stalls
Warehouse (90.6%)	±57,900 SF	1 space for every 2 employees based on max planned employment during any work period **OR** 1 space for each 800 square feet of Gross Floor Area—whichever requirement is greater.	*Assumption:* 1 space for each 800 SF of GFA **73 stalls**	73 stalls
Total (100%)	±63,900 SF		103 stalls	117 stalls (noted)

Table 2. Submitted Parking Requirement Breakdown (Refer to Section 35-704).

As part of the conditions for any approval, City staff is requesting that a minimum 20-percent finish level be maintained at full lease up. Assuming a minimum of 20-percent office space and 80-percent industrial/warehouse, the following would need to be provided for under typical Code requirements:

Provided # of Stalls	Square Feet of Use	Minimum Parking Language	Minimum Parking
Office (20%)	±12,780 SF	Office buildings, exclusive of those specific uses otherwise listed (20,000 SF and under): Gross Floor Area ÷ 200	**64 stalls**
Warehouse (80%)	±51,120 SF	1 space for every 2 employees based on max planned employment during any work period **OR** 1 space for each 800 square feet of Gross Floor Area—whichever requirement is greater.	*Assumption:* 1 space for each 800 SF of GFA **64 stalls**
Total (100%)	±63,900 SF		128 stalls

Table 3. Parking Requirement Breakdown –Assuming 20-Percent Office Use | 80-Percent Warehouse (Refer to Section 35-704).

With the existing City Zoning Code currently underway with a major update and all sections under review, including parking, City staff is comfortable with the proposed 117 parking stalls, as outlined in the submitted site plan. Should it be determined that additional parking is required, the Applicant would need to revise the site plan set to allocate additional parking—likely along the east portion of the building, near the proposed loading berths.

Loading Berths

A series of loading berths are provided along the east portion of the Subject Property. The City's Zoning Code requires a minimum of three (3) berths for those retail commerce, wholesale commerce, manufacturing, and warehousing uses with between 40,000 to 100,000-square feet of aggregate Gross Floor Area. These berths are to be located a minimum of 25 feet from the intersection of any two street right-of-way lines and no loading berths are to occupy any yard requirements bordering a street. As proposed, the plans meet this requirement.

Section 35-600 (*Off-Street Loading*) specifies that the first berth required not be less than 12 feet in width and 50 feet in length. Additional berths shall not be less than 12 feet in width and 25 feet in length. Per a review of the site plan, the depth requirement would be met. Although not indicated on the plan set, City staff is not concerned about the Applicant meeting the width requirement.

LIGHTING | TRASH | SCREENING

Lighting

Per the City Zoning Code, "all exterior lighting shall be provided with lenses, reflectors, or shades, so as to concentrate illumination on the property of the owner or operator of said illumination devices." Additionally, glare shall not emanate from or be visible beyond the boundaries of the illuminated premises. Section 35-712 (*Lighting*) of the City Zoning Ordinance further specifies that lighting shall not exceed ten (10) foot candles when measured at the property lines abutting the street right-of-way or

non-residentially zoned properties, or three (3) foot candles for residentially-zoned properties.

The Applicant furnished a photometric plan of the Subject Property (Sheet P-1.0), which indicates maximum foot candles on-site and along the property lines. Although the property is commercially-zoned, the Applicant should verify that the overall foot candle maximums along the Quality Inn (hotel) are three (3) foot candles or below at property line as the plans currently reflect maximums slightly above this range. This request is due to there being hotel rooms along the portion facing the proposed truck court/loading area. All lighting is proposed to be at a height of 30 feet. Per the City's Architectural Guidelines, lighting should not exceed 28 feet at entry points and the Applicant should review opportunities for pedestrian level lighting at the requested sidewalk connection between Freeway Boulevard and the west parking area.

Per the unofficial City architectural design guidelines, light poles, fixtures, and bases should maintain a consistent in color and feature dark sky-friendly or cutoff style fixtures. The Applicant should revise their plans to ensure all lighting that abuts the Quality Inn is concentrated towards the ground and provide shields if necessary to minimize light spray. The Applicant should also review opportunities to ensure lighting is concentrated along the west portion of James Avenue North, although City staff recognizes the importance of lighting for safety and security. As part of the building permit submittal, the Applicant will need to provide imagery of the proposed lighting, as well as fixture specifications.

Trash

The existing on-site trash enclosure, which is in poor condition, would be removed as part of any redevelopment. A new trash enclosure is proposed along the southeast end of the proposed building—near the loading berths. The civil plan set references the architectural set for details on the trash enclosure; however, City staff was unable to find any additional information. The Applicant will need to provide specifications as part of any approval and building permit submittal.

As City staff is not aware of the overall trash and recycling needs for the proposed building and future tenants, an updated detail sheet would be requested at time of submittal for building permits.

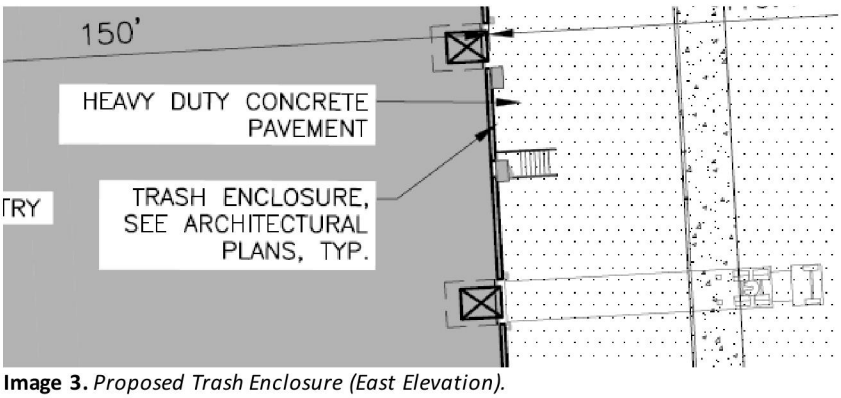


Image 3. *Proposed Trash Enclosure (East Elevation).*

Screening

Trash enclosures and any other ground mounted equipment (e.g., transformers, mechanical) shall be effectively screened from adjacent public rights-of-way and adjacent properties by a solid wall or opaque fence constructed of wood, masonry, or other durable materials that are complementary to the materials used on the primary building. Any roof-mounted equipment shall also be screened from view

through use of parapets, wall/fencing materials, or paint to match surrounding colors when visible from the public right-of-way.
As noted earlier in the report, City staff is requesting the Applicant revise their plan sets to account for fencing along the rear (east) property line, between the loading area and adjacent properties. The fencing material should be enhanced through use of a higher quality wood or ornamental metal.

LANDSCAPING

The project submittal includes a landscape plan, schedule, and details sheet. Although City Code does not have any specific requirements for landscape plantings, the City has operated under and held new and redeveloped areas to complying with the City's adopted Landscape Point System policy, which assigns points to a given site based on the acreage of a development. The Point System requires light industrial type sites to provide a specific amount or number of landscaping units, and is based on a maximum percentage of certain materials (i.e., 50% shade trees; 40% coniferous trees; 35% decorate trees, and 25% shrubs).

As the proposed mixed office/warehouse building would be located on approximately four (4) acres, the development would need to achieve a minimum of 270 points, assuming a development use category of "Light Industrial."

Planting Type	Minimum Size	Points Per Planting	Maximum Points (%)	Points Accrued
Shade Trees	2 ½" diameter	10	50% or 135 points	**135 points (MAX)** (15 trees * 10 points)
Coniferous Trees	5' height	6	40% or 108 points	**48 points** (8 trees * 6 points)
Decorative Trees	1" diameter	1.5	35% or 94.5 points	**25.5 points** (17 trees * 1.5 points)
Shrubs	12" diameter	0.5	25% or 67.5 points	**77.5 points** (155 shrubs * 0.5 points)
Total			100% = 270 points (minimum)	**286 points accrued**

Table 4. Landscape Point System Policy Breakdown for Subject Property.

The Applicant provided a landscape plan (Sheet L-1.0) that depicts the planting of deciduous, ornamental (decorative), evergreen and flowering shrubs; As summarized in Table 4 above, the Applicant will need to accrue the minimum number of points and factor for a diversity of planting types to meet the City's Landscape Point System Policy requirements. Based on a review of the planting schedule, the Applicant would meet and exceed the minimum requirements under this policy. As an added note, the Applicant intends to provide plantings that are greater than the minimum sizing/caliper required. This would assist in "establishing" the site more quickly.

The Applicant should reference the City's unofficial *Architectural Design Guidelines* regarding overall landscaping and site treatment. As part of any approval, the Subject Property will require an irrigation system to be installed and a plan to be submitted to the City.

CITY ENGINEER REVIEW

Assistant City Engineer Andrew Hogg conducted a review of the application submittal and documents. Comments regarding this application can be found in the memorandum to city staff dated November 10, 2021, and attached hereto **(Exhibit D)**. It should be noted that some of the outlined conditions may be

applicable at time of approval for future land disturbance (alteration) or building permits.

The entirety of the site (4.03 acres) would be disturbed as part of the proposal and all existing improvements on site (e.g. former Earle Brown Bowl, trash enclosure, parking areas) would be demolished and removed. A demolition and removals plan would be required as part of any approvals. As the total disturbed area is greater than one (1) acre, an NPDES (National Pollutant Discharge Elimination System) permit will be required.

The submitted grading and erosion control plan (Sheet C-3.0) indicates a proposed stormwater pond and the southwest corner of the Subject Property. A stormwater narrative was submitted to City staff as part of the application submittal. Per City staff comments, easements should be identified on the submitted utility plan, and a Utility Facilities Easement Agreement is required. The Applicant will also need to complete a Construction Management Plan and Agreement.

The installation or revision of all utility services and lines, and the finished grading of the Subject Property are to be reviewed and conducted under issuance of a separate Land Disturbance (Alteration) permit, which is reviewed and approved by City engineers, and inspected for completeness by the City Engineering and Building Official staff.

The Applicant will also need to address requests to align the northwest entrance to match the centerline of the entrance on the west side of James Circle North, remove the proposed new north curb cut along Freeway Boulevard, and provide a detailed vehicle turning and tracking movement diagram for delivery and semi-truck vehicles, garbage trucks, etc.

Unless otherwise approved by the City Engineer, the perimeters of all driving and parking areas shall be bounded by type B6-12 curb and gutter.

BUILDING OFFICIAL REVIEW

Building Official Dan Grinsteinner conducted a review of the application submittal and documents and an on-site review of the site and building and provided his initial comments in a memorandum dated November 12, 2021 **(Exhibit E)**. The Applicant will need to apply for a SAC (Sewer Access Charge) determination from the Metropolitan Council. This determination and any charges will be due upon issuance of any building permit. The building will also require installation of a fire sprinkler system, and fire access shall be provided. As this is not an all-encompassing list of requirements or a review of construction plan sets, the Applicant shall work with the Fire Inspector and Building Official to ensure all aspects of the site meet Fire Code and Building Code requirements.

SIGNAGE

Although wall signage is identified in the submitted architectural renderings, no formal requests for approval were made as part of the application submittal. Any new signage, including wall and monument signs, would require conformance with City Code requirements. Any requests beyond the allowances identified under the City's sign provisions would require that the Applicant apply for and receive approval to deviate from the outlined requirements. The Applicant will need to file a separate application with the City for any proposed signage.

Based on staff findings, staff recommends Planning Commission recommendation of the requested site and building plans for the Subject Property, located at 6440 James Circle North; subject to the

Applicant receiving approval of a rezoning and establishment for a Planned Unit Development at the Subject Property and complying with all conditions of approval.

REZONING AND ESTABLISHMENT OF A PLANNED UNIT DEVELOPMENT

Section 35-355 (*Planned Unit Development*) of the City's Zoning Code notes that upon the rezoning for a PUD, the district shall be designated by the letters "PUD" followed by the alphanumeric designation of the underlying zoning district, which may be either the prior zoning classification or a new classification. Given that the major update to the City Zoning Code is currently underway and changes to districts are anticipated in order to align with the 2040 Comprehensive Plan, the request would be to re-zone following guidance from the 2040 Comprehensive Plan future land use designations for the Subject Property. This allows for flexibility within the Zoning Code for developments which would not be allowed under the existing regulations. PUDs are often used to achieve a higher quality development, or achieve other City goals, in exchange for zoning flexibility from the City Code.

PUDs may only contain uses consistent with the City's Comprehensive Plan and the uniqueness of each PUD requires that specifications and standards for streets, utilities, public facilities, and the approval of a land subdivision may be subject to modifications from the City ordinances generally governing them—essentially the City Council may approve plans that are not in compliance with the usual specifications or ordinance requirements where it is found that such are not required in the interests of residents or the City, although plans shall comply with all watershed, state, and federal storm water, erosion control, and wetlands requirements.

In this particular case, the Applicant would be requesting flexibility from the City's existing Zoning Code to allow for lesser building setbacks—and specifically, the north and south front yard setbacks (approximately 25 feet each from property line).

As approval of any development plan for the Subject Property shall constitute a re-zoning to PUD, approvals to establish a PUD require the City Council to base its actions on the re-zoning under the following criteria:

1. Compatibility of the plan with the standards, purposes, and intent of this section (Section 35-355);
2. Consistency of the plan with the goals and policies of the Comprehensive Plan;
3. The impact of the plan on the neighborhood in which it is to be located; and
4. The adequacy of internal site organization, uses, densities, circulation, parking facilities, public facilities, recreational areas, open spaces, and buffering and landscaping.

With regard to the intended rezoning, Section 35-208 (*Rezoning Evaluation Policy and Review Guidelines*), outline that it is the City's policy that:

a. Zoning classifications must be consistent with the Comprehensive Plan; and
b. Rezoning proposals shall not constitute "spot zoning," defined as a zoning decision which discriminates in favor of a particular landowner, and does not relate to the Comprehensive Plan or to accepted planning principles.

Furthermore, requests for rezonings should be assessed against a series of guidelines outlined under the City's Zoning Code:

a. Is there a clear and public need or benefit?

b. Is the proposed zoning consistent with and compatible with surrounding land use classifications?
c. Can all permitted uses in the proposed zoning district be contemplated for development of the Subject Property?
d. Have there been substantial physical or zoning classification changes in the area since the Subject Property was zoned?
e. In the case of City-initiated rezoning proposals, is there a broad public purpose evident?
f. Will the Subject Property bear fully the ordinance development restrictions for the proposed zoning districts?
g. Is the Subject Property generally unsuited for uses permitted in the present zoning district, with respect to size, configuration, topography, or location?
h. Will the rezoning result in the expansion of a zoning district, warranted by:
    1. Comprehensive Planning;
    2. The lack of developable land in the proposed zoning district; or
    3. The best interests of the community?
i. Does the proposal demonstrate merit beyond the interests of an owner or owners of an individual parcel?

As proposed, the request would be to re-zone the Subject Property from C2 (Commerce) District to Planned Unit Development/Business Mixed-Use (PUD/B-MU). The Subject Property has been zoned C2 since the late 1970s. Prior to this, the area encompassing the Subject Property was zoned I1 (Industrial Park) District. The 2040 Comprehensive Plan guides the Subject Property under a future land use designation of "Business Mixed-Use," which, as noted earlier in the report, is a new designation.

This future land use designation is generally a flexible land use intended to accommodate manufacturing, warehouse, office, and other uses typically considered under the existing adjacent I1 District properties to the north, but also supporting retail and other commercial uses that would allow for a more dynamic business park area. Residential uses, with the exception of some limited live-work opportunities, are not permitted under this land use designation.

As has been noted earlier in the report, the 2040 Comprehensive Plan identifies this property, as well as the immediate surrounding area, as an area of likely proposed changes to the uses that exist today, and City staff has long viewed this area as an area waiting to transition. The entire area located north of Freeway Boulevard is currently zoned I1 District and shares a future land use designation of "Business Mixed-Use" under the 2040 Comprehensive Plan. While there has been some redevelopment and construction of newer style industrial/office buildings in the south portion of Brooklyn Center (e.g. Caribou Headquarters), the majority of industrial buildings located in proximity to the Subject Property are of 1960s to 1980s vintage and often do not possess the clear heights desired in today's industrial market.

On November 8, 2021, Julie Kimble of KimbleCo presented her findings to City Council following a review of market demand and regional market trends affecting Brooklyn Center. Her overview noted that a typical clear height for distribution product types is often greater than 28 feet in height, whereas office/warehouse products are typically 24 feet in height or more. The clear heights for flex, research and development, and office showrooms range between 14 and 20 feet—this is what is more often seen in the City's I1 District. Although this space is still valuable, the City more often sees these spaces remaining vacant for longer periods of time. The City also fields contacts with a number of interested parties seeking non-typical industrial uses in these areas (e.g. autism centers, medical clinics, churches,

non-profits). These uses are often at odds with industrial spaces given the parking needs and requirements to retrofit buildings for their usage (e.g. additional fireproofing, panic hardware, inadequate parking).

As proposed, the clear height of the approximately 64,000-square foot building would be 28-feet, with an overall height of 36-feet. Although the clear height borders on the minimum clear heights necessary for a distribution facilities, City staff is requesting that as a condition of approval distribution facilities not be permitted except in cases where there is a manufacturing facility or a warehouse where a product is made or packaged on-site. In those situations, the distribution facility could only be accessory in nature. Pending approval, City staff is also requesting a minimum 20-percent finish level be maintained upon full lease-up. These requests are intended to address City staff concerns regarding overall truck traffic generation and the transition and overall impact of this use on the adjacent properties.

Industrial space is generally in high demand with a current market demand of 15-million square feet and a vacancy across the Twin Cities of 4.2-percent. The City often receives inquiries for industrial space that the City cannot accommodate—this is both due to the fact that the stock available in the adjacent I1 District is majority-wise of lower clear heights (under 20 feet), and the fact that the City is fairly built out. In reviewing recent approvals for industrial products in Brooklyn Park and Maple Grove, both Cities have received applications for and approved numerous speculative industrial developments.

Given the location of the Subject Property, it is understandable why this location would be of interest to an industrial user as these types of uses depend on access to freeway infrastructure. Although the Subject Property is in proximity to a number of hotels, the majority of the City's hotels are actually in proximity to industrial users and in some cases are actually zoned I1 District. The nearest residential neighborhood is located to the east—across the on/off ramps for Highway 100. The nearest multi-family residential property (Pines Apartments—located at 6511 Humboldt Avenue North) is located to the northeast, across Freeway Boulevard and behind Winner Gas Station (6501 Humboldt Avenue North).

Although the entirety of the James Circle North loop is currently zoned C2 (Commerce) District, the last development in this area was the FBI Regional Headquarters (2010). The City's EDA had previously acquired the property prior to its redevelopment and the City's EDA also owns 1601 James Circle North, which was formerly the site of a Cracker Barrel and Olive Garden restaurant. The remaining properties within this loop are three hotels (two constructed in 1980 and one in 1995), CES Imaging and print shop (constructed in 1996), and two restaurants (constructed in 1989 and 1996).

Assuming the Applicant can meet the outlined conditions of approvals, of which address usage and requests to provide enhanced architectural design and site elements to minimize impacts to adjacent permitted uses, City staff believes the proposed redevelopment could successfully bring the Subject Property back online at a higher use that will provide new business and jobs in the City.

Based on staff findings, staff recommends Planning Commission recommendation of the requested establishment of a Planned Unit Development (PUD) and rezoning of the Subject Property, located at 6440 James Circle North from C2 (Commerce) District to PUD/BM-U (Planned Unit Development/Business Mixed-Use); subject to the Applicant receiving approval of the aforementioned site and building plan and complying with all conditions of approval.

APPROVAL CONDITIONS:
Staff recommends the following conditions be attached to any positive recommendation on the approval of Application No. 2021-006 for 6440 James Circle North (Subject Property):

1. The building plans are subject to review and approval by the Building Official with respect to applicable codes prior to the issuance of permits; and the final location or placement of any fire hydrants or other fire-related building code items shall be reviewed and approved by the Fire Inspector.
    a. Any major changes or modifications made to this Site and Building Plan can only be made by an amendment to the approved Site and Building Plan as approved by the City Council. Per City staff comment, the following shall be revised:
        i. Update the submitted civil set to remove the proposed new curb cut along Freeway Boulevard;
        ii. Provide and maintain sidewalk access from Freeway Boulevard and identify opportunities to provide pedestrian level lighting along this connection;
        iii. Provide space for installation of a bike rack/bike facilities given Subject Property proximity to the Shingle Creek Regional Trail as well as bus stops located just off-site along Freeway Boulevard;
        iv. Provide clear, internal crosswalk connections for those parking spaces indicated along the east portion of the Subject Property;
        v. Provide four-sided architecture, with articulation and architectural consideration on all four sides and in consideration of the City's Architectural Design Guidelines;
        vi. Provide additional glazing, and enhanced design elements, particularly focused around entrances and the building front, including, but not limited to: metal canopies, architectural ornamentation attached to exterior panels;
        vii. Provide enlarged glazing along rear of property, in the upper area over the loading bays; and
        viii. Install fencing along rear (east) property line between loading area and adjacent properties using enhanced materials such as cedar, ornamental metal, or other product as approved by the City.

    b. Compliance with all conditions or provisions noted in the City Engineer's Review memorandum and redlined plan set dated November 10, 2021.
    c. Compliance with all conditions or provisions noted in the City Building Official's Building Review dated November 12, 2021.
    d. The Applicant shall verify that the proposed building and site has met all City Code requirements and specifications.
    e. A pre-construction conference shall be held with City staff and other entities designated by the City prior to issuance of a Building Permit.

2. Distribution facilities are not a permitted use. For the purposes of this Planned Unit Development (PUD), a distribution facility is defined as a business that receives packages, sorts, and delivers them without product storage. Distribution as an accessory use is permitted only when it occurs from a manufacturing facility or a warehouse where a product is made or packaged on-site.

3. No outdoor storage or display of materials, equipment, or products accessory and necessary to

a principal and permitted use is permitted.

4. The Applicant shall enter into a PUD agreement with the City of Brooklyn Center. This agreement is to be reviewed and approved by the City Attorney prior to the issuance of building permits. The agreement shall further assure compliance with the development plans submitted with this application.

5. The Property Owner/Developer shall execute a separate Performance Agreement with supporting financial guarantee approved by the City, which ensures the Subject Property will be constructed, developed, and maintained in conformance with the plans, specifications, and standards comprehended under this site and building plan.

6. Any outside trash disposal facilities and rooftop or ground mechanical equipment shall be appropriately screened from view per City Code requirements and with materials complementary to the principal building, and an updated details sheet provided.
7. Provide a revised photometric plan that reduces the maximum foot candles along the east portion of the property to three (3) foot candles or below, and furnish fixture specifications and imagery of proposed light installations as part of the Building Permit submittal.

8. An irrigation system shall be installed on-site and irrigation shop drawings shall be provided to the City for review and approval prior to installation.

9. A sign permit application shall be submitted for any proposed signage as part of the development proposal. Signage is subject to the provisions of the City Code.

RECOMMENDATION

Based on the above-noted findings, Planning Staff recommends the Planning Commission recommends City Council approval of the requested site and building plan, rezoning, and establishment of a Planned Unit Development for the Subject Property located at 6440 James Circle North, and as contemplated under Planning Commission Application No. 2021-006, subject to the Applicant complying with the outlined conditions of approval.

ATTACHMENTS

Exhibit A – Submitted Application Narrative, Documents, and Plans for 6440 James Circle North, prepared by McGlynn Partners, LLC, Mohagen Hansen, and Alliant Engineering, Inc.
Exhibit B – Published Notice for 6440 James Circle North, published on November 4, 2021 in the *Brooklyn Center Sun Post*.
Exhibit C – Select City Council Work Session Meeting Minutes, dated May 24, 2021.
Exhibit D – Review Memorandum, prepared by Assistant City Engineer Andrew Hogg, dated November 10, 2021.
Exhibit E – Review Memorandum, prepared by Building Official Dan Grinsteinner, dated November 12, 2021.

Brooklyn Center Industrial

Submitted By: McGlynn Partners LLC.
September 14, 2021

Introduction

The development site is a 4.03 acre parcel located on the southeast corner of the intersection of Freeway Boulevard and James Circle North. We are proposing to construct a mixed office and light industrial building which will cover approximately 63,780 square feet. The site is bounded on the north by Freeway Boulevard, on the west and south by James Circle North, and on the east by two commercial parcels.

Comprehensive Guide Plan Designation

The site is currently a Commercial Land Use but is guided for Business Mixed-Use (B-MU) in the 2040 Comprehensive Plan. Per the 2040 Plan, B-MU is a new designation which guides land for a mixture of uses including commercial, office, general business and light industrial uses. No Land Use designation change is requested.

Zoning Classification

The property has a current zoned as Commerce (C2). A zoning change to Industrial Park (I1) is requested.

Surrounding Sites & History:

The site's previous use was as a bowling alley, Earle Brown Lanes, originally constructed in 1978 and closed in the summer of 2015. While the site was considered for redevelopment as an event center and granted a permit in 2017 and again in 2020, the site has ultimately remained vacant since 2015.

Surrounding Property Designations:

Land Use (Per 2040 Comprehensive Plan)

The site is surrounded on all sides by land guided Business Mixed-Use (B-MU).

Zoning

The site is surrounded by two uses, Industrial Park (I1) and Commerce (C2)

North – Freeway Boulevard and Industrial Park (I1)

East – Commerce (C2)

South – James Circle Road and Commerce (C2)

West – James Circle Road and Commercial (C2)

Stormwater & Utilities

The site is located in the Brooklyn Center Regional Treatment credit area, thus the project will provide treatment for the 1.1 inch “first flush” rainfall event on-site. We are required to have a reduction in stormwater rates. Additionally, stormwater must be treated prior to discharge to remove 60 percent of phosphorus and 85 percent of total suspended solids. Treatment may be provided by one or more permanent sedimentation and water quality ponds or a combination of BMPs that together will meet removal requirements. We anticipate the on-site stormwater will be treated via a pond in the southwest portion of the site.

The site is currently served by existing utilities on the north side of the site. Existing utilities will be reused to the greatest extent possible.

Traffic

The site has two primary parking areas. The west lot will serve office users and has two access points on to James Circle North, one to the north west and one to the south. The east lot provides access to truck docks and has two access points as well. The north access from Freeway Boulevard is intended for entry only and will be signed and enforced with a “Do Not Enter” sign facing toward the lot. The second truck access, to the south of the east lot, is to James Circle North.

Conclusion

McGlynn Partners LLC seeks to revitalize a vacant underutilized site with good highway access, but which has remained vacant since 2015. The project is environmentally conscious in redeveloping a parcel currently served by existing utilities and roadway infrastructure. The proposed office and light industrial building is in keeping with the City’s vision for the area, as articulated in the 2040 Comprehensive Plan, and with a diversity of users will contribute to the vitality of the area.

PROJECT

694 Business Center
NEW CONSTRUCTION

CLIENT

PROJECT ADDRESS: BROOKLYN CENTER, MN 55430

PROJ. NO.: 21136

DATE: 9-30-2021

PROJECT PHASE: CITY SUBMITTAL

CERTIFICATION

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 ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

NOT FOR CONSTRUCTION

TODD MOHAGEN, AIA, NCARB

REGISTRATION NUMBER: 18074

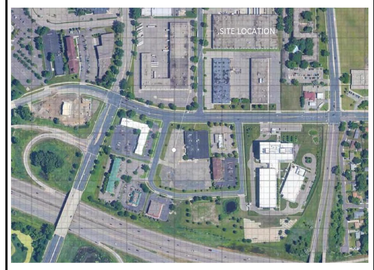
CLIENT APPROVAL

AS A REPRESENTATIVE OF:

I ACCEPT AND APPROVE THE INFORMATION PRESENTED IN THIS DRAWING SET AS A REPRESENTATION OF OUR DESIGN INTENT. SHOULD OWNER INITIATE CHANGES THAT RESULT IN REVISIONS AND/OR MODIFICATIONS ADDITIONAL DESIGN SERVICE FEES WILL BE CHARGED.

TITLE:

AREA MAP



SHEET INDEX

SHEET #	SHEET DESCRIPTION	CITY SUBMITTAL - 09-14-2021	CITY SUBMITTAL UPDATE 09-30-2021
GENERAL			
A000	SHEET COVER	•	•
ARCHITECTURAL			
A100	ARCHITECTURAL SITE PLAN	•	•
A201	FLOOR PLAN	•	•
A300	EXTERIOR BUILDING ELEVATIONS	•	•
A301	ENLARGED ENTRY ELEVATION	•	•
A302A	RENDERING - NORTH WEST ENTRY	•	•
A302B	RENDERING - WEST ENTRY	•	•
A302C	RENDERING - SOUTH WEST ENTRY	•	•
A302D	RENDERING - NORTH WEST AERIAL	•	•
A310	BUILDING SECTIONS	•	•

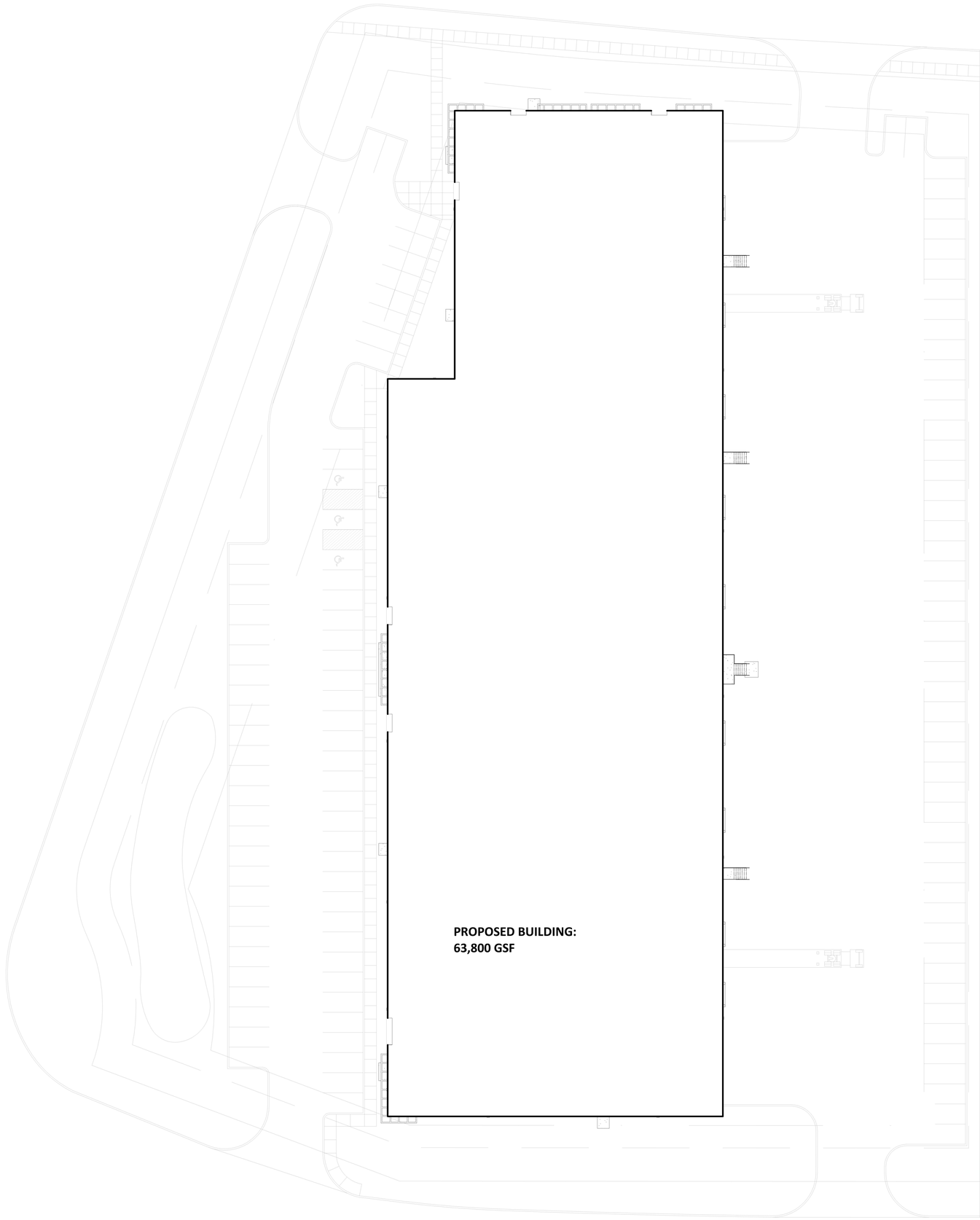
BUILDING IMAGE



MOHAGEN HANSEN
Architecture | Interiors

1000 Twelve Oaks Center Drive
Suite 200, Wayzata, MN 55391
T: 952-426-7400
F: 952-426-7440

MohagenHansen.com



1 A100 **ARCHITECTURAL SITE PLAN**
1" = 20'-0"

C:\Revit Projects\21136_694BusinessCenter_Master_jjohnson@mohagenhansen.com.rvt

PROJECT NAME

ENDEAVOR DEVELOPMENT

694 Business Center
NEW CONSTRUCTION

BROOKLYN CENTER, MN 55430

ARCHITECT

MOHAGEN HANSEN Architecture | Interiors
1000 Twelve Oaks Center Dr.
Suite 200
Wayzata MN 55391
Tel 952-426-7400
Fax 952-426-7440

REGISTRATION

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ISSUE RECORD

NO.	DESCRIPTION	DATE
	CITY SUBMITTAL	09-14-2021

DRAWING INFORMATION

PROJECT NUMBER: 21136
DRAWN BY: J.JOHNSON
CHECKED BY: B.HUNKE/ T.MOHAGEN
DATE: 9-30-2021
COMPUTER DIRECTORY: 694_BusinessCenter21136_ShellAndCore

SHEET DESCRIPTION

ARCHITECTURAL SITE PLAN

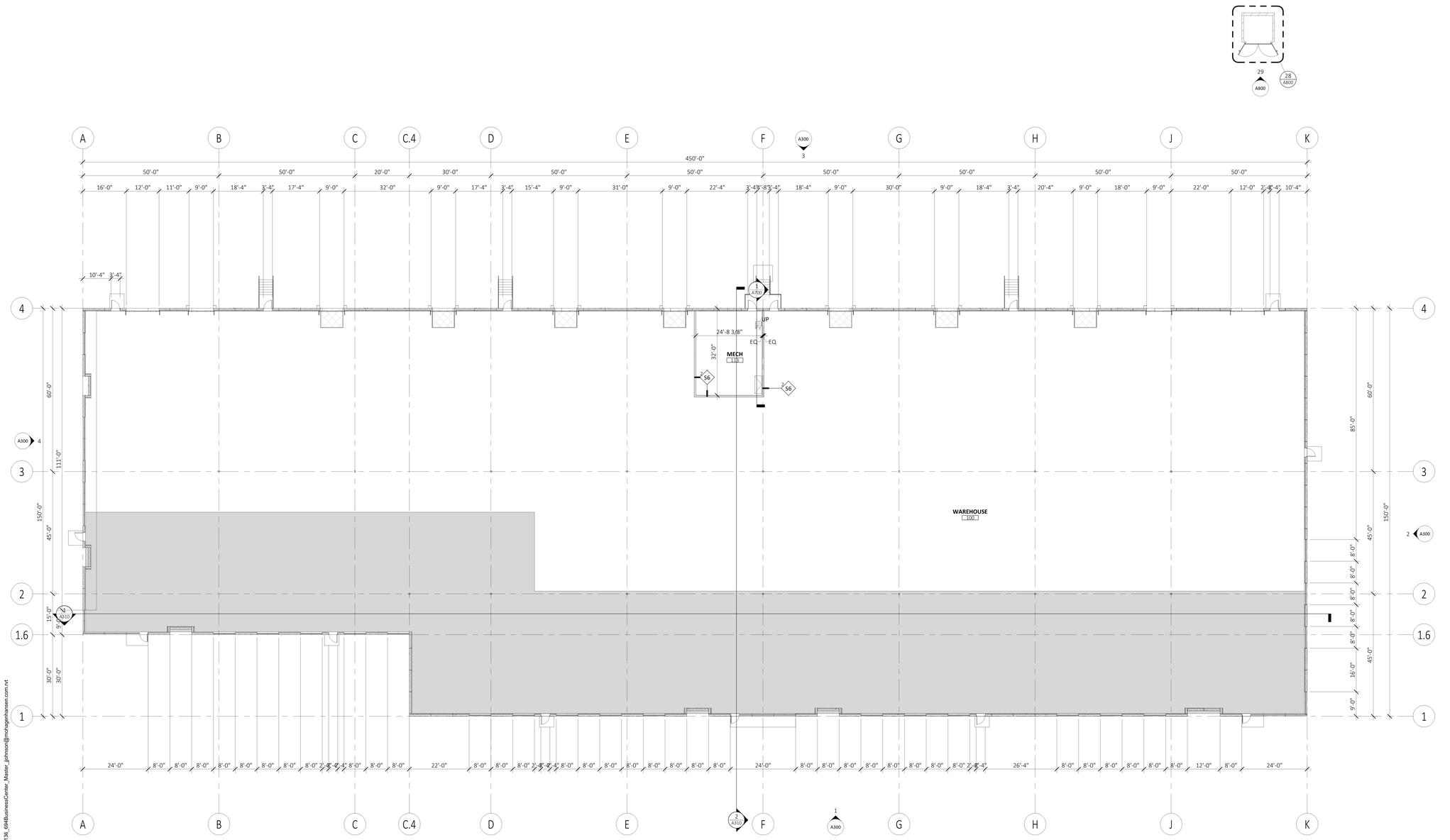
CITY STAMP

PHASE

CITY SUBMITTAL

N

A100



1 A201 **FLOOR PLAN**
1/16" = 1'-0"

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PROJECT NAME

694 Business Center
NEW CONSTRUCTION

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COMPUTER DIRECTORY:
694_BusinessCenter21136_ShellAndCore

SHEET DESCRIPTION

FLOOR PLAN

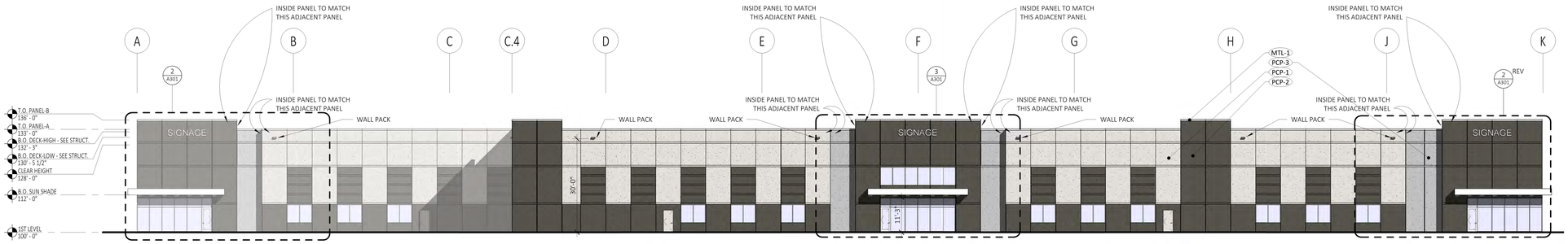
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PHASE

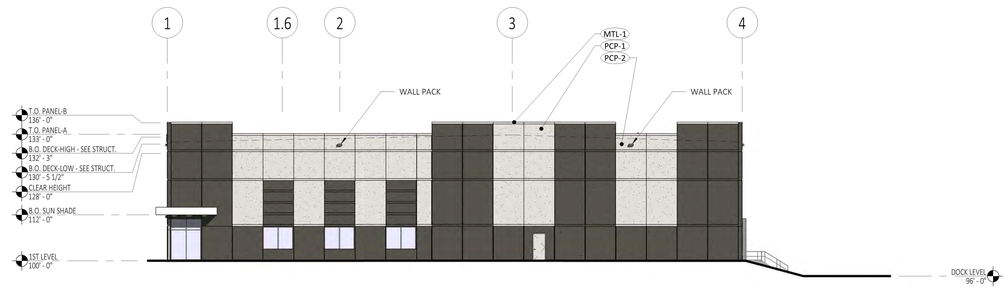
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N

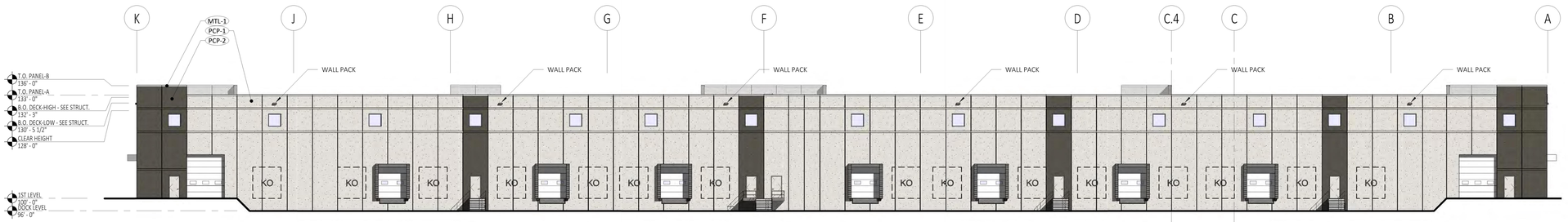
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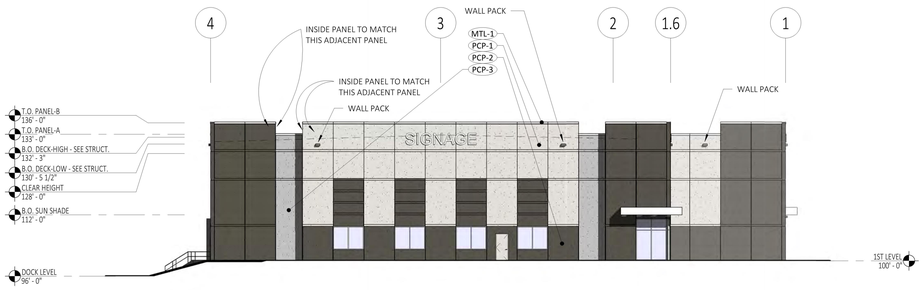
1 A300 ELEVATION - WEST
1/16" = 1'-0"



2 A300 ELEVATION - SOUTH
1/16" = 1'-0"



3 A300 ELEVATION - EAST
1/16" = 1'-0"



4 A300 ELEVATION - NORTH
1/16" = 1'-0"

EXTERIOR MATERIALS LEGEND

PCP-1	INSULATED PRE-CAST PANEL - STEEL FORM FINISH PRECAST PANEL - PAINTED COLOR: LIGHT TAN
PCP-2	INSULATED PRE-CAST PANEL - STEEL FORM FINISH PRECAST PANEL - PAINTED COLOR: DARK BRONZE
PCP-3	INSULATED PRE-CAST PANEL - STEEL FORM FINISH PRECAST PANEL - PAINTED COLOR: MEDIUM GRAY
MTL-1	PRE-FINISHED METAL COPING AND TRIM - FIRESTONE UNICLAD COLOR: BONE WHITE
P-1	COLOR: TO MATCH PAINT PCP-1 PAINT COLOR

NOTES:
1. ALUMINUM STOREFRONT MULLION/ FRAME: CLEAR ANODIZED ALUMINUM
2. OVERHEAD DOCK DOOR: PRE-FINISHED WHITE
3. OVERHEAD DOCK BUMPERS: PRE-FINISHED WHITE
4. GLAZING: CLEAR LOW-E
5. HM DOORS: P-1
6. METAL SUNSHADE: SUNSHADE CANTILEVERED TYPE AS MANUFACTURED BY INDUSTRIAL LOUVERS - ST SERIES W/ 2"X24" RECTANGULAR FASCIA AND OUTRIGGERS. 2"X24" FASCIA ATTACHED TO PRECAST PANEL W/ MANUFACTURER'S STANDARD BRACKET CONNECTION. SEPARATOR SHEET, SLIP SHEET OR APPLIED COATING TO ENSURE NO REACTION BETWEEN STEEL, ALUMINUM AND OTHER DISSIMILAR MATERIALS. FINISH OF ALL COMPONENTS TO BE PRE-FINISHED WHITE.

ENDEAVOR DEVELOPMENT

694 Business Center
NEW CONSTRUCTION

BROOKLYN CENTER, MN
55430

PROJECT NAME

ARCHITECT
MOHAGEN HANSEN Architecture | Interiors
1000 Twelve Oaks Center Dr.
Suite 200
Wayzata MN 55391
Tel 952-426-7400
Fax 952-426-7440

REGISTRATION

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TODD MOHAGEN, AIA, NCARB

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DRAWN BY:	J.JOHNSON
CHECKED BY:	B.HUNKE/ T.MOHAGEN
DATE:	9-30-2021
COMPUTER DIRECTORY:	694_BusinessCenter21136_ShellAndCore

SHEET DESCRIPTION

EXTERIOR BUILDING ELEVATIONS

CITY STAMP

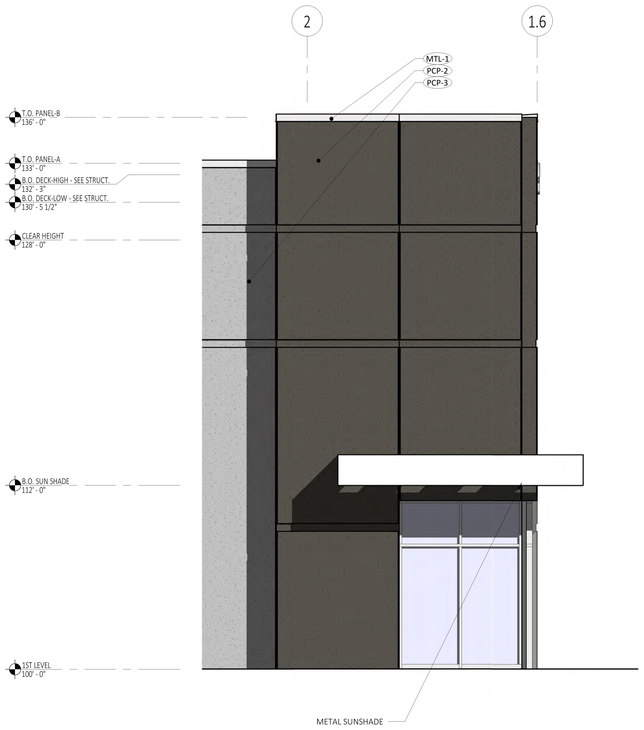
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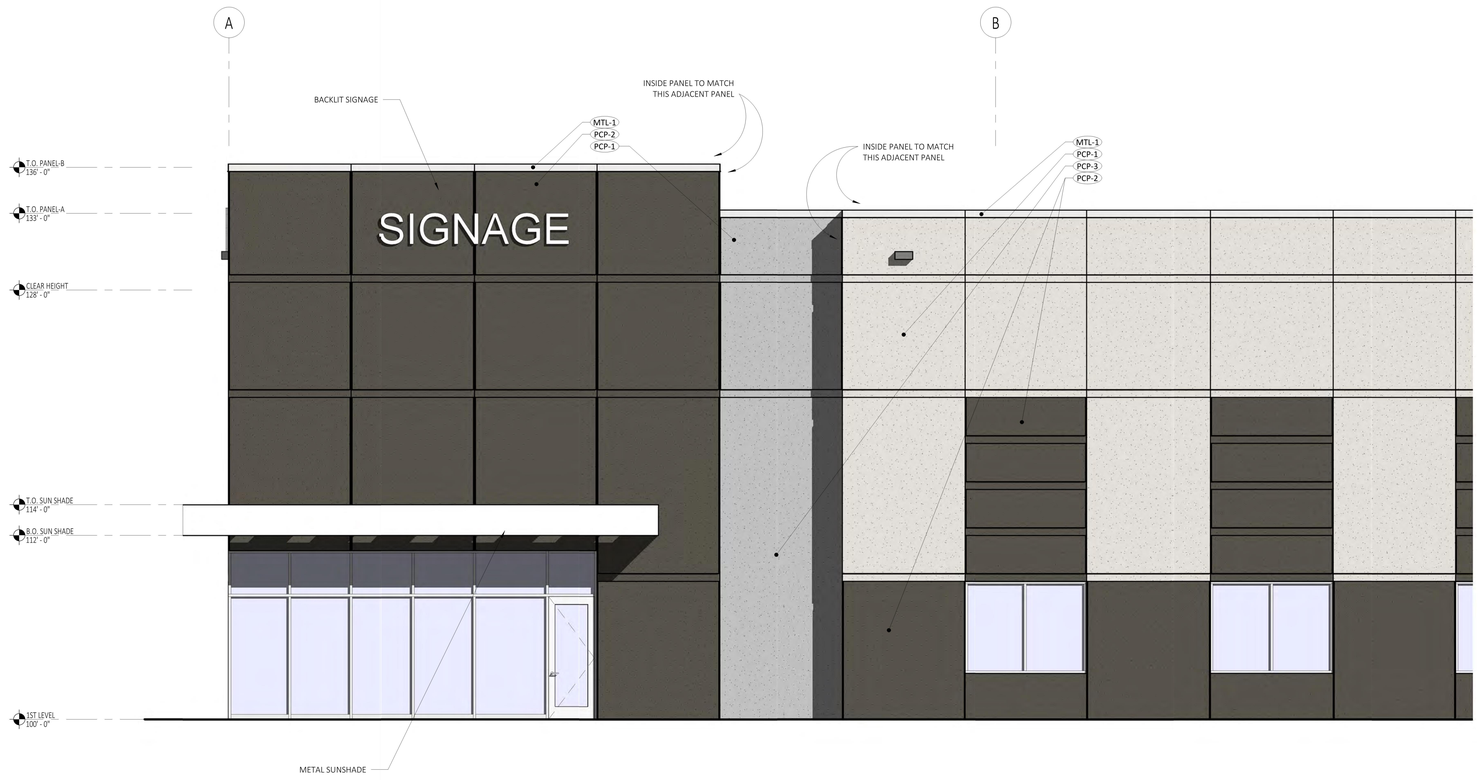
CITY SUBMITTAL

N

A300

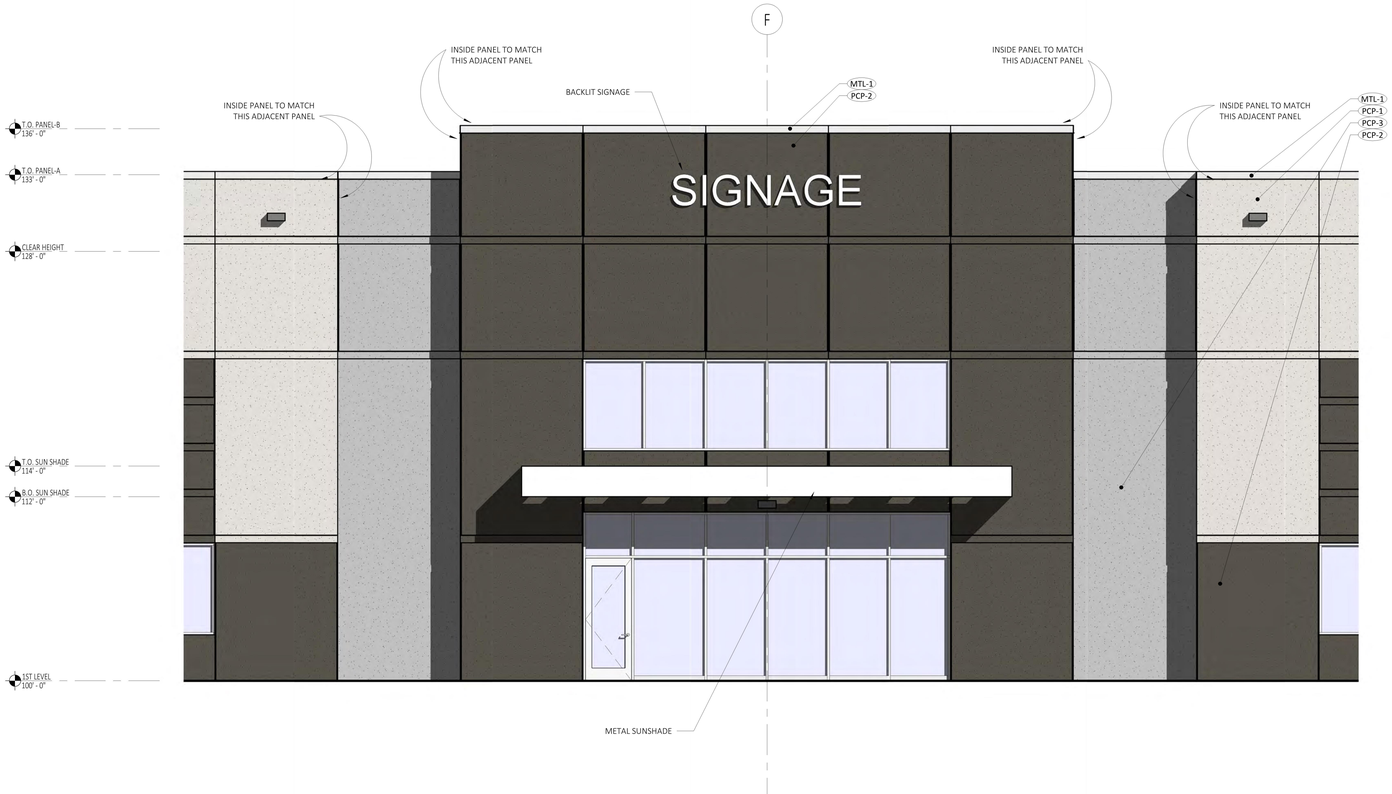
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1 A301 ENLARGED ELEVATION - ENTRY CORNER 1
1/4" = 1'-0"

2 A301 ENLARGED ELEVATION - ENTRY CORNER 2
1/4" = 1'-0"



3 A301 ENLARGED ELEVATION - ENTRY CENTER
1/4" = 1'-0"

EXTERIOR MATERIALS LEGEND

PCP-1	INSULATED PRE-CAST PANEL - STEEL FORM FINISH PRECAST PANEL - PAINTED COLOR: LIGHT TAN
PCP-2	INSULATED PRE-CAST PANEL - STEEL FORM FINISH PRECAST PANEL - PAINTED COLOR: DARK BRONZE
PCP-3	INSULATED PRE-CAST PANEL - STEEL FORM FINISH PRECAST PANEL - PAINTED COLOR: MEDIUM GRAY
MTL-1	PRE-FINISHED METAL COPING AND TRIM - FIRESTONE UNICLAD COLOR: BONE WHITE
P-1	COLOR: TO MATCH PAINT PCP-1 PAINT COLOR

NOTES:
1. ALUMINUM STOREFRONT MULLION/ FRAME: CLEAR ANODIZED ALUMINUM
2. OVERHEAD DOCK DOOR: PRE-FINISHED WHITE
3. OVERHEAD DOCK BUMPERS: PRE-FINISHED WHITE
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PROJECT NAME

ENDEAVOR DEVELOPMENT

694 Business Center
NEW CONSTRUCTION

BROOKLYN CENTER, MN
55430

ARCHITECT

MOHAGEN HANSEN Architecture | Interiors
1000 Twelve Oaks Center Dr.
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Wayzata MN 55391
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Fax 952-426-7440

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NO.	DESCRIPTION	DATE

DRAWING INFORMATION

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CHECKED BY:	B.HUNKE/ T.MOHAGEN
DATE:	9-30-2021
COMPUTER DIRECTORY:	694_BusinessCenter\21136_Shell\And\Core

SHEET DESCRIPTION

ENLARGED ENTRY ELEVATION

CITY STAMP

PHASE

CITY SUBMITTAL

A301



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PROJECT NAME

ENDEAVOR DEVELOPMENT

694 Business Center
NEW CONSTRUCTION

BROOKLYN CENTER, MN
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PROJECT NUMBER: 21136
DRAWN BY: Author
CHECKED BY: Checker
DATE: 9-30-2021
COMPUTER DIRECTORY: 694_BusinessCenter\21136_ShellAndCore

SHEET DESCRIPTION

RENDERING - NORTH WEST ENTRY

CITY STAMP

PHASE

CITY SUBMITTAL

A302A



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PROJECT NAME

ENDEAVOR DEVELOPMENT

694 Business Center
NEW CONSTRUCTION

BROOKLYN CENTER, MN
55430

ARCHITECT

MOHAGEN HANSEN Architecture | Interiors
1000 Twelve Oaks Center Dr.
Suite 200
Wayzata MN 55391
Tel 952-426-7400
Fax 952-426-7440

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DRAWN BY:	Author
CHECKED BY:	Checker
DATE:	9-30-2021
COMPUTER DIRECTORY:	694_BusinessCenter\21136_ShellAndCore

SHEET DESCRIPTION

RENDERING - WEST ENTRY

CITY STAMP

PHASE

CITY SUBMITTAL

A302B



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ENDEAVOR DEVELOPMENT

694 Business Center
NEW CONSTRUCTION

BROOKLYN CENTER, MN 55430

PROJECT NAME

ARCHITECT

MOHAGEN HANSEN Architecture | Interiors

1000 Twelve Oaks Center Dr.
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Fax 952-426-7440

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DRAWING INFORMATION

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DRAWN BY:	Author
CHECKED BY:	Checker
DATE:	9-30-2021
COMPUTER DIRECTORY:	694_BusinessCenter21136_ShellAndCore

SHEET DESCRIPTION

RENDERING - SOUTH WEST ENTRY

CITY STAMP

PHASE

CITY SUBMITTAL

A302C



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PROJECT NAME

ENDEAVOR DEVELOPMENT

694 Business Center
NEW CONSTRUCTION

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55430

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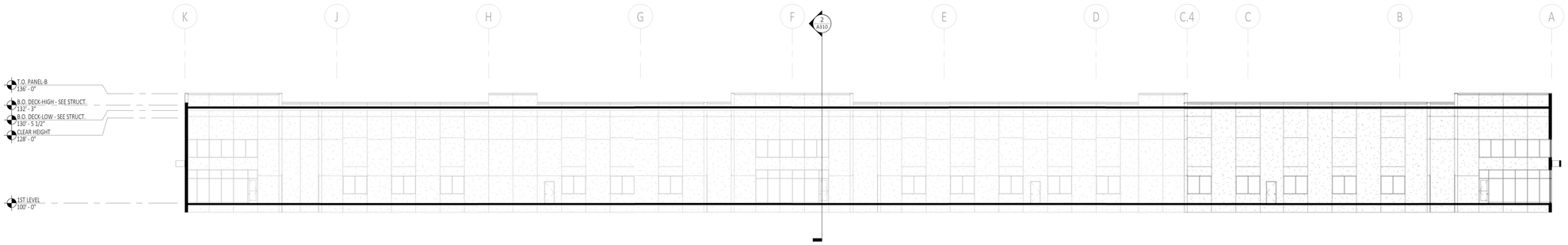
RENDERING - NORTH WEST AERIAL

CITY STAMP

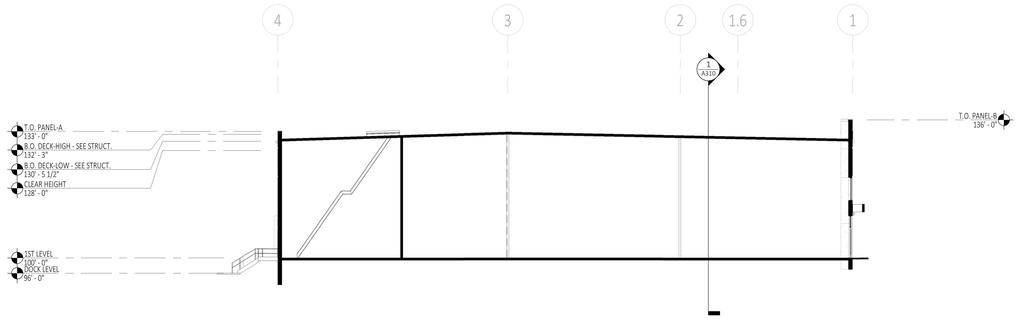
PHASE

CITY SUBMITTAL

A302D



1 A310 BUILDING SECTION - EAST-WEST
1/16" = 1'-0"



2 A310 BUILDING SECTION - NORTH-SOUTH
1/16" = 1'-0"

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NEW CONSTRUCTION

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694_BusinessCenter\21136_ShellAndCore

SHEET DESCRIPTION

BUILDING SECTIONS

CITY STAMP

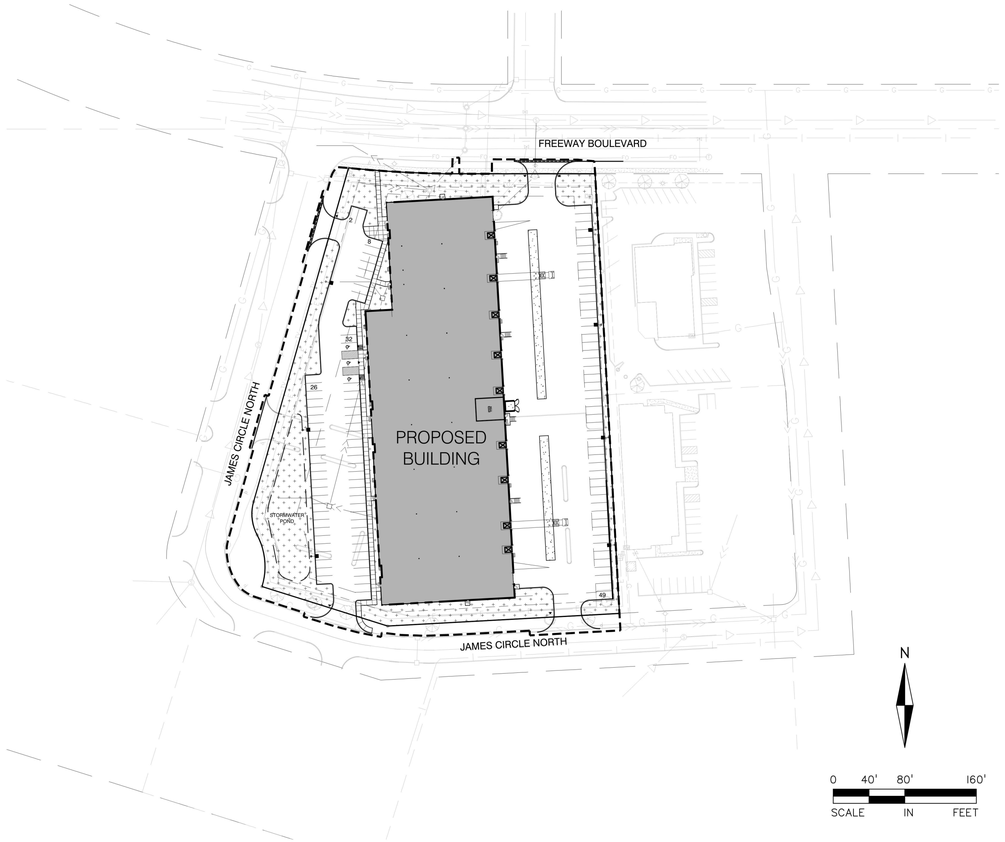
PHASE

CITY SUBMITTAL

A310

BROOKLYN CENTER OFFICE FLEX

6440 JAMES CIRCLE NORTH
BROOKLYN CENTER, MINNESOTA
SITE PLAN REVIEW





VICINITY MAP NOT TO SCALE

Sheet List Table	
Sheet Number	Sheet Title
C-0.0	COVER SHEET
C-1.0	EXISTING CONDITIONS
C-2.0	SITE PLAN
C-3.0	GRADING AND EROSION CONTROL PLAN
C-4.0	STORMWATER POLLUTION PREVENTION PLAN (SWPPP)
C-4.1	SWPPP NOTES
C-5.0	UTILITY PLAN
C-6.0	DETAILS
C-6.0	MNDOT & ADDITIONAL DETAILS
L-1.0	LANDSCAPE PLAN
L-1.1	LANDSCAPE DETAILS
P-1.0	PHOTOMETRIC PLAN

Know what's below.
Call before you dig.
Dial 811

ARCHITECT

CONTACT: JEREMIAH JOHNSON
MOHAGEN HANSEN
1000 TWELVE OAKS CENTER DRIVE, SUITE 200
WAYZATA, MN 55391
Phone 952-426-7439/FAX 952-426-7440
JJOHNSON@MOHAGENHANSEN.COM

CIVIL ENGINEER

CLARK WICKLUND, PE
ALLIANT ENGINEERING INC.
733 MARQUETTE AVE STE 700
MINNEAPOLIS, MN 55402-2340
Phone 612-758-3080/Fax 612-758-3099
cwicklund@alliant-inc.com

LAND SURVEYOR

PETER GOERS, PLS
ALLIANT ENGINEERING INC.
733 MARQUETTE AVE STE 700
MINNEAPOLIS, MN 55402-2340
Phone 612-758-3080/Fax 612-758-3099
dolmstead@alliant-inc.com

LANDSCAPE ARCHITECT

MARK KRONBECK, PLA, ASLA
ALLIANT ENGINEERING INC.
233 PARK AVENUE SOUTH SUITE 300
MINNEAPOLIS, MN 55415
Phone 612-758-3080/Fax 612-758-3099
mkronbeck@alliant-inc.com

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733 Marquette Ave, Ste 700
Minneapolis, MN 55402
612.758.3080 MAIN
612.758.3099 FAX
www.alliant-inc.com

BROOKLYN CENTER OFFICE FLEX
6440 JAMES CIRCLE NORTH
BROOKLYN CENTER, MINNESOTA
COVER SHEET

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

CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

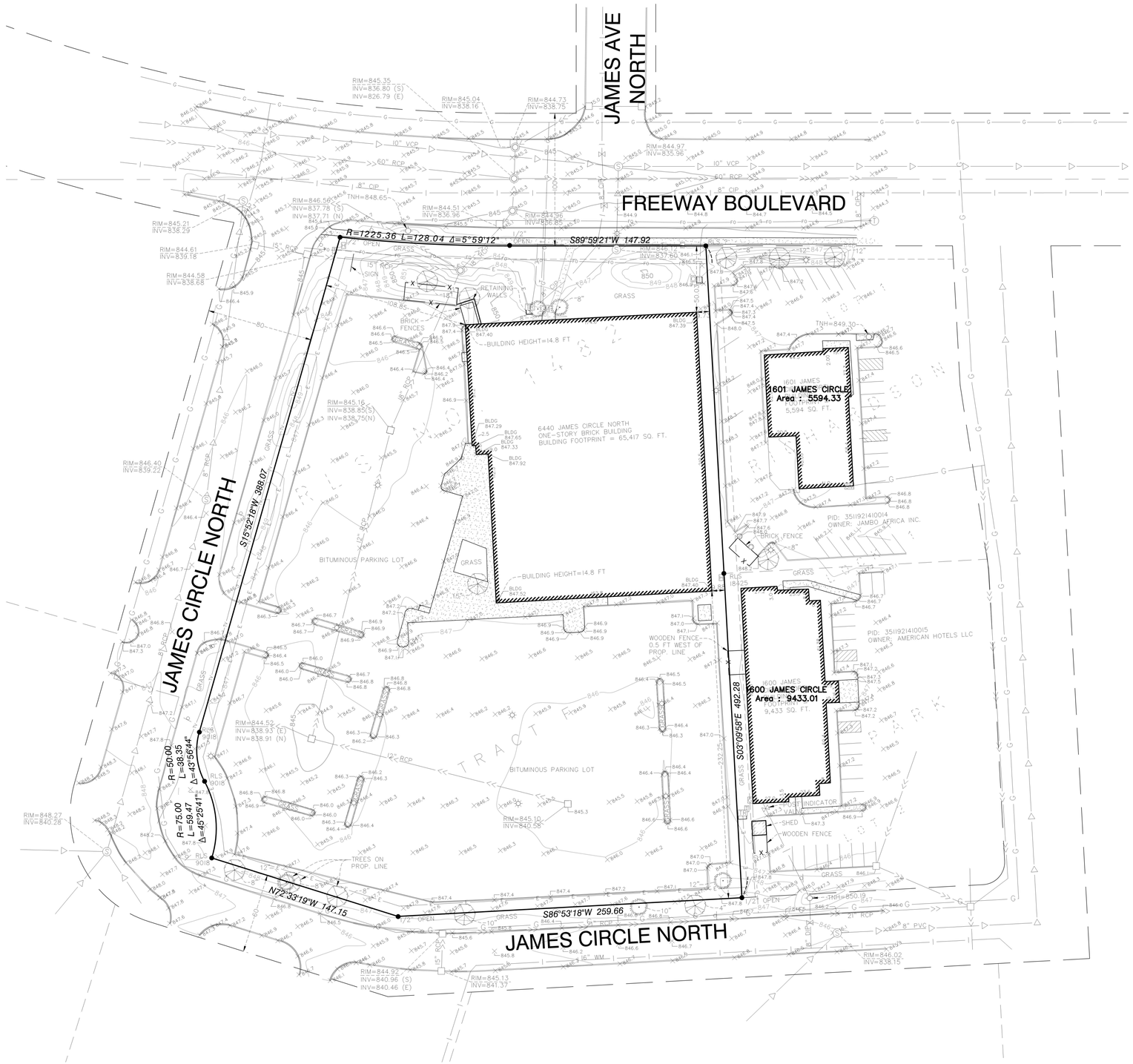
DATE	ISSUE
8-6-21	SITE PLAN REVIEW

PROJECT TEAM DATA
DESIGNED: MK
DRAWN: DBR
PROJECT NO: 21-0034

C-0.0

SHEET 1 of 12

Drawing name: X:\2021\210034\plan sheets\210034cover.dwg Aug 06, 2021 - 2:10pm



PROPERTY DESCRIPTION

Tract F, Registered Land Survey No 1482, Hennepin County, Minnesota.

NOTES

1. This survey was prepared without the benefit of a title commitment and may not depict all easements, encumbrances, and appurtenances.

2. The locations of underground utilities are depicted based on Gopher State One Call, available city maps, records and field locations and may not be exact. Verify critical utilities prior to construction or design.

3. The orientation of this bearing system is based on the Hennepin County Coordinate System NAD83 (86 Adjustment).

4. All distances are in feet.

5. The area of the above described property is 175,384 square feet or 4.026 acres.

6. The elevations at curb are to top of curb.

7. Benchmark: A bridge railing in Brooklyn Center, in the bridge railing in the Northeast corner of Northbound Humboldt Avenue Bridge Number 27914 over Interstate Highway 94 and Interstate Highway 694, has an elevation of 879.29 (NGVD29).

LEGEND

- FOUND IRON MONUMENT
- STORM MANHOLE
- SANITARY MANHOLE
- TELEPHONE MANHOLE
- CATCH BASIN
- COMMUNICATIONS PEDESTAL
- TELEPHONE PEDESTAL
- COMMUNICATIONS HAND HOLE
- ELECTRIC PEDESTAL
- GAS METER
- TRANSFORMER
- LIGHT POLE
- SIGN
- BOLLARD
- WATER VALVE
- 885.82 EXISTING SPOT ELEVATION
- EXISTING DECIDUOUS TREE
- EXISTING CONIFEROUS TREE
- G GAS
- STORM SEWER
- SANITARY SEWER
- W WATERMAIN
- E UNDERGROUND ELECTRIC
- FO UNDERGROUND FIBER
- T UNDERGROUND TELEPHONE
- TV UNDERGROUND TELEVISION
- X FENCE
- CONCRETE
- BITUMINOUS SURFACE
- RETAINING WALL

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EXISTING CONDITIONS

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 under the laws of the State of MINNESOTA

CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

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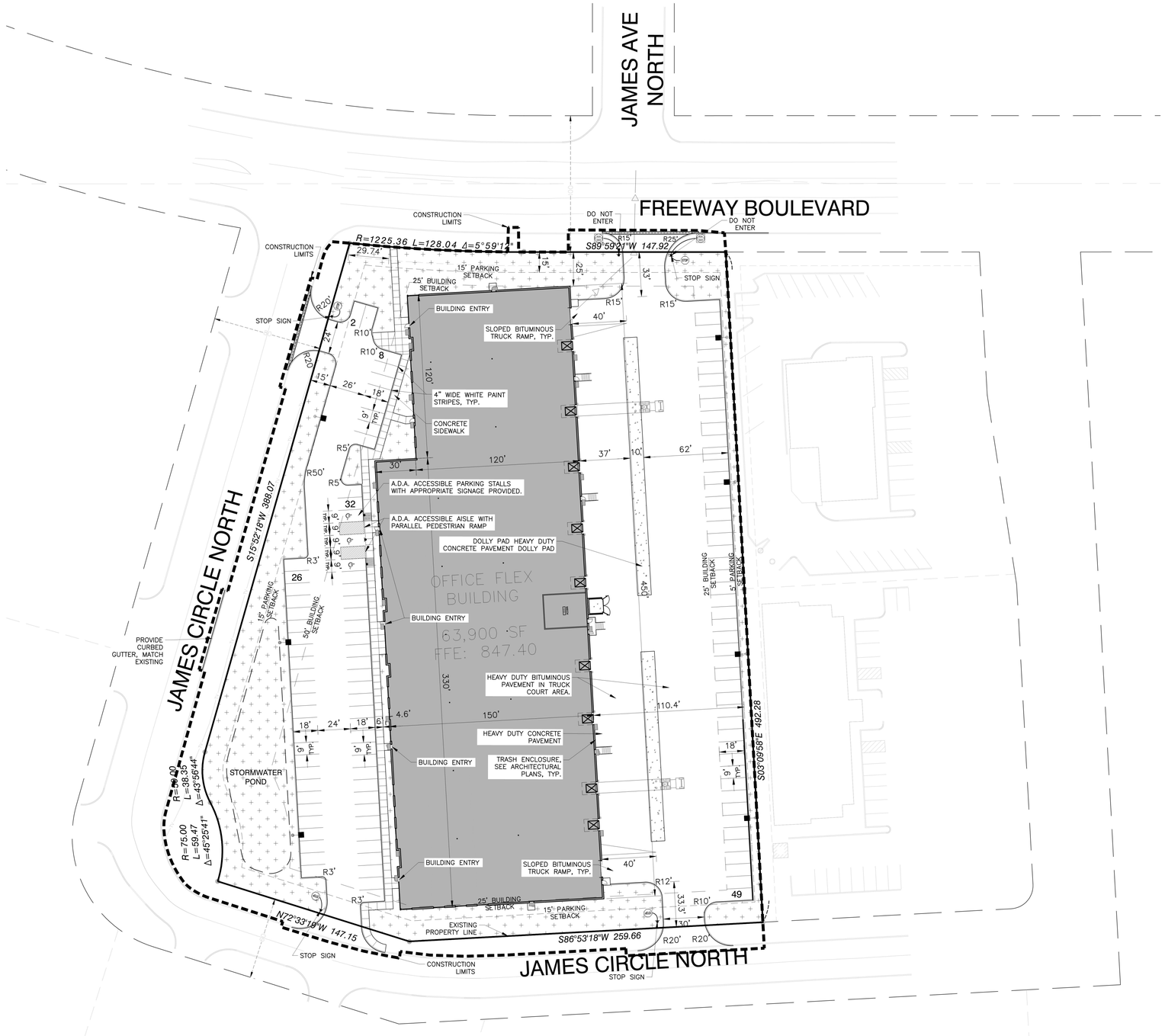
PROJECT TEAM DATA

DESIGNED:	MK
DRAWN:	DBR
PROJECT NO:	21-0034

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SHEET 2 of 12

Drawing name: X:\2021\210034\plan sheets\210034econ.dwg Aug 06, 2021 - 2:11pm



SITE NOTES:

1. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
2. CONTRACTOR SHALL FIELD VERIFY THE LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES, SUCH AS EXISTING GUTTER GRADES AT THE PROPOSED DRIVEWAYS, PRIOR TO THE START OF SITE GRADING. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM THE PLANS.
3. ALL WORK TO BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE REQUIREMENTS AND STANDARDS OF THE LOCAL GOVERNING AUTHORITY.
4. CONTRACTOR IS RESPONSIBLE FOR DEMOLITION & REMOVAL OF ALL EXISTING STRUCTURES WHICH INTERFERE WITH NEW WORK AS SHOWN.
5. ALL DIMENSIONS, GRADES, EXISTING AND PROPOSED INFORMATION SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR WORK HAVING TO BE REDONE DUE TO INFORMATION SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
6. DIMENSIONS SHOWN ARE TO FACE OF CURB, CENTER OF STRUCTURE, EDGE OF SIDEWALK OR EXTERIOR OF BUILDING.
7. ALL CONCRETE SIDEWALK ADJACENT TO BUILDING SHALL BE SEPARATED BY A 1/2" EXPANSION JOINT.
8. PROTECT EXISTING CONCRETE SIDEWALKS DURING ALL PHASES OF CONSTRUCTION. CONTRACTOR TO REPLACE ANY CRACKED OR BROKEN PANELS CAUSED BY SITE CONSTRUCTION.
9. CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL & DISPOSAL OF THE EXISTING BITUMINOUS. BITUMINOUS SHALL BE SAW CUT OR JACK HAMMERED FOR STRAIGHT EDGES. TACK SHALL BE USED ON BITUMINOUS EDGE PRIOR TO PATCHING. MATCH EXISTING GRADES.
10. CONTRACTOR SHALL PROTECT ADJOINING PROPERTIES & STRUCTURES FROM HAZARDS ASSOCIATED WITH HIS CONSTRUCTION ACTIVITIES & SHALL BE RESPONSIBLE FOR ALL DAMAGES TO PROPERTIES & STRUCTURES THAT OCCUR AS A RESULT OF THESE ACTIVITIES.
11. CONTRACTOR SHALL NOT IMPEDE EXISTING TRAFFIC CIRCULATION TO ADJACENT BUSINESSES. PROVIDE TRAFFIC CONTROL DURING CONSTRUCTION PER MNDOT STANDARDS.
12. CONTRACTOR SHALL PERFORM SWEEPING ON PRIVATE PARKING AREAS AND PUBLIC STREETS AT LEAST ONCE A WEEK, ONCE A DAY IF NEEDED.
13. CONTRACTOR SHALL BE HELD FULLY RESPONSIBLE TO PREVENT AND ELIMINATE ANY DUST NUISANCE OCCASIONED BY AND DURING CONSTRUCTION, UNTIL THE PROJECT HAS BEEN COMPLETED AND HANDED OVER.
14. REFER TO ARCHITECTURAL DRAWINGS FOR CONCRETE STOOPS ADJACENT TO PROPOSED BUILDING.
15. CONTINUOUS CONCRETE CURB & GUTTER WHICH CHANGES TYPE SHALL HAVE A FIVE FOOT TRANSITION.
16. ALL CONCRETE CURB AND GUTTER ADJACENT TO CONCRETE WALK SHALL BE SEPARATED BY A 1/2 INCH EXPANSION JOINT.
17. PARKING LOT STRIPING SHALL BE 4 INCH WHITE.
18. ALL WORK WITHIN THE R.O.W. STALL COMPLY WITH THE CITY OF EAGAN ENGINEERING DESIGN STANDARDS.
19. ALL CURB AND GUTTER TO BE CONCRETE B612 CURB UNLESS NOTED OTHERWISE.
20. CONCRETE APRONS TO BE INSTALLED FOR ALL ACCESS DRIVES ONTO PUBLIC STREETS PER CITY STANDARDS.
21. ALL CONCRETE PADS TO BE 3000 PSI AIR ENTRAINED 6" CONCRETE WITH #4 BARS @ 12" O.C. AND BROOM FINISHED.

SITE DATA:

EXISTING PARCEL AREA	175,384 S.F.	4.03 AC
PROPOSED LOT AREA	175,384 S.F.	4.03 AC

ZONING = C2 – COMMERCIAL
BUILDING COVERAGE = 63,900 S.F. / 175,384 S.F. = 36.43%
GREEN SPACE COVERAGE = 33,144 S.F. / 175,384 S.F. = 18.89% < 20% MIN
PARKING / IMPERVIOUS = 142,240 S.F./ 175,384 S.F. = 81.11% > 80% MAX

BUILDING SETBACK
FRONT = 50 FEET
REAR = 25 FEET
SIDE (ROW) = 25 FEET
SIDE = 25 FEET

PARKING SETBACK
FRONT = 15 FEET
REAR = 5 FEET
SIDE (ROW) = 15 FEET
SIDE = 15 FEET

PARKING DATA
REQUIRED
OFFICE = ±6,000 S.F. / 150 = 40 STALLS
WAREHOUSE = 57,900 S.F. AT 1/800 = 73 STALLS
TOTAL REQUIRED = = 113 STALLS

PROPOSED
PARKING PROVIDED = 117 STALLS

SITE PERMEABILITY:

EXISTING:		
SITE AREA =	175,384 S.F.	4.03 AC
PERVIOUS AREA =	33,060 S.F.	18.85%
IMPERVIOUS AREA =	142,324 S.F.	81.15%

PROPOSED:		
SITE AREA =	175,384 S.F.	4.03 AC
PERVIOUS AREA =	33,144 S.F.	18.89%
IMPERVIOUS AREA =	142,240 S.F.	81.11%

LEGEND:

- EXISTING CURB & GUTTER
- B612 CURB & GUTTER (EXCEPT IN ROW)
- CONSTRUCTION LIMITS
- PROPERTY LINE
- PREVIOUS RIGHT OF WAY
- BUILDING SETBACK
- PARKING SETBACK
- CONCRETE
- LIGHT DUTY BITUMINOUS
- HEAVY DUTY BITUMINOUS

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SITE PLAN

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

CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

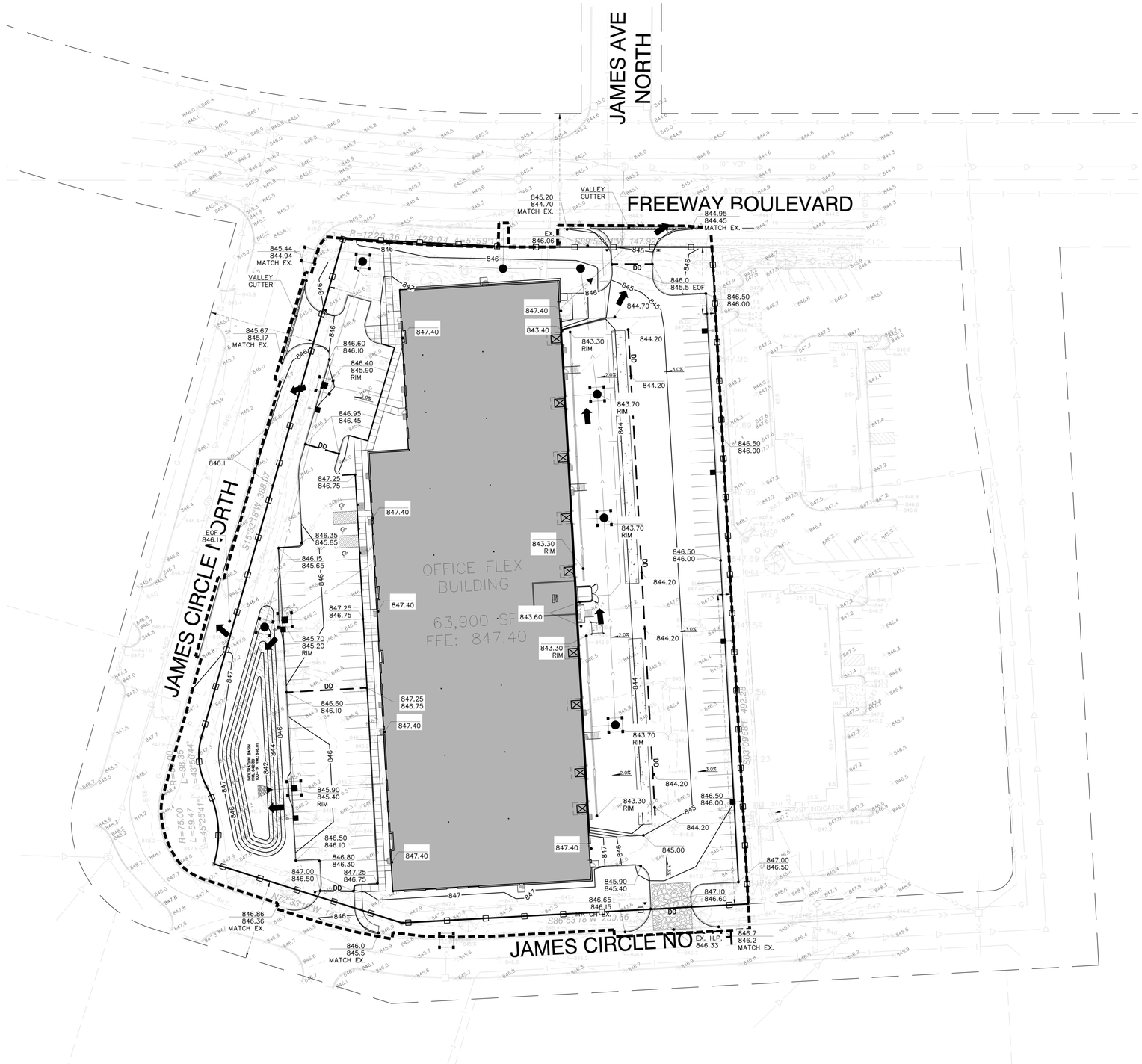
DATE	ISSUE
8-6-21	SITE PLAN REVIEW

PROJECT TEAM DATA
DESIGNED: MK
DRAWN: DBR
PROJECT NO: 21-0034

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SHEET 3 of 12

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GRADING NOTES:

1. ALL FINISHED GRADES SHALL SLOPE AWAY FROM PROPOSED BUILDINGS.
2. THE CONTRACTOR SHALL KEEP THE ADJACENT ROADWAYS FREE OF DEBRIS AND PREVENT THE OFF-SITE TRACKING OF SOIL IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY AND WATERSHED.
3. NOTIFY GOPHER STATE ONE CALL, AT (800)252-1166, 48 HOURS PRIOR TO START OF CONSTRUCTION.
4. ALL IMPROVEMENTS TO CONFORM WITH CITY OF BROOKLYN CENTER CONSTRUCTION STANDARDS SPECIFICATION, LATEST EDITION.
5. ROCK CONSTRUCTION ENTRANCES SHALL BE PROVIDED AT ALL CONSTRUCTION ACCESS POINTS.
6. REFER TO GEOTECHNICAL REPORT AND PROJECT MANUAL, FOR SOIL CORRECTION REQUIREMENTS AND TESTING REQUIREMENTS.
7. STRIP TOPSOIL PRIOR TO ANY CONSTRUCTION. REUSE STOCKPILE ON SITE. STOCKPILE PERIMETERS MUST BE PROTECTED WITH SILT FENCE.
8. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
9. IMMEDIATELY FOLLOWING GRADING OF (3:1 OR GREATER) SIDE SLOPES AND DRAINAGE SWALES, WOOD FIBER BLANKET OR OTHER APPROVED SOIL STABILIZING METHOD (APPROVED BY ENGINEER) SHALL BE APPLIED OVER APPROVED SEED MIXTURE AND A MINIMUM OF 4" TOPSOIL.
10. THE GENERAL CONTRACTOR MUST DISCUSS DEWATERING PLANS WITH ALL SUBCONTRACTORS TO VERIFY NPDES REQUIREMENTS. IF DEWATERING IS REQUIRED DURING CONSTRUCTION, CONTRACTOR SHOULD CONSULT WITH EROSION CONTROL INSPECTOR AND ENGINEER TO DETERMINE APPROPRIATE METHOD. REFER TO DEWATERING NOTES SHEET C-4.2
11. REFER TO STORMWATER POLLUTION PREVENTION PLAN (SWPPP) FOR ALL EROSION AND SEDIMENT CONTROL DEVICE LOCATION, DESCRIPTIONS, NOTES AND DETAILS INCLUDING CONCRETE WASHOUT STATION INSTRUCTIONS.
12. BUILDING PERMITS ARE REQUIRED FOR ALL RETAINING WALLS 4 FEET IN HEIGHT OR GREATER AND THE WALLS SHALL BE DESIGNED BY A STRUCTURAL ENGINEER WITH DESIGN REVIEWED AND APPROVED BY THE CITY PRIOR TO INSTALLATION.
13. "CONTACT CITY OF BROOKLYN CENTER WATER RESOURCES STAFF MINIMUM OF 24-HOURS PRIOR TO EXCAVATION OF STORMWATER BASINS TO ARRANGE INSPECTIONS AT CRITICAL STEPS DURING CONSTRUCTION ACTIVITIES OF STORMWATER TREATMENT FEATURES. CITY CONTACT: STEVEN LILLEHAUG - 763-569-3340 OR PUBLICWORKS@CI.BROOKLYN-CENTER.MN.US"

TOTAL DISTURBED AREA
4.03 AC

LEGEND:

- 886 — PROPOSED CONTOUR
- 886 — EXISTING CONTOUR
- DD — DRAINAGE DIVIDE
- 900.20 / 899.70 — TOP OF CURB FLOW LINE
- 2.00% — DRAINAGE DIRECTION ARROW
- FFE — FINISHED FLOOR ELEVATION
- PRE SILT FENCE
- INLET PROTECTION
- EROSION CONTROL BLANKET
- ROCK CONSTRUCTION ENTRANCE
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- PROPOSED SANITARY SEWER
- PROPOSED WATER
- CONSTRUCTION LIMITS

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GRADING AND EROSION CONTROL PLAN

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

CLARK WICKLUND, PE

Date License No.

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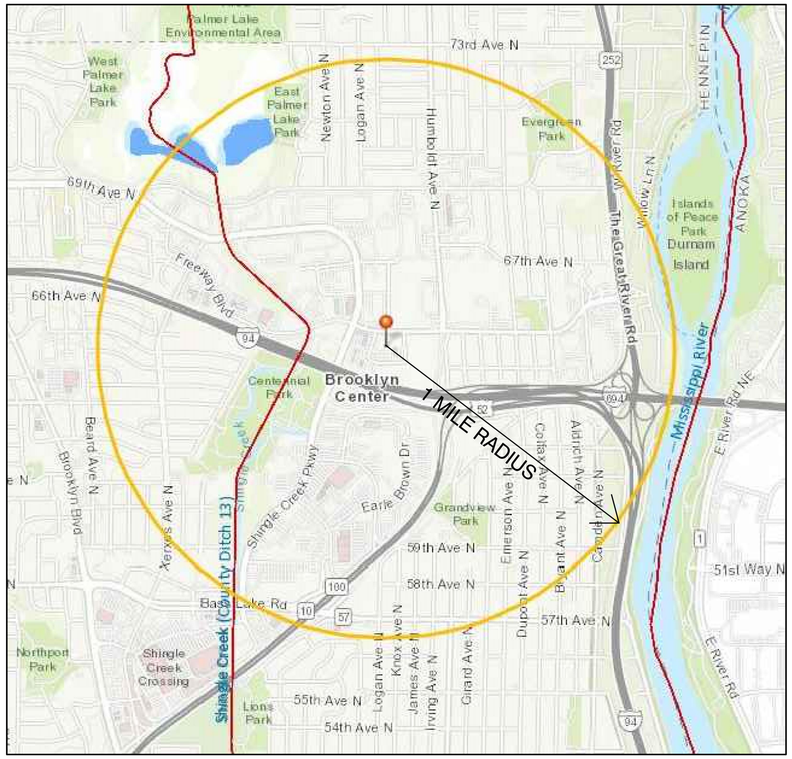
PROJECT TEAM DATA
DESIGNED: MK
DRAWN: DBR
PROJECT NO: 21-0034

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SHEET 4 of 12

Drawing name: X:\2021\210034\plan sheets\210034grade.dwg Aug 06, 2021 - 2:11pm

USGS TOPOGRAPHICAL MAP



IMPAIRED WATER SPECIAL REQUIREMENT:

SHINGLE CREEK IS CLASSIFIED AS AN IMPAIRED WATER. THUS, THE FOLLOWING REQUIREMENTS APPLY FOR THIS PROJECT:

23.9.

PERMITTEES MUST IMMEDIATELY INITIATE STABILIZATION OF EXPOSED SOIL AREAS, AS DESCRIBED IN ITEM 8.4, AND COMPLETE THE STABILIZATION WITHIN SEVEN (7) CALENDAR DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE TEMPORARILY OR PERMANENTLY CEASES.

23.10.

PERMITTEES MUST PROVIDE A TEMPORARY SEDIMENT BASIN AS DESCRIBED IN SECTION 14 FOR COMMON DRAINAGE LOCATIONS THAT SERVE AN AREA WITH FIVE (5) OR MORE ACRES DISTURBED AT ONE TIME.

ALSO, A MANDATORY STORMWATER POLLUTION PREVENTION PLAN (SWPPP) REVIEW IS REQUIRED BY THE MPCA IF THE PROJECT WILL DISTURB OVER 50 ACRES AND HAS A DISCHARGE POINT ON THE PROJECT WITHIN 1 MILE (AERIAL RADIUS MEASUREMENT) OF, AND FLOWS TO THE IMPAIRED WATER. OWNERS MUST SUBMIT THE APPLICATION FOR COVERAGE AND THE SWPPP AT LEAST 30-DAYS BEFORE THE CONSTRUCTION START DATE. THE SWPPP CAN BE ATTACHED ELECTRONICALLY WHEN USING THE ONLINE APPLICATION.

PERMANENT BMP DESCRIPTION:

PROPOSED BMPS ONSITE WILL CONSIST OF ONE INFILTRATION BASINS. THE SITE WILL DRAIN TO IT VIA PROPOSED STORM SEWER NETWORK AND SITE OVERFLOWS TO EXISTING PUBLIC STORM SEWER STUB/NETWORK

DISTURBED AREA/ IMPERVIOUS SUMMARY:

DISTURBED AREA	4.03 AC
EXISTING IMPERVIOUS	3.43 AC
PROPOSED IMPERVIOUS	3.18 AC
NET CHANGE IMPERVIOUS	−0.25 AC

SWPPP BMP QUANTITIES (APPROXIMATE):

SILT FENCE	2,040 LF
INLET PROTECTION	10 EA
ROCK CONSTRUCTION ENTRANCE	1 EA
EROSION CONTROL BLANKET	4,200 SF

WEB SOIL SURVEY MAP



WEB SOIL SURVEY LEGEND

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
D17A	Duelm loamy sand, 0 to 2 percent slopes	0.0	0.1%
D20A	Isan-Isan, frequently ponded, complex, 0 to 2 percent slopes	0.0	0.2%
D67A	Hubbard loamy sand, 0 to 2 percent slopes	0.0	0.6%
U1A	Urban land-Udorthents, wet substratum, complex, 0 to 2 percent slopes	2.0	29.5%
U4A	Urban land-Udipsamments (cut and fill land) complex, 0 to 2 percent slopes	4.7	69.7%
Totals for Area of Interest		**6.8**	**100.0%**

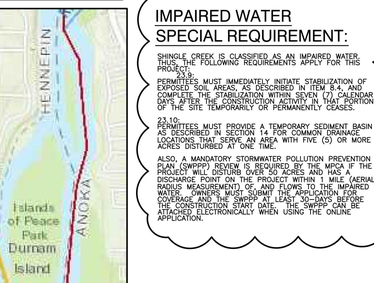
ACTIVE SWPPP LEGEND

CONSTRUCTION SEQUENCE	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR
MULCH BERM													
FIBER ROLLS / MULCH SOCKS													
SILT FENCE													
TEMPORARY MULCH COVER													
TEMPORARY HYDROMULCH													
EROSION CONTROL BLANKET													
ROCK DRIVEWAY / ROCK PADS													
INLET PROTECTION DEVICES													
PAVEMENT (DRIVEWAY/ROADS)													
SOD													
STOCKPILES													

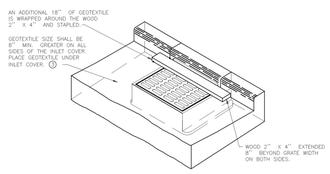
NOTE: CONTRACTOR, GENERAL CONTRACTOR OR SWPPP INSPECTOR TO COMPLETE TABLE AS GRADING PROGRESSES

CONTRACTOR IS RESPONSIBLE FOR REMOVAL OF ALL EROSION CONTROL MATERIALS FOLLOWING TURF ESTABLISHMENT

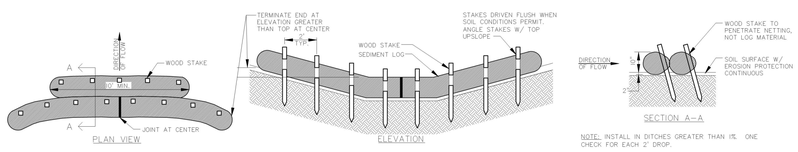
1 SILT FENCE
NOT TO SCALE



2 INLET PROTECTION SEDIMENT FILTER SACK
NOT TO SCALE



3 GEOTEXTILE FILTER AT STREET INLET WITH CURB BOX (SILT SACK)
NOT TO SCALE



NOTE: INSTALL IN DITCHES GREATER THAN 1%. ONE CHECK FOR EACH 2' DROP.

4 TEMPORARY DITCH CHECK USING SEDIMENT LOG
NOT TO SCALE

SWPPP DESIGNER CERTIFICATION:

UNIVERSITY OF MINNESOTA **Daniel M. Sjoblom** Design of Construction SWPPP (May 31 2021)	***Erosion and Stormwater Management*** The bearer of this card has been tested and is certified in the area(s) shown on the reverse of this card. Certification expiration dates appear after each certification area. Gary Sands, Head Department of Bioproducts and Biosystems Engineering University of Minnesota http://www.erosion.umn.edu Card Issued: 6/1/2019

EROSION CONTROL RESPONSIBLE PARTIES:

PROPERTY OWNER:

SWPPP INSPECTION:
TBD

ENGINEER:
CLARK WICKLUND, PE
ALLIANT ENGINEERING, INC.
733 MARQUETTE AVENUE, SUITE 700
MINNEAPOLIS, MN 55402
cwicklund@alliant-inc.com
612-758.3080

CONTRACTOR:
TBD

SWPPP BMP'S

SEDIMENT BARRIERS
1. SILT FENCE (MnDOT 3886)
2. CURB LOG
3. ROCK WEEPER
4. SEDIMENT LOGS

INLET PROTECTION DEVICES
1. WIMCO (MnDOT TYPE A & C)
2. INFRASAFE STORM DRAIN/CULVERT

ANTI-TRACKING CONTROL
1. 2" CRUSHED CLEAR, CLEAN ROCK (LAND DEVELOPMENT)

TEMPORARY SEED MIX
1. MN STATE SEED MIX 21-112 (WINTER WHEAT COVER CROP)
2. MN STATE SEED MIX 22-111 (OATS COVER CROP)

PERMANENT SEED MIX/STABILIZATION
1. MN STATE SEED MIX 25-151 (RESIDENTIAL TURF)
2. SOD

STABILIZATION BMP'S
1. EROSION CONTROL BLANKET MnDOT CATEGORY 3

811 Know what's below. Call before you dig. Dial 811

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STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

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

CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

DATE	ISSUE
8-6-21	SITE PLAN REVIEW

PROJECT TEAM DATA

DESIGNED:	MK
DRAWN:	DBR
PROJECT NO:	21-0034

C-4.0

SHEET 5 of 12

Drawing name: X:\2021\210034\plan sheets\210034swppp.dwg Aug 06, 2021 - 2:11pm

EROSION CONTROL GENERAL NOTES:

1. NO LAND DISTURBING ACTIVITY SHALL OCCUR UNTIL A GRADING PERMIT HAS BEEN ISSUED FROM THE CITY OF BROOKLYN CENTER AND THE WATERSHED DISTRICT.
2. BEST MANAGEMENT PRACTICES (BMP'S) REFER TO EROSION AND SEDIMENT CONTROL PRACTICES DEFINED IN THE MPCA PROTECTING WATER QUALITY IN URBAN AREAS AND THE MINNESOTA CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL PLANNING HANDBOOK.
3. ALL BMP'S SELECTED SHALL BE APPROPRIATE FOR THE TIME OF YEAR, SITE CONDITIONS, AND ESTIMATED DURATION OF USE.
4. CONTACT CITY OF BROOKLYN CENTER FOR SWPPP INSPECTIONS IF CITY REQUIRES CITY INSPECTIONS
5. ALL WORK AND MATERIALS SHALL BE CONSTRUCTED ACCORDING TO THE APPROVED PLANS. ANY DEVIATION FROM THE APPROVED PLANS SHALL REQUIRE WRITTEN APPROVAL FROM THE ENGINEER OF RECORD.
6. A COPY OF THESE PLANS MUST BE ON THE JOB SITE WHENEVER CONSTRUCTION IS IN PROGRESS.
7. THE BOUNDARIES OF THE LAND DISTURBANCE LIMITS SHOWN ON THE PLANS SHALL BE CLEARLY FLAGGED IN THE FIELD PRIOR TO CONSTRUCTION. NO DISTURBANCE BEYOND THE DISTURBED LIMITS.
8. WHEREVER POSSIBLE, PRESERVE THE EXISTING TREES, GRASS AND OTHER VEGETATIVE COVER TO HELP FILTER RUNOFF.
9. ESTABLISH A PERMANENT VEGETATIVE COVER ON ALL EXPOSED SOILS WHERE LAND IS COMING OUT OF AGRICULTURAL PRODUCTION. PLANT AS SOON AS POSSIBLE TO ESTABLISH DENSE GRASS FILTER PRIOR TO CONSTRUCTION AND TO MINIMIZE WEED GROWTH.
10. ALL TREES NOT LISTED FOR REMOVAL SHALL BE PROTECTED. DO NOT OPERATE EQUIPMENT WITHIN THE DRIPLINE, ROOT ZONES OR WITHIN TREE PROTECTION FENCE AREAS.
11. ALL EROSION AND SEDIMENT CONTROL FACILITIES (BMP'S) SHALL BE INSTALLED AND IN OPERATION PRIOR TO LAND DISTURBANCE ACTIVITIES AND THEY SHALL BE SATISFACTORILY MAINTAINED UNTIL CONSTRUCTION IS COMPLETED AND THE POTENTIAL FOR EROSION HAS PASSED.
12. SILT FENCE IS REQUIRED AT DOWN GRADIENT PERIMETER OF DISTURBED AREAS AND STOCKPILES. PROTECT ADJACENT WATERBODIES AND ADJACENT PROPERTIES FROM SEDIMENTATION AND STORMWATER RUNOFF.
13. THE BMP'S SHOWN ON THE PLANS ARE THE MINIMUM REQUIREMENTS FOR THE ANTICIPATED SITE CONDITIONS. AS CONSTRUCTION PROGRESSES AND UNEXPECTED OR SEASONAL CONDITIONS DICTATE, THE PERMITTEE/CONTRACTOR SHALL ANTICIPATE THAT MORE BMP'S WILL BE NECESSARY TO ENSURE EROSION AND SEDIMENT CONTROL ON THE SITE. DURING THE COURSE OF CONSTRUCTION, IT IS THE RESPONSIBILITY OF THE PERMITTEE/CONTRACTOR TO ADDRESS ANY NEW CONDITIONS THAT MAY BE CREATED BY CONSTRUCTION ACTIVITIES AND/OR CLIMATIC EVENTS AND TO PROVIDE ADDITIONAL BMP'S OVER AND ABOVE THE MINIMUM REQUIREMENTS SHOWN ON THE PLANS, AS MAY BE NEEDED TO PROVIDE EFFECTIVE PROTECTION OF WATER AND SOIL RESOURCES.
14. THE BMP'S SHALL BE INSPECTED DAILY BY THE PERMITTEE/CONTRACTOR AND MAINTAINED AS NECESSARY TO ENSURE THEIR CONTINUED FUNCTIONING. SILT FENCES CLEANED OR REPLACED AT SEDIMENT BUILDUP OF 1/3 OF THE FENCE HEIGHT.
15. LAND DISTURBING ACTIVITIES SHALL OCCUR IN INCREMENTS OF WORKABLE SIZE SUCH THAT ADEQUATE BMP CONTROL CAN BE PROVIDED THROUGHOUT ALL PHASES OF CONSTRUCTION. THE SMALLEST PRACTICAL AREA SHALL BE EXPOSED OR OTHERWISE DISTURBED AT ANY ONE TIME.
16. OPERATE TRACK EQUIPMENT (DOZER) UP AND DOWN EXPOSED SOIL SLOPES ON FINAL PASS, LEAVING TRACK GROOVES PERPENDICULAR TO THE SLOPE. DO NOT BACK-BLADE. LEAVE A SURFACE ROUGH TO MINIMIZE EROSION.
17. ALL ON SITE SOILS DISTURBED BY CONSTRUCTION SHALL BE STABILIZED FROM EROSION, INCLUDING STOCKPILES, WITHIN 14 CALENDAR DAYS IF CONSTRUCTION ACTIVITY WITHIN THOSE AREAS HAS PERMANENTLY OR TEMPORARILY CEASED. TEMPORARY SEED AND MULCH SHALL COVER ALL EXPOSED SOILS IF LAND DISTURBANCE IS DELAYED LONGER THAN 7-DAYS. PERMANENT SEED AND MULCH/ SOD IS REQUIRED WITHIN 3 DAYS OF COMPLETION OF FINAL GRADING AND SOIL AMENDMENTS.
18. GENERAL TEMPORARY SEED SHALL BE MN STATE SEED MIX 22-112 @ 40 LBS. PER ACRE OR APPROVED EQUAL. PERMANENT SEED SHALL BE MN STATE SEED MIX 25-151 @ 120 LBS. PER ACRE OR APPROVED EQUAL. (PLANTING DATES PER MNDOT SEED MIX MANUAL) MULCH SHALL BE MNDOT TYPE 1 (CLEAN OAT STRAW) @ 2 TONS PER ACRE AND DISK ANCHORED IN PLACE OR APPROVED EQUAL. FERTILIZER SHALL BE 10-10-10 NPK PER ACRE (UNLESS P RESTRICTIONS APPLY) AND INCORPORATED INTO THE SEED BED.
19. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE PROPERLY DISPOSED OF WITHIN THIRTY (30) DAYS AFTER FINAL SITE STABILIZATION IS ACHIEVED OR AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED.
20. ALL CONSTRUCTION SITE WASTE SUCH AS DISCARDED BUILDING MATERIALS, CONCRETE TRUCK WASHOUT, CHEMICALS, LITTER, AND SANITARY WASTE MUST BE PROPERLY MANAGED AND COMPLY WITH THE MPCA, CITY OF BROOKLYN CENTER, AND WATERSHED DISTRICT RULES AND REQUIREMENTS.

DEWATERING:

1. IF UTILITY INSTALLATION WORK ENCOUNTERS GROUNDWATER, THE CONTRACTOR SHALL PROVIDE A PLAN TO THE CITY AND PROJECT ENGINEER FOR REVIEW. THE PLAN MUST BE SUBMITTED TO THE CITY FOR APPROVAL AT LEAST 10 DAYS PRIOR TO DISCHARGING INTO RECEIVING WATERS. THE PLAN AT MINIMUM SHALL INCLUDING A DEWATERING SYSTEM, WATER ROUTING, STORAGE, AND DISCHARGE LOCATION. THE DEWATERING PLAN MUST ENSURE THAT DISCHARGE WATER IS FREE OF SEDIMENT AND TURBID WATER IN ACCORDANCE WITH STATE AND LOCAL PERMIT REQUIREMENTS.
2. IF ANY TEMPORARY DEWATERING IS REQUIRED ONSITE THE CONTRACTOR SHALL DISPOSE OF STORMWATER OR GROUND WATER BY USE OF PUMPS AND HOSES TO ACCEPTABLE DISCHARGE POINTS APPROVED BY THE CITY AND PROJECT ENGINEER.
3. ANY ACCUMULATED SEDIMENT ALONG EXISTING CURB AND GUTTER THAT HAS COLLECTED AS A RESULT OF DISCHARGING DEWATERING HOSES SHALL BE IMMEDIATELY REMOVED AND PROPERLY DISPOSED OF AFTER EACH DISCHARGING EVENT.
4. NOTIFY AND RECEIVE APPROVAL FROM CITY OF BROOKLYN CENTER PRIOR TO ANY DEWATERING OF SITE.

EROSION CONTROL SCHEDULE:

1. PRIOR TO ANY CONSTRUCTION OR DEMOLITION, SILT FENCE, FILTERS, AND CONSTRUCTION ENTRANCES SHALL BE INSTALLED AND INSPECTED BY CITY STAFF.

2. CONTRACTOR SHALL INSTALL EROSION CONTROL DEVICES AS INDICATED ON THIS EROSION CONTROL PLAN AND ANY ADDITIONAL REQUIRED BASED ON MEANS, METHODS AND SEQUENCES OF CONSTRUCTION.

3. ALL EROSION CONTROL INSTALLATIONS SHALL REMAIN IN PLACE AND BE MAINTAINED IN GOOD CONDITION BY THE CONTRACTOR UNTIL THE SITE HAS BEEN RE-VEGETATED. CONTRACTOR MAY REMOVE NECESSARY SILT FENCING/FILTERS TO CONSTRUCT ROADWAYS, WHILE MAINTAINING ADEQUATE EROSION CONTROL IN ADJACENT AREA.

4. SUFFICIENT TOPSOIL SHALL BE STOCKPILED TO ALLOW FOR THE REPLACEMENT OF 6" OF TOPSOIL FOR DISTURBED AREAS TO BE RE-VEGETATED.

5. SOIL COMPACTION SHALL BE MINIMIZED IN PROPOSED PERVIOUS AREAS ONSITE AND AVOID ALTOGETHER IN PROPOSED INFILTRATION BASINS. SOIL SURFACES IN PROPOSED PERVIOUS AREAS COMPACTED DURING CONSTRUCTION SHALL BE DECOMPACTED THROUGH SOIL AMENDMENT OR DEEP RIPPING TO AN 18" DEPTH.

6. THE CONTRACTOR SHALL SCHEDULE SITE GRADING, UTILITY INSTALLATION AND PAVEMENT CONSTRUCTION SO THAT THE GENERAL SITE CAN BE MULCHED AND RE-SEEDED SOON AFTER DISTURBANCE. AREAS THAT WILL NOT BE SUBJECT TO CONSTRUCTION TRAFFIC SHALL BE SEEDED (MN STATE SEED MIX 22-112 @ 40 LBS/AC AND MULCHED OR SODDED WITHIN SEVEN (7) DAYS OF BEING DISTURBED.

SEDIMENT CONTROL PRACTICES

1. THE CONTRACTOR MUST EMPLOY SEDIMENT CONTROL PRACTICES AS NECESSARY TO MINIMIZE SEDIMENT FROM ENTERING SURFACE WATERS, INCLUDING CURB AND GUTTER SYSTEMS AND STORM SEWER INLETS.
   a. TEMPORARY OR PERMANENT DRAINAGE DITCHES AND SEDIMENT BASINS THAT ARE DESIGNED AS PART OF A SEDIMENT CONTAINMENT SYSTEM (E.G., DITCHES WITH ROCK-CHECK DAMS) REQUIRE SEDIMENT CONTROL PRACTICES ONLY AS APPROPRIATE FOR SITE CONDITIONS.
   b. IF THE DOWN GRADIENT SEDIMENT CONTROLS ARE OVERLOADED (BASED ON FREQUENT FAILURE OR EXCESSIVE MAINTENANCE REQUIREMENT), THE CONTRACTOR MUST INSTALL ADDITIONAL UPGRADIENT SEDIMENT CONTROL PRACTICES OR REDUNDANT BMPS TO ELIMINATE THE OVERLOADING, AND THE SWPPP MUST BE AMENDED TO IDENTIFY THESE ADDITIONAL PRACTICES AS REQUIRED IN PART III.B 1.-3.
2. SEDIMENT CONTROL PRACTICES MUST BE ESTABLISHED ON ALL DOWN GRADIENT PERIMETERS AND BE LOCATED UPGRADIENT OF ANY BUFFER ZONES. THE PERIMETER SEDIMENT CONTROL PRACTICE MUST BE IN PLACE BEFORE ANY UPGRADIENT LAND DISTURBING ACTIVITIES BEGIN. THESE PRACTICES SHALL REMAIN IN PLACE UNTIL FINAL STABILIZATION HAS BEEN ESTABLISHED IN ACCORDANCE WITH PART IV.G. A FLOATING SILT CURTAIN PLACED IN THE WATER IS NOT A SEDIMENT CONTROL BMP TO SATISFY PERIMETER CONTROL REQUIREMENTS IN THIS PART EXCEPT WHEN WORKING ON A SHORELINE AND BELOW THE WATERLINE. IN THOSE CASES, A FLOATING SILT CURTAIN CAN BE USED AS A PERIMETER CONTROL PRACTICE IF THE FLOATING SILT CURTAIN IS INSTALLED AS CLOSE TO SHORE AS POSSIBLE. IMMEDIATELY AFTER THE SHORT TERM CONSTRUCTION ACTIVITY (E.G. INSTALLATION OF RIP RAP ALONG THE SHORELINE) IN THAT AREA IS COMPLETE, AN UPLAND PERIMETER CONTROL PRACTICE MUST BE INSTALLED IF EXPOSED SOILS STILL DRAIN TO THE SURFACE WATER.
3. THE CONTRACTOR SHALL RE-INSTALL ALL SEDIMENT CONTROL PRACTICES THAT HAVE BEEN ADJUSTED OR REMOVED TO ACCOMMODATE SHORT-TERM ACTIVITIES SUCH AS CLEARING OR GRUBBING, OR PASSAGE OF VEHICLES, IMMEDIATELY AFTER THE SHORT-TERM ACTIVITY HAS BEEN COMPLETED. THE CONTRACTOR SHALL COMPLETE ANY SHORT-TERM ACTIVITY THAT REQUIRES REMOVAL OF SEDIMENT CONTROL PRACTICES AS QUICKLY AS POSSIBLE. THE CONTRACTOR MUST RE-INSTALL SEDIMENT CONTROL PRACTICES BEFORE THE NEXT PRECIPITATION EVENT EVEN IF THE SHORT-TERM ACTIVITY IS NOT COMPLETE.
4. THE CITY OF BROOKLYN CENTER REQUIRES ALL DOWN GRADIENT CATCH BASINS TO HAVE A RIGID FRAMED INLET PROTECTION DEVICE INSTALLED ALL YEAR UNLESS FLOODING HAS BEEN IDENTIFIED OR THE UPGRADIENT SOILS HAVE ACHIEVED FINAL STABILIZATION. IN THE EVENT OF FLOODING AN ALTERNATIVE PROTECTION WILL BE REQUIRED TO BE IMPLEMENTED.
5. TEMPORARY SOIL STOCKPILES MUST HAVE SILT FENCE OR OTHER EFFECTIVE SEDIMENT CONTROLS, AND CANNOT BE PLACED IN ANY NATURAL BUFFERS OR SURFACE WATERS, INCLUDING STORMWATER CONVEYANCES SUCH AS CURB AND GUTTER SYSTEMS, OR CONDUITS AND DITCHES UNLESS THERE IS A BYPASS IN PLACE FOR THE STORMWATER.
6. WHERE VEHICLE TRAFFIC LEAVES ANY PART OF THE SITE (OR ONTO PAVED ROADS WITHIN THE SITE):
   a. THE CONTRACTOR MUST INSTALL A VEHICLE TRACKING BMP TO MINIMIZE THE TRACK OUT OF SEDIMENT FROM THE CONSTRUCTION SITE. EXAMPLES OF VEHICLE TRACKING BMPS INCLUDE (BUT ARE NOT LIMITED TO) ROCK PADS, MUD MATS, SLASH MULCH, CONCRETE OR STEEL WASH RACKS, OR EQUIVALENT SYSTEMS.
   b. THE CONTRACTOR MUST USE STREET SWEEPING IF SUCH VEHICLE TRACKING BMPS ARE NOT ADEQUATE TO PREVENT SEDIMENT FROM BEING TRACKED ONTO THE STREET (SEE PART IV.E.5.D.).
7. THE CONTRACTOR MUST INSTALL TEMPORARY SEDIMENTATION BASINS AS REQUIRED IN PART III.C. OF THIS PERMIT.
8. THE CONTRACTOR MUST MINIMIZE SOIL COMPACTION AND, UNLESS INFEASIBLE, PRESERVE TOPSOIL. MINIMIZING SOIL COMPACTION IS NOT REQUIRED WHERE THE FUNCTION OF A SPECIFIC AREA OF THE SITE DICTATES THAT IT BE COMPACTED.
9. THE CONTRACTOR MUST PRESERVE A 50 FOOT NATURAL BUFFER OR (IF A BUFFER IS INFEASIBLE ON THE SITE) PROVIDE REDUNDANT SEDIMENT CONTROLS WHEN A SURFACE WATER IS LOCATED WITHIN 50 FEET OF THE PROJECT'S EARTH DISTURBANCES AND STORMWATER FLOWS TO THE SURFACE WATER. NATURAL BUFFERS ARE NOT REQUIRED ADJACENT TO ROAD DITCHES, JUDICIAL DITCHES, COUNTY DITCHES, STORMWATER CONVEYANCE CHANNELS, STORM DRAIN INLETS, AND SEDIMENT BASINS. THE CONTRACTOR IS/ARE NOT REQUIRED TO ENHANCE THE QUALITY OF THE VEGETATION THAT ALREADY EXISTS IN THE BUFFER OR PROVIDE VEGETATION IF NONE EXIST. HOWEVER, CONTRACTOR CAN IMPROVE THE NATURAL BUFFER WITH VEGETATION.
10. IF THE CONTRACTOR INTEND TO USE POLYMERS, FLOCCULANTS, OR OTHER SEDIMENTATION TREATMENT CHEMICALS ON THE PROJECT SITE, THE CONTRACTOR MUST COMPLY WITH THE FOLLOWING MINIMUM REQUIREMENTS:
    a. THE CONTRACTOR MUST USE CONVENTIONAL EROSION AND SEDIMENT CONTROLS PRIOR TO CHEMICAL ADDITION TO ENSURE EFFECTIVE TREATMENT. CHEMICALS MAY ONLY BE APPLIED WHERE TREATED STORMWATER IS DIRECTED TO A SEDIMENT CONTROL SYSTEM WHICH ALLOWS FOR FILTRATION OR SETTLEMENT OF THE FLOC PRIOR TO DISCHARGE.
    b. CHEMICALS MUST BE SELECTED THAT ARE APPROPRIATELY SUITED TO THE TYPES OF SOILS LIKELY TO BE EXPOSED DURING CONSTRUCTION, AND TO THE EXPECTED TURBIDITY, PH, AND FLOW RATE OF STORMWATER FLOWING INTO THE CHEMICAL TREATMENT SYSTEM OR AREA.
    c. CHEMICALS MUST BE USED IN ACCORDANCE WITH ACCEPTED ENGINEERING PRACTICES, AND WITH DOSING SPECIFICATIONS AND SEDIMENT REMOVAL DESIGN SPECIFICATIONS PROVIDED BY THE MANUFACTURER OR PROVIDER/SUPPLIER OF THE APPLICABLE CHEMICALS.

WINTER STABLIZATION:

GRADING CONTRACTOR REQUIREMENTS IN THE CASE WHERE THE ONSET OF WINTER DOES NOT ALLOW FOR COMPLETION OF MASS GRADING AND FINAL SOIL STABILIZATION IN THE FALL:

1. MASS GRADING ACTIVITIES SHALL BE PLANNED AND PHASED IN A MANNER TO AVOID ANY UNNECESSARY SOIL DISTURBANCE PRIOR TO WINTER SHUT DOWN.
2. ALL FINAL GRADED AREAS SHALL BE STABILIZED PERMANENTLY BY GRADING CONTRACTOR WITH SEEDING, MULCHING, BLANKET, ETC. IN ACCORDANCE WITH PLANS PRIOR TO CONTRACTOR LEAVING THE SITE AT WINTER SHUT DOWN.
3. THE GRADING CONTRACTOR IS RESPONSIBLE TO ENSURE THAT ALL TEMPORARY OR INCOMPLETE GRADING AREAS INCLUDING ALL STOCKPILES ARE STABILIZED WITH TEMPORARY SEEDING (MN STATE SEED MIX 22-112 @ 40/AC, MULCH (MNDOT TYPE 1) BEFORE LEAVING THE SITE AT WINTER SHUT DOWN.
4. ALL SIGNIFICANT DRAINAGE SWALES (TEMPORARY OR PERMANENT) SHALL BE STABILIZED WITH MNDOT CATEGORY 3 EROSION CONTROL BLANKET BY GRADING CONTRACTOR PRIOR TO LEAVING THE SITE AT WINTER SHUT DOWN.

INSPECTIONS AND MAINTENANCE

1. THE CONTRACTOR MUST ENSURE THAT A TRAINED PERSON (AS IDENTIFIED IN PART III.A.3.A.) WILL ROUTINELY INSPECT THE ENTIRE CONSTRUCTION SITE AT LEAST ONCE EVERY SEVEN (7) DAYS DURING ACTIVE CONSTRUCTION AND WITHIN 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 0.5 INCHES IN 24 HOURS. FOLLOWING AN INSPECTION THAT OCCURS WITHIN 24 HOURS AFTER A RAINFALL EVENT, THE NEXT INSPECTION MUST BE CONDUCTED WITHIN SEVEN (7) DAYS AFTER THE RAINFALL EVENT.

2. ALL INSPECTIONS AND MAINTENANCE CONDUCTED DURING CONSTRUCTION MUST BE RECORDED WITHIN 24 HOURS IN WRITING AND THESE RECORDS MUST BE RETAINED WITH THE SWPPP IN ACCORDANCE WITH PART III.E. RECORDS OF EACH INSPECTION AND MAINTENANCE ACTIVITY SHALL INCLUDE:
   a. DATE AND TIME OF INSPECTIONS
   b. NAME OF PERSON(S) CONDUCTING INSPECTIONS
   c. FINDINGS OF INSPECTIONS, INCLUDING THE SPECIFIC LOCATION WHERE CORRECTIVE ACTIONS ARE NEEDED
   d. CORRECTIVE ACTIONS TAKEN (INCLUDING DATES, TIMES, AND PARTY COMPLETING MAINTENANCE ACTIVITIES)
   e. DATE AND AMOUNT OF ALL RAINFALL EVENTS GREATER THAN 1/2 INCH (0.5 INCHES) IN 24 HOURS. RAINFALL AMOUNTS MUST BE OBTAINED BY A PROPERLY MAINTAINED RAIN GAUGE INSTALLED ONSITE, A WEATHER STATION THAT IS WITHIN 1 MILE OF YOUR LOCATION OR A WEATHER REPORTING SYSTEM THAT PROVIDES SITE SPECIFIC RAINFALL DATA FROM RADAR SUMMARIES.
   f. IF ANY DISCHARGE IS OBSERVED TO BE OCCURRING DURING THE INSPECTION, A RECORD OF ALL POINTS OF THE PROPERTY FROM WHICH THERE IS A DISCHARGE MUST BE MADE, AND THE DISCHARGE SHOULD BE DESCRIBED (I.E., COLOR, ODOR, FLOATING, SETTLED, OR SUSPENDED SOLIDS, FOAM, OIL SHEEN, AND OTHER OBVIOUS INDICATORS OF POLLUTANTS) AND PHOTOGRAPHED.
   g. ANY AMENDMENTS TO THE SWPPP PROPOSED AS A RESULT OF THE INSPECTION MUST BE DOCUMENTED AS REQUIRED IN PART III.B. WITHIN SEVEN (7) CALENDAR DAYS.
   h. SEND COMPLETED SWPPP INSPECTION REPORTS TO BROOKLEN CENTER
3. INSPECTION FREQUENCY ADJUSTMENT
   a. WHERE PARTS OF THE PROJECT SITE HAVE PERMANENT COVER, BUT WORK REMAINS ON OTHER PARTS OF THE SITE, THE CONTRACTOR MAY REDUCE INSPECTIONS OF THE AREAS WITH PERMANENT COVER TO ONCE PER MONTH, CONTRACTOR MAY REDUCE FREQUENCY UPON CITY APPROVAL.
   b. WHERE CONSTRUCTION SITES HAVE PERMANENT COVER ON ALL EXPOSED SOIL AREAS AND NO CONSTRUCTION ACTIVITY IS OCCURRING ANYWHERE ON THE SITE, THE SITE MUST BE INSPECTED DURING NON-FROZEN GROUND CONDITIONS AT LEAST ONCE PER MONTH FOR A PERIOD OF TWELVE (12) MONTHS. FOLLOWING THE TWELFTH MONTH OF PERMANENT COVER AND NO CONSTRUCTION ACTIVITY, INSPECTIONS MAY BE TERMINATED UNTIL CONSTRUCTION ACTIVITY IS ONCE AGAIN INITIATED UNLESS THE CONTRACTOR IS/ARE NOTIFIED IN WRITING BY THE MPCA THAT EROSION ISSUES HAVE BEEN DETECTED AT THE SITE AND INSPECTIONS NEED TO RESUME.
   c. WHERE WORK HAS BEEN SUSPENDED DUE TO FROZEN GROUND CONDITIONS, THE INSPECTIONS MAY BE SUSPENDED. THE REQUIRED INSPECTIONS AND MAINTENANCE SCHEDULE MUST BEGIN WITHIN 24 HOURS AFTER RUNOFF OCCURS AT THE SITE OR 24 HOURS PRIOR TO RESUMING CONSTRUCTION, WHICHEVER COMES FIRST. CONTRACTOR MAY REDUCE FREQUENCY UPON CITY APPROVAL
4. THE CONTRACTOR IS/ARE RESPONSIBLE FOR THE INSPECTION AND MAINTENANCE OF TEMPORARY AND PERMANENT WATER QUALITY MANAGEMENT BMPS, AS WELL AS ALL EROSION PREVENTION AND SEDIMENT CONTROL BMPS, UNTIL ANOTHER PERMITTEE HAS OBTAINED COVERAGE UNDER THIS PERMIT ACCORDING TO PART II.B.5. OR THE PROJECT HAS UNDERGONE FINAL STABILIZATION, AND AN NOT HAS BEEN SUBMITTED TO THE MPCA.
5. THE CONTRACTOR MUST INSPECT ALL EROSION PREVENTION AND SEDIMENT CONTROL BMPS AND POLLUTION PREVENTION MANAGEMENT MEASURES TO ENSURE INTEGRITY AND EFFECTIVENESS DURING ALL ROUTINE AND POST-RAINFALL EVENT INSPECTIONS. ALL NONFUNCTIONAL BMPS MUST BE REPAIRED, REPLACED, OR SUPPLEMENTED WITH FUNCTIONAL BMPS BY THE END OF THE NEXT BUSINESS DAY AFTER DISCOVERY, OR AS SOON AS FIELD CONDITIONS ALLOW ACCESS UNLESS ANOTHER TIME FRAME IS SPECIFIED BELOW. THE CONTRACTOR MUST INVESTIGATE AND COMPLY WITH THE FOLLOWING INSPECTION AND MAINTENANCE REQUIREMENTS:
   a. ALL PERIMETER CONTROL DEVICES MUST BE REPAIRED, REPLACED, OR SUPPLEMENTED WHEN THEY BECOME NONFUNCTIONAL OR THE SEDIMENT REACHES ONE-HALF (1/3) OF THE HEIGHT OF THE DEVICE. THESE REPAIRS MUST BE MADE BY THE END OF THE NEXT BUSINESS DAY AFTER DISCOVERY, OR THEREAFTER AS SOON AS FIELD CONDITIONS ALLOW ACCESS.
   b. TEMPORARY AND PERMANENT SEDIMENTATION BASINS MUST BE DRAINED AND THE SEDIMENT REMOVED WHEN THE DEPTH OF SEDIMENT COLLECTED IN THE BASIN REACHES ONE-HALF (1/2) THE STORAGE VOLUME. DRAINAGE AND REMOVAL MUST BE COMPLETED WITHIN 72 HOURS OF DISCOVERY, OR AS SOON AS FIELD CONDITIONS ALLOW ACCESS (SEE PART IV.D.).
   c. SURFACE WATERS, INCLUDING DRAINAGE DITCHES AND CONVEYANCE SYSTEMS, MUST BE INSPECTED FOR EVIDENCE OF EROSION AND SEDIMENT DEPOSITION DURING EACH INSPECTION. THE CONTRACTOR MUST REMOVE ALL DELTAS AND SEDIMENT DEPOSITED IN SURFACE WATERS, INCLUDING DRAINAGE WAYS, CATCH BASINS, AND OTHER DRAINAGE SYSTEMS, AND RESTABILIZE THE AREAS WHERE SEDIMENT REMOVAL RESULTS IN EXPOSED SOIL. THE REMOVAL AND STABILIZATION MUST TAKE PLACE WITHIN SEVEN (7) DAYS OF DISCOVERY UNLESS PRECLUDED BY LEGAL, REGULATORY, OR PHYSICAL ACCESS CONSTRAINTS. THE CONTRACTOR SHALL USE ALL REASONABLE EFFORTS TO OBTAIN ACCESS. IF PRECLUDED, REMOVAL AND STABILIZATION MUST TAKE PLACE WITHIN SEVEN (7) CALENDAR DAYS OF OBTAINING ACCESS. THE CONTRACTOR IS/ARE RESPONSIBLE FOR CONTACTING ALL LOCAL, REGIONAL, STATE AND FEDERAL AUTHORITIES AND RECEIVING ANY APPLICABLE PERMITS, PRIOR TO CONDUCTING ANY WORK IN SURFACE WATERS.
   d. CONSTRUCTION SITE VEHICLE EXIT LOCATIONS MUST BE INSPECTED FOR EVIDENCE OF OFF-SITE SEDIMENT TRACKING ONTO PAVED SURFACES. TRACKED SEDIMENT MUST BE REMOVED FROM ALL PAVED SURFACES BOTH ON AND OFF SITE IMMEDIATELY.
   e. STREETS AND OTHER AREAS ADJACENT TO THE PROJECT MUST BE INSPECTED FOR EVIDENCE OF OFF-SITE ACCUMULATIONS OF SEDIMENT. IF SEDIMENT IS PRESENT, IT MUST BE REMOVED IN A MANNER AND AT A FREQUENCY SUFFICIENT TO MINIMIZE OFF-SITE IMPACTS (E.G., FUGITIVE SEDIMENT IN STREETS COULD BE WASHED INTO STORM SEWERS BY THE NEXT RAIN AND/OR POSE A SAFETY HAZARD TO USERS OF PUBLIC STREETS).
6. ALL INFILTRATION AREAS MUST BE INSPECTED TO ENSURE THAT NO SEDIMENT FROM ONGOING CONSTRUCTION ACTIVITY IS REACHING THE INFILTRATION AREA. ALL INFILTRATION AREAS MUST BE INSPECTED TO ENSURE THAT EQUIPMENT IS NOT BEING DRIVEN ACROSS THE INFILTRATION AREA.

CONSTRUCTION SEQUENCE

THE INTENDED SEQUENCING OF MAJOR SITE CONSTRUCTION ACTIVITIES IS AS FOLLOWS:

1. INSTALL STABILIZED ROCK CONSTRUCTION ENTRANCE.
2. INSTALL BIO-ROLL OR SILT FENCE AROUND SITE, AS SHOWN ON PLAN.
3. INSTALL ORANGE CONSTRUCTION FENCE AROUND EXISTING TREES TO BE PROTECTED.
4. CLEAR AND GRUB SITE.
5. STRIP AND STOCKPILE TOPSOIL.
6. ROUGH GRADING OF SITE.
7. STABILIZE DENUDED AREAS AND STOCKPILES.
8. INSTALL SANITARY SEWER, WATER MAIN, STORM SEWER AND SERVICES.
9. INSTALL SILT FENCE/INLET PROTECTION AROUND CATCH BASINS.
10. INSTALL STREET SECTION.
11. INSTALL CURB AND GUTTER.
12. BITUMINOUS ON STREETS.
13. INSTALL SMALL UTILITIES (GAS, ELECTRIC, PHONE, CABLE, ETC.)
14. FINE GRADE BOULEVARD, LANDSCAPE AREAS, SEED AND MULCH.
15. REMOVE ACCUMULATED SEDIMENT.
16. FINAL GRADE.
17. WHEN ALL CONSTRUCTION ACTIVITIY IS COMPLETE AND THE SITE IS STABILIZED BY EITHER SEED OR SOD AND LANDSCAPING, REMOVE BIOR-ROLLS OR SILT FENCE AND RESEED ANY AREAS DISTURBED BY THE REMOVAL.

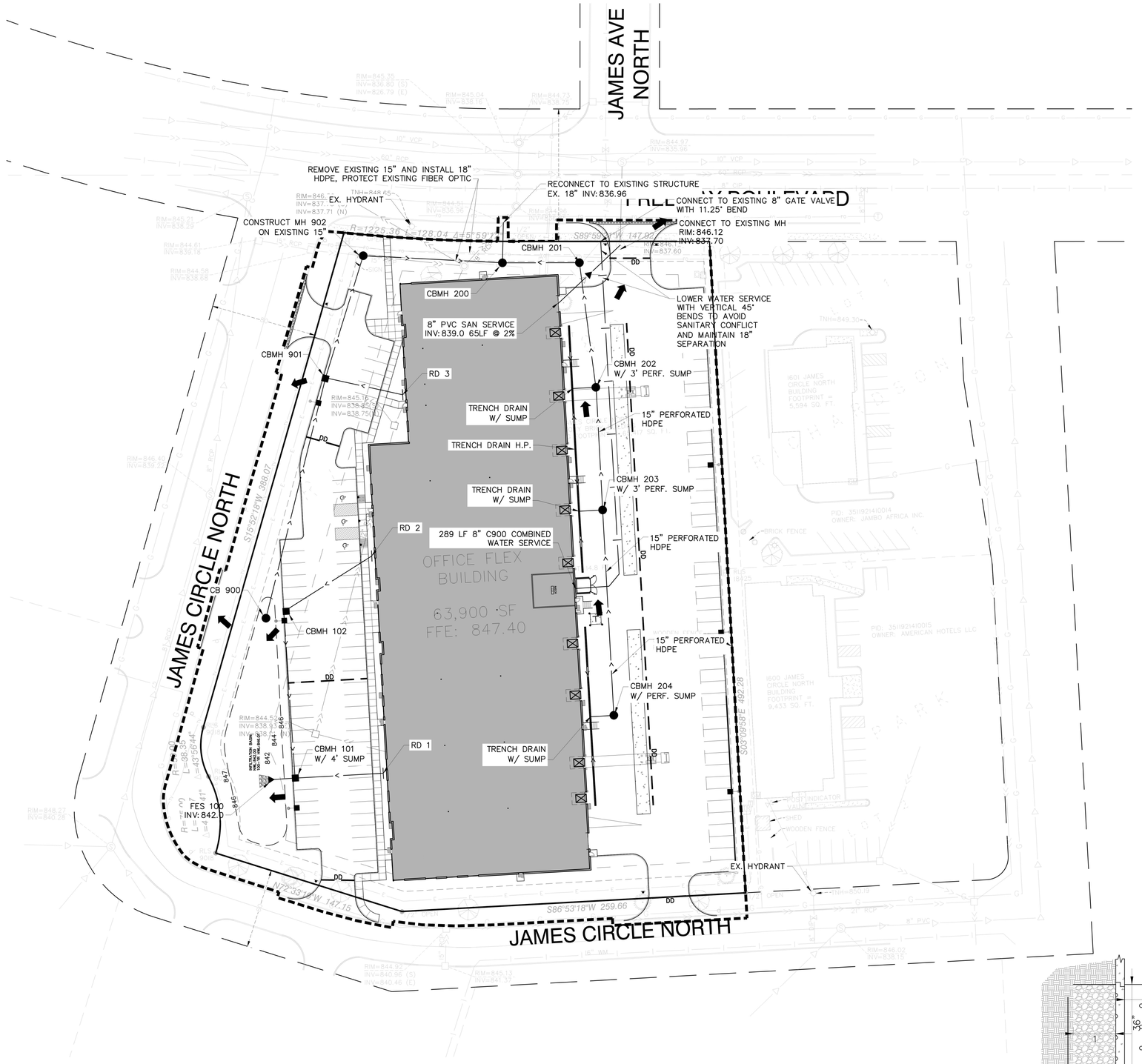
CONTRACTOR COORDINATION:

1. SWPPP MANAGER MUST ANNOTATE BMP LOCAITONS WHEN KNOWN WITHIN 5 DAYS.
2. SWPPP MANAGER MUST DEPICT DUMPSTER LOCATION WHEN KNOWN WITHIN 5 DAYS.
3. SWPPP MANAGER MUST DEPICT PORTABLE TOILET LOCATION WHEN KNOW WITHIN 5 DAYS.
4. SWPPP MUST DEPICT FUELING AREA LOCATION WHEN KNOWN WITHIN 5 DAYS OR A DESCRIPTION OF FUELING PARCTICIES MUST BE ANNOTATED ON SHEET C-4.2
5. SWPPP MANAGER MUST DEPICT STOCKPILE LOCATION(S) WHEN KNOWN WITHIN 5 DAYS.

POLLUTION PREVENTION MANAGEMENT MEASURES

THE CONTRACTOR SHALL IMPLEMENT THE FOLLOWING POLLUTION PREVENTION MANAGEMENT MEASURES ON THE SITE:

1. STORAGE, HANDLING, AND DISPOSAL OF CONSTRUCTION PRODUCTS, MATERIALS, AND WASTES: THE CONTRACTOR SHALL COMPLY WITH THE FOLLOWING TO MINIMIZE THE EXPOSURE TO STORMWATER OF ANY OF THE PRODUCTS, MATERIALS, OR WASTES. PRODUCTS OR WASTES WHICH ARE EITHER NOT A SOURCE OF CONTAMINATION TO STORMWATER OR ARE DESIGNED TO BE EXPOSED TO STORMWATER ARE NOT HELD TO THIS REQUIREMENT:
   a. BUILDING PRODUCTS THAT HAVE THE POTENTIAL TO LEACH POLLUTANTS MUST BE UNDER COVER (E.G., PLASTIC SHEETING OR TEMPORARY ROOFS) TO PREVENT THE DISCHARGE OF POLLUTANTS OR PROTECTED BY A SIMILARLY EFFECTIVE MEANS DESIGNED TO MINIMIZE CONTACT WITH STORMWATER.
   b. PESTICIDES, HERBICIDES, INSECTICIDES, FERTILIZERS, TREATMENT CHEMICALS, AND LANDSCAPE MATERIALS MUST BE UNDER COVER (E.G., PLASTIC SHEETING OR TEMPORARY ROOFS) TO PREVENT THE DISCHARGE OF POLLUTANTS OR PROTECTED BY SIMILARLY EFFECTIVE MEANS DESIGNED TO MINIMIZE CONTACT WITH STORMWATER.
   c. HAZARDOUS MATERIALS, TOXIC WASTE, (INCLUDING OIL, DIESEL FUEL, GASOLINE, HYDRAULIC FLUIDS, PAINT SOLVENTS, PETROLEUM-BASED PRODUCTS, WOOD PRESERVATIVES, ADDITIVES, CURING COMPOUNDS, AND ACIDS) MUST BE PROPERLY STORED IN SEALED CONTAINERS TO PREVENT SPILLS, LEAKS OR OTHER DISCHARGE. RESTRICTED ACCESS STORAGE AREAS MUST BE PROVIDED TO PREVENT VANDALISM. STORAGE AND DISPOSAL OF HAZARDOUS WASTE OR HAZARDOUS MATERIALS MUST BE IN COMPLIANCE WITH MINN. R. CH. 7045 INCLUDING SECONDARY CONTAINMENT AS APPLICABLE.
   d. SOLID WASTE MUST BE STORED, COLLECTED AND DISPOSED OF PROPERLY IN COMPLIANCE WITH MINN. R. CH. 7035.
   e. PORTABLE TOILETS MUST BE POSITIONED SO THAT THEY ARE SECURE AND WILL NOT BE TIPPED OR KNOCKED OVER. SANITARY WASTE MUST BE DISPOSED OF PROPERLY IN ACCORDANCE WITH MINN. R. CH. 7041.
2. FUELING AND MAINTENANCE OF EQUIPMENT OR VEHICLES; SPILL PREVENTION AND RESPONSE: THE CONTRACTOR SHALL TAKE REASONABLE STEPS TO PREVENT THE DISCHARGE OF SPILLED OR LEAKED CHEMICALS, INCLUDING FUEL, FROM ANY AREA WHERE CHEMICALS OR FUEL WILL BE LOADED OR UNLOADED INCLUDING THE USE OF DRIP PANS OR ABSORBENTS UNLESS INFEASIBLE. THE CONTRACTOR MUST CONDUCT FUELING IN A CONTAINED AREA UNLESS INFEASIBLE. THE CONTRACTOR MUST ENSURE ADEQUATE SUPPLIES ARE AVAILABLE AT ALL TIMES TO CLEAN UP DISCHARGED MATERIALS AND THAT AN APPROPRIATE DISPOSAL METHOD IS AVAILABLE FOR RECOVERED SPILLED MATERIALS. THE CONTRACTOR MUST REPORT AND CLEAN UP SPILLS IMMEDIATELY AS REQUIRED BY MINN. STAT. § 115.061, USING DRY CLEAN UP MEASURES WHERE POSSIBLE.
3. VEHICLE AND EQUIPMENT WASHING: IF THE CONTRACTOR WASH THE EXTERIOR OF VEHICLES OR EQUIPMENT ON THE PROJECT



NOTES

1. EXISTING UTILITIES, SERVICE LOCATIONS AND ELEVATIONS SHALL BE VERIFIED IN FIELD PRIOR TO CONSTRUCTION.
2. MAINTAIN A MIN. 18" VERTICAL SEPARATION AT ALL PIPE CROSSINGS. LOWER WATERMAIN AS NECESSARY W/ BENDS AND FITTINGS. WATER AND SANITARY SEWER LINES TO MAINTAIN 10' HORIZONTAL SEPARATION.
3. CONTRACTOR IS RESPONSIBLE FOR ALL PERMITS PRIOR TO THE START OF CONSTRUCTION.
4. PROVIDE POLYSTYRENE INSULATION FOR ALL STORM SEWER AND WATERMAIN CROSSINGS WHERE VERTICAL OR HORIZONTAL SEPARATION IS LESS THAN 3'.
5. ALL UTILITY WORK WITHIN THE R.O.W. SHALL COMPLY WITH BROOKLYN CENTER ENGINEERING GUIDELINES.
6. NOTIFY GOPHER STATE ONE CALL 48 HOURS IN ADVANCE OF ANY UTILITY WORK.
7. PROVIDE TEMPORARY TRAFFIC CONTROL IN COMPLIANCE WITH MNDOT "TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS–FIELD MANUAL" LATEST REVISION, FOR ANY CONSTRUCTION WITHIN PUBLIC R.O.W.
8. ALL STORM SEWER CASTINGS SHALL BE NEENAH OR APPROVED EQUAL.
9. ALL SANITARY SEWER MANHOLES SHALL BE 48" DIAMETER AND HAVE NEENAH R–1642 CASTING UNLESS OTHERWISE NOTED ON THE PLAN.
10. WATERMAIN, SERVICES, AND VALVES SHALL BE INSTALLED WITH MINIMUM 7.5' OF COVER.
11. WATER SERVICES MAY BE PLACED IN SAME TRENCH AS SEWER SERVICES PROVIDED THAT A 24" VERTICAL & A 36" HORIZONTAL SEPARATION ARE MAINTAINED.
12. ALL 8" WATERMAIN SHALL BE PVC C900. ALL PVC C900 WATERMAIN SHALL BE INSTALLED WITH TRACER WIRE (COPPERHEAD INDUSTRIES OR APPROVED EQUAL).
13. ALL SANITARY SERVICES SHALL BE PVC SDR 35 OF THE SIZE NOTED ON THE PLAN.
14. ALL STORM SEWER (EXCEPT TO FLARED END SECTIONS) SHALL BE ADS N–12 UNLESS OTHERWISE SPECIFIED ON THE PLAN. STORM SEWER TO FLARED END SECTIONS SHALL BE RCP.
15. ALL ROOF DRAINS (RD) SHALL HAVE AN AT GRADE DOWNSPOUT OVERFLOW.
16. MAINTAIN AND VERIFY 10' HORIZONTAL SEPARATION IS PROVIDED BETWEEN ALL WATERMAIN AND CATCHBASIN/MANHOLES.

MH/CB		P. DIA.	P. SLOPE	P. TYPE	PIPE	FROM	TO	RIM	STR.	CAST	BUILD
FROM	TO	[IN]	S [%]		LENGTH [FT]	INVERT	INVERT	ELEV	TYPE	TYPE	(FT)
RD 2	CBMH 102	8	2.00%	HDPE	78.4	844.20	842.63	847.40	8"	HPDE	3.20
CBMH 102	CBMH 101	12	0.44%	HDPE	126.0	842.63	842.08	845.70	48"	R-3067-VB	3.07
RD 1	CBMH 101	8	2.00%	HDPE	68.1	843.60	842.24	847.00	8"	HDPE	3.40
CBMH 101	FES 100	15	0.44%	RCP	18.5	842.08	842.00	845.90	48"	R-3067VB	7.82
CB 900	CBMH 901	15	0.60%	HDPE	186.7	841.00	839.88	845.00	48"	R-4342	4.00
RD 3	CBMH 901	8	2.00%	HDPE	59.5	844.00	842.81	847.40	8"	HDPE	3.40
CBMH 901	MH 902	15	1.00%	HDPE	96.5	839.88	838.92	845.90	48"	R-3067VB	6.02
MH 902	CBMH 200	15	1.00%	HDPE	105.1	838.30	837.25	846.50	48"	R-1642	8.20
TRENCH DRAIN	CBMH 204	12	0.44%	HDPE	17.8	839.30	839.22	843.30			4.00
CBMH 204	CBMH 203	15	0.44%	HDPE	155.1	839.22	838.54	843.70	48"	R-2501	7.48
TRENCH DRAIN	CBMH 203	12	0.44%	HDPE	17.8	838.54	838.46	843.30			4.76
CBMH 203	CBMH 202	15	0.44%	HDPE	92.7	838.46	838.05	843.70	48"	R-2501	8.24
TRENCH DRAIN	CBMH 202	12	0.44%	HDPE	17.8	838.05	837.97	843.30			5.25
CBMH 202	CBMH 201	15	0.44%	HDPE	94.9	837.97	837.56	843.70	48"	R-2501	8.73
CBMH 201	CBM 200	18	0.44%	HDPE	58.0	837.56	837.30	846.25	48"	R-4342	8.69
CBMH 200	EX MH	18	0.80%	HDPE	30.2	837.25	837.01	846.25	48"	R-4342	9.00

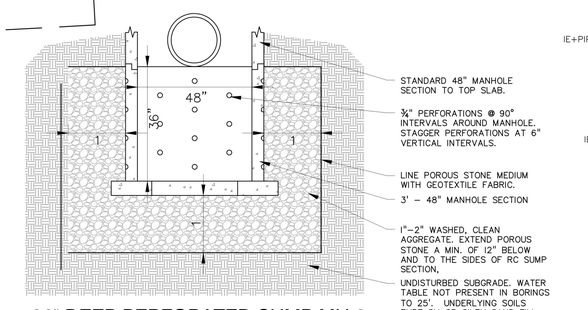
LEGEND:

- PROPOSED STORM SEWER
- PROPOSED SANITARY SEWER
- PROPOSED WATERMAIN
- PROPOSED STORM CATCH BASIN /MANHOLE
- PROPOSED SANITARY MANHOLE
- PROPOSED BUTTERFLY/GATE VALVE
- PROPOSED HYDRANT
- EXISTING GATE VALVE
- EXISTING HYDRANT
- EXISTING WATERMAIN
- EXISTING CATCH BASIN
- EXISTING STORM MANHOLE
- EXISTING STORM SEWER
- EXISTING SANITARY MANHOLE
- EXISTING SANITARY SEWER
- PROPOSED LIMITS OF CONSTRUCTION
- PROPOSED EASEMENT

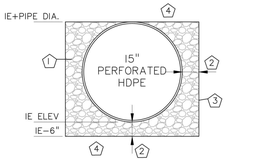
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PRELIMINARY
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N

0 20 40 80
SCALE IN FEET



36" DEEP PERFORATED SUMP MH 2
(NOT TO SCALE)



1. POROUS STONE MINIMUM 40% VOID SPACE. (1"–2" WASHED, CLEAN AGGREGATE. EXTEND POROUS STONE A MIN. OF 12" BELOW AND TO THE SIDES OF RC SUMP SECTION)
2. EXTEND POROUS STONE 6" BELOW AND TO THE SIDES OF HDPE
3. LINE POROUS STONE MEDIUM WITH NON–WOVEN GEOTEXTILE FABRIC
4. STRUCTURAL FILL

15" PERFORATED HDPE
ROCK BEDDING DETAIL

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6440 JAMES CIRCLE NORTH
BROOKLYN CENTER, MINNESOTA

UTILITY PLAN

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

CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

DATE	ISSUE
8–6–21	SITE PLAN REVIEW

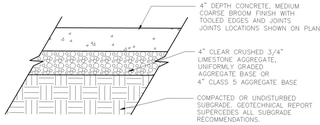
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DESIGNED:	MK
DRAWN:	DBR
PROJECT NO:	21–0034

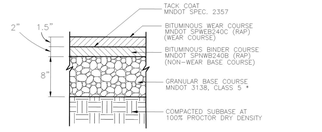
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SHEET 7 of 12

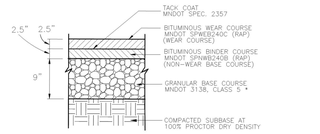
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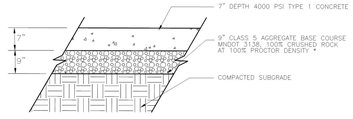
1 CONCRETE SIDEWALK
NO SCALE



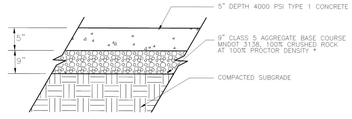
2 LIGHT DUTY BITUMINOUS PAVEMENT
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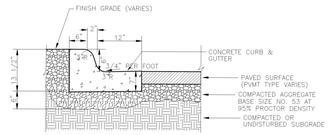
3 HEAVY DUTY BITUMINOUS PAVEMENT
NO SCALE



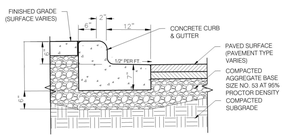
4 DOLLY PAD CONCRETE PAVEMENT
NO SCALE



5 HEAVY DUTY CONCRETE PAVEMENT
NO SCALE

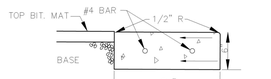


6 B612 CURB AND GUTTER
NO SCALE

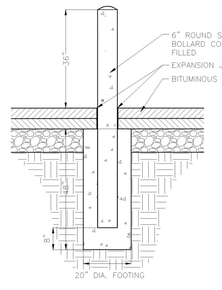


7 B612 CONCRETE OUTFALL CURB AND GUTTER
NO SCALE

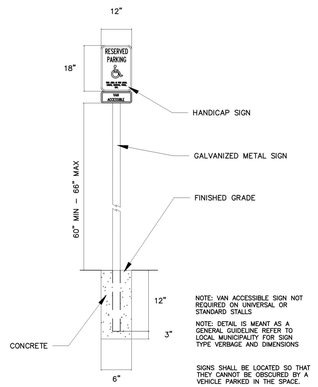




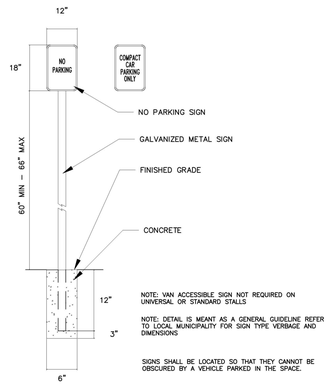
8 RIBBON CURB
NO SCALE



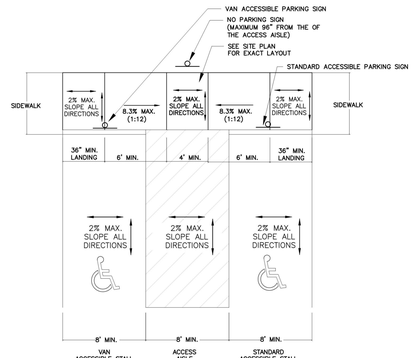
9 STEEL TUBE CONCRETE BOLLARD
NO SCALE



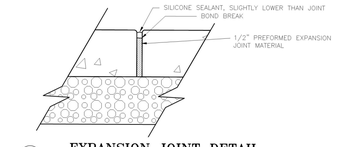
10 ACCESSIBLE PARKING SIGN
NO SCALE



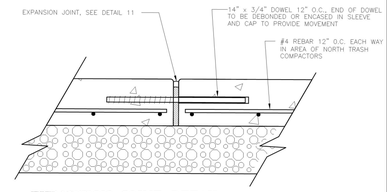
11 NO PARKING SIGN AND COMPACT PARKING SIGN MOUNTING
NO SCALE



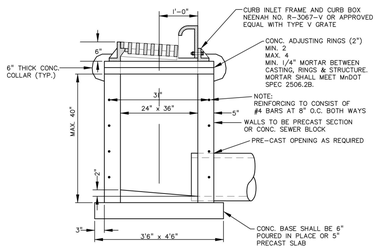
12 ACCESSIBLE PARKING STALLS
NO SCALE



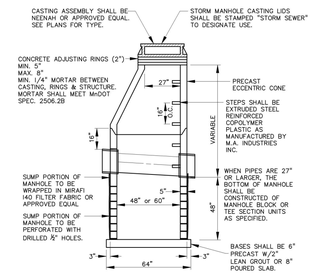
13 EXPANSION JOINT DETAIL
NO SCALE



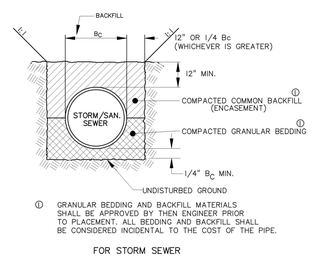
14 EXPANSION JOINT DETAIL
NO SCALE



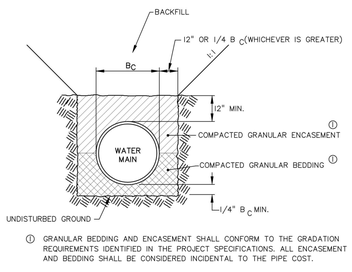
15 RECTANGULAR CATCH BASIN (2'x3')
NO SCALE



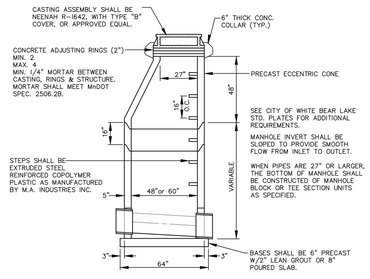
16 SUMP MH/CATCH BASIN
NO SCALE



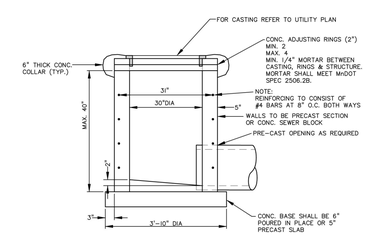
17 HDPE/RCP PIPE BEDDING
NO SCALE



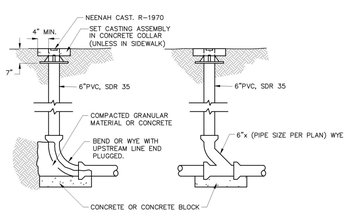
18 WATERMAIN PIPE BEDDING
NO SCALE



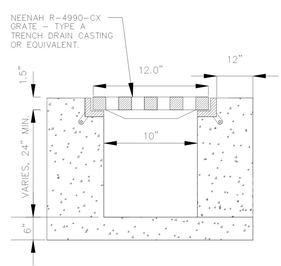
19 STANDARD MANHOLE/CATCH BSAIN
NO SCALE



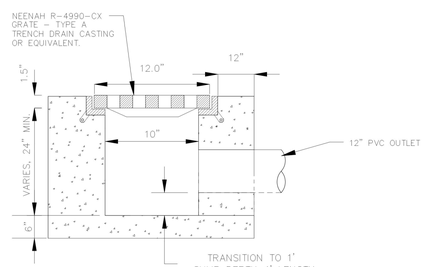
20 CATCHBASIN (30" DIA.)
NO SCALE



21 CLEAN OUT
NO SCALE



22 HEAVY DUTY TRENCH DRAIN
NO SCALE



OUTLETS

Know what's below.
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BROOKLYN CENTER, MINNESOTA

DETAILS

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

CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY	DATE
DATE	ISSUE
8-6-21	SITE PLAN REVIEW

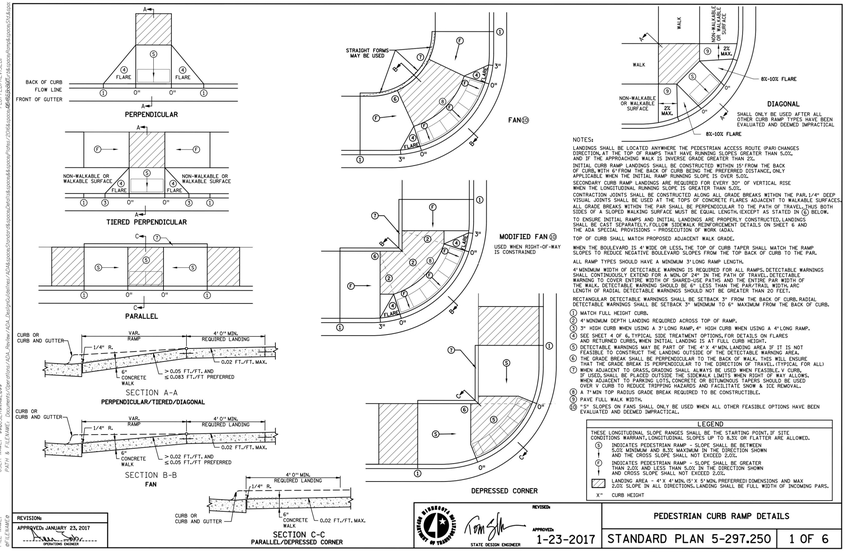
PROJECT TEAM DATA

DESIGNED:	MK
DRAWN:	DBR
PROJECT NO:	21-0034

C-6.0

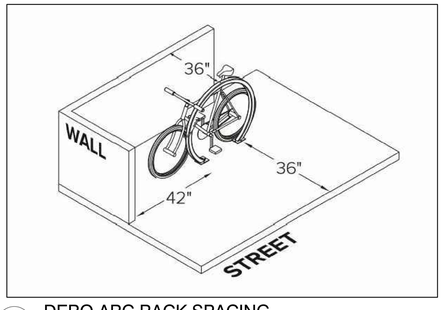
SHEET 8 of 12

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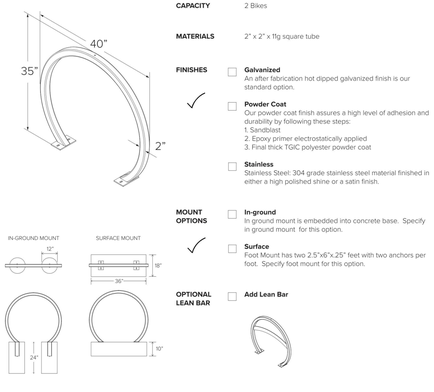
5 C-6.1 MNDOT PEDESTRIAN RAMP DETAILS

NOT TO SCALE



2 C-6.1 DERO ARC RACK SPACING

NOT TO SCALE



CAPACITY 2 Bikes

MATERIALS 2" x 2" x 11g square tube

FINISHES

- ☐ **Galvanized** An after fabrication hot dipped galvanized finish is our standard option.
- ✓ **Powder Coat** Our powder coat finish assures a high level of adhesion and durability by following these steps: 1. Sandblast 2. Epoxy primer electrostatically applied 3. Final thick TGIC polyester powder coat
- ☐ **Stainless** Stainless Steel: 304 grade stainless steel material finished in either a high polished shine or a satin finish.

MOUNT OPTIONS

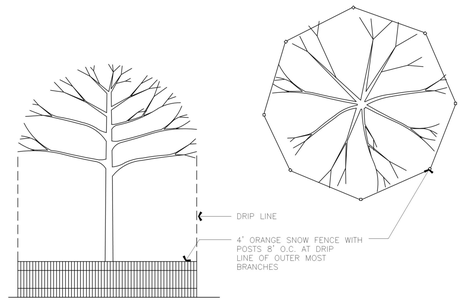
- ☐ **In-ground** In ground mount is embedded into concrete base. Specify in ground mount for this option.
- ✓ **Surface** Foot Mount has two 2.5"x6"x.25" feet with two anchors per foot. Specify foot mount for this option.

OPTIONAL LEAN BAR

- ☐ **Add Lean Bar**

1 C-6.1 DERO ARC RACK

NOT TO SCALE



NOTE: TREE PROTECTION SHALL BE PROVIDED BY CONTRACTOR AS REQUIRED TO ENSURE SURVIVABILITY OF EXISTING TREES TO REMAIN. NO HEAVY EQUIPMENT SHALL BE STORED WITHIN THE TREE DRIP LINE AS DESIGNATED ABOVE.

3 C-6.1 TREE PROTECTION FENCE

NOT TO SCALE

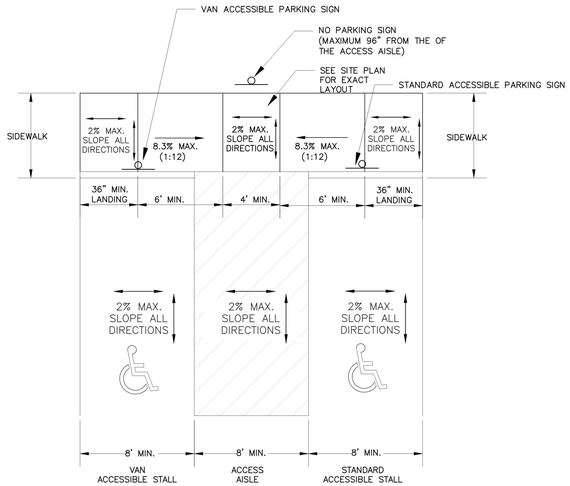
NOTE:

POWDER COAT BLACK COLOR WITH GLOSS FINISH, MATCH BUILDING FACADE ACCENTS

SURFACE MOUNT BIKERACK TO PROVIDED CONCRETE PAVEMENT REFER TO SITE PLAN FOR LOCATION OF BIKE RACKS ON SITE

BIKE RACK TO BE SURFACE MOUNTED TO CONCRETE PAD WITH MIDWEST FASTENER® 1/2" X 5-1/2" GALVANIZED WEDGE EXPANSION ANCHOR

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NOTE:
DETECTABLE WARNING SURFACE (TRUNCATED DOMES) ARE NOT TO BE INSTALLED AT THE ACCESSIBLE CURB RAMPS AND ARE NOT REQUIRED ON PRIVATE DEVELOPMENTS, PER 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN.

NOTE:
1:6 VAN ACCESSIBLE SPACES ARE REQUIRED.
NOTE: ADHERE TO MNDOT "PARALLEL" PEDESTRIAN CURB RAMP DETAIL

4 C-6.1 A.D.A. ACCESSIBLE STALL SLOPES

NOT TO SCALE

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BROOKLYN CENTER, MINNESOTA

MNDOT & ADDITIONAL DETAILS

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

CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

DATE	ISSUE
8-6-21	SITE PLAN REVIEW

PROJECT TEAM DATA

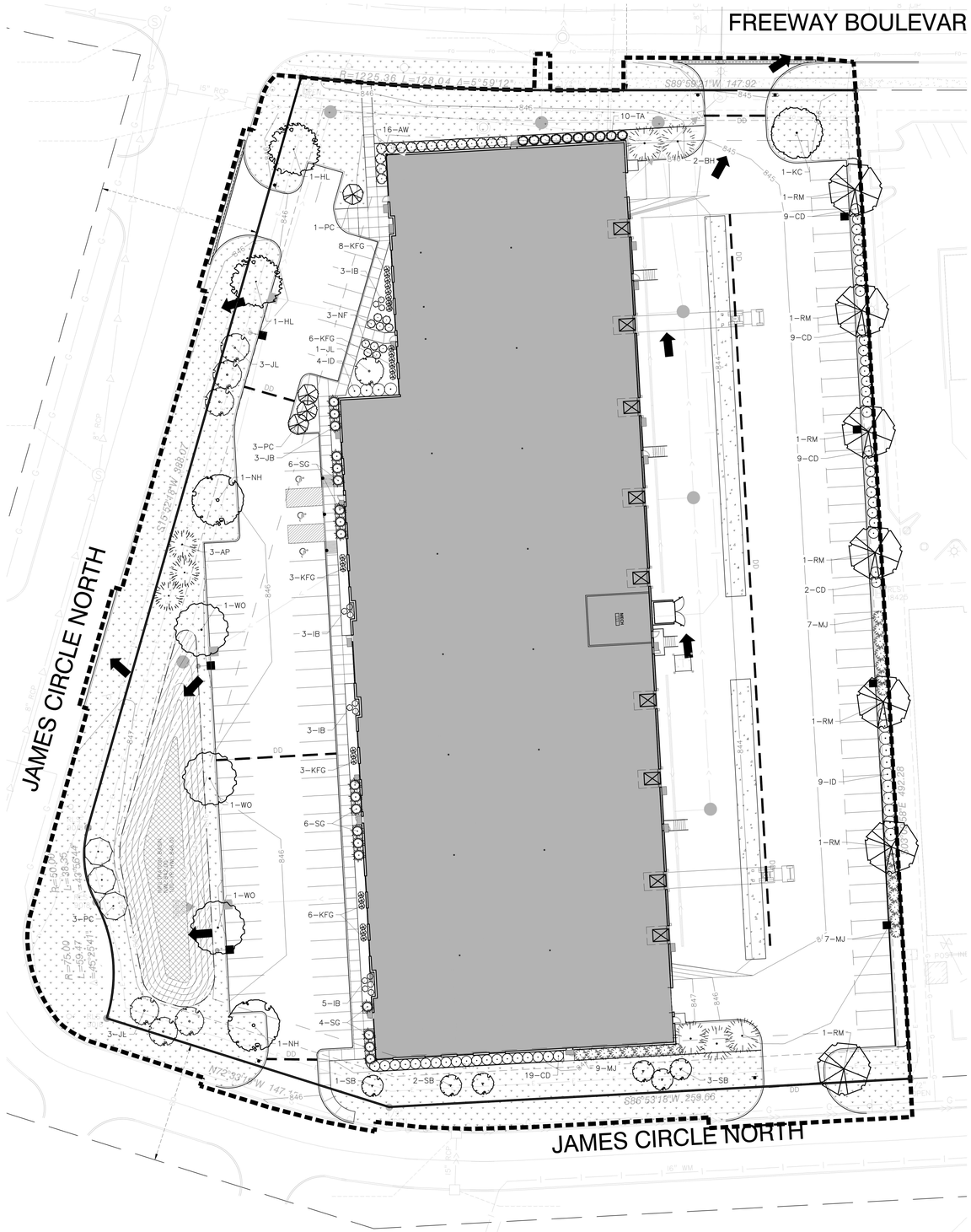
DESIGNED: MK
DRAWN: DBR
PROJECT NO: 21-0034

C-6.1

SHEET 9 of 12

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PLOTTED/REVISED:
DISTRICT * DISTRICT *
USER NAME: MNDOTBRANDER##
FILE NAME:



LANDSCAPE NOTES:

1. INSTALL 4" MIN. TOP SOIL TO ALL SOD, SEED AND SHRUB AREAS. FINE GRADE ALL SOD AND SEED AREAS. INSTALL 12" TOP SOIL TO PERENNIAL AND ANNUAL FLOWER AREAS.
2. STAKE OR MARK ALL PLANT MATERIAL LOCATIONS PRIOR TO INSTALLATION. HAVE OWNERS REPRESENTATIVE APPROVE ALL STAKING PRIOR TO INSTALLATION.
3. ALL SHRUB AREAS UNLESS SPECIFIED AS OTHER, TO BE BED MULCHED WITH 4" DEPTH OF DARK BROWN COLOR SHREDDED HARDWOOD MULCH OVER FILTER FABRIC, UNLESS SPECIFIED AS OTHER. POLY–EDGER TO BE VALLEY VIEW BLACK DIAMOND OR APPROVED EQUAL. ROCK MULCH TO BE 3–4" DEPTH BUFF LIMESTONE ROCK MULCH OVER FILTER FABRIC.
4. INSTALL 4–6" DEPTH SHREDDED HARDWOOD MULCH AROUND ROOT SAUCER OF ALL TREES ISOLATED FROM PLANT BEDS. DO NOT PILE MULCH AGAINST THE BASE OF A PLANT OR TREE TRUNK; PULL THE MULCH AWAY FROM THE BASE ONE TO TWO INCHES.
5. PLANT SOIL SHALL CONSIST OF 1:1:1, SELECT LOAMY TOPSOIL, PEAT MOSS, PIT RUN SAND.
6. COMPLETELY GUARANTEE ALL WORK FOR A PERIOD OF ONE YEAR BEGINNING AT THE DATE OF ACCEPTANCE. MAKE ALL REPLACEMENTS PROMPTLY (AS PER DIRECTION OF OWNER).
7. ALL MATERIAL SHALL COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSERYMEN.
8. ALL TREE TRUNKS SHALL BE WRAPPED WITH BROWN CREPE TREE WRAP. APPLY WRAP IN NOVEMBER AND REMOVE IN APRIL.
9. CALL GOPHER STATE ONE CALL AT 651–454–0002 FOR LOCATING ALL UNDERGROUND UTILITIES AND AVOID DAMAGE TO UTILITIES DURING THE COURSE OF THE WORK.
10. MAINTAIN ALL PLANT MATERIALS, INCLUDING WATERING, UNTIL THE TIME OF ACCEPTANCE.
11. COORDINATE INSTALLATION WITH GENERAL CONTRACTOR.
12. STAKING AND GUYING OF TREES OPTIONAL: MAINTAIN PLUMBNESS OF TREES FOR DURATION OF WARRANTY PERIOD.
13. SWEEP AND WASH ALL PAVED SURFACES AND REMOVE ALL DEBRIS RESULTING FROM LANDSCAPE OPERATIONS.
14. LANDSCAPE CONTRACTOR SHALL INSTALL KENTUCKY BLUE GRASS SOD IN DENOTED AREAS INCLUDING ALL R.O.W. PER LOCAL INDUSTRY STANDARDS. SOD SHALL BE LAID PARALLEL TO THE CONTOURS AND HAVE STAGGERED JOINTS.
15. SUPPLY DESIGN AND INSTALLATION FOR NEW WATER EFFICIENT IRRIGATION SYSTEM. DESIGN SYSTEM INCLUDING CONTROLS, ELECTRICAL AND WATER SERVICE CONNECTIONS WITH 100% COVERAGE OF NEW SOD, LANDSCAPE ISLANDS AND PLANTING AREAS. SOD, SEED AND SHRUB AREAS TO BE ON SEPARATE ZONES. DESIGN TO INCLUDE DRIP IRRIGATION IN SHRUB AREAS ADJACENT TO BUILDING. EXCESS WATER SHALL NOT COME IN CONTACT WITH BUILDING AND SIDEWALKS. THE IRRIGATION SYSTEM SHALL HAVE A RAIN/FREEZE SENSOR SHUTOFF. USE RAINBIRD OR APPROVED EQUAL COORDINATE WITH G.C. AND WORK OF OTHER SECTIONS.
16. CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE CITY FOR A LANDSCAPE INSTALLATION INSPECTION OF ALL PLANTINGS.

SEEDING NOTES

DRY SWALE POND MIX: MN STATE SEED MIX 33–262 (DRY SWALE / POND). SEEDING RATE TO BE 44 LBS/ACRE (PURE LIVE SEED).

WET PRAIRIE MIX: SHOOTING STAR MIX 34–262 (WET PRAIRIE MIX). SEEDING RATE TO BE 14.5 LBS/ACRE (PURE LIVE SEED).

APPLY SEED PER THE FOLLOWING: MULCH SEEDED AREAS WITH Mn/DOT EROSION CONTROL BLANKET CATEGORY 3 WITHIN 48 HOURS OF SEEDING. MULCH SHOULD THEN BE DISC ANCHORED TO KEEP IT FROM BLOWING AWAY.

SEEDING SHALL BE APPLIED FROM APRIL 1 – JUNE 30 OR NOV. 1 – FREEZE UP. IF HYDROSEEDING UTILIZE APPROXIMATELY 500 GALLONS OF WATER PER ACRE. REFER TO MN/DOT SPEC 3884 FOR PROPER INSTALLATION OF HYDRO–SEED. ALL NATIVE SEEDS USED ON THIS PROJECT SHALL BE CERTIFIED TO BE OF MINNESOTA ORIGIN BY THE MINNESOTA CROP IMPROVEMENT ASSOCIATION (MCIA). SITE TO BE PREPARED BY LOOSENING TOPSOIL TO A MINIMUM DEPTH OF 3 INCHES. THE SITE TO BE HARROWED OR RAKED FOLLOWING SEEDING, AND THEN PACKED USING A CULTI–PACKER OR EQUIVALENT. SEE MNDOT SEEDING MANUAL FOR REFERENCE.

MAINTAIN SEEDED AREAS BY WATERING, REMULCHING AND REPLANTING AS NECESSARY TO ESTABLISH A UNIFORMLY DENSE STAND OF THE SPECIFIED GRASSES UNTIL ACCEPTED. ANY AREAS FAILING TO ESTABLISH A STAND SHALL BE RESEEDED, REFERTILIZED AND REMULCHED (UNLESS OTHERWISE SPECIFIED) WHENEVER 70% VEGETATIVE COVER IS NOT ACHIEVED. RESEEDING SHALL CONFORM IN ALL RESPECTS TO THESE SPECIFICATIONS. THE CONTRACTOR SHALL REPAIR ANY DAMAGE TO THE WORK AREAS RESULTING FROM EROSION AND/OR EQUIPMENT. THE CONTRACTOR SHALL REPAIR DAMAGE, INCLUDING REGRADING, RESEEDING, ETC. AS NECESSARY, BEFORE SIGNIFICANT DAMAGE OCCURS.

REFER TO MN STATE SEED MIX MANUAL. REFER TO O&M DOCUMENT FOR FURTHER DETAILS REGARDING INSPECTION AND MAINTENANCE PRACTICES.

Total	KEY	COMMON NAME / SCIENTIFIC NAME	SIZE	REMARKS
15	**OVERSTORY**			
7	**RM**	Red Sunset Maple *Acer rubrum 'Franksred'*	2.5" Cal. B&B	Straight Trunk, No V-Crotch
1	**KC**	Kentucky 'Espresso' Coffee Tree *Gymnocladus dioicus 'Espresso-JFS)*	2.5" Cal. B&B	Straight Trunk, No V-Crotch
2	**HL**	Skyline Honeylocust *Gleditsia triacanthos var. inermis 'Skycole'*	2.5" Cal. B&B	Straight Trunk, No V-Crotch
3	**SO**	Swamp White Oak *Quercus bicolor*	2.5" Cal. B&B	Straight Trunk, No V-Crotch
2	**NH**	New Horizon Elm *Ulmus 'New Horizon'*	2.5" Cal. B&B	Straight Trunk, No V-Crotch
8	**CONIFERS**			
3	**AP**	Austrian Pine *Pinus nigra*	6' ht. B&B	Full Form
5	**BS**	Blackhills Spruce *Picea glauca densata*	10' ht. B&B	Full Form
17	**ORNAMENTALS**			
7	**JL**	Ivory Silk Lilac *Syringa reticulata 'Ivory Silk'*	2.5" Cal. B&B	Straight Trunk, No V-Crotch
4	**PC**	Prairiefire Crabapple *Malus 'Prairiefire'*	2.5" Cal. B&B	Straight Trunk, No V-Crotch
6	**SB**	Autumn Brilliance Serviceberry Amerlanchier x grandiflora 'Autumn	2.5" Cal. B&B	Straight Trunk, No V-Crotch
155	**SHRUBS**			
19	**SG**	Sea Green Juniper *Juniperus chinensis 'Sea Green'*	24" ht. cont.	Min. 5 canes at ht. specified.
15	**ID**	Ivory Halo Dogwood *Cornus alba 'Bailhalo'*	24" ht. cont.	Min. 5 canes at ht. specified.
16	**AW**	Anthony Waterer Spirea *Spirea x bulmada 'Anthony Waterer'*	24" ht. cont.	Min. 5 canes at ht. specified.
48	**CD**	Alleman's Compact Red Dowgwood *Cornus sericea 'Allemans Compact'*	24" ht. cont.	Min. 5 canes at ht. specified.
10	**TA**	Techhny Globe Arborvitae *Thuja occidentalis 'Techny Globe'*	24" ht. cont.	Min. 5 canes at ht. specified.
14	**IB**	Iroquois Beauty Chokeberry *Aronia melanocarpa 'Morton'*	24" ht. cont.	Min. 5 canes at ht. specified.
23	**MJ**	Medora Juniper Juniperus scopulorum 'Medora'	24" ht. cont.	Min. 5 canes at ht. specified.
10	**NF**	Neon Flash Spirea *Spirea japonica 'Neon Flash'*	24" ht. cont.	Min. 5 canes at ht. specified.
40	**PERENNIALS AND GRASSES**			
40	**KFG**	Karl Foerster Feather Reed Grass *Calamagrostis x acutiflora 'Karl Foerster'*	1 gal. cont.	

LEGEND:

- DECIDUOUS OVERSTORY TREES
- ORNAMENTAL TREES
- UPRIGHT EVERGREEN SHRUBS
- FLOWERING SHRUBS
- SOD
- POLY EDGING
- BASIN SIDE SLOPE SEED MIX MN–DOT SEED MIX 33–262 DRY SWALE/POND MIX
- BASIN SIDE SLOPE SEED MIX SHOOTING STAR SEED MIX 34–262 WET PRAIRIE MIX

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BROOKLYN CENTER, MINNESOTA

LANDSCAPE PLAN

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 PROFESSION under the laws of the State of MINNESOTA

CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

DATE	ISSUE
8-6-21	SITE PLAN REVIEW

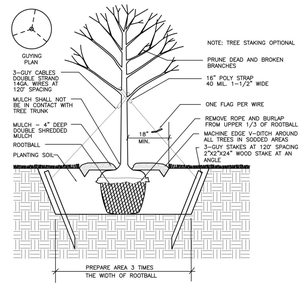
PROJECT TEAM DATA

DESIGNED:	Value
DRAWN:	AAA
PROJECT NO:	21–0034

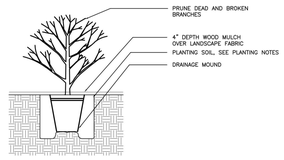
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SHEET 10 of 12

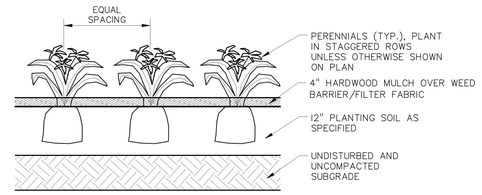
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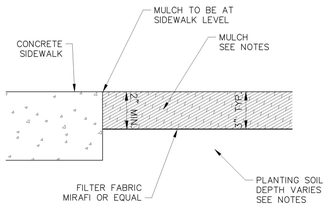
1 TREE PLANTING DETAIL
NOT TO SCALE



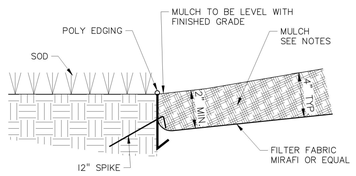
2 SHRUB PLANTING DETAIL
NOT TO SCALE



3 PERENNIAL PLANTINGS
NOT TO SCALE



4 MULCH AT SIDEWALK DETAIL
NOT TO SCALE



5 MULCH AT SOD DETAIL
NOT TO SCALE



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LANDSCAPE DETAILS

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CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

DATE	ISSUE

PROJECT TEAM DATA
DESIGNED: Value
DRAWN: AAA
PROJECT NO: 21-0034

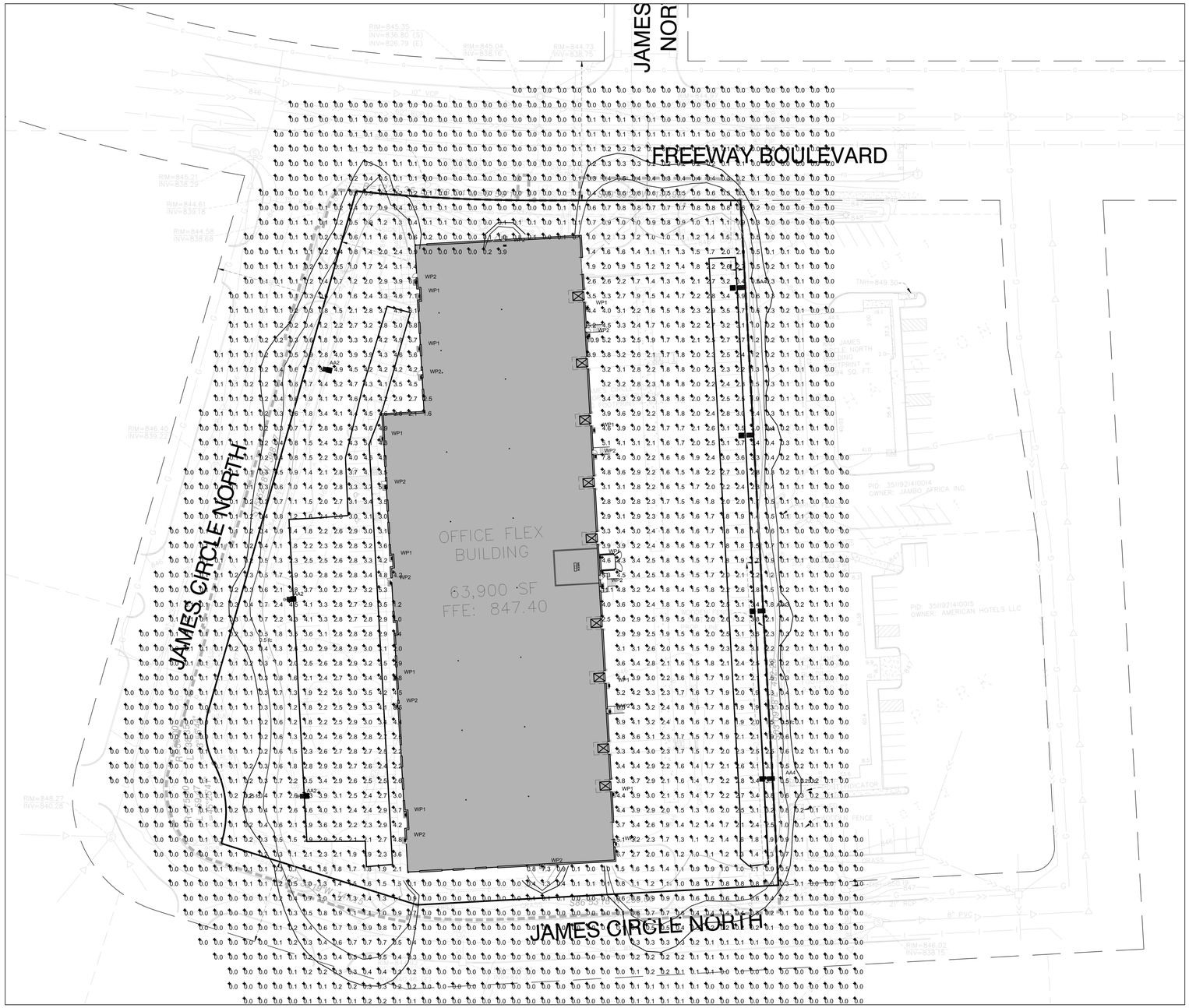
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SHEET 11 of 12

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Luminaire Schedule							
Symbol	Qty	Label	Arrangement	LLF	Description	Arr. Watts	Lum. Lumens
	3	AA2	Single	0.900	GARDCO ECF-S-48L-1A-NW-G2-2 MOUNT ON 30FT POLE WITH 3FT BASE	158.7	20401
	4	AA4	Single	0.900	GARDCO PWS-64L-600-NW-G2-4 MOUNT ON 30FT POLE WITH 3FT BASE	158	21559
	11	WP1	Single	0.900	GARDCO PWS-48L-700-NW-G2-2 WALL MOUNT AT 30FT	105	13710
	13	WP2	Single	0.900	STONCO LPW-7-10-NW-G3-2-8 WALL MOUNT AT 8FT	9.7	1050

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
SITE GROUND	Illuminance	Fc	1.04	11.1	0.0	N.A.	N.A.
EAST PARKING	Illuminance	Fc	2.61	3.9	1.1	2.37	3.55
WEST PARKING	Illuminance	Fc	3.02	5.1	1.4	2.16	3.64




TYPE AA


TYPE WP1


TYPE WP2

GENERAL NOTES:

A. PULSE PRODUCTS DOES NOT ASSUME RESPONSIBILITY FOR THE INTERPRETATION OF THIS CALCULATION OR COMPLIANCE TO THE LOCAL, STATE, OR FEDERAL LIGHTING CODES OR ORDINANCES.

B. LIGHTING LAYOUT IS NOT INTENDED FOR CONSTRUCTION DOCUMENTS BUT ONLY TO ILLUSTRATE THE PERFORMANCE OF THE PRODUCT.

C. ALL READINGS/CALCULATIONS SHOWN ARE SHOWN ON OBJECTS/SURFACES

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PHOTOMETRIC PLAN

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

CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

DATE	ISSUE
8-6-21	SITE PLAN REVIEW

PROJECT TEAM DATA
DESIGNED: MK
DRAWN: DBR
PROJECT NO: 21-0034

P-1.0

SHEET 12 of 12

Drawing name: X:\2021\210034\plan sheets\210034photo.dwg Aug 06, 2021 - 2:12pm

Exhibit B

CITY OF BROOKLYN CENTER NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that the Planning Commission of the City of Brooklyn Center will hold a public hearing on **Thursday, November 18, 2021**, at approximately 7:00 p.m. via WebEx. To join the meeting https://logis.webex.com/logis/j.php?MTID=mb20c808eecce583fd1703eb3f6cc0357 or you can join by dialing 1-312-535-8110; Meeting ID: 24556926416#; Passcode: BCPC11182021#. Meeting materials can be accessed by visiting the City of Brooklyn Center's website at: https://www.ci.brooklyn-center.mn.us/. A definite time for this application to be considered cannot be given as it will depend on the progression of the agenda items.

TYPE OF REQUEST:
Site and Building Plan, Establishment of a Planned Unit Development (PUD), and Re-zoning

APPLICANT/PROPERTY OWNER:
McGlynn Partners LLC / ODAA Center LLC

PROPERTY ADDRESS:
6440 James Circle North, Brooklyn Center, MN 55430

PROPERTY ID:
35-119-21-41-0008

BRIEF STATEMENT OF CONTENTS OF PETITION:
The Applicant is requesting review and consideration of a proposal to re-develop the former Earle Brown Bowl property, located at 6440 James Circle North, to an approximately 63,780-square foot mixed office and light industrial building with related site improvements on an approximately 4.03 acre site. The City's 2040 Comprehensive Plan guides the Subject Property as "Business Mixed-Use."

Public comment can be submitted to gmcintosh@ci.brooklyn-center.mn.us or by phone at (763) 569-3319 up until 4:30 p.m. on November 18, 2021. Your comments will be included in the record and addressed as part of the meeting.

Respectfully,
Ginny McIntosh
City Planner/Zoning Administrator

Published in the
Sun Post
November 4, 2021
1179552

The City Council consensus was reached to start the City Council retreat on June 26, 2021, at 8:30 a.m. or 9 a.m.

INFRASTRUCTURE FRAMEWORK FOR THE OPPORTUNITY SITE DISCUSSION

Dr. Edwards introduced the item and stated this item relates to the Opportunity Site infrastructure, sewer, and streets that can be moved forward. He asked if the City Council is available to meet on June 14, 2021, at 5 o'clock to provide information and move forward with this item. He noted this item has been delayed several times and is now time-sensitive in the context of all of the other items related to the Opportunity Site.

Mayor Elliott polled the Council Members on availability on June 14, 2021. Councilmember Ryan stated he is available at 5 p.m. for a briefing on the Opportunity Site before the regular June 14, 2021, City Council meeting. Councilmember Lawrence-Anderson stated she is also available. Councilmember Butler stated she will not be available to attend the June 14, 2021 meetings.

Mayor Elliott asked whether it is known if Councilmember Graves is available at 5 p.m. Dr. Edwards stated he does not know at this time and can update the City Council once her schedule is confirmed.

Mayor Elliott stated in his view, it is a meeting that all or a majority of the City Council should be present and asked staff to follow up with Councilmember Graves. Dr. Edwards suggested if Councilmember Graves is not available at 5 p.m., he present potential dates that would not be the same night as a regular Council meeting.

The City Council agreed with the suggestion of Dr. Edwards.

DISCUSSION OF WORK SESSION AGENDA ITEMS AS TIME PERMITS

CONCEPT DEVELOPMENT PROPOSAL FOR 6440 JAMES CIRCLE

Acting City Manager Reggie Edwards introduced the item and invited Ms. Beekman to present the staff report.

Community Development Director Meg Beekman displayed a PowerPoint presentation and stated this is a concept proposal for a 694 business center on the property at 6441 James Circle, the former Earle Brown bowling site that has been vacant for some time. She stated the interior of the building has been largely demolished and removed and the shell of the building remains with the rest of the site being vacant.

Ms. Beekman stated this review is an opportunity for the City Council to ask questions and offer comments on a specific concept proposal before it comes as a formal land use application to the Planning Commission and City Council. The City Council could indicate if they are open to this concept and staff encourages questions by the developer and Council Members but this is a non-binding conversation. The City Council is not being asked to take formal action but, rather,

provide feedback and give direction to staff and the developer as they continue to work on the project.

Ms. Beekman displayed a map of the subject 4-acre site, noting it is zoned C2 and guided for Business Mixed Use, which is a new land use designation created in the 2040 Comprehensive Plan to identify a base for what has historically been considered a light industrial district with broader land uses to create a business center-type of the environment to accommodate manufacturing, warehouse, and distribution, office, as well as hotels, restaurants, and other types of services that businesses within a business center might rely on or want to have. Residential is not a permitted use within the Business Mixed Use district but generally is a flexible land use otherwise.

Ms. Beekman stated this site was acquired by Toushouta Tupra in 2017 and subsequently has gone through a Special Use Permit (SUP) approval process to allow for an event center. That SUP was renewed in 2019 but to date, that use has not come forward due to challenges with financing and identifying the right use for this property. The proposal is to demolish the existing structure and construct a 64,000 sq. ft. flex office light industrial building. She displayed an exterior building elevation, noting generally it would be thought these uses are conducive to office space, manufacturing, distribution, and warehousing. A similar development would be the Caribou headquarters that has a wide variety of flexible uses.

Ms. Beekman stated the stormwater, parking, and truck circulation would be contained on-site without shared stormwater and parking as had been proposed previously. This project would be developed speculatively with tenants identified after approval and construction commenced. While the tenants are not known at this time, we can surmise what they might be based on market demands and what is being built in other communities.

Ms. Beekman displayed a site plan, noting the 50-foot front setback from James Circle and 25-foot rear and side setbacks. The Zoning Code requires front yard setbacks on all sides fronting on major roadways. But in this case, to make the site work, one of the flexibilities would be around allowing lesser setbacks at the rear and side. It would also require a rezoning to PUD Business Mixed Use. The parking shows 80 stalls. She explained the parking demand is difficult to calculate as the parking requirement is based on use and we don't yet know the tenant mix. Also, over time, tenants can change. Ms. Beekman explained how staff calculated the parking requirement at 122 stalls, meaning that as proposed there would be a parking deficiency. One of the factors playing into this is the need to understand what the land uses will be and a parking study would be required to understand that. She stated this may include some land-use obstructions as part of the development agreement. She noted the City's current parking restrictions were established in the 1960s and are currently under review as part of the Zoning Code update.

Ms. Beekman stated about financing, the developer has indicated an initial project gap of $1.4 million so Ehlers has been asked to review that documentation. Ehlers indicated they don't feel a 26-year TIF district would be supported by the project. The City knows the funds generated by a TIF district can only be applied to TIF eligible expenditures so the City needs to better understand what those eligible expenditures are to understand how the amount of TIF generated will pair with what might be eligible for costs. As part of a public subsidy application request, the amount of the subsidy has to be warranted in addition to those costs for eligible uses. The public subsidy

application will need to be fully analyzed and Ehlers will identify a recommendation regarding that. TIF will need to be found warranted by the City Council and then the City's public subsidy policy would apply.

Ms. Beekman explained that based on tonight's discussion, the developer can proceed with a formal review process. In this case, it would be a Planning Case application for a PUD, rezoning, and a site and building plan review. These applications will go through the Planning Commission for the official public hearing and recommendation to the City Council. If a public subsidy is pursued, it would go through a formal review by the City's financial consultants to identify the warrants and pair those with eligible costs to assure there is a need for TIF and the subsequent use is appropriate. Any application for TIF would receive a formal review by both the City Council and EDA and require a public hearing.

Ms. Beekman stated the discussion this evening is for City Council questions or comments directly related to the proposed concept including land use and site layout and if the City Council is open to TIF if found to be warranted in this case. She noted this site has been vacant for several years and struggled to find the best use. She stated the developer is available to make a further presentation and answer questions of the City Council.

Mayor Elliott stated he would like to wait to see what the Planning Commission comes back with.

Councilmember Ryan stated when we consider the range and types of commercial development, retail is pretty much dead and we don't see demand for office, but in conversations, he has had with the Development Director, speculative light industrial buildings are attracting interest in a lot of places. He stated he would be favorably disposed to the concept and should it go forward, then the City Council and EDA may have a conversation about what types of restrictions should be placed in the zoning to ensure certain undesirable uses don't go into the property. He stated he is open to TIF if it is determined to be warranted.

Mayor Elliott stated on the retail sector, his thoughts are that retail for part of the market may be experiencing retraction but it depends on the part of the market you are talking about. He asked who we are building retail for, noting as an example, retail-like the Somali mall is bursting at the seams and they need more space. He stated it depends who you are building retail for as it could be dead or very much alive. Mayor Elliott stated he is interested in seeing what they come back with in terms of the financial package or the uses might be. Generally speaking, he thinks the City Council should look away from speculative markets in some cases and be more intentional in terms of the vision the City is building out for Brooklyn Center and how to go about building and specifically identifying the needs of the community.

Patrick McGlynn, the developer, stated he is a multi-family developer that Mr. Tupra has brought on board to help develop this site he purchased three years ago. Mr. McGlynn stated he advised Mr. Tupra that doing an office-type or retail-type building in this market was probably not a great idea. They decided the industrial market was growing at an incredible rate, there is quite a demand for that product demand, and they have already fielded several calls from interested tenants for this project type. He stated they are looking forward to getting something new and fresh on a site

that has been underutilized, poorly maintained, and carries a connotation that the City of Brooklyn Center no longer wants to see, and neither do they.

Mr. McGlynn stated they are excited to create some jobs for the City and deal with some of the environmental impacts of new construction. They have already applied for some programs with Xcel Energy and Center Point Energy to do their green building initiative and solar programs. They are working closely together to design the industrial building of the future that will be a transition into what new construction becomes. He stated he greatly appreciates the City Council taking the time to fit them into their agenda, noting the City Council has more pressing matters. He offered to answer questions of the City Council.

Councilmember Ryan asked Mr. McGlynn to elaborate on his comment that retail and conventional office is probably not a good idea right now. He noted one concern of the City Council is how much market-rate development the City needs to have both in terms of relieving homestead property taxpayers so there is a tax base and financial wherewithal to do other types of development. He also asked Mr. McGlynn if he has experience with building this type of green building.

Mr. McGlynn stated he has never done an industrial building but his partner, Josh Budish with Endeavor Development, spent the last number of years with Duke Realty, a nationally run company that focuses entirely on industrial property in the Midwest market. Mr. Boodish spearheaded their Minneapolis market so they have partnered with him on this project since he has intimate knowledge of what tenants are looking for, type of demand, aspects of construction that are important to tenants, and what brings businesses to certain areas. Mr. McGlynn stated the location of this site is very positive for industrial as it is easy to access, close to major highways, and feeds the demand for that type of product. He stated he does not think retail is necessarily dead and there is a need for well-placed retail.

Councilmember Ryan stated Mr. McGlynn had mentioned that Brooklyn Center, in his opinion, is over retailed during a discussion on a different project. He noted some people may be put off by the term 'speculative industrial' but in this market, it would be far more speculative to build retail unless it is extremely well placed and well-positioned, such as in Edina in a higher-income area. And to say nothing of the office where the trend is more people working from home. He stated when constructing an industrial building that does not have committed tenants is where the term 'speculative industrial' comes from but considering this is a growing segment of the real estate redevelopment market, he thinks it is probably a better bet than the other two options.

Mr. McGlynn stated if you look at speculative buildings proposed and under construction now, 90% of the time before those buildings are completed, they are fully leased and committed. He explained they call it 'speculative' to leave it open to multiple users to then tailor it to their specific needs, whether a larger office component and smaller manufacturing component or a larger manufacturing component and a smaller office component. That is where the term comes from. He stated they intend that this building will be fully committed before they even start construction since they have already had an interest in this location before they even have government approvals or architectural drawings completed.

ADJOURNMENT

Mayor Elliott adjourned the Study Session at 6:48 p.m.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss. Certification of Minutes
CITY OF BROOKLYN CENTER)

The undersigned, being the duly qualified and appointed City Clerk of the City of Brooklyn Center, Minnesota, certifies:

1. That attached hereto is a full, true, and complete transcript of the minutes of a Study Session of the City Council of the City of Brooklyn Center held on May 24, 2021.

2. That said meeting was held pursuant to due call and notice thereof and was duly held at Brooklyn Center City Hall.

3. That the City Council adopted said minutes at its June 14, 2021, Regular Session.

City Clerk

Mayor

M E M O R A N D U M

DATE: November 10, 2021

TO: Ginny McIntosh, City Planner/Zoning Administrator

FROM: Andrew Hogg, Assistant City Engineer

SUBJECT: Preliminary Site Plan – Crest Phase II

Public Works staff reviewed the following documents submitted for review for the proposed Crest Phase II:

- Preliminary Plans dated August 8, 2021

Subject to final staff Site Plan approval, the referenced plans must be revised in accordance with the following comments/revisions and approved prior to issuance of Land Alteration permit.

C1.0 – Existing Conditions

1. Provide demo and removals plan.
2. Protect existing sidewalk and utilities along Freeway Boulevard.

C2.0 – Grading Plan

3. Align NW entrance to match centerline of entrance on west side of James Circle N.
4. Shift SE to allow for truck/trailer parking on ramp.
5. Remove North entrance on to Freeway Boulevard.
6. Provide detailed vehicle turning and tracking movement diagrams for delivery vehicles, garbage trucks, bus, etc. demonstrating specific and actual routes.
7. Meet zoning code green space requirements.

C3.0 – Grading Plan

8. Review parking lot flooding in 100-yr event.
9. Clean up text and provide additional elevation.

C5.0, – Utility Plan & Stormwater Details

10. Provide easements as noted on utility plan.
11. Utility Facilities Easement Agreement is required.

C6.0, 6.1 – Detail Sheets

12. All work performed and materials used for construction of public utilities must conform to the City standard specifications and details. The City's standard details must be included in the plan.
13. Update to use current City plates.

Miscellaneous

14. See redlines for additional Site Plan comments.
15. Provide irrigation plan.

16. Upon project completion the applicant must submit an as-built survey of the property, improvements and utility service lines and structures; and provide certified record drawings of all project plan sheets depicting any associated private and/or public improvements, revisions and adjustments prior to issuance of the certificate of occupancy. The as-built survey must also verify that all property corners have been established and are in place at the completion of the project as determined and directed by the City Engineer.
17. Inspection for the private site improvements must be performed by the developer's design/project engineer. Upon project completion, the design/project engineer must formally certify through a letter that the project was built in conformance with the approved plans and under the design/project engineer's immediate and direct supervision. The engineer must be certified in the State of Minnesota and must certify all required as-built drawings (which are separate from the as-built survey).
18. The total disturbed area exceeds one acre, an NPDES permit is required. The total disturbed area is less than five acres; the City of Brooklyn Center will review the plans per the Shingle Creek Watershed Commission rules. Applicant must meet requirements from the watershed's rules review.
19. Applicant must apply for a Land Disturbance permit.

Prior to Issuance of a Land Alteration

20. Final construction/demolition plans and specifications need to be received and approved by the City Engineer in form and format as determined by the City. The final plan must comply with the approved preliminary plan and/or as amended, as required by the City Engineer.
21. A letter of credit or a cash escrow in the amount of 100 percent of the estimated cost as determined by City staff shall be deposited with the City.
22. During construction of the site improvements and until the permanent turf and plantings are established, the developer will be required to reimburse the City for the administration and engineering inspection efforts. Please submit a deposit of $2,500 that the City can draw upon on a monthly basis.
23. A Construction Management Plan and Agreement is required that addresses general construction activities and management provisions, traffic control provisions, emergency management provisions, storm water pollution prevention plan provisions, tree protection provisions, general public welfare and safety provisions, definition of responsibility provisions, temporary parking provisions, overall site condition provisions and non-compliance provisions. A separate $2,500 deposit will be required as part of the non-compliance provision.

Anticipated Permitting

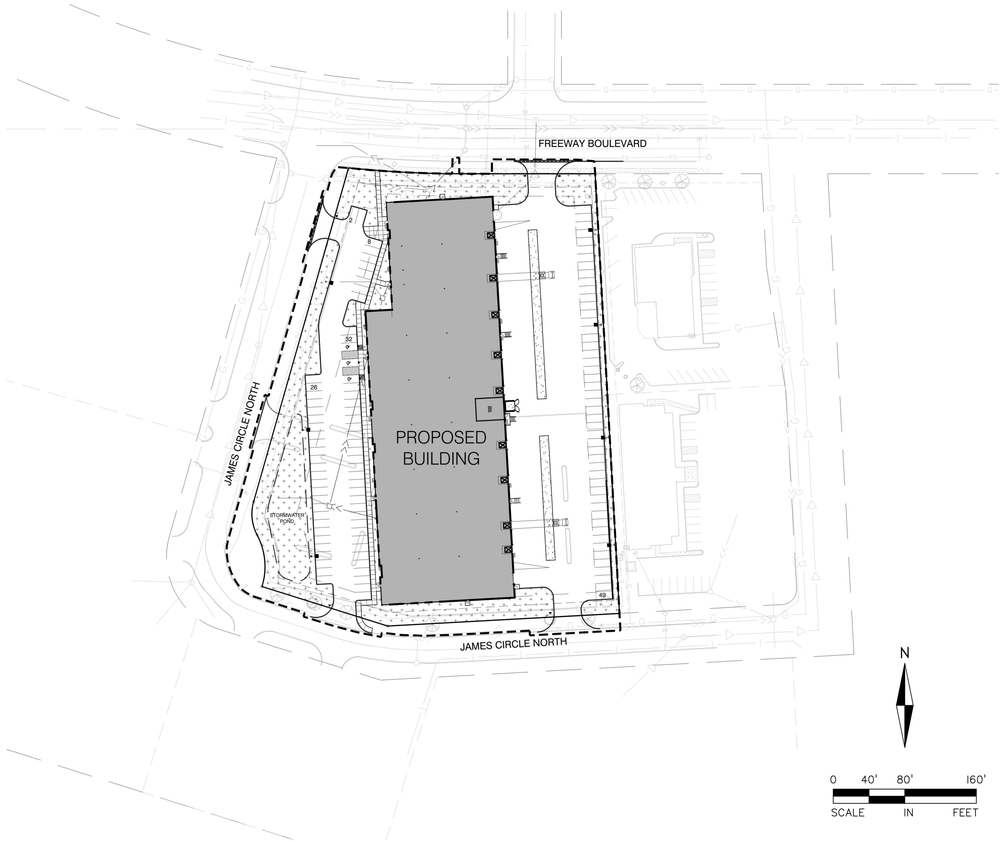
24. A City Land Disturbance permit is required.
25. Watershed plan review is required.
26. A MPCA NPDES permit is required.
27. Other permits not listed may be required and is the responsibility of the developer to obtain and warrant.
28. Copies of all required permits must be provided to the City prior to issuance of applicable building and land disturbance permits.

29. A preconstruction conference must be scheduled and held with City staff and other entities designated by the City.

The aforementioned comments are provided based on the information submitted by the applicant at the time of this review. Other guarantees and site development conditions may be further prescribed throughout the project as warranted and determined by the City.

BROOKLYN CENTER OFFICE FLEX

6440 JAMES CIRCLE NORTH
BROOKLYN CENTER, MINNESOTA
SITE PLAN REVIEW





VICINITY MAP NOT TO SCALE

Sheet List Table	
Sheet Number	Sheet Title
C–0.0	COVER SHEET
C–1.0	EXISTING CONDITIONS
C–2.0	SITE PLAN
C–3.0	GRADING AND EROSION CONTROL PLAN
C–4.0	STORMWATER POLLUTION PREVENTION PLAN (SWPPP)
C–4.1	SWPPP NOTES
C–5.0	UTILITY PLAN
C–6.0	DETAILS
C–6.0	MNDOT & ADDITIONAL DETAILS
L–1.0	LANDSCAPE PLAN
L–1.1	LANDSCAPE DETAILS
P–1.0	PHOTOMETRIC PLAN

811 **Know what's below. Call before you dig. Dial 811**

ARCHITECT

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Phone 952-426-7439/FAX 952-426-7440
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COVER SHEET

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

CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

DATE	ISSUE
8–6–21	SITE PLAN REVIEW

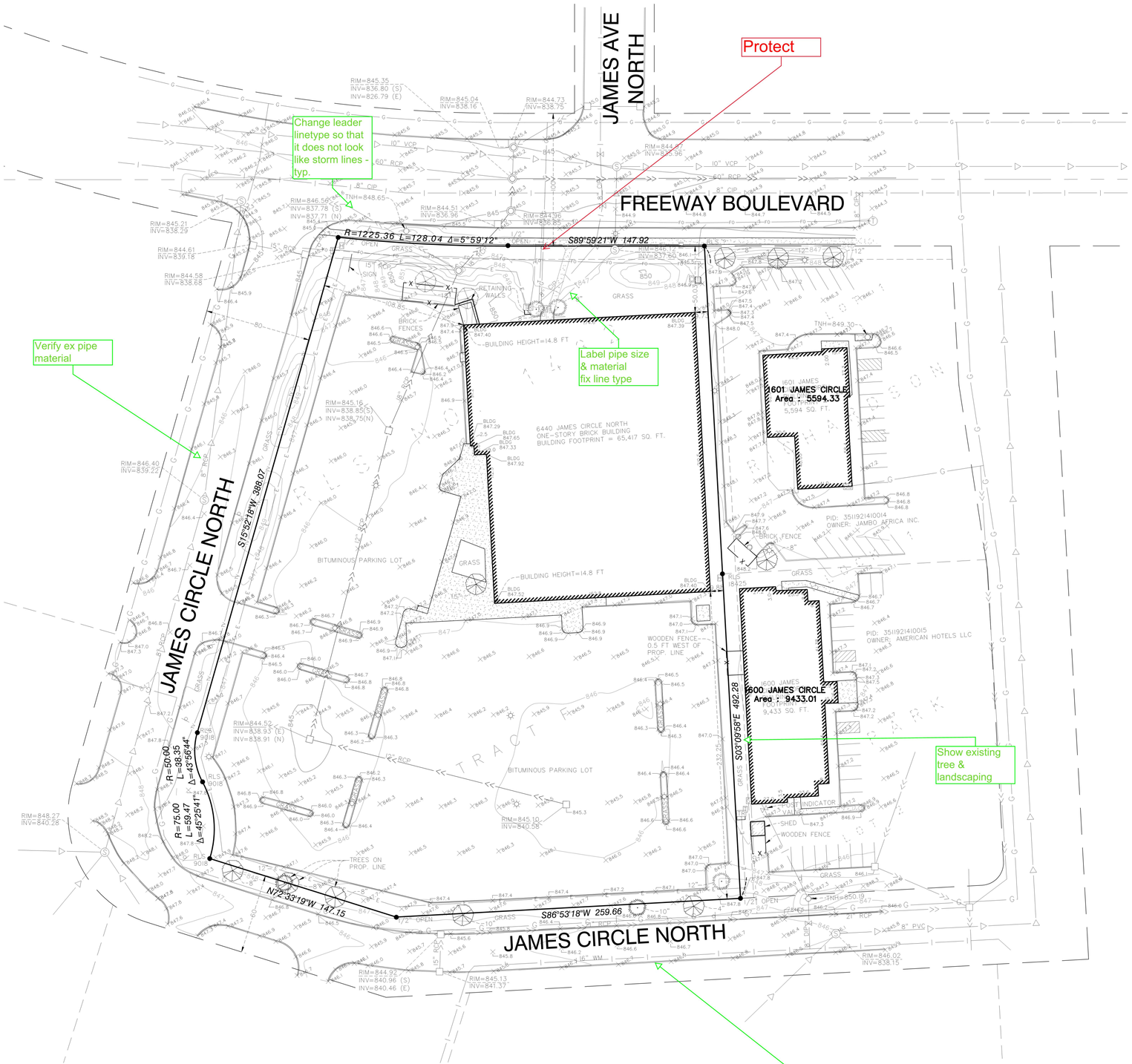
PROJECT TEAM DATA

DESIGNED:	MK
DRAWN:	DBR
PROJECT NO:	21–0034

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SHEET 1 of 12

Drawing name: X:\2021\210034\plan sheets\210034cover.dwg Aug 06, 2021 – 2:10pm



PROPERTY DESCRIPTION

Tract F, Registered Land Survey No 1482, Hennepin County, Minnesota.

NOTES

1. This survey was prepared without the benefit of a title commitment and may not depict all easements, encumbrances, and appurtenances.

2. The locations of underground utilities are depicted based on Gopher State One Call, available city maps, records and field locations and may not be exact. Verify critical utilities prior to construction or design.

3. The orientation of this bearing system is based on the Hennepin County Coordinate System NAD83 (86 Adjustment).

4. All distances are in feet.

5. The area of the above described property is 175,384 square feet or 4.026 acres.

6. The elevations at curb are to top of curb.

7. Benchmark: A bridge railing in Brooklyn Center, in the bridge railing in the Northeast corner of Northbound Humboldt Avenue Bridge Number 27914 over Interstate Highway 94 and Interstate Highway 694, has an elevation of 879.29 (NGVD29).

LEGEND

- FOUND IRON MONUMENT
- STORM MANHOLE
- SANITARY MANHOLE
- TELEPHONE MANHOLE
- CATCH BASIN
- COMMUNICATIONS PEDESTAL
- TELEPHONE PEDESTAL
- COMMUNICATIONS HAND HOLE
- ELECTRIC PEDESTAL
- GAS METER
- TRANSFORMER
- LIGHT POLE
- SIGN
- BOLLARD
- WATER VALVE
- 885.82 EXISTING SPOT ELEVATION
- EXISTING DECIDUOUS TREE
- EXISTING CONIFEROUS TREE
- G GAS
- STORM SEWER
- SANITARY SEWER
- WATERMAIN
- E UNDERGROUND ELECTRIC
- FO UNDERGROUND FIBER
- T UNDERGROUND TELEPHONE
- TV UNDERGROUND TELEVISION
- X FENCE
- CONCRETE
- BITUMINOUS SURFACE
- RETAINING WALL

* Demo and Removals Plan Needed

Fix Certification

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EXISTING CONDITIONS

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CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

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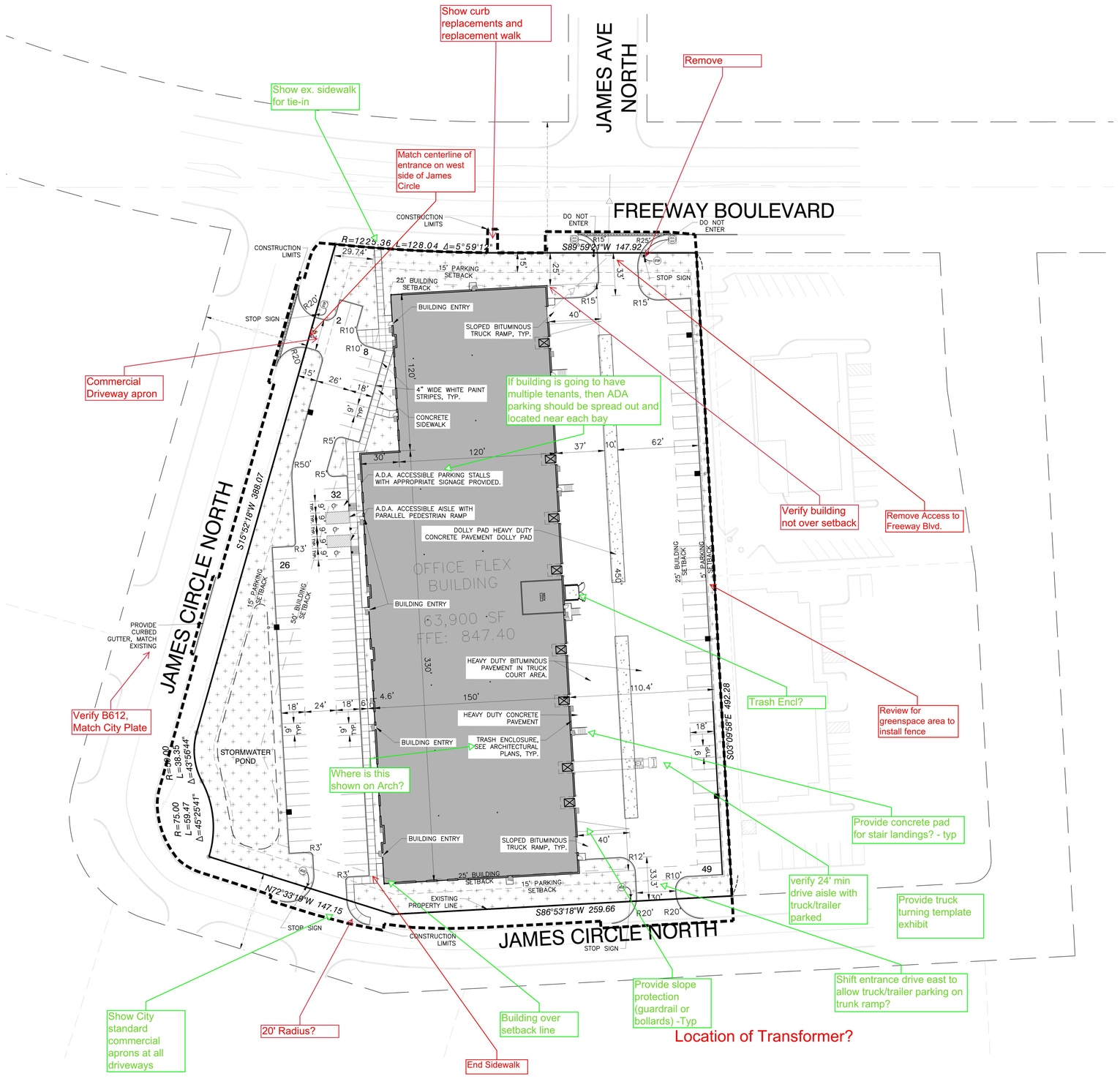
PROJECT TEAM DATA

DESIGNED:	MK
DRAWN:	DBR
PROJECT NO:	21-0034

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SHEET 2 of 12

Drawing name: X:\2021\210034\plan sheets\210034econ.dwg Aug 06, 2021 - 2:11pm



SITE NOTES:

1. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
2. CONTRACTOR SHALL FIELD VERIFY THE LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES, SUCH AS EXISTING GUTTER GRADES AT THE PROPOSED DRIVEWAYS, PRIOR TO THE START OF SITE GRADING. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM THE PLANS.
3. ALL WORK TO BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE REQUIREMENTS AND STANDARDS OF THE LOCAL GOVERNING AUTHORITY.
4. CONTRACTOR IS RESPONSIBLE FOR DEMOLITION & REMOVAL OF ALL EXISTING STRUCTURES WHICH INTERFERE WITH NEW WORK AS SHOWN.
5. ALL DIMENSIONS, GRADES, EXISTING AND PROPOSED INFORMATION SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR WORK HAVING TO BE REDONE DUE TO INFORMATION SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
6. DIMENSIONS SHOWN ARE TO FACE OF CURB, CENTER OF STRUCTURE, EDGE OF SIDEWALK OR EXTERIOR OF BUILDING.
7. ALL CONCRETE SIDEWALK ADJACENT TO BUILDING SHALL BE SEPARATED BY A 1/2" EXPANSION JOINT.
8. PROTECT EXISTING CONCRETE SIDEWALKS DURING ALL PHASES OF CONSTRUCTION. CONTRACTOR TO REPLACE ANY CRACKED OR BROKEN PANELS CAUSED BY SITE CONSTRUCTION.
9. CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL & DISPOSAL OF THE EXISTING BITUMINOUS. BITUMINOUS SHALL BE SAW CUT OR JACK HAMMERED FOR STRAIGHT EDGES. TACK SHALL BE USED ON BITUMINOUS EDGE PRIOR TO PATCHING. MATCH EXISTING GRADES.
10. CONTRACTOR SHALL PROTECT ADJOINING PROPERTIES & STRUCTURES FROM HAZARDS ASSOCIATED WITH HIS CONSTRUCTION ACTIVITIES & SHALL BE RESPONSIBLE FOR ALL DAMAGES TO PROPERTIES & STRUCTURES THAT OCCUR AS A RESULT OF THESE ACTIVITIES.
11. CONTRACTOR SHALL NOT IMPEDE EXISTING TRAFFIC CIRCULATION TO ADJACENT BUSINESSES. PROVIDE TRAFFIC CONTROL DURING CONSTRUCTION PER MNDOT STANDARDS.
12. CONTRACTOR SHALL PERFORM SWEEPING ON PRIVATE PARKING AREAS AND PUBLIC STREETS AT LEAST ONCE A WEEK, ONCE A DAY IF NEEDED.
13. CONTRACTOR SHALL BE HELD FULLY RESPONSIBLE TO PREVENT AND ELIMINATE ANY DUST NUISANCE OCCASIONED BY AND DURING CONSTRUCTION, UNTIL THE PROJECT HAS BEEN COMPLETED AND HANDED OVER.
14. REFER TO ARCHITECTURAL DRAWINGS FOR CONCRETE STOOPS ADJACENT TO PROPOSED BUILDING.
15. CONTINUOUS CONCRETE CURB & GUTTER WHICH CHANGES TYPE SHALL HAVE A FIVE FOOT TRANSITION.
16. ALL CONCRETE CURB AND GUTTER ADJACENT TO CONCRETE WALK SHALL BE SEPARATED BY A 1/2 INCH EXPANSION JOINT.
17. PARKING LOT STRIPING SHALL BE 4 INCH WHITE.
18. ALL WORK WITHIN THE R.O.W. STALL COMPLY WITH THE CITY OF EAGAN ENGINEERING DESIGN STANDARDS.
19. ALL CURB AND GUTTER TO BE CONCRETE B612 CURB UNLESS NOTED OTHERWISE.
20. CONCRETE APRONS TO BE INSTALLED FOR ALL ACCESS DRIVES ONTO PUBLIC STREETS PER CITY STANDARDS.
21. ALL CONCRETE PADS TO BE 3000 PSI AIR ENTRAINED 6" CONCRETE WITH #4 BARS @ 12" O.C. AND BROOM FINISHED.

SITE DATA:

Adjust to meet requirements

EXISTING PARCEL AREA	175,384 S.F.	4.03 AC
PROPOSED LOT AREA	175,384 S.F.	4.03 AC

ZONING = C2 – COMMERCIAL
BUILDING COVERAGE = 63,900 S.F. / 175,384 S.F. = 36.43%
GREEN SPACE COVERAGE = 33,144 S.F. / 175,384 S.F. = 18.89% < 20% MIN
PARKING / IMPERVIOUS = 142,240 S.F./ 175,384 S.F. = 81.11% > 80% MAX

BUILDING SETBACK
FRONT = 50 FEET
REAR = 25 FEET
SIDE (ROW) = 25 FEET
SIDE = 25 FEET

PARKING SETBACK
FRONT = 15 FEET
REAR = 5 FEET
SIDE (ROW) = 15 FEET
SIDE = 15 FEET

PARKING DATA
REQUIRED
OFFICE = ±6,000 S.F. / 150 = 40 STALLS
WAREHOUSE = 57,900 S.F. AT 1/800 = 73 STALLS
TOTAL REQUIRED = = 113 STALLS

PROPOSED
PARKING PROVIDED = 117 STALLS

SITE PERMEABILITY:

EXISTING:		
SITE AREA =	175,384 S.F.	4.03 AC
PERVIOUS AREA =	33,060 S.F.	18.85%
IMPERVIOUS AREA =	142,324 S.F.	81.15%
PROPOSED:		
SITE AREA =	175,384 S.F.	4.03 AC
PERVIOUS AREA =	33,144 S.F.	18.89%
IMPERVIOUS AREA =	142,240 S.F.	81.11%

LEGEND:

- EXISTING CURB & GUTTER
- B612 CURB & GUTTER (EXCEPT IN ROW)
- CONSTRUCTION LIMITS
- PROPERTY LINE
- PREVIOUS RIGHT OF WAY
- BUILDING SETBACK
- PARKING SETBACK
- CONCRETE
- LIGHT DUTY BITUMINOUS
- HEAVY DUTY BITUMINOUS

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SITE PLAN

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CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

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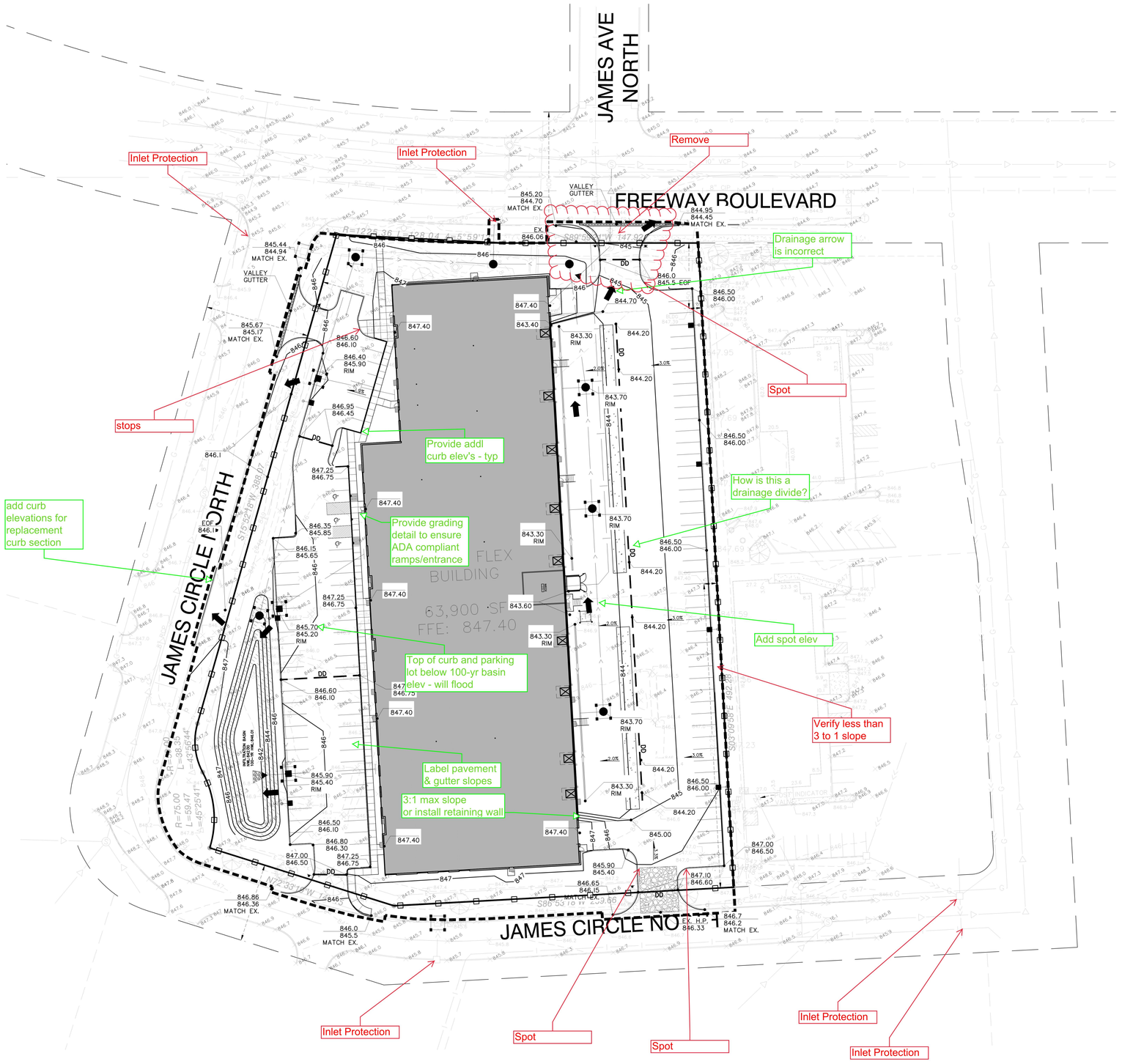
DATE	ISSUE
8-6-21	SITE PLAN REVIEW

PROJECT TEAM DATA
DESIGNED: MK
DRAWN: DBR
PROJECT NO: 21-0034

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SHEET 3 of 12

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GRADING NOTES:

1. ALL FINISHED GRADES SHALL SLOPE AWAY FROM PROPOSED BUILDINGS.
2. THE CONTRACTOR SHALL KEEP THE ADJACENT ROADWAYS FREE OF DEBRIS AND PREVENT THE OFF-SITE TRACKING OF SOIL IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY AND WATERSHED.
3. NOTIFY GOPHER STATE ONE CALL, AT (800)252-1166, 48 HOURS PRIOR TO START OF CONSTRUCTION.
4. ALL IMPROVEMENTS TO CONFORM WITH CITY OF BROOKLYN CENTER CONSTRUCTION STANDARDS SPECIFICATION, LATEST EDITION.
5. ROCK CONSTRUCTION ENTRANCES SHALL BE PROVIDED AT ALL CONSTRUCTION ACCESS POINTS.
6. REFER TO GEOTECHNICAL REPORT AND PROJECT MANUAL, FOR SOIL CORRECTION REQUIREMENTS AND TESTING REQUIREMENTS.
7. STRIP TOPSOIL PRIOR TO ANY CONSTRUCTION. REUSE STOCKPILE ON SITE. STOCKPILE PERIMETERS MUST BE PROTECTED WITH SILT FENCE.
8. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
9. IMMEDIATELY FOLLOWING GRADING OF (3:1 OR GREATER) SIDE SLOPES AND DRAINAGE SWALES, WOOD FIBER BLANKET OR OTHER APPROVED SOIL STABILIZING METHOD (APPROVED BY ENGINEER) SHALL BE APPLIED OVER APPROVED SEED MIXTURE AND A MINIMUM OF 4" TOPSOIL.
10. THE GENERAL CONTRACTOR MUST DISCUSS DEWATERING PLANS WITH ALL SUBCONTRACTORS TO VERIFY NPDES REQUIREMENTS. IF DEWATERING IS REQUIRED DURING CONSTRUCTION, CONTRACTOR SHOULD CONSULT WITH EROSION CONTROL INSPECTOR AND ENGINEER TO DETERMINE APPROPRIATE METHOD. REFER TO DEWATERING NOTES SHEET C-4.2
11. REFER TO STORMWATER POLLUTION PREVENTION PLAN (SWPPP) FOR ALL EROSION AND SEDIMENT CONTROL DEVICE LOCATION, DESCRIPTIONS, NOTES AND DETAILS INCLUDING CONCRETE WASHOUT STATION INSTRUCTIONS.
12. BUILDING PERMITS ARE REQUIRED FOR ALL RETAINING WALLS 4 FEET IN HEIGHT OR GREATER AND THE WALLS SHALL BE DESIGNED BY A STRUCTURAL ENGINEER WITH DESIGN REVIEWED AND APPROVED BY THE CITY PRIOR TO INSTALLATION.
13. "CONTACT CITY OF BROOKLYN CENTER WATER RESOURCES STAFF MINIMUM OF 24-HOURS PRIOR TO EXCAVATION OF STORMWATER BASINS TO ARRANGE INSPECTIONS AT CRITICAL STEPS DURING CONSTRUCTION ACTIVITIES OF STORMWATER TREATMENT FEATURES. CITY CONTACT: STEVEN LILLEHAUG - 763-569-3340 OR PUBLICWORKS@CI.BROOKLYN-CENTER.MN.US"

TOTAL DISTURBED AREA
4.03 AC

LEGEND:

- 886 — PROPOSED CONTOUR
- 886 — EXISTING CONTOUR
- DD — DRAINAGE DIVIDE
- 900.20 / 899.70 — TOP OF CURB FLOW LINE
- 2.00% — DRAINAGE DIRECTION ARROW
- FFE — FINISHED FLOOR ELEVATION
- PRE SILT FENCE
- INLET PROTECTION
- EROSION CONTROL BLANKET
- ROCK CONSTRUCTION ENTRANCE
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- PROPOSED SANITARY SEWER
- PROPOSED WATER
- CONSTRUCTION LIMITS

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GRADING AND EROSION CONTROL PLAN

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CLARK WICKLUND, PE

Date License No.

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8-6-21	SITE PLAN REVIEW

PROJECT TEAM DATA

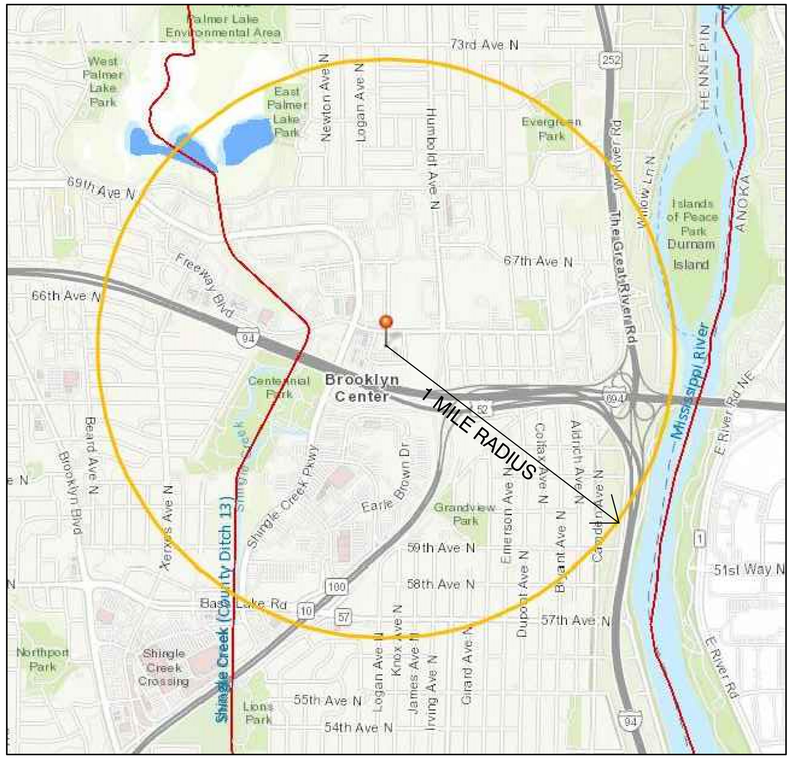
DESIGNED:	MK
DRAWN:	DBR
PROJECT NO:	21-0034

C-3.0

SHEET 4 of 12

Drawing name: X:\2021\210034\plan sheets\210034grade.dwg Aug 06, 2021 - 2:11pm

USGS TOPOGRAPHICAL MAP



IMPAIRED WATER SPECIAL REQUIREMENT:

SHINGLE CREEK IS CLASSIFIED AS AN IMPAIRED WATER. THUS, THE FOLLOWING REQUIREMENTS APPLY FOR THIS PROJECT:

23.9.

PERMITTEES MUST IMMEDIATELY INITIATE STABILIZATION OF EXPOSED SOIL AREAS, AS DESCRIBED IN ITEM 8.4, AND COMPLETE THE STABILIZATION WITHIN SEVEN (7) CALENDAR DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE TEMPORARILY OR PERMANENTLY CEASES.

23.10.

PERMITTEES MUST PROVIDE A TEMPORARY SEDIMENT BASIN AS DESCRIBED IN SECTION 14 FOR COMMON DRAINAGE LOCATIONS THAT SERVE AN AREA WITH FIVE (5) OR MORE ACRES DISTURBED AT ONE TIME.

ALSO, A MANDATORY STORMWATER POLLUTION PREVENTION PLAN (SWPPP) REVIEW IS REQUIRED BY THE MPCA IF THE PROJECT WILL DISTURB OVER 50 ACRES AND HAS A DISCHARGE POINT ON THE PROJECT WITHIN 1 MILE (AERIAL RADIUS MEASUREMENT) OF, AND FLOWS TO THE IMPAIRED WATER. OWNERS MUST SUBMIT THE APPLICATION FOR COVERAGE AND THE SWPPP AT LEAST 30-DAYS BEFORE THE CONSTRUCTION START DATE. THE SWPPP CAN BE ATTACHED ELECTRONICALLY WHEN USING THE ONLINE APPLICATION.

PERMANENT BMP DESCRIPTION:

PROPOSED BMPS ONSITE WILL CONSIST OF ONE INFILTRATION BASINS. THE SITE WILL DRAIN TO IT VIA PROPOSED STORM SEWER NETWORK AND SITE OVERFLOWS TO EXISTING PUBLIC STORM SEWER STUB/NETWORK

DISTURBED AREA/ IMPERVIOUS SUMMARY:

DISTURBED AREA	4.03 AC
EXISTING IMPERVIOUS	3.43 AC
PROPOSED IMPERVIOUS	3.18 AC
NET CHANGE IMPERVIOUS	−0.25 AC

SWPPP BMP QUANTITIES (APPROXIMATE):

SILT FENCE	2,040 LF
INLET PROTECTION	10 EA
ROCK CONSTRUCTION ENTRANCE	1 EA
EROSION CONTROL BLANKET	4,200 SF

WEB SOIL SURVEY MAP



WEB SOIL SURVEY LEGEND

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
D17A	Duelm loamy sand, 0 to 2 percent slopes	0.0	0.1%
D20A	Isan-Isan, frequently ponded, complex, 0 to 2 percent slopes	0.0	0.2%
D67A	Hubbard loamy sand, 0 to 2 percent slopes	0.0	0.6%
U1A	Urban land-Udorthents, wet substratum, complex, 0 to 2 percent slopes	2.0	29.5%
U4A	Urban land-Udipsamments (cut and fill land) complex, 0 to 2 percent slopes	4.7	69.7%
Totals for Area of Interest		**6.8**	**100.0%**

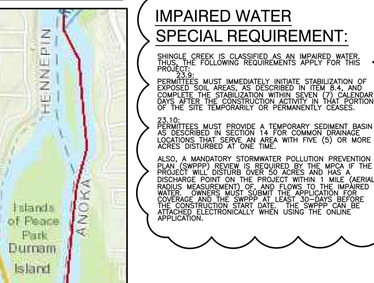
ACTIVE SWPPP LEGEND

CONSTRUCTION SEQUENCE	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR
MULCH BERM													
FIBER ROLLS / MULCH SOCKS													
SILT FENCE													
TEMPORARY MULCH COVER													
TEMPORARY HYDROMULCH													
EROSION CONTROL BLANKET													
ROCK DRIVEWAY / ROCK PADS													
INLET PROTECTION DEVICES													
PAVEMENT (DRIVEWAY/ROADS)													
SOD													
STOCKPILES													

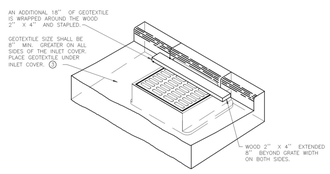
NOTE: CONTRACTOR, GENERAL CONTRACTOR OR SWPPP INSPECTOR TO COMPLETE TABLE AS GRADING PROGRESSES

CONTRACTOR IS RESPONSIBLE FOR REMOVAL OF ALL EROSION CONTROL MATERIALS FOLLOWING TURF ESTABLISHMENT

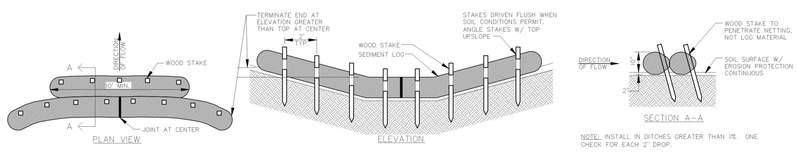
1 SILT FENCE
NOT TO SCALE



2 INLET PROTECTION SEDIMENT FILTER SACK
NOT TO SCALE



3 GEOTEXTILE FILTER AT STREET INLET WITH CURB BOX (SILT SACK)
NOT TO SCALE



NOTE: INSTALL IN DITCHES GREATER THAN 1%. ONE CHECK FOR EACH 2' DROP.

4 TEMPORARY DITCH CHECK USING SEDIMENT LOG
NOT TO SCALE

SWPPP DESIGNER CERTIFICATION:

UNIVERSITY OF MINNESOTA **Daniel M. Sjoblom** Design of Construction SWPPP (May 31 2021)	***Erosion and Stormwater Management*** The bearer of this card has been tested and is certified in the area(s) shown on the reverse of this card. Certification expiration dates appear after each certification area. Gary Sands, Head Department of Bioproducts and Biosystems Engineering University of Minnesota http://www.erosion.umn.edu Card Issued: 6/1/2019

EROSION CONTROL RESPONSIBLE PARTIES:

PROPERTY OWNER:

SWPPP INSPECTION:
TBD

ENGINEER:
CLARK WICKLUND, PE
ALLIANT ENGINEERING, INC.
733 MARQUETTE AVENUE, SUITE 700
MINNEAPOLIS, MN 55402
cwicklund@alliant-inc.com
612-758.3080

CONTRACTOR:
TBD

SWPPP BMP'S

SEDIMENT BARRIERS
1. SILT FENCE (MnDOT 3886)
2. CURB LOG
3. ROCK WEEPER
4. SEDIMENT LOGS

INLET PROTECTION DEVICES
1. WIMCO (MnDOT TYPE A & C)
2. INFRASAFE STORM DRAIN/CULVERT

ANTI-TRACKING CONTROL
1. 2" CRUSHED CLEAR, CLEAN ROCK (LAND DEVELOPMENT)

TEMPORARY SEED MIX
1. MN STATE SEED MIX 21-112 (WINTER WHEAT COVER CROP)
2. MN STATE SEED MIX 22-111 (OATS COVER CROP)

PERMANENT SEED MIX/STABILIZATION
1. MN STATE SEED MIX 25-151 (RESIDENTIAL TURF)
2. SOD

STABILIZATION BMP'S
1. EROSION CONTROL BLANKET MnDOT CATEGORY 3

811 Know what's below. Call before you dig. Dial 811

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BROOKLYN CENTER OFFICE FLEX
6440 JAMES CIRCLE NORTH
BROOKLYN CENTER, MINNESOTA

STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

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

CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

DATE	ISSUE
8-6-21	SITE PLAN REVIEW

PROJECT TEAM DATA

DESIGNED:	MK
DRAWN:	DBR
PROJECT NO:	21-0034

C-4.0

SHEET 5 of 12

Drawing name: X:\2021\210034\plan sheets\210034swppp.dwg Aug 06, 2021 - 2:11pm

EROSION CONTROL GENERAL NOTES:

1. NO LAND DISTURBING ACTIVITY SHALL OCCUR UNTIL A GRADING PERMIT HAS BEEN ISSUED FROM THE CITY OF BROOKLYN CENTER AND THE WATERSHED DISTRICT.
2. BEST MANAGEMENT PRACTICES (BMP'S) REFER TO EROSION AND SEDIMENT CONTROL PRACTICES DEFINED IN THE MPCA PROTECTING WATER QUALITY IN URBAN AREAS AND THE MINNESOTA CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL PLANNING HANDBOOK.
3. ALL BMP'S SELECTED SHALL BE APPROPRIATE FOR THE TIME OF YEAR, SITE CONDITIONS, AND ESTIMATED DURATION OF USE.
4. CONTACT CITY OF BROOKLYN CENTER FOR SWPPP INSPECTIONS IF CITY REQUIRES CITY INSPECTIONS
5. ALL WORK AND MATERIALS SHALL BE CONSTRUCTED ACCORDING TO THE APPROVED PLANS. ANY DEVIATION FROM THE APPROVED PLANS SHALL REQUIRE WRITTEN APPROVAL FROM THE ENGINEER OF RECORD.
6. A COPY OF THESE PLANS MUST BE ON THE JOB SITE WHENEVER CONSTRUCTION IS IN PROGRESS.
7. THE BOUNDARIES OF THE LAND DISTURBANCE LIMITS SHOWN ON THE PLANS SHALL BE CLEARLY FLAGGED IN THE FIELD PRIOR TO CONSTRUCTION. NO DISTURBANCE BEYOND THE DISTURBED LIMITS.
8. WHEREVER POSSIBLE, PRESERVE THE EXISTING TREES, GRASS AND OTHER VEGETATIVE COVER TO HELP FILTER RUNOFF.
9. ESTABLISH A PERMANENT VEGETATIVE COVER ON ALL EXPOSED SOILS WHERE LAND IS COMING OUT OF AGRICULTURAL PRODUCTION. PLANT AS SOON AS POSSIBLE TO ESTABLISH DENSE GRASS FILTER PRIOR TO CONSTRUCTION AND TO MINIMIZE WEED GROWTH.
10. ALL TREES NOT LISTED FOR REMOVAL SHALL BE PROTECTED. DO NOT OPERATE EQUIPMENT WITHIN THE DRIPLINE, ROOT ZONES OR WITHIN TREE PROTECTION FENCE AREAS.
11. ALL EROSION AND SEDIMENT CONTROL FACILITIES (BMP'S) SHALL BE INSTALLED AND IN OPERATION PRIOR TO LAND DISTURBANCE ACTIVITIES AND THEY SHALL BE SATISFACTORILY MAINTAINED UNTIL CONSTRUCTION IS COMPLETED AND THE POTENTIAL FOR EROSION HAS PASSED.
12. SILT FENCE IS REQUIRED AT DOWN GRADIENT PERIMETER OF DISTURBED AREAS AND STOCKPILES. PROTECT ADJACENT WATERBODIES AND ADJACENT PROPERTIES FROM SEDIMENTATION AND STORMWATER RUNOFF.
13. THE BMP'S SHOWN ON THE PLANS ARE THE MINIMUM REQUIREMENTS FOR THE ANTICIPATED SITE CONDITIONS. AS CONSTRUCTION PROGRESSES AND UNEXPECTED OR SEASONAL CONDITIONS DICTATE, THE PERMITTEE/CONTRACTOR SHALL ANTICIPATE THAT MORE BMP'S WILL BE NECESSARY TO ENSURE EROSION AND SEDIMENT CONTROL ON THE SITE. DURING THE COURSE OF CONSTRUCTION, IT IS THE RESPONSIBILITY OF THE PERMITTEE/CONTRACTOR TO ADDRESS ANY NEW CONDITIONS THAT MAY BE CREATED BY CONSTRUCTION ACTIVITIES AND/OR CLIMATIC EVENTS AND TO PROVIDE ADDITIONAL BMP'S OVER AND ABOVE THE MINIMUM REQUIREMENTS SHOWN ON THE PLANS, AS MAY BE NEEDED TO PROVIDE EFFECTIVE PROTECTION OF WATER AND SOIL RESOURCES.
14. THE BMP'S SHALL BE INSPECTED DAILY BY THE PERMITTEE/CONTRACTOR AND MAINTAINED AS NECESSARY TO ENSURE THEIR CONTINUED FUNCTIONING. SILT FENCES CLEANED OR REPLACED AT SEDIMENT BUILDUP OF 1/3 OF THE FENCE HEIGHT.
15. LAND DISTURBING ACTIVITIES SHALL OCCUR IN INCREMENTS OF WORKABLE SIZE SUCH THAT ADEQUATE BMP CONTROL CAN BE PROVIDED THROUGHOUT ALL PHASES OF CONSTRUCTION. THE SMALLEST PRACTICAL AREA SHALL BE EXPOSED OR OTHERWISE DISTURBED AT ANY ONE TIME.
16. OPERATE TRACK EQUIPMENT (DOZER) UP AND DOWN EXPOSED SOIL SLOPES ON FINAL PASS, LEAVING TRACK GROOVES PERPENDICULAR TO THE SLOPE. DO NOT BACK-BLADE. LEAVE A SURFACE ROUGH TO MINIMIZE EROSION.
17. ALL ON SITE SOILS DISTURBED BY CONSTRUCTION SHALL BE STABILIZED FROM EROSION, INCLUDING STOCKPILES, WITHIN 14 CALENDAR DAYS IF CONSTRUCTION ACTIVITY WITHIN THOSE AREAS HAS PERMANENTLY OR TEMPORARILY CEASED. TEMPORARY SEED AND MULCH SHALL COVER ALL EXPOSED SOILS IF LAND DISTURBANCE IS DELAYED LONGER THAN 7-DAYS. PERMANENT SEED AND MULCH/ SOD IS REQUIRED WITHIN 3 DAYS OF COMPLETION OF FINAL GRADING AND SOIL AMENDMENTS.
18. GENERAL TEMPORARY SEED SHALL BE MN STATE SEED MIX 22-112 @ 40 LBS. PER ACRE OR APPROVED EQUAL. PERMANENT SEED SHALL BE MN STATE SEED MIX 25-151 @ 120 LBS. PER ACRE OR APPROVED EQUAL. (PLANTING DATES PER MNDOT SEED MIX MANUAL) MULCH SHALL BE MNDOT TYPE 1 (CLEAN OAT STRAW) @ 2 TONS PER ACRE AND DISK ANCHORED IN PLACE OR APPROVED EQUAL. FERTILIZER SHALL BE 10-10-10 NPK PER ACRE (UNLESS P RESTRICTIONS APPLY) AND INCORPORATED INTO THE SEED BED.
19. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE PROPERLY DISPOSED OF WITHIN THIRTY (30) DAYS AFTER FINAL SITE STABILIZATION IS ACHIEVED OR AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED.
20. ALL CONSTRUCTION SITE WASTE SUCH AS DISCARDED BUILDING MATERIALS, CONCRETE TRUCK WASHOUT, CHEMICALS, LITTER, AND SANITARY WASTE MUST BE PROPERLY MANAGED AND COMPLY WITH THE MPCA, CITY OF BROOKLYN CENTER, AND WATERSHED DISTRICT RULES AND REQUIREMENTS.

DEWATERING:

1. IF UTILITY INSTALLATION WORK ENCOUNTERS GROUNDWATER, THE CONTRACTOR SHALL PROVIDE A PLAN TO THE CITY AND PROJECT ENGINEER FOR REVIEW. THE PLAN MUST BE SUBMITTED TO THE CITY FOR APPROVAL AT LEAST 10 DAYS PRIOR TO DISCHARGING INTO RECEIVING WATERS. THE PLAN AT MINIMUM SHALL INCLUDING A DEWATERING SYSTEM, WATER ROUTING, STORAGE, AND DISCHARGE LOCATION. THE DEWATERING PLAN MUST ENSURE THAT DISCHARGE WATER IS FREE OF SEDIMENT AND TURBID WATER IN ACCORDANCE WITH STATE AND LOCAL PERMIT REQUIREMENTS.
2. IF ANY TEMPORARY DEWATERING IS REQUIRED ONSITE THE CONTRACTOR SHALL DISPOSE OF STORMWATER OR GROUND WATER BY USE OF PUMPS AND HOSES TO ACCEPTABLE DISCHARGE POINTS APPROVED BY THE CITY AND PROJECT ENGINEER.
3. ANY ACCUMULATED SEDIMENT ALONG EXISTING CURB AND GUTTER THAT HAS COLLECTED AS A RESULT OF DISCHARGING DEWATERING HOSES SHALL BE IMMEDIATELY REMOVED AND PROPERLY DISPOSED OF AFTER EACH DISCHARGING EVENT.
4. NOTIFY AND RECEIVE APPROVAL FROM CITY OF BROOKLYN CENTER PRIOR TO ANY DEWATERING OF SITE.

EROSION CONTROL SCHEDULE:

1. PRIOR TO ANY CONSTRUCTION OR DEMOLITION, SILT FENCE, FILTERS, AND CONSTRUCTION ENTRANCES SHALL BE INSTALLED AND INSPECTED BY CITY STAFF.

2. CONTRACTOR SHALL INSTALL EROSION CONTROL DEVICES AS INDICATED ON THIS EROSION CONTROL PLAN AND ANY ADDITIONAL REQUIRED BASED ON MEANS, METHODS AND SEQUENCES OF CONSTRUCTION.

3. ALL EROSION CONTROL INSTALLATIONS SHALL REMAIN IN PLACE AND BE MAINTAINED IN GOOD CONDITION BY THE CONTRACTOR UNTIL THE SITE HAS BEEN RE-VEGETATED. CONTRACTOR MAY REMOVE NECESSARY SILT FENCING/FILTERS TO CONSTRUCT ROADWAYS, WHILE MAINTAINING ADEQUATE EROSION CONTROL IN ADJACENT AREA.

4. SUFFICIENT TOPSOIL SHALL BE STOCKPILED TO ALLOW FOR THE REPLACEMENT OF 6" OF TOPSOIL FOR DISTURBED AREAS TO BE RE-VEGETATED.

5. SOIL COMPACTION SHALL BE MINIMIZED IN PROPOSED PERVIOUS AREAS ONSITE AND AVOID ALTOGETHER IN PROPOSED INFILTRATION BASINS. SOIL SURFACES IN PROPOSED PERVIOUS AREAS COMPACTED DURING CONSTRUCTION SHALL BE DECOMPACTED THROUGH SOIL AMENDMENT OR DEEP RIPPING TO AN 18" DEPTH.

6. THE CONTRACTOR SHALL SCHEDULE SITE GRADING, UTILITY INSTALLATION AND PAVEMENT CONSTRUCTION SO THAT THE GENERAL SITE CAN BE MULCHED AND RE-SEEDED SOON AFTER DISTURBANCE. AREAS THAT WILL NOT BE SUBJECT TO CONSTRUCTION TRAFFIC SHALL BE SEEDED (MN STATE SEED MIX 22-112 @ 40 LBS/AC AND MULCHED OR SODDED WITHIN SEVEN (7) DAYS OF BEING DISTURBED.

SEDIMENT CONTROL PRACTICES

1. THE CONTRACTOR MUST EMPLOY SEDIMENT CONTROL PRACTICES AS NECESSARY TO MINIMIZE SEDIMENT FROM ENTERING SURFACE WATERS, INCLUDING CURB AND GUTTER SYSTEMS AND STORM SEWER INLETS.
   a. TEMPORARY OR PERMANENT DRAINAGE DITCHES AND SEDIMENT BASINS THAT ARE DESIGNED AS PART OF A SEDIMENT CONTAINMENT SYSTEM (E.G., DITCHES WITH ROCK-CHECK DAMS) REQUIRE SEDIMENT CONTROL PRACTICES ONLY AS APPROPRIATE FOR SITE CONDITIONS.
   b. IF THE DOWN GRADIENT SEDIMENT CONTROLS ARE OVERLOADED (BASED ON FREQUENT FAILURE OR EXCESSIVE MAINTENANCE REQUIREMENT), THE CONTRACTOR MUST INSTALL ADDITIONAL UPGRADIENT SEDIMENT CONTROL PRACTICES OR REDUNDANT BMPS TO ELIMINATE THE OVERLOADING, AND THE SWPPP MUST BE AMENDED TO IDENTIFY THESE ADDITIONAL PRACTICES AS REQUIRED IN PART III.B 1.-3.
2. SEDIMENT CONTROL PRACTICES MUST BE ESTABLISHED ON ALL DOWN GRADIENT PERIMETERS AND BE LOCATED UPGRADIENT OF ANY BUFFER ZONES. THE PERIMETER SEDIMENT CONTROL PRACTICE MUST BE IN PLACE BEFORE ANY UPGRADIENT LAND DISTURBING ACTIVITIES BEGIN. THESE PRACTICES SHALL REMAIN IN PLACE UNTIL FINAL STABILIZATION HAS BEEN ESTABLISHED IN ACCORDANCE WITH PART IV.G. A FLOATING SILT CURTAIN PLACED IN THE WATER IS NOT A SEDIMENT CONTROL BMP TO SATISFY PERIMETER CONTROL REQUIREMENTS IN THIS PART EXCEPT WHEN WORKING ON A SHORELINE AND BELOW THE WATERLINE. IN THOSE CASES, A FLOATING SILT CURTAIN CAN BE USED AS A PERIMETER CONTROL PRACTICE IF THE FLOATING SILT CURTAIN IS INSTALLED AS CLOSE TO SHORE AS POSSIBLE. IMMEDIATELY AFTER THE SHORT TERM CONSTRUCTION ACTIVITY (E.G. INSTALLATION OF RIP RAP ALONG THE SHORELINE) IN THAT AREA IS COMPLETE, AN UPLAND PERIMETER CONTROL PRACTICE MUST BE INSTALLED IF EXPOSED SOILS STILL DRAIN TO THE SURFACE WATER.
3. THE CONTRACTOR SHALL RE-INSTALL ALL SEDIMENT CONTROL PRACTICES THAT HAVE BEEN ADJUSTED OR REMOVED TO ACCOMMODATE SHORT-TERM ACTIVITIES SUCH AS CLEARING OR GRUBBING, OR PASSAGE OF VEHICLES, IMMEDIATELY AFTER THE SHORT-TERM ACTIVITY HAS BEEN COMPLETED. THE CONTRACTOR SHALL COMPLETE ANY SHORT-TERM ACTIVITY THAT REQUIRES REMOVAL OF SEDIMENT CONTROL PRACTICES AS QUICKLY AS POSSIBLE. THE CONTRACTOR MUST RE-INSTALL SEDIMENT CONTROL PRACTICES BEFORE THE NEXT PRECIPITATION EVENT EVEN IF THE SHORT-TERM ACTIVITY IS NOT COMPLETE.
4. THE CITY OF BROOKLYN CENTER REQUIRES ALL DOWN GRADIENT CATCH BASINS TO HAVE A RIGID FRAMED INLET PROTECTION DEVICE INSTALLED ALL YEAR UNLESS FLOODING HAS BEEN IDENTIFIED OR THE UPGRADIENT SOILS HAVE ACHIEVED FINAL STABILIZATION. IN THE EVENT OF FLOODING AN ALTERNATIVE PROTECTION WILL BE REQUIRED TO BE IMPLEMENTED.
5. TEMPORARY SOIL STOCKPILES MUST HAVE SILT FENCE OR OTHER EFFECTIVE SEDIMENT CONTROLS, AND CANNOT BE PLACED IN ANY NATURAL BUFFERS OR SURFACE WATERS, INCLUDING STORMWATER CONVEYANCES SUCH AS CURB AND GUTTER SYSTEMS, OR CONDUITS AND DITCHES UNLESS THERE IS A BYPASS IN PLACE FOR THE STORMWATER.
6. WHERE VEHICLE TRAFFIC LEAVES ANY PART OF THE SITE (OR ONTO PAVED ROADS WITHIN THE SITE):
   a. THE CONTRACTOR MUST INSTALL A VEHICLE TRACKING BMP TO MINIMIZE THE TRACK OUT OF SEDIMENT FROM THE CONSTRUCTION SITE. EXAMPLES OF VEHICLE TRACKING BMPS INCLUDE (BUT ARE NOT LIMITED TO) ROCK PADS, MUD MATS, SLASH MULCH, CONCRETE OR STEEL WASH RACKS, OR EQUIVALENT SYSTEMS.
   b. THE CONTRACTOR MUST USE STREET SWEEPING IF SUCH VEHICLE TRACKING BMPS ARE NOT ADEQUATE TO PREVENT SEDIMENT FROM BEING TRACKED ONTO THE STREET (SEE PART IV.E.5.D.).
7. THE CONTRACTOR MUST INSTALL TEMPORARY SEDIMENTATION BASINS AS REQUIRED IN PART III.C. OF THIS PERMIT.
8. THE CONTRACTOR MUST MINIMIZE SOIL COMPACTION AND, UNLESS INFEASIBLE, PRESERVE TOPSOIL. MINIMIZING SOIL COMPACTION IS NOT REQUIRED WHERE THE FUNCTION OF A SPECIFIC AREA OF THE SITE DICTATES THAT IT BE COMPACTED.
9. THE CONTRACTOR MUST PRESERVE A 50 FOOT NATURAL BUFFER OR (IF A BUFFER IS INFEASIBLE ON THE SITE) PROVIDE REDUNDANT SEDIMENT CONTROLS WHEN A SURFACE WATER IS LOCATED WITHIN 50 FEET OF THE PROJECT'S EARTH DISTURBANCES AND STORMWATER FLOWS TO THE SURFACE WATER. NATURAL BUFFERS ARE NOT REQUIRED ADJACENT TO ROAD DITCHES, JUDICIAL DITCHES, COUNTY DITCHES, STORMWATER CONVEYANCE CHANNELS, STORM DRAIN INLETS, AND SEDIMENT BASINS. THE CONTRACTOR IS/ARE NOT REQUIRED TO ENHANCE THE QUALITY OF THE VEGETATION THAT ALREADY EXISTS IN THE BUFFER OR PROVIDE VEGETATION IF NONE EXIST. HOWEVER, CONTRACTOR CAN IMPROVE THE NATURAL BUFFER WITH VEGETATION.
10. IF THE CONTRACTOR INTEND TO USE POLYMERS, FLOCCULANTS, OR OTHER SEDIMENTATION TREATMENT CHEMICALS ON THE PROJECT SITE, THE CONTRACTOR MUST COMPLY WITH THE FOLLOWING MINIMUM REQUIREMENTS:
    a. THE CONTRACTOR MUST USE CONVENTIONAL EROSION AND SEDIMENT CONTROLS PRIOR TO CHEMICAL ADDITION TO ENSURE EFFECTIVE TREATMENT. CHEMICALS MAY ONLY BE APPLIED WHERE TREATED STORMWATER IS DIRECTED TO A SEDIMENT CONTROL SYSTEM WHICH ALLOWS FOR FILTRATION OR SETTLEMENT OF THE FLOC PRIOR TO DISCHARGE.
    b. CHEMICALS MUST BE SELECTED THAT ARE APPROPRIATELY SUITED TO THE TYPES OF SOILS LIKELY TO BE EXPOSED DURING CONSTRUCTION, AND TO THE EXPECTED TURBIDITY, PH, AND FLOW RATE OF STORMWATER FLOWING INTO THE CHEMICAL TREATMENT SYSTEM OR AREA.
    c. CHEMICALS MUST BE USED IN ACCORDANCE WITH ACCEPTED ENGINEERING PRACTICES, AND WITH DOSING SPECIFICATIONS AND SEDIMENT REMOVAL DESIGN SPECIFICATIONS PROVIDED BY THE MANUFACTURER OR PROVIDER/SUPPLIER OF THE APPLICABLE CHEMICALS.

WINTER STABLIZATION:

GRADING CONTRACTOR REQUIREMENTS IN THE CASE WHERE THE ONSET OF WINTER DOES NOT ALLOW FOR COMPLETION OF MASS GRADING AND FINAL SOIL STABILIZATION IN THE FALL:

1. MASS GRADING ACTIVITIES SHALL BE PLANNED AND PHASED IN A MANNER TO AVOID ANY UNNECESSARY SOIL DISTURBANCE PRIOR TO WINTER SHUT DOWN.
2. ALL FINAL GRADED AREAS SHALL BE STABILIZED PERMANENTLY BY GRADING CONTRACTOR WITH SEEDING, MULCHING, BLANKET, ETC. IN ACCORDANCE WITH PLANS PRIOR TO CONTRACTOR LEAVING THE SITE AT WINTER SHUT DOWN.
3. THE GRADING CONTRACTOR IS RESPONSIBLE TO ENSURE THAT ALL TEMPORARY OR INCOMPLETE GRADING AREAS INCLUDING ALL STOCKPILES ARE STABILIZED WITH TEMPORARY SEEDING (MN STATE SEED MIX 22-112 @ 40/AC, MULCH (MNDOT TYPE 1) BEFORE LEAVING THE SITE AT WINTER SHUT DOWN.
4. ALL SIGNIFICANT DRAINAGE SWALES (TEMPORARY OR PERMANENT) SHALL BE STABILIZED WITH MNDOT CATEGORY 3 EROSION CONTROL BLANKET BY GRADING CONTRACTOR PRIOR TO LEAVING THE SITE AT WINTER SHUT DOWN.

INSPECTIONS AND MAINTENANCE

1. THE CONTRACTOR MUST ENSURE THAT A TRAINED PERSON (AS IDENTIFIED IN PART III.A.3.A.) WILL ROUTINELY INSPECT THE ENTIRE CONSTRUCTION SITE AT LEAST ONCE EVERY SEVEN (7) DAYS DURING ACTIVE CONSTRUCTION AND WITHIN 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 0.5 INCHES IN 24 HOURS. FOLLOWING AN INSPECTION THAT OCCURS WITHIN 24 HOURS AFTER A RAINFALL EVENT, THE NEXT INSPECTION MUST BE CONDUCTED WITHIN SEVEN (7) DAYS AFTER THE RAINFALL EVENT.

2. ALL INSPECTIONS AND MAINTENANCE CONDUCTED DURING CONSTRUCTION MUST BE RECORDED WITHIN 24 HOURS IN WRITING AND THESE RECORDS MUST BE RETAINED WITH THE SWPPP IN ACCORDANCE WITH PART III.E. RECORDS OF EACH INSPECTION AND MAINTENANCE ACTIVITY SHALL INCLUDE:
   a. DATE AND TIME OF INSPECTIONS
   b. NAME OF PERSON(S) CONDUCTING INSPECTIONS
   c. FINDINGS OF INSPECTIONS, INCLUDING THE SPECIFIC LOCATION WHERE CORRECTIVE ACTIONS ARE NEEDED
   d. CORRECTIVE ACTIONS TAKEN (INCLUDING DATES, TIMES, AND PARTY COMPLETING MAINTENANCE ACTIVITIES)
   e. DATE AND AMOUNT OF ALL RAINFALL EVENTS GREATER THAN 1/2 INCH (0.5 INCHES) IN 24 HOURS. RAINFALL AMOUNTS MUST BE OBTAINED BY A PROPERLY MAINTAINED RAIN GAUGE INSTALLED ONSITE, A WEATHER STATION THAT IS WITHIN 1 MILE OF YOUR LOCATION OR A WEATHER REPORTING SYSTEM THAT PROVIDES SITE SPECIFIC RAINFALL DATA FROM RADAR SUMMARIES.
   f. IF ANY DISCHARGE IS OBSERVED TO BE OCCURRING DURING THE INSPECTION, A RECORD OF ALL POINTS OF THE PROPERTY FROM WHICH THERE IS A DISCHARGE MUST BE MADE, AND THE DISCHARGE SHOULD BE DESCRIBED (I.E., COLOR, ODOR, FLOATING, SETTLED, OR SUSPENDED SOLIDS, FOAM, OIL SHEEN, AND OTHER OBVIOUS INDICATORS OF POLLUTANTS) AND PHOTOGRAPHED.
   g. ANY AMENDMENTS TO THE SWPPP PROPOSED AS A RESULT OF THE INSPECTION MUST BE DOCUMENTED AS REQUIRED IN PART III.B. WITHIN SEVEN (7) CALENDAR DAYS.
   h. SEND COMPLETED SWPPP INSPECTION REPORTS TO BROOKLEN CENTER
3. INSPECTION FREQUENCY ADJUSTMENT
   a. WHERE PARTS OF THE PROJECT SITE HAVE PERMANENT COVER, BUT WORK REMAINS ON OTHER PARTS OF THE SITE, THE CONTRACTOR MAY REDUCE INSPECTIONS OF THE AREAS WITH PERMANENT COVER TO ONCE PER MONTH, CONTRACTOR MAY REDUCE FREQUENCY UPON CITY APPROVAL.
   b. WHERE CONSTRUCTION SITES HAVE PERMANENT COVER ON ALL EXPOSED SOIL AREAS AND NO CONSTRUCTION ACTIVITY IS OCCURRING ANYWHERE ON THE SITE, THE SITE MUST BE INSPECTED DURING NON-FROZEN GROUND CONDITIONS AT LEAST ONCE PER MONTH FOR A PERIOD OF TWELVE (12) MONTHS. FOLLOWING THE TWELFTH MONTH OF PERMANENT COVER AND NO CONSTRUCTION ACTIVITY, INSPECTIONS MAY BE TERMINATED UNTIL CONSTRUCTION ACTIVITY IS ONCE AGAIN INITIATED UNLESS THE CONTRACTOR IS/ARE NOTIFIED IN WRITING BY THE MPCA THAT EROSION ISSUES HAVE BEEN DETECTED AT THE SITE AND INSPECTIONS NEED TO RESUME.
   c. WHERE WORK HAS BEEN SUSPENDED DUE TO FROZEN GROUND CONDITIONS, THE INSPECTIONS MAY BE SUSPENDED. THE REQUIRED INSPECTIONS AND MAINTENANCE SCHEDULE MUST BEGIN WITHIN 24 HOURS AFTER RUNOFF OCCURS AT THE SITE OR 24 HOURS PRIOR TO RESUMING CONSTRUCTION, WHICHEVER COMES FIRST. CONTRACTOR MAY REDUCE FREQUENCY UPON CITY APPROVAL
4. THE CONTRACTOR IS/ARE RESPONSIBLE FOR THE INSPECTION AND MAINTENANCE OF TEMPORARY AND PERMANENT WATER QUALITY MANAGEMENT BMPS, AS WELL AS ALL EROSION PREVENTION AND SEDIMENT CONTROL BMPS, UNTIL ANOTHER PERMITTEE HAS OBTAINED COVERAGE UNDER THIS PERMIT ACCORDING TO PART II.B.5. OR THE PROJECT HAS UNDERGONE FINAL STABILIZATION, AND AN NOT HAS BEEN SUBMITTED TO THE MPCA.
5. THE CONTRACTOR MUST INSPECT ALL EROSION PREVENTION AND SEDIMENT CONTROL BMPS AND POLLUTION PREVENTION MANAGEMENT MEASURES TO ENSURE INTEGRITY AND EFFECTIVENESS DURING ALL ROUTINE AND POST-RAINFALL EVENT INSPECTIONS. ALL NONFUNCTIONAL BMPS MUST BE REPAIRED, REPLACED, OR SUPPLEMENTED WITH FUNCTIONAL BMPS BY THE END OF THE NEXT BUSINESS DAY AFTER DISCOVERY, OR AS SOON AS FIELD CONDITIONS ALLOW ACCESS UNLESS ANOTHER TIME FRAME IS SPECIFIED BELOW. THE CONTRACTOR MUST INVESTIGATE AND COMPLY WITH THE FOLLOWING INSPECTION AND MAINTENANCE REQUIREMENTS:
   a. ALL PERIMETER CONTROL DEVICES MUST BE REPAIRED, REPLACED, OR SUPPLEMENTED WHEN THEY BECOME NONFUNCTIONAL OR THE SEDIMENT REACHES ONE-HALF (1/3) OF THE HEIGHT OF THE DEVICE. THESE REPAIRS MUST BE MADE BY THE END OF THE NEXT BUSINESS DAY AFTER DISCOVERY, OR THEREAFTER AS SOON AS FIELD CONDITIONS ALLOW ACCESS.
   b. TEMPORARY AND PERMANENT SEDIMENTATION BASINS MUST BE DRAINED AND THE SEDIMENT REMOVED WHEN THE DEPTH OF SEDIMENT COLLECTED IN THE BASIN REACHES ONE-HALF (1/2) THE STORAGE VOLUME. DRAINAGE AND REMOVAL MUST BE COMPLETED WITHIN 72 HOURS OF DISCOVERY, OR AS SOON AS FIELD CONDITIONS ALLOW ACCESS (SEE PART IV.D.).
   c. SURFACE WATERS, INCLUDING DRAINAGE DITCHES AND CONVEYANCE SYSTEMS, MUST BE INSPECTED FOR EVIDENCE OF EROSION AND SEDIMENT DEPOSITION DURING EACH INSPECTION. THE CONTRACTOR MUST REMOVE ALL DELTAS AND SEDIMENT DEPOSITED IN SURFACE WATERS, INCLUDING DRAINAGE WAYS, CATCH BASINS, AND OTHER DRAINAGE SYSTEMS, AND RESTABILIZE THE AREAS WHERE SEDIMENT REMOVAL RESULTS IN EXPOSED SOIL. THE REMOVAL AND STABILIZATION MUST TAKE PLACE WITHIN SEVEN (7) DAYS OF DISCOVERY UNLESS PRECLUDED BY LEGAL, REGULATORY, OR PHYSICAL ACCESS CONSTRAINTS. THE CONTRACTOR SHALL USE ALL REASONABLE EFFORTS TO OBTAIN ACCESS. IF PRECLUDED, REMOVAL AND STABILIZATION MUST TAKE PLACE WITHIN SEVEN (7) CALENDAR DAYS OF OBTAINING ACCESS. THE CONTRACTOR IS/ARE RESPONSIBLE FOR CONTACTING ALL LOCAL, REGIONAL, STATE AND FEDERAL AUTHORITIES AND RECEIVING ANY APPLICABLE PERMITS, PRIOR TO CONDUCTING ANY WORK IN SURFACE WATERS.
   d. CONSTRUCTION SITE VEHICLE EXIT LOCATIONS MUST BE INSPECTED FOR EVIDENCE OF OFF-SITE SEDIMENT TRACKING ONTO PAVED SURFACES. TRACKED SEDIMENT MUST BE REMOVED FROM ALL PAVED SURFACES BOTH ON AND OFF SITE IMMEDIATELY.
   e. STREETS AND OTHER AREAS ADJACENT TO THE PROJECT MUST BE INSPECTED FOR EVIDENCE OF OFF-SITE ACCUMULATIONS OF SEDIMENT. IF SEDIMENT IS PRESENT, IT MUST BE REMOVED IN A MANNER AND AT A FREQUENCY SUFFICIENT TO MINIMIZE OFF-SITE IMPACTS (E.G., FUGITIVE SEDIMENT IN STREETS COULD BE WASHED INTO STORM SEWERS BY THE NEXT RAIN AND/OR POSE A SAFETY HAZARD TO USERS OF PUBLIC STREETS).
6. ALL INFILTRATION AREAS MUST BE INSPECTED TO ENSURE THAT NO SEDIMENT FROM ONGOING CONSTRUCTION ACTIVITY IS REACHING THE INFILTRATION AREA. ALL INFILTRATION AREAS MUST BE INSPECTED TO ENSURE THAT EQUIPMENT IS NOT BEING DRIVEN ACROSS THE INFILTRATION AREA.

CONSTRUCTION SEQUENCE

THE INTENDED SEQUENCING OF MAJOR SITE CONSTRUCTION ACTIVITIES IS AS FOLLOWS:

1. INSTALL STABILIZED ROCK CONSTRUCTION ENTRANCE.
2. INSTALL BIO-ROLL OR SILT FENCE AROUND SITE, AS SHOWN ON PLAN.
3. INSTALL ORANGE CONSTRUCTION FENCE AROUND EXISTING TREES TO BE PROTECTED.
4. CLEAR AND GRUB SITE.
5. STRIP AND STOCKPILE TOPSOIL.
6. ROUGH GRADING OF SITE.
7. STABILIZE DENUDED AREAS AND STOCKPILES.
8. INSTALL SANITARY SEWER, WATER MAIN, STORM SEWER AND SERVICES.
9. INSTALL SILT FENCE/INLET PROTECTION AROUND CATCH BASINS.
10. INSTALL STREET SECTION.
11. INSTALL CURB AND GUTTER.
12. BITUMINOUS ON STREETS.
13. INSTALL SMALL UTILITIES (GAS, ELECTRIC, PHONE, CABLE, ETC.)
14. FINE GRADE BOULEVARD, LANDSCAPE AREAS, SEED AND MULCH.
15. REMOVE ACCUMULATED SEDIMENT.
16. FINAL GRADE.
17. WHEN ALL CONSTRUCTION ACTIVITIY IS COMPLETE AND THE SITE IS STABILIZED BY EITHER SEED OR SOD AND LANDSCAPING, REMOVE BIOR-ROLLS OR SILT FENCE AND RESEED ANY AREAS DISTURBED BY THE REMOVAL.

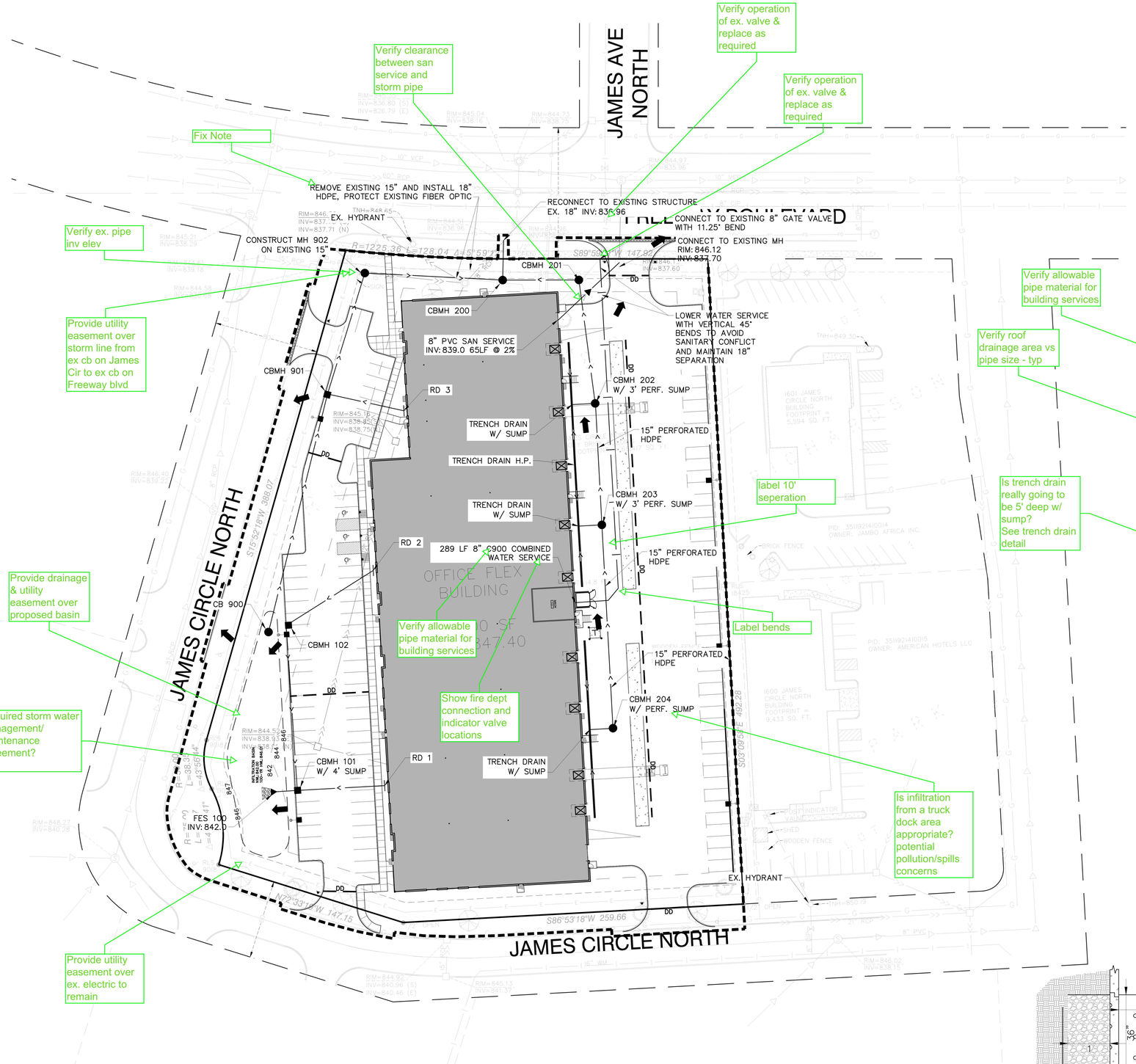
CONTRACTOR COORDINATION:

1. SWPPP MANAGER MUST ANNOTATE BMP LOCAITONS WHEN KNOWN WITHIN 5 DAYS.
2. SWPPP MANAGER MUST DEPICT DUMPSTER LOCATION WHEN KNOWN WITHIN 5 DAYS.
3. SWPPP MANAGER MUST DEPICT PORTABLE TOILET LOCATION WHEN KNOW WITHIN 5 DAYS.
4. SWPPP MUST DEPICT FUELING AREA LOCATION WHEN KNOWN WITHIN 5 DAYS OR A DESCRIPTION OF FUELING PARCTICIES MUST BE ANNOTATED ON SHEET C-4.2
5. SWPPP MANAGER MUST DEPICT STOCKPILE LOCATION(S) WHEN KNOWN WITHIN 5 DAYS.

POLLUTION PREVENTION MANAGEMENT MEASURES

THE CONTRACTOR SHALL IMPLEMENT THE FOLLOWING POLLUTION PREVENTION MANAGEMENT MEASURES ON THE SITE:

1. STORAGE, HANDLING, AND DISPOSAL OF CONSTRUCTION PRODUCTS, MATERIALS, AND WASTES: THE CONTRACTOR SHALL COMPLY WITH THE FOLLOWING TO MINIMIZE THE EXPOSURE TO STORMWATER OF ANY OF THE PRODUCTS, MATERIALS, OR WASTES. PRODUCTS OR WASTES WHICH ARE EITHER NOT A SOURCE OF CONTAMINATION TO STORMWATER OR ARE DESIGNED TO BE EXPOSED TO STORMWATER ARE NOT HELD TO THIS REQUIREMENT:
   a. BUILDING PRODUCTS THAT HAVE THE POTENTIAL TO LEACH POLLUTANTS MUST BE UNDER COVER (E.G., PLASTIC SHEETING OR TEMPORARY ROOFS) TO PREVENT THE DISCHARGE OF POLLUTANTS OR PROTECTED BY A SIMILARLY EFFECTIVE MEANS DESIGNED TO MINIMIZE CONTACT WITH STORMWATER.
   b. PESTICIDES, HERBICIDES, INSECTICIDES, FERTILIZERS, TREATMENT CHEMICALS, AND LANDSCAPE MATERIALS MUST BE UNDER COVER (E.G., PLASTIC SHEETING OR TEMPORARY ROOFS) TO PREVENT THE DISCHARGE OF POLLUTANTS OR PROTECTED BY SIMILARLY EFFECTIVE MEANS DESIGNED TO MINIMIZE CONTACT WITH STORMWATER.
   c. HAZARDOUS MATERIALS, TOXIC WASTE, (INCLUDING OIL, DIESEL FUEL, GASOLINE, HYDRAULIC FLUIDS, PAINT SOLVENTS, PETROLEUM-BASED PRODUCTS, WOOD PRESERVATIVES, ADDITIVES, CURING COMPOUNDS, AND ACIDS) MUST BE PROPERLY STORED IN SEALED CONTAINERS TO PREVENT SPILLS, LEAKS OR OTHER DISCHARGE. RESTRICTED ACCESS STORAGE AREAS MUST BE PROVIDED TO PREVENT VANDALISM. STORAGE AND DISPOSAL OF HAZARDOUS WASTE OR HAZARDOUS MATERIALS MUST BE IN COMPLIANCE WITH MINN. R. CH. 7045 INCLUDING SECONDARY CONTAINMENT AS APPLICABLE.
   d. SOLID WASTE MUST BE STORED, COLLECTED AND DISPOSED OF PROPERLY IN COMPLIANCE WITH MINN. R. CH. 7035.
   e. PORTABLE TOILETS MUST BE POSITIONED SO THAT THEY ARE SECURE AND WILL NOT BE TIPPED OR KNOCKED OVER. SANITARY WASTE MUST BE DISPOSED OF PROPERLY IN ACCORDANCE WITH MINN. R. CH. 7041.
2. FUELING AND MAINTENANCE OF EQUIPMENT OR VEHICLES; SPILL PREVENTION AND RESPONSE: THE CONTRACTOR SHALL TAKE REASONABLE STEPS TO PREVENT THE DISCHARGE OF SPILLED OR LEAKED CHEMICALS, INCLUDING FUEL, FROM ANY AREA WHERE CHEMICALS OR FUEL WILL BE LOADED OR UNLOADED INCLUDING THE USE OF DRIP PANS OR ABSORBENTS UNLESS INFEASIBLE. THE CONTRACTOR MUST CONDUCT FUELING IN A CONTAINED AREA UNLESS INFEASIBLE. THE CONTRACTOR MUST ENSURE ADEQUATE SUPPLIES ARE AVAILABLE AT ALL TIMES TO CLEAN UP DISCHARGED MATERIALS AND THAT AN APPROPRIATE DISPOSAL METHOD IS AVAILABLE FOR RECOVERED SPILLED MATERIALS. THE CONTRACTOR MUST REPORT AND CLEAN UP SPILLS IMMEDIATELY AS REQUIRED BY MINN. STAT. § 115.061, USING DRY CLEAN UP MEASURES WHERE POSSIBLE.
3. VEHICLE AND EQUIPMENT WASHING: IF THE CONTRACTOR WASH THE EXTERIOR OF VEHICLES OR EQUIPMENT ON THE PROJECT



NOTES

1. EXISTING UTILITIES, SERVICE LOCATIONS AND ELEVATIONS SHALL BE VERIFIED IN FIELD PRIOR TO CONSTRUCTION.
2. MAINTAIN A MIN. 18" VERTICAL SEPARATION AT ALL PIPE CROSSINGS. LOWER WATERMAIN AS NECESSARY W/ BENDS AND FITTINGS. WATER AND SANITARY SEWER LINES TO MAINTAIN 10' HORIZONTAL SEPARATION.
3. CONTRACTOR IS RESPONSIBLE FOR ALL PERMITS PRIOR TO THE START OF CONSTRUCTION.
4. PROVIDE POLYSTYRENE INSULATION FOR ALL STORM SEWER AND WATERMAIN CROSSINGS WHERE VERTICAL OR HORIZONTAL SEPARATION IS LESS THAN 3'.
5. ALL UTILITY WORK WITHIN THE R.O.W. SHALL COMPLY WITH BROOKLYN CENTER ENGINEERING GUIDELINES.
6. NOTIFY GOPHER STATE ONE CALL 48 HOURS IN ADVANCE OF ANY UTILITY WORK.
7. PROVIDE TEMPORARY TRAFFIC CONTROL IN COMPLIANCE WITH MNDOT "TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS–FIELD MANUAL" LATEST REVISION, FOR ANY CONSTRUCTION WITHIN PUBLIC R.O.W.
8. ALL STORM SEWER CASTINGS SHALL BE NEENAH OR APPROVED EQUAL.
9. ALL SANITARY SEWER MANHOLES SHALL BE 48" DIAMETER AND HAVE NEENAH R–1642 CASTING UNLESS OTHERWISE NOTED ON THE PLAN.
10. WATERMAIN, SERVICES, AND [illegible] STALLED WITH MINIMUM 7.5' OF COVER.
11. WATER SERVICES MAY BE [illegible] CH AS SEWER SERVICES PROVIDED THAT A 24" VERTICAL & A 36" HORIZONTAL SEPARATION A[illegible]
12. ALL 8" WATERMAIN SHALL [illegible] VC C900 WATERMAIN SHALL BE INSTALLED WITH TRACER WIRE (COPPERHEAD INDUSTRIES
13. ALL SANITARY SERVICES SHALL BE PVC SDR 35 OF THE SIZE NOTED ON THE PLAN.
14. ALL STORM SEWER (EXCEPT TO FLARED END SECTIONS) SHALL BE ADS N–12 UNLESS OTHERWISE SPECIFIED ON THE PLAN. STORM SEWER TO FLARED END SECTIONS SHALL BE RCP.
15. ALL ROOF DRAINS (RD) SHALL HAVE AN AT GRADE DOWNSPOUT OVERFLOW.
16. MAINTAIN AND VERIFY 10' HORIZONTAL SEPARATION IS PROVIDED BETWEEN ALL WATERMAIN AND CATCHBASIN/MANHOLES.

MH/CB		P. DIA	P. SLOPE	P. TYPE	PIPE	FROM	TO	RIM	STR.	CAST	BUILD
FROM	TO	[IN]	S [%]		LENGTH [FT]	INVERT	INVERT	ELEV	TYPE	TYPE	(FT)
RD 2	CBMH 102	8	2.00%	HDPE	78.4	844.20	842.63	847.40	8"	HPDE	3.20
CBMH 102	CBMH 101	12	0.44%	HDPE	126.0	842.63	842.08	845.70	48"	R-3067-VB	3.07
RD 1	CBMH 101	8	2.00%	HDPE	68.1	843.60	842.24	847.00	8"	HDPE	3.40
CBMH 101	FES 100	15	0.44%	RCP	18.5	842.08	842.00	845.90	48"	R-3067VB	7.82
CB 900	CBMH 901	15	0.60%	HDPE	186.7	841.00	839.88	845.00	48"	R-4342	4.00
RD 3	CBMH 901	8	2.00%	HDPE	59.5	844.00	842.81	847.40	8"	HDPE	3.40
CBMH 901	MH 902	15	1.00%	HDPE	96.5	839.88	838.92	845.90	48"	R-3067VB	6.02
MH 902	CBMH 200	15	1.00%	HDPE	105.1	838.30	837.25	846.50	48"	R-1642	8.20
TRENCH DRAIN	CBMH 204	12	0.44%	HDPE	17.8	839.30	839.22	843.30			4.00
CBMH 204	CBMH 203	15	0.44%	HDPE	155.1	839.22	838.54	843.70	48"	R-2501	7.48
TRENCH DRAIN	CBMH 203	12	0.44%	HDPE	17.8	838.54	838.46	843.30			4.76
CBMH 203	CBMH 202	15	0.44%	HDPE	92.7	838.46	838.05	843.70	48"	R-2501	8.24
TRENCH DRAIN	CBMH 202	12	0.44%	HDPE	17.8	838.05	837.97	843.30			5.25
CBMH 202	CBMH 201	15	0.44%	HDPE	94.9	837.97	837.56	843.70	48"	R-2501	8.73
CBMH 201	CBM 200	18	0.44%	HDPE	58.0	837.56	837.30	846.25	48"	R-4342	8.69
CBMH 200	EX MH	18	0.80%	HDPE	30.2	837.25	837.01	846.25	48"	R-4342	9.00

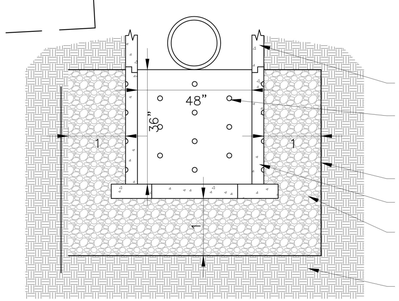
LEGEND:

- PROPOSED STORM SEWER
- PROPOSED SANITARY SEWER
- PROPOSED WATERMAIN
- PROPOSED STORM CATCH BASIN /MANHOLE
- PROPOSED SANITARY MANHOLE
- PROPOSED BUTTERFLY/GATE VALVE
- PROPOSED HYDRANT
- EXISTING GATE VALVE
- EXISTING HYDRANT
- EXISTING WATERMAIN
- EXISTING CATCH BASIN
- EXISTING STORM MANHOLE
- EXISTING STORM SEWER
- EXISTING SANITARY MANHOLE
- EXISTING SANITARY SEWER
- PROPOSED LIMITS OF CONSTRUCTION
- PROPOSED EASEMENT

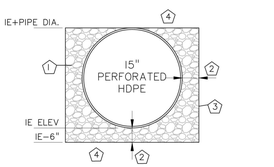
FOR REVIEW ONLY
PRELIMINARY
NOT FOR CONSTRUCTION

N

0 20 40 80
SCALE IN FEET



36" DEEP PERFORATED SUMP MH 2
(NOT TO SCALE)



1 POROUS STONE MINIMUM 40% VOID SPACE. (1"–2" WASHED, CLEAN AGGREGATE. EXTEND POROUS STONE A MIN. OF 12" BELOW AND TO THE SIDES OF RC SUMP SECTION)
2 EXTEND POROUS STONE 6" BELOW AND TO THE SIDES OF HDPE
3 LINE POROUS STONE MEDIUM WITH NON–WOVEN GEOTEXTILE FABRIC
4 STRUCTURAL FILL

15" PERFORATED HDPE ROCK BEDDING DETAIL

ALLIANT ENGINEERING
733 Marquette Ave, Ste 700
Minneapolis, MN 55402
612.758.3080 MAIN
612.758.3099 FAX
www.alliant-inc.com

BROOKLYN CENTER OFFICE FLEX
6440 JAMES CIRCLE NORTH
BROOKLYN CENTER, MINNESOTA

UTILITY PLAN

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

CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

DATE	ISSUE
8–6–21	SITE PLAN REVIEW

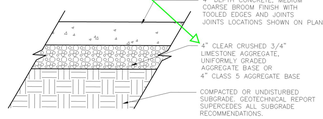
PROJECT TEAM DATA
DESIGNED: MK
DRAWN: DBR
PROJECT NO: 21–0034

C-5.0

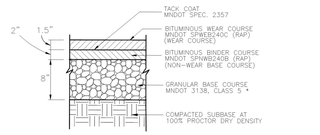
SHEET 7 of 12

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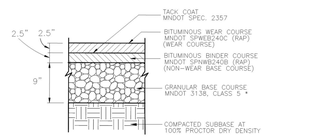
recommend 6"



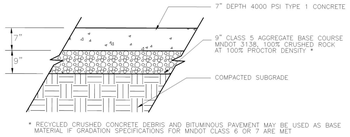
1 CONCRETE SIDEWALK
NO SCALE



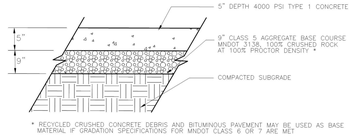
2 LIGHT DUTY BITUMINOUS PAVEMENT
NO SCALE



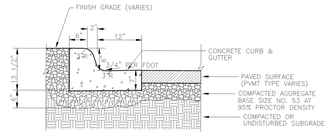
3 HEAVY DUTY BITUMINOUS PAVEMENT
NO SCALE



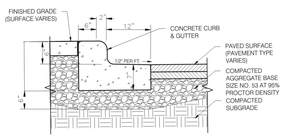
4 DOLLY PAD CONCRETE PAVEMENT
NO SCALE



5 HEAVY DUTY CONCRETE PAVEMENT
NO SCALE



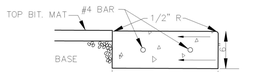
6 B612 CURB AND GUTTER
NO SCALE



7 B612 CONCRETE OUTFALL CURB AND GUTTER
NO SCALE

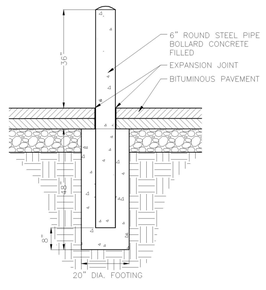
Label or note locations on site plan





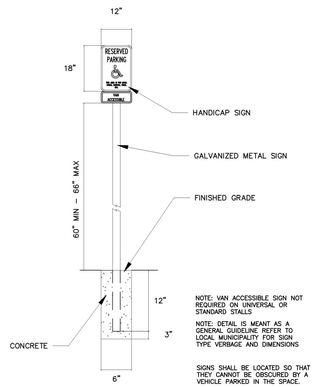
8 RIBBON CURB
NO SCALE

Where used?



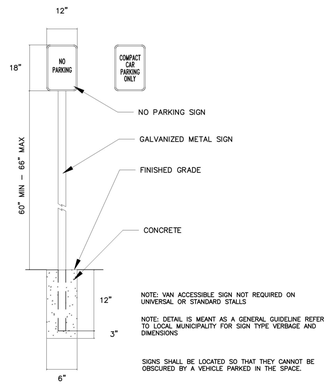
9 STEEL TUBE CONCRETE BOLLARD
NO SCALE

Show & label locations on site plan

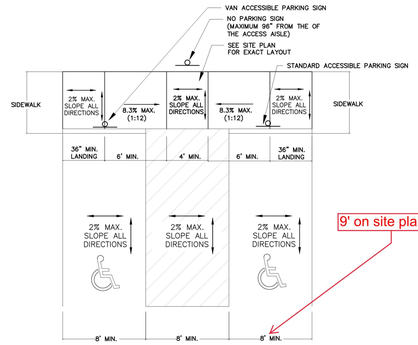


Where used

10 ACCESSIBLE PARKING SIGN
NO SCALE

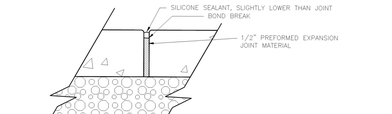


11 NO PARKING SIGN AND COMPACT PARKING SIGN MOUNTING
NO SCALE

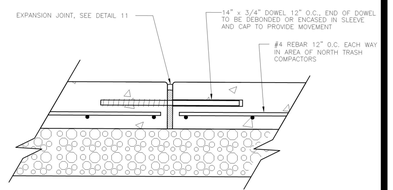


12 ACCESSIBLE PARKING STALLS
NO SCALE

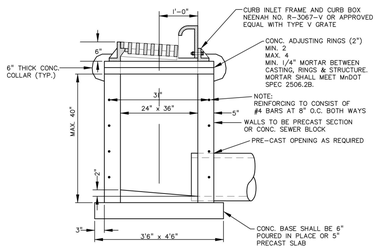
9' on site plan



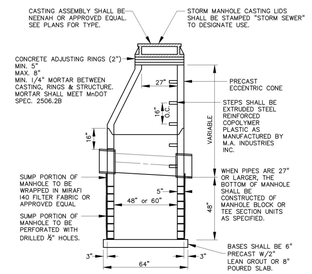
13 EXPANSION JOINT DETAIL
NO SCALE



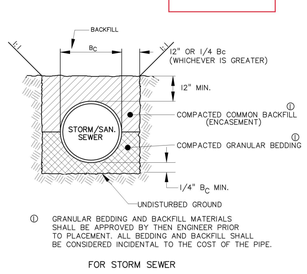
14 EXPANSION JOINT DETAIL
NO SCALE



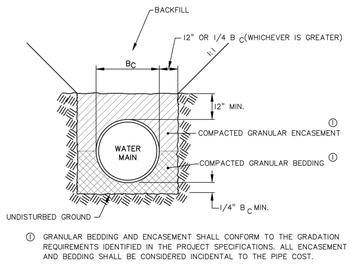
15 RECTANGULAR CATCH BASIN (2'x3')
NO SCALE



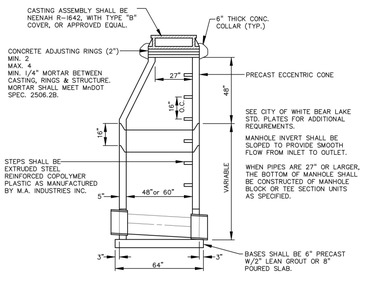
16 SUMP MH/CATCH BASIN
NO SCALE



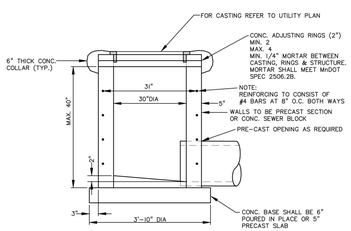
17 HDPE/RCP PIPE BEDDING
NO SCALE



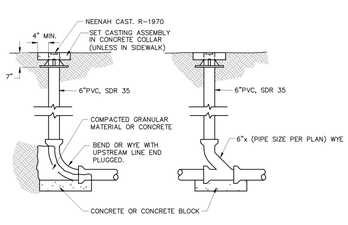
18 WATERMAIN PIPE BEDDING
NO SCALE



19 STANDARD MANHOLE/CATCH BSAIN
NO SCALE



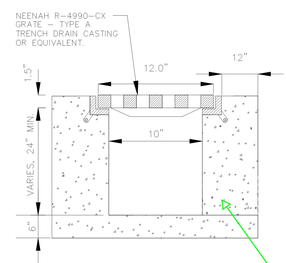
20 CATCHBASIN (30" DIA.)
NO SCALE



21 CLEAN OUT
NO SCALE

Where used?

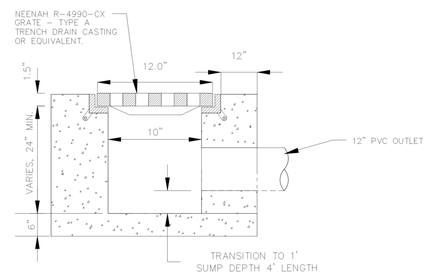
Use City detail for items in Public Right of Way



22 HEAVY DUTY TRENCH DRAIN
NO SCALE

where used

reinforcement?



OUTLETS

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CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY	DATE
DATE	ISSUE
8-6-21	SITE PLAN REVIEW

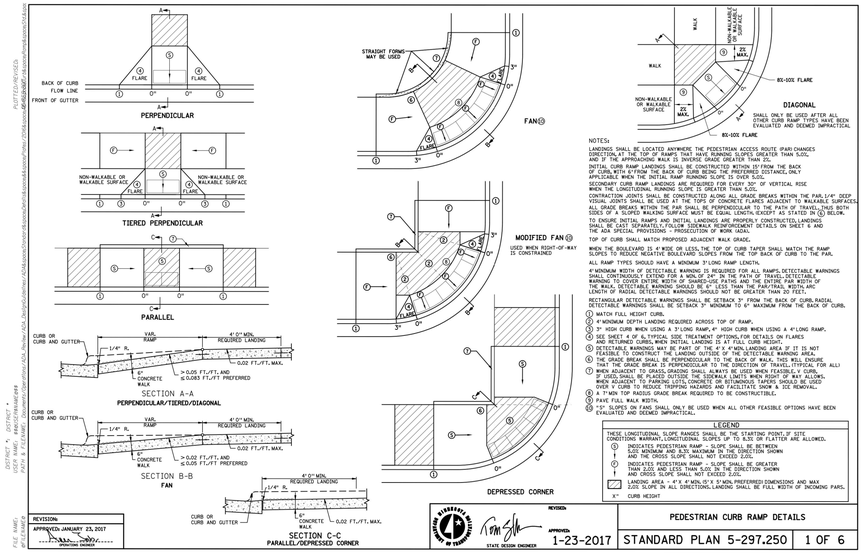
PROJECT TEAM DATA

DESIGNED:	MK
DRAWN:	DBR
PROJECT NO:	21-0034

C-6.0

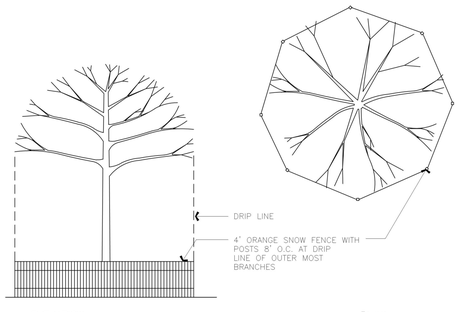
SHEET 8 of 12

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5 C-6.1 MNDOT PEDESTRIAN RAMP DETAILS

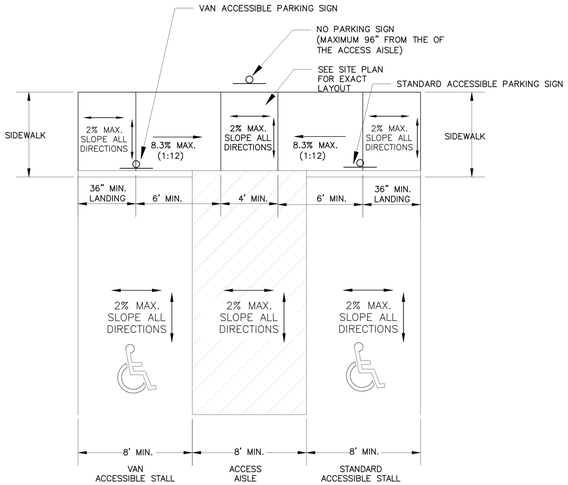
NOT TO SCALE



NOTE: TREE PROTECTION SHALL BE PROVIDED BY CONTRACTOR AS REQUIRED TO ENSURE SURVIVABILITY OF EXISTING TREES TO REMAIN. NO HEAVY EQUIPMENT SHALL BE STORED WITHIN THE TREE DRIP LINE AS DESIGNATED ABOVE.

3 C-6.1 TREE PROTECTION FENCE

NOT TO SCALE

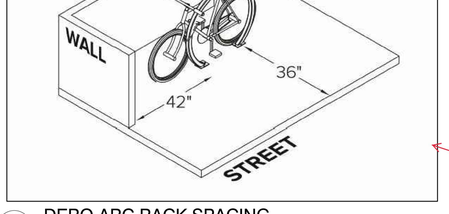


NOTE:
DETECTABLE WARNING SURFACE (TRUNCATED DOMES) ARE NOT TO BE INSTALLED AT THE ACCESSIBLE CURB RAMPS AND ARE NOT REQUIRED ON PRIVATE DEVELOPMENTS, PER 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN.

NOTE:
1:6 VAN ACCESSIBLE SPACES ARE REQUIRED.
NOTE: ADHERE TO MNDOT "PARALLEL" PEDESTRIAN CURB RAMP DETAIL

4 C-6.1 A.D.A. ACCESSIBLE STALL SLOPES

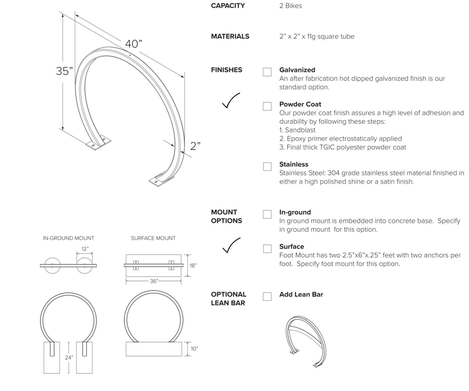
NOT TO SCALE



2 C-6.1 DERO ARC RACK SPACING

NOT TO SCALE

Where Used



1 C-6.1 DERO ARC RACK

NOT TO SCALE

Show & label on site plan

NOTE:

POWDER COAT BLACK COLOR WITH GLOSS FINISH, MATCH BUILDING FACADE ACCENTS

SURFACE MOUNT BIKERACK TO PROVIDED CONCRETE PAVEMENT REFER TO SITE PLAN FOR LOCATION OF BIKE RACKS ON SITE

BIKE RACK TO BE SURFACE MOUNTED TO CONCRETE PAD WITH MIDWEST FASTENER® 1/2" X 5-1/2" GALVANIZED WEDGE EXPANSION ANCHOR

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MNDOT & ADDITIONAL DETAILS

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CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

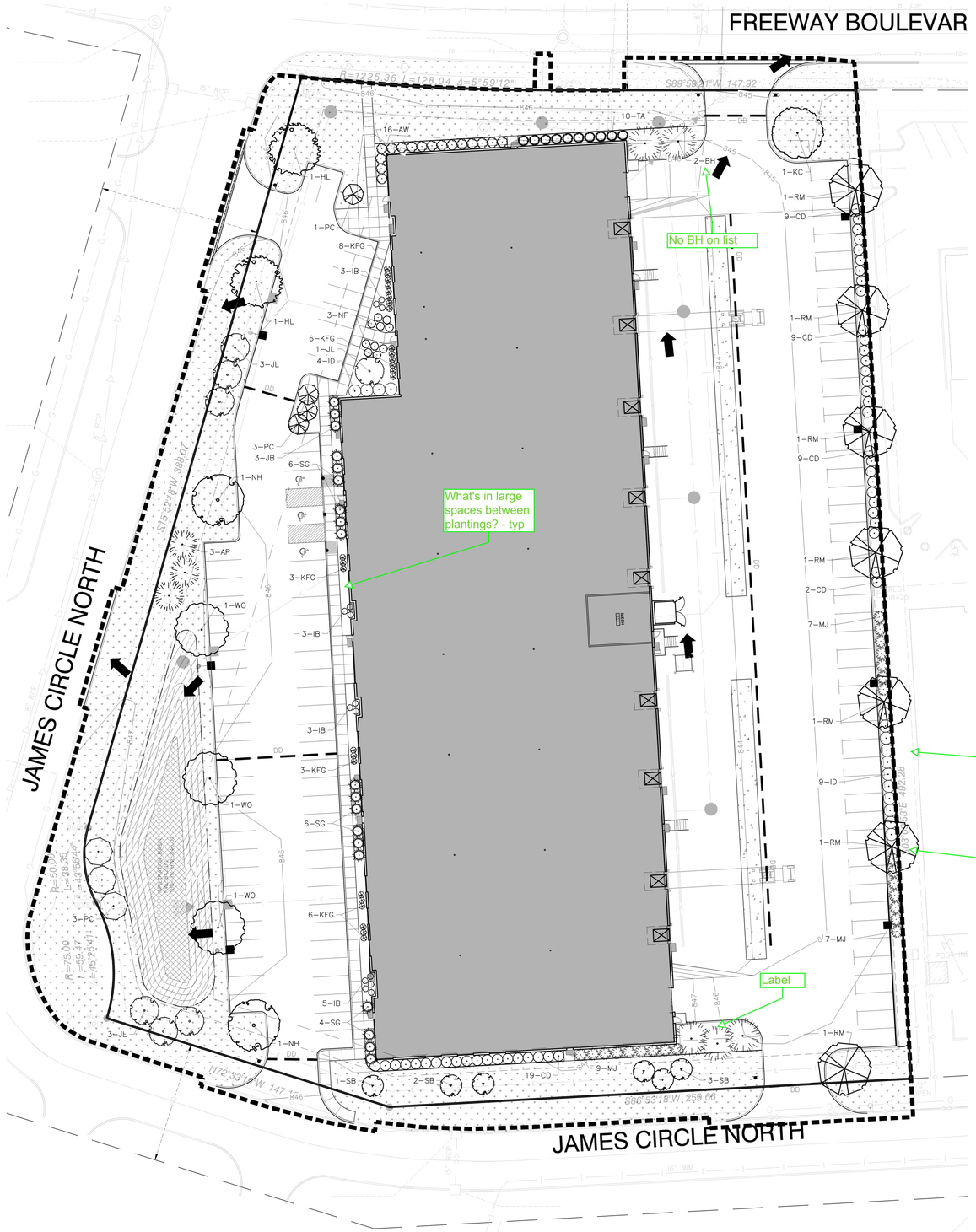
DATE	ISSUE
8-6-21	SITE PLAN REVIEW

PROJECT TEAM DATA
DESIGNED: MK
DRAWN: DBR
PROJECT NO: 21-0034

C-6.1

SHEET 9 of 12

Drawing name: X:\2021\210034\plan sheets\210034detail.dwg Aug 06, 2021 - 2:12pm



LANDSCAPE NOTES:

1. INSTALL 4" MIN. TOP SOIL TO ALL SOD, SEED AND SHRUB AREAS. FINE GRADE ALL SOD AND SEED AREAS. INSTALL 12" TOP SOIL TO PERENNIAL AND ANNUAL FLOWER AREAS.
2. STAKE OR MARK ALL PLANT MATERIAL LOCATIONS PRIOR TO INSTALLATION. HAVE OWNERS REPRESENTATIVE APPROVE ALL STAKING PRIOR TO INSTALLATION.
3. ALL SHRUB AREAS UNLESS SPECIFIED AS OTHER, TO BE BED MULCHED WITH 4" DEPTH OF DARK BROWN COLOR SHREDDED HARDWOOD MULCH OVER FILTER FABRIC, UNLESS SPECIFIED AS OTHER. POLY–EDGER TO BE VALLEY VIEW BLACK DIAMOND OR APPROVED EQUAL. ROCK MULCH TO BE 3–4" DEPTH BUFF LIMESTONE ROCK MULCH OVER FILTER FABRIC.
4. INSTALL 4–6" DEPTH SHREDDED HARDWOOD MULCH AROUND ROOT SAUCER OF ALL TREES ISOLATED FROM PLANT BEDS. DO NOT PILE MULCH AGAINST THE BASE OF A PLANT OR TREE TRUNK; PULL THE MULCH AWAY FROM THE BASE ONE TO TWO INCHES.
5. PLANT SOIL SHALL CONSIST OF 1:1:1, SELECT LOAMY TOPSOIL, PEAT MOSS, PIT RUN SAND.
6. COMPLETELY GUARANTEE ALL WORK FOR A PERIOD OF ONE YEAR BEGINNING AT THE DATE OF ACCEPTANCE. MAKE ALL REPLACEMENTS PROMPTLY (AS PER DIRECTION OF OWNER).
7. ALL MATERIAL SHALL COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSERYMEN.
8. ALL TREE TRUNKS SHALL BE WRAPPED WITH BROWN CREPE TREE WRAP. APPLY WRAP IN NOVEMBER AND REMOVE IN APRIL.
9. CALL GOPHER STATE ONE CALL AT 651–454–0002 FOR LOCATING ALL UNDERGROUND UTILITIES AND AVOID DAMAGE TO UTILITIES DURING THE COURSE OF THE WORK.
10. MAINTAIN ALL PLANT MATERIALS, INCLUDING WATERING, UNTIL THE TIME OF ACCEPTANCE.
11. COORDINATE INSTALLATION WITH GENERAL CONTRACTOR.
12. STAKING AND GUYING OF TREES OPTIONAL: MAINTAIN PLUMBNESS OF TREES FOR DURATION OF WARRANTY PERIOD.
13. SWEEP AND WASH ALL PAVED SURFACES AND REMOVE ALL DEBRIS RESULTING FROM LANDSCAPE OPERATIONS.
14. LANDSCAPE CONTRACTOR SHALL INSTALL KENTUCKY BLUE GRASS SOD IN DENOTED AREAS INCLUDING ALL R.O.W. PER LOCAL INDUSTRY STANDARDS. SOD SHALL BE LAID PARALLEL TO THE CONTOURS AND HAVE STAGGERED JOINTS.
15. SUPPLY DESIGN AND INSTALLATION FOR NEW WATER EFFICIENT IRRIGATION SYSTEM. DESIGN SYSTEM INCLUDING CONTROLS, ELECTRICAL AND WATER SERVICE CONNECTIONS WITH 100% COVERAGE OF NEW SOD, LANDSCAPE ISLANDS AND PLANTING AREAS. SOD, SEED AND SHRUB AREAS TO BE ON SEPARATE ZONES. DESIGN TO INCLUDE DRIP IRRIGATION IN SHRUB AREAS ADJACENT TO BUILDING. EXCESS WATER SHALL NOT COME IN CONTACT WITH BUILDING AND SIDEWALKS. THE IRRIGATION SYSTEM SHALL HAVE A RAIN/FREEZE SENSOR SHUTOFF. USE RAINBIRD OR APPROVED EQUAL COORDINATE WITH G.C. AND WORK OF OTHER SECTIONS.
16. CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE CITY FOR A LANDSCAPE INSTALLATION INSPECTION OF ALL PLANTINGS.

5 canes min?

SEEDING NOTES

DRY SWALE POND MIX: MN STATE SEED MIX 33–262 (DRY SWALE / POND). SEEDING RATE TO BE 44 LBS/ACRE (PURE LIVE SEED).

WET PRAIRIE MIX: SHOOTING STAR MIX 34–262 (WET PRAIRIE MIX). SEEDING RATE TO BE 14.5 LBS/ACRE (PURE LIVE SEED).

APPLY SEED PER THE FOLLOWING: MULCH SEEDED AREAS WITH Mn/DOT EROSION CONTROL BLANKET CATEGORY 3 WITHIN 48 HOURS OF SEEDING. MULCH SHOULD THEN BE DISC ANCHORED TO KEEP IT FROM BLOWING AWAY.

SEEDING SHALL BE APPLIED FROM APRIL 1 – JUNE 30 OR NOV. 1 – FREEZE UP. IF HYDROSEEDING UTILIZE APPROXIMATELY 500 GALLONS OF WATER PER ACRE. REFER TO MN/DOT SPEC 3884 FOR PROPER INSTALLATION OF HYDRO–SEED. ALL NATIVE SEEDS USED ON THIS PROJECT SHALL BE CERTIFIED TO BE OF MINNESOTA ORIGIN BY THE MINNESOTA CROP IMPROVEMENT ASSOCIATION (MCIA). SITE TO BE PREPARED BY LOOSENING TOPSOIL TO A MINIMUM DEPTH OF 3 INCHES. THE SITE TO BE HARROWED OR RAKED FOLLOWING SEEDING, AND THEN PACKED USING A CULTI–PACKER OR EQUIVALENT. SEE MNDOT SEEDING MANUAL FOR REFERENCE.

MAINTAIN SEEDED AREAS BY WATERING, REMULCHING AND REPLANTING AS NECESSARY TO ESTABLISH A UNIFORMLY DENSE STAND OF THE SPECIFIED GRASSES UNTIL ACCEPTED. ANY AREAS FAILING TO ESTABLISH A STAND SHALL BE RESEEDED, REFERTILIZED AND REMULCHED (UNLESS OTHERWISE SPECIFIED) WHENEVER 70% VEGETATIVE COVER IS NOT ACHIEVED. RESEEDING SHALL CONFORM IN ALL RESPECTS TO THESE SPECIFICATIONS. THE CONTRACTOR SHALL REPAIR ANY DAMAGE TO THE WORK AREAS RESULTING FROM EROSION AND/OR EQUIPMENT. THE CONTRACTOR SHALL REPAIR ANY DAMAGE, INCLUDING REGRADING, RESEEDING, ETC. AS NECESSARY, BEFORE SIGNING.

REFER TO MN STATE SEED MIX MANUAL. REFER TO O&M DOCUMENT FOR FURTHER DETAILS REGARDING INSPECTION AND MAINTENANCE PRACTICES.

Total	KEY	COMMON NAME / SCIENTIFIC NAME	SIZE	REMARKS
15	**OVERSTORY**			
7	**RM**	Red Sunset Maple *Acer rubrum 'Franksred'*	2.5" Cal. B&B	Straight Trunk, No V-Crotch
1	**KC**	Kentucky 'Espresso' Coffee Tree *Gymnocladus dioicus 'Espresso-JFS)*	2.5" Cal. B&B	Straight Trunk, No V-Crotch
2	**HL**	Skyline Honeylocust *Gleditsia triacanthos var. inermis 'Skycole'*	2.5" Cal. B&B	Straight Trunk, No V-Crotch
3	**SO**	Swamp White Oak *Quercus bicolor*	2.5" Cal. B&B	Straight Trunk, No V-Crotch
2	**NH**	New Horizon Elm *Ulmus 'New Horizon'*	2.5" Cal. B&B	Straight Trunk, No V-Crotch
8	**CONIFERS**			
3	**AP**	Austrian Pine *Pinus nigra*	6' ht. B&B	Full Form
5	**BS**	Blackhills Spruce *Picea glauca densata*	10' ht. B&B	Full Form
17	**ORNAMENTALS**			
7	**JL**	Ivory Silk Lilac *Syringa reticulata 'Ivory Silk'*	2.5" Cal. B&B	Straight Trunk, No V-Crotch
4	**PC**	Prairiefire Crabapple *Malus 'Prairiefire'*	2.5" Cal. B&B	Straight Trunk, No V-Crotch
6	**SB**	Autumn Brilliance Serviceberry Amerlanchier x grandiflora 'Autumn	2.5" Cal. B&B	Straight Trunk, No V-Crotch
155	**SHRUBS**			
19	**SG**	Sea Green Juniper *Juniperus chinensis 'Sea Green'*	24" ht. cont.	Min. 5 canes at ht. specified.
15	**ID**	Ivory Halo Dogwood *Cornus alba 'Bailhalo'*	24" ht. cont.	Min. 5 canes at ht. specified.
16	**AW**	Anthony Waterer Spirea *Spirea x bulmada 'Anthony Waterer'*	24" ht. cont.	Min. 5 canes at ht. specified.
48	**CD**	Alleman's Compact Red Dowgwood *Cornus sericea 'Allemans Compact'*	24" ht. cont.	Min. 5 canes at ht. specified.
10	**TA**	Techhny Globe Arborvitae *Thuja occidentalis 'Techny Globe'*	24" ht. cont.	Min. 5 canes at ht. specified.
14	**IB**	Iroquois Beauty Chokeberry *Aronia melanocarpa 'Morton'*	24" ht. cont.	Min. 5 canes at ht. specified.
23	**MJ**	Medora Juniper Juniperus scopulorum 'Medora'	24" ht. cont.	Min. 5 canes at ht. specified.
10	**NF**	Neon Flash Spirea *Spirea japonica 'Neon Flash'*	24" ht. cont.	Min. 5 canes at ht. specified.
40	**PERENNIALS AND GRASSES**			
40	**KFG**	Karl Foerster Feather Reed Grass *Calamagrostis x acutiflora 'Karl Foerster'*	1 gal. cont.	

LEGEND:

- DECIDUOUS OVERSTORY TREES
- ORNAMENTAL TREES
- UPRIGHT EVERGREEN SHRUBS
- FLOWERING SHRUBS
- SOD
- POLY EDGING
- BASIN SIDE SLOPE SEED MIX MN–DOT SEED MIX 33–262 DRY SWALE/POND MIX
- BASIN SIDE SLOPE SEED MIX SHOOTING STAR SEED MIX 34–262 WET PRAIRIE MIX

Fix certification

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LANDSCAPE PLAN

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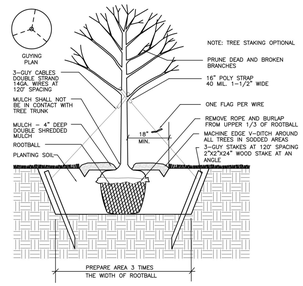
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DRAWN:	AAA
PROJECT NO:	21-0034

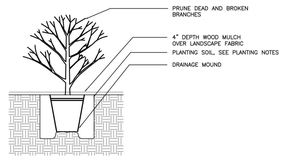
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SHEET 10 of 12

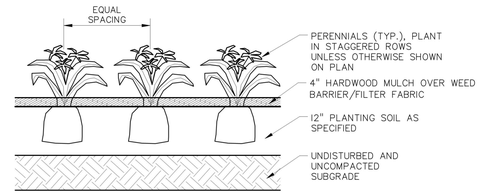
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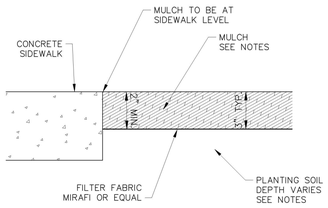
1 TREE PLANTING DETAIL
NOT TO SCALE



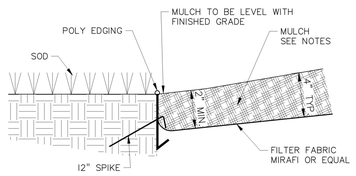
2 SHRUB PLANTING DETAIL
NOT TO SCALE



3 PERENNIAL PLANTINGS
NOT TO SCALE



4 MULCH AT SIDEWALK DETAIL
NOT TO SCALE



5 MULCH AT SOD DETAIL
NOT TO SCALE

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BY DATE

DATE	ISSUE

PROJECT TEAM DATA

DESIGNED:	Value
DRAWN:	AAA
PROJECT NO:	21-0034

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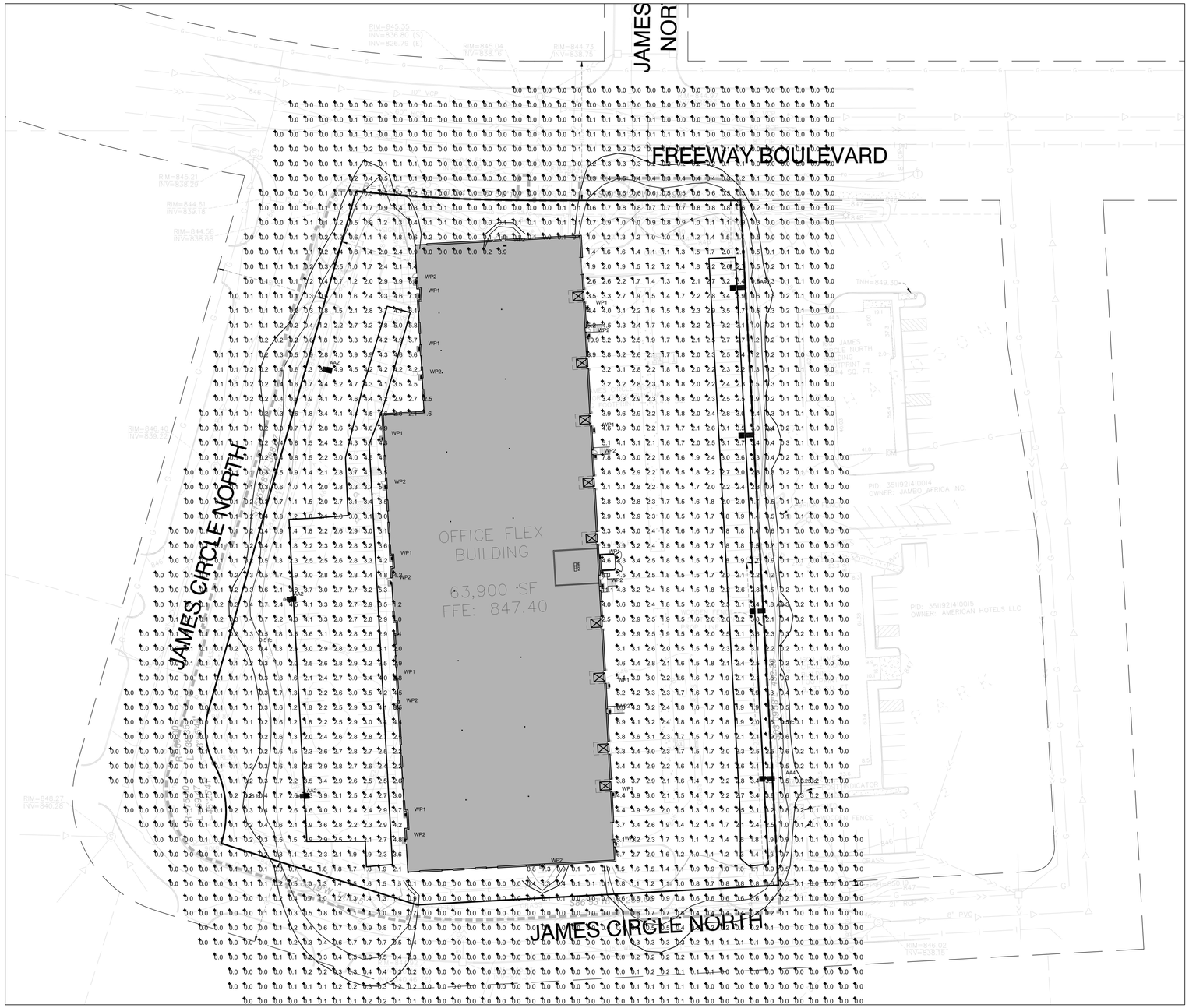
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SHEET 11 of 12

Drawing name: X:\2021\210034\plan sheets\210034land.dwg Aug 06, 2021 - 2:12pm

Luminaire Schedule							
Symbol	Qty	Label	Arrangement	LLF	Description	Arr. Watts	Lum. Lumens
	3	AA2	Single	0.900	GARDCO ECF-S-48L-1A-NW-G2-2 MOUNT ON 30FT POLE WITH 3FT BASE	158.7	20401
	4	AA4	Single	0.900	GARDCO PWS-64L-600-NW-G2-4 MOUNT ON 30FT POLE WITH 3FT BASE	158	21559
	11	WP1	Single	0.900	GARDCO PWS-48L-700-NW-G2-2 WALL MOUNT AT 30FT	105	13710
	13	WP2	Single	0.900	STONCO LPW-7-10-NW-G3-2-8 WALL MOUNT AT 8FT	9.7	1050

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
SITE GROUND	Illuminance	Fc	1.04	11.1	0.0	N.A.	N.A.
EAST PARKING	Illuminance	Fc	2.61	3.9	1.1	2.37	3.55
WEST PARKING	Illuminance	Fc	3.02	5.1	1.4	2.16	3.64




TYPE AA


TYPE WP1


TYPE WP2

GENERAL NOTES:

A. PULSE PRODUCTS DOES NOT ASSUME RESPONSIBILITY FOR THE INTERPRETATION OF THIS CALCULATION OR COMPLIANCE TO THE LOCAL, STATE, OR FEDERAL LIGHTING CODES OR ORDINANCES.

B. LIGHTING LAYOUT IS NOT INTENDED FOR CONSTRUCTION DOCUMENTS BUT ONLY TO ILLUSTRATE THE PERFORMANCE OF THE PRODUCT.

C. ALL READINGS/CALCULATIONS SHOWN ARE SHOWN ON OBJECTS/SURFACES

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PHOTOMETRIC PLAN

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CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

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8-6-21	SITE PLAN REVIEW

PROJECT TEAM DATA
DESIGNED: MK
DRAWN: DBR
PROJECT NO: 21-0034

P-1.0

SHEET 12 of 12

Drawing name: X:\2021\210034\plan sheets\210034photo.dwg Aug 06, 2021 - 2:12pm

Exhibit E

Community Development
763-569-3300

November 12, 2021

6440 James Circle

Building review comments for newly proposed Flex office building to be located at 6440 James Circle.

1. A SAC Demo determination letter and review by MET Council is required prior to a building Demolition permit being issued.

2. The building will be required to have a sprinkler system installed. City of Brooklyn Center zoning ordinance 3-101 B. (2) as adopted by the Minnesota State Building code 1306 Special Fire Protection system 1306.0020 Subp. 2, Existing and New buildings.

3. If there is no access from the outside of the building into the Sprinkler riser room. A Post PIV, Wall PIV or OS & Y valve shall be provided per City Fire Inspector.

4. Prior to a Building permit being issued. A SAC determination for the new building will need to be done by MET Council and SAC determination letter received.

Sincerely,

Dan Grinsteinner
Building Official
City of Brooklyn Center
763-569-3313

Member introduced the following resolution and moved its adoption:

RESOLUTION NO.

RESOLUTION REGARDING THE RECOMMENDED DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2021-006 FOR THE REZONING AND ESTABLISHMENT OF A PLANNED UNIT DEVELOPMENT TO ALLOW FOR CONSTRUCTION OF AN APPROXIMATELY 64,000-SQUARE FOOT MIXED OFFICE/LIGHT INDUSTRIAL BUILDING AND RELATED SITE IMPROVEMENTS (6440 JAMES CIRCLE NORTH)

WHEREAS, Planning Commission Application No. 2021-006, submitted by McGlynn Partners LLC ("the Applicant") requests review and consideration to re-develop the former Earle Brown Bowl property, located at 6440 James Circle North ("the Subject Property"), to an approximately 64,000-square foot mixed office and light industrial building with related site improvements on an approximately 4.03-acre site; and

WHEREAS, the Subject Property is the site of the former Earle Brown Bowl bowling alley, which was originally issued a special use permit to allow live entertainment and the bowling alley use in 1978 under Planning Commission Application Nos. 78023 and 78024; and

WHEREAS, prior to the 1978 approvals, the City's 1975 official Zoning Map indicated that the Subject Property had been zoned I1 (Industrial Park) District; and

WHEREAS, the Earle Brown Bowl subsequently closed in 2015 and the approximately 35,462-square foot building and property has remained vacant since; and

WHEREAS, Tashitaa Tufaa/ODAA Center LLC ("the Property Owner") purchased the now C2 (Commerce) District-zoned Subject Property in 2017 and initially pursued a request for issuance of a special use permit under Planning Commission Application No. 2018-002 in 2018 to operate an event center and ancillary restaurant and bar out of the existing building, which was approved by City Council under City Council Resolution No. 2018-64; and

WHEREAS, as special use permits require work to commence within one (1) year following City Council approval of the special use, the Property Owner was required to apply for re-issuance of said special use permit when no work was undertaken and the permit approved under Planning Commission Application No. 2018-002 expired; and

WHEREAS, the Property Owner subsequently filed for re-issuance of the special use permit under Planning Commission Application No. 2019-018 and received approval by City Council under Resolution No. 2020-12; however it subsequently expired again on January 13, 2021 after it was determined that work has still not commenced on the event center use; and

WHEREAS, the Property Owner ultimately partnered with Applicant McGlynn Partners LLC to redevelop the Subject Property into a mixed office and light industrial product; and

RESOLUTION NO.

WHEREAS, the request contemplated under Planning Commission Application No. 2021-006 would require site and building plan approval, as well as a re-zoning, and establishment of a Planned Unit Development; and

WHEREAS, the 2040 Comprehensive Plan identifies the Subject Property and surrounding area with a future land use designation of "Business Mixed-Use," which is a new land use designation that guides land for a mix of business, light industrial, and supporting retail/service uses that encourages the redevelopment or development of commercial, office, general business, and light industrial uses in coordination with supporting retail/commercial uses to encourage a more dynamic and connected experience for workers; and

WHEREAS, the 2040 Comprehensive Plan notes the Subject Property and immediate surrounding areas as a potential area of change and redevelopment within the next 20 years under Chapter 3 (Land Use & Redevelopment) of the Comprehensive Plan; and

WHEREAS, on November 18, 2021, the Planning Commission of the City of Brooklyn Center, Minnesota received and reviewed a planning report on the requested site and building plan and establishment of a Planned Unit Development, which would ultimately re-zone the Subject Property from C2 (Commerce) District to Planned Unit Development/Business Mixed-Use (PUD/BM-U) for the proposed construction of the approximately 64,000-square foot mixed office and light industrial building and related site improvements on the approximately 4.03-acre Subject Property; and

WHEREAS, the Planning Commission of the City of Brooklyn Center, Minnesota held a duly noticed and called public hearing on November 18, 2021, and public testimony regarding the proposal was received; and

WHEREAS, notice of the public hearing was published in the official newspaper and mailed to the Applicant and properties falling within the notification area as required by the City and Minnesota State Statute, and signage was placed on the Subject Property indicating that a development proposal was under review; and

WHEREAS, the Planning Commission of the City of Brooklyn Center, Minnesota considered the application requests in light of all testimony received, and the guidelines and standards as outlined under Sections 35-202 (*Comprehensive Planning*) 35-208 (*Rezoning Evaluation Policy and Review Guidelines*), 35-210 (*Rezoning Application Procedures and Reconsideration*), 35-230 (*Plan Approval*), and 35-355 (*Planned Unit Development*) of the City's Zoning Ordinance, and the request complies with the general goals and objectives of the City's 2040 Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota to recommend that Planning Commission Application No. 2021-006, submitted by McGlynn Partners LLC, be approved based upon the findings of fact in the November

18, 2021, planning report, and submitted documents and plans as amended by the following conditions of approval:

1. The building plans are subject to review and approval by the Building Official with respect to applicable codes prior to the issuance of permits; and the final location or placement of any fire hydrants or other fire-related building code items shall be reviewed and approved by the Fire Inspector.
    a. Any major changes or modifications made to this Site and Building Plan can only be made by an amendment to the approved Site and Building Plan as approved by the City Council. Per City staff comment, the following shall be revised:
        i. Update the submitted civil set to remove the proposed new curb cut along Freeway Boulevard;
        ii. Provide and maintain sidewalk access from Freeway Boulevard and identify opportunities to provide pedestrian level lighting along this connection;
        iii. Provide space for installation of a bike rack/bike facilities given Subject Property proximity to the Shingle Creek Regional Trail as well as bus stops located off-site along Freeway Boulevard;
        iv. Provide clear, internal crosswalk connections for those parking spaces indicated along the east portion of the Subject Property;
        v. Provide four-sided architecture, with articulation and architectural consideration on all four sides and in consideration of the City's Architectural Design Guidelines;
        vi. Provide additional glazing, and enhanced design elements, particularly focused around entrances and the building front, including, but not limited to: metal canopies, and architectural ornamentation attached to exterior panels;
        vii. Provide enlarged glazing along rear (east) portion of property, in the upper area over the loading bays; and
        viii. Install fencing along rear (east) property line between loading area and adjacent properties using enhanced materials such as cedar, ornamental metal, or other product as approved by the City.

2. Compliance with all conditions or provisions noted in the City Building Official's Building Review dated November 12, 2021.

3. Compliance with all conditions or provisions noted in the City Engineer's Review memorandum and redlined plan set dated November 10, 2021.

4. Verification that the proposed building and site has met all City Code requirements and specifications.

5. A pre-construction conference shall be held with City staff and other entities designated

by the City prior to issuance of a Building Permit.

6. Distribution facilities are not a permitted use. For the purposes of this Planned Unit Development (PUD), a distribution facility is defined as a business that receives packages, sorts, and delivers them without product storage. Distribution as an accessory use is permitted only when it occurs from a manufacturing facility or a warehouse where a product is made or packaged on-site.

7. No outdoor storage or display of materials, equipment, or products accessory and necessary to a principal and permitted use is permitted.

8. The Applicant shall enter into a PUD agreement with the City of Brooklyn Center. This agreement is to be reviewed and approved by the City Attorney prior to the issuance of building permits. The agreement shall further assure compliance with the development plans submitted with this application.

9. The Property Owner/Developer shall execute a separate Performance Agreement with supporting financial guarantee approved by the City, which ensures the Subject Property will be constructed, developed, and maintained in conformance with the plans, specifications, and standards comprehended under the submitted site and building plan.

10. Any outside trash disposal facilities and rooftop or ground mechanical equipment shall be appropriately screened from view per City Code requirements and with materials complementary to the principal building, and an updated details sheet provided.

11. Provide a revised photometric plan that reduces the maximum foot candles along the east portion of the property to three (3) foot candles or less, and furnish fixture specifications of proposed light installations as part of the Building Permit submittal and in compliance with the City's Architectural Design Guidelines and Chapter 35-712 (*Lighting*) of the City Code.

12. An irrigation system shall be installed and maintained on-site and irrigation shop drawings shall be provided to the City for review and approval prior to installation.

13. A sign permit application shall be submitted for any proposed signage as part of the development proposal. Signage is subject to the provisions of the City Code.

RESOLUTION NO.

December 13, 2021 _____
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

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

CITY OF BROOKLYN CENTER

Notice is hereby given that a public hearing will be held on the 10th day of January 2022, at 7:00 p.m. or as soon thereafter as the matter may be heard at City Hall, 6301 Shingle Creek Parkway, to consider an Ordinance amending Chapter 35 of the City Ordinances regarding the zoning classification of certain land located at 6440 James Circle North.

Auxiliary aids for handicapped persons are available upon request at least 96 hours in advance. Please notify the City Clerk at 763-569-3306 to make arrangements.

ORDINANCE NO. 2022-__

AN ORDINANCE AMENDING CHAPTER 35 OF THE CITY CODE OF ORDINANCES REGARDING THE ZONING CLASSIFICATION OF CERTAIN LAND LOCATED AT 6440 JAMES CIRCLE NORTH

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

Section 1. Rezoning. Chapter 35, Section 35-1240 of the City Ordinances of the City of Brooklyn Center is hereby amended as follows:

Section 35-1240. PLANNED UNIT DEVELOPMENT DISTRICT (PUD). The following property is hereby established as being within a (PUD) Planned Unit Development District Zoning Classification:

14. The following properties are designated as PUD/BM-U (Planned Unit Development/Business Mixed-Use) District:

Tract F, Registered Land Survey No. 1482, according to the duly recorded registered land survey thereof, Hennepin County, Minnesota.

Adopted this ____ day of _____, 2022.

_____
Mike Elliott, Mayor

ATTEST:_____
City Clerk

Date of Publication _____

Effective Date _____

(Note: ~~Strikeout~~ text indicates matter to be delete, double underline text indicates new matter.)

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Mayor Elliott and Public Safety Act Implementation Committee Chair

SUBJECT: Public Safety Act - Professional Service Contract (LEAP)

Requested Council Action:

City Council approve professional service agreement with Law Enforcement Action Partnership (LEAP) to assist the Public Safety Act Implementation Committee.

Background:

In May, 2021 the City Council adopted the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act.

In December, 2021 the City Council adopted the 2022 Annual Budget, which provided funding for implementation planning by the Implementation Committee and Professional Consultants.

Budget Issues:

Contract is for $40,000

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/9/2021	Cover Memo
Contract Agreement	12/9/2021	Cover Memo

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-____

CITY OF BROOKLYN CENTER, MINNESOTA

A RESOLUTION APPROVING AND RATIFYING A PROFESSIONAL SERVICES AGREEMENT WITH THE LAW ENFORCEMENT ACTION PARTNERSHIP INC.

WHEREAS, the City of Brooklyn Center ("City") is in need of technical assistance related to the implementation of the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act ("Safety Act") to review calls-for-service, assist in stakeholder conversations, provide information on the community responder model and related innovative tools, and provide ongoing support to the City; and

WHEREAS, the Law Enforcement Action Partnership Inc. ("LEAP") has experience working with cities around the nation on these issues and has the expertise to provide the City the requested services.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brooklyn Center that it hereby approves and ratifies entering into the attached agreement with LEAP to provide the City the identified services for $40,000, plus any additional services the City may specifically request as provided in the agreement.

December 13, 2021
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

CITY OF BROOKLYN CENTER
PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement ("**Agreement**") is made and entered into this _____ day of December 2021 ("**Effective Date**"), by and between the CITY OF BROOKLYN CENTER, a Minnesota municipal corporation located at: 6301 Shingle Creek Parkway, Brooklyn Center, MN 55430 ("**City**") and LAW ENFORCEMENT ACTION PARTNERSHIP INC., a 501(c)(3) nonprofit organization located at: 121 Mystic Avenue No 9, Medford, MA 02155 ("**Consultant**"). The City and the Consultant may hereinafter be referred to individually as a "party" or collectively as the "parties."

RECITALS

A. The City desires to obtain the following professional services for the City: an alternative response model and innovative tools to reduce overreliance on police and improve public safety in the City;

B. The Consultant represents that it has the necessary skill, experience, equipment, and personnel to provide the requested services to the City; and

C. The City desires to contract with the Consultant to provide, and the Consultant desires to provide, the requested professional services in accordance with the terms and conditions of this Agreement.

AGREEMENT

In consideration of the mutual promises and agreements hereinafter set forth, the City and the Consultant hereby agree as follows:

1. **Consultant Services**.

(a) Contracted Services. The Consultant agrees to provide the City the professional services as described in the proposal attached hereto as Exhibit A, as such services may be further refined herein or expanded pursuant to supplemental letter agreements agreed to by the parties (collectively, the "**Services**"). Part of the base Services provided by the Consultant shall include reviewing data, including potentially private and confidential data, and working with the City's Implementation Committee. Any supplemental agreements to provide additional or expanded services must be mutually approved by the parties and shall be incorporated in and made part of this Agreement by reference. All Services provided by the Consultant, and any prior approved subcontractors, shall be of similar quality of other professionals who provide similar services and consistent with any applicable professional standards. If any provision in the proposal attached hereto as Exhibit A conflicts with any provision of this Agreement, the provisions of this Agreement shall be controlling.

(b) Additional Services. The City may request the Consultant to provide services that are in addition to, or that exceed the scope of, those specified in Exhibit A. No additional services shall be provided except upon advanced written request of the City in the form of a supplemental letter agreement that is executed by the Consultant and that specifies the additional services and the additional costs required to be paid by the City.

2. **Time for Performance**. The Consultant shall provide the Services and issue deliverables in accordance with the timelines set out in Exhibit A. Any proposed changes in the established schedule must be expressly approved by the City in writing. The Consultant shall promptly notify the City if it anticipates that it will not be able to provide any of the required Services within the established timeline.

3. **Compensation for Services**. The City agrees to pay the Consultant a total of $40,000 for all Services provided under this Agreement. This is an all-inclusive amount that includes all costs, fees, and expenses the Consultant incurs to provide the Services. To the extent the Consultant provides any additional services in accordance with one or more supplemental letter agreements, the City shall pay the Consultant at the rate or amount agreed to in the letter agreement.

4. **Request for Payment**. The Consultant must submit itemized bills for the Services provided to the City on a quarterly basis. Bills submitted will be processed and paid in the same manner as other claims made to the City.

5. **Term**. This Agreement shall commence as of the date first written above and shall continue until the Services are completed. The parties may, however, agree in writing to extend the term of this Agreement for such additional periods as they deem appropriate, and upon the terms and conditions as may be stated in the written extension.

6. **Amendments**. No modification, amendment, deletion, or waiver in the terms of this Agreement, or any expansion in the scope of deliverables, is valid unless it is in writing and signed by the parties.

7. **Termination**. This Agreement may be terminated by the City for any reason upon 30 days' written notice provided to the Consultant. The Consultant may terminate this Agreement if the City fails to cure any material breach of its term within 30 days of its receipt of written notice of breach from the Consultant. Any such notice of breach shall specifically identify the alleged material breach and what is required to cure it. Upon termination under this provision, the Consultant will be paid for Services properly rendered until the effective date of termination. The Contractor's indemnification, audit disclosure, and data practices obligations shall survive the termination of this Agreement.

8. **Services Products and Ownership of Documents**. All deliverables and products of the Services including, but not limited to, complete and incomplete records, materials, information, reports, drawings, plans, and specifications prepared and developed in connection with the provision of Services pursuant to this Agreement shall become the

property of the City, but Consultant may retain copies of such materials and may reuse standard portions of such materials in the normal course of its business.

9. **Data Practices**. The Consultant shall manage all data created, collected, received, stored, used, maintained, or disseminated by the Consultant pursuant to this Agreement in accordance with, and subject to the requirements of, the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13 ("Act"). The Consultant shall immediately notify the City if it receives a request for data related to the Services and shall work with the City to respond to the request in accordance with the Act. Any reports, information, or other data given to, prepared, or assembled by the Consultant under this Agreement which the City requests be kept confidential must not be made available to any individual or organization without the City's prior written approval unless disclosure is required by law.

10. **Audit Disclosure**. The Consultant must allow the City, or its duly authorized agents, and the state auditor or legislative auditor reasonable access to the Consultant's books, records, documents, and accounting procedures and practices that are pertinent to all Services provided under this Agreement for a minimum of six years from the termination of this Agreement.

11. **Force Majeure**. Neither party shall be deemed in default under this Agreement, nor shall a party hold the other party responsible, for any cessation, interruption, or delay in the performance of its obligations hereunder due to earthquake, flood, fire, storm, natural disaster, act of God, war, armed conflict, labor strike, lockout, or boycott, provided that the party relying on this section gives the other party prompt written notice thereof and takes all steps reasonably necessary under the circumstances to mitigate the effects of the force majeure event. If this event extends for a period of more than 30 days, either party may immediately terminate this Agreement.

12. **Subcontractor**. The Consultant must not enter into subcontracts for any of the Services provided for in this Agreement without the prior express written consent of the City.

13. **Independent Contractor**. The Consultant shall be deemed an independent contractor. Consultant's duties will be performed with the understanding that Consultant has special expertise as to the Services which Consultant is to perform and is customarily engaged in the independent performance of the same or similar services for others. The manner in which the Services are performed shall be controlled by Consultant; however, the nature of the Services and the results to be achieved shall be specified by City. Consultant is not to be deemed an employee or agent of City and has no authority to make any binding commitments or obligations on behalf of City except to the extent expressly provided herein. All Services provided by the Consultant pursuant to this Agreement shall be provided by the Consultant as an independent contractor and not as an employee of the City for any purpose including, but not limited to, income tax withholding, workers' compensation, unemployment compensation, FICA taxes, liability for torts, and eligibility for employee benefits.

14. **Not Exclusive**. This Agreement does not constitute an exclusive contract between the City and the Consultant. The City remains free to contract for similar services from other consultants and the Consultant remains free to contract to provide similar services to others, provided that any such contracts do not interfere with the delivery of Services under this Agreement.

15. **Assignment**. Neither party will assign any part of this Agreement, nor any interest arising herein, without the written consent of the other party.

16. **Services Not Provided For**. No claim for services furnished by the Consultant not specifically provided for and identified herein as part of the Services will be honored by the City.

17. **Severability**. The provisions of this Agreement are severable. If any portion of this Agreement is, for any reason, held by a court of competent jurisdiction to be contrary to law, such decision will not affect the remaining provisions of the Agreement.

18. **Publicity.** The Consultant may work with the City to create public and promotional announcements or press releases relating to the relationship set forth in this Agreement. All public announcements by one party which specifically mention the other party shall be subject to prior review and approval.

19. **Entire Agreement**. This document, including the above recitals, the attached exhibits, and documents expressly incorporated herein by reference, constitute the entire agreement between the parties and it supersedes all oral agreements and negotiations between the parties regarding the subject matter of this Agreement.

20. **Compliance with Laws and Regulations**. In providing the Services hereunder, the Consultant must abide by all applicable statutes, ordinances, rules, and regulations. Any violation will constitute a material breach of this Agreement and entitle the City to immediately terminate this Agreement.

21. **Equal Opportunity**. During the performance of this Agreement, the Consultant must not discriminate against any employee or applicant for employment because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or age. Violation of any part of this provision may lead to the immediate termination of this Agreement.

22. **Waiver**. Any waiver by either party of a breach of any provision of this Agreement will not affect, in any respect, the validity of the remainder of this Agreement.

23. **Indemnification**. To the fullest extent permitted by law, the Consultant, and the Consultant's successors or assigns, agree to protect, defend, save, and hold harmless the City, its officers, agents, and employees from all claims, suits, or actions of any kind, nature, or character, and the costs, disbursements, and expenses of defending the same including, but not limited to, attorneys' fees, professional services, and other technical,

administrative, or professional assistance resulting from or arising out of the alleged negligence, breach of contract, or willful misconduct of Consultant, its subcontractors, agents, or employees related to or arising out of the performance of, or failure to perform, the Services under this Agreement. Nothing herein shall be construed as a limitation on or waiver of any immunities or limitations on liability available to the City under Minnesota Statutes, Chapter 466 or other law.

24. **Insurance**. During the entire term of this Agreement, the Consultant must maintain workers' compensation insurance (to the extent required by law) and commercial general liability insurance with a per occurrence limit of no less than $500,000. The Consultant shall provide such additional insurance coverages and specific minimum amounts of coverage as may be specified in the attached Exhibit A.

25. **Third Party Rights**. The parties to this Agreement do not intend to confer on any third party any rights under this Agreement.

26. **Headings**. The headings contained in this Agreement have been inserted for convenience of reference only and shall in no way define, limit, or affect the scope and intent of this Agreement.

27. **Governing Law and Venue**. This Agreement will be controlled by the laws of the State of Minnesota. Any disputes, controversies, or claims arising out of this Agreement shall be heard in the state or federal courts of Minnesota in Hennepin County, and all parties to this Agreement waive any objection to the jurisdiction of these courts, whether based on convenience or otherwise.

IN WITNESS WHEREOF, the City and the Consultant have caused this Professional Services Agreement to be executed by their duly authorized representatives in duplicate on the respective dates indicated below and effective as of the date first written above.

CITY OF BROOKLYN CENTER	**LAW ENFORCEMENT ACTION PARTNERSHIP**
By:_____ Mayor	By:_____
	Its:_____
By:_____ Manager	By:_____
	Its:_____
Date:_____	Date:_____

EXHIBIT A
Proposed Scope of Work

Brooklyn Center-LEAP Proposed Scope of Work

Purpose

In Brooklyn Center, like most cities, police are the default responders for most 911 calls. Many of these calls are related to low-priority and low-risk quality-of-life and behavioral health issues. When all of these calls fall on the police's shoulders, they are forced into social worker and counselor roles for which they have not been trained, they have less time to focus on serious crime, and they run the risk of negative interactions and uses of force. All of these issues can break down community trust in police, which is essential for police to effectively prevent and solve crime.

Other jurisdictions have shown that the entire community benefits when low-priority calls can be taken off the police's plate and handled through a carefully designed alternative. For example, calls related to mental health, addiction, and homelessness can often be handled by responders who specialize in behavioral health issues. Juvenile complaints, neighbor disputes, noise complaints, and disturbances can often be handled by people trained in mediation and conflict resolution. By sending the right responder to each 911 call, cities are rebuilding the trust of citizens and improving public health and safety.

The Law Enforcement Action Partnership (LEAP) is a nonprofit organization that has designed "community responder" programs tailored to specific cities around the country. LEAP conducts research on existing programs, investigates local 911 call data, talks to a broad range of city stakeholders to understand local resources and priorities, and seeks community input on key questions. LEAP brings in police representatives to vet program safety and secure the trust of local law enforcement.

LEAP applauds Brooklyn Center's leadership in resolving to find common-sense alternatives to help shoulder the burdens currently placed on police. Through this scope of work, LEAP will help the city ensure that Brooklyn Center community members receive effective responses to calls for service that resolve conflict, improve health, free up police resources, and improve public trust.

General Scope

LEAP will recommend an alternative response model and additional innovative tools to reduce overreliance on police and improve public safety in Brooklyn Center.

Specifically, **LEAP will**:

1. Conduct a calls-for-service data analysis to identify city needs
2. Engage in Brooklyn Center stakeholder conversations to conduct an asset mapping of local infrastructure and persuade key players to collaborate with us on the planning

3. Prepare a report recommending a specific Community Responder model and additional innovative tools to reduce overreliance on police for Brooklyn Center
4. Provide ongoing support as necessary to ensure successful implementation

The Brooklyn Center Project Manager will:

1. Lead on-the-ground project management to bring implementation to completion
2. Manage hiring and training and arrange for training materials and other detailed resources that would be necessary to complete implementation, with LEAP guidance.

Model Components

We will design a community responder model that includes alternatives for:

1. Calls related to behavioral health -- mental health/homelessness/addiction
2. Calls outside the realm of behavioral health -- e.g. noise complaints, neighbor disputes, juvenile disturbances, landlord-tenant disputes, trespassing, loitering
3. Additional "administrative alternatives" that avoid police response (e.g. non-injury accident reports, minor theft with no evidence, abandoned vehicles)

To reduce unnecessary police contact with drivers, we will review current practices, recommend changes, and provide sample protocols in the following areas:

1. Low-level and pretextual traffic stops for equipment issues
2. Consent searches for vehicle stops

Project Components

1. Analysis of calls for service data

Brooklyn Center should understand the areas where it is currently relying on police to do jobs other parties could do effectively. By understanding the volume of citizen-initiated calls that could be handled instead by Community Responders and administrative alternatives, it can improve connection to services, reduce negative police-community interactions, allow police to focus on real crime, and save money. . While summary statistics on call types and priority levels are a starting point, LEAP would provide more detailed estimates through raw data analysis, to include:

1. Distinguishing between officer-initiated and citizen-initiated calls for service in order to identify the portion of citizen-initiated calls that could be handled by alternative means
2. Removing from the analysis the calls involving violence, weapons, and crime reports that should be directed to police
3. Finding the most effective tools to identify calls appropriate for Community Responders, including call types, but also priority levels, modifying circumstances, and other data variables

Brooklyn Center would also be better able to respond effectively to first responder calls by understanding the nature, timing, location, and disposition of these calls. This data can be used to inform staffing and other design details for the Community Responder model and other alternatives. LEAP would analyze the raw CAD data to answer questions such as:

1. What are the call types and call volumes that could be handled by community responders and other alternatives?
2. What is the current police response time and time spent on scene for these calls?
3. Where are the calls occurring geographically and what are the demographics of the hot-spot neighborhoods?
4. Are police currently responding to most of these calls? Does the dispatcher assign them to calls or do they volunteer for calls? (Relevant to designing community responder dispatch method)
5. How many of these calls are currently ending with an arrest or a police report?
6. What skills will be most important for the major call types handled by community responders? Should they be behavioral health peers/clinicians vs. paramedics vs. credible messengers vs. mediators vs. other service providers?
7. What is the ideal timing of shifts to maximize call volume? (hours of day and days of week)
8. Which city service providers and other key locations are responsible for significant numbers of calls and should receive direct education about the model?

LEAP will provide a written report and presentation of the data analysis and what it means for the 911 Community Responder model, including call volume, call types, staffing, hours, and other details.

2. Asset mapping of Brooklyn Center resources

Brooklyn Center should tailor its model to the existing city and county landscape. To assist with this, LEAP will participate in conversations with key stakeholders to secure buy-in and inform recommendations for key features of a Brooklyn Center 911 Community Responder model and other innovations. LEAP will then vet those recommendations with the stakeholders.

LEAP will also maintain close communication with the implementation committee and work with the FUSE Fellow to ensure that our recommendations align with community priorities as well as with city resources and needs.

a. **Key features of Community Responder model:**
    i. Safety: how to address responder safety and liability issues
    ii. Dispatch: how calls come in to dispatch, what call types should be handled by community responders, how calls should be screened, how dispatch should contact responders
    iii. Responders: what agency should house responders, what skills and qualities to look for in responders, how to design training
    iv. Coverage: what hours should be covered, what response time should be expected, how many teams should be hired
    v. Relationship with police: how police can refer calls, how responders can call for police support when needed

vi. Service connections: which complementary services should be connected to responders for drop-off, referral, and follow-up
vii. Implementation: what stages should be completed on the way to program launch, on what timeline
viii. Budget: what budget is estimated for the program
ix. Evaluation: how to evaluate performance of program, how to build evaluation into program design

b. **Stakeholders**: Implementation committee, community representatives, city public safety and emergency communications agencies, city leadership, behavioral health agencies, mediation centers, street outreach organizations, other service providers.

3. Research on existing models

LEAP will work with Brooklyn Center to identify which features of the recommended models are already in place in other jurisdictions, and which features/needs are unique to Brooklyn Center.
When LEAP makes recommendations for key model features, we will also provide information on how the model compares in each key feature to existing Community Responder models and provide connections to key contacts in those jurisdictions.

a. **Type of work**: Research comparing key features of existing models (and recommending model for Brooklyn Center) and program creation process
b. **Key features of models**:
    i. Safety: how to address responder safety and liability issues
    ii. Dispatch: how calls come in to dispatch, what call types should be handled, how calls should be screened, how dispatch should contact responders
    iii. Responders: what agency should house responders, what skills and qualities to look for in responders, how to design training,
    iv. Coverage: what hours should be covered, what response time should be expected, how many teams should be hired
    v. Relationship with police: how police can refer calls, how responders can call for police support when needed
    vi. Service connections: which services should be connected to responders
    vii. Implementation: what stages should be completed on the way to program launch, on what timeline
    viii. Budget: what budget is estimated for the program
    ix. Evaluation: how to evaluate performance of program, how to build evaluation into program design

4. Ongoing support for Project Manager

a. Brief Project Manager on basics of program content and program creation process
b. Participate in meetings and supply law enforcement validators to assist with stakeholder buy-in
c. Provide sample position descriptions
d. Answer technical questions and make recommendations and connections

e. Provide updates on progress and results of existing models
f. Provide updated data analysis
g. Provide other support as needed

5. Contractual Details

a. Deliverable Timeline:
    i. Reports
        1. LEAP will provide a 2-5 page brief with preliminary recommendations within 3 months of contract execution date, assuming LEAP receives the raw data within 2 weeks of contract execution
        2. LEAP will provide a full report with final recommendations within 4 months of contract execution date, assuming LEAP receives the raw data within 2 weeks of contract execution
        3. LEAP will provide 1 - 3 virtual presentations of report recommendations to stakeholders
        4. LEAP will share sample implementation documents to assist Project Manager, such as position descriptions, dispatch protocol, sample police policies
    ii. Meetings
        1. LEAP will hold 4-8 virtual meetings with police
        2. LEAP will hold 3-5 virtual meetings with dispatch
        3. LEAP will hold 4-8 meetings with local service providers
        4. LEAP will hold 1-3 virtual meetings with the City Manager's Office
    iii. Ongoing support for Project Manager
        1. LEAP will hold 12-18 virtual meetings with the Project Manager, Mayor's Office, and FUSE Fellows
        2. LEAP will answer clarifying questions and provide limited guidance for up to 1 year
b. Costs:
    i. LEAP will provide the services detailed above for $40,000.
    ii. LEAP can provide additional services, as requested in writing by the City and agreed upon by LEAP, in an amount not to exceed $20,000
c. Additional Service Examples:
    i. LEAP can plan and facilitate additional meetings with the implementation committee, police and dispatch, Project Manager, or other relevant stakeholders
    ii. LEAP can work with dispatch to develop sample dispatch protocols tailored to each call type
    iii. LEAP can recommend community responder training plan based on local service providers and hold facilitating discussions with those providers
    iv. LEAP can provide feedback on police Use of Force policy and other relevant police policies for updating and modernization

Council Regular Meeting

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Dr. Reginald Edwards, City Manager

SUBJECT: Resolution Approving an Amendment to the City Manager's Agreement that in lieu of the City Providing a Vehicle for use by the Manager, the Manager will receive an annual car allowance for $6,000 Annually

Requested Council Action:

- *Motion to approve a resolution for an amendment to the City Manager's employment agreement*

Background:

In May 2021 the City Council approved an employment agreement with the current City Manager (Dr. Reggie Edwards).

The employment agreement stipulated, *"the Manager shall be provided with a City-owned vehicle for traveling to and from work. Manager shall be reimbursed for personal automobile use for trips, meetings, work, and other use related to his employment at the rate consistent with Internal Revenue Service regulations."*

Staff have assessed the provision of a City-owned vehicle and found the following:

1. City Insurance exposure for use of company vehicle is 24/7 regardless of personal personal or business use. The allowance does not create liability exposure.
2. Tax effect of mileage on City payroll tax is $1,716 per year vs. an allowance of approximately $460.
3. Additional Central Garage vehicle requires additional work for Public Works and Finance to track repairs, overhead, and replacement.
4. HR would need to track mileage on a commuting vehicle for imputation of income income requiring additional staff time.
5. Purchasing a vehicle requires a large up-front cost; allowance is more predictable and easier to budget.

The staff has determined that it would be more administratively effective and cost-efficient for the City to amend the employment agreement. Staff recommends that *in lieu of the City providing a vehicle for use by the Manager; the Manager shall receive an annual car allowance of $6,000 annually.*

Budget Issues:

Car Allowance of $6,000 annually.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/9/2021	Backup Material

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION FOR AN AMENDMENT TO THE CITY MANAGER'S EMPLOYMENT AGREEMENT

This Amendment is made and entered into by and between the City of Brooklyn Center, a Minnesota municipal corporation (hereinafter referred to as the "City") and Reginald M. Edwards (hereinafter referred to as the "City Manager") as of the _____ Day of December 2021.

WHEREAS, the City wishes to engage the services of the Manager as a professional employee; and

WHEREAS, the parties wish to set forth the terms and conditions of their relationship in this contract in order to assure the requisite flexibility to enable the Manager to function as the City's chief administrative official; and

WHEREAS, the nature of the Manager's position requires continued professional training and attendance at meetings during evenings and other non-traditional work times; and

WHEREAS, the parties established that the Manager shall be provided with a City owned vehicle for traveling to and from work; and

WHEREAS, after further evaluation of providing the Manager with a City owned vehicle the following findings were discovered:

1. City Insurance exposure for use of company vehicle is 24/7 regardless of personal or business use. Allowance does not create liability exposure.
2. Tax effect of mileage to City payroll tax is $1,716 per year vs. allowance of approximately $460
3. Additional Central Garage vehicle requires additional work for Public Works and Finance to track repairs, overhead, and replacement.
4. HR would need to track mileage on commuting vehicle for imputation of income requiring additional staff time.
5. Purchasing vehicle requires large up-front cost, allowance is more predictable and easier to budget.

NOW THEREFORE, in consideration of the above-mentioned findings, the City and Manager agree the Employment Agreement is amended as follows:

Section 8. Compensation

C) In lieu of the City providing a vehicle for use by the Manager, the Manager shall receive an annual car allowance in the amount of $6,000 annually.

_____ _____

Date Mayor

ATTEST: _____
City Clerk

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

Council/EDA Work Session
VIRTUAL meeting being conducted by electronic means in accordance with Minnesota Statutes, section 13D.021 Public portion available for connection via telephone Dial: 1-312-626-6799 Meeting ID: 85412029800# Passcode: 457533#
December 13, 2021

AGENDA

ACTIVE DISCUSSION ITEMS

1. Opportunity Site Pilot Project - Concept Plan Review

PENDING LIST FOR FUTURE WORK SESSIONS

1. Upcoming Items

Council/EDA Work Session

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Meg Beekman, Community Development Director

SUBJECT: Opportunity Site Pilot Project - Concept Plan Review

Requested Council Action:

Background:

A concept plan review is an opportunity for the City Council to review a development concept, ask questions, and provide input prior to a formal application. This provides the City Council an early opportunity to weigh-in on a project and indicate what their priorities are, during the City's negotiation process. It is a critical step for staff and developers to gauge the Council's level of interest and goals while the project is still being developed.

Concept plan reviews are an informal step in the process. They are considered advisory and are non-bonding for the City and the application. No Council action is being requested as part of the concept review process. The developer will receive the input from the Council, and based on that determine whether to proceed with a full formal application and review process.

Background

In April 2018, the City entered into a Preliminary Development Agreement with developer Alatus that would allow them time to develop a master plan for the EDA-owned 35 acres within the Opportunity Site and to conduct due diligence on an initial phase of that development.

Prior to this, the City Council had solicited interest from developers to propose their vision for the site. Three developers came forward with concepts and after meeting with two of them, the Council selected Alatus because their vision aligned with the City’s 2006 master plan vision to create a mixed use, walkable town center that existing residents could bene?t from and utilize.

By early 2019, Alatus had re?ned their overall concept for the site and were moving forward with early planning for an initial phase of development that would include approximately 300 units of housing and a mix of commercial on the ground ?oor. The concept was presented to Council and direction was made to renew the Preliminary Development Agreement with Alatus.

A full summary of the planning and engagement on the Opportunity Site is attached.

Community Engagement and Benefits Plan Update

Over the last year, Alatus has formally partnered with Project for Pride in Living and Resurrecting Faith World Ministries on the development project. As a collective partnership the development team has been working closely with the city and the community partners working on engagement to create and refine their business and concept plan. The development team has been meeting regularly with the community partners to get input on their project, as well as participating in community meetings hosted by the various community partners.

At their November 22, 2021 meeting the City Council received a presentation from Christina Berry, NEOO Partners, and Nelima Sitati Munene, ACER, on the community engagement process to date. The contracted community partners have been meeting regularly for several months and out in community conducting their engagement activities. The formal engagement from the community partners is expected to wrap up by the end of January.

The Citizen Advisory Taskforce has been meeting as well. Their role is to receive and distill the engagement results from the community partners and to work with the developer to establish a community benefits plan. The development team is committed to working with this group, and has begun conversations with them and building in a community benefits framework into the concept plan. This work is anticipated to continue through the end of March.

The development team presented their concept plan to the Citizen Advisory Taskforce and the community partners to get feedback. They then hosted a community-wide meeting at the community center on December 8. The meeting was an opportunity for community to see the plan so far and provide input on it.

The development team will be hosting a series of community engagement sessions in January and February to continue to share the site plan as it evolves.

Other formal engagement dates will be as follows:

- Neighborhood Meeting – Preliminary Concept Site Plan – Wednesday, December 8th, 2021
- Open Comments & Questions Period – Environmental Assessment Worksheet – Mid-January to Mid-February
- Neighborhood Meeting – Final Concept Site Plan – Wednesday, February 9th, 2022
- Neighborhood Meeting – Final Concept Site Plan #2 – Wednesday, February 23rd, 2022

They have established a project website to share information and receive feedback: https://www.pilotsiteatbrooklyncenter.com/

Concept Plan

The concept plan consists of approximately 15 acres of land at the northeast corner of Shingle Creek Parkway and Bass Lake Road. The concept layout would create five new urban blocks with six buildings of housing, an event center campus with childcare center and additional commercial space, as well as the Entrepreneurial Market Plaza incubator, and new roads, plazas and infrastructure.

The proposed housing mix will include the creation of a gateway 4 to 6-story market-rate multi-family rental housing development with shared plaza a public spaces with the Entrepreneurial Market Plaza incubator. Next to this would be a mixed-income multi-family project with shared pedestrian and vehicular infrastructure. On the east side would be a phased low-income housing tax credit development in four buildings. The site includes the integration of the Gathering and Event Space, a community event space, and its campus concept, all woven

together with permeable pedestrian infrastructure, public art and traffic calming vehicular access points.

Project goals include:

- Providing a full spectrum of housing affordability
- Provide wholistic community enhancing spaces and places
- Be environmentally and fiscally sustainable
- Catalyze future equitable development opportunities

The City has been leading the work on the Entrepreneurial Market Plaza. An implementation study has just begun with ACER and NEOO Partners leading that work, and Design by MELO leading the design and architecture of the incubator and entrepreneurial plaza. The space is envisioned as a 25,000 square foot building for incubator and co-working space and attached 10,000 square foot plaza to serve local entrepreneurs and businesses. The incubator would also house a new small business resource center.

The concept includes new roadways, anticipated to be a mix of public and private roads. Roadways are designed to provide a more urban, walkable, experience, with on-street parking, streetscaping, and pedestrian infrastructure. Parking is primarily provided underground, with a mix of some surface and on-street parking. A new shared stormwater pond is shown, designed to provide public amenity space for the new development area.

Three Rivers Park District is planning a new regional "bridging" park in their 2024 funding year. This four-acre amenity will anchor the development and provide high quality public greenspace in the heart of the Opportunity Site.

The concept plan anticipates 744 new housing units as follows:

BUILDING NAME	STORIES	GROSS AREA (INCLUDES PARKING)	UNITS	AVG. UNIT
INCUBATOR	2	19,110		
EVENT CENTER, CHILDCARE CENTER, THERAPY SUITES, & BARBER SUITES	1	58,453		
MARKET RATE RESIDENTIAL	4 - 6	401,541	289	730
MIXED INCOME RESIDENTIAL	2 - 6	314,394	205	777
AFFORDABLE RESIDENTIAL				
FAMILY 1 (NW CORNER)	5	83,432	60	908
FAMILY 2 (SW CORNER)	4	83,432	60	908
FAMILY 3 (NE CORNER)	4	83,432	60	908
WORKFORCE (SE CORNER)	4	76,482	70	713
		1,120,276	**744**	

Next Steps

The development team will continue to work with the community partners and citizen advisory taskforce over the coming months to finalize their project plan and the community benefits plan.

The anticipated timeline for the project is as follows:

December - January - Continue meeting regularly with the community partner groups to share the project, get input, and receive engagement reports

December - March - Work with the Citizen Advisory Taskforce to incorporate a community benefits plan into the project and continue to refine the site and project plan.

January - February - Host 30-day public comment period for EAW

March - May - City considers formal land use application and public subsidy request for the project

June - July - Closing and construction start

Budget Issues:

There are no budget issues to consider at this time

Inclusive Community Engagement:

The community engagement process for this project has been the most extensive in the City's history and has included a pilot engagement process to work directly with community leaders and organizations to deliver a deep and meaningful engagement process. The deliverables from the process will be distilled through a Citizen Advisory Taskforce that is tasked with establishing recommendations for a community benefits plan to be incorporated into the development project.

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
Concept Plan _ Narrative	12/7/2021	Backup Material
Concept Plan _ Site Plan	12/7/2021	Backup Material
Concept Plan _ Elevations	12/7/2021	Cover Memo
Concept Plan _ Elevations2	12/7/2021	Backup Material
Planning and Engagement Process and History	12/7/2021	Backup Material

ALATUS LLC

City of Brooklyn Center
Community Development Director
Attn: Ms. Meg Beekman
6301 Shingle Creek Parkway
Brooklyn Center, MN 55430

Delivered via Email – Monday, November 8th, 2021

Ms. Meg Beekman,

Alatus LLC ("Alatus"), Project for Pride in Living ("PPL"), and Resurrecting Faith World Ministries ("RFWM") are pleased to present the following Concept Site Plan Review application for the proposed redevelopment of the parcels located at 2500 CO and 5900 Shingle Creek Parkway, Brooklyn Center, MN 55430. The proposed project, the "Pilot Site", will encompass a significant area of the land on the tax parcels PID #0211821240019 and PID #0211821240019, both currently owned by the City of Brooklyn Center Economic Development Authority.

Project goals and public benefits envisioned for the Pilot Site are as follows:

- Spectrums of Housing & Affordability – Market-rate, mixed-income, and low-income rental opportunities will allow for diverse demographic and socioeconomic populations to live and occupy the same spaces. Development sponsor PPL will be creating phased development of family oriented low-income housing tax credit properties with rent and income thresholds from 30% AMI to 60% AMI and with 2, 3, and 4 BDR offerings. These types of units are tremendously undersupplied in the Twin Cities metropolitan area and will be very valuable to the Brooklyn Center community.

- Wholistic Community Enhancing Spaces and Places – Development sponsor RFWM is proposing a ~27,500 sqft Gathering and Event Space focused on a campus orientation development proposal that includes the aforementioned housing spectrum and other offerings to wholistically help communities grow and thrive. The Pilot Site will also include the development of a community-based Business Incubator as a focal point for the entire development staging. This Business Incubator will be programmed and owned by the City of Brooklyn Center and will help to advance equitable outcomes for entrepreneurs and business owners in and around the city of Brooklyn Center. The programming of this space will be informed by input sessions crafted by NEOO and the City of Brooklyn Center and the spatial programming will be further enhanced by Design by Melo and their robust engagement initiatives.

IDS Center
80 South 8th Street
Suite 4155
Minneapolis, MN 55402
Phone 612.455.0700
Fax 612.455.0740

www.alatusllc.com

- Environmentally and Fiscally Sustainable – the Pilot Site will be both fiscally and economically sustainable. Residential developments within the Pilot Site will achieve LEED Certifications and/or Well Built Certifications to ensure a high threshold of livability for all resident populations. The Pilot Site's location next to a strong retail hub with two value oriented grocers and a Metro Transit Bus Rapid Transit Line C facility with direct access to Downtown Minneapolis should help to minimize car dependency and allow for cheaper multi-modal last-mile trips.

- Future Equitable Development Opportunities – the Pilot Site is an initial opportunity to craft a business plan and scope and ultimately physical programming that touches on many of the development processes that have often been lacking in diverse communities. Inevitably, there will be ideas that cannot be incorporated, missed opportunities, or process breakdowns. As the Pilot Site is just a small portion of the total amount of land owned by the City of Brooklyn Center Economic Development Authority, the engagement, entitlement, and development processes can be refined and modified moving forward for a more complete process with respect to the next phase of development on the larger Opportunity Site.

The nature of the proposed development is concentrated on creating a spectrum of opportunities for community members of all different backgrounds. The proposed housing mix will include the creation of a gateway 4 to 6-story market-rate multi-family rental housing development with shared plaza a public spaces with the Business Incubator, next to a mixed-income multi-family project with shared pedestrian and vehicular infrastructure, phased low-income housing tax credit properties as further defined below, the integration of the Gathering and Event Space and its campus concept, all woven together with permeable pedestrian infrastructure and traffic calming vehicular access points. At this time the Concept Site Plan estimates the following unit types and counts for housing options on the development site:

- **Area B + D, Building C**: Public Plaza, ~20,000 sqft Community Business Incubator, and Flex Street / Woonerf

- **Building F**: 4 to 6-story market-rate multi-family rental community with 289 units and 441 parking stalls (below grade, podium, and parallel surface); Building F will also host the shared fitness, remote working facility, training, and locker room facilities that will be accessible to all residents in the Pilot Site

- **Building E**: ~27,500 sqft Gathering & Event Space with mental health and therapy suites, private event spaces, 24/7 childcare, and barber shop spaces

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- **Building G**: 2 to 6-story mixed-income* multi-family rental community with 205 units and 286 parking stalls (below grade, podium, and parallel surface)
    - * – Note – Mixed-income refers to 51% of the total units, or 103 units, being at or less than 80% AMI rental and income restricted; it should also be noted that a majority of these affordable units will be 2 and 3 BDR units

- **Building(s) H**: 4 phased low-income housing tax credit developments; 3 phases will consist of 4 to 5-story low-income housing tax credit multi-family rental communities with 60 units and ~55 parking stalls (below grade, and parallel surface)**; 4th phase will consist of a 4-story low-income housing tax credit multi-family rental community with 70 units and ~55 parking stalls (below grade, and parallel surface)***
    - ** – Note – these first three phases will consist of a majority of family unit sizes from 2 to 4 BDR offerings at 30% to 60% AMI rental and income restrictions
    - *** – Note – this final phase will consist of workforce housing with smaller unit types

It is very important to note that Area B + D, and Building C, as well as portions of Building E will continue to be investigated and shaped as the respective development sponsors continue engagement with the community of Brooklyn Center. Even at the time of this submission, the development sponsors have been considering other programming additions such as an autonomous EV bus-circulator to and from the Shingle Creek Crossing Retail Center, the inclusion of a commercially scaled community garden or greenhouse, community commercial kitchens for start-up food enterprises, and the ability to create commercial space ownership opportunities for community business proprietors.

There will be numerous engagement opportunities moving forward from this point on in formal and informal settings. The development sponsors will make every effort to make recordings available for viewing and comment or questions for those that cannot physically participate or would prefer to give feedback in a different medium. Materials will be shared at the following URL with re-direction to various other site planning materials and documents:

https://clients.bolton-menk.com/brooklyncenter2019/opportunitysite/

Other formal engagement dates will be as follows:

- Neighborhood Meeting – Preliminary Concept Site Plan – Wednesday, December 8th, 2021
- Open Comments & Questions Period – Environmental Assessment Worksheet – Mid-January to Mid-February
- Neighborhood Meeting – Final Concept Site Plan – Wednesday, February 9th, 2022
- Neighborhood Meeting – Final Concept Site Plan #2 – Wednesday, February 23rd, 2022

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These dates are subject to change and advance notice on times, dates, locations, and other opportunities for engagement will be communicated over the website and via various communication channels including social media platforms. The development sponsors will also be facilitating meetings with community organizations, including, but not limited to, ACER, Brooklyn Bridge Alliance for Youth, Empire Smile, Liberian Business Association, MN African Coalition, MN Africans United, Paadio, and MN Zej Zog.

The development sponsors of Alatus LLC, Project for Pride in Living, and Resurrecting Faith World Ministries are looking forward to partnering with the City of Brooklyn Center and other community stakeholders on this tremendous once in a generation redevelopment opportunity in one of the most diverse cities in the state of Minnesota.

Sincerely,

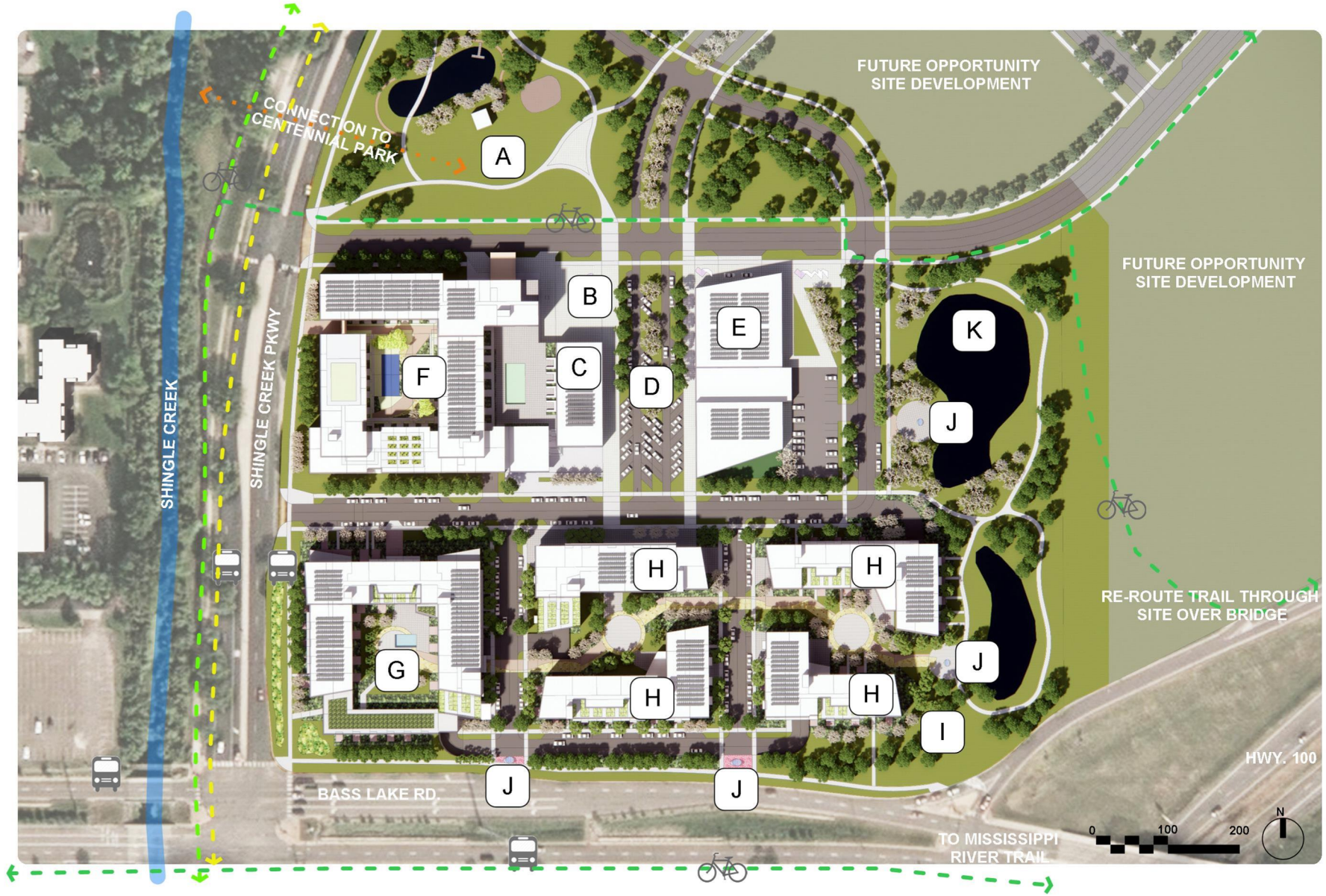
Chris Osmundson
Director of Development
(O): 612.455.0712 | (C): 612.201.8487
email@alatusllc.com

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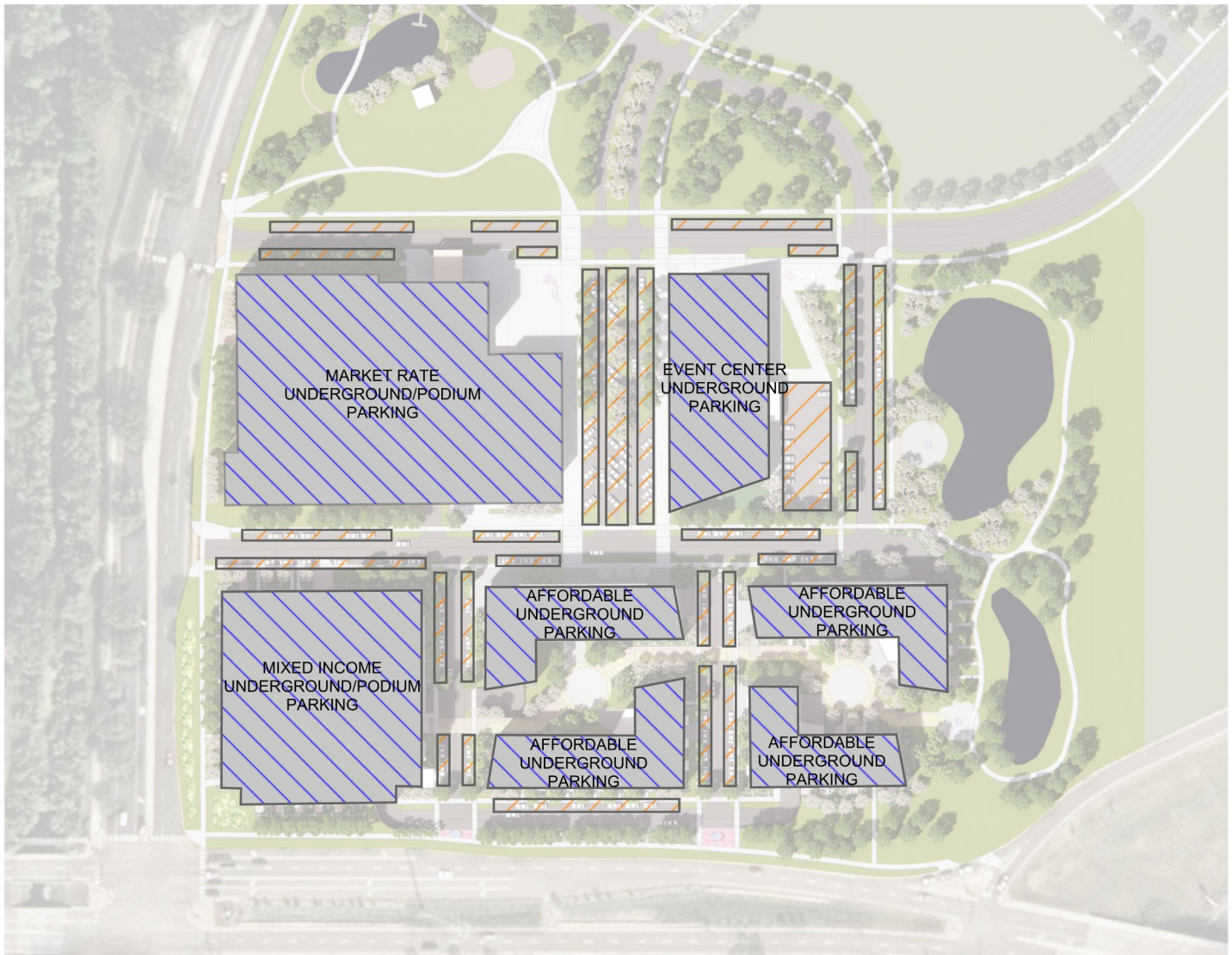
- A THREE RIVERS PARK
- B PUBLIC PLAZA
- C INCUBATOR
- D FLEX STREET
- E EVENT CENTER, CHILDCARE CENTER, THERAPY SUITES, & BARBER SUITES
- F MARKET RATE RESIDENTIAL
- G MIXED INCOME RESIDENTIAL
- H AFFORDABLE RESIDENTIAL
- I COMMUNITY GARDENS
- J PUBLIC ART OPPORTUNITY
- K [STORM WATER PARK]
- COMMUTER BIKE LANES
- SHINGLE CREEK TRAIL
- TWIN LAKES TRAIL
- METRO TRANSIT STOP

KEY	BUILDING NAME	STORIES	GROSS AREA (INCLUDES PARKING)	UNITS	AVG. UNIT
C	INCUBATOR	2	19,110		
E	EVENT CENTER, CHILDCARE CENTER, THERAPY SUITES, & BARBER SUITES	1	58,453		
F	MARKET RATE RESIDENTIAL	4 - 6	401,541	289	730
G	MIXED INCOME RESIDENTIAL	2 - 6	314,394	205	777
H	AFFORDABLE RESIDENTIAL				
	FAMILY 1 (NW CORNER)	5	83,432	60	908
	FAMILY 2 (SW CORNER)	4	83,432	60	908
	FAMILY 3 (NE CORNER)	4	83,432	60	908
	WORKFORCE (SE CORNER)	4	76,482	70	713
TOTAL			**1,120,276**	**744**	



PARKING PLAN

PARKING COUNT						
	EVENT CENTER, CHILDCARE CENTER, THERAPY SUITES, & BARBER SUITES	FLEX STREET	MARKET RATE	MIXED INCOME	AFFORDABLE	**OVERALL SITE**
SURFACE (90°-45°)	36	39				
BELOW GRADE	75		280	187	180	
PODIUM			134	83		
PARALLEL	29	8	27	16	41	
TOTAL	140	47	441	286	221	1135
RATIO (STALLS PER UNIT)			1.53	1.40	0.88	



UNDERGROUND/PODIUM PARKING

PARALLEL/SURFACE PARKING

0 100 200 N



PILOT SITE WITHIN MASTER PLAN



PILOT SITE – COMMUNITY FEATURES

RENDERING – VIEW LOOKING NORTHWEST





RENDERING – VIEW LOOKING NORTHEAST




FUTURE OPPORTUNITY SITE
DEVELOPMENT

BOLTON & MENK
Real People. Real Solutions.

111 Washington Avenue S
Suite 650
Minneapolis, MN 55401

Ph: (612) 416-0220
Fax: (612) 416-0222
Bolton-Menk.com

January 26, 2021

TO: Meg Beekman, Community Development Director

FROM: Haila Maze, Principal Urban Planner

RE: Brooklyn Center Opportunity Site Engagement Summary to Date

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Background and Purpose



Pre-2018 Opportunity Site Planning

The Opportunity Site is an approximately 80-acre area west of Hwy 100 and east of Shingle Creek Parkway, between Bass Lake Road and Summit Drive.

The City first began planning for redevelopment of this area in the early 2000s. In partnership with the Metropolitan Council, the area was included in a regional study designed to examine how aging retail centers could redevelop to better serve the communities they are in. The resulting study introduced the concept of a mixed-use, walkable, town center as a vision for the area.

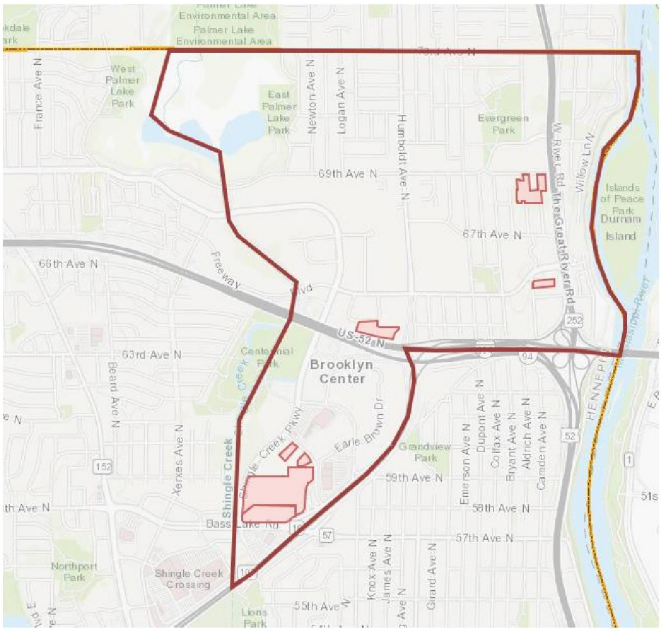
In 2006, the City commissioned Damon Farber and Associates to prepare a master plan for the area that is now known as the "Opportunity Site". The plan identified a series of redevelopment concepts as well as created design guidelines for the new development. The 2006 plan continued to support the vision of the area as a cohesive mixed-use neighborhood and city center and proposed a mix of housing types and densities as well as new commercial development.

The Great Recession stalled the City's redevelopment plans; however, reduced property values allowed the City's EDA to acquire 31 acres of property within the Opportunity Site between 2008 and 2013.

Additional acquisitions occurred after that and by 2018, the City's EDA owned approximately 35 acres of the 80-acre Opportunity Site area. The rest of the parcels are privately owned by various entities.

In early 2018, the Treasury Department rolled out the Opportunity Zone program, asking Governors of each state to submit census tracts into the program. The program was designed to provide capital gains tax relief on investment capital that supported development within

Brooklyn Center Opportunity Zone



designated Opportunity Zones. Minnesota Counties were tasked with identifying eligible census tracts for the program and submitting them to the Governor's office. Hennepin County provided eligibility criteria to its municipalities, which included low-moderate income census tracts with redevelopment opportunities. Brooklyn Center submitted two census tracts, but only one was selected. The selected census tract includes much of the northeast quadrant of the City as well as the area the City had been referring to as the "Opportunity Site". In May 2018, the Governor's office submitted the selected census tracts to the Treasury Department.

<u>Alatus Development Plan</u>

In April 2018, the City entered into a Preliminary Development Agreement with developer Alatus that would allow them time to develop a master plan for the EDA-owned 35 acres within the Opportunity Site and to conduct due diligence on an initial phase of that development.

Prior to this, the City Council had solicited interest from developers to propose their vision for the site. Three developers came forward with concepts and after meeting with two of them, the Council selected Alatus because their vision aligned with the City's 2006 master plan vision to create a mixed use, walkable town center that existing residents could benefit from and utilize.

By early 2019, Alatus had refined their overall concept for the site and were moving forward with early planning for an initial phase of development that would include approximately 300 units of housing and a mix of commercial on the ground floor. The concept was presented to Council and direction was made to renew the Preliminary Development Agreement with Alatus.

<u>City-Led Master Plan</u>

This agreement redirected control of the vision for the city, with the City taking the lead on master planning for the site, in partnership with Alatus, and incorporating the larger 80-acre Opportunity Site into the master plan. Alatus for their part in the agreement was tasked with implementing an initial phase of development and continuing their work to bring a development forward.

Throughout 2019, the City, along with its consultant team, worked to develop the Opportunity Site Master Plan. This was a multi-phased approach that involved a combination of technical assessment, initial community engagement, feasibility analysis, and further community engagement to continue to refine the plan.

In November 2019, the City purchased the 9-acre former Target site, within the Opportunity Site master planning area. The property was purchased soon after the store's closure, in order to hold it for redevelopment that aligned with the master plan.

Approach to Engagement

The scale and reach of community engagement on this project has exceeded that of any past effort in the City's history; however, the intent with this project is to ensure that the outcomes truly benefitted the residents of Brooklyn Center, and this necessitates a much deeper, more inclusive engagement strategy.

From the beginning, the engagement approach was intended to support this vision through an in-depth, inclusive process that connected with diverse groups and views throughout the city. Principles guiding this approach included:

- Consistency with city goals and policies, including the new city comprehensive plan.
- Ensuring the development provided direct access and benefits for city residents.
- Authentic engagement to connect people with the decision-making process.
- Meaningful opportunities to influence outcomes for the plan and the site.
- Transparency in decision making, to build trust and accountability.

While these principles have remained, the approach to engagement has evolved and changed since then, in response to feedback on effectiveness, and changes in external conditions.

Initial Engagement Plan: Spring-Fall 2019

Approach

With the many topics and issues to be considered, it was decided that an in-depth learning experience would be an appropriate way to bring the public into the planning process. As a result, the engagement process began with a series of hands-on workshops facilitated by LISC, which educated participants on the development process and explored options for the site. The outcomes of this process included a list of recommended community priorities and benefits to be included in the project. The final report, which was produced through a consensus-building process by the community, is attached to this summary.

Subsequent events, outlined in an engagement plan developed in Spring 2019, built upon this work by sharing out these ideas for review, input, and further comment.

Communicating About Opportunities

Strategies to communicate about opportunities for engagement included:

- Event flyers and mailed postcards
- Social media updates
- Website postings
- Media advisories and press releases
- Information shared through community-based groups
- Email updates via City systems and lists
- Information available in public buildings
- Updates shared through neighborhood association networks and meetings
- On-site signage
- Joint communications with other partners working in the area
- Direct invitations to key stakeholders

In-Person Engagement Activities

A focus of the engagement approach was to provide multiple opportunities for people who may not otherwise know about this project to participate, learn, and provide input. This included:

- Corridor Development Initiative Workshops, March 20, April 3, April 17, and May 1, 2019

- Brooklyn Center Health Fair Pop-up, April 27, 2019
- Multicultural Advisory Committee Workshop, May 28, 2019
- Earle Brown Days Pop-up, June 22, 2019
- City Council Presentation, July 1, 2019
- Second Saturday Market Pop-up, July 13, 2019
- APA Minnesota Brown Bag Lunch, July 16, 2019
- Youth in Governance Day with Brooklynk Interns, July 22, 2019
- National Night Out with Brooklynk Interns, August 6, 2019
- Second Saturday Market Pop-up, September 14, 2019
- Empire Media Podcast, Voice of Hope with Pastor Loveth, September 17, 2019
- Becoming Brooklyn Center Open House, Opportunity Site focus, September 19, 2019
- CEAP Farm Fresh Fest, September 20, 2019
- Community Band & BBQ, September 21, 2019

Online Engagement

In addition to the events, an online poll was circulated on the City's Polco survey platform throughout July 2019. Project information was shared via a newly developed project website and social media. This resulted in numerous online social media postings (on both city and neighborhood social media accounts), and an additional 80+ people signing up for project updates.

Youth Engagement

The city's Brooklynk interns, a cohort of local high school students paired with city departments, were used at several events to both provide input and collect input from others. The hiring of a temporary intern, also focusing on youth outreach, followed the conclusion of these internships. This involvement resulted in the recruitment and participation of youth in engagement, including their perspectives about what is important for the project.

Results of Engagement

By the end of this stage, there were over 1,000 direct engagements with residents and other community stakeholders. While participants were not asked to identify themselves directly, around one third to one half of participants were estimated to be people of color. By comparison, approximately 57% of the total population in Brooklyn Center, and 45% of the adult (18+) population, are people of color (Source: US Census 2013-2017 American Community Survey).

How This Impacted Plan

The following general themes have emerged from the engagement to date. More specifics are available in individual event summaries. Below is a summary of these themes and how they are addressed in the master plan.

- **Create indoor and outdoor spaces for community activities.** The plan envisions a series of attractive and inviting public spaces and facilities that would be available to all residents for formal and informal activities. This includes walkable downtown area district and a connected series of parks and open space amenities.
- **Make housing options and small business spaces accessible and affordable to the public.** The plan provides for a range of housing and small business spaces, with a focus on affordability. This includes specific goals for housing affordability, as well as prioritizing accommodation of small local businesses via an entrepreneurial market.
- **Build upon the asset of the city's cultural, ethnic, and racial diversity.** The plan envisions open, accessible, safe, and welcoming spaces that include elements reflecting diverse identities. Multicultural event spaces, markets, and public art were also identified as priorities.

- **Counteract disinvestment to strengthen the city's economic and tax base.** The plan is designed to be economically feasible, to attract and leverage private investment on the condition it is consistent with other project goals.
- **Connect this to the community, physically and socially.** The site design in the master plan includes connectivity to existing area sidewalks, trails, and transit networks, to make it part of the larger community. The plan also supported a vision of a site in which all residents could take pride.
- **Support environmental sustainability.** Improvements to the site consistent with the plan would create a much greener, more sustainable space. This includes more trees and landscaping, district stormwater amenities, a walkable neighborhood area, and mix of uses.

Feedback on Process

While effort was made to ensure a diverse representation of participants in the engagement process, concerns were raised that the engagement process had not been extensive or inclusive enough. The city wished to go further to ensure that all voices are heard. To this end, the City and its partners met to develop a subsequent stage of public engagement for the Opportunity Site, described below.

Revised Engagement Approach: Winter 2019- Spring 2020

Approach

This stage of engagement was designed not only to broaden outreach but to put more control of the process in the hands of the community. The intent was to ensure the plan was designed to be truly accountable to the public in terms of delivering on benefits.

To provide more focused guidance for this effort, the Opportunity Site Working Committee was formed. Comprised of a range of community partners (including ACER, CAPI, OLM, LIBA, Alliance for Metropolitan Stability, Brooklyn Bridge Alliance, and others), this group was focused on informing and facilitating the public engagement process. These groups were chosen to reflect the broad diversity of the city, via groups that work directly in the community.

Working Committee Outcomes

This group met regularly – as frequently as weekly – from September 2019 to February 2020, advising on both the plan itself and the engagement process. Needs identified by the working group, and how they were addressed by the process, included:

- **The need for clear understanding of the impacts of the project, particularly potential for gentrification and displacement**. Based on this, the project added a new housing study process to inform the plan and broader city policy on a range of housing policies and priorities. This is currently underway, along with studies of traffic, stormwater, and financial impacts.
- **The need to communicate information about the plan to the community clearly and consistently, so people can understand what they are engaging about**. This was addressed through the development of plan summary documents to help explain plan concepts to the public. A "meeting in a box" tool was designed to put this in a format that was useful to community partners in sharing about the project.
- **The need to ensure the language of the plan is inclusive and reflects community values**. The working group reviewed the plan together, section by section, via a series of facilitated workshops. This resulted in numerous changes to plan language and direction – particularly focused on identified desired community benefits.

- **The need for an ongoing accountability framework through plan implementation.** This was addressed through the development of a community benefits section of the plan, and the initiation of a plan to develop an equity checklist (described further below).
- **The need for more and deeper engagement.** It was determined that partners who know the community best were the ones situated most ideally to do community-based engagement. This resulted in the proposed approach described below.

Partner-Led Engagement

To refocus and expand engagement, an offer was extended to working committee participants to facilitate community-based engagement activities. The format of this was designed to be flexible, so that they could be customized to the specific style that was most accessible, welcoming, and relevant to the targeted populations. As identified by the Working Committee, these populations included youth, renters, communities of color, and low-income communities – including West African, Latinx, African American/Black, and Hmong/Lao communities.

City staff extended an invitation to lead community engagement to all organizations in the working committee. While not all were positioned to do this work, the City contracted with several of them to assist with deepening the community engagement work and reaching out to residents who have historically been marginalized in planning and development processes. Results included:

- Brooklyn Bridge Alliance for Youth completed engagement work with young people in the community and presented their findings to the City Council. Engagement method included a series of facilitated small group focus groups, which included 81 youth. Participants ranged from 14-18 years of age, and reflected the broad diversity of the community's youth and were predominantly people of color.
- Paadio Consulting/Jude Nnadi elected to engage with African-born former and current residents of Brooklyn Center. The purpose was to outreach to various African ethnic and country-specific groups, attend in-person events to connect with residents in their own spaces and places, and administer a survey to gather input. Jude Nnadi attended 15 meetings/events and engaged with 300 participants; 127 participants filled out a survey.
- An OLM representative organized two in-person focus group sessions with renters in the community that allowed staff to have deep and meaningful dialogue with people currently residing in Brooklyn Center. All participants were people of color, with a significant proportion identifying as African.

Other community partner organizations, such as ACER, CAPI and LIBA, also entered into engagement contracts, but their work was largely disrupted by the COVID-19 pandemic and unable to be completed.

Equity Development Scorecard

Through their conversations, the Working Committee recommended that the City utilize the Equity Development Scorecard to evaluate future development projects on the site. The scorecard is a tool that can be customized for each community and is designed to evaluate and score development. The tool could be customized to reflect the values and goals of the master plan, thus creating a method of accountability to the master plan that would last into the future.

When the Working Committee completed its meetings in February 2020, the intention was to transition that group to an Equity Development Scorecard Taskforce, which would be facilitated by the Alliance for Metropolitan Stability, focused on developing the Equity Scorecard.

Pandemic Era Engagement: Spring-Winter 2020

Impact of COVID-19

By January 2020, a draft Master Plan was completed based on the community engagement that had been done, along with the technical assessment work. An engagement strategy to evaluate the draft plan was developed, the beginnings of which began to be implemented.

Just at the time the partner-led engagement was getting started in February-March 2020, the COVID-19 pandemic hit. This disrupted planned events significantly due to the crisis state it brought upon many city residents – and the readjusted priorities of both the city and community partners as they sought to address urgent needs.

As a result, much of the originally planned engagement was cancelled or modified. Working committee partners individually met with City staff in Spring 2020, discussing the need to extend the engagement period to accommodate the fact that people were unavailable to engage in the short term. As a result, while the original intention had been to complete the master planning work by Summer 2020, it became clear that this was no longer possible. The timeline for completing the work has been extended and now a final draft is anticipated no sooner than Spring 2021.

Likewise, the transition into the equity scorecard process was delayed. The Alliance stated that it was no longer able to lead the process, and the City began a search for a suitable replacement to lead the effort so that it could continue based on the Working Committee's recommendation. Brooklyn Bridge Alliance was initially identified as an alternative to serve in this role, though that is currently on hold given the need to further consider options (as described below).

Engagement Results

Due to the pandemic, 2020 engagement was significantly scaled back from the original plan. All in-person engagement attempts were halted for safety reasons. Regardless, some limited engagement continued, including:

- Partner-led engagement identified above via BBA, Paadio, and OLM – largely based on what was achievable when in-person meetings were still feasible
- An expanded visual story map website, to make the plan's online presence more accessible and inviting for comments
- An online comment map hosted on the website, allowing people to review and add comments to various plan elements
- Development of online surveys and meeting in a box tools, for people to review and engage remotely on their own time
- Communications about online engagement opportunities, distributed via direct mailers to residents, social media updates, emails to the community and project partners, and flyer distribution – including at a drive-in movie night.

The project website received significant traffic during this time, resulting around 140,000 total visits. While it was not possible to track all the people who participated during this phase, those who were identifiable brought the total involvement to over 2,500 individuals though the end of this period. This estimate is likely low, because it does not account for anonymous web visitors and those interacting on social media or via informal networks.

Feedback on Process

As heard at the January 4, 2021 City Council meeting, there were significant concerns about the engagement process raised. This included the extensiveness, quality, and validity of the engagement done to date – and the need to refocus the approach going forward. Given this critique, the city is now pursuing plans for a refocused approach to engagement.

Next Steps

City staff has been in communication with the community-based organizations that were involved with the Engagement Working Committee. The intent has been to determine what a community engagement strategy might look like moving forward and when the appropriate time to initiate it would be.

Major considerations identified at this point include:

- **Determining community-based leadership for next stage engagement.** As noted above, the process to do this has been challenged both by lack of capacity for some organizations to take on the role, as well as by the much-larger impact of the pandemic. Community-based engagement leadership has been identified repeatedly as a priority however, so the city will continue to explore options. This will likely be a team effort, since different groups have unique advantages in reaching specific populations.
- **Building and maintaining trust in the city as a partner with community.** Feedback and critiques throughout the planning process point to a stark reality: there are many in the community who do not trust power structures, including the City itself. While there are many justifiable reasons for this distrust, it should not be accepted as a matter of course. Inclusive, transparent, and accountable processes are needed to help build and maintain this – including accountability that extends well into the implementation phase.
- **Building community capacity to understand and influence the plan and future city actions.** This process has pointed to the need to build up the community's capacity to understand and engage effectively in decision-making processes. As with the lack of trust, this reflects the impact of historic and structural issues that extend well beyond the scope of this specific project. While not all of this can be solved in the short term, this should be kept in mind and worked towards.
- **Keeping the project moving forward.** Without some forward momentum in terms of developing the site (including approval of future private development projects), no benefits will be achieved for the community if the site remains empty. Indeed, the result will be worse than zero, as the site's vacancy, blight, and absence from the tax rolls means it is a drain on the city's financial resources and community fabric. While this does not mean the process should be rushed, it also means that delaying the project indefinitely is an undesirable option.

Council/EDA Work Session

DATE: 12/13/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Dr. Reginald Edwards, City Manager

SUBJECT: Upcoming Items

Requested Council Action:

- Overnight Parking Discussion
- Earle Brown Name Change for Public Property - 1/10/22
- Council Policy for City Charter requirement of Mayor's signature on all contracts
- Strategic Plans for years 2018-2020 and 2021-2023
- Review Special Assessment Policy
- Tobacco Ordinance
- Emerald Ash Borer Policy Review
- Community-Wide Survey
- Attorney RFP Process - Extension 11/22 and RFP Process 12/13
- Franchise Fees
- Pilot Opportunity Site Concept Review - 12/13

Background:

Budget Issues:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values: