

**CITY COUNCIL
MEETING**

City Hall Council Chambers
December 9, 2024

AGENDA



1. Call to Order - 7:00 p.m.

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

2. Roll Call

3. Pledge of Allegiance

4. Informal Open Forum

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

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

a. Meeting Decorum

5. Invocation - Butler

6. Approval of Agenda and Consent Agenda

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

a. Approval of Minutes

- *Motion to approve meeting minutes*

- 10/28/24 Study Session
- 11/25/24 Study Session
- 11/25/24 Regular Session
- 11/25/24 Work/EDA Session

b. Approval of Licenses

- *Motion to approve the licenses as presented.*

c. Resolution Approving Change Order Nos. 1-4, Accepting Work Performed and Authorizing Final Payment, Project No. 2024-07, Lift Station No. 5

Rehabilitation Project

- Motion to approve a resolution Approving Change Order Nos. 1 - 4 and Accepting Work Performed and Authorizing Final Payment, Improvement Project No. 2024-07, Lift Station 5 Rehabilitation Project.

- d. Resolution Setting Employer Benefits Contribution for Full-Time Non-Union Employees for 2025, 2026, and 2027
 - Motion to approve Resolution Setting Employer Benefits Contribution for Full-Time Non-Union Employees for 2025, 2026, and 2027*
- e. Resolution Adopting a City Council Code of Conduct and Ethics
 - Motion to approve the Resolution Adopting a City Council Code of Conduct and Ethics*
- f. 2025 Brooklyn Center Legislative Priorities
 - Approval of the 2025 Brooklyn Center Legislative Priorities*
- g. Approve the 2025 City Council Meeting Schedule
 - Motion to approve the 2025 City Council meeting schedule as presented*

7. Presentations/Proclamations/Recognitions/Donations

- a. Resolution Recognizing Council Member Marquita Butler for her Years of Service to the City of Brooklyn Center
 - motion to approve a resolution recognizing Council Member Marquita Butler for her years of service to the City of Brooklyn Center*
- b. Resolution Recognizing the Service of Arvid "Bud" Sorenson on the Parks and Recreation Commission
 - Motion to approve a resolution expressing recognition and appreciation to Arvid "Bud" Sorenson for 45 years of dedicated service as a City of Brooklyn Center Parks and Recreation Commission Member.*
- c. Random Acts of Kindness
 - Motion to Adopt a Proclamation Declaring November 12th, 2024, to be Designated as Random Acts of Kindness Day.*
 - Council Engagement staff will acknowledge Random Acts of Kindness and 2024 nominees.*
 - Mayor will read the 2024 Random Acts of Kindness Proclamation*
- d. Parks and Recreation Department Update
 - Motion to approve the presentation.*

8. Public Hearings

- a. Resolutions to Approve the Utility Rates for 2025
 - Motion to:*
 - *Open the public hearing;*
 - *Take public input; and*
 - *Close the public hearing*
 - Motion to approve:*
 - *Resolution for 2025 Water Utility Rates*

- *Resolution for 2025 Sanitary Sewer Utility Rates*
- *Resolution for 2025 Storm Sewer Utility Rates*
- *Resolution for 2025 Street Light Rates*
- *Resolution for 2025 Recycling Rates*

9. Planning Commission Items

- Planning Commission Application No. 2024-012, Submitted by KKMBA Brooklyn Center LLC, for a Major Amendment to the Shingle Creek Crossing Planned Unit Development to Allow for Governmental Offices (2501 County Road 10) - Public Hearing

(1) Motion to:

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

(2) Motion to deny the requested major amendment to the 2011 Shingle Creek Crossing Planned Unit Development to allow "governmental offices" as a permitted use at the Subject Property located at 2501 County Road 10 and as contemplated under Planning Commission Application No. 2024-012.

City planning staff maintains the position that, based on the findings presented within the provided staff report, the requested major amendment to the Planned Unit Development should be denied; however, if City Council elects to recommend approval of the request to allow for "governmental offices" within Shingle Creek Crossing shopping center, the motion language should be to approve the requested amendment to the 2011 Shingle Creek Crossing Planned Unit Development to allow for "governmental offices," and with revised findings.

10. Council Consideration Items

- Brooklyn Center Community Safety and Violence Prevention Commission
-Council request to enable the Resolution for the Community Safety and Violence Prevention Commission.

11. Council Report

12. Adjournment



COUNCIL MEETING DECORUM

To ensure meetings are conducted in a professional and courteous manner which enables the orderly conduct of business, all persons in attendance or who participate in such meetings shall conduct themselves in a manner that does not interfere with the ability of others to observe and, when allowed, to participate without disruption or fear of intimidation.

- A. Decorum. Persons who attend meetings must avoid conduct that disrupts, interferes with, or disturbs the orderly conduct of the meeting or the ability of other attendees to observe and participate as appropriate. To that end, persons who attend meetings are subject to the following:
 - (1) Members of the public may only speak during meetings when allowed under Council Rules and only after being recognized by the presiding officer. The presiding officer may establish time limits for the acceptance of public comments or testimony.
 - (2) Public comments or testimony must be addressed to the presiding officer and not to other Council Members, staff, or others in attendance.
 - (3) All elected officials shall be referred to by their proper title and surname.
 - (4) Public comments should avoid personal accusations, profanity, or other improper content for a public meeting.
 - (5) Intimidating behaviors, threats of hostility, or actual violence are disallowed.
 - (6) Audible demonstrations intended to disrupt the meeting should be avoided, including stomping of feet, snapping of fingers, clapping of hands, and other conduct that may be intimidating or threatening to others.
 - (7) Holding, displaying, or placing banners, signs, objects, or other materials in any way that endangers others, prevents the free flow of individuals within the chamber, or obstructs or prevents the viewing of the meeting by others is not allowed.
- B. The presiding officer shall request any person(s) who disrupt, interfere with or disturb the orderly conduct of a meeting to cease the conduct and, as necessary, shall issue an oral warning to the individual(s) found to be in violation. If the individual(s) persists in disrupting, interfering with, or disturbing the meeting, the presiding officer may have the individual(s) removed or, under appropriate circumstances, temporarily clear the gallery. If for any reason the presiding officer fails to take such action, a majority vote may be substituted for action by the presiding officer to maintain order and decorum over the proceedings.
- C. The Council Chambers capacity is 76 persons per fire code.

Council Regular Meeting

DATE: 12/9/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Dr. Reggie Edwards, City Manager

BY: Barb Suciu, Assistant City Manager/City Clerk

SUBJECT: Approval of Minutes

Requested Council Action:

- *Motion to approve meeting minutes*

- 10/28/24 Study Session
- 11/25/24 Study Session
- 11/25/24 Regular Session
- 11/25/24 Work/EDA Session

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:

Provide quality services with fair and equitable treatment

ATTACHMENTS:

Description	Upload Date	Type
10.28.24 Study Session	11/19/2024	Backup Material
11.25.24 Study Session	12/4/2024	Backup Material
11.25.24 Regular Session	12/4/2024	Backup Material
11.25.24 EDA/Work Session	12/4/2024	Backup Material
11.25.24 EDA/Work Session	12/4/2024	Backup Material

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

STUDY SESSION
OCTOBER 18, 2024
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council met in Study Session called to order by Mayor April Graves at 6:03 p.m.

ROLL CALL

Mayor April Graves and Councilmembers Marquita Butler, Kris Lawrence-Anderson, Dan Jerzak, and Teneshia Kragness. Also present were City Manager Reggie Edwards, Assistant City Manager/City Clerk Barb Suci, and City Attorney Siobhan Tolar.

COUNCIL MISCELLANEOUS DISCUSSION ITEMS

Mayor Graves asked if any Councilmembers had additional items for discussion. There were no topics added.

CODE OF CONDUCT

Councilmember Lawrence-Anderson noted Charter Commission appointments are not made by the Council, referring to page eight. A judge appoints people to the Charter Commission. Mayor Graves read the section aloud and agreed the paragraph was confusing.

Councilmember Kragness stated on page six there was wording that was supposed to be corrected but was not. Mayor Graves asked if Councilmember Kragness had alternative wording to propose. Councilmember Kragness stated she would think about it.

Councilmember Jerzak reiterated that the edits had not been made. He read through the items in question and explained the changes that needed to be made.

Mayor Graves asked who would make the edits. Dr. Edwards clarified that Staff would make the edits.

Councilmember Jerzak referred to the City Charter as well as Roberts Rules of Order and asked if the previous resolutions adopted by the Council would be repealed.

City Attorney Siobhan Tolar asked if Councilmember Jerzak believes the document in question

and the Charter are in conflict. Councilmember Jerzak confirmed there are some conflicts. He asked if other resolutions would need to be repealed because the proposed policy is in conflict with the Charter.

Ms. Tolar stated the Charter is the controlling document and overrules any other documents. She stated many of the policies in the Code of Conduct would be in addition to the Charter. However, any conflicts would defer to the Charter.

Councilmember Jerzak requested Ms. Tolar review the Charter.

Mayor Graves asked what the conflicts are. Councilmember Jerzak gave an example of the type of meetings allowed by the Charter. Another example is related to Robert's Rules of Order or the order of meeting items.

Ms. Tolar explained the Code of Conduct is intended to fit into existing policies and be supplemental. Some language was modified by the previous City Attorney. Her only edits were reorganizing.

Councilmember Jerzak asked what the Code of Conduct has that the Charter doesn't have

Mayor Graves stated although there are existing policies regarding decorum, some people have still felt disrespected. Also, there are not any standards for accountability as of yet.

Councilmember Jerzak stated that his concern is that respect is subjective, and the Code of Conduct could be weaponized.

Mayor Graves reiterated there is no adopted process to rectify any issues of misconduct. She stated that the Code of Conduct is not to replace any existing policy but to complement what is already in place. Additionally, the proposed Code of Conduct is in line with the Council's goals. She requested Councilmember Jerzak review the Charter and note any misalignment.

Councilmember Jerzak stated he is unclear on the process and punitive steps, as well as censuring, and would like clarification on this. He also noted that he feels the City Attorney should be a part of the process

Mayor Graves stated she doesn't have an issue sharing the responsibility.

Ms. Tolar stated the Council administers the censuring process. However, censuring isn't the first punitive step.

Councilmember Lawrence-Anderson stated that she would also like clarification on the censure, and what constitutes a censure and asked if they would want the Charter Commission to assist with the process.

Mayor Graves stated she would prefer that the Council handle the matter but stated they could look at the Charter assisting and mitigating conflicts if needed.

Councilmember Lawrence-Anderson stated she would like to know what would constitute a censure. Mayor Graves stated the Code of Conduct requires repeated complaints and a Council vote.

Councilmember Lawrence-Anderson asked what censuring looks like. Ms. Tolar stated it is a public admonition. The Councilmember would have received multiple verbal warnings. Then the Council would pass a resolution acknowledging the Councilmember's inappropriate behavior.

Mayor Graves added Commissioners who have faced censuring would have a certain timeline before they can serve on a Commission again. The purpose is to promote accountability.

Councilmember Butler reminded the council that this is also a reflection of staff. She pointed out Staff have been mistreated by both Council and Commissioners in the past and by passing a Code of Conduct, it is intended to show the Council's commitment to caring for and protecting Staff.

Councilmember Kragness noted the document needs to be cleaned up. For example, on page five item two, contact is supposed to be limited to specific Staff. It is unclear what Staff this is referring to and in what context. Mayor Graves suggested removing the first sentence regarding limiting contact with Staff.

Councilmember Kragness added the document is worded in an accusatory manner. On page six for items 12 and 13, it says "do not speak badly" when it could say "refrain from speaking ill of" and the like. For 13, it says "Don't spring surprises on Councilmembers." There was discussion on the item and Council offered to ask more questions in advance of a meeting. She stated she would review her notes for more insight.

Councilmember Lawrence-Anderson stated Councilmembers might have a question during a presentation. She asked if the Council could no longer ask Staff questions during the meeting. Mayor Graves stated the item could be worded to "refrain" from springing questions on Staff.

Councilmember Lawrence-Anderson pointed out that the term "surprises" is a broad word and asked if it would relate to presentations and questions directed at the presentation.

Mayor Graves stated she believes the point is to avoid putting Staff on the spot or pressuring someone to make an immediate decision.

Councilmember Lawrence-Anderson stated the Council's job is to ask questions.

Councilmember Jerzak noted on page six, item D, stated only the Mayor or presiding officer may ask a presenter a question. However, any Councilmember can call for a Point of Order per Robert's Rules of Orders. Mayor Graves stated the Code of Conduct allows for any Councilmember to request the presiding officer to make a Point of Order. Councilmember Jerzak stated the item

doesn't allow for other Councilmembers to ask clarifying questions during a presentation, which is especially important during a longer presentation.

Mayor Graves asked how the item could be amended. Councilmember Jerzak stated the item could allow Councilmembers to ask permission from the presiding officer to ask a question of the presenter, but only if necessary. Mayor Graves pointed out the item is to prohibit disrespectfulness from a Councilmember or unnecessary interruptions. Reasonable questions are absolutely allowed. However, she is open to edits if the Council would prefer it.

Councilmember Kragness stated adding more words is making the document too wordy. It is understood the Council should listen to the whole presentation, and it doesn't need to be written. The item is addressing when an off-topic conversation is occurring.

Councilmember Jerzak referred to page seven item F, he stated that this item is well-intended, but it could be weaponized as attacks are subjective.

Mayor Graves stated egregious actions are obvious to most people. She has been interpreted as stern when it is merely her passion coming through. The intention is not to police personal expression but to promote accountability and set an example to the community.

Mayor Graves added the vote doesn't need to be unanimous. However, it would be important to have everyone on the same page and of the same mind.

Councilmember Kragness asked where the final paragraph on page four originated from. Mayor Graves read through the paragraph aloud regarding personnel administration. She stated that there are a number of examples of how the Council should be interacting with Staff. It was likely pulled from Brooklyn Park's initial draft.

Councilmember Kragness asked if it needs to be in the Code of Conduct. The first two paragraphs have enough information, and the third paragraph seems unnecessary. Mayor Graves stated the third paragraph seems like a transitional paragraph to move along to the list of directives. The third paragraph provides reasoning for the directives.

Councilmember Lawrence-Anderson pointed out it is a good document, and there has been meaningful progress.

City Manager Reggie Edwards explained that Staff will meet with the City Attorney to make edits before they return to the Council. Also, any items from the Code of Conduct that duplicate the Charter Commission will be removed.

Dr. Edwards pointed out there is an audio issue for those viewing the meeting remotely. Staff is working to fix the issue.

Dr. Edwards noted the Council's conversation is great and will thoroughly inform the final Code of Conduct.

Mayor Graves stated the item would be addressed again at a future meeting.

BROOKLYN CENTER 2025 LEGISLATIVE PLATFORM

Dr. Edwards summarized the previous discussions regarding the 2025 Legislative Platform. Both the old and new language are included to reflect edits made. There will be a clean document presented to the Council for approval at the next Council meeting.

Dr. Edwards explained the first group of legislation relates to administration. The City wants to support information access and official notifications in an updated manner. There is an item addressing election judge recruitment and retention by allowing college students to have time off. Brooklyn Center continues to support funding for cultural centers and museums. Dr. Edwards stated the Public Works Garage is an essential service for the City, and they are seeking funding through the legislative process.

Dr. Edwards noted Brooklyn Center supports legislation that protects tenants and lifts up affordable housing. Affordable housing is critical, especially where there are concentrations of poverty. Funding can be spread throughout the Metro to avoid disparities within certain communities. Another legislative item in the Platform is to support group homes and assisted living centers while addressing the disproportionate implementation of such facilities. Brooklyn Center has the highest percentage of group homes compared to any City in Minnesota.

Dr. Edwards the City also wants to support a more even distribution of emergency shelter and transitional housing uses in hotels. Brooklyn Center needs to retain its hotels as income sources while continuing to serve those in need. Lastly for housing, Brooklyn Center supports efforts to train new and diverse building officials.

Dr. Edwards explained there are a number of legislative items related to business and economic development of interest to Brooklyn Center. They want to support small business development through opportunities and resources and protect business tenants. Brooklyn Center supports an internship-to-work tax credit for organizations hosting young workers within the City. They also want to promote workforce readiness by fully funding the Minnesota Job Skills Partnership.

Dr. Edwards stated Brooklyn Center supports flexibility within Tax Increment Financing (TIF) Districts to facilitate redevelopment and housing flexibility. The City is requesting critical legislative funding that will fill gap funding necessary for the build-out of Phase 1 of the Opportunity Site. The request will be done in such a way as to avoid “double-dipping.”

Dr. Edwards stated some financial items include supporting State funding for cities recovering tax losses due to 4D Transition Aid, encouraging continued legislative support for Metro Area Fiscal Disparities, advocating for simplifying the current sales tax exemption for construction materials, increasing property tax relief for property owners, and adding an annual indexing factor to the Local Government Aid (LGA) formula.

Dr. Edwards noted Brooklyn Center supports the State adding “racial trauma” to eligible conditions for psychological treatment. He pointed out the item is new for 2025.

Dr. Edwards added Brooklyn Center supports extension and permanent funding of Public Safety Aid, Deferred Retirement Option Plan (DROP) for law enforcement, extending the presumption of privacy for body-worn camera footage to non-sown staff in alignment with current State law, improving race-related data collection by allowing individuals to self-identify their race on their driver’s licenses, funding for the expansion of the COP Autism Response Education (CARE) training model, clarifying State Statutes that allow juveniles to be help for questioning and booking in City jail for up to six hours, and implementing the principles and strategies outlined in the President’s Task Force on 21st Century Policing.

Dr. Edwards stated other legislative items of note to Brooklyn Center include appropriation of funding to the Fencing Consortium, funding Brooklyn Park’s regional joint emergency operations center and indoor fire training facility, funding for the Dayton Regional live fire training facility, increased and continued funding to MNFIRE and MBFTE, permanent funding for public safety responder mental health and well-being, addressing issues with TH 252, MVLST funding, funding for and improvements to public transportation, and flexibility in city cost participation on State and County roads.

CITY MANAGER MISCELLANEOUS DISCUSSION ITEMS

Dr. Edwards explained there is a correction required for the minutes related to certifying the special assessments rolls because Council didn’t verbally remove appellants from the rolls. A similar change will be made to the administrative citation process. There was no objection from the Council.

Dr. Edwards pointed out that Director of Community Prevention, Health, and Safety LaToya Turk is ill and unable to attend the meeting. Therefore, the item on the Work Session titled Community Safety and Violence Prevention Commission Council Discussion will need to be pushed back to a later date.

Mayor Graves asked where in the agenda the Council should address the error with the special assessments roll. Dr. Edwards stated the only action required of the Council is approving the changes to the previous set of minutes.

DISCUSSION OF WORK SESSION AGENDA ITEMS AS TIME PERMITS

ADJOURNMENT

Mayor Graves adjourned the meeting at 7:06.

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 25, 2024
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council met in Study Session called to order by Mayor April Graves at 6:07 p.m.

ROLL CALL

Mayor April Graves and Councilmembers Marquita Butler, Dan Jerzak, and Teneshia Kragness. Councilmember Kris Lawrence-Anderson was absent and excused. Also present were City Manager Reggie Edwards, Director of Community Prevention, Health and Safety LaToya Turk, Police Chief Garrett Flesland, Assistant City Manager/City Clerk Barb Suci, and City Attorney Siobhan Tolar.

CITY COUNCIL MISCELLANEOUS DISCUSSION ITEMS

CODE OF CONDUCT

City Manager Dr. Edwards summarized the history of the item. He and Staff reviewed the document alongside other City documents to eliminate any redundancies.

City Attorney Siobhan Tolar explained some sections were renumbered for clarity. The highlights are intended to reflect thematic consistency. The two documents are complementary.

Ms. Tolar pointed out page two is where the edits begin. The new section is the City Council Code of Conduct and Ethics. Each section has a header. She attempted to soften the language and avoid a prescriptive tone.

Ms. Tolar stated the second section has similar edits. In B., Council Conduct with City Staff, there are highlighted areas reflecting the complementary sections. In subsection 5., Follow-Up Requests or Directives has been edited with an additional reference to the Charter. On the whole, there are not any contradictions with the City Charter.

Councilmember Jerzak stated he wanted the section to reference policies and cite the Charter. He didn't previously articulate his desire well.

Ms. Tolar noted she was unsure if Council wanted to retain subsection 9. Political Solicitation. Councilmember Jerzak stated he has displayed political signs in his own yard for both Executive Branch and local elections. Ms. Tolar asked if he has promoted candidates in his role as Councilmember. Councilmember Jerzak stated he has only displayed political signs on private property. Ms. Tolar stated the item refers to promoting political candidates while representing the Council.

Councilmembers Kragness and Jerzak expressed their support for the item.

Ms. Tolar added there are two drafted options for subsection 12. Surprise Issues. The item could be renamed to 12. Political Gamesmanship.

Councilmember Kragness stated she would like a combination of both. She doesn't like the term "surprise" as it is subjective. She added she appreciated the part about avoiding "putting colleagues in awkward or disadvantageous positions" and the sentence "make every attempt to submit questions or concerns prior to formal meetings." Ms. Tolar stated she would keep the item 12. Political Gamesmanship and add the sentence about making effort to submit questions.

Ms. Tolar stated the next section is called C. Council Conduct with the Public. She read aloud Subsection f. Avoid Personal Attacks and pointed out it is thematically consistent. Councilmember Kragness suggested softening the language by changing "should not" to "should refrain from."

Ms. Tolar noted the rest of the edits are primarily adding headers. She did move subsection 3. Conduct During Meetings to section G. Accountability Measures for organizational purposes. Section H. Ethics remains the same with references to other governing documents.

Councilmember Kragness thanked Ms. Tolar for her edits and work on the item.

Councilmember Jerzak pointed out Councilmember Lawrence-Anderson is not present to vote on the important item. Additionally, there will be a new Councilmember in 2025. He asked for the item to be tabled until the new year or indefinitely.

Mayor Graves stated the Council and City Attorney have reviewed the item multiple times. She explained she would like to vote on the item before the end of the year, and her hope is full consensus from the Council. It is her preference to have the item on the Regular Session at the next Council meeting.

Councilmember Butler agreed Councilmember Lawrence-Anderson has had ample time to provide feedback, and the City Attorney has done a great job. She stated she would like to vote on the item at the next meeting.

Councilmember Kragness stated there have been a couple of edits since Councilmember Lawrence-Anderson has been able to review the document. Also, the new Councilmember should have an opportunity to agree on the item. Overall, she would prefer to wait until January.

Councilmember Jerzak noted his agreement with Councilmember Kragness. He pointed out the Charter is still the governing document and will remain in place.

Mayor Graves stated the complaints about Commissioners and Councilmembers she has received have no recourse per the Charter. She has tried to build consensus among the Council rather than passing the measure with only partial support. There needs to be an accountability measure in place. She has received the most pushback from Councilmembers Jerzak and Lawrence-Anderson. She stated she is concerned they will use the addition of the new Councilmember to further push the same agenda.

Councilmember Jerzak acknowledged he has pushed back on the item. The Charter has been in place for a number of years and has served its purpose. He expressed concern about the weaponization of the proposed document. Elected officials such as Councilmember Lawrence-Anderson have the right to vote on such matters. Additionally, Councilmember Kragness has shown interest in moving the item until January.

Councilmember Jerzak moved to table the item indefinitely.

Councilmember Kragness stated she doesn't want to table the item indefinitely.

The motion failed for lack of a second.

Councilmember Jerzak moved and Councilmember Kragness seconded to table the item to January.

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

Mayor Graves stated there are minor edits Staff will implement to soften the language, and Councilmember Lawrence-Anderson will be able to review the minutes from the meeting.

Councilmember Jerzak requested that Regular Session Consent Agenda Item 6j., Resolution Accepting Livable Communities Demonstration Account Transit Oriented Development (LCDA-TOD) Funding Grant for Opportunity Site Phase 1 Public Infrastructure, be moved to a discussion item.

There was no objection from Council. Consent Agenda Item 6j. Resolution Accepting Livable Communities Demonstration Account Transit Oriented Development (LCDA-TOD) Funding Grant for Opportunity Site Phase 1 Public Infrastructure will be moved to Council Consideration Item 10a. Resolution Accepting Livable Communities Demonstration Account Transit Oriented Development (LCDA-TOD) Funding Grant for Opportunity Site Phase 1 Public Infrastructure.

Councilmember Jerzak requested that Regular Session Consent Agenda Item 6l. Resolution Accepting Funding Award of the Hennepin County Transit-Oriented Communities Grant Application - Opportunity Site, be removed from the Consent Agenda.

There was no objection from Council. Consent Agenda Item 6l. Resolution Accepting Funding Award of the Hennepin County Transit-Oriented Communities Grant Application - Opportunity Site will be considered as Council Consideration Item 10b. Resolution Accepting Funding Award of the Hennepin County Transit-Oriented Communities Grant Application - Opportunity Site.

Councilmember Jerzak requested that Regular Session Consent Agenda Item 6o. Resolution Authorizing Amendment of the 2024 Centerbrook Golf Course Budget be removed from the Consent Agenda.

There was no objection from Council.

Dr. Edwards stated Staff was going to request the item be removed from the agenda and considered at a future date. Mayor Graves asked that this item be set as a Council Consideration item for the December 9, 2024 meeting.

Councilmember Jerzak explained he wanted to move the item until there is more clarity on the budget. The timing is difficult because the budget hasn't been set. Dr. Edwards agreed there will be more information and analysis available for the December 9, 2024 meeting.

CITY MANAGER MISCELLANEOUS DISCUSSION ITEMS

City Manager Reggie Edwards asked if the Council wanted to add the presentation from Random Acts of Kindness. If the Council wanted to read out the names associated with Random Acts of Kindness, then it should be held until December 9, 2024, as an item under Presentations/Proclamations/Recognitions/Donations. Mayor Graves noted her agreement with the suggestion. She pointed out it wouldn't be a full celebration but rather a reading of names.

Councilmember Jerzak agreed with the suggestion as well. He thanked Director of Community Prevention, Health and Safety LaToya Turk and her Staff for their effort on the item.

Councilmember Kragness added she would like proper recognition for Random Acts of Kindness because the previous meeting was canceled.

Dr. Edwards pointed out at the recent budget meeting, Councilmember Lawrence-Anderson and Finance Commissioner Joylenna Garcia were absent and excused. Staff did receive notice prior to the meeting.

DISCUSSION OF WORK SESSION AGENDA ITEMS AS TIME PERMITS

BROOKLYN CENTER COMMUNITY SAFETY AND VIOLENCE PREVENTION COMMISSION

Director of Community Prevention, Health and Safety LaToya Turk explained the Council requested additional discussion on the topic of the Community Safety and Violence Prevention Commission.

Ms. Turk pointed out there are approximately 18,000 law enforcement agencies in the United States. As of 2019, there were estimated to be around 150 to 200 Civilian Review Boards. The goals of the Review Boards include improving public trust in law enforcement, ensuring public input in the police complaint process, promoting fair and thorough investigations, increasing transparency in the complaint process, and deterring police misconduct.

Ms. Turk stated there are three types of review boards: investigation-focused, review-focused, and auditor/monitor-focused. For the investigation-focused model, the board would conduct independent investigations of police complaints which may parallel or replace internal affairs investigations. Investigations are typically completed by civilian investigators and the organization typically operates separately from law enforcement.

Ms. Turk stated the review-focused model is generally made up of citizen-volunteers and includes police officers. The reviews are usually completed internal affairs and complaint investigations. Any complaint-finding recommendations are made to the Chief. The board may receive complaints from the community as well. This is the most common type of review board.

Ms. Turk added the auditor/monitor model may participate in the internal affairs investigation process. The board may evaluate and review police policies and practices and make recommendations for change and evaluate for larger patterns of misconduct. Members are typically well-trained in analytics and tend to be experts in policing.

Ms. Turk showed table comparing the types of review boards. Investigation-focused models frequently receive complaints, frequently decide how to handle a complaint, sometimes review police investigations, and frequently conduct independent investigations. The review-focused models frequently receive complaints, rarely decide how to handle a complaint, frequently review police investigations, and rarely conduct independent investigations. Lastly, the auditor/monitor models frequently receive complaints, sometimes decide how to handle a complaint, frequently review police investigations, and sometimes conduct independent investigations.

Ms. Turk pointed out that the Council requested information on local review boards. St. Paul has a board with three-year terms. No members may serve more than two terms in a lifetime. On top of reviews, they advise on department policy and prepare an annual report. In 2019, the budget was \$16,000 and members received \$50 per meeting attended. Meetings are subject to open meeting law and occur at least quarterly but up to twice per month.

Ms. Turk explained the St. Paul Police Department has about 629 officers. Their board is review-

focused and its authority is per ordinance. Their Human Rights Department is responsible for board, and there is a full-time Review Coordinator. The final discipline authority is the St. Paul Chief of Police. The Board is made up of nine community members. Officers were removed from the panel in late 2017.

Ms. Turk explained Minneapolis has about 800 officers within its Police Department. The board is both investigative and review-focused and has authority per an ordinance. The Department of Civil Rights has responsibility for the entity, and the Minneapolis Chief of Police is the final discipline authority. The board has a minimum of seven members. Four are appointed by Council and three by the Mayor. Individual review panels consist of two citizens and two officers at the Commander level. The panels rotate members based on availability. Terms can be two to four years.

Ms. Turk pointed out the Minneapolis board also prepares an annual report. Members receive \$50 per meeting, and their budget is just over \$1 million. There are five or six full-time staff assigned to oversee the board. The group meets at least once per month.

Ms. Turk stated the City of St. Cloud has 111 officers. The board is review-focused and has authority per ordinance. The Police Department has the responsibility of the board, and the Police Chief as the final discipline authority. The board consists of six citizens and three officers. The term limit is three years, and no officer may serve more than two terms.

Ms. Turk added the St. Cloud board also prepares an annual report. The board members are unpaid, and the group meets as needed.

Ms. Turk noted there have been internal conversations for various Staff involved in Brooklyn Center's public safety system including the Fire Department, Police Department, Parks and Recreation Department, and the Office of Community Prevention, Health and Safety. They have discussed necessary metrics and City capacity.

Ms. Turk stated the Resolution calls for a Community Safety and Violence Prevention Committee as public safety is the responsibility of all community members rather than just law enforcement. Its role is to provide recommendations on public safety initiatives, policies, and practices. Primary objectives include reviewing and recommending public safety policies, community engagement and collaboration, promoting equity in public safety, creating violence prevention strategies, monitoring public safety metrics, and support development of the expanded response models.

Ms. Turk explained they are looking for the Commission to be an affiliate for the City rather than being housed within a singular department. As they review and recommend policies, the Commission would make recommendations regarding existing public safety policies, programs, and practices in the City of Brooklyn Center. This includes evaluating the effectiveness of current law enforcement approaches and proposing alternatives where applicable, with a focus on non-violent crisis intervention, prevention, and community-based strategies.

Ms. Turk noted it takes time to develop new public safety efforts and build capacity. It would be the role of the Commission to foster transparent, ongoing dialogue between City leaders, law enforcement, community members, and stakeholders to build trust, enhance community-led safety initiatives, and ensure that community voices are at the center of decision-making processes.

Ms. Turk stated there are research opportunities to process and consider data to best promote equity in public safety. The Commission would ensure that public safety policies and practices are equitable and do not disproportionately impact marginalized or underserved populations. This includes providing recommendations for addressing racial disparities in public safety outcomes, particularly as they relate to law enforcement interactions, incarceration, and the justice system.

Ms. Turk pointed out the Commission would have the opportunity to create violence prevention strategies by developing and recommending community-based violence prevention strategies that focus on addressing the root causes of violence, including poverty, mental health, substance use, housing instability, and lack of access to social services.

Ms. Turk stated in order for the Commission to monitor public safety metrics, they would work in alignment with national metrics and best practices to measure the effectiveness of public safety policies and initiatives. Additionally, they would regularly review and report on public safety data, including crime rates, use of force incidents, community satisfaction with law enforcement, and other relevant indicators in collaboration with the City's public safety departments.

Ms. Turk added to support the development of expanded response models, the commission would explore and support the implementation of non-law enforcement response models, including but not limited to mental health crisis intervention teams, violence interveners, and social service programs designed to provide holistic responses to non-violent incidents.

Ms. Turk explained the roles and responsibilities for the committee would be to provide recommendations to the City Council, facilitate community forums and workshops, collaborate with other City departments and agencies, and develop an annual report. The Commission will submit regular recommendations to the Brooklyn Center City Council on policies and practices related to public safety and violence prevention. These recommendations will be evidence-based, considering national best practices and community input.

Ms. Turk stated as for membership, there has been robust discussion regarding the number. There is a limited pool of people to pull from, and they want to gather a group that will reflect a broad cross-section of the Brooklyn Center community, including residents, business owners, faith-based leaders, educators, youth representatives, and experts in public safety, mental health, social services and related fields. The majority of Commissioners must be City residents. City Staff will review applications and forward recommendations to City Clerk for the Mayor and Council to review and appoint.

Ms. Turk noted the qualifications are still within the spirit of the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. Members should have demonstrated

interest or have direct experience in public safety, the criminal justice system, community engagement, public health, violence prevention, and/or social justice. The Commission will prioritize members who represent communities most affected by public safety issues and/or hold public safety or public health credentials.

Ms. Turk added the suggested term length is for members to serve two-year terms with the option for reappointment to an additional term. To ensure continuity, initial appointments will be staggered so that approximately half of the members' terms expire in alternating years.

Ms. Turk stated the Commission would meet quarterly or as needed, depending on the urgency and scope of the issues under review. Special meetings or subcommittees may be formed to focus on specific areas such as youth engagement, mental health crisis response, or community-police relations.

Ms. Turk pointed out the final disciplinary authority would belong to the Chief of Police. Any and all recommendations from the Commission would be reviewed and considered by the Council. The group wouldn't provide input on hiring, firing, or recruitment.

Mayor Graves noted the presentation was thorough. She would consider input from Staff and community members. It is important to have a variety of expertise and lived experience on the Commission. Over the past five years, there have only been 23 complaints regarding the Police Department. Therefore, it makes sense for the Commission to have responsibilities beyond complaint review.

Councilmember Jerzak explained he would like input from the Police Chief as it would significantly impact his Department. He noted he has received a number of comments regarding the Commission membership. They aren't opposed to outside voices, but they would like only community members to retain voting rights.

Councilmember Jerzak pointed out that the Council hasn't fully reviewed the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. There is an item regarding the Commission's ability to review police contracts and Chapter 19. The membership likely won't have the expertise to review contracts. The City doesn't have the budget to pay folks. Also, he has concerns about quorum considering the existing commissions commonly fail to meet quorum.

Councilmember Jerzak added the training of the members must be very thorough considering the sensitive information they would review. They must be trained on confidentiality and also have their criminal records considered.

Councilmember Kragness stated she has concerns about the membership, and she would like there to be consistency with existing commissions. Most of the commissions have one chair and six members. She noted her preference for all commissioners to be residents.

Mayor Graves stated if officers were to serve on the Commission, they may not be a resident.

Councilmember Kragness pointed out she is the Liaison to the Financial Commission, but she isn't a voting member.

Mayor Graves stated there is a difference between members and non-voting members. Councilmember Kragness agreed. She is a Liaison and not a member. Staff, officers, or other professionals may attend the meeting, but they should not have voting power.

Ms. Tolar noted the Arts Commission has a designated number of advisory members. They have voting members, non-voting members, and Staff liaisons. Mayor Graves stated the Charter Commission has a unique composition and with a range of allowed members.

Dr. Edwards explained each commission has one Council Liaison and one Staff Liaison. However, many Staff may participate in the meetings and collaborate with the commissions. Staff and Council are not counted as members.

Ms. Turk pointed out any time she presents to the Council regarding public safety, she has already discussed the presentation with all Departments related to public safety.

Police Chief Garrett Flesland noted he has been looking forward to the presentation. Staff hasn't had the opportunity to hear from Council regarding the original intentions of the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act. Staff has done a great job interpreting the spirit of the Resolution and the conversation has been helpful to narrow the scope. The Commission would be an additional resource for the Police Department to enhance the scope of their work.

Councilmember Jerzak asked Chief Flesland for his perspective on the most and least promising outcomes of the Commission. Chief Flesland stated the City gets stronger as there is more communication. A positive of the Commission would be the enhanced communication, collaboration, and new ideas. As for a potential pitfall, there will likely be disagreements. All participants need to enter conversations with open minds.

Councilmember Jerzak asked if Chief Flesland believes he can bridge the gap between the potential officers and the Commission. Chief Flesland stated having the Department from the outset will help prevent division.

Councilmember Jerzak asked if Chief Flesland has any input on the makeup and size of the Commission. Chief Flesland stated he would need time to consider a specific number.

Dr. Edwards pointed out that the Commission is intended to address all components of public safety rather than just law enforcement. The Commission is purely advisory to the Council, and any recommendations would have to be considered and passed by Council. He added all departments would have input on the composition of the Commission. If the Council wants input on the composition from the Police Chief, they should also receive input from the other Directors.

Ms. Turk explained they were considering a group of nine to encompass more expertise within the Commission. Without that, there would be a heavier lift for Staff to educate members. On the Arts Commission, the advisory members have taken over much of the educational component so Staff can purely serve as liaisons.

Mayor Graves thanked Ms. Turk for the presentation and all involved parties for the conversation. There needs to be more consideration regarding the composition of the Commission such as the number, advisory members, and liaisons.

Councilmember Butler acknowledged other commissions only have residents as members. However, public safety impacts more than residents. For example, business owners have an important voice to consider in the conversation regarding public safety. On the whole, Brooklyn Center has been stagnant regarding community engagement. Community stakeholders such as educators, business owners, or school leadership would have impactful input.

Dr. Edwards asked if Council would like Staff to bring the item as a Council Consideration item. Mayor Graves confirmed she would like for the topic to be on the agenda again at the next meeting.

ADJOURNMENT

Mayor Graves moved and Councilmember Jerzak seconded to close the Study Session at 7:15 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

REGULAR SESSION
NOVEMBER 25, 2024
CITY HALL – COUNCIL CHAMBERS

1. INFORMAL OPEN FORUM WITH CITY COUNCIL

The Brooklyn Center City Council met in Informal Open Forum called to order by Mayor April Graves at 7:17 p.m.

2. ROLL CALL

Mayor April Graves and Councilmembers Marquita Butler, Dan Jerzak, and Teneshia Kragness. Councilmember Kris Lawrence-Anderson was absent and excused. Also present were City Manager Reggie Edwards, Police Chief Garrett Flesland, Director of Public Works Elizabeth Heyman, Community Development Director Jesse Anderson, Police Chief Garrett Flesland, Assistant City Manager/City Clerk Barb Suci, and City Attorney Siobhan Tolar.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. INFORMAL OPEN FORUM

Mayor April Graves opened the meeting for the purpose of Informal Open Forum and reviewed decorum requirements.

Laurie M. noted she had comments regarding the Code of Conduct discussion. There have been actions taken against her including paying for an investigation, meaning that there is an existing process. She noted her agreement with the Code of Conduct being used as a weapon. As a Councilmember-elect, there is no consensus on the policy. She requested the City Manager review the policies and consider its application to Facebook posts.

Laurie M. pointed out Brooklyn Center is not Brooklyn Park. The proposed Code of Conduct is a word-for-word copy of Brooklyn Park's policy.

Laurie M. asked if members of the Implementation Committee who have personally attacked Councilmembers on repeated occasions have been investigated. As for the investigation into herself, Laurie M. has not heard about any outcome nor the initial complaint. Any complaint process should be clear to all relevant parties.

Mayor Graves clarified the conversation was regarding a Code of Conduct for Councilmembers and Commissioners.

Nahid K. introduced herself as the new Chair of the Cultural and Public Arts Commission. She thanked all community members who contributed to its creation. There have been three meetings so far, but there are openings on the Commission. The application has been taken down, which is concerning. The original application was approachable and easy to understand. She requested the application be returned to the Commission's webpage.

Nahid K. noted the Commission has reviewed the Arts and Beautification Plan and the governing documents for the Cultural and Public Arts Commission. She requested an open-ended question be added to the application asking what unique abilities the applicant can bring to the Commission.

Mayor Graves stated Nahid K.'s time limit was complete. She offered to meet individually with Nahid K. The applications submitted will be reviewed by her and there is potential for the applications to be simplified.

Lori B. pointed out that the presentation on the Public Safety and Violence Prevention Commission was initially provided to the Council in November 2020 by Commander Gabler. There was clear support from officers at that time.

Julie B. stated it can be difficult to fill Commission seats when the applications are only shared with select folks. There should be more inclusive advertising efforts.

Julie B. added that legal Staff reviewed the Code of Conduct for length, tone, and other considerations. She requested the Open Forum Decorum be reviewed similarly as it is lengthy. The length is off-putting, intimidating, and exclusive.

Raj S. noted Brooklyn Center Police Department impacts more than the residents as many people still frequent the city. He encouraged the City to liberate itself. Those who have been impacted by Brooklyn Center officers need to have a voice. He added that the Council has expressed concerns about funding alternative public safety efforts. However, there is value in folks sharing their experiences. He requested the City to reconsider its priorities.

Councilmember Jerzak moved and Councilmember Kragness seconded to close the Informal Open Forum at 7:38 p.m.

Motion passed unanimously.

5. INVOCATION

Mayor Graves read a poem she recently wrote about doubt, caring for one's heart, and generational impacts.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Councilmember Kragness moved and Councilmember Jerzak seconded to approve the Agenda and Consent Agenda, as amended with Consent Agenda Item 6j. Resolution Accepting Livable Communities Demonstration Account Transit Oriented Development (LCDA-TOD) Funding Grant for Opportunity Site Phase 1 Public Infrastructure becoming Council Consideration Item 10a. Resolution Accepting Livable Communities Demonstration Account Transit Oriented Development (LCDA-TOD) Funding Grant for Opportunity Site Phase 1 Public Infrastructure, Consent Agenda Item 6l. Resolution Accepting Funding Award of the Hennepin County Transit-Oriented Communities Grant Application - Opportunity Site becoming Council Consideration Item 10b. Resolution Accepting Funding Award of the Hennepin County Transit-Oriented Communities Grant Application - Opportunity Site, and removing Consent Agenda Item 6o. Resolution Authorizing Amendment of the 2024 Centerbrook Golf Course Budget, and the following consent items were approved:

6a. APPROVAL OF MINUTES

1. October 25, 2024 – Study Session
2. October 28, 2024 – Regular Session

6b. LICENSES

MECHANICAL

Bruce Nelson Plbg & Htg

7012 6th Street N
Oakdale 55128

Binder Heating & Air Conditioning

222 Hardman Avenue N
South Saint Paul 55075

Genz-Ryan Plbg & Htg Co

2200 Highway 13 W
Burnsville 55337

ON-SALE INTOXICATING

Captain CraB

1360 Shingle Creek Crossing
Suite 201

Topgolf

6420 Camden Avenue N

Jambo Africa

1601 Freeway Boulevard

Hip Sing BBQ Restaurant

6201 Brooklyn Boulevard

Oga Madam Kitchen

6000 Shingle Creek Parkway

ON-SALE SUNDAY

Captain CraB

1360 Shingle Creek Crossing
Suite 201

Topgolf	6420 Camden Avenue N
Jambo Africa	1601 Freeway Boulevard
Hip Sing BBQ Restaurant	6201 Brooklyn Boulevard
Oga Madam Kitchen	6000 Shingle Creek Parkway

ON-SALE 3.2

Davanni's Pizza & Hot Hoagies

5937 Summit Drive

50's Grill

5524 Brooklyn Boulevard

ON-SALE WINE

Davanni's Pizza & Hot Hoagies

5937 Summit Drive

50's Grill

5524 Brooklyn Boulevard

OFF-SALE 3.2 MALT LIQUOR

Cub Foods

3245 County Road 10

Speedway #3192

6950 Brooklyn Boulevard

Speedway #4058

1901 57th Avenue N

Speedway #4160

6545 West River Road

LIQUOR - CLUB

American Legion

6110 Brooklyn Boulevard

TOBACCO

Jambo Africa

1601 Freeway Boulevard

Holiday Stationstore #3808

5710 Xerxes Avenue

Holiday Stationstore #292

420 66th Avenue N

Premier Tobacco

6930 Brooklyn Boulevard

Speedway #3192

6950 Brooklyn Boulevard

Speedway #4058

1901 57th Avenue N

Speedway #4160

6545 West River Road

Casey's Retail Company	2101 Freeway Boulevard
Family Dollar	2105 57th Avenue N
Cloud Nine Smoke Shop	615 66th Avenue N
Cub Foods	3245 County Road 10
Winner	6501 Humboldt Avenue N
Royalty & Sons Tobacco	6044 Brooklyn Boulevard

GASOLINE SERVICE STATION

Holiday Station store #3808	5710 Xerxes Avenue
Casey's Retail Company	2101 Freeway Boulevard
Speedway #3192	6950 Brooklyn Boulevard
Speedway #4058	1901 57th Avenue N
Speedway #4160	6545 West River Road
Brooklyn BP	6044 Brooklyn Boulevard

RENTAL

INITIAL (TYPE IV – six-month license)
3519 53rd Place N

Jewel Johnson

6142 Brooklyn Boulevard

Duc Minh Truong

5337 Oliver Avenue N

Benyam Sahle

INITIAL (TYPE III – one-year license)
1107 57th Avenue N

1107 4X LLLP

INITIAL (TYPE II – two-year license)
6101 Brooklyn Boulevard

JO Companies

6812 Camden Avenue N

Kendra Woods & Cory Thibado

7212 Kyle Avenue N

Sharaz Mohammed

RENEWAL (TYPE IV – six-month license)
700 66th Avenue N

Georgetown-bc Company Lllp

5121 France Avenue N	Ih2 Property Illinois Lp
6725 Bryant Avenue N	Vong Duong & Ngoc-Keiu Huynh
6912 Logan Avenue N	Hpa Borrower 2017 1 Llc
7243 Riverdale Road	Ih2 Property Illinois Lp
4204 Lakebreeze Avenue N	AZ RENTAL APARTMENTS LLC
6915 Humboldt Avenue N	Lynwood Pointe Llc
3712 53rd Place N	SFR BORROWER 2022-A LLC
4600 69th Avenue N	Aisheh Wazwaz & Sami Ameri
5300 Knox Avenue N	ANTONIO VIZCARRA-MORENO
<i>RENEWAL (TYPE III – one-year license)</i>	
3800 Burquest Lane	HENNEPIN RP FUNDING LLC
5706 Camden Avenue N	Midwest Challenge Inc
1308 68th Lane N	Roth Wagner Llc1
3800 Burquest Lane	HENNEPIN RP FUNDING LLC
5351 Irving Avenue N	Cel Monton Llc
5510 France Avenue N	Iasis I Llc
6807 Scott Avenue N	Gao Qiang Liu
<i>RENEWAL (TYPE II – two-year license)</i>	
1425 55th Ave N	Trung C Duong
4101 61st Avenue N	Long Xiong
5301 Logan Avenue N	Mnsf Ii W1 Llc
6001 Admiral Place	IH2 PROPERTY BORROWER LP
6701 Bryant Avenue N	Ih2 Property Illinois Lp

RENEWAL (TYPE I – three-year license)

1421 63rd Lane N	Gary Fraser
6424 Perry Avenue N	Raphael Bidahor
6937 Unity Avenue N	Wells Bovard
5330 Queen Avenue N	Fong Xiong
4207 Lakeside Avenue N, #139	ALEXANDER ANDRZEJEK
1549 Humboldt Place N	Johnson Organization Inc
2606 65th Avenue N	HPA II Borrower 2020-2
2836 67th Lane N	Jose A Aguilar
5201 Drew Avenue N	A Omar & E Katabay
5819 Dupont Avenue N	T D Nguyen & H Le
6013 Brooklyn Boulevard	Rosa F Chiqui Lema
6835 Colfax Avenue N	HP MINNESOTA I LLC

- 6c. **RESOLUTION NO. 2024-111; ACCEPTING GRANT FUNDING FROM THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY OFFICE OF JUSTICE PROGRAMS FOR INTENSIVE COMPREHENSIVE PEACE OFFICER EDUCATION AND TRAINING POSITIONS**
- 6d. **RESOLUTION NO. 2024-112; ACCEPTING LIVABLE COMMUNITIES DEMONSTRATION ACCOUNT (LCDA) FUNDING GRANT FOR NEW GENERATIONS LLC - VETERANS HOUSING**
- 6e. **RESOLUTION NO. 2024-113; DECLARING COSTS TO BE ASSESSED AND CALLING FOR A PUBLIC HEARING ON PROPOSED SPECIAL ASSESSMENTS FOR IMPROVEMENT PROJECT NO. 2025-02, 67TH AVENUE AND JAMES AVENUE MILL & OVERLAY**
- 6f. **RESOLUTION NO. 2024-114; ESTABLISHING INTEREST RATE FOR 2025 SPECIAL ASSESSMENTS**
- 6g. **RESOLUTION NO. 2024-115; ESTABLISHING 2025 STREET AND STORM DRAINAGE SPECIAL ASSESSMENT RATES**

- 6h. **RESOLUTION NO. 2024-116; ACCEPTING BIDS AND AWARDING A CONTRACT, IMPROVEMENT PROJECT NO. 2024-06 2024 POND 48-001 MAINTENANCE PROJECT**
- 6i. **RESOLUTION NO. 2024-117; AMENDING SPECIAL ASSESSMENT LEVY ROLL NO. 25001 TO PROVIDE FOR THE DEFERRAL OF SPECIAL ASSESSMENTS**
- 6j. **RESOLUTION NO. 2024-118; ACCEPTING LIVABLE COMMUNITIES DEMONSTRATION ACCOUNT TRANSIT ORIENTED DEVELOPMENT (LCDA-TOD) FUNDING GRANT FOR OPPORTUNITY SITE PHASE 1 PUBLIC INFRASTRUCTURE** This item was considered as Agenda Item 10a.
- 6k. **RESOLUTION NO. 2024-119; APPROVING JOINT POWERS AGREEMENTS FOR THE CONTINUED OPERATION OF THE SHINGLE CREEK AND WEST MISSISSIPPI WATERSHED MANAGEMENT COMMISSIONS**
- 6l. **RESOLUTION NO. 2024-120; ACCEPTING FUNDING AWARD OF THE HENNEPIN COUNTY TRANSIT-ORIENTED COMMUNITIES GRANT APPLICATION - OPPORTUNITY SITE** This item was considered as Agenda Item 10b.
- 6m. **RESOLUTION NO. 2024-121; ACCEPTING LIVABLE COMMUNITIES DEMONSTRATION ACCOUNT (LCDA) FUNDING GRANT FOR CAPI**
- 6n. **RESOLUTION NO. 2024-122; DECLARING NOVEMBER 30, 2024, AS SMALL BUSINESS SATURDAY**
- 6o. **RESOLUTION; AUTHORIZING AMENDMENT OF THE 2024 CENTERBROOK GOLF COURSE BUDGET** This item was removed from the Consent Agenda and will be considered at the December 9, 2024 meeting.

Motion passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

7a. POLICE DEPARTMENT UPDATE

Police Chief Garrett Flesland showed the organizational chart for the Brooklyn Center Police Department. There are five divisions within the Department: Police Administration, Patrol Services, Community Services, Investigative Services, and Support Services.

Chief Flesland showed a graph depicting the number of sworn officers over the past ten years. Currently, there are 40 trained and deployable officers, which is still a 22 percent deficit. He

showed a graph comparing the average calls for service for each day compared to the number of sworn officers over the past ten years. He pointed out the Department receives around 100 calls per day.

Chief Flesland also showed a graph reflecting the number of sworn officers and the calls for service fielded by each officer over the past ten years. In 2024, there are approximately 250 for each officer for each quarter. The data evenly distributes the calls amongst all sworn officers which include investigators, Commanders, the Chief of Police, and other sworn officials that do not typically respond to calls. He added more than one officer may respond to a call, which is not reflected in the graph. Ultimately, officers are roughly 70 percent busier than when there were more sworn officers.

Chief Flesland stated the Patrol Division is the largest, most visible division with up to 26 sworn officers, seven sergeants, one commander, and multiple Community Service Officers and cadets. In 2023, the Division handled over 34,000 calls for service. Throughout 2023, there were 20 to 23 officers and five sergeants employed. The Division has a number of responsibilities beyond responding to calls for service.

Chief Flesland noted in 2023, BCPD handled 34 motor vehicle fleeing incidents and two motor vehicle pursuits. Throughout the year, there were only 206 use of force incidents, which is approximately 0.6 percent of all 911 calls. Only 16 of those results in subject injury with the most common injuries being abrasion or non-visible pain. There were eight officers assaulted and 4,820 police reports were generated.

Chief Flesland stated in 2023, there were four to five detectives. The fifth detective hired was a seasoned expert and was able to hit the ground running. There were 1,049 new cases assigned in 2023 with each detective receiving 4.2 new cases each week. Another way to consider the numbers is that a detective would receive a new case almost every working day, not considering holidays or days off of work. 770 cases were submitted for prosecution.

Chief Flesland added there were 52 community outreach and crime prevention events in 2023. Significant partnerships with local businesses and community organizations continued to grow. The camera trailer was deployed to hot spots and has been used almost nonstop. The Crime Statistics Dashboard went live July 2023. It is updated each morning. Many other cities plan to use Brooklyn Center's dashboard framework for their own data.

Chief Flesland stated the existing Police-Embedded Social Worker Program continued throughout 2023. The Social Work received 727 referrals for 564 unique individuals and 329 of the referrals were for group home residents. He shared an example of a referral for a resident that was swindled out of a large sum of money in a rental scheme. The Social Worker was able to connect the residents with many resources and get them into affordable housing instead of becoming homeless. He also shared an example of a frequent 911 caller that was referred to the Social Worker which ultimately decreased the resident's use of emergency services.

Chief Flesland showed a table with Part 1 crimes from the Uniform Crime Report (UCR). He

highlighted the column with total percentage change from 2023 to 2024. They anticipate violent crime will be up seven percent and serious crime will be up nine percent. Chief Flesland then showed a table with Part 2 crimes from the UCR. Overall, the Department anticipates an increase of Part 2 crimes by 29 percent from 2023 to 2024.

Mayor Graves requested a copy of the report. Chief Flesland confirmed he would share the report with the Council.

Chief Flesland explained National Incident-Based Reporting System (NIBRS) replaced UCR a few years ago. The Department is working to transition to the new system. NIBRS breaks crimes into three main categories: crimes against person, crimes against property, and crimes against society. He showed a pie chart of 2022, 2023, and projected 2024 crimes broken down by NIBRS categories. Crimes against society have decreased while crimes against persons have increased since 2023.

Chief Flesland showed a graph depicting total violent crime for 1990 through 2024. The violent crime has consistently increased in recent years. The trend is not unique to Brooklyn Center.

Chief Flesland shared a table with information on gun violence in 2023 and 2024. All gun violence statistics have decreased except for the category of shots fired incidents with no damage or injuries, which has been predicted to increase 22 percent.

Chief Flesland showed a graph depicting calls for service by year from 2010 through the predicted end of 2024. He then showed a slide with three graphs of calls for service by type. In recent years, calls for shots heard has decreased while calls for mental problems, welfare checks, and group homes have increased. He noted the term “mental problem” is used to match dispatch codes.

Chief Flesland stated the Police Department is actively working to build capacity. There are monthly Crime Reduction Strategy meetings which include hotspot analysis and assignments. They have been planning and executing a variety of proactive enforcement details. Examples include traffic response details and curfew details.

Chief Flesland added there is a monthly supervisory meeting, a continued focus on recruitment and retention of police staff, regular attendance at job fairs, proactive business engagement by uniformed officers, a Community Crisis Response Team, and a new hotel workgroup support.

Mayor Graves thanked Chief Flesland for the presentation.

Councilmember Jerzak noted in the Friday update, there was a mention of a successful camera trailer deployment. He asked what the status of the new trailer is. Dr. Edwards stated Staff is looking to see if there are adequate funds to purchase an additional trailer. He would provide a more specific timeline to Council once he has the information.

Mayor Graves noted her appreciation of the collaboration efforts undertaken by the Brooklyn Center Police Department.

Dr. Edwards confirmed he would provide copies to the Council.

Councilmember Jerzak moved and Mayor Graves seconded to accept the Department presentation.

Motion passed unanimously.

7b. 2024 PARK CAPITAL INVESTMENT PLAN - UPDATE

Dr. Edwards introduced the item and invited Public Works Director Elizabeth Heyman to continue the Staff presentation.

Ms. Heyman explained the purpose of the 2024 Park Capital Investment Plan is to guide park investments, improve multimodal access to parks, identify resident priorities, identify park strengths and deficiencies, and develop a funding strategy.

Ms. Heyman stated they are working on the next phase of community engagement. There has been interest in splash pads and a driving range. The current phase is a way to test ideas with concepts built off of public feedback, a way to show ideas both graphically and geographically, and a step towards prioritizing funding as there is about \$200,000 in the Capital Improvement Fund each year. The phase is not intended to be a recommendation for full build out or the end of community engagement. She showed an example of Palmer Park where there are ongoing flooding issues which impact use of the soccer fields.

Public Works Planner Kory Andersen Wagner showed the timeline for the plan. They are into the last phase of the plan. Staff will be releasing park concepts in December. There will be an online survey regarding park concepts and bike and pedestrian gaps. The survey will be available throughout December and January. Questions will be about concepts and seek to refine and prioritize improvements.

Mr. Andersen Wagner noted nearly 1,000 community members were engaged in the process. Residents want more playground facilities, improvements for existing facilities, access to water, an expanded trail network, interactive water play features such as a splash pad, more native plantings, more lighting, soccer fields, a volleyball space, basketball court improvements, and indoor play spaces.

Mr. Andersen Wagner showed the West Palmer concept. They are considering flood mitigation, wetland restoration, and soccer field investments. Soccer fields are in high-demand and are used despite flooding.

Mr. Andersen Wagner showed the Centennial concept which includes flood mitigation, expanded access to water, an improved trail network, an improved gathering space, and capitalizing on the advantages of Shingle Creek. Many baseball fields are unusable due to flooding. The park often requires the use of sandbags to handle flooding.

Mr. Andersen Wagner stated Staff is looking to generate revenue at Lions and Centerbrook Golf Course. They have proposed a driving range and park upgrades to benefit all users. The concept map will be available in the near future.

Mr. Andersen Wagner added next steps will be to gather input, estimate costs, seek out funding opportunities, prioritize projects, prepare the document, and present a final Plan to the Council in spring 2025.

Mayor Graves stated the Council looks forward to hearing more in March.

Councilmember Jerzak moved and Councilmember Butler seconded to accept the Park Plan Update presentation.

Motion passed unanimously.

8. PUBLIC HEARINGS

None.

9. PLANNING COMMISSION ITEMS

None.

10. COUNCIL CONSIDERATION ITEMS

10a. RESOLUTION NO. 2024-118; ACCEPTING LIVABLE COMMUNITIES DEMONSTRATION ACCOUNT TRANSIT ORIENTED DEVELOPMENT (LCDA-TOD) FUNDING GRANT FOR OPPORTUNITY SITE PHASE 1 PUBLIC INFRASTRUCTURE

Dr. Edwards introduced the item and invited Community Development Director Jesse Anderson to continue the Staff presentation.

Mr. Anderson explained the City applied for a grant of \$2 million to support public infrastructure for Phase 1 of the Opportunity Site. The infrastructure is the most difficult portion of the project to pay back. Staff has been looking for funding opportunities per the request of Council from two years ago.

Councilmember Jerzak pointed out several things have changed since the item was approved in 2019. To date, the developer has been unable to perform its commitments. Ultimately, the grant is not a good deal for the taxpayers. The market conditions have changed. The grant only covers 60 percent of the infrastructure, which leaves 40 percent of the responsibility on the City and, ultimately, the taxpayers. He doesn't want to transfer any risk to the taxpayers. The City already has difficulties with its own budget.

Councilmember Jerzak added some components of the Opportunity Site may no longer be a good fit for the City. For example, an event space may have worked in 2019. However, an additional event space in the City would only compete with existing businesses such as the Heritage Center or other local businesses.

Councilmember Jerzak noted the grant application referenced up to 770 additional housing units. Unfortunately, there are no funds promised to fund additional Staff from the Fire Department, Police Department, Public Works Department, and so on. Even if the project broke ground immediately, the City won't see a financial return for almost 15 years. An empty lot is better than a poorly designed project.

Councilmember Jerzak stated the Council needs to have a serious conversation regarding the plausibility of the Opportunity Site. Staff has done an excellent job seeking alternative funding efforts, but Brooklyn Center must consider the difficulty of the present market conditions and concerns with the developer.

Mayor Graves asked if Councilmember Jerzak is opposing the item due to poor use of taxpayer money. Councilmember Jerzak stated that was correct. Mayor Graves explained the item is only a grant. Councilmember Jerzak confirmed it is a grant, but taxpayers will be responsible for the other 40 percent of the infrastructure, not to mention the additional City services needed to support the Site.

Mayor Graves stated there hasn't been a development agreement brought before the Council. Councilmember Jerzak agreed that is part of the issue. It shows the developer isn't in a place to move forward with the development. Their bank and investors don't believe the project is viable.

Mayor Graves asked what would happen to the grant funds if the rest of the project didn't pan out. Mr. Anderson stated the funds would be returned should the City fail to meet the rest of the contract including the housing units.

Mayor Graves suggested they transition to the next item.

10b. RESOLUTION NO. 2024-120; ACCEPTING FUNDING AWARD OF THE HENNEPIN COUNTY TRANSIT-ORIENTED COMMUNITIES GRANT APPLICATION - OPPORTUNITY SITE

Councilmember Jerzak noted he is hesitant to add more transit-oriented development when the existing transit hub is not under control. Metro Transit hasn't always been a great partner.

Mr. Anderson explained the City had previously received the grant, but it expired. They applied again, and they received the \$500,000 grant opportunity again. If the grant were to expire again, the City would simply return the grant.

Councilmember Jerzak pointed out Brooklyn Center was cautioned to avoid relying on bonding per legislative officials. It will be an uphill battle.

Mayor Graves moved and Councilmember Butler seconded to adopt a RESOLUTION NO. 2024-118; Resolution Accepting Livable Communities Demonstration Account Transit Oriented Development Funding Grant from Metropolitan Council.

Councilmember Jerzak voted against the same. Motion passed.

Mayor Graves moved and Councilmember Butler seconded to adopt RESOLUTION NO. 2024-120; Resolution Accepting the Hennepin County Transit-Oriented Communities Grant Application for the Opportunity Site.

Councilmember Jerzak voted against the same. Motion passed.

11. COUNCIL REPORT

None.

12. ADJOURNMENT

Councilmember Butler moved and Councilmember Jerzak seconded adjournment of the City Council meeting at 8:22 p.m.

Motion passed unanimously.

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

WORK SESSION
NOVEMBER 25, 2024
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council/Economic Development Authority (EDA) met in Work Session called to order by Mayor/President April Graves at 8:34 p.m.

ROLL CALL

Mayor/President April Graves and Councilmembers/Commissioners Marquita Butler, Dan Jerzak, and Teneshia Kragness. Councilmember/Commissioner Kris Lawrence-Anderson was absent and excused. Also present were City Manager Reggie Edwards, Zoning Administrator Ginny McIntosh, City Attorney Jason Hill, Assistant City Manager/City Clerk Barb Suciu, and City Attorney Siobhan Tolar.

**BROOKLYN CENTER COMMUNITY SAFETY AND VIOLENCE PREVENTION
COMMISSION**

This item was addressed during the November 25, 2024, Study Session.

ADULT-USE CANNABIS LEGISLATION

Dr. Edwards introduced the item and invited Planning and Zoning Administrator Ginny McIntosh to continue the Staff presentation. He added municipal sales have been considered in the planning process. Many Departments have collaborated on the topic.

Ms. McIntosh stated City Staff is requesting City Council/EDA authorize the Planning Commission to proceed with proposed amendments to the City's Unified Development Ordinance (UDO) and provide direction with respect to amendments regarding the new Adult-Use Cannabis and Lower Potency Hemp Edibles (LPHE) legislation. An amendment to the UDO may be initiated by the Council/EDA, the Planning Commission, or the property owner. As local governments have some jurisdiction, the purpose of the amendments is to adopt new zoning standards relating to land use and buffers.

Ms. McIntosh pointed out the item was brought to the Planning Commission. However, there was an issue meeting the quorum. The City Attorney instructed Staff to bring the item to the Council/EDA in Work Session. Given the impending issuance of cannabis licenses in 2025, City Staff proceeded with the submittal of a public hearing notice for amendments to Chapter 35 of the

City Code of Ordinances at the December 12, 2024, Planning Commission meeting. Other amendments include Chapter 11, Chapter 23, Chapter 13, and Chapter 19.

Ms. McIntosh showed a timeline for the decision-making process. The planning process takes longer because the Planning Commission has separate meetings for public hearings. The first reading for Council/EDA would be January 13, 2025, and the second reading would be January 27, 2025. Due to requirements with public notices, the changes would not go into effect until March 2025.

Ms. McIntosh explained that in July 2022, the Minnesota Legislature made changes to Minnesota Statute 151.72, that impacted the legal sale of products containing cannabinoids derived from hemp and allowed consumers aged 21 or older to purchase products containing THC derived from hemp. Edible cannabinoid products could not contain more than five milligrams of any tetrahydrocannabinol (THC) in a single serving, or more than a total of 50 mg of THC per package. Brooklyn Center currently has 16 businesses registered with the state for the sale of hemp-derived cannabinoids, including two municipal liquor stores and the golf course.

Ms. McIntosh noted the City of Brooklyn Center authorized a study and imposed a moratorium on the establishment of new uses, or the expansion of existing uses related to the sale of THC products in 2022.

Ms. McIntosh stated in 2023, the State of Minnesota passed the Adult Use Cannabis Act, legalizing the possession, use, and growth of recreational marijuana for individuals aged 21 and older. The Minnesota Office of Cannabis Management (OCM) is responsible for developing the licensing process for a total of 13 different business types and establishing rules and logistics for retail operations, dispensaries, production, wholesale, micro/mezzo businesses, and delivery services, including both cannabis and low-potency hemp edibles (LPHE).

Ms. McIntosh added the City established an ordinance to prohibit the use of cannabis and hemp products in public places and amended Chapter 23 of the City Code to address the licensing and sale of edible cannabinoid products within the City was adopted. At the time, then City Attorney Jason Hill had prepared a presentation after the legalization of LPHE, outlining legislation and further steps the City would need to follow to be compliant with State Statute. There may need to be amendments throughout the process due to State-level changes.

Ms. McIntosh pointed out the role of the Office of Cannabis Management (OCM) is to regulate the cannabis industry statewide and provide guidance on the standards for the State. The OCM requires all cannabis and lower potency hemp businesses to obtain a license once the State of Minnesota has established the licensing process and includes the Division of Medical Cannabis, which operates the medical cannabis program, and the Division of Social Equity, which promotes development, stability, and safety in communities that have experienced a disproportionate, negative impact from cannabis prohibition and usage.

Ms. McIntosh stated January 1, 2025, has been the slated date for the issuance of State licenses. In the last couple of days, news articles have been released on the topic. The OCM was supposed

to have its first round of lotteries through the Division of Social Equity. However, it was delayed because two-thirds of the applicants were denied. Applicants were flooding the zone on purpose while other applicants were denied because they weren't the true owners. Four lawsuits have been filed. It would be in the best interest of the City to work through their own regulations before the State's licensure process is fully established.

Mayor Graves pointed out she has received emails on the topic. Ms. McIntosh stated Staff has also received emails with concerns.

Ms. McIntosh stated local governments may not issue outright bans on cannabis business, or limit operations in a manner beyond what is provided by a state law. With that said City Staff will be working with the City's respective Planning Commission and City Council/EDA to identify and amend, as necessary, any City Codes to address the new provisions relating to adult-use cannabis law.

Ms. McIntosh noted local governments may limit the number of retailers and microbusinesses or mezzobusinesses with retail endorsements, but in no case can there be less than one retail location per 12,500 residents. As the City of Brooklyn Center has 33,982 residents per the 2023 Minnesota State Demographer Estimates, the City would be expected to provide for at least three of these license types. Additionally, cannabis retail sales must be in standalone shops as the primary use and cannot be accessory to another use. State law requires the OCM to issue a license to a city or county seeking to operate a single municipal cannabis store. This store is not included in the minimum number of registrations required.

Ms. McIntosh pointed out Brooklyn Center will be tasked with approving text amendments to Chapter 35 of the Unified Development Ordinance. The City Council/EDA will have to address licensing standards and ultimately adopt an amended ordinance if it would like to have any say in where these establishments can be located. Through land use and zoning, the City could identify with zoning districts cannabis businesses may operate within. The OCM released a *Guide for Local Governments on Adult-Use Cannabis* which provides some direction on where certain license types might be located in a community, and a table of "comparable districts," as well as certain "municipal considerations," such as potential nuisances like odors, security, transportation, on-site consumption, and fleet vehicle storage.

Ms. McIntosh noted any developments with certain covenants and restrictions prohibiting the growing, delivering, transporting, distributing, or sale of cannabis would prevail unless the restrictions were amended to allow for the use. As an example, Shingle Creek Crossing has prohibitions on marijuana, whether by prescription, medical recommendation, or otherwise. It was a private condition for business owners. The measure was included in Planned Unit Development (PUD) approvals.

Mayor/President Graves asked if the Council/EDA would need to take action to amend the prohibitions. Ms. McIntosh stated she would need to confer with the City Attorney. However, they will definitely need to work with the anchor store. The process is complicated. Mayor Graves stated she would like for Staff to start moving on the amendments.

Ms. McIntosh stated the City also has the option to establish buffer zones between cannabis businesses and sensitive locations such as schools, daycares, residential treatment facilities, or public park attractions regularly used by minors, including playgrounds and athletic fields. There are maximum amounts allowed for the buffers. A jurisdiction can adopt buffer requirements that prohibit the operation of a cannabis business within certain distances of other uses. Terms of measurement are not provided for but should use a measuring system consistent with the rest of its ordinances.

Ms. McIntosh explained residential treatment facilities are defined under Minnesota Statutes 245.462 subd. 23, and are defined as a “24-hour-a-day program under the treatment supervision of a mental health professional, in a community residential setting other than an acute care hospital or regional treatment center inpatient unit, that must be licensed as a residential treatment program for adults with mental illness under chapter 245I, Minnesota Rules, parts 9520.0500 to 9520.0670, or other rules adopted by the commissioner.”

Ms. McIntosh added the City can regulate cannabis stores through zoning compliance. The City would be able to review an applicant’s location for compliance with its zoning regulations during the vetting process by OCM. She pointed out the Brooklyn Center Police Department Compliance Checks must be done once per year for age verification and local ordinance requirements.

Ms. McIntosh stated the local government, as part of the registration process for cannabis retailers or other cannabis/hemp businesses seeking a retail endorsement, may require payment of a registration fee or renewal fee, including an “initial registration fee” of \$500 or half the amount of the applicable initial license fee, whichever is less, and a “renewal registration fee” of \$1,000 or half the amount of the applicable renewal license fee, whichever is less. Similarly, a local government may refuse a registration or license renewal in situations where the license is associated with an individual or business who no longer holds a valid license, has failed to pay the local registration or renewal fee, or has been found in non-compliance with a preliminary or renewal compliance check. A local government must conduct compliance checks for cannabis and hemp businesses holding retail registrations at least once per calendar year.

Ms. McIntosh asked if the Council/EDA has any concerns or questions regarding the designation of certain zoning districts for each of the 13 cannabis license types. She asked if the Council/EDA has any concerns or questions regarding the adoption of certain buffering requirements that prohibit the operation of a cannabis business within a certain distance of schools, daycares, residential treatment facilities, or from an attraction within a public park that is regularly used by minors.

Ms. McIntosh added a jurisdiction such as the City of Brooklyn Center may choose to set a limit on the number of cannabis retail registrations within its boundaries. The jurisdiction may not, however, limit the number of registrations to fewer than one per 12,500 residents. If the City is in receipt of multiple applications, a jurisdiction may elect to issue. She asked if the Council/EDA is interested in imposing a limit on the number of cannabis retail locations.

Ms. McIntosh pointed out the questions don't need to be answered at the present meeting, but they need to be considered moving forward.

Councilmember/Commissioner Kragness noted her support of buffering requirements. Mayor/President Graves agreed with Councilmember/Commissioner Kragness.

Mayor/President Graves asked what the maximum buffer is for daycares. Ms. McIntosh stated schools have a maximum of 1,000 feet, daycares have a maximum of 500 feet, residential treatment facilities have a maximum of 500 feet, and public park attractions regularly used by minors, including playgrounds and athletic fields have a maximum of 500 feet. She showed visual examples of buffering. Ms. McIntosh pointed out that the City will need to create a consistent procedure for measuring. Also, Staff will be seeking clarification on the definition of treatment facilities, group homes, sober homes, and other entities.

Councilmember/Commissioner Jerzak asked if Staff has the capacity to customize a registration process should the Council/EDA be interested in it. He is less interested in creating barriers and more interested in an organized process.

Mayor/President Graves pointed out she would like to see a combination of a first come, first served basis and merit or feasibility of the business model.

Councilmember/Commissioner Kragness stated her primary concern is buffering.

Mayor/President Graves stated she doesn't want to set a limit now. She asked if the Council/EDA could limit the number of establishments in the future. City Attorney Siobhan Tolar stated the Statute only regulates a minimum. She advised Brooklyn Center to create a process and policy closest to the end goal.

Councilmember/Commissioner Butler agreed there should be a number set before applications are received because they cannot deny applications without the regulation. She noted her support of buffering.

Councilmember/Commissioner Jerzak asked if they are to assume all playgrounds are used by minors. Ms. Tolar stated the definition isn't clearly defined in the Statute. However, there is a provision requiring the measurement to start at the primary attraction rather than the park perimeter.

Councilmember/Commissioner Jerzak added he would like a maximum number implemented to avoid future issues.

Mayor/President Graves asked if sampling is allowed per State Statute or if that would be handled per zoning districts. Ms. McIntosh stated some license types have consumption included. Brooklyn Center has a regulation for public consumption that only needs updates to reflect the new State chapter titles. The tobacco regulations include a cap of 15. Another regulation disallows smoking at tobacco stores. Staff pointed out businesses will have to consider courtesy to other

businesses. For example, Wing Stop complains of smelling the chemicals from the nail salon due to improper ventilation. As for cannabis, there is a difference in the consumption of edibles in comparison to smoking.

Mayor/President Graves requested the Planning Commission make recommendations on maximum facility numbers. She asked for Staff to determine how many could fit in the City without overloading it. The stores can be an excellent business opportunity for residents, but she doesn't want to expose vulnerable populations.

Ms. Tolar asked if the minimum of four includes a municipal license. Mayor/President Graves stated four would likely be plenty, but she doesn't want to limit businesses should more than four facilities be suitable in the City.

Ms. McIntosh asked if the Council/EDA has input about zoning for cannabis production facilities beyond just the commercial areas. Mayor/President Graves stated her only consideration would be security.

Councilmember/Commissioner Jerzak noted the State Fire Code must also be considered for cannabis facilities.

ADJOURNMENT

Mayor/President Graves moved and Councilmember/Commissioner Jerzak seconded adjournment of the City Council/Economic Development Authority Work Session at 9:05 p.m.

Motion passed unanimously.

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

WORK SESSION
NOVEMBER 25, 2024
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council/Economic Development Authority (EDA) met in Work Session called to order by Mayor/President April Graves at 8:34 p.m.

ROLL CALL

Mayor/President April Graves and Councilmembers/Commissioners Marquita Butler, Dan Jerzak, and Teneshia Kragness. Councilmember/Commissioner Kris Lawrence-Anderson was absent and excused. Also present were City Manager Reggie Edwards, Zoning Administrator Ginny McIntosh, City Attorney Jason Hill, Assistant City Manager/City Clerk Barb Suciu, and City Attorney Siobhan Tolar.

**BROOKLYN CENTER COMMUNITY SAFETY AND VIOLENCE PREVENTION
COMMISSION**

This item was addressed during the November 25, 2024, Study Session.

ADULT-USE CANNABIS LEGISLATION

Dr. Edwards introduced the item and invited Planning and Zoning Administrator Ginny McIntosh to continue the Staff presentation. He added municipal sales have been considered in the planning process. Many Departments have collaborated on the topic.

Ms. McIntosh stated City Staff is requesting City Council/EDA authorize the Planning Commission to proceed with proposed amendments to the City's Unified Development Ordinance (UDO) and provide direction with respect to amendments regarding the new Adult-Use Cannabis and Lower Potency Hemp Edibles (LPHE) legislation. An amendment to the UDO may be initiated by the Council/EDA, the Planning Commission, or the property owner. As local governments have some jurisdiction, the purpose of the amendments is to adopt new zoning standards relating to land use and buffers.

Ms. McIntosh pointed out the item was brought to the Planning Commission. However, there was an issue meeting the quorum. The City Attorney instructed Staff to bring the item to the Council/EDA in Work Session. Given the impending issuance of cannabis licenses in 2025, City Staff proceeded with the submittal of a public hearing notice for amendments to Chapter 35 of the

City Code of Ordinances at the December 12, 2024, Planning Commission meeting. Other amendments include Chapter 11, Chapter 23, Chapter 13, and Chapter 19.

Ms. McIntosh showed a timeline for the decision-making process. The planning process takes longer because the Planning Commission has separate meetings for public hearings. The first reading for Council/EDA would be January 13, 2025, and the second reading would be January 27, 2025. Due to requirements with public notices, the changes would not go into effect until March 2025.

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businesses. For example, Wing Stop complains of smelling the chemicals from the nail salon due to improper ventilation. As for cannabis, there is a difference in the consumption of edibles in comparison to smoking.

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Ms. McIntosh asked if the Council/EDA has input about zoning for cannabis production facilities beyond just the commercial areas. Mayor/President Graves stated her only consideration would be security.

Councilmember/Commissioner Jerzak noted the State Fire Code must also be considered for cannabis facilities.

ADJOURNMENT

Mayor/President Graves moved and Councilmember/Commissioner Jerzak seconded adjournment of the City Council/Economic Development Authority Work Session at 9:05 p.m.

Motion passed unanimously.

Council Regular Meeting

DATE: 12/9/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Barb Suciu, Assistant City Manager/City Clerk

BY: Shannon Pettit, Deputy City Clerk

SUBJECT: Approval of Licenses

Requested Council Action:

- Motion to approve the licenses as presented.

Background:

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

Mechanical

Midwest Maintenance & Mech.
750 Pennsylvania Ave S, Golden Valley 55426

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

On-Sale Intoxicating

Dos Hermanos II
1400 Shingle Creek Crossing

Embassy Suites
6300 Earle Brown Dr.

On-Sale Sunday

Dos Hermanos II
1400 Shingle Creek Crossing

Embassy Suites
6300 Earle Brown Dr.

Off-Sale 3.2 Malt Liquor

Pump & Munch
1505 69th Ave N

Tobacco

Holiday Stationstore #2099
6890 Shingle Creek Pkwy

Sun Foods, Inc.
6350 Brooklyn Blvd
Quick Shop
5808 Xerxes Ave N
Van's Automotive
6840 Humboldt Ave N
Pump & Munch
1505 69th Ave N
Walgreens
6390 Brooklyn Blvd

Gasoline Service Station

Brooklyn BP
6044 Brooklyn Blvd
Brooklyn Center Municipal Garage
6844 Shingle Creek Pkwy
Pump & Munch
1505 69th Ave N

Budget Issues:

- None

Inclusive Community Engagement:

- None

Antiracist/Equity Policy Effect:

- None

ATTACHMENTS:

Description	Upload Date	Type
Rental Criteria	6/20/2023	Backup Material
Rentals	12/3/2024	Backup Material

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

b. Police Service Calls.

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

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

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

Rental Licenses for Council Approval 12.9

Location Address	License Subtype	Renewal/Initial	Owner	Property Code Violations	License Type	Police CFS*	Final License Type**	Previous License Type***	Consecutive Type IV's
5712 Logan Ave N	Single Family	Renewal	Ali Mir	6	Type IV	7/31/2024 Shooting	Type IV	Type IV	2
1507 Humboldt Pl N	Single Family	Renewal	Kyan (Jimmy) Hui	0	Type I	0	Type I	Type IV	0
6331 Beard Ave N	Multiple Family	Initial	6401 Beard LLC	40/36Units= 1.11	Type II	0	Type II	Not applicable	0
4201 Lakeside Ave N #113	Single Family	Initial	Meoldy Hanna	2	Type II	0	Type II	Not applicable	0
5818 Emerson Ave N	Single Family	Initial	Quality Residences/danmark Properties, Llc	13	Type IV	0	Type IV	Not applicable	0
2118 Ericon Dr	Single Family	Renewal	Marco Panora	27	Type IV	0	Type IV	Type IV	3
3501 47th Ave N	Multiple Family	Renewal	6939 Baird Llc	17/11=1.54	Type IV	0	Type IV	Type IV	2
7013 Fremont Ave N	Single Family	Renewal	lh2 Property Illinois Lp	11	Type IV	0	Type IV	Type III	0
5535 Colfax Ave N	Single Family	Renewal	Christopher Nicholls	5	Type II	0	Type II	Type II	0
7211 Camden Ave N	Single Family	Initial	YUNUS KATUNDU/JASMINE BLAIR	2	Type II	0	Type II	Not applicable	0
1100 69th Ave N	Multiple Family	Renewal	TYLER NASH	7/7=1	Type II	0	Type II	Type III	0
5411 72nd Cir	Single Family	Renewal	Maya Ly	4	Type II	0	Type II	Type I	0
4900 Zenith Ave N	Single Family	Renewal	lh2 Property Illinois Lp	11	Type II	0	Type IV	Type I	0
1113 73rd Ave N	Single Family	Renewal	Mary Carroll	0	Type I	0	Type I	Type I	0
5001 Ewing Ave N	Multiple Family	Renewal	Bartholomew F Dabrowski	2/3=.667	Type I	0	Type I	Type I	0
3000 62nd Ave N	Single Family	Renewal	Daniel L & Susan C Soffa Trs	0	Type I	0	Type I	Type I	0
7131 Indiana Ave N	Single Family	Renewal	Jeremy Paskewich	22	Type IV	0	Type IV	Type I	0
6710 Orchard La	Multiple Family	Renewal	Marvin Gardens Townhomes Lp	183/52=3.51	Type IV	0	Type IV	Tpe IV	2

1900 Brookview Dr	Single Family	Renewal	lh3 Property Minnesota Lp	9	Type IV	0	Type IV	Type IV	3
6740 Grimes Pl	Multiple Family	Renewal	Victoria Townhouses 1	309/48=6.43	Type IV	0	Type IV	Type II	1
5260 Twin Lake Blvd E	Single Family	Renewal	HERON VERDE LLC	11	Type IV	0	Type IV	Type III	0
5713 Humboldt Ave N	Single Family	Renewal	Janice Biorn	2	Type I	0	Type I	Type IV	1

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

**License type being issued

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

All properties are current on City utilities and property taxes

Council Regular Meeting

DATE: 12/9/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Elizabeth Heyman, Director of Public Works

BY: Ahmed Omer, P.E., City Engineer

SUBJECT: Resolution Approving Change Order Nos. 1-4, Accepting Work Performed and Authorizing Final Payment, Project No. 2024-07, Lift Station No. 5 Rehabilitation Project

Requested Council Action:

- Motion to approve a resolution Approving Change Order Nos. 1 - 4 and Accepting Work Performed and Authorizing Final Payment, Improvement Project No. 2024-07, Lift Station 5 Rehabilitation Project.

Background:

On April 8, 2024, the City Council awarded Project No. 2024-07 to Pember Companies, Inc. for the rehabilitation of Lift Station 5. Pember Companies, Inc. has successfully completed the construction work and is requesting final payment for the project.

Budget Issues:

The original contract amount with Pember Companies, Inc. for the lift station rehabilitation was \$281,170.00. The total value of work certified for final payment including Change Order Nos. 1-4 is \$293,960.00. The total project cost including contingencies/administration/engineering/legal is \$348,375.17 and was completed 1.9 percent under budget in the amount of \$6,724.83. 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:

Maintain and enhance public places, Provide quality services with fair and equitable treatment

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/2/2024	Resolution Letter

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING CHANGE ORDER NOS. 1 - 4, ACCEPTING WORK PERFORMED AND AUTHORIZING FINAL PAYMENT, IMPROVEMENT PROJECT NO. 2024-07, LIFT STATION 5 REHABILITATION PROJECT

WHEREAS, pursuant to a written contract signed with the City of Brooklyn Center, Minnesota, Pember Companies, Inc. of Menomonie, Wisconsin has completed Improvement Project No. 2024-07, Lift Station 5 Rehabilitation Project.

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 Nos. 2024-07, Lift Station 5 Rehabilitation, taking the contractor's receipt in full. The total amount to be paid for said improvements under said contract shall be \$293,960.00.
2. The estimated project costs and revenues are hereby amended as follows:

<u>COSTS</u>	<u>Per Low Bid</u>	<u>As Final</u>
Construction Cost	\$ 281,170.00	\$ 281,170.00
Change Order Nos. 1-4	\$ -0-	\$ 12,790.00
Engineering and Administrative	\$ 53,930.00	\$ 54,415.17
Contingency	\$ 20,000.00	\$ -0-
<u>TOTAL</u>	<u>\$ 355,100.00</u>	<u>\$ 348,375.17</u>

<u>REVENUES</u>	<u>Per Low Bid</u>	<u>As Final</u>
Sanitary Sewer Utility	\$ 355,100.00	\$ 348,375.17

December 12, 2024

Date

Mayor

ATTEST: _____
City Clerk

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

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

Council Regular Meeting

DATE: 12/9/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Angela Holm, Director of Fiscal & Support Services

SUBJECT: Resolution Setting Employer Benefits Contribution for Full-Time Non-Union Employees for 2025, 2026, and 2027

Requested Council Action:

- Motion to approve Resolution Setting Employer Benefits Contribution for Full-Time Non-Union Employees for 2025, 2026, and 2027

Background:

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Maintain a strong financial position, Provide quality services with fair and equitable treatment, Improve employees' experience

ATTACHMENTS:

Description	Upload Date	Type
2025 Cafeteria Plan Resolution	12/4/2024	Backup Material

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION SETTING EMPLOYER BENEFITS CONTRIBUTION FOR FULL-TIME NON-UNION EMPLOYEES FOR 2025, 2026 AND 2027

WHEREAS, the City Council annually reviews the benefit contribution that is used to provide insurance benefit assistance to City employees; and

WHEREAS, the City has reviewed its contribution to assist in the payment of health insurance premiums and determined that the City's contribution for 2025, 2026, and 2027 will increase by 5% each year respectively; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the City's contribution for regular, full-time non-union City employees for the calendar year 2025 shall be set at \$1,572.00, 2026 shall be set at \$1,651.00, and 2027 shall be set at \$1,733.00 per month including the cost of \$10,000 in life insurance coverage.

December 9, 2024
Date

Mayor

ATTEST: _____
City Clerk

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

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 12/9/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: City Council

SUBJECT: Resolution Adopting a City Council Code of Conduct and Ethics

Requested Council Action:

- Motion to approve the Resolution Adopting a City Council Code of Conduct and Ethics

Background:

The City Council discussed at its study sessions throughout 2024 the issue of adopting a City Council Code of Conduct and Ethics to better address Council interactions and behavior between Council Members, the Public, and the Media.

The City Council previously adopted the City Council Code of Policies ("Code of Policies") to address various items related to how the City Council conducts its business.

The Code of Conduct and Ethics will be incorporated into the City Council Code of Policies as Section II and will include in-depth guidance for the City Council regarding behavior in and outside of Council Meetings, Ethics, and provides accountability measures for Council Members.

The City Council determines it is in the City's best interests to amend the Code of Policies to include the City Council Code of Conduct and Ethics to provide additional context and guidance on how the City Council can best exemplify the values of the City and model respectful interactions in the face of disagreement and discord.

The Council Code of Conduct will serve as a positive tool to maintain camaraderie, collaboration, and to assist the City Council in executing the business of the City.

Attached are:

1. Resolution adopting City Council Code of Conduct and Ethics
2. Final PDF Version of Code of Conduct and Ethics

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Improve community and employee safety, Provide quality services with fair and equitable treatment, Strengthen community and employee engagement in key decisions, Improve employees' experience

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/5/2024	Cover Memo
Final PDF Version of Code of Conduct and Ethics	12/5/2024	Cover Memo

Member
resolution and moved its adoption:

introduced the following

RESOLUTION NO. 2024-__

RESOLUTION ADOPTING A CITY COUNCIL CODE OF CONDUCT AND ETHICS

WHEREAS, the City Council discussed at its study sessions throughout 2024 the issue of adopting a City Council Code of Conduct and Ethics to better address Council interactions and behavior between Council Members, the Public, and the Media; and

WHEREAS, the City Council previously adopted the City Council Code of Policies (“Code of Policies”) to address various items related to how the City Council conducts its business; and

WHEREAS, the Code of Conduct and Ethics will be incorporated into the City Council Code of Policies as Section II and will include in-depth guidance for the City Council regarding behavior in and outside of Council Meetings, Ethics, and provides accountability measures for Council Members; and

WHEREAS, the City Council determines it is in the City’s best interests to amend the Code of Policies to include the City Council Code of Conduct and Ethics to provide additional context and guidance on how the City Council can best exemplify the values of the City and model respectful interactions in the face of disagreement and discord; and

WHEREAS, the Council Code of Conduct will serve as a positive tool to maintain camaraderie, collaboration, and to assist the City Council in executing the business of the City;

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

1. The City Council Code of Conduct and Ethics is hereby adopted in its substantial form, subject to future amendments as directed by Council.
2. The Code of Policies is hereby amended by adding the City Council Code of Conduct, attached as Exhibit A, which is incorporated in and made part of this Resolution.
3. The City Manager (or designee) is authorized and directed to insert the new Section II into the Code of Policies, including updating the table of contents, and said updated document shall constitute the official Code of Policies.

Date

Mayor

ATTEST: _____
City Clerk

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

EXHIBIT A

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SECTION II. CITY COUNCIL CODE OF CONDUCT AND ETHICS

A. Council Conduct with One Another

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as Council may "agree to disagree" on contentious issues.

1. In Public Meetings

- (a) **Council Member Interaction.** Council Members should seek to practice civility, professionalism and decorum in discussions and debate. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. Council Members can promote camaraderie and collaboration by refraining from making belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. Shouting or physical actions that could be construed as threatening will not be tolerated. Council Members should make every effort to conduct themselves in a professional manner at all times, including listening actively during Council meetings.
- (b) **Deference to Order.** Council Members should honor the role of the Mayor, Mayor Pro Tem, or Acting Mayor Pro Tem in maintaining order by deferring to their direction and guidance. It is the responsibility of the Mayor, Mayor Pro Tem, or Acting Mayor Pro Tem to keep the comments of Council Members on track during public meetings. Council Members should honor efforts by the Mayor, Mayor Pro Tem, or Acting Mayor Pro Tem to focus discussion on current agenda items. If there is disagreement about the agenda or the Mayor, Mayor Pro Tem, or Acting Mayor Pro Tem's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.
- (c) **Setting a Positive Example.** One prominent goal of every council meeting should be to demonstrate a positive example of decorum and respect for constituents. To accomplish that goal, Council Members should avoid comments that personally attack other Council Members. If a Council Member is personally attacked by the comments of another Council Member, the offended Council Member should make notes of the actual words used and may call for a "point of order" to challenge the other Council Member to justify or apologize for the language used. The Mayor, Mayor Pro Tem, or Acting Mayor Pro Tem will maintain control of this discussion.
- (d) **Collaborative Problem Solving.** Another goal of the council meeting should be to demonstrate effective problem-solving approaches. Council Members have a responsibility to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.
- (e) **Timeliness.** To ensure smooth and timely execution of each council meeting, Council Members should make best efforts to be punctual and keep comments relative to topics discussed. Every Council Member has made a commitment to attend meetings and participate in discussions. Therefore, it is important

that Council Members be punctual and that meetings start on time. It is equally important that discussions on issues be relative to the topic at hand to allow adequate time to fully discuss scheduled issues.

- (f) **Endorsement of Candidates.** Council Members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention endorsements during Council meetings or other official City meetings or functions.
- (g) **Council Decisions.** Once a majority decision of the governing body has been made, Council Members should endeavor to “speak with one voice,” respect the official position of the Council, and defend it if needed.

2. In Private Encounters

- (a) **Respectful Workplace Values.** Council Members should continue to model respectful behavior in private. The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.
- (b) **Data Practices.** Council Members should remember at all times that written notes, voicemail messages, social media and email may be public information. Technology allows words written or said without much forethought to be distributed wide and far. Consider how you, your family and/or friends would feel if this voicemail message was played on a speaker phone in a full office? Or broadcast on the nightly news. What could the consequences be if this email message was forwarded to others? Written notes, social media postings, voicemail messages and email should be treated as potentially “public” communication.
- (c) **Public-Private Considerations.** Even private conversations can have a public presence. Elected officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.
- (d) **Personal Comments.** Council Members should refrain from making personal comments about other Council Members. It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Council Members, their opinions and actions.

B. Council Conduct with City Staff

The relationship between Council Members and administrative personnel is dependent on the particular form of government. Governance of the City is a cooperative effort, including elected officials, who set policy, and City staff, who implement and administer the Council’s policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community. Council Members should be careful to restrict that relationship to the defined channels. Unofficial Council interference in administrative affairs can disrupt business, weaken employee morale, and create antagonistic relationships between administrators and Council Members.

Council Members should not attempt to exert any influence over the hiring and firing of administrative personnel, except for those people whose appointment they are responsible, namely the City Manager, City Attorney, and City Prosecutor.

Federal, State, and local laws have made personnel administration a very complex affair, with mishandlings costing public employers hundreds of thousands of dollars in litigation, claims, and damages. The City of Brooklyn Center has a very strong commitment to providing its employees with a fair, accountable, and uniform system of personnel administration including procedures to address employee grievances.

1. **Respectful Workplace Values.** Council Members should treat all staff as professionals. Council Members should engage in clear, honest communication that respects the abilities, experience, expertise, and dignity of each individual. Berating, personal, impertinent, slanderous, threatening, abusive, or disparaging comments toward staff are not acceptable and are automatic grounds for a code of conduct violation.
2. **Limited City Staff Contact.** Pursuant to Brooklyn Center Charter Section 6.02, Council Members should limit contact with City staff. Questions of City staff and/or requests for additional background information should be directed to the City Manager or City Attorney. The City Manager should be copied on or informed of any request. Except in extraordinary circumstances, Council Members should avoid disrupting City staff while they are in meetings, on the phone, or engrossed in performing their job functions.
3. **Council Direction to staff.** In accordance with Charter Section 2.09, individual Council Members cannot give direction to City staff either publicly or privately. The Council as a body may provide staff direction on matters that come before the Council.
4. **Follow-up Requests or Directives.** Requests for follow-up or directions to staff should be made only through the City Manager or the City Attorney when appropriate. When in doubt about what staff contact is appropriate, Council Members should consult with the City Manager. Additionally, requests for additional staff support – even in high priority or emergency situations – should be made to the City Manager who will work to allocate city resources. Materials supplied to a Council Member in response to a request for information of interest to all Council Members will be made available to the entire Council so that all have equal access to the information. Limit requests for staff support. (see Brooklyn Center City Charter Section 2.09).
5. **Staff Criticism.** Council Members should not publicly criticize an individual employee. Council should not express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the City Manager through private correspondence or conversation.
6. **City Administrative Functions.** Pursuant to Section 6.02 of the City Charter, the administrative functions of the City are the responsibility of the City Manager. To avoid the appearance of bias or to avoid violating the ethics code, Council Members should not attempt to influence City staff on the making of employment or personnel decisions, the awarding of contracts, the selecting of consultants, the processing of development applications, or the granting of City licenses and permits.

7. **City Staff Meetings.** If City Council Members desire to attend a staff meeting, consult with the City Manager. Council Member attendance at meetings could imply support, show partiality, intimidate staff, and could impede staff's ability to do their job objectively/effectively.
8. **Political Solicitation.** Council Members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff.
9. **Council, EDA and Commission agendas.** Staff's responsibility is to provide Council Members the information needed for informed decision making. Every effort should be made to ask staff questions regarding Council, EDA and commission agendas before the meeting.
10. **Personal Comments.** Council Members should refrain from speaking ill of other Council Members to staff. This puts staff in an uncomfortable and compromising position because staff have the responsibility to treat all Council Members equally and with respect.
11. **Political Gamesmanship.** Council Members should avoid putting colleagues in awkward or disadvantageous positions in an effort to capitalize on another colleagues' vulnerability or to embarrass them publicly for political gain. And Council Members should make every attempt to submit questions or concerns prior to formal meetings to surprising Council Members or staff at said meetings.

C. Council Conduct with the Public

1. In Public Meetings

- (a) **Create a Welcoming Environment.** Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Council Members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.
- (b) **Speaking Time.** Council as a body should be fair and equitable in allocating public hearing time to individual speakers. Pursuant to Council Procedure, the Mayor, Mayor Pro Tem, or Acting Mayor Pro Tem will determine and announce limits on speakers at the start of the public hearing process and ensuring those with Brooklyn Center addresses have an opportunity to speak. Generally, each speaker will be allocated two minutes to speak. Applicants or their designated representatives may be allowed more time. If many speakers are anticipated, the Mayor, Mayor Pro Tem, or Acting Mayor Pro Tem may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.
- (c) **Public Hearing Speakers.** No speaker will be turned away unless the speaker exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the Council requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless agreed upon by the Council.

- (d) **Avoid Public Debate.** Council Members should avoid debate and argument with the public. Only the Mayor, Mayor Pro Tem, or Acting Mayor Pro Tem – not individual Council Members – can interrupt a speaker during a presentation. However, a Council Member can ask the Mayor, Mayor Pro Tem, or Acting Mayor Pro Tem for a point of order if the speaker is off the topic or exhibiting behavior or language the Council Member finds disturbing. Council Members may request that the Mayor, Mayor Pro Tem, or Acting Mayor seek clarification from the speaker.
- (e) **Mayor to Focus Discussion.** If speakers become flustered or defensive by Council questions, it is the responsibility of the Mayor, Mayor Pro Tem, or Acting Mayor Pro Tem to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Council Members to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Council Members' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.
- (f) **Avoid Personal Attacks.** Council Members should not personally attack, under any circumstance, a member of the Public. Council Members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.
- (g) **Parliamentary Procedure.** Council Members should follow parliamentary procedure (outlined in the Council Procedure) in conducting public meetings. The City Attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Mayor, Mayor Pro Tem, or Acting Mayor Pro Tem subject to the appeal of the full Council.

2. In Unofficial Settings

- (a) **No Promises.** Council Members should refrain from making promises on behalf of the Council. Council Members may be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise City staff will do something specific (fix a pothole, plow a specific street, plant new flowers in the median, etc.).
- (b) **Personal Comments.** Council Members should refrain from making personal comments about other Council Members to constituents. It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Council Members, their opinions and actions.
- (c) **Public-Private Considerations.** Council Members are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper conduct in the City of Brooklyn Center. Honesty and respect for the dignity of each individual should be reflected in every word, communication, (whether in social media or otherwise), and action taken by Council Members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

D. Council Conduct with the Media

Council Members may be contacted by the media for background and quotes.

1. **Official Spokesperson.** The Mayor is the official spokesperson for the representative on City position. The Mayor is the designated representative of the Council to present and speak on the official City position. If an individual Council Member is contacted by the media, the Council Member should be clear about whether their comments represent the official City position or a personal viewpoint.
2. **When Speaking to the Media.** Council Members should choose words carefully and cautiously. Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.
3. **Best Advice.** The best advice for dealing with the media is to never go "off the record."

E. Council Conduct with Other Public Agencies

Council Members should be as clear as possible when representing City or personal interests. If a Council Member appears before another governmental agency or organization to give a statement on an issue, the Council Member must clearly state:

1. If his or her statement reflects personal opinion or is the official stance of the City;
2. Whether this is the majority or minority opinion of the Council. Even if the Council Member represents his or her own personal opinions, remember that this still may reflect upon the City as an organization.

If the Council Member is representing the City, the Council Member must support and advocate the official City position on an issue, not a personal viewpoint.

F. Council Conduct with Boards and Commissions

The City has established several Boards and Commissions as a means of gathering more community input. The Council appoints members to all committees, boards, and commissions which serve in a purely advisory role to the Council. These commissions/committees/boards are as follows:

- Cultural and Public Arts Commission,
- Financial Commission,
- Housing Commission,
- Park and Recreation Commission,
- Sister Cities Commission, and
- Planning Commission.

The Council also appoints representatives to Visit Minneapolis Northwest Tourism, Watershed Commissions, and Northwest Suburbs Cable Communications Commission.

The Charter Commission is a statutory commission appointed by the Chief Judge of the District Court. The terms of Commission members are staggered for two or three years with appointments ending on December 31 of each year.

Residents who serve on Boards and Commissions are a valuable resource to the City's leadership and should be treated with appreciation and respect.

1. **Council Liaison.** If attending a Board or Commission meeting in the role as liaison. "Liaison" means non-voting member of a commission who shall speak on behalf of the Council (or staff) as a whole, not as an individual, thus providing a communication link between the commission and Council (or staff).
2. **Limited Contact.** Council Members should endeavor to limit contact with Board and Commission Members. It is inappropriate for a Council Member to contact a Board or Commission member to lobby on behalf of an individual, business, or developer. Council Members may contact members of the Commission and staff liaison in order to clarify a position taken by the Board or Commission.
3. **Commission Service.** Council Members should keep in mind that Boards and Commissions serve the community, not individual Council Members. The City Council appoints individuals to serve on Boards and Commissions, and it is the responsibility of Boards and Commissions to follow the policy established by the Council. But Board and Commission members do not report to individual Council Members. Council Members should not threaten to remove Board and Commission members if the parties disagree about an issue.
4. **Respect Diverse Opinions.** Council Members should be respectful of diverse opinions. The primary role of Boards and Commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Council Members should be fair and respectful of all residents serving on Boards and Commissions.

G. Accountability Measures

1. Types of Accountability Measures

A potential action for failing to comply with this code of conduct may include the following measures:

- (a) **Admonition.** An admonition shall be verbal and made by the Mayor to the Council Member.
- (b) **Reprimand.** A reprimand shall be administered to the Council Member by letter. The letter shall be approved by the City Council and shall be signed by the Mayor, or by the Mayor Pro Tem or Acting Mayor Pro Tem if the Mayor position is vacant, or if the matter involves the Mayor.
- (c) **Censure.** A censure shall be administered pursuant to a formal resolution adopted by the Council.

2. Conduct

- (a) City Council Members who violate the code of this conduct are subject to admonition, reprimand, or censure. Any violations that potentially constitute criminal conduct shall be handled by the criminal justice system.
- (b) Factors that will be considered in determining the appropriate consequence include but are not limited to the following: seriousness of the violation and number of preceding violations.

3. Conduct During Meetings

- (a) For inappropriate statements or conduct by Council Members occurring during a Council meeting, a verbal correction by the Mayor (or Mayor Pro Tem or acting Mayor Pro Tem) will normally be the first step to address the matter, either during or outside of the Council meeting.
- (b) Further incidents may be addressed by subsequent verbal corrections accompanied by use of the gavel. Repeated incidents can give rise to the Mayor not recognizing the offending Council Member to speak. A Council Member can request that the Mayor take any of these actions against an offending Council Member if the Mayor has not done so on her/his own.

4. Reporting a Potential Violation

- (a) A member of the Brooklyn Center City Council may report a potential Code of Conduct violation by a member of the City Council by bringing the matter to the attention of the official of their choice, Mayor, City Manager, or City Attorney.
- (b) A Brooklyn Center staff member may report a potential code of conduct violation by a member of the City Council by bringing the matter to the attention of the City Manager or Human Resources Manager.
- (c) If the potential violation involves the Mayor, it should be brought to the attention of the Mayor Pro Tem, City Manager or City Attorney.
- (d) A community member may report potential code of conduct violations by a member of the City Council to the Mayor, City Manager or any member of the City Council.

5. Alternative Reporting

If the Mayor, Mayor Pro Tem, or Acting Mayor Pro Tem are unable to be involved in reviewing the code of conduct complaint for any reason, the matter will be reviewed by the next most senior member of the Council that is not involved in the complaint.

6. Investigation Procedure

- (a) Triage. The Mayor and City Manager will gather initial information, consult with the City Attorney if necessary and decide how to move forward.
- (b) Fact Finding. If necessary, the matter will be referred to the criminal justice system. The Mayor and City Manager will determine whether to pursue independent fact-finding or internal fact-finding.
- (c) Possible Outcomes. As is referenced above, (i) a verbal admonition may be given to the Council Member by the Mayor, (ii) a reprimand may be administered to the Council Member by a letter approved by the Council, or (iii) a censure may be administered pursuant to a formal resolution adopted by the Council.
- (d) Notice and Hearing. After voting to issue a reprimand or censure, the City Council will provide written notice to the Council Member at least fourteen (14) days prior to the Council's formal action upon the reprimand or censure. The notice may be served by mail and shall specify the grounds for the reprimand or censure and state the date the Council will take action upon the reprimand or censure. At any time prior to the Council's formal action, the Council Member may, in writing, request a hearing before the City Council, which shall be held at the next regular City Council meeting. After the hearing, the City Council shall decide whether or not to proceed with the reprimand or censure.

H. Ethics

1. Open Meeting Law

- (a) State law requires that, with certain exceptions, meetings of the City Council be open to the public. A meeting is a gathering of a majority of City Council Members at which City business is discussed. It is not necessary that action be taken for a gathering to constitute a "meeting."
- (b) A meeting does not include chance, social gatherings as long as public business is not discussed.
- (c) A majority of Council Members should not communicate with each other by phone, email, in-person, or otherwise, to discuss City business.
- (d) Use of social media does not violate the open meeting law as long as social media use is accessible to all Members of the public.

See Minnesota Statutes, Chapter 13D, for further information regarding the Open Meeting Law.

2. Gift Law

A City Council Member cannot accept a gift from someone who has an interest in any matter involving the City. A "gift" includes money, property, a service, a loan, forgiveness of a loan, or a promise of future employment. A "gift" does not include:

- Campaign contributions;
- items costing less than \$5;
- items given to members of a group; the majority of whose members are not local officials;
- gifts given by family members; or

- food or beverages given at a reception, meal or meeting at which a Council Member is making a speech or answering questions as part of a program

See Minnesota Statutes, Section 471.895 and City Charter, Section 14.04(A) for further information regarding the Gift Law.

3. Conflict of interest

- (a) City Council Members cannot have a personal financial interest in a sale, lease, or contract with the City.
- (b) City Council Members cannot participate in matters in which the Council Member's own personal interest, financial or otherwise, is so distinct from the public interest that the
- (c) Council Member cannot be expected to fairly represent the public's interest when voting on the matter.

Council Regular Meeting

DATE: 12/9/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Dr. Reggie Edwards, City Manager

SUBJECT: 2025 Brooklyn Center Legislative Priorities

Requested Council Action:

- Approval of the 2025 Brooklyn Center Legislative Priorities

Background:

On January 14, 2025, the Minnesota Legislature will start the 2025 Legislative session, which will end by May 19, 2025.

Each year the City develops and adopts a legislative agenda for purposes of advocating at the state and federal on issues that impact Brooklyn Center.

Last year the City developed an ongoing process including; developing, executing, monitoring, advocating and fostering legislative action.

In preparation for a discussion regarding development and execution of the Brooklyn Center 2025 Legislative Agenda the following documents are attached:

- 2025 Legislative Schedule
- 2025 Legislative Priorities

- The City Council has discussed the legislative schedule and priorities over the past three council meetings. Staff seeks the Council's final approval of the 2025 Legislative Priorities.

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Maintain a strong financial position, Improve community and employee safety, Provide quality services with fair and equitable treatment, Be an effective partner with other public entities, Strengthen and diversify business development and housing

ATTACHMENTS:

Description	Upload Date	Type
2025 Legislative Priorities	11/7/2024	Cover Memo
Legislative Schedule	11/7/2024	Cover Memo

City of Brooklyn Center 2025 Legislative Agenda



November 2024

Overview

The City of Brooklyn Center works together with its partners to support proposals for new legislation in Minnesota designed to strengthen the community. The following list of legislative priorities and positions, along with those prepared by the Brooklyn Center Economic Development Authority (EDA), constitute Brooklyn Center's legislative agenda for the 2024 legislative session.

Diversity, Equity and Inclusion

The City of Brooklyn Center, with our rich racial, ethnic and demographic diversity is committed to supporting local, state and federal policies and investments that advance the goals of eliminating racial and economic disparities in areas such as housing, employment, transportation, health care, safety, etc., and works towards a more inclusive economy. Many of the detailed advocated for in this document strive to achieve these goals.

Administration

- BCLG 01-2025 Official Notifications / Information Access – The City of Brooklyn Center supports the state in eliminating outdated and unnecessary publication requirements no longer relevant or representative of the City's technological capabilities.

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

- BCLG 02-2025 Funding for Cultural Centers/Museums and Other Community Building Assets- the City of Brooklyn Center encourages the Legislature to provide funding and provide new rules that will support the establishment of Cultural Museum/Centers that reflect the unique traditions and values provided by immigrants, new Americans and diverse communities; thereby enriching the lives of all Minnesotans.

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

Business and Economic Development

- BCLG 9-2025 Small Business Development – The city supports city and non-profit partnerships in developing small business centers, incubators, and other affordable commercial opportunities for small and BIPOC owned businesses. Agency's such as African Career Education and Resources and CAPI USA provide support for small businesses and are critical in Brooklyn Center's business community.
- BCLG 10-2025 Business Tenant Protection – The city supports the state in creating more protection for tenants within commercial properties, with a focus on small lower-income businesses who are at greater risk of displacement. The City of Brooklyn Center has received more recent feedback relating to commercial tenants with challenging lease situation.
- BCLG 11-2025 Youth Tax Credit – The City of Brooklyn Center supports efforts by the state to create an internship-to-work tax credit for organizations hosting young workers in Brooklyn Center. This type of tax credit program exists now but is targeted at Greater Minnesota.

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

- BCLG 12-2025 Workforce Readiness – The City of Brooklyn Center supports efforts of the state to fund fully the Minnesota Job Skills Partnership and other workforce training programs. The City also supports the state in providing flexible funding to local workforce councils and pursuing creative programming and funding. Finally, the City supports efforts to design and implement programs designed to address youth employment and workforce readiness.

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



BCLG 13-2025 TIF District Flexibility - The City of Brooklyn Center generally supports efforts of the State to increase the flexibility of TIF to facilitate redevelopment and housing activities and supports creating special legislation that will allow for creation of two or more redevelopment TIF districts within the Opportunity Site.

Justification - In the Opportunity Site Redevelopment Area, The City has made significant investment in the acquisition and demolition of properties to achieve redevelopment goals laid out in the Master Plan. Market forces are also leading to significant delays in development of the property. Both factors are diminishing the effectiveness of TIF within the Opportunity Site. The City proposes special legislation that will allow for creation of one or more redevelopment TIF districts within the Opportunity Site., even if those areas cannot qualify based on existing statutory requirements.



BCLG 14-2025 Opportunity Site Phase 1 Infrastructure Bonding - The City is requesting critical legislative funding that will fill gap funding necessary for the build out of Phase 1 of the Opportunity Site. The request is for \$3,000,000 that will close the remaining funding gap allowing for the construction of infrastructure to phase 1 of the opportunity site.

Justification – Phase 1 of the opportunity site will bring over 700 units of multifamily housing, local-oriented commercial business spaces, an event center and public gathering spaces. The city has already received \$3.6 million in grants for the infrastructure and this final piece of state bonding would allow for construction to begin on the infrastructure.

Essential Services



BCLG 03-2025 Brooklyn Center Public Works Garage – The City of Brooklyn Center supports increased state funding for transportation maintenance facilities, like the Brooklyn Center Public Works Garage, which provides critical regional services.

Justification – The 50-year-old Brooklyn Center Public Works garage is outdated, creating safety risks and operational inefficiencies. Its size and design limit the safe use of large equipment like snowplows and have insufficient space for modern upgrades, such as charging stations for an electrified fleet. Renovations are cost-prohibitive, with \$3.5 million in deferred maintenance. Public Works operations are essential to regional mobility, including snow and ice control for areas like Shingle Creek Crossing, and aiding the movement of Brooklyn Center's significant essential worker population.

Financial

- BCLG 15-2025 (Metro Area Fiscal Disparities) 4D Transition Aid – The supports state funding for cities recovering tax losses due to 4D Transition Aid.

Justification - Our region needs more units of affordable housing and deeper levels of affordability. Brooklyn Center supports initiatives to increase affordable housing supply in in the state. The recent legislative changes to the 4d tax classification however, disproportionality affects cities with several 4d properties whose tax bases are already stressed. Brooklyn Center is expected to lose over \$250,000 in tax capacity over 2021 levels when the new rate is effective in 2025 (from non TIF-captured parcels). This translates to \$145,388 in the City's portion of taxes assuming pay 2024 tax rates.

The new bill does support transition aid in 2025 and 2026 for communities whose tax capacity in 4d property exceeds 2% of total tax capacity. Based on current calculations, Brooklyn Center is now expecting \$0 in aid under this program. The City supports increasing the transition aid to cover cost for the entire tax impact and extending the benefit past 2026.

BCLG 16-2025 Metro Area Fiscal Disparities - Brooklyn Center was once a net contributor to the Fiscal Disparities pool. Today as a net recipient, the fiscal disparity is a major factor contributing to the fiscal stability of the City and our taxpayers. Without Fiscal Disparities, the property tax burden in Brooklyn Center would escalate dramatically, perhaps more than 25%. We strongly encourage continued legislative support for Metro Area Fiscal Disparities.

- BCLG 17-2025 Sales Tax Exemption Simplification - We advocate for a way to simplify the utility of the current sales tax exemption for construction materials. The process for using the current sales tax exemption on construction is so complicated, risky, and burdensome to contractors and cities that we are aware of no city that has decided to use this exemption. In Brooklyn Center, we estimate savings of \$300-\$400 thousand annually for our neighborhood street and utility construction projects if the sales tax exemption was viable.
- BCLG 18-2025 Property Tax Relief – The City of Brooklyn Center supports efforts of the state to increase property tax relief for property owners experiencing high tax burdens due to property tax shifts.

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

- BCLG 19-2025 Local Government Aid - LGA – The City of Brooklyn Center supports the existing LGA funding formula as an appropriate mechanism to distribute LGA. The city supports adding an annual indexing factor to the formula. In addition, the city supports ~~support~~ adding a racial and economic equity factor to the existing formula and opposes special funding using LGA funds.

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

Health and Well-Being

- BCLG 20-2025 Racial Trauma Treatment - The City of Brooklyn Center supports the state supports the state adding “racial trauma” to eligible conditions for psychological condition treatment.

Justification – Currently state statute stipulates that an employee seeking psychological condition treatment approval shall pay the employee’s full salary and employer-provided benefits. The state does not list “racial trauma” as an eligible condition for psychological condition treatment. Thereby, currently staff cannot receive pay or benefits during a time of seeking psychological condition treatment. According to the National Center for PTSD, (website: www.ptsd.va.gov/understand/types/racial_trauma.asp, October 2024), “Racial trauma can lead to an increased risk of physical and mental health problems. University of Georgia, Department of Psychology, (website: <https://psychology.uga.edu/coping-racial-trauma>, 2019), states “experiences with racial discrimination are associated with negative mental (e.g., depression, anxiety, hopelessness, violent behavior) and physical (e.g., hypertension, thickening and calcification of the arteries, and heart rate variability) health outcomes (<https://www.semanticsscholar.org/paper/Percieved-discrimination-health-%3A-a-review.-Pascoe-Richman/886863c7ce89acfe9551d8fca9699381297cef52>). Psychologically (<https://www.apa.org/pubs/journals/releases/cou-59-1-1.pdf>), racial trauma can cause symptoms that mirror those of post-traumatic stress disorder (PTSD): re-experiencing of distressing events, higher reports of somatization when distressed, chronic stress, negative emotions/depression, hypervigilance, and avoidance.

Housing

- BCLG 04-2025 Tenant Protections - The City of Brooklyn Center supports revising existing regulations that restrict local governments from enacting tenant protection measures. Further, the City of Brooklyn Center supports new legislation that clarifies and creates tools that support tenant protection measures, both locally and state-wide. These tools include but are not limited to, preventing discrimination based on income sources, limiting tenant screening practices, preventing non-renewals of leases without just cause, and retaliation by rental property owners.

- BCLG 05-2025 Affordable Housing - The City of Brooklyn Center supports the creation of additional programs, tools, and funding that address the concentration of poverty and ensure the fair distribution of affordable housing opportunities across the Twin Cities metro. Specifically, the State should establish a housing tax credit contribution fund, increase funding for the Economic Development and Challenge Fund Grant program, and support dedicated funding for housing through bonding and general fund revenue.

Justification – Vacancy rates remain low and the market is not keeping up with the demand for affordable housing options. Cities want to play a role in addressing this issue but lack the resources and the flexible tools to create partnerships with public and private entities to ensure an adequate supply of affordable housing options. The City of Brooklyn Center wants to ensure that current and future policies are sensitive to ensuring all communities within the Twin Cities metro are absorbing affordable housing at an equal rate to avoid segregating certain populations or concentrating poverty. As it stands, the City of Brooklyn Center is a heavily tax burdened community and over 2% of its net tax capacity is in 4d properties.

- BCLG 06-2025 Group Homes and Assisted Living Licensures – The City of Brooklyn Center believes current regulations for group homes disproportionately impact lower-income communities and communities of color. The City requests that the Legislature amend these regulations to address unintended consequences, including allowing certain non-first-class cities to establish density requirements and reinstituting the ability of a municipality to require a rental license. Currently, only cities of the first class (with populations over 100,000) have the authority to mandate a minimum distance of 1,320 feet (1/4 mile) from existing MDH Assisted Living facilities. There are no minimum distance requirements for DHS Community Residential Setting facilities.

Justification – Our experience shows that single-family affordable housing neighborhoods attract investors looking to profit from establishing group homes. Brooklyn Center has seen a significant increase in the number of these homes. This concentration in lower-income neighborhoods limits homeownership opportunities and wealth accumulation for residents, and it can alter the character of the community. Additionally, these properties place a strain on local emergency response agencies, as they tend to generate a higher volume of service calls.

According to MN Statutes 245A.11, subdivision 1, individuals residing in group homes cannot be excluded from the benefits of normal residential surroundings by municipal zoning ordinances or land use regulations. Group homes with a licensed capacity of 6 or fewer persons are permitted as single-family residential uses for zoning purposes, and as of May 18, 2024, state-licensed group homes with 6 or fewer persons are exempt from rental licensing requirements in Minnesota, including those licensed under Minnesota Statutes 144G.45 and 245D.02.

The Commissioner of the Department of Health must consider the population, size, land use plan, availability of community services, and the number and size of existing licensed MDH Assisted Living facilities in any city where an applicant seeks to operate a facility; however, as of October 2024, Brooklyn Center and Brooklyn Park— the only two cities in Hennepin County with over 50% BIPOC populations—hold nearly 50% of all MDH Assisted Living licenses in Hennepin County BCLG 07-2025 Emergency Shelter/Transitional Housing Use in Hotels – The City of Brooklyn Center supports a more even distribution of emergency homeless shelters and transitional housing at area hotels and motels,

as paid by voucher.

Justification – The City of Brooklyn Center is home to 10 hotels; however, the City of Brooklyn Center has become increasingly aware of our hotels moving away from their original intended and approved use as a hotel facility and towards semi-permanent housing. In Brooklyn Center, hotels are lodging accommodations for stays of less than a month. The City is aware of hotels being purchased or considered for acquisition in the City for use as transitional housing. In the case of private ownership, this provides a guaranteed income stream by entering into a contract with county services. Removal of hotel accommodations from our City is not in alignment with the City's goals for economic competitiveness and employment, of which in part include the provision of accessible hotel accommodations to our City's employment centers. As the City is built out, there are limited opportunities to provide quality accommodations for those visiting the area, and has resulted in the increased use of City resources.

- BCLG 08-2025 Building Officials – The City of Brooklyn Center supports efforts of the state to increase its efforts to train new and diverse building officials, and provide sufficient education to help local officials administer and enforce construction regulations.

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

Law Enforcement & Public Safety

- BCLG 21-2025- Permanent Prevention and Intervention Public Safety Aid - The City supports extension and permanent funding of Public Safety Aid.

Justification – In 2023, the State Legislature passed one-time funding “Public Safety Aid” for purposes of supporting public safety, including community violence prevention and intervention programs, community engagement; mental health crisis; victim serves; training programs; first responder-wellness; equipment related to fire, rescue, emergency services; or to pay other personnel or equipment costs. Public safety response strategies alone are not sustainable financially or to the well-being and health of humans. Cities, counties and communities have little to no abilities to fund the critical public safety strategies of prevention and intervention. Permanent funding of community-centered public safety prevention and intervention will lead to a more sustainable, healthier and well-being of people.

- BCLG 22-2025 – Support for a Deferred Retirement Option Plan (DROP) for Law Enforcement Officers - The City of Brooklyn Center supports the implementation of a Deferred Retirement Option Plan (DROP) or a similar program for law enforcement officers in Minnesota. Such programs allow senior officers to retire while continuing to work and accrue retirement benefits, providing financial incentives for experienced officers to extend their careers. The City recognizes the value of maintaining a seasoned workforce and the potential benefits of retaining senior officers to support leadership continuity, mentorship of younger officers, and overall departmental stability.

Justification - DROP programs have been successfully implemented in various states, encouraging veteran officers to remain in service for a few additional years, thereby alleviating immediate staffing

challenges and ensuring that experienced officers can contribute to departmental objectives. A similar program in Minnesota could address ongoing recruitment and retention issues and enhance public safety by leveraging the skills of veteran officers.

- BCLG 23-2025 Presumption of Privacy for Body-Worn Cameras Used by Non-Licensed Police Staff - The City of Brooklyn Center supports extending the presumption of privacy for Body-Worn Camera (BWC) footage to non-sworn staff, in alignment with the current state law that protects BWC data collected by licensed peace officers. This expansion would ensure that BWC data recorded by non-licensed police staff, such as Cadets, community service officers, or professional staff, is classified as private or nonpublic data, except when specifically required by law to be released. This adjustment aligns with the broader privacy protections afforded to licensed peace officers and supports the responsible use of technology to enhance public trust and safety without compromising individual privacy.

Justification - BWCs have proven to be a valuable tool for transparency and accountability. However, it is important to extend the same privacy protections to non-licensed police staff, as their roles also involve sensitive interactions with community members. This proposal ensures consistency in data classification and builds community trust while respecting privacy.

- BCLG 24-2025 Race Identification on Driver's License - The City of Brooklyn Center supports legislative efforts to improve race-related data collection by offering individuals the option to self-identify their race on their driver's license. This option should be voluntary and include safeguards to ensure that the data is used exclusively for the purpose of improving racial equity and reducing bias in law enforcement activities.

Justification - Accurate race-related data is critical for assessing and addressing racial disparities in policing. Allowing individuals to self-identify their race on their driver's license provides a more precise and voluntary method of data collection, supporting efforts to develop fair and equitable law enforcement practices. The City remains committed to reducing racial bias and inequity in policing through data-driven policies.

- BCLG 25-2025 Cop Autism Response Education and Technologies - The City of Brooklyn Center supports legislative funding for the expansion of the COP Autism Response Education (CARE) training model and the development and utilization of innovative technologies that improve public safety responses to individuals with Autism Spectrum Disorder (ASD). These technologies could include apps, sensory tools, or other support systems that enhance communication and understanding between first responders and individuals on the autism spectrum.

Justification - As more individuals are diagnosed with ASD, first responders must be equipped with tools to provide appropriate and effective services. The use of supportive technologies can help bridge communication gaps and ensure safer, more inclusive responses for all community members, without prescribing a specific technology, such as the Vitals App, which may not be universally suitable.

- BCLG 26-2025 - Juveniles in Municipal Jails - The City of Brooklyn Center supports efforts by the state to clarify state statutes that would allow juveniles to be held for questioning and booking in the City

jail for up to six hours.

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

- BCLG 27-2025 - 21st Century Policing – The City of Brooklyn Center reaffirms its support for implementing the principles and strategies outlined in the President's Task Force on 21st Century Policing and calls for sustained state funding to enhance training, officer wellness initiatives, and the adoption of modern policing technologies. This includes body-worn cameras, de-escalation techniques, and holistic safety approaches. The City encourages the integration of whole-of-government and whole-of-community strategies to achieve safe, healthy communities.

Justification - The recent report, Task Force on 21st Century Policing: A Renewed Call to Action (April 2023), emphasizes the need for transformation in policing through collaboration, public trust, and reducing the harm associated with aggressive enforcement. By focusing on community safety over crime suppression, and supporting training in de-escalation and other non-violent conflict resolution techniques, Brooklyn Center can ensure its officers are well-prepared to meet the demands of modern policing. Ongoing funding will allow the City to invest in technology, officer wellness programs, and community-led policing strategies, all of which align with the holistic safety model that prioritizes long-term trust and partnership between police and the community.

- BCLG 28-9-2025 – Appropriation; Fencing Consortium - \$5,000,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of public safety for a grant to the Fencing Consortium for acquisition of anti-scale fencing, pedestrian doors, and vehicle gates for local government facilities statewide to improve equitable access to a de-escalation and safety tool. This appropriation is available until the project is completed or abandoned, subject to Minnesota Statutes, section 16A.642. This is a onetime appropriation.

Justification – Currently there is a consortium of Hennepin County cities participating in this joint effort. Having the state take the lead on this effort would benefit all entities across the State of Minnesota.

- BCLG 30-2025 Regional Live Fire Training Facility (located in Dayton) – The city supports funding for the Dayton Regional live fire training facility.

Justification - The Dayton facility will include a live burn tower where we can teach and learn with live fire training and operations from a multi-story training building. There currently is no option for this type of training in the NW metro. Having this type of resource available to departments would be great in expanding fire training for our firefighters. The demand for this type of regional facility is in huge demand since many of our paid-on call firefighters have only a few years of service and very little real-life training. Brooklyn Center Fire Department would use this type of training facility many times annually.

- BCLG 31-2025 Continued and increased funding to MNFIRE and MBFTE – The city supports continued and increased funding of MNFIRE and MBFE

Justification - Both of these State funded programs offer resources to fire fighters and fire departments that are crucial for the wellbeing of our fire fighters. Brooklyn Center takes advantage of both of these programs annually and the extra resources are vital to our budget. MNFIRE is a wellbeing program that helps firefighters deal with top problems many fire fighters encounter while or after serving their community, such as cancer, sleep, emotional trauma, and nutrition. BCFD has been trained in all of their classes they currently offer for free. MBFTE give each city back training dollars and pays a majority of the initial firefighter training, again crucial for departments budgets to continue this.

- BCLG 32-2025 Public Safety Responder Mental Health and Well-Being – The city supports creation and permanent funding for public safety responder mental health and well-being.

Justification - During service to their community, front line first responders handle some of the most difficult calls. One call or the totality of calls in one's career, can negatively impact their mental and physical health if not addressed properly. While we continue to normalize the conversations surrounding mental health, we must provide resources to first responder staff to live, work and retire healthy. PTSD related retirements have grown exponentially in the recent years. PTSD is treatable; we need to ensure we are providing prevention, resiliency and treatment options for our first responders.

- BCLG 33 – 2025 Lithium-Ion Battery Safety – Brooklyn Center support efforts to ensure modernized firefighters training, fire suppression methods and fire codes. Lithium batteries supply power to many kinds of devices, but if not properly handled can catch fire or explode.

Justification – Traditional firefighting techniques that use water to extinguish fire are inadequate when fighting these lithium-ion batteries. These fires in particular pose serious risks to life safety. Any legislation impacting the use or disposal of lithium-ion batteries, including requirements for EV charging stations should be vetted with input from MNFAC and the understanding of risks associated with the batteries, including thermal runaway, stranded energy, deep seated fire and generation of toxic and flammable gases.;

Transportation

- BCLG 34-2025 Highway 252/I-94 Project – The City of Brooklyn Center supports the State addressing the long-standing safety issues on Trunk Highway (TH) 252, while at the same time protecting human health, promoting regional equity, and enhancing the livability and prosperity of Brooklyn Center.

Justification - The TH 252 corridor is dangerous by design. According to the Minnesota Department of Transportation (MnDOT), the full length of Highway 252 and I-94 within the project area have a demonstrated crash problem and that crossing Highway 252, on foot or by bike, can be difficult due to the number of lanes, crossing distances, and busy intersections. Brooklyn Center has long advocated that the safety issues along the corridor must be addressed. However, the solution to the problem needs to ensure the project protects human health, promotes regional equity, and enhances the livability and prosperity of Brooklyn Center. Specifically, the City supports the following initiatives:

- Using racial and economic equity factors when considering state and local cost shares for the Highway 252/I-94 Project.
- Creating and funding strategies to mitigate the impact the project will have on the local tax base.
- BCLG 35-2025 MVLST Funding - The City of Brooklyn Center supports including Hennepin County in the distribution of motor vehicle lease sales tax (MVLST).

Justification - Hennepin County residents contribute substantially to the MVLST but State Law excludes the county from receiving funding from this transportation source. If included, Hennepin County would receive \$10.4 million annually for roads, bridges, and pedestrian and bikeway projects. The rationale to exclude Hennepin and Ramsey counties from receiving MVLST formula funds was based on enabling new taxing authority through the creation of the County's Transit Improvement Board (CTIB). With CTIB's dissolution in 2017, this rationale for excluding Hennepin and Ramsey counties from receiving MVLST Formula funds has ceased to exist.

- BCLG 36-2025 Transportation Funding – The City of Brooklyn Center supports the state by providing more funding, including bonding, for improvements to all components of the transportation system. The City specifically supports funding for the TH 252/I-94 project and the Blue Line Light Rail Extension

Justification – The City supports a well-funded regional transportation system. Additional funding by the Legislature would permit the City to access various funding sources from the Minnesota Department of Transportation for City projects.

- BCLG 37-2025 City Cost Participation on State and County Roads – supports flexibility in, or exemption from, cost participation policies when a city cannot meet cost share obligations due to unique circumstances. The City calls for special or additional funding for cities that have burdens of additional cost participation in projects involving state and county roads including the placement of underground utilities due to those projects.

Justification – When municipal state aid (MSA) eligible cities (those with populations greater than >5,000) face significant cost participation requirements related to state and county road projects, they commonly dedicate all or large portions of their available MSA to meet cost participation obligations. When this happens, MSA funds are not available for use on the MSA system within the city, and local taxpayers must fully fund their own local roads and stormwater infrastructure. This has been exacerbated by significant new transportation infrastructure investments on the trunk highway system authorized by the state and federal governments. Additionally, these state and county projects often present a once-in-a-lifetime opportunity to replace or rehabilitate utilities under regional roadways, forcing cities to allocate resources immediately and defer more urgent utility infrastructure needs.

“The one-size fits all” cost participation policies adopted by the state and counties are inequitable. They do not consider unique factors including a disproportionate number of trunk highway lane miles in some communities, the high cost of some projects, or tax base challenges that may limit the financial ability of some cities to pay. Cost participation obligations can consume the finances or debt capacity of communities for many years. Furthermore, regional agencies are mainly focused on facilitating travel

and commerce through--and not into--a local community. Trends in cost share policies, including ownership and long-term maintenance of regional assets, continue to add to the local burden every time a cost share policy is updated or developed.

BC Legislative Schedule – 2025 Legislative Session	
Dates	Action
Oct. 4	Internal Legislative Email – Directors
Oct. 8	Internal Legislative Discussion – Directors
Oct. 14	Internal Legislative Discussion – Council Study Session
Oct. 25	Tour of BC Public Works Garage
Oct. 22	Internal Legislative Discussion - Directors
Oct. 28	Legislative Discussion – Council Study Session
Nov. 1	Internal Draft of Legislative Priorities - Directors
Nov. 7	Internal Final Draft of Legislative Priorities - Directors
Nov. 12	Legislative Priorities Presentation – Council Work Session
Nov. 20	Legislative Luncheon – Heritage Center
Jan. 14	Legislative Session Begins
Mar. 25	Legislative Update – Council Presentation
May 19	2025 Legislative Session Ends
Jun. 23	Legislative Debrief – Council Study Session

Council Regular Meeting

DATE: 12/9/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Barb Suciu, Assistant City Manager/City Clerk

SUBJECT: Approve the 2025 City Council Meeting Schedule

Requested Council Action:

- Motion to approve the 2025 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 2025.

Budget Issues:

N/A

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

ATTACHMENTS:

Description	Upload Date	Type
2025 City Council Meeting Schedule	12/5/2024	Backup Material



2025 City Council Meeting Schedule

Regular City Council Meetings

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

Study Session 6:00 p.m.

Regular Session 7:00 p.m.

Work Session – After regular session

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

Other Meetings

All dates are Monday unless otherwise noted

June 30 – Joint Meeting with Financial Commission 2024 Audit Presentation	6:00 p.m. Council Commission Room
August 4 - Joint Meeting with Financial Commission CIP, Central Garage, GF -Public Works, Recreation, Community Development, Special Revenue – Centerbrook	5:00 p.m. Council Commission Room
August 18 - Joint Meeting with Financial Commission GF – Administration, E & HR, Finance, OCPHS, Police, Fire/Emergency Mgmt, Technology Fund	5:00 p.m. Council Commission Room
October 20 - Joint Meeting with Financial Commission Utilities, Grants	5:00 p.m. Council Commission Room
November 3 - Joint Meeting with Financial Commission EDA, Heritage Center, Liquor, Debt, TIF	5:00 p.m. Council Commission Room
December 1 – 2026 Budget Hearing	6:30 p.m. Council Chambers

Council Regular Meeting

DATE: 12/9/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Barb Suciu, Assistant City Manager/City Clerk

SUBJECT: Resolution Recognizing Council Member Marquita Butler for her Years of Service to the City of Brooklyn Center

Requested Council Action:

- motion to approve a resolution recognizing Council Member Marquita Butler for her years of service to the City of Brooklyn Center

Background:

Councilmember Marquita Butler first took office in January 2017 and has continued her service for eight years. She has devoted these eight years to Brooklyn Center by serving on many commissions and task forces. She has been instrumental in assisting the city during civil unrest.

Staff has enjoyed working with Councilmember Butler and wish her the best in her future endeavors.

Budget Issues:

- none

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

ATTACHMENTS:

Description	Upload Date	Type
Resolution	12/5/2024	Resolution Letter

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2024-

RESOLUTION EXPRESSING RECOGNITION AND APPRECIATION FOR
MARQUITA BUTLER FOR HER DEDICATED PUBLIC SERVICE AS COUNCIL
MEMBER

WHEREAS, Marquita Butler has served as a member of the Brooklyn Center Council from January 1, 2017, through December 31, 2024; and

WHEREAS, Council member Butler's service to the City and her leadership has made substantial contributions to the progress and development of the city; and

WHEREAS, Council member Butler has served as Mayor Pro Tem, served on many advisory commissions and task forces; and

WHEREAS, Council member Butler's public service and civic effort for the betterment of the community merit the gratitude of the residents of Brooklyn Center; and

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

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

December 9, 2024

Date

Mayor

ATTEST: _____
City Clerk

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

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

Council Regular Meeting

DATE: 12/9/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Carissa Goebel - Parks and Recreation Deputy Director

SUBJECT: Resolution Recognizing the Service of Arvid "Bud" Sorenson on the Parks and Recreation Commission

Requested Council Action:

- Motion to approve a resolution expressing recognition and appreciation to Arvid "Bud" Sorenson for 45 years of dedicated service as a City of Brooklyn Center Parks and Recreation Commission Member.

Background:

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Strengthen community and employee engagement in key decisions

ATTACHMENTS:

Description	Upload Date	Type
Resolution Recognizing the Service of Arvid "Bud" Sorenson	12/4/2024	Resolution Letter

Member
moved its adoption:

introduced the following resolution and

RESOLUTION NO.

RESOLUTION EXPRESSING RECOGNITION AND APPRECIATION TO
ARVID “BUD” SORENSON FOR 45 YEARS OF DEDICATED SERVICE AS A
CITY OF BROOKLYN CENTER PARKS AND RECREATION COMMISSION
MEMBER

WHEREAS, Arvid “Bud” Sorenson was appointed to the City of Brooklyn Center
Parks and Recreation Commission on September, 24 1979; and

WHEREAS, Commissioner Sorenson served as Chairperson from 1982-2022 and his
leadership and expertise have been valuable; and

WHEREAS, Commissioner Sorenson has been a devoted park steward and volunteer;
and

WHEREAS, Commissioner Sorenson’s dedicated service, representation and
advocacy for the City of Brooklyn Center is greatly appreciated.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
Brooklyn Center, Minnesota, that we recognize the honorable retirement of Parks and Recreation
Commissioner Arvid “Bud” Sorenson on December 31, 2024, and express sincere appreciation for
his dedicated public service.

December 9, 2024

Date

Mayor

ATTEST: _____
City Clerk

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

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

Council Regular Meeting

DATE: 12/9/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Office of Community Prevention, Health and Safety/Community Engagement

SUBJECT: Random Acts of Kindness

Requested Council Action:

- *Motion to Adopt a Proclamation Declaring November 12th, 2024, to be Designated as Random Acts of Kindness Day.*
- *Council Engagement staff will acknowledge Random Acts of Kindness and 2024 nominees.*
- *Mayor will read the 2024 Random Acts of Kindness Proclamation*

Background:

The City of Brooklyn Center has celebrated Random Acts of Kindness since 1997. Each year the proclamation is adopted by the City Council of Brooklyn Center prior to the Random Acts of Kindness nominee acknowledgement. The attached proclamation encourages the Brooklyn Center community to celebrate Random Acts of Kindness.

Budget Issues:

n/a

Inclusive Community Engagement:

The annual Random Acts of Kindness is a celebration that unites community through the power of generosity and connection. Random Acts of Kindness is designed to inspire residents, businesses, and city staff to actively participate in creating a culture of kindness. Through diverse marketing efforts and meaningful partnerships, the City aims to stretch its reach into multicultural and non traditional spaces to encourage and promote the nomination process.

Antiracist/Equity Policy Effect:

With a focus on inclusive community engagement, strategic partnerships, and diverse outreach, we aim to reach and minimize systemic inequities that have not traditionally celebrated underrepresented communities and groups.

Strategic Priorities and Values:

Maintain a strong financial position, Maintain and enhance public places, Improve community and employee safety, Provide quality services with fair and equitable treatment, Strengthen community and employee engagement in key decisions, Be an effective partner with other public entities, Strengthen and

diversify business development and housing, Improve employees' experience

ATTACHMENTS:

Description	Upload Date	Type
2024 Random Acts of Kindness Proclamation	12/3/2024	Cover Memo

City of Brooklyn Center

Proclamation

DECLARING NOVEMBER 12, 2024 TO BE DESIGNATED AS RANDOM ACTS OF KINDNESS DAY

WHEREAS, *Random Acts of Kindness are the expression of our empathy and compassion for one another; and*

WHEREAS, *the daily acts of kindness of most of the citizens of Brooklyn Center often go unrecognized; and*

WHEREAS, *by recognizing these daily acts of kindness, all citizens of Brooklyn Center will become more aware of the importance of being kind to others throughout the year; and*

WHEREAS, *the City of Brooklyn Center celebrated the first Random Acts of Kindness in 1997, and is celebrating its 27th Annual Random Acts of Kindness by encouraging schools, employees, and community groups to participate in Random Acts of Kindness.*

NOW, THEREFORE, I, AS MAYOR OF THE CITY OF BROOKLYN CENTER, State of Minnesota, with the consent and support of the Brooklyn Center City Council, do hereby proclaim November 12th, 2024, to be Random Acts of Kindness Day and urge all residents of the City of Brooklyn Center to join in celebrating and performing Random Acts of Kindness.

December 6, 2024

Date

Mayor

Council Members

ATTEST: _____

City Clerk



Council Regular Meeting

DATE: 12/9/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Cordell Wiseman - Parks and Recreation Director

SUBJECT: Parks and Recreation Department Update

Requested Council Action:

- Motion to approve the presentation.

Background:

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

ATTACHMENTS:

Description	Upload Date	Type
Presentation	12/9/2024	Presentation

Parks and Recreation Department Update

The mission of the Parks and Recreation Department is to enhance the quality of life for our community by providing diverse, accessible and inclusive opportunities. Our goal is to create a thriving, vibrant community where people of all ages and backgrounds can connect, grow and enjoy enriching experiences.



Cordell Wiseman, Parks and Recreation Director

1

Parks and Recreation Department Consists of 3 units

- General Fund
- Special Revenue
- Enterprise



Recreation



Centerbrook Golf Course



CONFERENCE & EVENT CENTER



2

2

Centerbrook Golf Course

Revenue and Operating Expenses

Staffing Levels	2023	2024	2025
Golf Course Superintendent	1	1	1
Full-Time Staff	0	0	1
Part-Time Staff (10) seasonal	1.75	1.75	1.75
Totals	2.75	2.75	3.75

Centerbrook's Net Income:	2021	2022	2023	2024
Expenses	395,452	414,582	427,588	426,950
Revenues	407,640	377,162	395,466	(323,204)
Net Income	12,188	(37,420)	(32,122)	(103,746)

*2021 and 2022 included transfer of \$85,000

*2023 Transfer lowered to \$80,000

*2024 Transfer \$80,000 has not been included as of date (2024 budget allocated has not been transferred in) additional \$15,000 and other expenses

*Based on the trending numbers and information we had at the beginning of October, we anticipate that our net loss will be reduced by the end of 2025. We project by the end of 2026, we should be at a net operating income.



3

Centerbrook Golf Course

Current Initiatives

- *Continue to Deliver a High Quality of Service through golfing opportunities and programming.*
- *By adjusting the programming model, revenue has Increased each month since 2002.*
 - Local Schools - JV Golf programs - we captured \$1,500 in additional revenue
 - Juneteenth Golf event - we captured \$1,600 in additional revenue
 - Guest Days - we captured \$1,100 in additional revenue
 - Lady's Days - we captured \$900 in additional revenue
 - Youth on course – we captured \$3,500

Since 2012 Centerbrook's revenue per month continues to surpass its prior month's revenue and some months have set its highest monthly earnings ever. Although Centerbrook has made some improvement in its financial status this alone will not get us to our ultimate goal of becoming self supporting.



4

Centerbrook Golf Course

New Initiatives and Financial Stability

➤ *Winter programming 2025*

- Opening up the golf course for winter programming and opportunities, we are projecting that our revenue will bring in additional revenue, bringing us closer to realizing our goals of becoming self supporting. We anticipate this growth to happen over the next year. Disc Golf and golf simulators are 2 potential programs

➤ *Hosting wedding and events over the winter months*

- This will help generate additional revenue. It will also provide affordable rental opportunities for Brooklyn Center residents and businesses. We estimate hosting 15 events the first year that could bring in \$12,000 in room rental revenue.

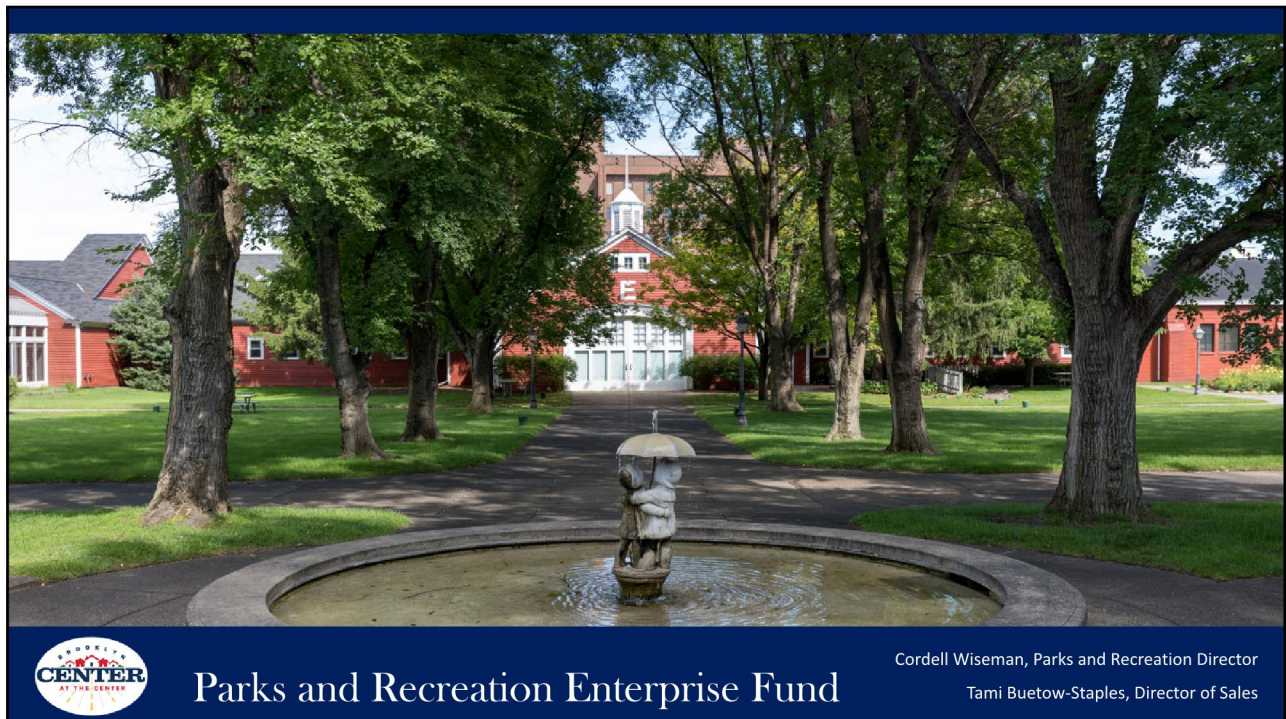
➤ *New Simulators 2025*

- With new simulators and new initiatives, we are projecting that our revenue will grow enough to cover the current deficit and leave a surplus that can be allocated to our capital fund. We anticipate the first year's revenue to be approximately \$88,000.

Long Term Viability: Ongoing efforts to boost revenue is crucial in ensuring Centerbrook's financial sustainability. By driving a large number of guests to the area, we not only expand our reach but also generate greater opportunities for local businesses and cultural engagement.



5



Parks and Recreation Enterprise Fund

Cordell Wiseman, Parks and Recreation Director

Tami Buetow-Staples, Director of Sales

6

Heritage Center of Brooklyn Center

Revenue and Operating Expenses

Staffing Levels	2023	2024	2025
General Manager	1	1	1
Secretary/Receptionist	1	1	1
Billing Clerk	1	1	1
Operations Director	1	1	1
Sales Director	1	1	1
Sales Manager	3	4	4
Catering Sales Manager	2	0	0
Maintenance Custodians	2	2	2
Crew Chiefs	2	2	2
Part-Time Crew	9	9	9
Totals	23	22	22

Heritage Center Consists of 3 Business Units

- Convention Center
- Catering Operations
- Office Rentals

HCBC Net Income:	2020	2021	2022	2023
Expenses + Cost of Sales	3,060,969	2,697,765	4,032,719	4,501,557
Revenues	(1,700,803)	(1,742,633)	(3,267,788)	(3,792,238)
Net Income	(1,360,166.12)	(955,132.39)	(764,929.95)	(709,319.28)

*Based on the trending numbers and information we had at the beginning of November, we anticipate that our net loss will be reduced by the end of 2024. We project by the end of 2026, we should be at a net operating income.



7

Heritage Center of Brooklyn Center

Current Initiatives

- Continue to Deliver a High Quality of Service and Maintain a 90% Repeat Client Rate Through Ongoing Customer Satisfaction
- We have Increased All Room Rental Fees and All Contracts Going Forward will Include a Room Rental Fee
 - 2023 - Room Rental Revenue = \$494,195
 - 2024 - Projected Room Rental Revenue = \$749,000
 - 2025 - Projecting a 10% Increase
- Menu Pricing Was Increased by 6% To Stay In Pace With Competitor Pricing
- Hired a new Marketing Company To Help Promote the Heritage Center and Drive in More Leads. We have Continued To See An Increase in Leads, Site Visits and Contracts. Decreased our Monthly Marketing Fees.



In 2025, the Heritage Center's agenda will be rich with community-centric events, as current planning efforts are diligently underway, taking into account both budget constraints and event space availability



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Heritage Center of Brooklyn Center

New Initiatives and Financial Stability

➤ **New Catering Contract as of January 1, 2025**

- Gross profit share contract that will help lower the Heritage Center's catering expenses.

➤ **Remodel Heritage Center's D-Barn Into Rentable Space**

- This will help generate additional revenue. It will also provide affordable rental opportunities for Brooklyn Center residents and businesses. We turn away over 100 leads each year that do not fit within our convention center guidelines. We believe we can capture ¼ of those leads in the first year, resulting in \$62,000 in additional revenue.

➤ **Offering Events Sponsored by Heritage Center**

- By planning and operating our own events, this will maximize our revenue opportunities. Valentine's Dinner Event – we believe we can sell 700 tickets and bringing in \$56,000 in additional revenue with minimal costs to the venue.

Long Term Viability: Ongoing efforts to boost revenue is crucial in ensuring the Heritage Center's financial sustainability. By driving a large number of guests to the area, we not only expand our reach but also generate greater opportunities for local businesses and cultural engagement.



9

Recreation

- Community Center
 - Membership, Fitness and Aquatics
- Programming
 - Adult, Senior, Youth, Family and Events
- Outreach
 - Parks, Teens, Pop-Up Events



Cordell Wiseman, Parks and Recreation Director
Carissa Goebel, Parks and Recreation Deputy Director

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Recreation Staff

Staffing Levels

Positions	FTEs	2023	2024	2025
• Parks and Recreation Director		1	1	1
• Deputy Director		1	1	1
• Parks and Recreation Outreach Manager		1	1	1
• Recreation Program Manager		1	2	1
• Recreation Supervisor (Aquatics & Comm. Center)		1	2	2
• Parks and Recreation Outreach Supervisor		0	0	0
• Recreation Admin Coordinator		1	0	0
• Recreation Customer Service Rep.		1	0	0
• Part-time Staff (73 – PT Staff)		16	18	18
• Recreation Program Coordinator		3	3	3
• Parks and Recreation Outreach Coordinator		1	1	0
• Aquatic Coordinator		1	1	1
Total		28	30	28



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Community Center Membership

• Membership Comparison (January 1 - October 31)

• 2023

- Resident – 594
- Non-Resident – 722
- Daily Passes – 10,943
- Revenue - \$151,997.71



2024

- Resident 797
- Non-Resident – 792
- Daily Passes – 10,443
- Revenue - \$165,446.70



12

12

Community Center Aquatics

- World's Largest Swim Lesson
- Sensory Swim
- Spooky Splash
- Winter Waterland



13

13

Recreation Programming

- Local Food Purchase Assistance Grant
 - Partnered with local BIPOC farmers from Hamel, Ogilvie and Otsego. June-October over 400 boxes of fresh produce was purchased and distributed to more than 2,500 people
- Northside Wellness Grant
 - Partnered with CAPI and Yoga Sanctuary to provide space for local BIPOC individuals who are training to become Yoga instructors. Offered 2 community events in February and May and 2 classes a week June-November



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14

Sports Programming

Evolution of youth soccer

- Pre-2022 – 6-week clinic/skill building for ages 3-13
- 2022 – began in-house league and had 37 kids, continued to contract for clinic
- 2023 – in-house league grew to 78 kids, continued to contract for clinic
- 2024 – in-house league had 100 kids, hired local coaches for younger kids' clinic, added goalie training



15

15

Parks and Rec Outreach Team

First Responders

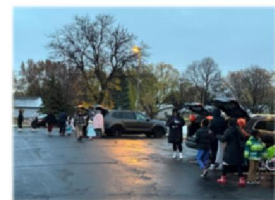
- Engage and interact with park users and permit holders
- Relationship building with youth, teens, residents and organizations
- Large unpermitted teen gatherings in parks (3)

Youth/Teen Outreach

- October-May afterschool open gym
 - Monday at Brooklyn Center Elementary
 - Tuesday-Friday at the Blue Barn and Brooklyn Center Middle/High School
 - Garden City Wednesdays

Pop-Up Events

- Basketball
- Trunk or Treat



16

16

Questions?



17

Council Regular Meeting

DATE: 12/9/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: Angela Holm, Finance Director

SUBJECT: Resolutions to Approve the Utility Rates for 2025

Requested Council Action:

- Motion to:

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

- Motion to approve:

- *Resolution for 2025 Water Utility Rates*
- *Resolution for 2025 Sanitary Sewer Utility Rates*
- *Resolution for 2025 Storm Sewer Utility Rates*
- *Resolution for 2025 Street Light Rates*
- *Resolution for 2025 Recycling Rates*

Background:

Budget Issues:

The rates have been incorporated into the 2025 Budget.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Maintain a strong financial position, Provide quality services with fair and equitable treatment

ATTACHMENTS:

Description	Upload Date	Type
Resolution - 2025 Water Utility Rates	12/4/2024	Resolution Letter
Resolution - 2025 Sanitary Sewer Utility Rates	12/4/2024	Resolution Letter
Resolution - 2025 Storm Sewer Utility Rates	12/4/2024	Resolution Letter

Resolution - 2025 Street Light Rates	12/4/2024	Resolution Letter
Resolution - 2025 Recycling Rates	12/4/2024	Resolution Letter
Memo - 2025 Utility Rates	12/5/2024	Cover Memo
Presentation	12/9/2024	Presentation

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ADOPTING 2025 WATER UTILITY RATES, FEES AND CHARGES

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the following Water Utility rates, fees and charges are hereby adopted and shall be effective for all billings issued on or after January 01, 2025.

2025 WATER UTILITY RATE SCHEDULE
Water Rates, Fees and Charges

Base Rate

Year 2025 \$6.32 per 1,000 Gallons

Quarterly Minimum Rate

<u>Meter Size</u>	<u>2025 Quarterly Minimum Charge</u>
1”	\$ 82.76
1 ½”	\$ 106.41
2”	\$ 206.92
3”	\$ 413.92
4”	\$ 697.76
6”	\$ 1,596.60
8”	\$ 3,023.88
10”	\$ 4,031.86

Water Conservation Rate

<u>Meter Size</u>	<u>Base Charge (minimum charge per quarter)</u>
5/8” and 3/4”	\$ 28.49

<u>Thousands of Gallons</u>	<u>Consumption Charge (per 1,000 gallons used)</u>
0 to 30	\$ 4.75
31 to 60	\$ 5.93
61 and greater	\$ 8.84

RESOLUTION NO. _____

Fees

Water Meter Charge 5/8" or 3/4"	\$149.00
Water Meter Charge Larger than 3/4"	Actual Cost + \$2.00

Other Charges

Delinquent account, quarterly charge	No Additional Charge
Certification for collection with property taxes (Utility accounts with an outstanding balance owed of \$400.00 or greater)	\$50.00
Fire Service Line Charge	\$ 12.50 per quarter

December 9, 2025
Date

Mayor

ATTEST: _____
City Clerk

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

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

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ADOPTING 2025 SEWER UTILITY RATES, FEES AND CHARGES

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the following Sewer Utility rates, fees and charges are hereby adopted and shall be effective for all billings issued on or after January 1, 2025.

2025 SEWER UTILITY RATE SCHEDULE
Sewer Rates, Fees and Charges

Base Rate Quarterly Residential

(Minimum quarterly charge)

	Single Family	Apartment	Senior Citizen
Year 2025	\$112.68	\$79.61	\$61.97

Non-Residential Rate

Year 2025	\$4.79 per 1,000 Gallons
-----------	--------------------------

Fees

SAC Charge set by MCES

Fee Established by MCES

Charges

Delinquent account, quarterly charge

No Additional Charge

Certification for collection with property taxes
(Utility accounts with an outstanding balance
owed of \$400.00 or greater)

\$50.00

Line cleaning charge

Labor, materials, equipment and overhead

Sanitary Sewer Connection

Established annually by resolution

December 9, 2024

Date

Mayor

ATTEST: _____
City Clerk

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ADOPTING 2025 STORM SEWER UTILITY RATES, FEES AND CHARGES

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brooklyn Center that the following Storm Sewer Utility rates and charges are hereby continued and shall be effective for all billings issued on or after January 01, 2025.

2025 STORM SEWER UTILITY RATE SCHEDULE
Storm Sewer Rates and Charges

Quarterly Rates per Acre

	<u>2025 Minimum Quarterly Charge</u>
Base Rate	\$ 81.42
Cemeteries and Golf Courses	\$ 20.36
Parks	\$ 40.71
Single Family, Duplex, Townhouse	\$ 20.36/lot
School, Government Buildings	\$ 101.78
Multiple Family, Churches	\$ 244.29
Commercial, Industrial	\$ 303.17
Vacant Land	As Assigned

Charges

Delinquent account, quarterly charge No Additional Charge

Certification for collection with property taxes \$50.00
(Utility accounts with an outstanding balance
owed of \$400.00 or greater)

Private facility cleaning charge Labor, materials, equipment and overhead

December 9, 2024

Date

Mayo

ATTEST: _____
City Clerk

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

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Member
resolution and moved its adoption:

introduced the following

RESOLUTION NO. _____

RESOLUTION ADOPTING 2025 STREET LIGHT RATES AND CHARGES

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the following Street Light Utility rates and charges are hereby adopted and shall be effective for all billings issued on or after January 01, 2025.

2025 STREET LIGHT UTILITY RATE SCHEDULE
Street Light Rates and Charges
Quarterly Rates

<u>Customer</u>	<u>2024 Minimum Quarterly Charge</u>
Per Dwelling Unit:	
Single, Double and Multiple Family Residential	\$8.83
Per Acre:	
Parks	\$15.03
Schools, Government Buildings, Churches	\$30.08
Retail and Service-Office	\$45.10
Commercial and Industrial	\$45.10
Vacant Land and Open Space	As Assigned
Charges	
Delinquent account, quarterly charge	No Additional Charge
Certification for collection with property taxes (Utility accounts with an outstanding balance owed of \$400.00 or greater)	\$50.00

December 9, 2024
Date

Mayor

ATTEST: _____
City Clerk

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

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ESTABLISHING 2025 RECYCLING RATES AND CHARGES

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that the recycling charges shall be as follows for all billings issued on or after January 1, 2025:

2025 RECYCLING UTILITY RATE SCHEDULE

Recycling Rates and Charges

Minimum Charge per Household per quarter: \$24.84 per quarter

Charges

Delinquent account, quarterly charge No Additional Charge

Certification for collection with property taxes \$50.00
(Utility accounts with an outstanding balance
owed of \$400.00 or greater)

December 9, 2024

Date

Mayor

ATTEST: _____
City Clerk

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

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

COUNCIL ITEM MEMORANDUM

DATE: December 9, 2024

TO: Dr. Reginald Edwards, City Manager

FROM: Angela Holm, Finance Director

SUBJECT: Public Hearing on Proposed Utility Rates for 2025

Recommendation:

It is recommended that the City Council, following a public hearing, consider approval of the attached resolutions setting rates for City provided utility services for 2025.

Background:

At the November 18, 2024 joint work session of the City Council and Financial Commission, staff presented the expected expenditures for operation of the City's utility services for 2025. The expenditures include total direct and indirect costs including depreciation of capital assets and administrative costs. Along with those costs are projections of the revenues needed for 2025 and for the next ten years to keep operations running smoothly and fund the infrastructure improvements needed in each of the utility systems. The cash flow analysis for each of the five utilities indicate anticipated rate changes necessary to maintain sufficient cash balances during the construction of the utility improvements associated with the City's 10-year Capital Improvement Plan (CIP).

For 2025, rate increases are proposed Water, Sanitary Sewer, Storm Sewer, Street Light, and Recycling utilities in order to maintain cash reserves, fund normal operations, pay for debt service and finance infrastructure improvements. Rates for the various utilities for 2025 are shown in comparison to 2024 below:

Fund	Description	2024 Rate	2025 Rate	Change
Water	Base Charge - Residential (quarterly)	\$22.79	\$28.49	\$5.70 / quarter
Consumption Charge - Residential Meters	Tier I (0 - 30 gallons)	\$3.80	\$4.75	\$0.95 / 1,000 gallons
	Tier II (31 - 60 gallons)	4.74	5.93	\$1.19 / 1,000 gallons
	Tier III (61 and greater)	7.07	8.84	\$1.77 / 1,000 gallons
Consumption Charge - Non-residential	(Per 1,000 gallons)	\$5.06	\$6.32	\$1.26 / 1,000 gallons
Sanitary Sewer	Base Charge (quarterly)	\$108.34	\$112.68	\$4.34 / quarter
Consumption Charge - Non-residential	(Per 1,000 gallons)	\$4.61	\$4.79	\$0.18 / 1,000 gallons
Storm Sewer	Base Charge (quarterly)	\$19.58	\$20.36	\$0.78 / quarter
Street Light	Base Charge (quarterly)	\$7.36	\$8.83	\$1.47 / quarter
Recycling	Base Charge (quarterly)	\$14.19	\$24.84	\$10.65 / quarter

COUNCIL ITEM MEMORANDUM

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

Fund	2024 Bill	2025 Bill	\$ Change/quarter
Water	\$91.19	\$113.99	\$22.80
Sanitary Sewer	108.34	112.68	4.33
Storm Sewer	19.58	20.36	0.78
Street Light	7.36	8.83	1.47
Recycling	<u>14.19</u>	<u>24.84</u>	<u>10.64</u>
Total	\$240.66	\$280.70	\$40.02

The proposed rates would become effective for billings dated after January 1, 2025.

City Code sections 11.02 and 11.06 require a notice and hearing prior to the City Council setting new utility rates. The Public Hearing Notice was published in the Brooklyn Center Sun Post on November 28, 2024.

Strategic Priorities:

- Maintain a Strong Financial Position
- Provide quality services with fair and equitable treatment

Public Hearing Utility Rates for 2025



City Council Meeting, 12-09-24
Angela Holm, Finance Director

1

Rate Considerations

- Ensure service levels are maintained
- Provide cash for operating needs, capital projects, and debt service
- 2025 proposed rates used in budget presented on December 2, 2025
- Long-term analysis to promote stabilization of rate changes



2

2

2025 Proposed Rate Changes

Fund	Description	2024 Rate	2025 Rate	Change
Water	Base Charge - Residential (quarterly)	\$22.79	\$28.49	\$5.70 / quarter
Consumption Charge - Residential Meters	Tier I (0 - 30 gallons)	\$3.80	\$4.75	\$0.95 / 1,000 gallons
	Tier II (31 - 60 gallons)	4.74	5.93	\$1.19 / 1,000 gallons
	Tier III (61 and greater)	7.07	8.84	\$1.77 / 1,000 gallons
Consumption Charge - Non-residential	(Per 1,000 gallons)	\$5.06	\$6.32	\$1.26 / 1,000 gallons
Sanitary Sewer	Base Charge (quarterly)	\$108.34	\$112.68	\$4.34 / quarter
Consumption Charge - Non-residential	(Per 1,000 gallons)	\$4.61	\$4.79	\$0.18 / 1,000 gallons
Storm Sewer	Base Charge (quarterly)	\$19.58	\$20.36	\$0.78 / quarter
Street Light	Base Charge (quarterly)	\$7.36	\$8.83	\$1.47 / quarter
Recycling	Base Charge (quarterly)	\$14.19	\$24.84	\$10.65 / quarter



3

3

2025 Proposed Rate Changes

Fund	2024 Bill	2025 Bill	\$ Change/quarter
Water	\$91.19	\$113.99	\$22.80
Sanitary Sewer	108.34	112.68	4.33
Storm Sewer	19.58	20.36	0.78
Street Light	7.36	8.83	1.47
Recycling	<u>14.19</u>	<u>24.84</u>	<u>10.64</u>
Total	\$240.66	\$280.70	\$40.02



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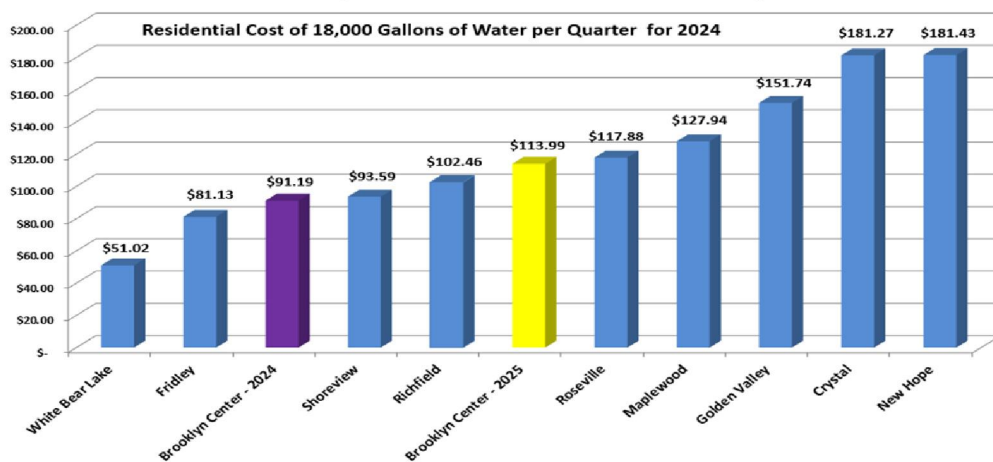
Rate Comparison Considerations

- How do comparable cities fund infrastructure operations, maintenance, and replacement including large construction projects
- What are the infrastructure needs and the timing on replacement
- What is their policy on incurring debt or using other funding mechanisms



5

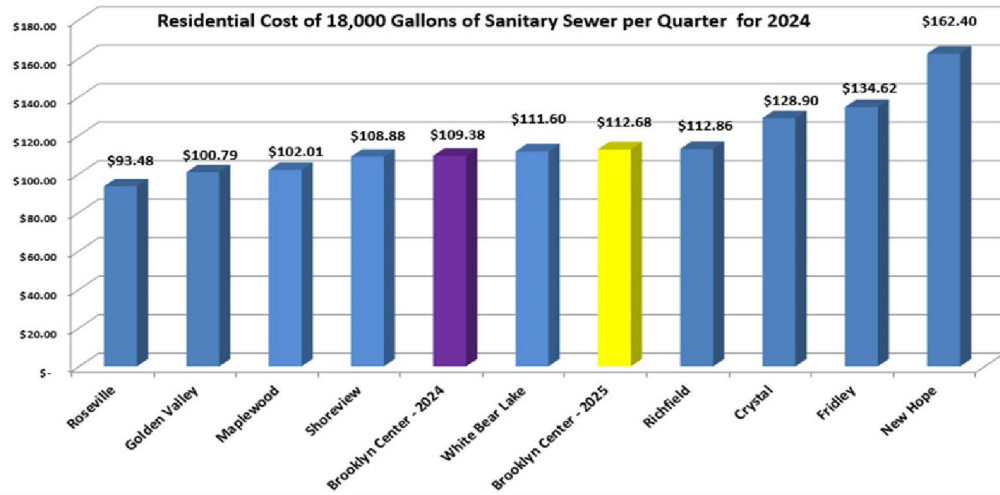
Water Utility Rate Comparison



6

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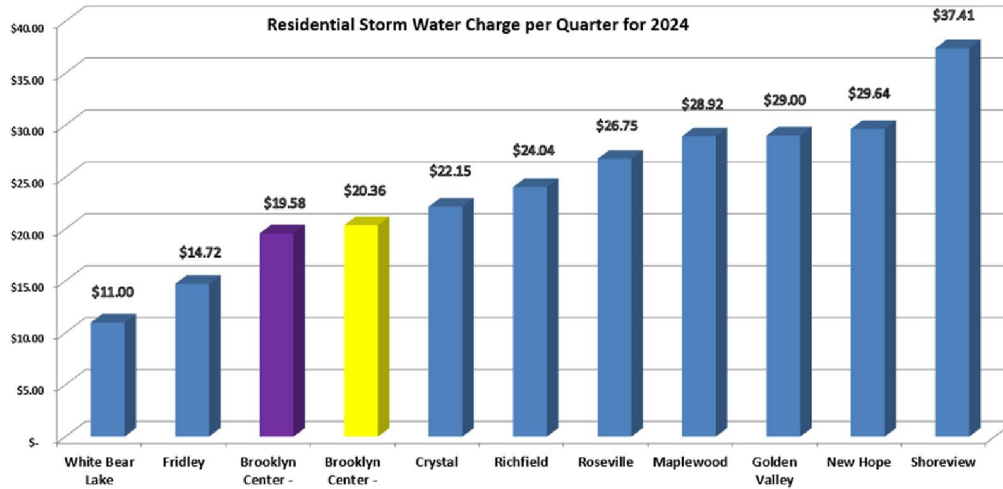
Sanitary Sewer Utility Rate Comparison



7

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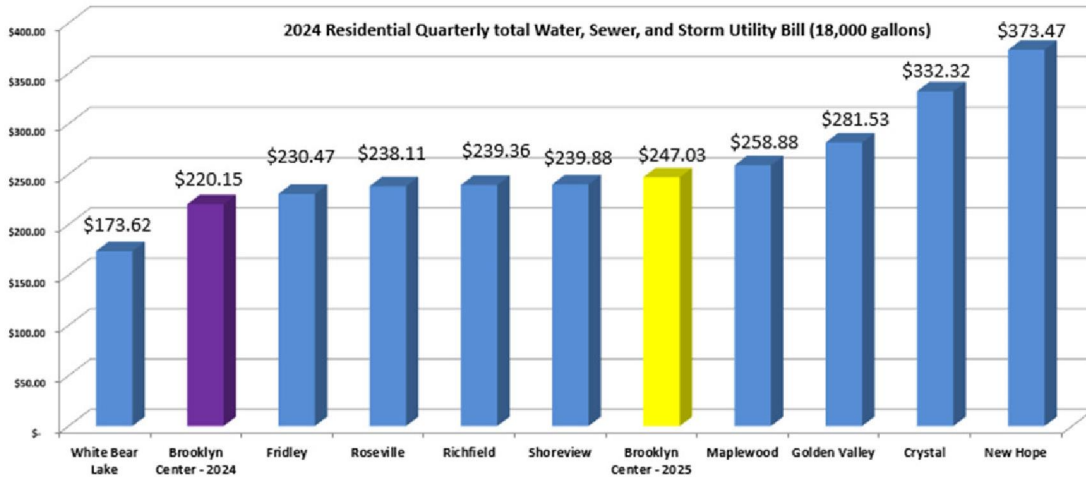
Storm Drainage Utility Rate Comparison



8

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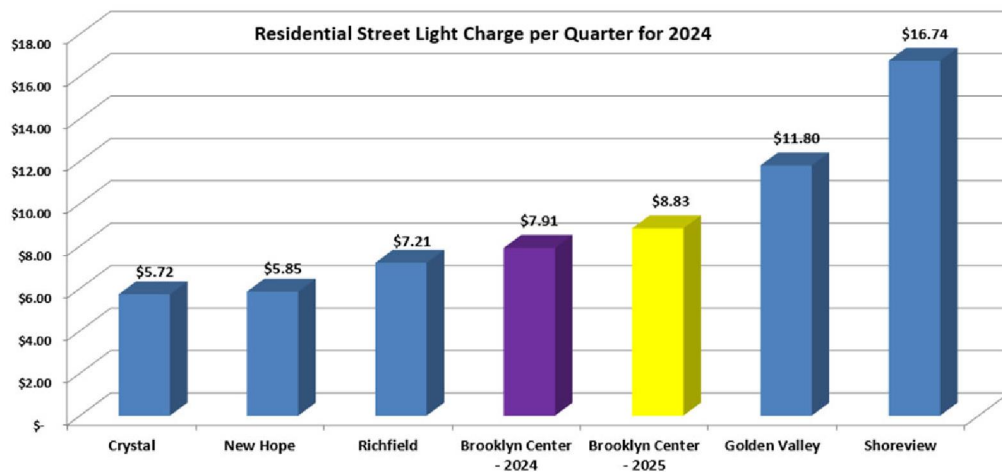
Water, Sewer, Storm Utility Rate Comparison



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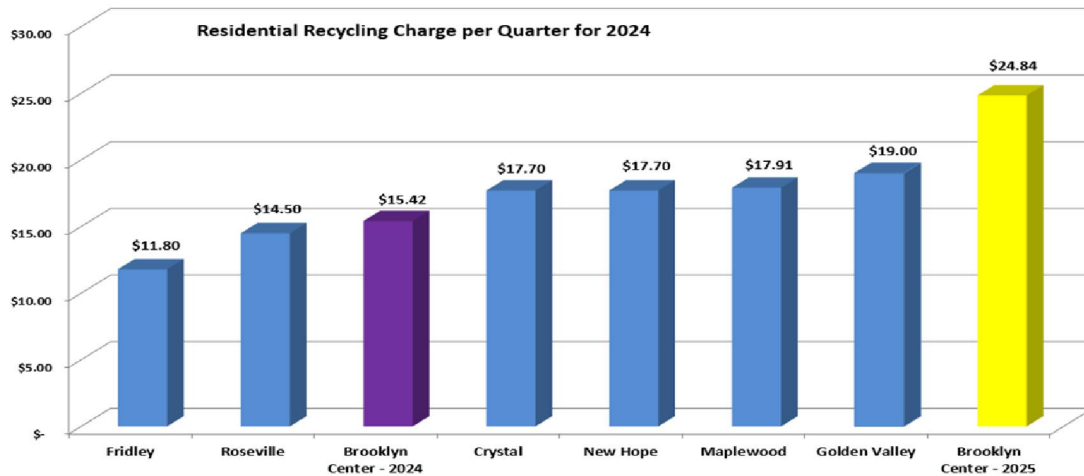
Street Light Utility Rate Comparison



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Recycling Utility Rate Comparison



11

11

Next Steps

- Open public hearing for comments on proposed 2025 utility rates
- Council consideration of:
 - Resolution adopting 2025 water utility rates
 - Resolution adopting 2025 sewer utility rates
 - Resolution adopting 2025 storm sewer utility rates
 - Resolution adopting 2025 street light rates
 - Resolution adopting 2025 recycling rates

*Note: The resolutions will need to be considered individually



12

12

Council Regular Meeting

DATE: 12/9/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: Jesse Anderson, Community Development Director

BY: Ginny McIntosh, Planning Manager

SUBJECT: Planning Commission Application No. 2024-012, Submitted by KKMBA Brooklyn Center LLC, for a Major Amendment to the Shingle Creek Crossing Planned Unit Development to Allow for Governmental Offices (2501 County Road 10) - Public Hearing

Requested Council Action:

(1) Motion to:

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

(2) Motion to deny the requested major amendment to the 2011 Shingle Creek Crossing Planned Unit Development to allow "governmental offices" as a permitted use at the Subject Property located at 2501 County Road 10 and as contemplated under Planning Commission Application No. 2024-012.

City planning staff maintains the position that, based on the findings presented within the provided staff report, the requested major amendment to the Planned Unit Development should be denied; however, if City Council elects to recommend approval of the request to allow for "governmental offices" within Shingle Creek Crossing shopping center, the motion language should be to approve the requested amendment to the 2011 Shingle Creek Crossing Planned Unit Development to allow for "governmental offices," and with revised findings.

Background:

KKMBA Brooklyn Center LLC ("the Applicant") is requesting an amendment to the Shingle Creek Crossing Planned Unit Development (PUD) that would allow for "governmental offices" as a permitted use within the Shingle Creek Crossing shopping center and at 2501 County Road 10 ("the Subject Property"). This request is associated with a proposal for the Social Security Administration to enter into a 15-year lease (with a total 30-year renewal) to operate a field office in an approximately 12,500-square-foot tenant space on the Subject Property. The shell tenant space was constructed in 2019, yet despite numerous proposals over the years, no viable user has been identified. As proposed, the existing 9,000-square-foot Social Security Administration office, which is located less than one (1) mile away at 3280 Northway Drive in Brooklyn Center, would be vacated.

When City staff learned a lease agreement had been executed on the space, they informed the Applicant that the proposed use ("governmental offices") was not a permitted use at that location per the approved PUD development plans, and that as a TIF agreement had been executed, this could be considered a default under the agreement if not remedied.

This was due to the fact that when HOM Furniture received approvals under City Council Resolution Nos. 2017-25 and 2017-174, the aforementioned approvals included tax increment considerations by the City's Economic Development Authority (EDA) to address costs associated with certain stormwater improvements and the City's EDA entered into a Tax Increment Finance (TIF) agreement with HOM Furniture to renovate the former Kohl's building, construct an approximately 24,000-square foot addition, of which included the 12,500-square foot addition intended for multi-tenant retail, and future improvements for Pad Site X.

A public hearing notice was published in the Brooklyn Center *Sun Post* on October 31, 2024; however, due to a failure in meeting quorum at the November 14, 2024 Planning Commission meeting, the public hearing notice was re-published in the Brooklyn Center *Sun Post* on November 28, 2024, for the December 9, 2024 City Council meeting. The reason for holding the public hearing at the City Council meeting was at the request of the Applicant and in consultation with the City Attorney regarding procedures as outlined in Section 35-7203 (*City Council Action*). Notices were mailed to surrounding property owners and physical addresses per notification requirements, and in advance of the originally scheduled November 14 public hearing, and re-scheduled December 9 public hearing. Pursuant to Minnesota Statutes Section 15.99, a 60-day letter of extension was issued to the Applicant on December 2, 2024.

The Applicant was advised by City planning staff that by proceeding on to City Council, they, as well as City Council, would forego any potential feedback from the City's Planning Commission regarding their application request. To date, City staff is not in receipt of any public comment apart from Frank Gatlin (Gatlin Development Company), who is a majority owner of Shingle Creek Crossing shopping center, and predominant owner of property in the vicinity of the Subject Property. The other major owner of property is the City's Economic Development Authority.

In an email received October 3, 2024, Frank Gatlin noted that while he understood the struggle of the Applicant to fill the approximately 12,500-square foot tenant space, as he himself has experienced in building out Shingle Creek Crossing's pad sites and tenant spaces, he did not think that, "this particular tenant will be of any help to Shingle Creek as far as bringing in retail customers." Mr. Gatlin noted that it would fill a dark space, and the location is far enough from his retail that it likely would not have a negative impact, but it would also not have a positive impact with the exception of having less empty space. Mr. Gatlin noted that he did not explicitly have any objection to the use other than having a desire to find better users to complement the center and create more traffic.

City planning staff reviewed the submittal materials provided by the Applicant, including data generated by Placer AI, the 2011 Shingle Creek Crossing PUD Master Plans and documents, Planning Commission Application Nos. 2017-001 and 2017-007, the City's zoning provisions, and the 2040 Comprehensive Plan. City planning staff presents the following as findings for denial of Planning Commission Application No. 2024-12:

a) The proposed amendment to allow a "governmental office" use, while permitted in the underlying C2 (Commerce) District as one of the few permitted C1 (Service/Office) District uses, is inconsistent with the vision and objectives of the Shingle Creek Crossing Planned Unit Development in that it is fundamentally different from the intended purpose of the shopping center and would not effectively support the long-term growth or redevelopment goals of the shopping center. This is given that "governmental offices" are not typically a catalyst for vibrant, customer-driven development that will attract foot traffic and economic activity to the shopping center area, as they do not rely on regular visits from customers and purchases.

b) As "governmental offices" typically operate during the daytime and weekday hours, these uses have less urgent traffic patterns, which are sometimes in conflict with the more dynamic nature of a shopping

center and its tenants, given that these types of uses are open in the evenings and on weekends.

c) The proposed amendment would not be in keeping with the highest and best uses for the Subject Property and surrounding Shingle Creek Crossing Planned Unit Development in that “governmental offices” would not effectively capitalize on the property’s potential for generating commercial activity, and would be at odds with the economic competitiveness goals identified within the City’s 2040 Comprehensive Plan and City Council’s strategic priorities, which include a provision to “strengthen and diversify business development and housing.”

d) The proposed amendment to allow for “governmental offices” within the Shingle Creek Crossing Planned Unit Development could potentially hinder future development opportunities, particularly along the eastern edge of the shopping center where future growth remains on the Subject Property and pad sites.

e) Data provided by the Applicant from Placer AI suggests that the proposed “governmental office” use would not significantly increase foot traffic or customer visits to the existing businesses located in the area, which are essential for the success of the shopping center.

Should City Council determine that “governmental offices” *should be permitted* to locate within the Shingle Creek Crossing PUD and shopping center, then the City Council would need to amend the presented motion to recommend approval of a major amendment to the 2011 Shingle Creek Crossing Planned Unit Development to allow for “governmental offices” and present revised findings. Although City Council is open to presenting their own findings, potential findings of support might include:

a) The Comprehensive Plan notes that the City has experienced significant changes in the past decade with respect to its changing demographics and changing market conditions which resulted in the closure of a number of big box stores within the shopping center. The changing demographics and market conditions in the City have resulted in there being a need to re-imagine the types of uses that would be acceptable within the shopping center.

b) “Governmental offices” are a permitted use in the underlying C2 (Commerce) zoning district which includes the Subject Property.

c) “Governmental offices” will generate more economic activity and foot traffic to the shopping center than a vacant retail space, and although the existing Brooklyn Center location would be vacated, the proposed new location for the Social Security Administration office would provide for 28 jobs working at the Subject Property that may visit businesses within the Shingle Creek Crossing shopping center.

d) The relocation of the Social Security Administration office from its existing Brooklyn Center location to this location will expand the availability of public services for the residents of the City and the surrounding areas, and will continue providing critical public services such as retirement, disability, and healthcare benefit management in a new location.

If City Council supports allowing “governmental offices” within the Shingle Creek Crossing PUD, City staff further advises the City’s Economic Development Authority (EDA) to proceed with termination of the Tax Increment Financing (TIF) Agreement entered into between KKMBA Brooklyn Center LLC (“the Applicant”) and the Economic Development Authority of Brooklyn Center, and dated December 11, 2017, as the Applicant (“Developer” per the referenced “TIF Agreement”) has not completed the conditions for the disbursement of the tax increment financing assistance under the TIF Agreement and as the Applicant proposes use of the Subject Property that is inconsistent with the approved retail use for the approximately 12,500-square foot addition.

The Applicant has indicated they are willing to voluntarily terminate the TIF agreement, but only if granted approval of the PUD amendment to allow for “governmental offices.”

Attached for your review are copies of the November 14, 2024 Planning Commission report, last revised for the December 9, 2024 City Council meeting, and a draft copy of the City Council resolution.

Budget Issues:

None to consider as it relates to Planning Commission Application No. 2024-012.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Strengthen and diversify business development and housing

ATTACHMENTS:

Description	Upload Date	Type
Resolution - Denial of Planning Commission Application No. 2024-012	12/4/2024	Resolution Letter
Staff Report and Exhibits - PC Application No. 2024-012 - Major PUD Amendment	12/4/2024	Backup Material
Presentation	12/9/2024	Presentation

Member
moved its adoption:

introduced the following resolution and

RESOLUTION NO.

RESOLUTION REGARDING PLANNING COMMISSION APPLICATION NO. 2024-012 SUBMITTED BY KKMBA BROOKLYN CENTER LLC FOR AN AMENDMENT TO THE 2011 SHINGLE CREEK CROSSING PLANNED UNIT DEVELOPMENT TO ALLOW FOR GOVERNMENTAL OFFICES

WHEREAS, the City Council of Brooklyn Center, Minnesota adopted City Council Resolution No. 2011-85, dated June 13, 2011, which is considered the first amendment to the previously approved 1999 Brookdale Mall Planned Unit Development, and whereby this amendment approved the establishment of the new Shingle Creek Crossing Planned Unit Development, including an approved Development/Master Plan and certain allowances and development standards that would govern over the PUD; and

WHEREAS, the City Council subsequently adopted City Council Resolution No. 2011-127, dated September 12, 2011, which approved the first amendment to the original Shingle Creek Crossing Planned Unit Development, and which included an updated Development/Master Plan and provided additional allowances and development standards; and

WHEREAS, the City Council subsequently adopted City Council Resolution No. 2012-106, dated August 13, 2012, which approved the second amendment to the Shingle Creek Crossing Planned Unit Development, and which included an updated Development/Master Plan and provided additional allowances and development standards; and

WHEREAS, the City Council subsequently adopted City Council Resolution No. 2012-129, dated September 24, 2012, which approved the third amendment to the Shingle Creek Crossing Planned Unit Development, and which included an updated Development/Master Plan and provided additional allowances and development standards; and

WHEREAS, the City Council subsequently adopted City Council Resolution No. 2013-124, dated October 14, 2013, which approved the fourth amendment to the Shingle Creek Crossing Planned Unit Development, and which included an updated Development/Master Plan and provided additional allowances and development standards; and

WHEREAS, the City Council subsequently adopted City Council Resolution No. 2013-72, dated July 8, 2013, which approved the fifth amendment to the Shingle Creek Crossing Planned Unit Development, and which included an updated Development/Master Plan and provided additional allowances and development standards; and

WHEREAS, the City Council subsequently adopted City Council Resolution No. 2014-75, dated June 9, 2014, which approved the sixth amendment to the Shingle Creek Crossing

Planned Unit Development, and which included an updated Development/Master Plan and provided additional allowances and development standards; and

WHEREAS, the City Council subsequently adopted City Council Resolution No. 2015-170, dated November 9, 2015, which approved the seventh amendment to the Shingle Creek Crossing Planned Unit Development, and which included an updated Development/Master Plan and provided additional allowances and development standards; and

WHEREAS, the City Council subsequently adopted City Council Resolution No. 2017-25, dated February 13, 2017, which approved the eighth amendment to the Shingle Creek Crossing Planned Unit Development, and which included an updated Development/Master Plan and provided additional allowances and development standards, and subsequent revisions to the aforementioned amendment under City Council Resolution No. 2017-174, dated November 13, 2017; and

WHEREAS, the City Council subsequently adopted City Council Resolution No. 2020-053, which approved the ninth amendment to the Shingle Creek Crossing Planned Unit Development, including certain revisions to the list of uses allowed within the PUD, including revisions to Building Site E to allow for a car wash, removals of restrictions on four lots for “eating establishment” use only, and allowances for group day care facilities and drop-in childcare centers, veterinarian offices (but not animal hospitals), and educational uses; and

WHEREAS, the City Council subsequently adopted City Council Resolution No. 2023-66, which approved the tenth amendment to the Shingle Creek Crossing Planned Unit Development, including certain revisions to Building Site R to allow for a restaurant and drive-thru, and site signage allowances; and

WHEREAS, Applicant KK MBA Brooklyn Center LLC submitted Planning Commission Application No. 2024-012, requesting a major amendment to the 2011 Shingle Creek Crossing Planned Unit Development to allow for “governmental offices” as a permitted use within the retail shopping center development and at the Subject Property located at 2501 County Road 10; and

WHEREAS, the request was made after the Applicant indicated plans to locate a Social Security Administration field office within the approximately 12,500-square foot addition attached to HOM Furniture; and

WHEREAS, HOM Furniture received approvals under City Council Resolution Nos. 2017-25 and 2017-174, and the aforementioned approvals included tax increment considerations by the City’s Economic Development Authority (EDA) to address costs associated with certain stormwater improvements and the City’s EDA entered into a Tax Increment Finance (TIF) agreement with HOM Furniture to renovate the former Kohl’s building, construct the approximately 12,500-square foot shell space addition, which was approved specifically for multi-tenant retail, and future improvements to an identified Building Site X; and

WHEREAS, a public hearing notice was published in the Brooklyn Center *Sun Post* on October 31, 2024, notifications were mailed to property owners and physical addresses within the identified area of notification, and published to the City's website; and

WHEREAS, the Planning Commission of the City of Brooklyn Center, Minnesota failed to meet quorum at the meeting scheduled for November 14, 2024, the public hearing was not held, and a recommendation was unable to be provided; and

WHEREAS, a new public hearing notice was published in the Brooklyn Center *Sun Post* on November 28, 2024, and updated notifications were mailed to property owners and physical addresses within the identified area of notification; and

WHEREAS, by allowances granted under Minnesota Statutes Section 15.99, Subd.3(f), a 60-day letter of extension was provided to the Applicant on December 2, 2024 to allow for the additional time necessary to review and consider the application, and to conduct the public hearing; and

WHEREAS, on December 9, 2024, the City Council of the City of Brooklyn Center, Minnesota received and reviewed the provided planning report on the requested major amendment to the 2011 Shingle Creek Crossing Planned Unit Development, as contemplated within the submittal documentation, and conducted a public hearing on the application; and

WHEREAS, the City Council of the City of Brooklyn Center, Minnesota considered the application requests in light of all testimony received, and the guidelines and standards as outlined within Sections 35-2103.e (*Existing Planned Unit Developments*), 35-8306 (*PUD Amendments*), and 35-8304 (*PUD Criteria*), the City's 2040 Comprehensive Plan, as well as all relevant documentation associated with the Subject Property and the 2011 Shingle Creek Crossing Planned Unit Development; and

WHEREAS, Section 35-8304 provides that the City Council shall base its decision to approve an amendment a planned unit development upon the following additional criteria:

- a. Compatibility of the development plan with the standards, purposes, and intent of this section;
- b. Consistency of the development plan with the goals and policies of the Comprehensive Plan;
- c. The impact of the development plan on the neighborhood in which it is to be located; and
- d. The adequacy of internal site organization, uses, densities, circulation, parking facilities, public facilities, recreational uses, open spaces, and buffering and landscaping; and

WHEREAS, in light of all testimony received, the City Council determined that Planning Commission Application No. 2024-012, submitted by KKMBA Brooklyn Center LLC, be

denied based on the following findings:

- a) The proposed amendment to allow a “governmental office” use, while permitted in the underlying C2 (Commerce) District as one of the few permitted C1 (Service/Office) District uses, is inconsistent with the vision and objectives of the Shingle Creek Crossing Planned Unit Development in that it is fundamentally different from the intended purpose of the shopping center and would not effectively support the long-term growth or redevelopment goals of the shopping center. This is given that “governmental offices” are not typically a catalyst for vibrant, customer-driven development that will attract foot traffic and economic activity to the shopping center area, as they do not rely on regular visits from customers and purchases.
- b) As governmental offices typically operate during the daytime and weekday hours, these uses have less urgent traffic patterns, which are sometimes in conflict with the more dynamic nature of a shopping center and its tenants, given that these types of uses are open in the evenings and on weekends.
- c) The proposed amendment would not be in keeping with the highest and best uses for the Subject Property and surrounding Shingle Creek Crossing Planned Unit Development in that “governmental offices” would not effectively capitalize on the property’s potential for generating commercial activity, and would be at odds with the economic competitiveness goals identified within the City’s 2040 Comprehensive Plan and City Council’s strategic priorities, which include a provision to “strengthen and diversify business development and housing.”
- d) The proposed amendment to allow for “governmental offices” within the Shingle Creek Crossing Planned Unit Development could potentially hinder future development opportunities, particularly along the eastern edge of the shopping center where future growth remains on the Subject Property and pad sites.
- e) Data provided by the Applicant from Placer AI suggests that the proposed “governmental office” use would not significantly increase foot traffic or customer visits to the existing businesses located in the area, which are essential for the success of the shopping center.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota that Planning Commission Application No. 2024-012, submitted by KKMBA Brooklyn Center LLC is hereby denied.

December 9, 2024

Date

Mayor

ATTEST: _____

City Clerk

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

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Planning Commission Report

Meeting Date: November 14, 2024

Revised Meeting Date: December 9, 2024

- Application Filed: 10/15/2024
- Review Period (60-day) Deadline: 12/14/2024
- Extension Declared: Yes
- Extended Review Period Deadline: 02/12/2025

Application No. 2024-012
Applicant: KKMBA Brooklyn Center LLC
Request: Planned Unit Development Amendment (Major)



Map 1. Subject Property Location.

REQUESTED ACTION

KKMBA Brooklyn Center LLC (“the Applicant”) is requesting an amendment to the Shingle Creek Crossing Planned Unit Development (PUD) that would allow for “governmental offices” as a permitted use within the Shingle Creek Crossing shopping center and at 2501 County Road 10 (“the Subject Property”). This request is associated with a proposal for the Social Security Administration to enter into a 15-year lease (with total 30-year renewal) to operate a field office in an approximately 12,500-square-foot tenant space on the Subject Property—refer to Exhibit A. As proposed, the existing 9,000-square-foot Social Security Administration office, which is located less than one (1) mile away at 3280 Northway Drive in Brooklyn Center, would be vacated.

App. No. 2024-012

11/14/2024 (Original) | 12/09/2024 (Revised)

Page 1

A public hearing notice was published in the Brooklyn Center *Sun Post* on October 31, 2024; however, due to a failure in meeting quorum at the November 14, 2024 Planning Commission meeting, the public hearing notice was re-published in the Brooklyn Center *Sun Post* on November 28, 2024, for the December 9, 2024, City Council meeting (Exhibit B). The request to proceed to City Council was at the request of the Applicant and in consultation with the City Attorney regarding procedures as outlined in Section 35-7203 (*City Council Action*). Notices were mailed to surrounding property owners and physical addresses per notification requirements, and in advance of the originally scheduled November 14 public hearing, and re-scheduled December 9 public hearing.

BACKGROUND

Site Data

2040 Land Use Plan:	Transit-Oriented Development (TOD)
Neighborhood:	Centennial
Current Zoning:	Planned Unit Development/Commerce (PUD/C2) District

Surrounding Area

Direction	2040 Land Use Plan	Zoning
North	TOD	PUD/TOD (Planned Unit Development/Transit-Oriented Development) District
South	ROW (Highway 100)	ROW (Highway 100)
East	ROW (Highway 100)	ROW (Highway 100)
West	TOD	PUD/C2 (Planned Unit District/Commerce) District

Shingle Creek Crossing PUD Amendment History

The original Shingle Creek Crossing Planned Unit Development (PUD) was approved on May 23, 2011, and guided for the overall redevelopment of the Brookdale Mall properties. The mall was originally comprised of over 1.1 million square feet of retail space, which was subsequently reduced following the demolition of 760,000 square feet of old mall space, followed by the planned renovation of 123,242 square feet of former food court space; the redevelopment of over 403,000 square feet of new retail commercial and restaurant uses; and approval of the partial Shingle Creek daylighting.

The second PUD amendment was approved a short time later on September 12, 2011, and provided for the physical separation of the food court building from the former Sears; the renovation and conversion of the food court space from 123,242 square feet to 150,591 square feet; the removal of Building Site N (between Sears and the former Walmart); and the addition of a new 6,000 square foot commercial pad site located at the southeast corner of the Xerxes Avenue North and 56th Avenue North entrance.

The third PUD amendment, adopted on September 24, 2012, provided for the re-platting of certain lots and revisions to certain building pad sites (i.e. Building Site D, Building Site Q, and Building Site O).

The fourth amendment, adopted October 14, 2013, approved the removal and replacement of the former Brookdale Mall food court with ten (10) new retail buildings.

The fifth PUD amendment was related to various sign allowances granted throughout the Shingle Creek Crossing PUD.

The sixth PUD amendment was adopted June 9, 2014, and incorporated changes to the food court redevelopment areas, a new 5,400 square foot restaurant pad site (Building Site R); a new 5,500 square foot restaurant pad site (Building Site T); a revised size and layout of Building B from 8,500 square feet to 6,673 square feet; and approval of the Shingle Creek Crossing 5th Addition.

The seventh PUD amendment was adopted November 9, 2015, and authorized the re-subdivision of the Kohl's store property into two separate lots (Shingle Creek Crossing 6th Addition), along with the planned development of a new Building Site X.

The eighth PUD amendment, which is specific to the Subject Property, was adopted February 13, 2017, and allowed for certain changes to the approved uses and allowances under the PUD and the expansion of Building Site Y (HOM Furniture), and certain size allowances for a digital sign on the Building Site Y property that would allow for on-site advertising for HOM Furniture and the adjacent 12,500-square foot addition. This request was followed by subsequent requests, adopted on November 13, 2017, to address changes associated with storm water management improvements, flexibility in the design of commercial/office uses, and building placements for Building Sites X and F (Bank of America). Additional amendments approved by the City Council included the addition of a drive-thru lane on the north side of the former Kohl's building.

The ninth PUD amendment was adopted on June 8, 2020, to accommodate a standalone car wash on Building Site E, and revisions to the list of uses allowed within the PUD. These changes included the removal of restrictions on four of the lots that restricted their use for "eating establishment" use only, and of which included Building Site E. Additional revisions approved included the removal of restrictions on group day care facilities and drop-in childcare centers, veterinarian offices (but not animal hospitals), and educational uses.

The tenth PUD amendment was adopted on May 22, 2023, and revised the site and building plan for Building Site R to accommodate a revised 2,678-square foot restaurant and drive-thru, and certain sign allowances.

PUD AMENDMENT

Background on Request

John Pierce, Real Estate Director for HOM Furniture, Gabberts, and Dock86, and Applicant representative, began communicating with City staff in June 2024 regarding the intended use of the approximately 12,500-square foot tenant space as a Social Security Administration field office. The shell tenant space was constructed in 2019; however, despite numerous proposals over the years, no viable user has been identified.

When City staff learned a lease agreement had been executed on the space (refer to Exhibit C), City staff informed the Applicant that the proposed use ("governmental offices") was not a permitted use at that location per the approved PUD development plans, and that as a TIF agreement had been executed, this could be considered a default under the agreement if not remedied.

This was due to the fact that when HOM Furniture received approvals under City Council Resolution Nos. 2017-25 and 2017-174 (Exhibit D), the aforementioned approvals included tax increment considerations by the City's Economic Development Authority (EDA) to address costs associated with certain stormwater improvements and the City's EDA entered into a Tax Increment Finance (TIF)

agreement with HOM Furniture to renovate the former Kohl's building, construct an approximately 24,000-square foot addition, of which included the 12,500-square foot addition intended for multi-tenant retail, and future improvements for Pad Site X.

The Applicant is requesting changes to the uses allowed within the PUD that would allow for "governmental offices" to be considered a *permitted* use within the Shingle Creek Crossing Planned Unit Development (PUD) and on the Subject Property. Approval of a major Planned Unit Development amendment is necessary to forward the proposal to relocate the Social Security Administration field office into the Subject Property's approximately 12,500-square foot space.

The Shingle Creek Crossing shopping center is zoned PUD/C2 (Planned Unit Development/Commerce) District. Although the underlying C2 District was retired following adoption of the City's new Unified Development Ordinance (UDO) in January 2023, certain provisions were outlined under Section 35-2103.e (*Existing Planned Unit Developments*) that allow the PUD to remain in effect and in accordance with prior zoning regulations:

- e. **Existing Planned Unit Developments.** Planned unit developments, and parcels zoned as a planned unit development, in accordance with prior zoning regulations shall remain in effect and shall remain subject to any and all agreements, conditions and standards applicable to the planned unit development. Amendments shall be processed in accordance with the procedures identified for planned unit developments in this UDO.

Per Section 35-8306 (*PUD Amendments*), a "major amendment" is triggered where there is an introduction of a new use that is not included within the PUD approval, and in these cases, an applicant shall go through the same process established in Section 35-8303, including consideration by the Planning Commission and City Council.

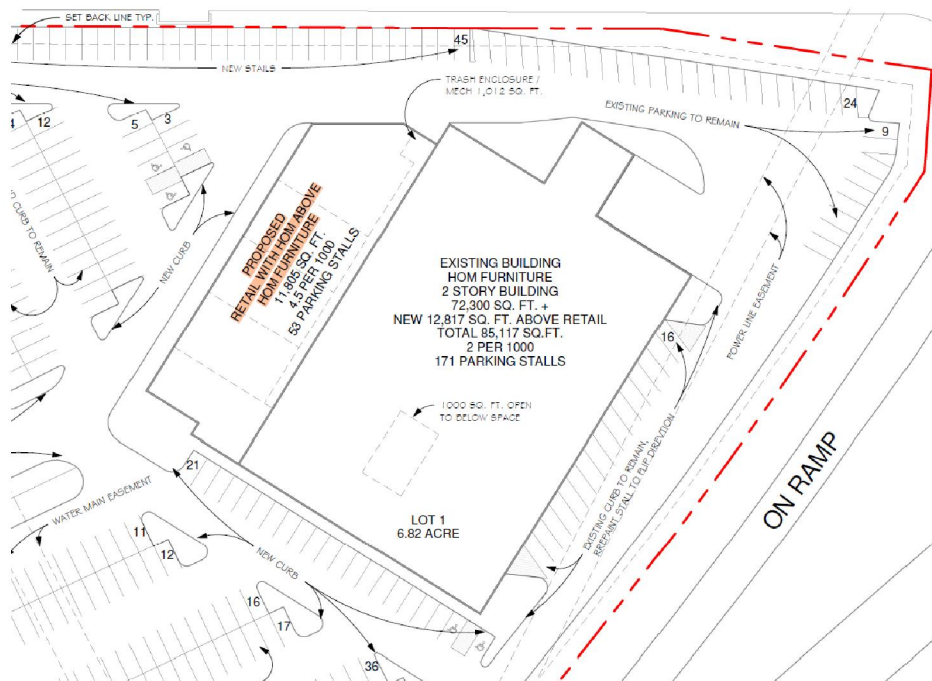


Image 1. 2017 Concept Site Plan of Subject Property and Proposed Retail Space (Archnet USA).



Image 2. 2017 Concept Architectural Rendering of New Multi-Tenant Retail Space (Archnet USA).

In 2017, then Applicant HOM Furniture submitted a Planning Commission application with their overall vision and timeline for the former Kohl's site. Within the application, they noted (Exhibit D):

Overall Vision and Timeline

The Sites will not need to be subdivided and lot lines can be left as is.

The Buyer's initial plan is to correct the existing blight of the Kohl's building through transforming Kohl's into a HOM Furniture store with a 2 level 24,000 square foot addition. The upper floor of this addition will be additional showroom space for HOM and the first level will be market rate retail space for rent.

Timing of this Phase will begin after successful PUD, TIF, and ECR Agreements/Amendments are in place and other supporting documents have been executed. Once the Kohl's property is closed and building permits have been obtained, HOM will immediately begin to demo and expand the former Kohl's into a HOM Showroom and added retail space. HOM has been through this renovation process numerous times in various cities. Its group of responsive contractors and in house staff will complete the project efficiently.

Additional development will be market driven. Our plan is to develop the non-HOM balance of the site with aggressive marketing over the next 2 to 4 years by adding complimentary uses to the existing SCC Development such as a 48,000-square foot Medical Office facility and a Retail/Commercial building of 14,000 square feet on the EDA Parcel. If market conditions and demand dictate some other allowed uses, we are nimble and will accomplish the ultimate goal of fully developing the site to its densest and most complimentary use for the area.

In the case of the Shingle Creek Crossing PUD, no provisions were outlined for “governmental offices” in the shopping center or within the approximately 24,000-square foot addition. City Council Resolution No. 2017-25, which approved the approximately 24,000-square foot addition, specifically noted the following as part of the conditions of approval:

RESOLUTION NO. 2017-25

WHEREAS; the Planning Advisory Commission of the City of Brooklyn Center did determine that Planning Application 2017-001, submitted by HOM Furniture Inc. and Gatlin Development Company, should be approved based upon the following findings and considerations:

- A. The allowance of the 2-story, 24,000 sq. ft. addition to the former Kohl’s building, with approximately one-half of this space to be used for new multi-tenant retail spaces, and one-half to be used as additional floor space for the new HOM Furniture store, is a reasonable request; and helps promote and enhance the general public welfare of this PUD, as it maintains and keeps the redevelopment activity of this site intact and ongoing, and may be approved;

The staff report prepared for Planning Commission Application No. 2017-001 outlined that the “two-story addition will allow for the first floor to be available for 11,805 sq. ft. of new retail (multi-tenant) space, while the upper portion of 12,817 sq.ft. will be opened up to the 2nd floor of the HOM store and used for additional floor/display area.” The parking breakdown provided for Building Site Y, of which includes the former Kohl’s (now HOM Furniture), 2nd floor HOM Furniture addition, and 1st floor multi-tenant retail addition, anticipated a parking ratio of 1 parking stall per 1,000 square feet for HOM Furniture, and 4.5 parking stalls per 1,000 square feet for the 1st floor multi-tenant retail (53 stalls total).

The rationale for HOM’s limited parking needs was based off HOM Furniture locations in other cities, the showroom and warehouse floor format of their stores, which are less intense than a typical retail shopping store, and more limited customer traffic. The approvals granted for the Subject Property also outlined options for a future “Building Site X,” which has *not* progressed as a development site. The approval of future Building Site X, which was proposed south of Building Site F (Bank of America) granted a pathway for certain flexibilities in use and included options for retail, restaurant/retail, or medical/office.

While office uses typically park at a lower parking ratio than retail, the Shingle Creek Crossing Master PUD plans note that parking for future Building Site X is to be shared between Buildings X and Y (HOM Furniture/addition) at a ratio of 2.74 parking spaces per 1,000 square feet. This assumed an approximately 32,870-square foot medical/office building on Building Site X.

Criteria for Reviewing a PUD Amendment

Section 35-8304 (*PUD Criteria*) notes that, in addition the criteria set forth in Section 35-7703 of the UDO for conditional use permits, which *does not* apply in this case as the Shingle Creek Crossing

development is an existing Planned Unit Development, the City Council shall base its decision upon the following additional criteria:

- a. Compatibility of the development plan with the standards, purposes, and intent of this section;
- b. Consistency of the development plan with the goals and policies of the Comprehensive Plan;
- c. The impact of the development plan on the neighborhood in which it is to be located; and
- d. The adequacy of internal site organization, uses, densities, circulations, parking facilities, public facilities, recreational uses, open spaces, and buffering and landscaping.

In this particular case, criteria d is relevant given that the request is for consideration of a use not previously contemplated for the Shingle Creek Crossing PUD or for the Subject Property, which was intended for multi-tenant retail. So too are criteria a through c as they address whether the proposed use would be compatible with the approved Shingle Creek Master PUD Plan standards and purposes, its ability to address the goals and policies laid out within the City's 2040 Comprehensive Plan, and the impact of the Social Security Administration field office in the context of the neighborhood in which it would be located.

The underlying C2 (Commerce) District allows for certain "service/office" uses permitted in the City's old C1 District, including "governmental offices;" however, with the demolition of the Brookdale Mall, Shingle Creek Crossing was envisioned to replace Brookdale as a destination shopping center, and with commercial uses typically found within a retail shopping center.

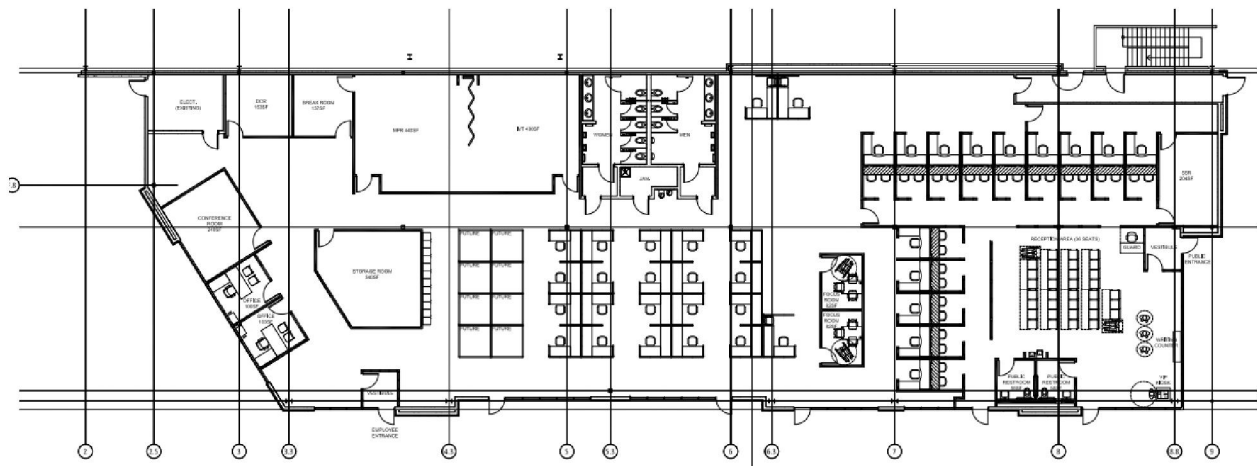


Image 3. Proposed Interior Layout of Social Security Administration Field Office on Subject Property.

Proposed Operation and Use

The Applicant provided a narrative, interior layout, and architectural buildout set as part of their application submittal (Exhibit A), which identifies a 36-seat waiting area near the dedicated public entrance on the west side of the building, public restrooms, a guard desk, VIP kiosk, writing counters, and partitioned counters for customers. The eastern half of the building includes a separate employee only entrance, employee restrooms, cubicle and office space, a conference and break room, and a storage room. The Applicant noted:

"The SSA field office provides critical public services such as retirement, disability, and healthcare benefit management for Brooklyn Center and the surrounding areas. The high visitor volume

underscores the community’s reliance on these services. The establishment of a government office in this location will enhance the availability of public services for the residents of Brooklyn Center and the surrounding areas. Government offices provide essential services such as public safety, administrative functions, and public outreach.”

The Applicant provided a report from September 2024 that identified almost 65% of visitors to the existing Social Security Administration office off Northway Drive as residents of or within a 4.5-mile radius of Brooklyn Center (1,258 of the 1,950 total customers that month). In analyzing the zip codes provided within the 4.5-mile radius, four zip codes (55429, 55430, 55422, and 55444) are used within the City of Brooklyn Center. For September 2024, 529 of the existing Social Security Administration office’s visitors were from Brooklyn Center or adjacent to (approximately 27% of its total visitors). The median age of a visitor to the Social Security Administration office is identified as 33 years of age.

The Applicant states in their narrative that the SSA office has a positive economic impact on local businesses with approximately 50,000 visits per year, with an average of 110 visitors per day, and that the SSA office supports local businesses by driving foot traffic to establishments with the majority of impact within a 1-mile radius; however, visitor behavior data provided by the Applicant from Placer AI notes that just 6% of visitors frequent nearby shopping centers, and 5% visit grocery stores in the area. 12% of visitors continue on to local shops and services, and 13% of visitors proceed to local dining establishments within a 3-mile radius. The majority of visitors appear to be coming directly from their homes prior to an appointment (41.3%) and heading home following their appointment (33%).

While the Applicant reasons that the above numbers demonstrate the proposed Social Security Administration office as significantly contributing to the local economy by encouraging spending in nearby businesses, City planning staff does not agree with the above conclusion.

As proposed, the Social Security Administration office would provide 28 office jobs (e.g. claims specialists, deputies, and management), and operate Monday through Friday between the hours of 7 a.m. and 5:30 p.m. for employees, and 9 a.m. to 4 p.m. for the public. Visits from the public are through a mix of scheduled and walk-in appointments, and would provide the following services:

- | | |
|--------------------------------------|--|
| • Retirement benefits | • Medicare Part D Enrollment |
| • Disability benefits | • Social Security Card Replacements |
| • Survivor benefits | • Direct Deposit Enrollment for Benefits |
| • Family benefits | • Benefit Verification Letters |
| • Supplemental Security Income (SSI) | • Tax Forms (1099/1042S) |
| • Medicare Enrollment and Assistance | • Tax Withholding Assistance |

Social security card services such as replacements are not currently provided at the existing Brooklyn Center office but would be provided as part of an expanded location. The next nearest card processing center is located at the Twin Cities Card Center location on Chicago Avenue in Minneapolis. Other metro Social Security Administration locations include Bloomington and St. Paul.

The Applicant indicated that, while the Social Security Administration has an option to stay at their current location off Northway Drive in Brooklyn Center, their GSA (General Services Administration) representative notified the landlord of their requirements, of which include an extensive expansion to accommodate their building requirements and the Social Security Administration’s new standards. This

is in effect the driver for identifying a new location.

Comprehensive Plan

The Applicant indicates in their narrative that the proposed use, “aligns with the City of Brooklyn Center’s Comprehensive Plan, while encouraging the adaptive reuse of properties to meet changing community needs and supporting the provision of essential community services boosting the local economy of Brooklyn Center. Government offices is a permitted use in the C2 zoning district which overlays the Subject Property.”

The entirety of the Shingle Creek Crossing shopping center, including the Subject Property, is located within the “Transit-Oriented Development” future land use designation under the City’s 2040 Comprehensive Plan.

Chapter 3 (*Land Use & Redevelopment*) of the City’s 2040 Comprehensive Plan provides that while the Shingle Creek Crossing development has been redeveloped to include a few national big-box sites and small strip retail within the last 10-years and in an auto-centric pattern, it was important to guide it to TOD to provide a path for a more compact and transit-minded development pattern.

The Comprehensive Plan further notes that the City has experienced significant change in the past decade with respect to its changing demographics and land. The City was once known as the northwest metro’s regional retail center with Brookdale Mall and numerous supporting retailers and service providers. As the landscape of retail shifted and changed, the City’s core economic engine fizzled out leaving a large contiguous area of vacant and underutilized land in the core of the City. This loss has been felt for over a decade as the City has studied, re-studied, and studied again the opportunities for the area.

Although market conditions have continued to impose barriers on forwarding Phase I of the City’s Opportunity Site redevelopment, which was approved in August 2022 and is located directly across from the Subject Property, City staff are optimistic and have more recently undertaken additional measures to develop the Opportunity Site. These measures include the recent adoption of the Opportunity Site Master Plan, which had been underway since 2018. Continued efforts to obtain grant and legislative funding to forward new stormwater and road infrastructure would provide additional avenues for forwarding a new downtown for Brooklyn Center, which, in turn could provide greater possibilities to increase the desirability of vacant lands and tenant spaces nearby.

Despite the closures of Walmart and Applebee’s within Shingle Creek Crossing in 2023, the shopping center has seen renewed interest from users more aligned with the demographics and needs in Brooklyn Center, rather than the national chains the shopping center was originally envisioned for. The former Walmart was re-occupied in less than one year by Empire Foods, while Applebee’s reopened as Dos Hermanos Mexican Grill & Bar. Other tenant spaces were re-filled with users like Michoalandia (ice cream), 102 Boba (boba tea), Harold’s Chicken, and Building Site R, which sat vacant for years, is nearing completion with its construction of a Pollo Campero restaurant and drive-thru. Icon Beauty, who was a long-term tenant within the shopping center, purchased the former Discount Tires building, also located within the shopping center, for an expanded location.

In reviewing the submitted documentation from the Applicant, and in reviewing other “governmental offices” in Brooklyn Center, City staff has concerns regarding the complementarity of a “governmental

office” use at this location as shopping centers, in general, are typically designed to support retail, dining, and other customer-facing services that drive foot traffic and economic activity. While governmental offices often provide some face-to-face contact, these uses typically do not attract the same level of shoppers or contribute as robustly to a shopping center’s experience or vitality.

As governmental offices typically operate during the daytime hours, and not on weekends, these uses often have less urgent traffic patterns, which are sometimes in conflict with the more dynamic nature of a shopping center and its tenants. Unlike stores or restaurants, which rely on regular visits from customers and purchases, governmental offices like a Social Security Administration office often serve as a more passive use.

Further, and with the previously outlined obligations of the approved PUD and TIF Agreements aside, the Subject Property and Shingle Creek Crossing shopping center are positioned in the core of Brooklyn Center, where valuable real estate should be optimized for its maximum potential use. It is assumed that the Applicant and HOM Furniture would desire a user that would be complementary to their business and perhaps court customers who would frequent their showroom and purchase their products. Considering the Applicant identified the majority of Social Security Administration office users as being local to Brooklyn Center, it is presumed that the location of this office on the Subject Property would fail to draw from a broader customer market.

Public Notification

As the requested amendment required public notification, a public notice was submitted to the Brooklyn Center *Sun Post* for publication on October 31, 2024, and notices were mailed to surrounding property owners and physical addresses. Following failure to meet quorum at the November 14, 2024 Planning Commission meeting, a public notice was re-submitted for publication in the November 28, 2024 Brooklyn Center *Sun Post* for the December 9, 2024 City Council meeting. Pursuant to Minnesota Statutes Section 15.99, a 60-day letter of extension was issued to the Applicant on December 2, 2024 (Exhibit B).

The two major owners in proximity to the Subject Property include Gatlin Development Company (majority owner within Shingle Creek Crossing) and the City of Brooklyn Center Economic Development Authority (EDA), which owns significant acreage to the north of County Road 10 on the City’s Opportunity Site, including Phase I, which was approved in August 2022.

Frank Gatlin of Gatlin Development Company did correspond with City staff regarding the proposed use and noted that while he understood the struggle of the Applicant to fill the approximately 12,500-square foot tenant space, as he himself has experienced in building out Shingle Creek Crossing’s pad sites and tenant spaces, he did not think that, “this particular tenant will be of any help to Shingle Creek as far as bringing in retail customers.” Mr. Gatlin noted that it would fill a dark space and the location is far enough from his retail that it likely would not have a negative impact, but it would also not have a positive impact with the exception of having less empty space. Mr. Gatlin noted that he did not explicitly have any objection to the use other than having a desire to find better users to complement the center and create more traffic.

Findings

From the planning perspective, of which included a review of the 2011 Shingle Creek Crossing PUD Master Plans and documents, Planning Commission Application Nos. 2017-001 and 2017-007, the City’s

zoning provisions, and the 2040 Comprehensive Plan, City planning staff finds that the requested amendment to allow "governmental offices" within the Shingle Creek Crossing Planned Unit Development (PUD) and to replace the previously approved multi-tenant retail use for the property at 2501 County Road 10 is:

a) *Inconsistent with the Vision of the Shingle Creek Crossing PUD*

The proposed amendment is not aligned with the established vision and objectives of the Shingle Creek Crossing PUD. While "governmental offices" are permitted within the underlying C2 (Commerce) District zoning designation as one of the limited C1 (Service/Office) District uses, this use is fundamentally different from the intended purpose of the shopping center. "Governmental offices" are not typically a catalyst for vibrant, customer-driven development. In contrast, the existing PUD was designed to prioritize retail and service-oriented businesses that attract foot traffic, economic activity, and contribute to the dynamic character of the area that would be in near proximity to the City's future downtown. The inclusion of governmental offices would not effectively support the long-term growth or redevelopment goals of the shopping center, which should remain focused on attracting commercial tenants that foster an engaging, consumer-oriented environment.

b) *Not the Highest and Best Use for the Subject Property*

Although there is a recognized need for public services in Brooklyn Center, not every use is appropriate for every location. The Subject Property, of which includes approximately 12,500 square feet of prime retail space with high visibility from County Road 10 and nearby Highway 100, was designed to accommodate retail or customer-facing businesses that serve the needs of the community. A "governmental office" use, while permitted, would fail to capitalize on the property's potential to generate commercial activity and would not be consistent with the shopping center's intended purpose. The proposed use would neither maximize the economic potential of the space nor provide a meaningful benefit to the broader Shingle Creek Crossing PUD. In short, City planning staff does not feel "governmental offices" are the "highest and best use" for this location and would be at odds with the economic competitiveness goals identified within the City's 2040 Comprehensive Plan and the City Council's strategic priorities, of which include a provision to "strengthen and diversify business development and housing."

c) *Potential Impacts on Future Development and Economic Growth*

Allowing "governmental offices" within the Shingle Creek Crossing PUD could potentially hinder future development opportunities, particularly along the eastern edge of the shopping center, where future growth potential remains both on the Subject Property (Future Building Site X) and additional pad sites and tenant spaces to the west. While the Applicant identifies a high volume of customers to the proposed Social Security Administration office, the data provided by the Applicant from Placer AI suggests that the proposed "governmental office" use would not significantly increase foot traffic or customer visits to the existing businesses in the area, which are essential for the success of the shopping center.

Retail, restaurant, and other select service and entertainment-oriented spaces, by contrast, are more likely to generate the customer volume needed to support and drive growth within the PUD. Therefore, the proposed amendment risks stalling or reducing the overall economic activity in the center and could have long-term detrimental effects on its viability as a vibrant commercial hub. The tenant space, although flexible, was constructed to orient towards County

Road 10 and Shingle Creek Parkway with large, oversized windows, and an oversized sidewalk area that could accommodate outdoor seating.

City planning staff want to reiterate the critical role the Social Security Administration (SSA) and other government agencies and offices play in providing public services that support individuals and families through their various life stages and challenges. Services such as the administration of benefits, including retirement, disability, survivor, and family benefits are essential for ensuring the economic security and healthcare access for millions of Americans, and thousands of Minnesotans. While these functions serve a vital role to public welfare, the goals and function of “governmental offices” do not necessarily align with the purpose of Shingle Creek Crossing.

RECOMMENDATION

Given the analysis above, City planning staff recommends City Council **deny** the requested amendment to the Shingle Creek Crossing Planned Unit Development to allow “governmental offices” as a permitted use within the PUD and at the Subject Property located at 2501 County Road 10.

Additionally, City staff recommends the termination of the Tax Increment Financing (TIF) Agreement entered into between KKMBA Brooklyn Center LLC (“the Applicant”) and the Economic Development Authority of Brooklyn Center, and dated December 11, 2017. The Applicant has indicated they are willing to voluntarily terminate the TIF agreement, but only if granted approval of the PUD amendment to allow for “governmental offices.”

Note: City planning staff recommends denying the major Planned Unit Development amendment based on the staff report findings; however, if City Council supports allowing “governmental offices” within the Shingle Creek Crossing PUD, City staff advises the City’s Economic Development Authority to proceed with approval of a TIF termination agreement.

ATTACHMENTS

Exhibit A — Planning Commission Application No. 2024-012 Documentation and Proposed Interior Layout, dated October 15, 2024, and November 12, 2024.

Exhibit B — Original Public Hearing Notice, published in the Brooklyn Center *Sun Post*, and dated October 31, 2024; Revised Public Hearing Notice, published in the Brooklyn Center *Sun Post*, and dated November 28, 2024; and 60-day extension letter issued to Applicant KKMBA Brooklyn Center LLC, and dated December 2, 2024.

Exhibit C — Lease Brochure for 2501 County Road 10, prepared by Premier Commercial Properties, undated.

Exhibit D — Planning Commission Application No. 2017-001 Narrative, dated December 12, 2016, and City Council Resolution Nos. 2017-25 and 2017-175.

Narrative for the PUD Amendment Application for Lot 2
Block 2, Shingle Creek Crossing

September 30, 2024

Applicant:

John Pierce/KKMBA Brooklyn Center LLC

10301 Woodcrest Drive NW

Coon Rapids, MN 55433

763-300-5646

JPierce@HOMfurniture.com

Parcel Description/Fee Owners:

Addition Name: Shingle Creek Crossing

Lot 2 Block 2

Property Address:

2501 County Road 10

Brooklyn Center, MN 55430

Owner Address:

KKMBA Brooklyn Center LLC

10301 Woodcrest Dr. NW

Coon Rapids, MN 55433

Planned Unit Development (PUD) Amendment Proposal

Proposal Overview:

This amendment to the existing Planned Unit Development (PUD) is proposed to allow **Government Office Use** as a permitted use at the property located at 2501 County Road 10, Brooklyn Center, MN. Specifically, the **Social Security Administration (SSA)** intends to operate a field office at this location to serve the public with various social security-related services.

Requested PUD Amendment:

The applicant requests an amendment to the PUD ordinance to include "Government Office" as a permitted use within the development's zoning designation for 2501 County Road 10. This will allow government entities to establish and operate offices at the subject location, facilitating public services to the community.

Legal Description of Property:

Parcel 1:

Lot 2, Block 2, Shingle Creek Crossing, according to the recorded plat thereof, Hennepin County, Minnesota.

Parcel 2:

Nonexclusive appurtenant easements for ingress and egress in favor of Parcel 1 over Outlot A, Shingle Creek Crossing 6th Addition, as created in Declaration of Access and Watermain and Sanitary Sewer Easements and Restriction dated February 15th, 2018, recorded February 21, 2018, as Document No. T05512732.

Justification for Amendment:

1. Community Need:

The SSA field office provides critical public services such as retirement, disability, and healthcare benefit management for Brooklyn Center and the surrounding areas. The high visitor volume underscores the community's reliance on these services. The establishment of a government office in this location will enhance the availability of public services for the residents of Brooklyn Center and the surrounding areas.

Government offices provide essential services such as public safety, administrative functions, and public outreach. The SSA field office will enhance the availability of critical public services such as retirement, disability, and healthcare benefit management for the residents of Brooklyn Center and the surrounding areas.

2. Consistency with Comprehensive Plan:

The proposed use aligns with the City of Brooklyn Center's Comprehensive Plan, while encouraging the adaptive reuse of properties to meet changing community needs and supporting the provision of essential community services boosting the local economy of Brooklyn Center. Government offices are consistent with the goals of providing accessible public services. Furthermore, Government Office is a permitted use in the C2 Zoning district which overlays the subject Property via Section 35-322.1.d of Brooklyn Center City Code.

3. Compatibility with Surrounding Uses:

The surrounding properties include a mix of commercial and institutional uses with the SSA office being compatible to the surrounding area. I'll discuss the compatibility in more detail below using metrics and data pulled from Placer AI, US Census Data and other sources. The biggest take away should be the moderate impact on traffic that is management within the existing infrastructure and supports the economic vitality of nearby businesses. The real impact should be focused on the increase of visitors to local dining, retail, grocery and services that will be patroned by the users of the SSA prior to and following their visits to the Property. This use is expected to function efficiently within the existing development.

4. Economic Impact:

The SSA office has a positive economic impact on local businesses. With **50,000 annual visits** and a notable percentage of visitors shopping and dining in the area post-visit, the office generates indirect economic benefits for nearby retail and service industries. The SSA office supports local businesses by driving foot traffic to establishments; with the majority of impact within a **1-mile radius**.

Social Security Administration (SSA) Services:

The SSA field office at 2501 County Road 10 will offer the following services to assist the public:

- **Retirement Benefits**
- **Disability Benefits**
- **Survivor Benefits**
- **Family Benefits**
- **Supplemental Security Income (SSI)**
- **Medicare Enrollment and Assistance**
- **Medicare Part D Enrollment**
- **Social Security Card Replacements**
- **Direct Deposit Enrollment for Benefits**
- **Benefit Verification Letters**
- **Tax Forms (1099/1042S)**
- **Tax Withholding Assistance**

These are just a few of the many services that the SSA provides to help individuals manage and apply for benefits.

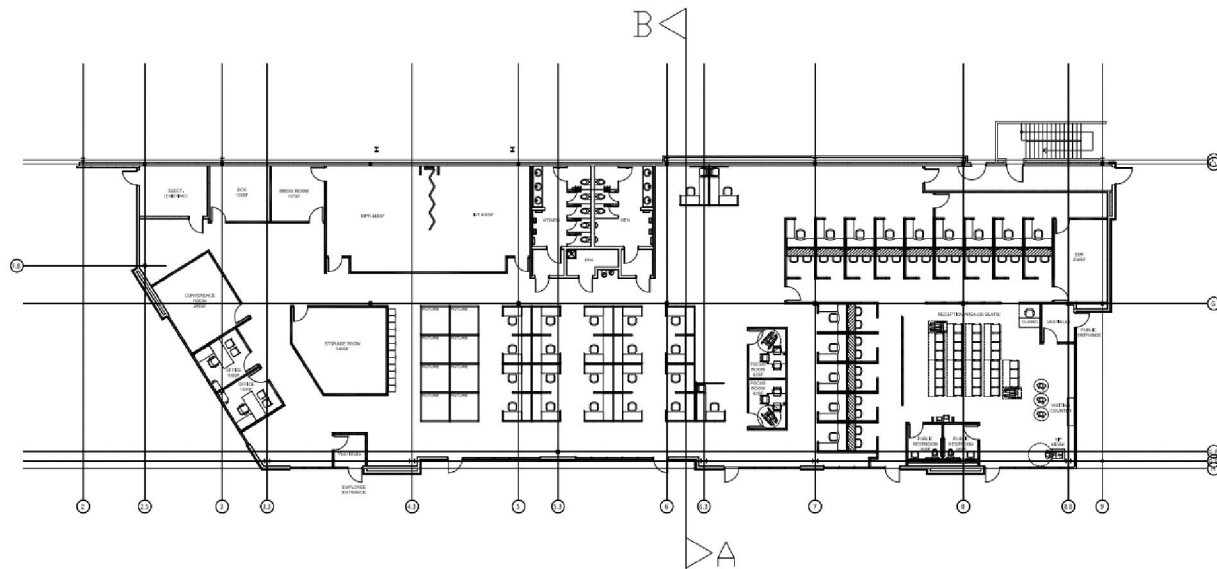
SSA Operating Hours and Visitor Statistics:

- **Public Hours:**
The Brooklyn Center SSA field office will be open to the public from **9:00 AM to 4:00 PM** daily.
- **Staff Hours:**
The office will operate internally from **7:00 AM to 5:30 PM** to allow staff to manage office functions and appointments.

During the pandemic, SSA offices were temporarily closed to the public. However, they have now reopened and are fully operational, including the Brooklyn Center location.

On average, the Brooklyn Center field office receives approximately **110 visitors per day**, translating to an estimated **40,000+ visits annually**. These visitors include a mix of **scheduled appointments** and **walk-ins**, underscoring the importance of having this office within the community. The steady flow of visitors highlights the need for accessible government office space within the community.

Proposed Space Layout:



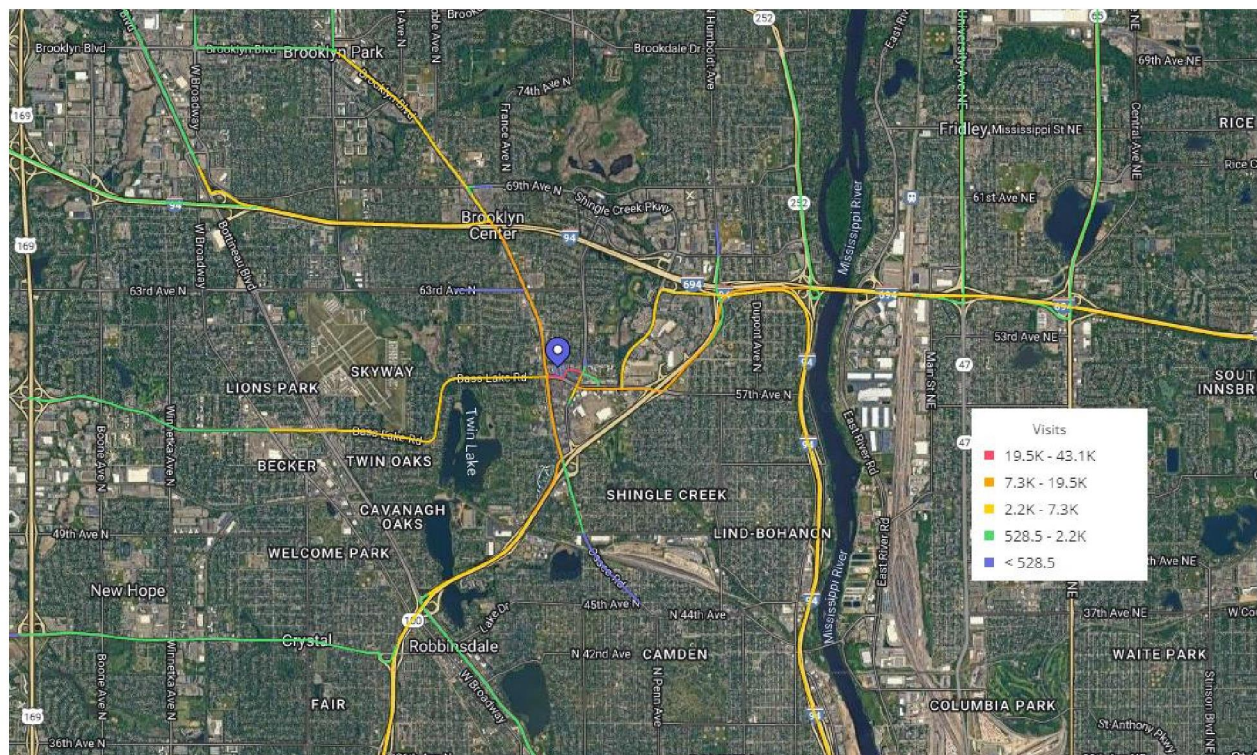
Economic Impact:

Based on data from **Placer AI**, the following demographic and behavioral insights highlight the importance and community benefits of the SSA office:

- **Median Household Income:** The median household income of visitors to the SSA field office is approximately **\$63,000**, reflecting a diverse socioeconomic population.
- **Median Age:** The median age of visitors is **33 years**, indicating that the SSA serves a broad spectrum of age groups, including working-age adults and families.
- **Visitor Behavior:**
 - **Over 40%** of visitors travel directly from their homes to the SSA office.
 - After visiting the SSA office, **13%** of visitors proceed to local dining establishments within a **3-mile radius**, contributing to the local food industry.
 - **12%** of visitors continue to local shops and services, boosting the local retail economy.
 - **6%** of visitors frequent nearby shopping centers, further supporting local businesses.
 - **5%** visit grocery stores in the area, underscoring the SSA's role in driving foot traffic to essential services and retail outlets.

This data demonstrates that the SSA office not only provides vital services but also significantly contributes to the local economy by encouraging spending in nearby businesses.

Visitor Demographics relating to Economic Impact:



Proposed Development Standards:

The development will adhere to the following conditions and standards:

1. **Permitted Use:**

- The operation of the SSA office as a permitted Government Office Use will be allowed.

2. **Parking Requirements:**

Adequate parking must be provided to accommodate the daily visitor count and staff requirements, in line with the City's Zoning Ordinance.

3. **Signage:**

Signage must comply with the City's sign ordinance, and additional signage must be approved by the City as part of the site plan review process.

Public Hearing and Notification:

In accordance with the City of Brooklyn Center's zoning ordinance, a public hearing will be held to consider this PUD amendment. Notice will be provided to neighboring property owners, and the hearing will be advertised as required.

Conclusion:

The proposed PUD amendment to allow government office use at 2501 County Road 10, specifically for the SSA field office, is in the public interest and supports the community's need for essential services. The use is consistent with local planning objectives, contributes to the local economy, and is compatible with surrounding developments.

Recommended Action:

The City of Brooklyn Center Planning Commission and City Council are requested to approve the proposed PUD amendment to allow government office use at 2501 County Road 10, subject to the conditions outlined above.

Submitted by:

John P. Pierce

Email: JPierce@HOMfurniture.com

Mobile: (763) 300-5646

PUD Amendment PC2024-0011

November 12, 2024

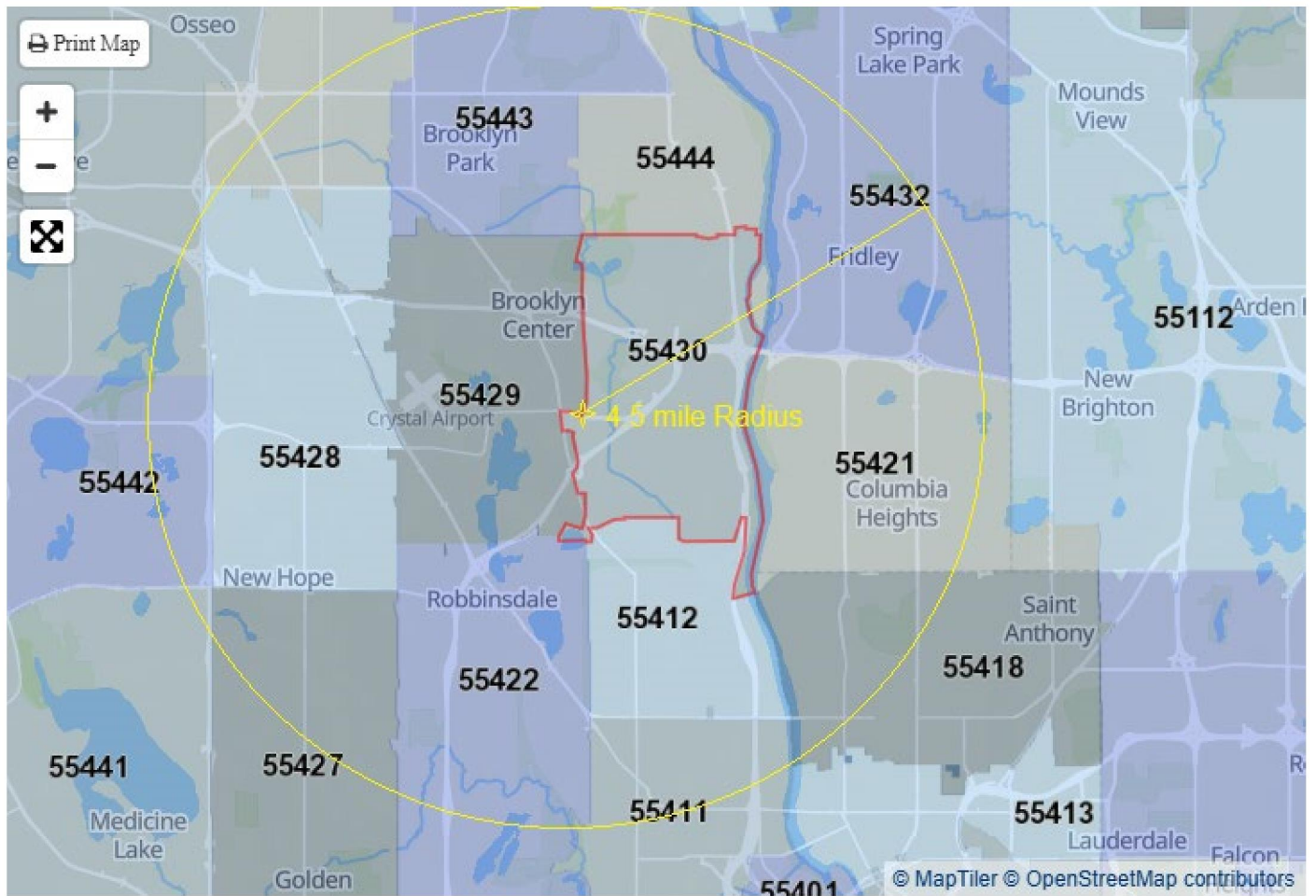
To address the PUD Amendment, I contacted Kovas Palubinskas, the GSA Broker, to understand the available options for retaining the Social Security Administration (SSA) at its current location in Brooklyn Center. Kovas informed me that while the current landlord did submit a Letter of Intent to retain the SSA, the GSA outlined significant expansion requirements for the building to meet SSA's new standards. The current site could not meet these requirements, resulting in the SSA needing to relocate. Without our submission of a Letter of Intent for them to move into our proposed space, the SSA would have left Brooklyn Center, along with the economic benefits their visitors bring to local businesses, restaurants, and retailers.

Additionally, Kovas and Oscar Villalobos (SSA Field Services) sent the below data ("Exhibit 11.12" on page 2) from September 2024 on visitor demographics. The report revealed that nearly 65% of SSA visitors, equating to 1,258 out of 1,950, were Brooklyn Center residents. This data highlights the significant local impact of keeping the SSA in the city for the support of your constituents alone.

I would like to highlight that the new SSA location will employ 28 staff members daily. Starting salaries for these positions are at the GS-5 Pay Scale, ranging from \$41,000 to \$54,000 annually. Additionally, the field office will include claim specialists, deputies, and management, with some salaries reaching over \$150,000. Retaining this employee base is essential for stimulating the local economy, as it supports surrounding businesses such as retail stores, restaurants, and gas stations (as detailed in my initial narrative).

“Exhibit 11.12”

Servicing Area	ZIP Code	Total Visitors	
		Count	Percent
Office Total		1,950	100
Assigned Total		1,949	99.9
In Area Total		1,258	64.5
C39 BROOKLYN CENTER	55311	39	2
C39 BROOKLYN CENTER	55316	27	1.4
C39 BROOKLYN CENTER	55327	6	0.3
C39 BROOKLYN CENTER	55340	5	0.3
C39 BROOKLYN CENTER	55357	2	0.1
C39 BROOKLYN CENTER	55369	34	1.7
C39 BROOKLYN CENTER	55374	15	0.8
C39 BROOKLYN CENTER	55412	91	4.7
C39 BROOKLYN CENTER	55421	56	2.9
C39 BROOKLYN CENTER	55422	56	2.9
C39 BROOKLYN CENTER	55427	37	1.9
C39 BROOKLYN CENTER	55428	76	3.9
C39 BROOKLYN CENTER	55429	320	16.4
C39 BROOKLYN CENTER	55430	101	5.2
C39 BROOKLYN CENTER	55432	44	2.3
C39 BROOKLYN CENTER	55433	52	2.7
C39 BROOKLYN CENTER	55441	19	1
C39 BROOKLYN CENTER	55442	20	1
C39 BROOKLYN CENTER	55443	98	5
C39 BROOKLYN CENTER	55444	52	2.7
C39 BROOKLYN CENTER	55445	31	1.6
C39 BROOKLYN CENTER	55446	26	1.3
C39 BROOKLYN CENTER	55447	7	0.4
C39 BROOKLYN CENTER	55448	44	2.3
Out of Area Total		691	35.4



Applicant:

John Pierce/KKMBA Brooklyn Center LLC

10301 Woodcrest Drive NW

Coon Rapids, MN 55433

763-300-5646

JPierce@HOMfurniture.com

Parcel Description/Fee Owners:

Addition Name: Shingle Creek Crossing

Lot 2 Block 2

Property Address:

2501 County Road 10

Brooklyn Center, MN 55430

Owner Address:

KKMBA Brooklyn Center LLC

10301 Woodcrest Dr. NW

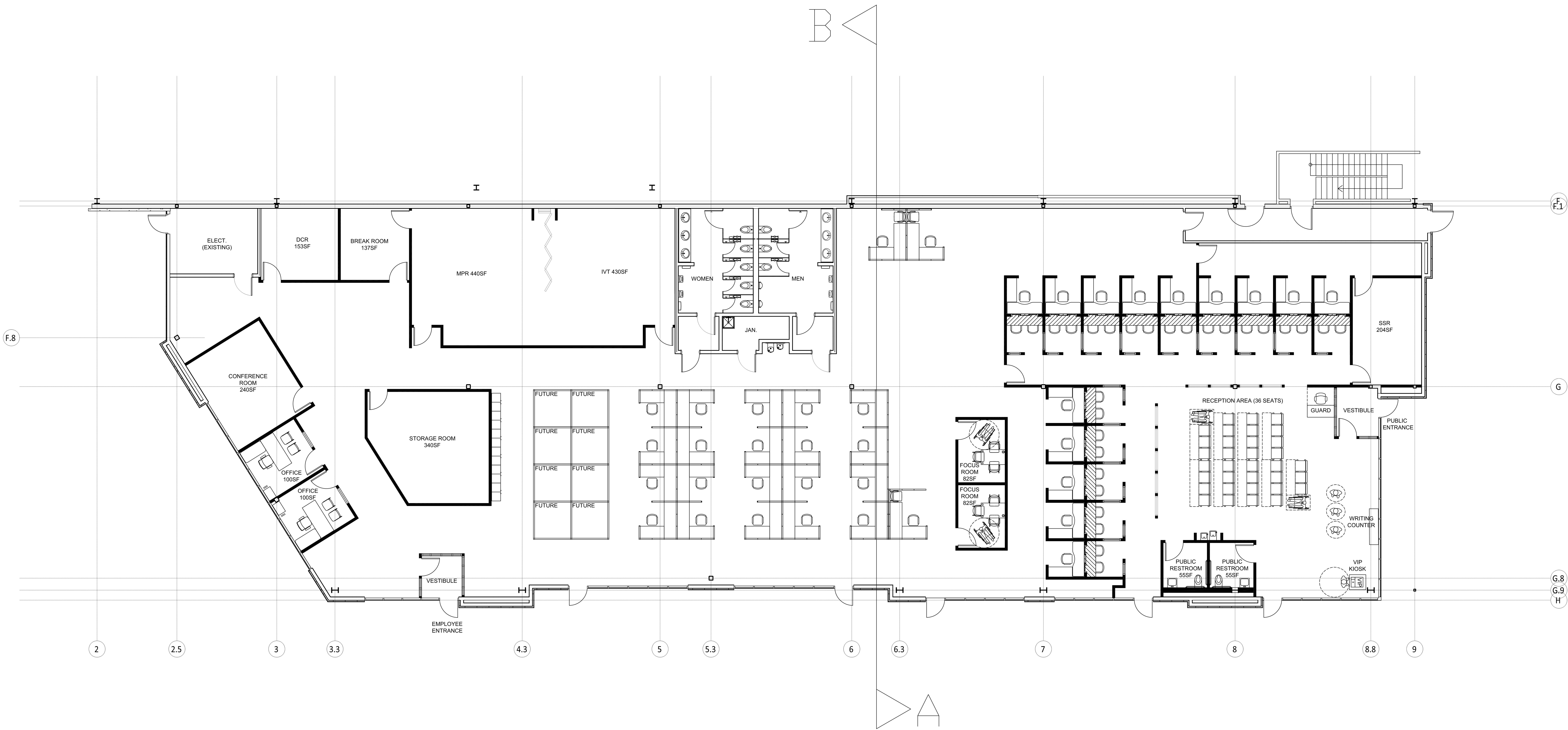
Coon Rapids, MN 55433

BROOKLYN CENTER, MN (C39) HQ DID

WALL LEGEND

EXISTING WALLS

NEW WALLS



**CITY OF
BROOKLYN CENTER
NOTICE OF
PUBLIC HEARING**

TO WHOM IT MAY CONCERN:

Please take notice that the Planning Commission of the City of Brooklyn Center will hold an in-person public hearing on **Thursday, November 14, 2024** at approximately 7:00 p.m. Meeting materials can be accessed by visiting the City of Brooklyn Center's website at: <https://www.brooklyncentermn.gov/>. 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 REQUESTS:

PUD Amendment (Major)

APPLICANT AND PROPERTY

OWNER:

KKMBA Brooklyn Center LLC

PROPERTY ADDRESS | PID:

2501 County Road 10,
Brooklyn Center, MN 55430
| 02-118-21-31-0062

**BRIEF STATEMENT OF
CONTENTS OF PETITION:**

The Applicant is requesting review and consideration of a major amendment to the Shingle Creek Crossing Planned Unit Development that would allow for "governmental offices" as a permitted use. This request is associated with a proposal for the Social Security Administration to operate a field office in an approximately 12,500-square foot tenant space at 2501 County Road 10.

Comments and questions may be forwarded to gmcintosh@brooklyncentermn.gov up until 4:30 pm on the day of the meeting, or by contacting Ginny McIntosh at (763) 569-3319. Your comments will be included in the record and addressed as part of the meeting. Alternatively, you may participate in the Planning Commission meeting via Webex at: logis.webex.com

Meeting Number (Access Code):
2630 503 3040

Password: BCPC11142024

By Phone: 1 (312) 535-8110
(Enter Access Code)

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

Respectfully,
Ginny McIntosh
Planning Manager

Published in the
Sun Post
October 31, 2024
1430217

**CITY OF
BROOKLYN CENTER**

**NOTICE OF
PUBLIC HEARING**

TO WHOM IT MAY CONCERN:

Please take notice that the City Council of the City of Brooklyn Center will hold a public hearing on **Monday, December 9, 2024** at approximately 7:00 p.m. Meeting materials can be accessed by visiting the City of Brooklyn Center's website at: <https://www.brooklyncentermn.gov/>. 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 REQUESTS:

PUD Amendment (Major)

APPLICANT AND PROPERTY

OWNER:

KKMBA Brooklyn Center LLC

PROPERTY ADDRESS | PID:

2501 County Road 10,
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Auxiliary aids for persons with disabilities are available upon request at least 96 hours in advance. Please contact the City Clerk at (763) 569-3300 to make arrangements.

April Graves
Mayor

ATTEST: Barb Suci
City Clerk

Published in the
Sun Post
November 28, 2024
1435703



December 2, 2024

KKMBA Brooklyn Center LLC
Attn: John Pierce
10301 Woodcrest Drive NW
Coon Rapids, MN 55433

RE: City of Brooklyn Center, MN Planning Commission Application No. 2024-012
Request for a Major Amendment to the Shingle Creek Crossing PUD – 2501 County Road 10

Mr. Pierce:

Pursuant to Minnesota Statutes Section 15.99, the City of Brooklyn Center is required to approve or deny a written request for certain land use actions within sixty (60) days from receipt of an application. Community Development Department records indicate the City received the above-referenced application and documentation on October 15, 2024, which means the City's 60-day time limit would expire on December 14, 2024.

By allowances granted under Minnesota Statutes Section 15.99, Subd. 3(f), the City of Brooklyn Center is hereby providing official notice that the review period has been extended an additional sixty (60) days to allow the time necessary for City staff to re-publish a public hearing notice, following the Planning Commission's failure to meet quorum at their November 14, 2024 meeting, and prepare a resolution for review and consideration by City Council.

The new deadline for completing the review and final action on this application is now February 12, 2025; however, City staff submitted a new public hearing notice to the Brooklyn Center *Sun Post* for publication on November 28, 2024, and public hearing at the Brooklyn Center Council meeting on **December 9, 2024** at approximately 7 p.m. This is in response to your emailed requests on November 15 and 19, 2024.

If you have any questions or concerns, please feel free to call me at (763) 569-3319 or email gmcintosh@brooklyncentermn.gov.

Sincerely,

Ginny McIntosh
Planning Manager



PREMIER
COMMERCIAL
PROPERTIES

Exhibit C

FOR LEASE



Retail Space for Lease

2501 County Road 10
Brooklyn Center, MN

AVAILABLE SPACE

- 12,500 Total square feet
- Six bays available for lease
- 12,500 SF Demisable to 1,558 SF
- Building and Digital reader board Signage available on Hwy 100
- Shell space with dirt floor
- Generous tenant improvement allowance available for a term lease
- Potential patio space available
- Abundant parking

PROPERTY DETAILS

Lease Rate: \$15 / SF NNN

FOR MORE INFORMATION, CONTACT

Richard Lee

612-270-0354

richlee@premiercommercialproperties.com



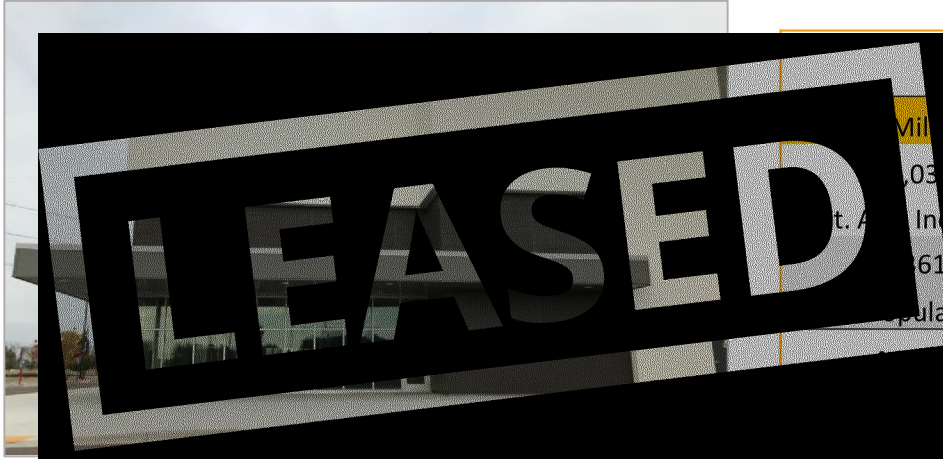
PREMIER
COMMERCIAL
PROPERTIES

FOR LEASE

CONTACT: Richard Lee

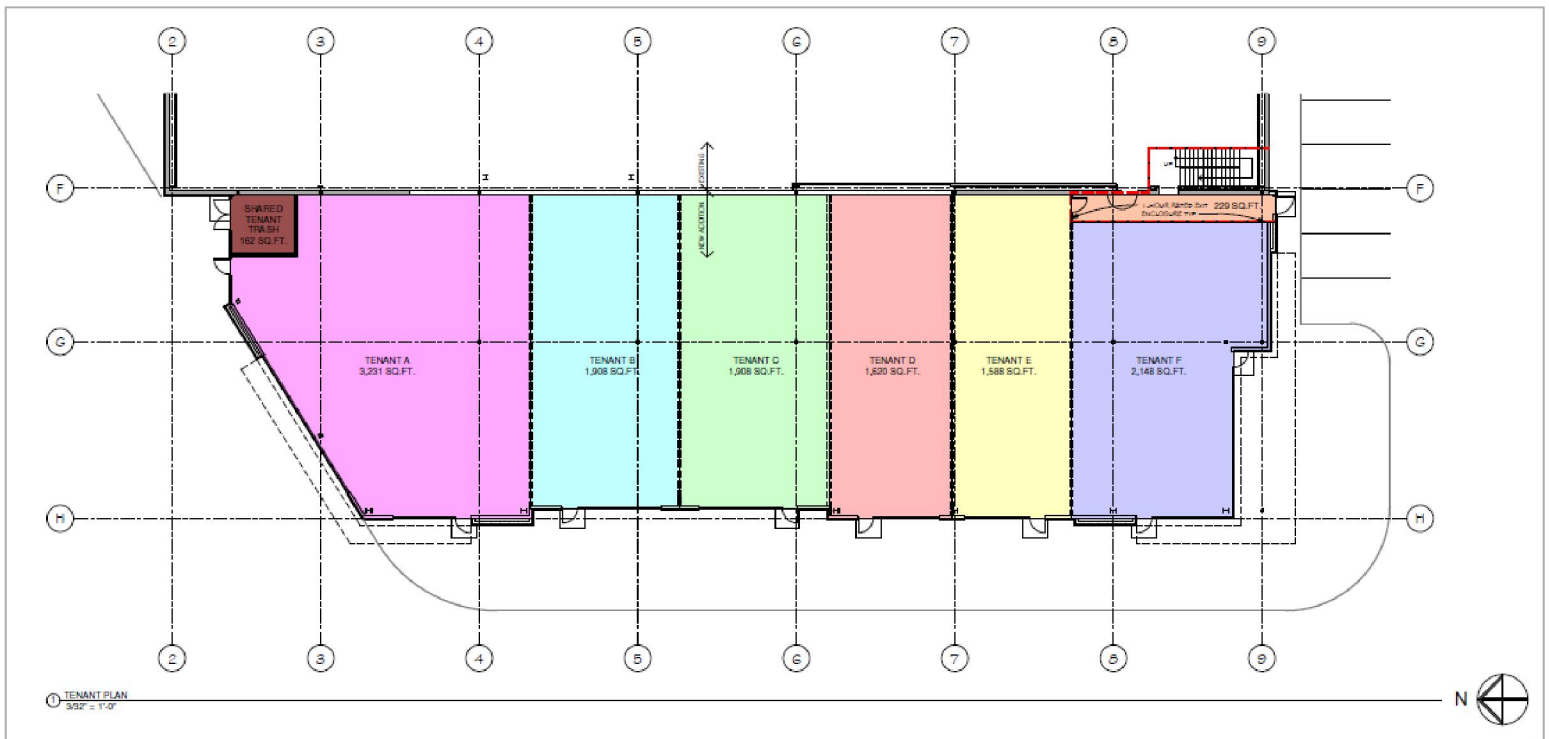
MOBILE: 612-718-9919

EMAIL: richlee@premiercommercialproperties.com



Trade Area Demographics

	3 Mile	5 Miles
Est. Avg. Income	\$76,036	\$82,492
Est. Population	118,211	318,953
Est. Households	43,542	122,102





PREMIER
COMMERCIAL
PROPERTIES

FOR LEASE

CONTACT: Richard Lee

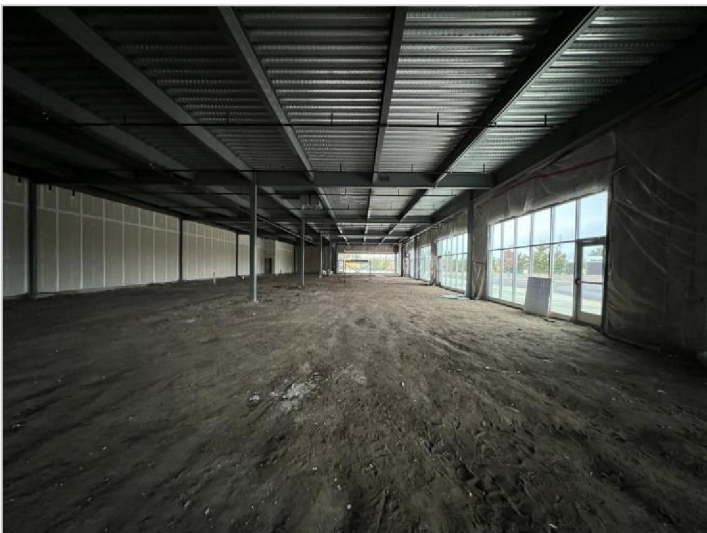
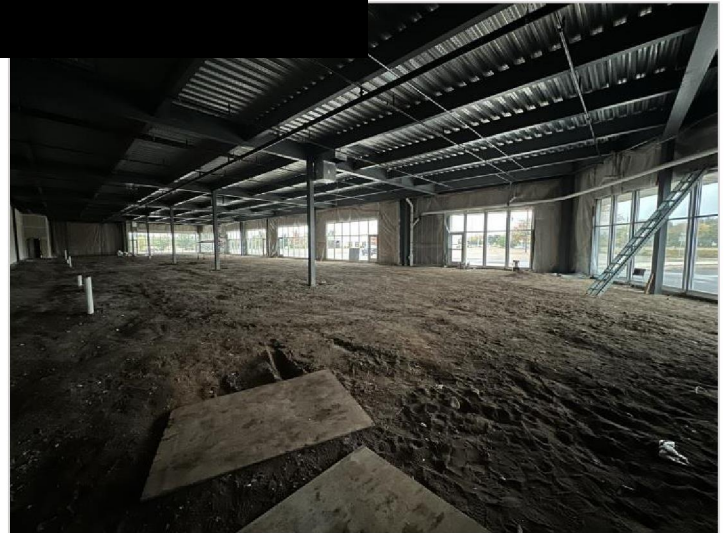
MOBILE: 612-718-9919

EMAIL: richlee@premiercommercialproperties.com

Space Details

- Shell space ready for tenant finishes
- Plumbing stubs in place
- Ability to add partition walls and electrical
- HVAC units in place
- Digital address book on Hwy 100
- 14' Ceilings
- Electric panel in each bay

LEASED





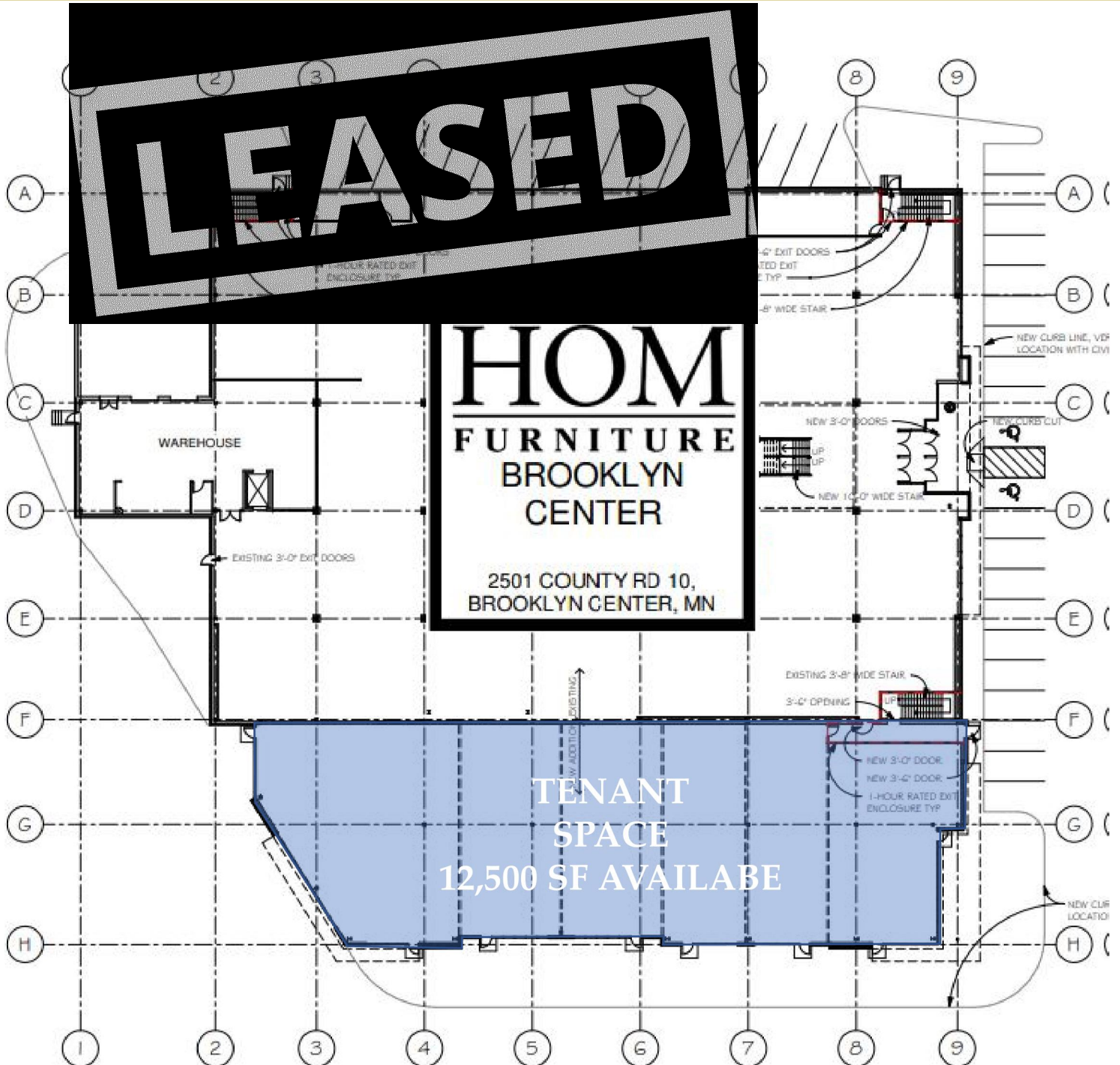
PREMIER
COMMERCIAL
PROPERTIES

FOR LEASE

CONTACT: Richard Lee

MOBILE: 612-718-9919

EMAIL: richlee@premiercommercialproperties.com





PREMIER
COMMERCIAL
PROPERTIES

FOR LEASE

CONTACT: Richard Lee

MOBILE: 612-718-9919

EMAIL: richlee@premiercommercialproperties.com





City Use Only	
Date Received:	_____
Date Application Complete:	_____
Letter of Completeness:	_____
Application No.	_____

Planning & Development Application

A preliminary meeting with the Planning and/or Engineering Staff is required prior to the submission of a Planning Application. No application will be accepted prior to such meeting. City Staff shall have five (5) business days to review applications for completeness. The 60-day statutory review period does not begin until staff determines the application is complete.

Application Request (Mark all that Apply)

X	Site & Building Plan (\$750)		Planned Unit Development (\$1,800)		Subdivision Approval (\$300)
	Rezoning (\$1,050)	X	PUD Amendment (\$700)		Appeal (\$200)
	Variances (\$200)		Special Use Permit (\$200)		Determination (\$200)

Applicant Information:

Name: HOM Furniture, Inc.

Address: 10301 Woodcrest Drive NW, Coon Rapids, MN 55433

Phone: 763-767-3600

Cell: 612-325-0205

Email: wjohansen@homfurniture.com

Signature

[Handwritten Signature]

Owner Information* (if different from Applicant):

Name: **Lot 1, Block 2** CITY OF BROOKLYN CENTER
6301 SHINGLE CREEK PKWY
BROOKLYN CENTER MN 55430

Lot 2, Block 2 SHINGLE CREEK LLC
1301 RIVERPLACE BLVD #1900
JACKSONVILLE FL 32207

Address:

Phone: 904-379-4774

Cell: 904-437-9871

Email: Frank@gatlindc.com

Signature *

[Handwritten Signature]

* The fee title owner of the property must sign this Application to make it official

Please provide a general description of your Application Request: see narrative included with application

Address/Location of Property: 2501 County Road 10, Brooklyn Center, MN 55430

Legal Description of Property: PID 0211821310062 and PID 0211821240022 Lots 1 & 2, Block 2 Shingle Creek Crossing

The applicant requests processing of this application and agrees to pay to the City of Brooklyn Center, within fifteen (15) days after mailing or delivery of the billing statement, the actual costs incurred by the City for Engineering, Planning and Legal expenses reasonably and necessarily required by the City for the processing of the application. Such costs will be in addition to the application fee described herein. Withdrawal of the application will not relieve the applicant of the obligation to pay costs incurred prior to withdrawal.

Application Fee \$ _____

Acct No. 10100-4403

Receipt No. _____

Planning Commission Recommendation

Dates of PC Consideration	Legal Notice Published	Notices Mailed	Action Taken	Approved Resolution No.

____ Approved ____ Denied this _____ day of _____ 20 _____,
subject to the following conditions:

Chairman

City Council Action

Dates of Council Consideration	Legal Notice Published	Notices Mailed	Action Taken	Approved Resolution No.	Performance Bond Received

____ Approved ____ Denied this _____ day of _____ 20 _____,
with the following amendment:

Clerk/Planning Commission Secretary

Narrative for the PUD Amendment Application for Lots 1 and 2 Block 2, Shingle Creek Crossing

December 12, 2016

Applicant/Buyer

Wayne Johansen/HOM Furniture
10301 Woodcrest Drive NW
Coon Rapids, MN 55433
763-767-3771

Fee Owners/Sellers:

Lot 1 Block 2 "EDA"
Economic Development Authority of the City of Brooklyn
Center Minnesota

Lot 2 Block 2 "Kohl's"
Shingle Creek, LLC
1301 Riverplace Blvd #1900
Jacksonville, FL 32207

Sellers and Buyer are parties to a Purchase Agreement for the Kohl's parcel and a future Option Agreement for the EDA parcel. To accomplish proceeding to Closing of the Kohl's property and the execution of an Option Agreement for the EDA Site, certain changes need to be made to the existing PUD Agreement governing these sites and the Shingle Creek Crossing. Once in place and agreed upon, the Buyer can proceed to an application for a Tax Increment Financing Agreement with the City and then close on the Kohl's site.

Overall Vision and Timeline

The Sites will not need to be subdivided and lot lines can be left as is.

The Buyer's initial plan is to correct the existing blight of the Kohl's building through transforming Kohl's into a HOM Furniture store with a 2 level 24,000 square foot addition. The upper floor of this addition will be additional showroom space for HOM and the first level will be market rate retail space for rent.

Timing of this Phase will begin after successful PUD, TIF, and ECR Agreements/Amendments are in place and other supporting documents have been executed. Once the Kohl's property is closed and building permits have been obtained, HOM will immediately begin to demo and expand the former Kohl's into a HOM Showroom and added retail space. HOM has been through this renovation process numerous times in various cities. Its group of responsive contractors and in house staff will complete the project efficiently.

Additional development will be market driven. Our plan is to develop the non-HOM balance of the site with aggressive marketing over the next 2 to 4 years by adding complimentary uses to the existing SCC Development such as a 48,000-square foot Medical Office facility and a Retail/Commercial building of 14,000 square feet on the EDA Parcel. If market conditions and demand dictate some other allowed uses, we are nimble and will accomplish the ultimate goal of fully developing the site to its densest and most complimentary use for the area.

Process After Closing

- Demo the inside of the Kohl's building
- Reskin much of the exterior similar to the conceptual elevation drawings using updated building materials
- Replace or repair any outdated or inefficient mechanicals

- Build out the interior to HOM specific store standards
- Add a 2 story, 24,000 square foot addition to the NW side of the existing Kohl's building as shown in the attached elevations and Site Plan; the 2nd floor for additional HOM Furniture space and the 1st floor as market rate retail space.
- Replace/repair the roof as needed
- Grand Opening
- Lease and build out the new first level retail rental space

Again, HOM is motivated to see the balance of the site developed as soon as is practical. It will enhance our sales with more activity and contribute to the overall success of Shingle Creek Crossing which makes us all win.

HOM and its affiliated entities are excited to accomplish this vision. We have developed or redeveloped over 2.5M square feet of real estate and currently own or manage over 3 million square feet which is 99% occupied. Our in-house property management team makes sure things look sharp and function well.

Amendments Required

- Materials per the concept plans and amended in the PUD Agreement as follows per ATTACHMENT 17:
 - BUILDING MATERIALS
 - ... Existing Kohl's building to have south, east and west faces with 50% Class I materials and 50% Class II, materials, with north side with 25% Class I and 75% Class II materials...
 - Class I materials (for all buildings) shall 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; architectural metal panels, architectural fiber cement 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 - No Changes
- SCREENING
 - OMIT " Drive-thru or service lanes shall be screened with berming, landscaping or fencing"

- Replace Sign Code language in Current PUD with the current C2 District Sign Code Language
- A dynamic messages sign "DMS," of 350 square feet per side shall be allowed in a location as per the Site Plan. The beam of light shall not shine directly upon any part of a residence or into the street per requirements of Section 34-140.3. A DMS message must remain constant for at least eight seconds. Height shall be as allowed per code and easements restrictions, if any.
- Parking shall be the Current Use for Office and Retail of 4.5 spaces per 1,000 square feet of building, EXCEPT that the ratio shall be 1 space per 1,000 square feet for Furniture related showroom and warehouse. See Site Plan.
- Buyer shall be required to close off the Right In entrance off of Bass Lake Road during the development of the HOM store.
- The EDA Parcel Agreement between EDA of Brooklyn Center and Shingle Creek, LLC dated June 28, 2011 and Amended thereafter, shall be canceled and rewritten in favor of the Buyer. Language shall be included to reflect that Buyer will complete the purchase of the EDA Parcel by December 31, 2021 and complete the project within 12 months of Closing.
- On the EDA Pylon Lot, PID:0211821240021 - Setbacks shall be as if the EDA is one lot and not 2 lots, i.e. not a separate SCC pylon lot and EDA lot.
- Water detention, if any, shall be supplied off site by the City of Brooklyn Center or the Brooklyn Center EDA.
- The Prohibited uses found in Section 4.B. shall be modified as follows:
 - 4.B.1) Shall not apply to a Medical Office Building with typical tenants that may do surgeries, Urgent Care and treat patients in their offices.
 - 4.B.1) Medical and Dental Laboratories shall be allowed
 - 4.B.3) Educational Uses listed in Section 35-322.1.h. shall be allowed
 - 4.B.6) Drop in child care centers listed in 35-322.1.k. shall be allowed
 - 4.B.7) Gasoline Service Stations shall be allowed
 - 4.B.11) Animal Hospitals shall be allowed
 - 4.B.15) Group day care facilities shall be allowed
- Any other Documents that need to be perfected or added to accomplish the development of the Site per these plans.

Required Application Submissions

- Kimley-Horn has assembled the following required items to complete this Application and are attached:
 - Street and utility locations and sizes. A drainage plan. A grading plan. A landscape plan. A lighting plan. A site plan showing the location of all structures and parking areas.
- Archnet Architects and the Buyer have assembled and included the remaining required items:
 - Application and Fee (\$1,450). A plan for timing and phasing of the development. Covenants or other restrictions proposed for the regulation of the development. And building renderings or elevation drawings of all sides of all buildings to be constructed in at least the first phase of development.

Conclusion

These changes to the current PUD will allow HOM to develop the site to its highest and best use for the Citizens and City of Brooklyn Center, surrounding areas, and Shingle Creek Crossing.

Thank you for your consideration of our Application.

Sincerely,

Wayne Johansen
Chairman
HOM Furniture
cell 612.325.0205

Member Kris Lawrence-Anderson introduced the following resolution and moved its adoption:

RESOLUTION NO. 2017-25

RESOLUTION REGARDING THE DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2017-001 SUBMITTED BY HOM FURNITURE INC. AND GATLIN DEVELOPMENT COMPANY FOR PLANNED UNIT DEVELOPMENT AMENDMENT NO. 8 TO THE 2011 SHINGLE CREEK CROSSING PLANNED UNIT DEVELOPMENT AND SITE AND BUILDING PLAN FOR HOM FURNITURE STORE (LOCATED AT 2501 COUNTY ROAD 10)

WHEREAS, the City Council of Brooklyn Center adopted Resolution No. 2011-85, dated June 13, 2011, which is considered the first amendment to the previously approved 1999 Brookdale Mall Planned Unit Development, whereby this amendment approved the establishment of the new Shingle Creek Crossing Planned Unit Development, and which included an approved Development/Master Plan and certain allowances and development standards that would govern over the PUD; and

WHEREAS, the City Council subsequently adopted City Resolution No. 2011-127, dated September 12, 2011, which approved the first amendment to the original Shingle Creek Crossing Planned Unit Development, and which included an updated Development/Master Plan and provided additional allowances and development standards; and

WHEREAS, the City Council subsequently adopted City Resolution No. 2012-106, dated August 13, 2012, which approved the second amendment to the Shingle Creek Crossing Planned Unit Development, and which included an updated Development/Master Plan and provided additional allowances and development standards; and

WHEREAS, the City Council subsequently adopted City Resolution No. 2012-129, dated September 24, 2012, which approved the third amendment to the Shingle Creek Crossing Planned Unit Development, and which included an updated Development/Master Plan and provided additional allowances and development standards; and

WHEREAS, the City Council subsequently adopted City Resolution No. 2013-124, dated October 14, 2013, which approved the fourth amendment to the Shingle Creek Crossing Planned Unit Development, and which included an updated Development/Master Plan and provided additional allowances and development standards; and

WHEREAS, the City Council subsequently adopted City Resolution No. 2013-72, dated July 8, 2013, which approved the fifth amendment to the Shingle Creek Crossing Planned Unit Development, and which included an updated Development/Master Plan and provided additional allowances and development standards; and

WHEREAS, the City Council subsequently adopted City Resolution No. 2014-75,

RESOLUTION NO. 2017-25

dated June 9, 2014, which approved the sixth amendment to the Shingle Creek Crossing Planned Unit Development, and which included an updated Development/Master Plan and provided additional allowances and development standards; and

WHEREAS, the City Council subsequently adopted City Resolution No. 2016-170, dated November 9, 2015, which approved the seventh amendment to the Shingle Creek Crossing Planned Unit Development, and which included an updated Development/Master Plan and provided additional allowances and development standards; and

WHEREAS, HOM Furniture Inc. and Gatlin Development Company jointly submitted Planning Application No. 2017-001, which is considered the eighth amendment to the Shingle Creek Crossing Planned Unit Development, by allowing certain changes to the approved 2011 Shingle Creek Crossing Planned Unit Development; and

WHEREAS, the PUD Amendment comprehends additional adjustments and uses not approved under the 2011 Shingle Creek Crossing Planned Unit Development and the related 2011 PUD Agreement; and

WHEREAS, Planning Application 2017-001 also provides for the official request for consideration and approval of the new Site and Building Plan for the new HOM Furniture Store with a retail store expansion on the subject site: and

WHEREAS, on January 12, 2017, the Planning Commission held a duly called public hearing, whereby a staff report and public testimony regarding the amendment to this Planned Unit Development were initially heard and noted for the record, and said hearing was tabled to the next Planning Commission meeting; and

WHEREAS, on January 26, 2017, the Site and Building Plan for HOM Furniture was officially received; an updated staff report presented; public hearing was re-opened; additional public testimony was given and noted for the record; and the Planning Commission gave full consideration of both the PUD Amendment and Site and Building Plan elements of said Planning Application No. 2017-001; and

WHEREAS, in light of all testimony received, and utilizing the guidelines and standards for evaluating such amendments as contained in City Code Section 35-355 (Planned Unit Development); and utilizing the guidelines and standards for evaluating site and building plans as contained in City Code Section 35-230 (Plan Approval); along with consideration of the goals and objectives of the City's Comprehensive Plan, the Planning Commission considers this PUD Amendment No. 8 and Site and Building Plan for HOM Furniture to be an appropriate and reasonable use and redevelopment of the subject property, that standards for evaluating for evaluating such amendments and site plans have been met; and the proposal is therefore in the best interest of the community; and

RESOLUTION NO. 2017-25

WHEREAS; the Planning Advisory Commission of the City of Brooklyn Center did determine that Planning Application 2017-001, submitted by HOM Furniture Inc. and Gatlin Development Company, should be approved based upon the following findings and considerations:

- A. The allowance of the 2-story, 24,000 sq. ft. addition to the former Kohl's building, with approximately one-half of this space to be used for new multi-tenant retail spaces, and one-half to be used as additional floor space for the new HOM Furniture store, is a reasonable request; and helps promote and enhance the general public welfare of this PUD, as it maintains and keeps the redevelopment activity of this site intact and ongoing, and may be approved;
- B. The allowance of reduced amount of Class I materials along the north elevation side of the building is considered reasonable and may be approved;
- C. The request to grant a reduced parking ratio allowance from 4.5 spaces per 1,000 sq. ft. of building space to 1 space per 1,000 sq. ft. and attributed to the newly proposed furniture showroom and warehouse only should not be detrimental or pose any threat or danger to the general public; nor injurious to the use and enjoyment of other uses in this Shingle Creek Crossing PUD; and is hereby considered a reasonable request and acceptable;
- D. The request to allow future/planned Building X to be expanded from 19,000 sq. ft. to 48,000 sq. ft. is considered a positive and reasonable increase, as the larger building will provide an increased tax base in this area, and will help promote and provide a needed medical services and a facility for the residents and surrounding community;
- E. The allowance of the reduced setbacks on the EDA lot for future development by HOM Inc. should not pose any problems in this area and is acceptable;
- F. The allowance of certain uses that were initially prohibited under the 2011 Shingle Creek Crossing PUD Agreement should be limited to the following:
 - i. Medical Office Building - with typical tenants that may do surgeries, urgent care and treat patients in offices;
 - ii. Medical and Dental Laboratories;

RESOLUTION NO. 2017-25

- iii. Educational Uses listed in Zoning Code Section 35-322.1.h.;
 - iv. Transient lodging, provided they are limited to hotel use only, and no motels.
 - v. Animal Hospitals, provided any outdoor kennel runs or activity areas for pets being cared for in the hospital is screen with an opaque fence and regularly cleaned and maintained.
- G. The allowances to omit the standard: "Drive-thru or service lanes shall be screened with berming, landscaping or fencing" is not recommended and should remain intact.
- H. The allowance to have regular C-2 Zone sign standards as found in Chapter 34, Brooklyn Center Sign Code as opposed to the approved 2011 Shingle Creek Crossing Sign Program Plan is partially approved, with an allowance to have all new wall signs comply with the C-2 Zone sign standards established under the Sign Code; and only one (1) new freestanding sign up to 250 sq. ft. along the HWY 100 frontage should be allowed, and can either be a regular static message or dynamic sign per City Code Ch. 34.
- I. The proposed and general layout of all new building improvements, including reduced setbacks and any other related flexibility or reductions identified herein or the resulting resolution of approval, and on the updated Shingle Creek Crossing PUD Plans, may be acceptable and approved.

AND WHEREAS, upon acceptance of all public comments and discussion of this item, the Planning Commission adopted Planning Commission Resolution No. 2017-01, which provides a favorable recommendation to the City Council, that this request submitted by HOM Furniture Inc. and Gatlin Development Company under Planning Application No. 2017-001, which is the eighth amendment to the Shingle Creek Crossing Planned Unit Development, by allowing certain changes to the approved 2011 Shingle Creek Crossing Planned Unit Development, along with the Site and Building Plan Approval of the new HOM Furniture Store development, should be approved by the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Brooklyn Center, Minnesota that this request submitted by HOM Furniture Inc. and Gatlin Development Company under Planning Application No. 2017-001, which is the eighth amendment to the Shingle Creek Crossing Planned Unit Development, by allowing certain changes to the approved 2011 Shingle Creek Crossing Planned Unit Development, along with the Site and Building Plan

RESOLUTION NO. 2017-25

Approval of the new HOM Furniture Store development, that the findings of approval as noted herein are hereby acceptable, and this PUD Amendment and Site and Building Plan request is hereby approved subject to the following conditions:

1. Developer shall comply with all conditions or request of additional information as noted in the City Engineer Review Memorandum, dated January 5, 2017
2. Developer is allowed to amend the 2011 Shingle Creek Crossing Planned Unit Development by allowing the following uses:
 - a) Medical Office Building - with typical tenants that may do surgeries, urgent care and treat patients in offices;
 - b) Medical and Dental Laboratories;
 - c) Educational Uses listed in Zoning Code Section 35-322.1.h.;
 - d) Transient lodging, provided they are limited to hotel use only, and no motels.
 - e) Animal Hospitals, provided any outdoor kennel runs or activity areas for pets being cared for in the hospital is screen with an opaque fence and regularly cleaned and maintained.
3. Developer is allowed to construct a 2-story, 24,622 sq. ft. addition to the former Kohl's building, with approximately one-half of this space to be used for new multi-tenant retail spaces, and one-half to be used as additional floor space for the new HOM Furniture store.
4. Developer is allowed to a reduction of Class I materials along the north elevation side of the new HOM store building, provided all other elevations receive the 50% Class I and 50% Class II ratio.
5. Developer is granted the reduced parking ratio allowance from 4.5 spaces per 1,000 sq. ft. of building space to 1 space per 1,000 sq. ft. and attributed to the new HOM Furniture store use only. All other uses must maintain the 4.5/1,000 ratio as prescribed in the 2011 Shingle Creek Crossing PUD Agreement.
6. Developer is allowed to expand proposed/future Building X from 19,000 sq. ft. to 48,000 sq. ft. for a medical/multi-tenant office building. A separate

RESOLUTION NO. 2017-25

Site and Building Plan application will be required before any approvals are granted for the new Bldg. X improvements.

7. Developer is allowed reduced setback of 20 feet on the EDA lot (Building F) for future development if needed. A separate Site and Building Plan application will be required before any approvals are granted for the new Bldg. F improvements.
8. The allowances to omit the standard: "*Drive-thru or service lanes shall be screened with berming, landscaping or fencing*" is not recommended and will remain intact.
9. Developer is allowed to have all new wall signs for the HOM store and retail addition comply with regular C-2 Zone sign standards under Ch. 34-Sign Code; and only one (1) new freestanding sign up to 350 sq. ft. along HWY 100 frontage, with enhanced architectural designed materials and elements that are complementary to the features of the existing Shingle Creek Crossing signs along Hwy 100. The final design and location of this new HWY 100 frontage sign shall be approved by the City. This freestanding sign may be 100% dynamic message board, or combination of static and dynamic. The Developer agrees to forgo any future freestanding sign allowance along County Road 10 (Bass Lake Road) frontage.
10. Developer must obtain a building permit and adhere to all requirements prior to beginning any removals, demolition, land disturbance work, or new construction of parking, utilities or buildings.
11. Unless amended otherwise or under separate agreement, all existing provisions, standards and variations provided under the 2011 Shingle Creek Crossing PUD and subsequent amendments, shall remain in effect for the entire Shingle Creek Crossing Planned Unit Development.
12. Any future PUD amendments or application requests will require the submittal and adoption (acceptance) of an updated master plan, which plan shall govern the planned and future redevelopment areas of this site.
13. No other allowances as illustrated or indicated on the submitted "Shingle Creek Crossing PUD Amendment No. 8 Plans shall be comprehended or permitted under this specific approval.
14. The Developer shall enter into and execute an updated PUD Agreement (or similar document) as prepared by the City Attorney.

RESOLUTION NO. 2017-25

February 13, 2017

Date

Tim Willson
Mayor

ATTEST: Sharon Kuntore
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member
April Graves
and upon vote being taken thereon, the following voted in favor thereof:
Tim Willson, Marquita Butler, April Graves, Kris Lawrence-Anderson, Dan Ryan
and the following voted against the same:
whereupon said resolution was declared duly passed and adopted.

Member April Graves introduced the following resolution and moved its adoption:

RESOLUTION NO. 2017-174

RESOLUTION REGARDING THE DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2017-007 SUBMITTED BY HOM FURNITURE INC. AND GATLIN DEVELOPMENT COMPANY FOR REVISIONS TO THE PLANNED UNIT DEVELOPMENT AMENDMENT NO. 8 TO THE 2011 SHINGLE CREEK CROSSING PLANNED UNIT DEVELOPMENT AND SITE AND BUILDING PLAN FOR HOM FURNITURE STORE (LOCATED AT 2501 COUNTY ROAD 10)

WHEREAS, the City Council of Brooklyn Center adopted Resolution No. 2017-25, dated February 13, 2017, established conditions for the approval of PUD Amendment No. 8 to the Shingle Creek Crossing Development and provided site & building plan approval for an expansion (two story – 24,622 sf. addition) and renovation of the Kohl's building by HOM Furniture; and

WHEREAS, Planning Commission Application No. 2017-007 submitted by HOM Furniture, Inc. and Gatlin Development Company requested considerations to revisions to the General Development Plans of PUD Amendment No. 8 to address changes associated with storm water management improvements, flexibility in the design of commercial/office uses and building placements for Building Pad X and the EDA Parcel; and

WHEREAS, the Planning Commission conducted public hearing on the proposed revisions on September 14, 2017 and on October 26, 2017 and has provided their recommendation and findings that Planning Commission Application No. 2017-007 is in keeping with the overall intent and vision of the Shingle Creek Crossing Development and the PUD Amendment No. 8 approval provided by City Council Resolution No. 2017-25.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Brooklyn Center, Minnesota that Planning Application N. 2017-007 submitted by HOM Furniture Inc. and Gatlin Development Company requesting approval of the following revisions to the Planned Unit Development Plans for the Shingle Creek Crossing PUD Amendment No 8 may be approved:

1. That the developer is allowed the flexibility in the future development of the of Building Pad Site X to include the following building sizes and uses, subject to compliance with the parking standards of the Shingle Creek Crossing PUD and Site & Building Plan approval:
 - a) A 20,000 sf. retail building (90 parking stalls required)
 - b) A 3 story, 32,800 sf medical center/office building (148 parking stalls)
 - c) A 5460 sf. restaurant and 9,795 sf. retail building (55 and 44 stalls respectively)
 - d) A 26,225 sf. retail building (119 parking stalls)

2. That the PUD Amendment No. 8 Plans are amended to illustrate the following:
 - a) The development of Pad Site X as a 3 story – 32,800 sf. medical center/office building.
 - b) The development of Parcel F, the EDA Parcel, as a 4300 sf bank.
 - c) The bio-infiltration basin and reconfiguration to the parking lot to meet the storm water improvements.
 - d) The addition of a drive thru lane on the north side of the former Kohl's building.
3. That the City Engineer has determined that the EDA parcel was part of the 2011 storm water improvements and will be allowed to develop independent of this installation of the bio-infiltration basin.
4. The Developer shall enter into and execute an updated PUD Agreement (or similar document) as prepared by the City Attorney.

November 13, 2017
Date

Tim Willson
Mayor

ATTEST: Sharon Krutson
City Clerk

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

2501 County Road 10 (Shingle Creek Crossing)

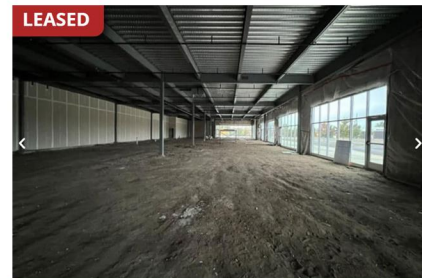
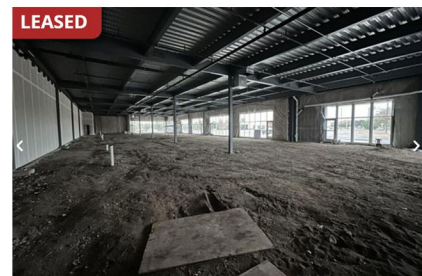


Request:
Major PUD Amendment
(Public Hearing)



City Council Meeting | December 9, 2024
Ginny McIntosh, Planning Manager

1



City Council Meeting | December 9, 2024
Ginny McIntosh, Planning Manager

2

Background

- The Shingle Creek Crossing PUD stems from what was originally the Brookdale Mall. In 1999, City Council adopted CC Resolution No. 99-37, which approved a PUD/re-zoning of the Brookdale Mall properties from the C2 District to PUD/C2.
 - In May 2011, what is known as the Shingle Creek Crossing PUD was approved to re-develop the Brookdale Mall.
 - The Shingle Creek Crossing PUD has been amended numerous times to account for future alterations/demolition of the remaining mall, re-platting/revisions to certain building pad sites, and changes to the approved uses within the Shingle Creek Crossing shopping center.



3

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Background (Cont.)

June 2024: City staff were informed that the approximately 12,500-square foot shell space attached to HOM Furniture (2501 County Road 10) had been leased for use as a new Social Security Administration field office.

- City staff informed Applicant/Property Owner KKMBA Brooklyn Center LLC that the proposed use of “governmental offices” was not a permitted use at that location per the approved PUD development plans, and that as a TIF agreement had been executed, this could be considered a default under the agreement if not remedied.
- HOM Furniture received City approvals in 2017 to: (1) renovate the former Kohl’s building, (2) construct an approximately 24,000-square foot addition, and (3) receive approvals for future improvements on Building Site X.

October 15, 2024: Applicant KKMBA Brooklyn Center LLC submitted a Planning Commission application for a major amendment to the Shingle Creek Crossing PUD that would allow for “governmental offices” as a permitted use within the Shingle Creek Crossing shopping center and at the Subject Property.



4

4

Background (Cont.)

October 31, 2024: Public Hearing Notice published to *Sun Post*

November 14, 2024: Planning Commission fails to meet quorum – no hearing held

November 28, 2024: Per Applicant request, and in line with Section 35-7203 (*City Council Action*), public hearing notice re-published for December 9 City Council meeting

December 2, 2024: 60-day letter of extension issued to Applicant



5

5

Background (Cont.)

- The existing Social Security Administration office is located less than a mile away at 3280 Northway Drive, but desires to enter into a 15-year lease (with total 30-year renewal) to operate an expanded field office at the Subject Property.
 - Per the Applicant, the SSA did not renew their lease term at their existing location as they require an expansion to meet the SSA's new standards, with plans to vacate in early 2026 or sooner.
- The approximately 12,500-square foot shell space was completed in 2019, but despite numerous proposals over the years, no viable user has been identified.
- Shingle Creek Crossing shopping center is zoned PUD/C2, and while "governmental offices" is permitted as one of the limited C1 District uses allowed in the C2 District, the 2017 approval for the addition was for "multi-tenant retail" and not "governmental office" use.
 - As the request is for introduction of a new use not included within the PUD approval, the Applicant is required to request approval of a "major amendment" to the PUD.



6

6

Background (Cont.)

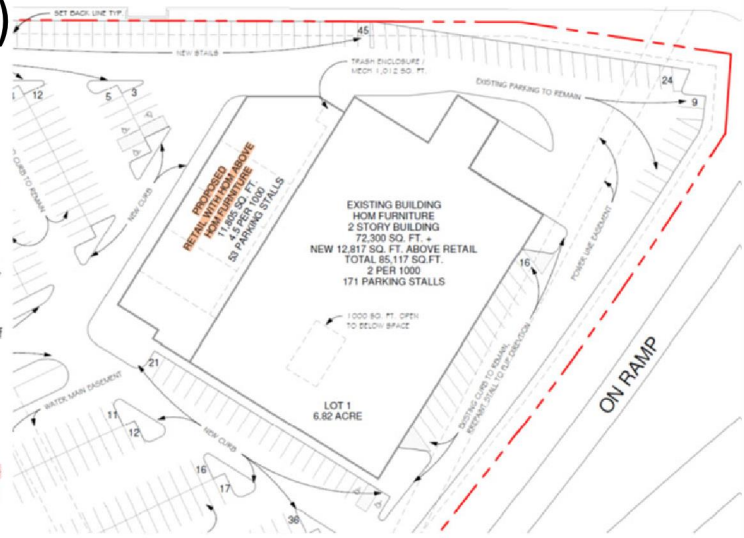
Overall Vision and Timeline

The Sites will not need to be subdivided and lot lines can be left as is.

The Buyer's initial plan is to correct the existing blight of the Kohl's building through transforming Kohl's into a HOM Furniture store with a 2 level 24,000 square foot addition. The upper floor of this addition will be additional showroom space for HOM and the first level will be market rate retail space for rent.

Timing of this Phase will begin after successful PUD, TIF, and ECR Agreements/Amendments are in place and other supporting documents have been executed. Once the Kohl's property is closed and building permits have been obtained, HOM will immediately begin to demo and expand the former Kohl's into a HOM Showroom and added retail space. HOM has been through this renovation process numerous times in various cities. Its group of responsive contractors and in house staff will complete the project efficiently.

Additional development will be market driven. Our plan is to develop the non-HOM balance of the site with aggressive marketing over the next 2 to 4 years by adding complimentary uses to the existing SCC Development such as a 48,000-square foot Medical Office facility and a Retail/Commercial building of 14,000 square feet on the EDA Parcel. If market conditions and demand dictate some other allowed uses, we are nimble and will accomplish the ultimate goal of fully developing the site to its densest and most complimentary use for the area.



7

7

Background (Cont.)

RESOLUTION NO. 2017-25

WHEREAS, the Planning Advisory Commission of the City of Brooklyn Center did determine that Planning Application 2017-001, submitted by HOM Furniture Inc. and Gatlin Development Company, should be approved based upon the following findings and considerations:

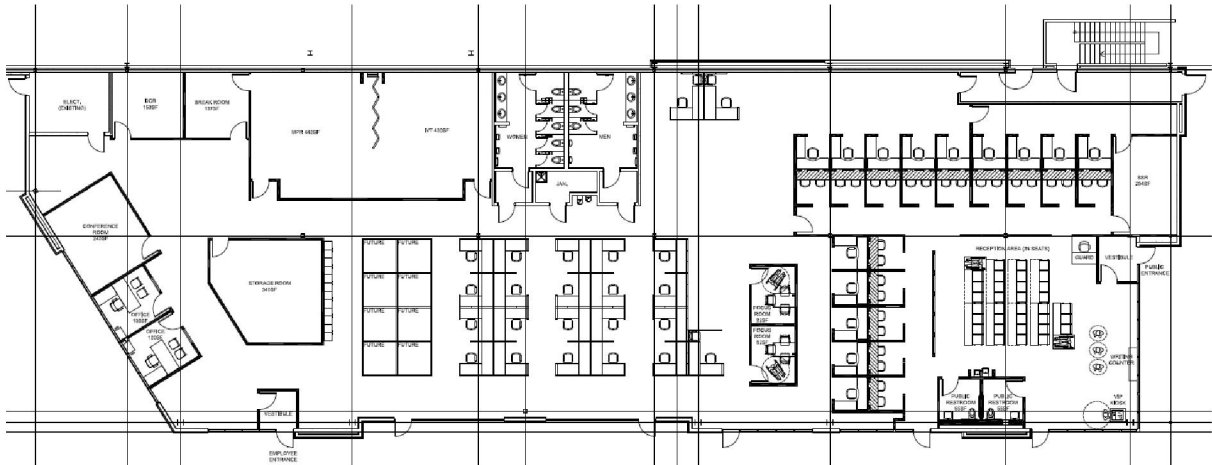
- A. The allowance of the 2-story, 24,000 sq. ft. addition to the former Kohl's building, with approximately one-half of this space to be used for new multi-tenant retail spaces, and one-half to be used as additional floor space for the new HOM Furniture store, is a reasonable request; and helps promote and enhance the general public welfare of this PUD, as it maintains and keeps the redevelopment activity of this site intact and ongoing, and may be approved;



8

8

Proposed Operation and Use



9

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Proposed Operation and Use (Cont.)

The Applicant provided a narrative, interior layout, and architectural buildout set as part of their application submittal, which identifies the following:

Public Area

- Public entrance/vestibule, 36-seat waiting area, public restrooms, guard desk, VIP kiosk, writing counters, and partitioned counters for customers

Employee Area

- Employee entrance/vestibule, employee restrooms, cubicle and office space, a conference and break room, and a storage room. *Employment: 28 staff.*

Hours of Operation

- *Monday – Friday: 7 a.m. to 5:30 p.m. (employees); 9 a.m. to 4 p.m. (public) | No weekends*



10

10

Proposed Operation and Use (Cont.)

Visits are scheduled through a mix of scheduled and walk-in appointments and would provide the following services:

- Retirement benefits
- Disability benefits
- Survivor benefits
- Family benefits
- Supplemental Security Income (SSI)
- Medicare Enrollment and Assistance
- Medicare Part D Enrollment
- **Social Security Card Replacements**
- Direct Deposit Enrollment for Benefits
- Benefit Verification Letters
- Tax Forms (1099/1042S)
- Tax Withholding Assistance

Social security card services are *not* currently provided at the existing Brooklyn Center office but would be provided as part of an expanded location. Other existing metro locations include Minneapolis (Chicago Avenue Card Center), Bloomington, and St. Paul.



11

11

Proposed Operation and Use (Cont.)

- Per the Applicant:

“The SSA field office provides critical public services such as retirement, disability, and healthcare benefit management for Brooklyn Center and the surrounding areas. The high visitor volume underscores the community’s reliance on these services. The establishment of a government office in this location will enhance the availability of public services for the residents of Brooklyn Center and the surrounding areas. Government offices provide essential services such as public safety, administrative functions, and public outreach.”

- A report pulled for September 2024 indicated that almost 65% of visitors (1,950 total) to the existing Social Security Administration office that month were residents of or within a 4 ½ mile radius of Brooklyn Center.
 - Of these, approximately 27% appear to be Brooklyn Center area residents (55429, 55430, 55422, and 55444 zip codes).
 - The median age of a visitor to the SSA office is 33 years old.



12

12

Proposed Operation and Use (Cont.)

Visitor Journey

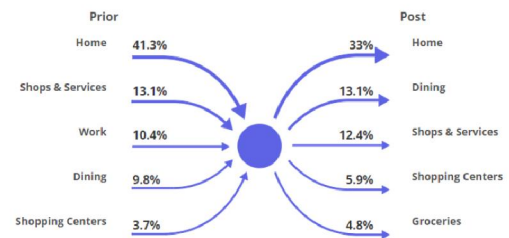
Property:
Brooklyn Center - SSA Office /...

Show by:

Location Category **Category Group**

- The Applicant states in their narrative that the SSA office has a positive economic impact on local businesses with approximately 50,000 visits per year, and that the SSA office supports local businesses by driving foot traffic to establishments with the majority of impact within a 1-mile radius; however, visitor behavior data provided to the City notes that just:

- 6% of visitors frequent nearby shopping centers;
- 5% visit grocery stores in the area;
- 12% of visitors continue on to local shops and services; and
- 13% proceed to local dining establishments within a 3-mile radius.



13

13

Comprehensive Plan and Use

- The Applicant indicates in their narrative that the proposed use, "aligns with the City of Brooklyn Center's Comprehensive Plan, while encouraging the adaptive reuse of properties to meet changing community needs and supporting the provision of essential community services boosting the local economy of Brooklyn Center. Government offices is a permitted use in the C2 district which overlays the Subject Property."
- Entirety of Shingle Creek Crossing is located within the City's TOD future land use designation, and notes that the City has experienced significant change in the past decade regarding its changing demographics and land.
- With the closure of the Brookdale Mall, the retail landscape has shifted and changed.
- Although market conditions continue to pose challenges on forwarding Phase of the Opportunity Site, which is located across from the Subject Property, City staff are optimistic with the recent adoption of the Master Plan (underway since 2018).



14

14

Use (Cont.)

- Despite closures within Shingle Creek Crossing, the shopping center has had renewed interest from users more aligned with the demographics and needs in Brooklyn Center, rather than the national chains the shopping center was originally envisioned for.
- In reviewing the documentation provided by the Applicant, City staff has concerns regarding the overall complementarity of “governmental offices” at this location as shopping centers, in general, are typically designed to support uses like retail, dining, and other customer-facing services that drive foot traffic and economic activity.
- While “governmental offices” provide some level of face-to-face contact, these uses do not typically attract the same level of shoppers or contribute as robustly to a shopping center’s experience or vitality.
 - Operation during daytime hours (no weekends or evenings), less urgent traffic patterns (sometimes in conflict with dynamic nature of shopping center), and generally more passive use that is not reliant on customers and purchases.



15

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Use (Cont.)

- PUD and TIF Agreements aside, the Subject Property and Shingle Creek Crossing are positioned in the core of Brooklyn Center, where valuable real estate should be optimized for maximum potential use.
- It is assumed that the Applicant and HOM Furniture would desire a user that would be complementary to their business and perhaps court customers to frequent their showroom and purchase their products.



16

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Criteria for PUD Amendment

Section 35-8304 (*PUD Criteria*) notes that, in addition to the criteria outlined in Section 35-7703 for conditional use permits, which does not apply for this PUD, the City Council shall base its decision upon the following additional criteria:

- a. Compatibility of the development plan with the standards, purposes, and intent of this section;
- b. Consistency of the development plan with the goals and policies of the Comprehensive Plan;
- c. The impact of the development plan on the neighborhood in which it is to be located; and
- d. The adequacy of internal site organization, **uses**, densities, circulations, parking facilities, public facilities, recreational uses, open spaces, and buffering and landscaping.



17

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Public Notification

- A public hearing notice was published in the Brooklyn Center *Sun Post* on October 31 and November 28 and mail notices were mailed to the surrounding property owners and physical addresses.
- The two major owners in proximity to the Subject Property include Gatlin Development Company (Shingle Creek Crossing) and the City's Economic Development Authority (Opportunity Site).
- Frank Gatlin (Gatlin Development Company) corresponded with City staff regarding the proposed use and noted that, while he understood the struggle of the Applicant to fill the approximately 12,500 SF space, as he himself has experienced in building out Shingle Creek Crossing, he did not think, "this particular tenant will be of any help to Shingle Creek as far as bringing in retail customers."
- Mr. Gatlin noted that it would fill a dark space and the location is far enough from his retail that it would likely not have a negative impact, but it would also not have a positive impact with exception of having less empty space. Mr. Gatlin did not explicitly have any objection to the use other than having a desire to find better users to complement the center and create more traffic.



18

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Findings

From the Planning perspective, which included a review of the 2011 Shingle Creek Crossing PUD Master Plans and documents, PC Application Nos. 2017-001 and 2017-007, the City's zoning provisions, and the 2040 Comprehensive Plan, City planning staff finds that the requested amendment to allow "governmental offices" within the Shingle Creek Crossing PUD, and as a replacement of the approved multi-tenant retail use at 2501 County Road 10 is/has:

- a) Inconsistent with the vision and objectives of the Shingle Creek Crossing PUD and shopping center;
- b) Not the highest and best use for the Subject Property given daytime/weekday hours, and less urgent traffic patterns, which conflict with dynamic nature of shopping center and tenants;
- c) Potential impacts on future development and economic growth for remaining sites, and given operations; and
- d) Data provided by Applicant from Placer AI suggests use would not significantly increase foot traffic or customer visits, which are essential for success of the shopping center.



19

19

City Council Action

(1) Motion to:

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

(2) Motion to deny the requested major amendment to the 2011 Shingle Creek Crossing Planned Unit Development to allow "governmental offices" as a permitted use at the Subject Property located at 2501 County Road 10 and as contemplated under Planning Commission Application No. 2024-012.

City planning staff maintains the position that, based on the findings presented within the provided staff report, the requested major amendment to the Planned Unit Development should be denied; however, if City Council elects to recommend approval of the request to allow for "governmental offices" within Shingle Creek Crossing shopping center, the motion language should be to approve the requested amendment to the 2011 Shingle Creek Crossing Planned Unit Development to allow for "governmental offices," and with revised findings.



20

20

TIF Agreement (EDA Item 4.a)

- The EDA and KKMBA Brooklyn Center LLC (“the Developer”) entered into a TIF Development Agreement, dated December 11, 2017 (the “TIF Agreement”), in conjunction with the Developer’s proposed construction of the Minimum Improvements and Storm Water Improvements (defined in TIF Agreement), but the Developer has not completed the conditions for the disbursement of the TIF assistance under the TIF Agreement.
- As the Developer is proposing use of the Development Property (Subject Property) that is inconsistent with the retail use contemplated in the TIF Agreement and PUD, the Developer (Applicant) noted a willingness to terminate the TIF Agreement if the PUD Amendment for “government use” is approved.

If City Council supports *approving* the major PUD amendment, which would allow “governmental offices” within the Shingle Creek Crossing PUD and on the Subject Property, City staff further advises Council to approve the Planning Commission application contingent on termination of the related TIF Agreement (EDA Item 4.a).



21

21

Alternative Findings (for Approval)

Motion to approve the requested major amendment to the 2011 Shingle Creek Crossing Planned Unit Development to allow "governmental offices" as a permitted use at the Subject Property located at 2501 County Road 10 and as contemplated under Planning Commission Application No. 2024-012.

Potential Findings for Approval

1. 2040 Comprehensive Plan outlines that the City has experienced significant changes in the past decade with respect to changing demographics and changing market conditions which resulted in the closure of a number of big box stores within the shopping center. These changes have resulted in the need to re-imagine the types of uses acceptable in the shopping center.
2. “Governmental Offices” are a permitted use in the C2 zoning district;
3. “Governmental Offices” will generate more economic activity and foot traffic to the shopping center than vacant retail space, and although the existing SSA location would be vacated, the proposed new location would provide 28 jobs at the Subject Property; and
4. Relocation of SSA office from existing location will expand availability of public services.



22

22

Council Regular Meeting

DATE: 12/9/2024

TO: City Council

FROM: Dr. Reggie Edwards, City Manager

THROUGH: N/A

BY: OCPHS, BCPD, BCFD, Parks & Recreation

SUBJECT: Brooklyn Center Community Safety and Violence Prevention Commission

Requested Council Action:

-Council request to enable the Resolution for the Community Safety and Violence Prevention Commission.

Background:

City Council requested that staff present for consideration on the Brooklyn Center Community Safety and Violence Prevention Commission.

Budget Issues:

The implementation of the Community Safety and Violence Prevention Commission represents a strategic investment in community well-being. While the proposed budget provisions are non-fiscal, they are designed to achieve significant community cost savings and deliver impactful outcomes in the following areas:

1. Emergency Response Efficiency:

By fostering community-driven strategies, the Commission aims to reduce reliance on law enforcement for non-emergency incidents, lowering the associated costs of police response while increasing community trust and public safety outcomes.

2. Health Care Cost Reduction:

Proactive violence prevention and mental health interventions can significantly decrease emergency room visits and long-term medical expenses caused by violence-related injuries, alleviating the financial burden on healthcare systems.

3. Judicial and Corrections Cost Mitigation:

Early intervention strategies will divert at-risk individuals from the criminal justice system, reducing court, detention, and correctional facility costs, while focusing on rehabilitation and community integration.

4. Workforce Productivity Gains:

By addressing violence and public safety concerns, the initiative fosters a safer environment that supports community members' ability to work, learn, and thrive without disruption, benefiting local economic growth.

5. Long-Term Community Investments:

The Commission's role in developing preventative strategies supports sustainable economic growth by improving neighborhood stability, increasing property values, and enhancing the quality of life for all residents.

This initiative reflects the City's commitment to innovative public safety approaches that prioritize cost-effective, community-focused solutions. The Commission's work aligns with our shared goals of equity,

safety, and sustainability for the long-term benefit of Brooklyn Center residents.

Inclusive Community Engagement:

In alignment with Resolution 2021-73, the implementation of a Community Safety and Violence Prevention Commission represents a vital step in fostering a safe and inclusive community. This initiative directly responds to our collective commitment to equity, transparency, and community collaboration.

Antiracist/Equity Policy Effect:

This resolution sets a precedent for transforming public safety through an antiracist and equity lens, leading to:

- Increased trust between residents and city leadership.
- Tangible improvements in the quality of life for marginalized communities.
- A sustainable framework for addressing the root causes of violence and systemic inequities.

By adopting and implementing Resolution 2021-73, the City is taking a bold step toward building a more just, equitable, and inclusive community.

Strategic Priorities and Values:

Maintain a strong financial position, Maintain and enhance public places, Improve community and employee safety, Provide quality services with fair and equitable treatment, Strengthen community and employee engagement in key decisions, Be an effective partner with other public entities, Strengthen and diversify business development and housing, Improve employees' experience

ATTACHMENTS:

Description	Upload Date	Type
Community Safety and Violence Prevention Commission Resolution	12/5/2024	Cover Memo

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2024-_____

RESOLUTION ESTABLISHING THE BROOKLYN CENTER COMMUNITY SAFETY AND VIOLENCE PREVENTION COMMISSION AND DEFINING DUTIES AND RESPONSIBILITIES

WHEREAS, on May 15, 2021, the City Council for the City of Brooklyn Center (“City”) passed Resolution No. 2021-73, adopting the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Act (the “Act”); and

WHEREAS, the Act required the City to create a permanent Community Safety and Violence Prevention Committee, which was to be tasked with reviewing and making recommendations regarding the policing response to the protests that occurred in the City in April 2021, reviewing the current collective bargaining agreement between the City and the Police Department, making recommendations prior to the renegotiation of the agreement and before its final approval, recommending the City Council create a separate and permanent civilian oversight committee for the new Department of Community Safety and Violence Prevention, reviewing Chapter 19 of the City Code, making recommendations with regard to repealing or amending provisions or penalties therein, including fines and fees, and periodically making any other recommendations to the City Council related to initiating programs or policies to improve community health in the City; and

WHEREAS, the Community Safety and Violence Prevention Committee was to include a majority of members that are City residents with direct experience being arrested, detained, or having other similar contact with the Brooklyn Center Police Department or had direct contact with one or more of the other services to be provided by the new Department of Community Safety and Violence Prevention; and

WHEREAS, the Community Safety and Violence Prevention Committee was to be chaired by the Mayor, with list of potential members created by the Director of the Department of Community Safety and Violence Prevention and members from that list recommended by the Mayor and confirmed by the City Council; and

WHEREAS, the City Council is authorized by Section 2.02 of the City Charter to create boards, commissions, and committees to assign to them specific duties; and

WHEREAS, the City remains committed to creating a safer, healthier, more just, and more thriving community by promoting a diversity of responses to our community's safety needs that do not rely solely on our armed law enforcement officers; and

WHEREAS, the City remains committed to putting in the work necessary to bring about changes as quickly as possible in how the City provides public safety while recognizing that some of these measures will take longer to implement than others and that additional work remains to be done to create a healthier and more equitable community; and

WHEREAS, due to the permanency of the Community Safety and Violence Prevention Committee referenced in the Act and the importance of the work they will be tasked to perform, the City Council desires to establish the body as a permanent advisory commission for the City of Brooklyn Center, as opposed to a committee, to be identified as the Community Safety and Violence Prevention Commission (“Commission”). The Act shall be amended to reflect the establishment of a commission as opposed to a committee; and

WHEREAS, the City Council desires to expand upon the Act and to expand and clarify the duties, responsibilities and structure of the Commission. The Act shall be amended to reflect the duties, responsibilities and structure of the Commission as set forth in this Resolution; and

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

1. Establishment. The advisory Community Safety and Violence Prevention Commission (“Commission”) is hereby established for the City of Brooklyn Center.
2. Scope. In accordance with the Act and the findings set forth above, the scope of activity of the Commission shall consist of advising the City Council and other City advisory commissions and committees regarding matters relevant to Community Safety and Violence Prevention functions.
3. Purpose. The general purpose of the Commission is to act in an advisory capacity to the City Council on issues related to Community Safety and Violence Prevention.
4. Duties and Responsibilities. In accordance with the Act and the findings set forth above, and in fulfillment of its purpose, the Commission’s duties and responsibilities of the Commission include, but are not limited to, the following:
 - a. Develop, advise, recommend, and upon adoption by the City Council, monitor the execution of a comprehensive plan and recommend amendments to the plan as warranted relevant to community safety and violence prevention matters in the City, including the Act;
 - b. Advise and assist the City in the adoption of policies and procedures by the City Council responsive to changing diverse community needs and concerns in matters of community safety and violence prevention;
 - c. Annually report to the City Council regarding accomplishments toward fulfillment of such comprehensive plan and recommend amendments to the plan as warranted;
 - d. Advise and assist the City in reviewing and discussing community safety and violence prevention policies for the City, and make recommendations to the City Council concerning community safety and violence prevention in the City;

- e. Work with City staff and other Commissions on matters regarding community safety and violence prevention in the City;
 - f. Review current community safety and violence prevention initiatives, practices, and policies;
 - g. Work with neighborhood committees to understand the community safety and violence prevention needs of each area in the City;
 - h. Identify high-priority areas for community safety and violence prevention in the community and analyze methods of fulfilling these needs and interests and presenting alternative recommendations for actions to the City Council;
 - i. Provide opportunities for the citizens of Brooklyn Center to voice their concerns and opinions regarding community safety and violence prevention matters;
 - j. Recommend new and innovative concepts in community safety and violence prevention for the City;
 - k. Advise, review and make recommendations for the City's response to protests;
 - l. Review the current collective bargaining agreement between the City make recommendations prior to final approval to the City Manager;
 - m. Periodically make any other recommendations to the City Council related to initiating programs or policies to improve community health in the City.
5. Composition. The Commission shall be composed of a Chairperson and six (6) voting members and four non voting advisors, all of whom shall be appointed and serve as set forth below. All voting members of the Commission shall be residents with direct experience or contact with the public safety, judicial or public health systems or have had direct contact or expertise with one or more of the public safety, judicial or public health systems. All non voting advisors shall be appointed and serve as set forth below. All non voting advisors shall have direct experience or contact with the public safety, judicial or public health systems or have had direct contact or expertise with one or more of the public safety, judicial or public health systems
6. Method of Selection. The Office of Community Prevention, Health and Safety will provide the Mayor with a list of commission candidates to serve on the Commission after review with Brooklyn Center Police Department, Brooklyn Center Fire Department and Brooklyn Center Parks and Recreation Department. The Mayor will recommend candidates to the City Council for appointment. The City Council shall appoint members to the Commission by resolution.

7. Initial Appointment. The Commission under this resolution shall become effective March 30th, 2025, or soon thereafter, and shall consist of three members appointed for a term through 2027, three members appointed for a term through 2026, and one member appointed for a term through 2025.
8. Term of Office. The terms of office for Commission members shall be staggered two-year terms, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which their predecessor was appointed shall be appointed only for the remainder of such term. Upon expiration of their term of office, a member shall continue to serve until their successor is appointed and shall have qualified. Terms of office for members of the Commission shall expire on December 31 of respective calendar years.

In the event an appointed Commission member suffers from an extended illness, disability, or other activity preventing proper fulfillment of duties, responsibilities, rules, and regulations of the Commission, the Commission member may be temporarily replaced during the temporary leave by an interim Commission member recommended by the Mayor and appointed by the City Council.

9. Resignations-Removal from Office-Vacancies. Commission members may resign voluntarily or may be removed from office by the Mayor with consent of the City Council. Three consecutive unexcused absences from the duly called Commission meetings or unexcused absences from a majority of duly called Commission meetings within one calendar year shall constitute automatic resignation from office. The City Council liaison shall inform the Mayor and City Council of such automatic resignations. Vacancies in the Commission shall be filled by appointment of the City Council.

The procedure for filling Commission vacancies is as follows:

- a. Notices of vacancies shall be posted for 30 days before any official City Council action is taken;
- b. Vacancies shall be announced in the City's official newspaper;
- c. Notices of vacancies shall be sent to all members of standing advisory commissions;
- d. The City Clerk shall forward copies of the applications to the Public Safety Departments (Office of Community Prevention, Health and Safety, Brooklyn Center Police Department, Brooklyn Center Parks and Recreation Department and Brooklyn Center Fire Department) and the Mayor;
- e. The Mayor shall identify and include the nominee's name in the City Council agenda materials for the City Council meeting at which the nominee is presented;

- f. The City Council, by majority vote, may approve an appointment at the City Council meeting at which the nominee is presented.
10. Chairperson. The Commission's Chairperson shall be elected by a majority vote of the Commission membership. The election shall be conducted at the Commission's first meeting and at the first regular meeting of each calendar year, or, in the case of a vacancy, within two regularly scheduled meetings from the time a vacancy of the Chairperson occurs. The Chairperson may be removed by a majority vote of the Commission membership. The Chairperson shall assure fulfillment of the following responsibilities in addition to those otherwise described herein:
 - a. Preside over meetings of the Commission;
 - b. Appear, or appoint a representative to appear, as necessary, before City advisory commissions and the City Council to present the viewpoint of the Commission in matters pertaining to community safety and violence prevention as it relates to business under consideration by said commissions or City Council;
 - c. Review all official minutes of the City Council and other advisory commissions to inform the Commission of matters relevant to community safety and violence prevention;
 - d. Serve as a liaison with other governmental and voluntary organizations on matters relevant to community safety and violence prevention.
11. Vice Chairperson. A Vice Chairperson shall be appointed annually by the Chairperson from the members of the Commission. The Vice Chairperson shall perform such duties as may be assigned by the Chairperson and shall assume the responsibilities of the Chairperson in their absence.
12. Representation Requirements. Due regard shall be given by the Mayor and City Council in appointing Commission members which will take into consideration geographical distribution within the City, as described in paragraph 20 below, and the representative nature of the Commission in terms of gender, religion, ethnic, racial, age, handicapped, employee, and employer groups.
13. Conflict of Interest. No Commission member shall take part in the consideration of any matter wherein their interest might reasonably be expected to affect their impartiality.
14. Compensation. Commissioner members shall serve without compensation.
15. Bylaws, Rules and Procedures. The Commission shall adopt such bylaws, rules and procedures not inconsistent with these provisions as may be necessary for the proper execution and conduct of business. Bylaws adopted by the Commission shall become effective upon approval and consent of the City Council.

16. Meetings. The initial meeting of the Commission shall be convened by March 30th, 2025. Thereafter, regular meetings shall be held with the date and time to be determined by the Commission. Special meetings may be called by the Chairperson.
17. Staff Liaison. The City Manager shall assign one member of the staff to serve as staff liaison to the Commission. The staff member liaison assigned shall perform administrative duties on behalf of the commission. In addition to the Staff Liaison, City staff from all public safety departments will attend commission meetings including the Office of Community Prevention Health and Safety, Brooklyn Center Police Department, Brooklyn Center Parks and Recreation Department and Brooklyn Center Fire Department with the Office of Community Prevention, Health and Safety serving as the liaison for the commission.
18. Ex Officio Members. The Mayor, or the member of the City Council appointed by the Mayor, shall serve as an ex officio member of the Commission, privileged to speak on any matter but without a vote, and shall provide a liaison between the Commission and the City Council.
19. Neighborhoods:
 - a. Neighborhood Advisory Committees: Commission members shall be assigned by the Chairperson as liaisons to neighborhood advisory committees of the Commission. It will then be the responsibility of each neighborhood advisory committee of the Commission to review safety and violence prevention matters and present the neighborhood opinions and concerns on general and specific safety and violence prevention programs directly affecting that neighborhood.
 - b. Neighborhoods Described (See also Exhibit A attached hereto and incorporated herein by reference).
 - i. Southeast Neighborhood: The Southeast neighborhood shall be bordered on the south by the south city limits; on the east by the Mississippi River; on the north by FAI-94; and on the west by Shingle Creek.
 - ii. Northeast Neighborhood: The Northeast neighborhood shall be bordered on the south by FAI-94; on the east by the Mississippi River; on the north by the north city limits; and on the west by Shingle Creek.
 - iii. Northwest Neighborhood: The Northwest neighborhood shall be bordered on the south by FAI-94; on the east by Shingle Creek; on the north by the north city limits; and on the west by the west city limits.
 - iv. West Central Neighborhood: The West Central neighborhood shall be bordered on the south by County Road 10; on the east by Brooklyn Boulevard; on the north by FAI-94; and on the west by the west city limits.

- v. Central Neighborhood: The Central neighborhood shall be bordered on the south by County Road 10; on the east by Shingle Creek; on the north by FAI-94; and on the west by Brooklyn Boulevard.
- vi. Southwest Neighborhood: The Southwest neighborhood shall be bordered on the south by the south city limits; on the east by Shingle Creek; on the north by County Road 10; and on the west by the west city limits.

20. The Act is hereby amended as referenced in this Resolution.

Date

Mayor

ATTEST: _____
City Clerk

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

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

EXHIBIT A

Map of Neighborhoods

