

Council Study Session
City Hall Council Chambers
October 28, 2019

AGENDA



The City Council requests that attendees turn off cell phones and pagers during the meeting. A copy of the full City Council packet is available to the public. The packet ring binder is located at the entrance of the council chambers.

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

**CITY COUNCIL
MEETING**

City Hall Council Chambers
October 28, 2019

AGENDA



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

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

2. Invocation - 7 p.m.

3. Call to Order Regular Business Meeting

The City Council requests that attendees turn off cell phones and pagers during the meeting. A copy of the full City Council packet is available to the public. The packet ring binder is located at the entrance of the council chambers.

4. Roll Call

5. Pledge of Allegiance

6. Approval of Agenda and Consent Agenda

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

a. Approval of Minutes

- *Motion to approve the following minutes:*

- *September 16, 2019 City Council/Financial Commission Joint*
- *October 14, 2019 Study Session*
- *October 14, 2019 Regular Session*
- *October 14, 2019 Work Session*

b. Approval of Licenses

- *Motion to approve licenses as presented.*

c. Resolution Certifying Special Assessments for Emergency Private Utility Service Repairs to the Hennepin County Property Tax Rolls

- *Motion to approval a resolution assessing the attached list of properties for emergency private utility service repair costs*

d. Resolution Setting 2020 Employer Benefits Contribution for Full-Time Non-Union Employees

- *Motion to approve the resolution setting the 2020 employer benefits contribution for full-time non-union employees*

- e. Resolution Supporting a Grant Application to the Hennepin County Environmental Response Fund (ERF) by Hyde Development
 - *Motion to approve a resolution of support for a grant application to Hennepin Environmental Response Fund (ERF) by Hyde Development Company.*
- f. Resolution Identifying the Need for Brownfield Gap Financing Program Funding and Authorizing an Application for Grant Funds
 - *Motion to approve a resolution authorizing the submission of a Brownfield Gap Financing Program grant application to Minnesota Brownfields*
- g. Setting a Public Hearing on Proposed Utility Rates for 2020
 - *Motion to set a public hearing for Monday, November 25, 2019 on proposed utility rates for 2020.*
- h. Resolution Approving Amendment to the Professional Services Agreement with SRF Consulting Group, Inc. for the Brooklyn Boulevard Corridor Project Phase 1, Improvement Project No. 2018-05
 - *Motion to approve a resolution approving amendment to the Professional Services Agreement with SRF Consulting Group, Inc. for the Brooklyn Boulevard Corridor Project Phase 1, Improvement Project No. 2018-05.*

7. Presentations/Proclamations/Recognitions/Donations

- a. Proclamation Declaring October 28, 2019, to be Designated as Random Acts of Kindness Day and Distribution of Certificates
 - *Motion to Adopt a Proclamation Declaring October 28, 2019, to be Designated as Random Acts of Kindness Day.*
 - *Council members read nomination while Mayor Elliott distributes recognition certificates to the 2019 Random Acts of Kindness recipients*
- b. Proclamation for Nathan Reinhardt
 - *Motion to accept the Mayor's Proclamation for Nathan Reinhardt, Director of Fiscal & Support Services*

8. Public Hearings

- a. Resolution Ordering Improvements and Authorizing Preparation of Plans and Specifications for Improvement Project Nos. 2020-01, 02, 03 and 04, Grandview North Area Street, Storm Drainage and Utility Improvements
 - *Motion to approve a resolution ordering the Grandview North Area Street, Storm Drainage and Utility Improvements, Improvement Project Nos. 2020-01, 02, 03, and 04 and authorizing preparation of project plans and specifications.*

9. Planning Commission Items

10. Council Consideration Items

- a. Resolutions for Proposed Special Assessments for Nuisance Abatement Costs, Tall Grass and Weed Abatement Costs, Dead and Diseased Tree

Abatement Costs and Administrative Fines/Citations

- Motion to adopt a Resolution Certifying Special Assessments for Nuisance Abatement Costs to the Hennepin County Property Tax Rolls

- Motion to adopt a Resolution Certifying Special Assessments for Administrative Citations to the Hennepin County Property Tax Rolls

- Motion to Adopt a Resolution Certifying Special Assessments for Diseased Tree Removal Costs to the Hennepin County Property Tax Rolls

-Motion to Adopt a Resolution Certifying Special Assessments for Weed Removal Costs to the Hennepin County Property Tax Rolls

-Motion to Approve a Resolution Certifying Special Assessments for 6842 West River Rd N Nuisance Abatement Costs to the Hennepin County Property Tax Rolls

11. Council Report

12. Adjournment

COUNCIL ITEM MEMORANDUM

DATE: 10/28/2019

TO: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: Approval of Minutes

Requested Council Action:

- *Motion to approve the following minutes:*

- *September 16, 2019 City Council/Financial Commission Joint*
- *October 14, 2019 Study Session*
- *October 14, 2019 Regular Session*
- *October 14, 2019 Work Session*

Background:

In accordance with MN Statute 15.17 and MN Statute 412.151, subd.1, attached for your approval are the minutes from the study session, regular session and work session.

Budget Issues:

None

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
September 16 CC FC Joint Meeting	10/14/2019	Backup Material
October 14 Study Session	10/23/2019	Backup Material
October 14 Regular Session	10/21/2019	Backup Material
October 14 Work Session	10/21/2019	Backup Material

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

JOINT WORK SESSION
SEPTEMBER 16, 2019
CITY HALL – CITY COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council/Financial Commission Joint Work Session was called to order by Mayor Elliott at 6:30 p.m.

ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan. Also present were Financial Commissioners Tia Hedenland, Taofeek Ishola, Abate Terefe, and Dean Van Der Werf. Also present were City Manager Curt Boganey, Deputy City Manager Dr. Reggie Edwards, Director of Fiscal & Support Services Nate Reinhardt and Deputy City Clerk Alix Bentrud.

APPROVAL OF AGENDA

There was a motion by Councilmember Ryan and seconded by Councilmember Lawrence-Anderson to approve the agenda as submitted. The motion passed.

2020 CITY MANAGER'S RECOMMENDED PRELIMINARY LEVY

Mr. Boganey stated City Staff would present the City Manager's recommended Budget and Preliminary Levy. He added this would be reviewed at the City Council's September 23, 2019 meeting, and the City Council is expected to adopt a final levy by the end of September 2019. He noted, after the levy is adopted, the City Council can adopt a reduction in the levy but not an increase.

Mr. Boganey stated a series of budget work sessions had been held to determine whether the preliminary budget is in line with the continued direction of the City Council and whether the pace is sufficient to complete strategic priorities. He added the consensus of the City Council was to approve a levy increase of 6% or less. He noted the City Council had received that information, and a draft City Council budget has been prepared, including all areas except the City Council and Mayor's budget.

Mr. Boganey stated the initial levy increase of 11.2% was too high, and City Staff knew there would need to change. He added tonight's meeting is to review the changes that City Staff is proposing to bring the budget in line with the goal of 6% levy.

Finance Director Nate Reinhardt reviewed budget adjustments up to this point as a result of July 29, 2019, Work Session at which budget overview and goals were reviewed. He added a preliminary 2020 budget is the result of this and subsequent work sessions.

Councilmember Ryan asked where the \$50,000 excess increment is coming from. Mr. Reinhardt stated tax increment based on the tax rate is received when the market value increases. He added the difference between the two rates produces excess taxes that goes into the General Fund. He noted the funds are distributed based on how much the rate is changed.

Mr. Reinhardt reviewed reductions, including the elimination of a proposed part-time IT staff position.

Mr. Boganey stated the proposed budget allows the completion of 1 public art program instead of the three programs that were approved and anticipated. Deputy City Manager Reggie Edwards agreed, adding the project that will be completed involves decoration of waste receptacles around the City, to encourage people to use them, and be conscious of where their trash goes. He gave a brief review of this demonstration project, as well as a proposed City Hall mural on the exterior of the building, and another type of public art. He noted these three projects were proposed, but only one will be pursued.

Mr. Boganey stated funding could potentially be available if these projects were to be approved in 2020 and completed in 2021.

Councilmember Ryan stated there had been a discussion about a new Public Works staff position who would maintain and beautify public rights of way and streetscapes. He added he hopes that can move forward to ensure that public areas are well-maintained, and the Shingle Creek Crossing managers will maintain their properties to the same standards.

Mr. Edwards stated the 2019 Master Beautification Plan is still moving forward, with options for funding mechanisms, and will continue to move forward in the future.

Mr. Elliott requested clarification regarding recruitment and Metro Transit. Mr. Edwards stated City Staff advertises open City positions on the inside and outside of Metro Transit buses that run through Brooklyn Center, to reach a population that would not otherwise be made aware of open positions.

Mayor Elliott asked whether funds will be available for professional recruitment if Human Resources will no longer have that function. Mr. Boganey stated recruitment would be funded out of each individual department rather than the Human Resources budget.

Mr. Reinhardt stated the two proposed Patrol Officer positions have been eliminated, as well as maintenance project funding and software upgrades, for a total reduction of \$261,626 from the Police Department.

Mr. Boganey stated he hopes to have a study completed that will provide data on patrol demand and provide recommendations for whether additional police officers would add value to the Department.

He added utilization of all patrol officers would be evaluated and analyzed carefully to determine patrol requirements and ongoing operational demands.

Mr. Boganey stated the process for reducing the levy was two-fold: each department head was given a maximum 4% increase over current operations, and they were requested to evaluate and determine high priority funding areas. He added some Departments had few cuts as they did not have expanded services.

Councilmember Graves stated it would be helpful to see the total budget with adjusted percentages.

Mr. Reinhardt stated Page 53 shows a departmental page with deductions.

Councilmember Graves requested clarification regarding "Patrol Overtime." Mr. Boganey stated patrol overtime is estimated and included in the proposed budget as a certain amount of overtime is historically anticipated.

Councilmember Graves stated the recruitment of additional officers was eliminated. She asked whether it is more advisable to pay overtime than officer salaries.

Councilmember Lawrence-Anderson agreed, adding overtime would be \$250,000, but hiring two potential officers would cost \$175,000. Mr. Boganey stated this is an operational issue, and totals are estimated. He added budgeting for overtime is more cost-effective than additional officers, because much overtime is unavoidable. He noted overtime is an estimate, driven by staffing.

Mr. Reinhardt stated Fire & Emergency Preparedness had a reduction of \$45,000 for computer replacement. He noted the portable message board, as well as miscellaneous fire and emergency preparedness programs, were eliminated, and miscellaneous computer-related funding.

Mr. Reinhardt stated a proposed park maintenance employee position was eliminated from the Public Works Department, as well as funds for the repair of engineer vehicles.

Mr. Boganey stated a new Parks Maintenance Supervisor has recently been hired and is currently assessing staffing needs. He added the new Supervisor will complete this evaluation process before the 2020 budget is reviewed.

COMMUNITY DEVELOPMENT

Mr. Reinhardt stated the Housing Gap Analysis Study - professional services fees are proposed to be moved to TIF #3. He added the proposed part-time administrative assistant position would be eliminated for a total of \$120,000 reduction.

Mr. Reinhardt stated Community Activities, Recreation, and Services (CARS) had proposed a reduced City Hall and Community Center maintenance budget of \$117,000.

Mayor Elliott requested clarification regarding the Housing Gap Analysis Study. Mr. Boganey stated that a study is proposed for the TIF budget. He agreed to confirm the details and provide additional information.

Mayor Elliott requested clarification regarding grass cutting. Mr. Boganey stated that it is a Code Enforcement issue and has been reduced as the process has become very efficient, and less funding is required for abatement.

Mr. Reinhardt stated some Logis software is no longer needed for Building and Community Standards, which is a reduction, as well as modified estimates for the garage, including fuel cost for vehicles, replacement costs, annual allocations for each vehicle for repairs and maintenance, and central garage operations.

Mr. Boganey stated it could be considered a lease. Councilmember Graves requested clarification. Mr. Boganey stated the City pays for replacement and ongoing maintenance costs, which includes overhead for the building, garage, and staff as well as fuel. He added vehicles that are no longer used are sold by the garage, and proceeds go back to the garage fund.

Mr. Reinhardt stated a central garage presentation would be provided for the City Council in fall 2019.

Mr. Reinhardt stated new projects seemed to have the least impact on City Council priorities. He added individual departments were reviewed to ensure that the impact of reductions, or no reductions, were fully understood.

Mayor Elliott asked whether the 3.3% increase takes into account proposed additional staff. Mr. Reinhardt confirmed this.

Mayor Elliott asked whether the cost of maintaining services or 3.9% includes adjustment for inflation or cost of living. Mr. Boganey stated personnel cost increases are generally living-related.

Mayor Elliott asked whether personnel costs increase by \$800,000 every year. Mr. Reinhardt stated City Staff budgets the same way as the previous year.

Mr. Boganey agreed, adding negotiated labor agreements are also a factor. He added the City matches non-union adjustments with union-negotiated adjustments.

Councilmember Graves requested clarification regarding "Supply Services Charges for Requested Advancements." Mr. Boganey stated that refers to new activities that would require start-up costs that will not occur every year.

Councilmember Graves asked whether “Supply Service Charges” refers to programs that provide services and support and give back to the community. Mr. Boganey stated this refers to supplies and services contracts, such as public art projects and election services, that will not be personnel-related costs.

Councilmember Ryan stated the actual benefit or value of expenditure could be subjective. He added some people might support community art projects while others question whether it is a benefit. He noted this is a worthy concern but difficult to address.

Mr. Reinhardt stated research has shown that most metro area cities have a levy of approximately 6%.

Councilmember Lawrence-Anderson requested clarification regarding Community Center charges. Mr. Reinhardt stated those numbers relate primarily to the number of swimming lessons, which had to be reduced due to a lack of instructors.

Mayor Elliott requested clarification regarding “Court Costs.” Mr. Reinhardt stated court fines might be allocated by Hennepin County to offset City costs. He added it has been up and down the past few years. Mr. Boganey stated there is a formula that dictates the City’s total share.

Mr. Reinhardt stated the expenses budget of \$23.8 million means a balanced budget. He added \$16.8 million, or approximately 70%, are related to personnel costs.

Councilmember Graves asked whether the “expenses by function” pie charts from the past few years can be used to determine whether there has been a shift.

Mr. Reinhardt stated he could review the charts in the “General Government” area, to which has been added “Communications and Engagement.”

Mayor Elliott asked whether there is any other staff doing City Planning. Mr. Boganey stated there is currently 1 City Planner, who also serves as the Zoning Administrator. He added the Community Development Director recommended an additional full-time position, and he supports that recommendation, with the increase in the amount of development activity and demands on that position. He noted an additional Planning Department staff member would give the City the ability to be timelier in processing applications, reviewing plans and doing the work correctly.

Mr. Boganey stated the Zoning Administrator role would be approximately 20% of the new staff’s job, ensuring that the Zoning Code is enforced. This position would also be responsible for platting and re-platting.

Mayor Elliott asked whether there is any other City Staff working on Planning issues and whether a full-time position is necessary to augment it. Mr. Boganey stated Ms. McIntosh is the only City Planner.

Mr. Reinhardt stated Earle Brown Heritage Center would be proposing two additional Sales positions for 2020.

Mayor Elliott stated he would like to see this data without self-funded enterprise employees. Mr. Reinhardt agreed to forward a staffing chart that was in the last meeting packet with data arranged by the fund.

Mr. Boganey stated historical information regarding the General Fund and Enterprise Fund could be provided for the City Council's review.

Mr. Reinhardt stated, based on preliminary estimates from the County Assessors' Office, the taxable market value is estimated to increase by 106% for taxes payable in 2020. He added this is identical to the increase from last year. He noted this applies to industrial, rental, and residential increase assessed property values.

Mr. Reinhardt stated residents increased the assessed value of their homes this year by 7.6%. He added, over the past six years, there has been a 73% increase in the value of the average median home.

Mayor Elliott asked what would be a historical high for the commercial tax base contribution. Mr. Boganey stated he does not have any data, but he would assume that the Brookdale Mall development when it was newly developed would have been high.

Mayor Elliott stated the average single-family home would pay \$59 more on average for the levy. Mr. Boganey stated he could provide information from the County after the levy is approved, so the City Council and Commissioners can see the percentage of properties and what percentage they are paying.

Mr. Reinhardt stated City Staff is requesting adoption of the preliminary levy at the City Council's September 23, 2019, Regular Meeting. The levy can only be decreased but not increased.

Councilmember Graves asked why the Housing and Redevelopment Authority (HRA) levy has a smaller percentage of increase. Mr. Boganey stated including the HRA levy in the overall levy increase would have a relatively small impact.

Mayor Elliott stated he is happy that the City can get to a lower rate of levy. He stressed the importance of balancing services that are offered based on priorities and reducing the burden to taxpayers. He added he hopes that as the City moves forward, ways to increase residents' incomes

are considered through workforce development, entrepreneurship, and business opportunities. He noted balanced priorities would be a result of a higher median income combined with creative ways to provide services.

Councilmember Ryan stated, in the past, the Finance Department has provided a chart that compares Brooklyn Center taxes with peer communities, to counteract false rhetoric regarding high taxes. Mr. Boganey agreed to provide that information.

Mr. Boganey asked whether there is any interest in increasing the maximum levy to provide additional funding for the Mayor and City Council's budget. He added now is the time to discuss this, as the maximum levy cannot be increased.

Councilmember Ryan stated Councilmembers have the option to share their travel allotment with other Councilmembers if they have chosen not to go out of state or participate in local conferences.

Councilmember Butler stated she does not believe there is an additional need for funding for travel, as there are organizations with grants and other resources. She added additional travel for Councilmembers should not increase the levy.

Councilmember Ryan agreed, adding. Councilmembers can borrow an allotment for travel from another Councilmember who has not used their travel funding.

Mr. Boganey stated City Councilmembers could travel almost unlimited amounts within Minnesota and are allowed two out-of-state trips. He added there is additional funding for training.

Councilmember Graves stated it would be a great idea to do something for the community, like town hall meetings, or some type of community engagement. Mr. Boganey stated that type of funding could be available out of appropriations or contingency.

Mr. Boganey stated City Staff would prepare to move forward with the budget and preliminary levy as discussed this evening.

ADJOURNMENT

There was a motion by Councilmember Graves and seconded by Commissioner Ryan to adjourn the meeting. The motion passed. The Brooklyn Center City Council/Financial Commission adjourned at 9:02 p.m.

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

STUDY SESSION
OCTOBER 14, 2019
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

The Brooklyn Center City Council met in Study Session called to order by Mayor Mike Elliott at 6:15 p.m.

ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, and April Graves. Councilmembers Kris Lawrence-Anderson and Dan Ryan were absent and excused. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, City Clerk Barb Suciu, Community Development Director Meg Beekman, Business and Workforce Development Specialist Brett Angell, Deputy Director of Building and Community Standards Jesse Anderson, City Attorney Troy Gilchrist, and Mary Mullen, TimeSaver Off Site Secretarial, Inc.

CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

Mayor Elliott stated a 4/5 majority vote is required to address Agenda Item 8C related to Special Assessments. He added the public hearing would be held tonight, but the motions to certify Special Assessment Rolls will be continued to the City Council's October 28, 2019 meeting.

MISCELLANEOUS

BEAUTIFICATION TASK FORCE

City Manager Curt Boganey requested City Council consideration of additional Beautification Task Force meetings. He added two meetings that are requested: a Task Force meeting for the City Council as well as a regular Task Force meeting, including City Council, City Staff, and the community. He noted potential dates for the City Council's meeting are October 22 or 23, 2019, from 6:00-7:30 p.m.

There was a majority Consensus of the City Council to hold the City Council's Beautification Task Force Meeting on Tuesday, October 22, 2019, from 6:00-7:30 p.m.

Mr. Boganey stated the regular Task Force meeting could be held November 20, 21, or 26, 2019, from 6:00-8:00 p.m.

Mayor Elliott stated residents have commented that they feel there has not been enough community engagement, and residents have not felt like they are part of the process. He stressed the importance of holding meetings where people are, such as the library or apartment buildings, to get input and feedback, and create a plan that is impactful and reflects the community.

Deputy City Manager Reggie Edwards stated City Staff had not attended the meetings, although he is aware that some of the meetings were not well attended. He added City Staff could communicate with the consultant to see if there is additional work that can be done. He noted the Consultants have visited the Metro Transit hub and the library and will be reporting back on those visits.

There was a majority Consensus of the City Council to hold the Beautification Task Force Meeting on November 20, 2019, from 6:00-8:00 p.m.

SCHEDULE OPPORTUNITY SITE MASTER PLAN SPECIAL WORK SESSION

Mr. Boganey stated a Master Plan Work Session was originally scheduled for November 4, 2019. He added the consultant has a conflict, and City Staff proposes that this be addressed as a Work Session item at the City Council's November 12, 2019 meeting.

There was a majority Consensus of the City Council to address the Master Plan Work Session at the City Council's November 12, 2019 meeting.

JOINT MEETING WITH BROOKLYN CENTER SCHOOL BOARD

Mr. Boganey stated the City Council had agreed to schedule joint meetings with School Board representatives. He added the first of two meetings is November 18, 2019, from 6:00-8:00 p.m. at the School Board offices. He noted a second meeting and subsequent meetings would be scheduled at a later date.

Mr. Boganey stated individual organizations would have an opportunity to provide information on their priorities, the population they serve and potential collaboration. He added the School Board has indicated that dinner will be served.

EVERY HOUR COUNTS CONFERENCE TRAVEL

Mayor Elliott stated he has an opportunity to attend the "Every Hour Counts" conference in Denver on November 7-8, 2019 with members of Youthprise and Brooklyn Bridge Alliance. He added the conference focus areas are STEM and community partnerships, learning opportunities that will benefit the community and new ways to engage youth and come together.

Mr. Boganey stated the conference cost is more than \$300 identified in the memo. He added additional costs, including hotel, which could make the total as much as \$800, and City Council approval is required. He noted this item could be added to the Regular Agenda for action.

It was the majority Consensus of the City Council to address “Every Hour Counts” Conference Travel for Mayor Elliott during the Regular Meeting.

DISCUSSION OF WORK SESSION AGENDA ITEMS AS TIME PERMITS

SEWER AVAILABILITY CHARGE (SAC) CREDIT POLICY

Business and Workforce Development Specialist Brett Angell reviewed a potential credit policy related to the City’s Sewer Availability Charge (SAC) fees. He added SAC for cities is administered by the Metropolitan Council, and the current charge for 1 SAC credit is \$2,485. He noted working with SAC on redevelopment projects is difficult, but the City can change City-wide SAC credits and put the funding into an Economic Development Authority (EDA) revolving loan fund.

Mr. Angell requested the City Council’s feedback and comments on the creation of a potential SAC policy, as well as the City Council’s areas of focus.

Discussion of this item continued and concluded October 14, 2019, Work Session.

ADJOURN STUDY SESSION TO INFORMAL OPEN FORUM WITH CITY COUNCIL

Mayor Elliott adjourned the Study Session at 6:43 p.m.

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

REGULAR SESSION
OCTOBER 14, 2019
CITY HALL – COUNCIL CHAMBERS

1. INFORMAL OPEN FORUM WITH CITY COUNCIL

CALL TO ORDER INFORMAL OPEN FORUM

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

ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves. Councilmembers Kris Lawrence-Anderson and Dan Ryan were absent and excused. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, City Clerk Barb Suci, Community Development Director Meg Beekman, Business and Workforce Development Specialist Brett Angell, Deputy Director of Building and Community Standards Jesse Anderson, City Attorney Troy Gilchrist, and Mary Mullen, TimeSaver Off Site Secretarial, Inc.

Mayor Mike Elliott opened the meeting for Informal Open Forum.

No one wished to address the City Council.

Councilmember Graves moved, and Councilmember Butler seconded to close the Informal Open Forum at 6:45 p.m.

Motion passed unanimously.

2. INVOCATION

Councilmember Butler gave an invocation in commemoration of Indigenous People's Day, a holiday that honors Native American people and celebrates their histories and cultures. It is celebrated across the United States on the second Monday in October.

Councilmember Butler stated Hispanic Heritage Month is celebrated from September 15-October 15, to honor the vital contributions of Hispanics and Latinos.

Councilmember Butler read a quote from Sonia Sotomayor, the first Hispanic and Latina Justice of the Supreme Court:

“It is important for all of us to appreciate where we come from and how that history has really shaped us in ways that we might not understand.”

3. CALL TO ORDER REGULAR BUSINESS MEETING

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

4. ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves. Councilmembers Kris Lawrence-Anderson and Dan Ryan were absent and excused. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, City Clerk Barb Suciu, Community Development Director Meg Beekman, Business and Workforce Development Specialist Brett Angell, Deputy Director of Building and Community Standards Jesse Anderson, City Attorney Troy Gilchrist, and Mary Mullen, TimeSaver Off Site Secretarial, Inc.

5. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Councilmember Graves moved, and Councilmember Butler seconded to approve the Agenda and Consent Agenda, and the following consent items were approved:

6a. APPROVAL OF MINUTES

1. September 4, 2019, City Council/Financial Commission Joint Meeting
2. September 23, 2019, Regular Session
2. September 23, 2019, Work Session

6b. LICENSES

GARBAGE HAULER

Sanimax USA LLC

505 Hardman Ave S
South St. Paul MN 55075

GASOLINE LICENSE

Casey's General Store

2101 Freeway Boulevard

MECHANICAL

All Systems Mechanical LLC

2282 Terminal Road
Roseville, MN 55113

DAS Heating & Cooling Inc.

8060 153rd Lane
Ramsey, MN 55303

Dick's Refrigeration Inc.

348 E. Hemenway Lane

Gilbert Mechanical Contractors

Integrity Heating & Air Conditioning

Master Mechanical, Inc.

PB Services LLC

True North HVAC LLC

Edgerton, WI 53534

5251 W. 74th Street

Edina, MN 55439

1448 148th Avenue NW

Andover, MN 55304

1027 Gemini Road

Eagan, MN 55121

9410 Bataan St. NE

Blaine, MN 55449

20142 Twin Parkway NW

Nowthen, MN 55330

SIGNHANGER LICENSE

Spectrum Sign Systems, Inc.

8766 West 35W Service Drive NE

Blaine, MN 55449

RENTAL

INITIAL (TYPE IV – one-year license)

6221 Bryant Avenue N

6015 Dupont Avenue N

Mark Johnson

Home SFR Borrower LLC

RENEWAL (TYPE IV – one-year license)

5444 Humboldt Avenue N

7225 Major Avenue N

Melanie Boes/Froyum Trust – missing

CPTED Follow Up

Kin Chew

RENEWAL (TYPE III – one-year license)

1701-07 69th Avenue N

Earle Brown Apartments

7015-21 Brooklyn Boulevard

Willow Lane Apartments

5307 Penn Avenue N

6143 Regent Avenue N

Earle Brown Farms Investments

Jason Quilling

Ben Cleve Dossman

Patricio Angamarca-Romero – missing

CPTED

RENEWAL (TYPE II – two-year license)

6220 France Avenue N

Ewing Square

1525 Humboldt Place N

7024 Morgan Avenue N

5313 Northport Drive

Chris Cooper/Ewing Square Family

Housing – Met Action Plan

ShoeMiller Properties

McClure Properties

IH3 Property Illinois LP – Met

Mitigation Plan

RENEWAL (TYPE I – three-year license)

2924 67th Lane N

4416 69th Avenue N

Ivan Tkach

Eugene & Diane Wright

5401 70th Circle
2006 Brookview
5926 Colfax Avenue N
6300 France Avenue N
5505 Lyndale Avenue N

Kris Kienzie/N&G Properties
MNSF II LLC Met Mitigation Plan
Jack Froelke
Wade Klick – Met Mitigation Plan
Dragon Property Management

6c. RESOLUTION NO. 2019-132 DESIGNATING POLLING PLACES FOR THE CITY OF BROOKLYN CENTER FOR 2020 ELECTIONS

6d. RESOLUTION NO. 2019-133 ACCEPTING WORK PERFORMED AND AUTHORIZING FINAL PAYMENT, IMPROVEMENT PROJECT NO. 2018-09, WATER TOWER NO. 2 AND WATER TOWER NO. 3 REHABILITATION

6e. RESOLUTION NO. 2019-134 AUTHORIZING THE APPLICATION AND EXECUTION OF THE METROPOLITAN COUNCIL GRANT AGREEMENT FOR INFLOW AND INFILTRATION

Motion passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

7a. RECOGNITION FOR RETIRING PAID ON CALL FIREFIGHTER MATT KOEGL

Mayor Elliott read a Resolution in full recognizing retiring Paid on Call Firefighter Matt Koegl for 21 years of service to the City of Brooklyn Center from September 1, 1997, to July 1, 2019.

Councilmember Butler moved, and Councilmember Graves seconded to adopt RESOLUTION NO. 2019-135 in Recognition of Retiring Firefighter Matt Koegl for 21 years of service to the City of Brooklyn Center.

Motion passed unanimously.

7b. RECOGNITION FOR RETIRING PAID ON CALL FIREFIGHTER KEITH WESTERHOFF

Mayor Elliott read in full a Proclamation recognizing retiring Paid on Call Firefighter Keith Westerhoff.

Councilmember Butler moved, and Councilmember Graves seconded to adopt RESOLUTION NO. 2019-136 in Recognition of Retiring Firefighter Keith Westerhoff for 20 years of service to the City of Brooklyn Center.

Motion passed unanimously.

7c. FIRE PREVENTION WEEK

Fire Chief Todd Berg gave a presentation on Fire Prevention Week 2019, for which the logo is “Not every hero wears a cape – plan and practice your escape.” He stressed the importance of having operational smoke detectors in homes and an escape plan, as well as fire safety education for everyone.

Chief Berg stated, during Fire Prevention Week, Brooklyn Center Firefighters will visit classrooms, and students will tour the Fire Stations. He added the Fire Department would provide fire safety information to over 1,200 students.

Mayor Elliott thanked Chief Berg for his presentation.

8. PUBLIC HEARINGS

8a. AN ORDINANCE AMENDING CHAPTER 11 OF THE CITY CODE REGARDING LIQUOR PENALTIES

City Clerk Barb Suciu reviewed an amendment to Chapter 11 of the City Code regarding penalties for liquor violations. She added the City Council had determined that penalties for liquor violations would be given to establishments.

Councilmember Graves moved, and Councilmember Butler seconded to open the Public Hearing.

Motion passed unanimously.

No one appeared to address this item.

Councilmember Graves moved, and Councilmember Butler seconded to close the Public Hearing.

Motion passed unanimously.

Councilmember Graves moved, and Councilmember Butler seconded to approve the second reading and adopt ORDINANCE NO. 2019-11 Amending Chapter 11 of the City Code of Ordinances Relating to Liquor Penalties.

Motion passed unanimously.

8b. LIQUOR VIOLATION FOR JAMBO AFRICA

Ms. Suciu reviewed liquor violations at Jambo Africa on the weekend of August 17-18, 2019. Brooklyn Center Police were conducting alcohol compliance checks within all Brooklyn Center

establishments as required by City Code. She added officers observed alcohol being poured between 1:32-1:37 a.m., which is a violation of State Statute as well as City Code.

Ms. Suciú stated the City Council approved a fee of \$500 for a first offense under Agenda Item 8a. She added this violation happened before the fee schedule was adopted, and she requested the City Council's feedback and comment regarding a potential fee.

Mr. Boganey stated the licensee requested a hearing as allowed under Ordinance, but later indicated she did not want to contest the occurrence.

Mayor Elliott stated the decision should be consistent with the liquor penalties that were just passed, and \$500 is an appropriate fine.

Councilmember Graves stated she agrees with the Mayor but added she supports a 2:00 a.m. liquor license.

Mr. Boganey stated City Staff are preparing Code amendments that will address a potential 2:00 a.m. liquor license to be reviewed by the City Council

Councilmember Butler moved, and Councilmember Graves seconded to approve a \$500 liquor penalty for a first offense for Jambo Africa.

Motion passed unanimously.

8c. RESOLUTIONS FOR PROPOSED SPECIAL ASSESSMENTS FOR NUISANCE ABATEMENT COSTS, TALL GRASS AND WEED ABATEMENT COSTS, DEAD AND DISEASED TREE ABATEMENT COSTS AND ADMINISTRATIVE FINES/CITATIONS

Deputy Community Development Director Jesse Anderson reviewed proposed special assessments for nuisance abatement costs, tall grass and weed abatement costs, dead and diseased tree abatement costs, and administrative fines and citations. He added five related public hearings would be held concurrently.

Mr. Anderson stated citations are issued to a property owner, but civil penalties stay with the property. He added City Staff received one appeal related to 2801 63rd Avenue N, for violations that occurred under the previous owner.

Mr. Anderson stated, after the public hearings are held, no vote will be taken, and the Resolutions will be continued to the October 28, 2019, Regular Meeting.

Councilmember Graves moved, and Councilmember Butler seconded to open the Public Hearing.

Motion passed unanimously.

Ben Dossman, 6007 Girard Avenue N, stated he wants to appeal the assessment related to his property. He added he has tried to contact City Staff to set up a meeting. He noted the fee is too high.

Mr. Boganey requested that the resident leave his contact information with Mr. Anderson, and the appeal will be brought back to the City Council at the October 28, 2019, regular meeting.

Tom Bennett, 2801 63rd Avenue N, stated he received a \$3,500 special assessment because he did not submit a business plan. He added he only had four citations, but he was issued a Type 3 license, which is if you have five or more citations. He noted he feels this is arbitrary and would like to appeal, especially since he has sold the property.

Leslie Ledin, 7231 Morgan Avenue N, stated she had received assessments for her the home of her mother, who died in late 2016. She added there was a renter in the home who left a lot of cars and equipment that needed to be cleaned up, and she has been receiving citations. She noted she just got qualified to purchase the home and cannot afford to pay another \$2,000 in fines.

Ms. Ledin stated she wants to clean up the property, and she is looking forward to being a homeowner, but she cannot continue to pay assessments that are over and above property taxes, which were \$5,000. She added she thought that amount included the assessments.

Erin Washington stated she lives in Somerset, WI, and is the current landlord at 5301 Russell Avenue N. She added she received a \$2,000 assessment for this property purchased in December 2018. She noted the fine should have been issued to the previous owner. She expressed frustration that the City's inspectors reinspect her property and continue to find small problems that were not noted during earlier inspections of the same units, and she is continually re-assessed.

Ms. Washington stated she wants to provide safe, affordable housing in this 36-unit building, and she feels she deserves to be able to have a fresh start at this property.

Ms. Washington's business partner stated they have spent over \$150,000 on improvements to the property and provided a mitigation plan for a Level 4 license. He added all the issues noted by the inspector in early 2019 were corrected, but the inspectors kept adding new violations. He noted he and his partner follow all property maintenance and management requirements but are not able to move above a Level 4 license.

Councilmember Graves asked how much Ms. Washington charges for rent for a 2-bedroom apartment. Ms. Washington stated the 2-bedroom units are \$1,050/month, and the 1-bedroom units are between \$825-850.

Mayor Elliott requested that Ms. Washington work with City Staff to determine how the violations can be addressed. He stressed the importance of providing safe, affordable places to live.

Councilmember Butler moved, and Councilmember Graves seconded to close the Public Hearing.

Motion passed unanimously.

Councilmember Graves moved, and Councilmember Butler seconded to continue this item to the City Council's October 28, 2019 meeting:

Motion passed unanimously.

**8d. ORDINANCE NO. 2019-10 AMENDING CHAPTER 12 OF THE CITY CODE
ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE**

Mr. Anderson reviewed the recommended adoption of an ordinance amending Chapter 12 related to replace the current City Code with the International Property Management Code (IPMC), a nationally recognized standard. He added the proposed amendments to make the Code more applicable and consistent, as it specifically refers to Minnesota State building code standards.

Mr. Anderson stated, after public comment is received, City Staff recommends approval of the 2nd reading of the Ordinance Amendment related to the IPMC.

Mayor Elliott asked whether feedback or comments have been received from rental property owners in Brooklyn Center. Mr. Anderson stated information regarding the amendment and IPMC has been posted on the City website and addressed at local Accredited Residential Manager (ARM) meetings.

Councilmember Graves moved, and Councilmember Butler seconded to open the Public Hearing.

Motion passed unanimously.

Jeff Berkley, 5301 Russell Avenue, stated he had attended every recent ARM meeting except one, and he does not remember this issue being discussed. He added he is required to participate and attend at least 50% of the meetings as a Level 4 license holder. He requested a copy of the IPMC.

Mr. Boganey stated that the requirement was amended in November 2018, and Level 3 and 4 license holders are no longer required to attend ARM meetings. He added, additionally, categories were adjusted by 1 Code violation. Mr. Anderson confirmed this.

Mr. Berkley stated he received a packet of information with a document that stated Level 4 license holders are required to attend ARM meetings. Mr. Boganey apologized for the confusion. He added Mr. Berkley might have been given a packet with outdated information. He agreed to look into it. He noted it is not a requirement, but rental license holders are encouraged to attend.

Councilmember Graves requested that the City Council receive an update on this issue when information is provided to Mr. Berkley.

Erin Washington, 5301 Russel Avenue N, asked whether the IPMC would have any effect on snow removal. She added inspectors had fined her after a snowfall for not removing snow fast enough. Mr. Boganey stated there would be no change to snow removal standards.

Mr. Boganey stressed the distinction between a fine and reinspection fee. He added City Staff could provide additional assistance to property owners who continue to get Level 3 and 4 licenses.

Councilmember Graves moved, and Councilmember Butler seconded to close the Public Hearing.

Motion passed unanimously.

Councilmember Graves moved, and Councilmember Butler seconded to approve ORDINANCE NO. 2019-10 Amending Chapter 12 of the City Code Adopting the International Property Maintenance Code.

Motion passed unanimously.

Councilmember Graves moved, and Councilmember Butler seconded to approve RESOLUTION NO. 2019-137 Approving Summary Publication for Ordinance No. 2019-10.

Motion passed unanimously.

8e. RESOLUTION NO. 2019-138 AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF A MULTIFAMILY HOUSING NOTE UNDER MINNESOTA STATUTES, CHAPTER 462C; AUTHORIZING THE LOAN OF THE PROCEEDS OF THE REVENUE NOTE TO BROOKLYN CENER AH II, LLLP (REE XERXES AVENUE SENIOR HOUSING PROJECT); AND APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF THE NOTE AND RELATED DOCUMENTS.

Mr. Angell reviewed a request from Real Estate Equities (REE) for issuance of conduit bonds to fund a senior housing project at 5801 Xerxes Avenue N. Mr. Angell stated this is a preliminary application, and the requested funding will not cover all construction costs. He added it is anticipated that additional funding will be sought in February 2019.

Mr. Angell stated, after public comment is received, City Staff recommends approval of the issuance, sale, and delivery of a multi-family housing revenue note for \$9.1 million.

Councilmember Butler moved, and Councilmember Graves seconded to open the Public Hearing.

Motion passed unanimously.

There were no comments.

Councilmember Graves moved, and Councilmember Butler seconded to close the Public Hearing.

Motion passed unanimously.

Councilmember Graves moved, and Councilmember Butler seconded to adopt RESOLUTION NO. 2019-138 Authorizing the Issuance, Sale and Delivery of a Multi-family Housing Note Under Minnesota Statutes, Chapter 462C; Authorizing the Loan of the Proceeds of the Revenue Note to Brooklyn Center AH II, LLLP (REE Xerxes Avenue Senior Housing Project); and Approving the Form of and Authorizing the Execution and Delivery of the Note and Related Documents.

Motion passed unanimously.

8f. ORDINANCE NO. 2019-12 AMENDING CHAPTER 35 OF THE CITY CODE OF ORDINANCE REGARDING USES ALLOWED IN THE GENERAL INDUSTRY (I-2) DISTRICT – SECOND READING/PUBLIC HEARING

Community Development Director Meg Beekman reviewed a proposed Ordinance amendment to the section of Code related to uses in the I-2 Industrial District, to allow religious uses. She added the City was recently approached by a group wishing to relocate their place of worship and community center to a property at 4900 France Avenue N, which is currently zoned I-2, under which religious and public assembly uses are not permitted.

Ms. Beekman stated, after discussion with City Staff and the City Attorney, the most legally defensible way to move forward with this application is to amend the Zoning Code to allow assembly use, which would apply to all I-2 properties. She added the City Council directed City Staff to provide a draft amendment for review and recommendation by the Planning Commission.

Ms. Beekman stated assembly uses tend to have higher parking demands, and on-site parking may not be sufficient at this location. She added assembly use works well with industrial use, as the hours of operation do not overlap. She noted conversion of the building would be required as the change in use triggers Building and Fire Code upgrades, including fire suppression and adherence with ADA requirements.

Ms. Beekman stated a public hearing was held at the Planning Commission's September 12, 2019 meeting, and at which numerous comments were received from members of the religious group. She added one resident expressed concern regarding the loss of tax base due to the tax-exempt nature of religious institutions. She noted the group's leader indicated that members could be bused to the location if parking is an issue.

Ms. Beekman stated the Planning Commission recommended City Council approval of the Ordinance amendment on a 4-1 vote. She requested comments and feedback from the City Council.

Councilmember Graves stated a minimum of 50 parking spaces is required for this type of use, and the location has 24 spaces. She asked whether shuttle bus service or other accommodations for parking can be written into the Special Use Permit. Ms. Beekman stated a parking management plan would be adopted to go along with the Special Use Permit, as part of the Conditions of Approval.

Mayor Elliott asked about concerns expressed by a resident during the Public Hearing regarding the loss of tax base. City Attorney Troy Gilchrist stated religious or non-profit uses cause property to become tax forfeit, which has come up as a concern for land uses within the City. He added, in his opinion, it is a poor basis on which to make a permitting decision from a policy standpoint.

Councilmember Graves moved, and Councilmember Butler seconded to open the Public Hearing.

Motion passed unanimously.

Hassim Mohammed, former Chairman of the Islamic Center, stated the mosque had been based here for many years, and the members want to stay in the community. He added tax base should not be used as the only criteria when considering religious institutions. He noted the community is excited about this location and opportunity, and he hopes the City Council will consider the zoning change.

Imam Dukuly thanked the City Council and City Staff for their help and for doing a great job throughout this process. He added his community wants to be of use to the City and provide a place for young people to grow and learn.

Aja Kaba stated he would like to request that this change be approved. He added he and the other community members want to safeguard their children's future, and they want to stay in Brooklyn Center. He noted he hopes the City of Brooklyn Center will continue to be great partners with them. He expressed his hope, and the hope of their community, to stay in the City they love.

Kafu Kroma stated many of the community's members live in Brooklyn Center, and do not want to go to a different city to worship. He added this is more than a religious center, as it has also been a venue for educating youth about their culture, traditions, and activities. He noted the religious center means a lot to the entire community.

Suleman Djakari stated this group has been talking about having a religious center since 2004. He added they want a place for the African community to come together to educate kids and learn from elders, not to just worship and leave. He noted he hopes the City Council will approve this request so they can move forward.

Trevor Morlock stated he is a realtor representing the Imam and the group. He added the community wants to stay in Brooklyn Center, which says a lot about the City, and they believe this property is the right place for them. He noted it had been a fabulous process working with these wonderful people and their organizations.

Mr. Morlock stated this would be a Special Use Permit process, so any religious groups would need to go through that process. He added he hopes the City Council approves this zoning change.

Fatu stated she is a community member within the Islamic faith. She stressed the importance of having space for the youth to learn and grow, and to feel that they are part of a community. She expressed her support of the zoning change and urged the City Council to consider the amendment.

Yaya Kamara stated he hopes the City Council can find a place in their hearts to approve this.

Widusu stated she supports having this community, which is a place that parents want to build for their children, so they can learn culture and religion and how to be responsible citizens. She asked that the City Council approve this request, please and thank you.

Mayor Elliott expressed appreciation at hearing from young people of the community.

An audience member appealed to the City Council to approve the amendment so that the community can have their own space and a safe place for their children.

Favi Salif stated he appreciates the young woman's comments about the future of the community. He added the community helps its members and provides role models for young people. He noted he promises to bring pride to Brooklyn Center if they are given a chance.

Afram stated he bought his home in Brooklyn Center to be close to his place of worship. He added he hopes this new place of worship will stay close to home. He appealed to the City Council to make this possible so people who live and work in Brooklyn Center can worship here as well.

Ajas Sela stated she is the leader of the old folks of this religious community. She added it would be very good for the community to get this place as it is close to home and within walking distance for many members. She noted she is a professor and a firm believer in the cultural education of the children.

Aja Kaba stated the Islamic Center is committed to strengthening relationships between Muslims and non-Muslims around the Twin Cities area. He added the community has several interfaith programs that provide educational opportunities. He urged the City Council to consider this request.

Imam Duluky stated this location is important because Brooklyn Center is the Center of the Northwest metro area. He added in the past 5-6 years; the community has established interfaith dialogue between many religious communities, hosting meetings, gatherings, and picnics at the mosque. He noted this would be not only a place to pray but a place for the community to build and strengthen relationships.

An audience member stated he has been listening to this debate, and it is the best he has ever heard. He added the African community likes to come together to celebrate. He noted the mosque could provide positive steps in the juvenile correction and re-entry pipeline. He asked the City Council to support the request.

Councilmember Butler moved, and Councilmember Graves seconded to close the Public Hearing.

Motion passed unanimously.

Councilmember Butler stated Imam Dukuly is a pillar of the community and leads a religious group that embraces other cultures and religions. She added they are very welcoming, and always lift a hand when needed. She noted she wants the community to stay in Brooklyn Center, and she fully supports the zoning amendment.

Councilmember Graves agreed, adding she recently visited Africa and has been interested in learning more about African culture. She added there is a mosque next door to her home, and

they are great neighbors. She added she supports the amendment but also anticipates reviewing the group's Special Use Permit that will address the issues at this site.

Mayor Elliott thanked the community members who came and spoke to the City Council about this issue. He added Brooklyn Center is the most diverse city in the metro area, and it is a place that is welcoming and open to all backgrounds and cultures. He noted this amendment will help create community center and religious space where the area's youth can learn about their culture, will enrich the great City of Brooklyn Center, and serve as an avenue for bringing people of different faith backgrounds together.

Councilmember Graves moved, and Councilmember Butler seconded to Approve a Second Reading and Adopt ORDINANCE NO. 2019-12 Amending Chapter 35 of the City Code of Ordinances Regarding Uses Allowed in the General Industry (I-2) District.

Motion passed unanimously.

Councilmember Graves moved, and Councilmember Butler seconded to Approve RESOLUTION NO. 2019-139 Approving a Summary Publication for Ordinance No. 2019-12.

Motion passed unanimously.

9. PLANNING COMMISSION ITEMS

-None.

10. COUNCIL CONSIDERATION ITEMS

10a. STUDY SESSION AGENDA ITEMS FOR APPROVAL

Mayor Elliott requested the following correction to the September 4, 2019, Joint City Council/Financial Commission Work Session minutes:

-Page 3, Paragraph 4, line 1 – replace “Fire” with “Police.”

Mayor Elliott moved, and Councilmember Graves seconded to Approve the Proposed Correction to the September 4, 2019 minutes.

Motion passed unanimously.

Mayor Elliott stated the City Council had discussed “Every Hour Counts” conference travel for him during the Study Session and agreed to address this issue during the Regular Meeting.

Councilmember Graves moved, and Councilmember Butler seconded to Approve Travel Expenses for the Mayor to attend “Every Hour Counts” conference on November 7-9, 2019, in Denver.

Motion passed unanimously.

11. COUNCIL REPORT

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

12. ADJOURNMENT

Councilmember Butler moved, and Councilmember Graves seconded adjournment of the City Council meeting at 9:45 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
OCTOBER 14, 2019
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 Mike Elliott at 9:45 p.m.

ROLL CALL

Mayor/President Mike Elliott and Councilmembers/Commissioners Marquita Butler, April Graves. Councilmembers/Commissioners Kris Lawrence-Anderson and Dan Ryan were absent and excused. Also present were City Manager Curt Boganey, Deputy City Manager Reggie Edwards, City Clerk Barb Suciu, Business and Workforce Development Specialist Brett Angell, City Attorney Troy Gilchrist, and Mary Mullen, TimeSaver Off Site Secretarial, Inc.

SEWER AVAILABILITY CHARGE (SAC) CREDIT POLICY (cont'd)

Workforce Development Specialist Brett Angell stated the City accumulates SAC credits due to demolition projects. He added, for example, the former Mr. BBQ site had 36 SAC credits, of which the City took back a portion to be put toward other projects. He requested the City Council/EDA's approval of the proposed policy to formalize the SAC Credit process and provide direction for City Staff. He requested the City Council/EDA's consideration of whether the credits should be placed into the Economic Development Authority budget.

Mr. Angell reviewed four proposed options: placement of some funds into a revolving loan fund; funds for a small matching grant for safety or security upgrades; small and micro-business outreach and support; and SAC Reduction Public Subsidy.

Mayor/President Elliott stated he would support the allocation of funds to support Brooklyn Center residents who want to grow a business within the community. He added, for instance, residents have expressed an interest in having a locally owned restaurant. Mr. Angell agreed, stating the primary focus and priority is on small businesses and entrepreneurs in Brooklyn Center. He added a restaurant is a good example because they have high SAC charges, so credits could go toward attracting a new locally owned restaurant.

Councilmember/Commissioner Graves requested clarification regarding revolving loan funds. Mr. Angell stated that type of fund is designed for small, emerging entrepreneurs, but programs can be designed to fit other types of businesses.

Councilmember/Commissioner Graves stated she supports using funds for outreach but should also be used for the implementation of the City Council/EDA's identified priorities.

Mayor/President Elliott asked whether the revolving loan fund can only be applied toward businesses owned by Brooklyn Center residents. Mr. Angell stated he does not believe there is a requirement that the business owner must be a resident.

Mayor/President Elliott expressed interest in having funds set aside for Brooklyn Center entrepreneurs. Mr. Angell stated he would review this issue with City Staff and report back to the City Council/EDA.

LIQUOR LICENSE UPDATES

City Clerk Barb Suciú reviewed proposed updates to the Liquor Ordinance. She added some definitions from State Statute are being added to the City Code for consistency and transparency. She added additional language is being proposed for Section 11-118, "Conditions," to clarify that liquor must be "removed from display and inaccessible to the public." She added some establishments want to stay open to serve food, but they are not putting liquor away.

Councilmember/Commissioner Graves asked whether this would still be an issue if 2:00 a.m. liquor is approved. Ms. Suciú confirmed this.

Mayor/President Elliott stated it would be difficult to put some liquor bottles away, and some establishments have hundreds of bottles. Mr. Boganey stated, if this amendment is approved, the owner would be required to modify or adjust their displays to ensure compliance.

Mayor/President Elliott stated restaurants could be fined if they violate the Code, which would be easier than putting all their liquor away. Mr. Boganey stated it is a question of resources, when Police enforcement is required for compliance, requiring a change in business practices.

Councilmember/Commissioner Graves stated it would be onerous. She added it seems to be a management issue on the part of the business. Mayor/President Elliott agreed.

Councilmember/Commissioner Butler agreed, adding it would not be fair to penalize all businesses.

Mr. Boganey stated most Cities' ordinance requires businesses to close when liquor sales are over.

Councilmember/Commissioner Graves stated that it is a good reason to have the option to stay open until 2:00 a.m. Mr. Boganey agreed, adding ancillary activities have been occurring after 1:00 a.m., but not necessarily liquor license violations.

Mr. Gilchrist stressed the importance of creating a clear limit, so all liquor is removed by a specific time after-sales are allowed.

Ms. Suciu stated reviewed a language amendment to the Liquor Ordinance that prohibits businesses from obtaining a liquor license if they are near certain uses. She added this restriction would be limited to “school, daycare center, and religious institution.” She noted this would narrow the scope of availability of liquor within 300 feet of these uses.

Ms. Suciu stated the other option is not to limit the type of liquor license.

Mr. Boganey stated a liquor license could be approved if the licensed premise and listed uses are within the same zoning district, regardless of distance.

Mr. Boganey stated the proposed language is similar to that used in Brooklyn Park. Ms. Suciu agreed. Mr. Boganey stated the proposed changes would put Brooklyn Center on equal footing with Brooklyn Park in terms of the policy.

Councilmember/Commissioner Graves stated she supports option two as it is easier to understand. Mayor/President Elliott agreed.

There was a majority Consensus of the City Council/EDA to support Option 2 related to Liquor Ordinance.

There was a majority Consensus of the City Council/EDA to continue Work Session Agenda Item 3 related to Public Dance Ordinance and Agenda Item 4 related to Council Retreat until the City Council/EDA’s next meeting.

ADJOURNMENT

Councilmember/Commissioner Graves moved, and Councilmember/Commissioner Butler seconded adjournment of the City Council/Economic Development Authority Work Session at 10:23 p.m.

Motion passed unanimously.

COUNCIL ITEM MEMORANDUM

DATE: 10/28/2019

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Alix Bentrud, Deputy City Clerk

SUBJECT: Approval of Licenses

Requested Council Action:

- Motion to approve licenses as presented.

Background:

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

GASOLINE LICENSE

AM PM Corner Market Inc	6501 Humboldt Ave N
Two Rivers Investment Inc	6840 Humboldt Ave N

MECHANICAL LICENSES

BWS Heating & Air Conditioning	7251 Washington Ave S Edina 55439
McChesney Heating & Air	8201 175th Ave SE Becker 55308
St Paul Plumbing & Heating (MSP Plumbing, Heating, & Air)	640 Grand Ave St Paul 55105

MOTOR VEHICLE DEALERSHIP LICENSE

Metro Brookdale LLC dba Luther Brookdale Mazda Mitsubishi	4435 68th Ave N
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SIGNHANGER LICENSE

Electric Sign & Lighting Inc	11328 Zane Ave N Champlin 55316
Taurus Signs	17900 280th St Shafer 55074

TEMPORARY LIQUOR LICENSE

The Loppet Foundation -
4811 Dusharme Dr.
December 13, 2019

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Rental Criteria	5/22/2019	Backup Material
10-28-2019 Rentals	10/22/2019	Backup Material

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

b. Police Service Calls.

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

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

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

Rental Licenses for Council Approval on October 28, 2019

Property Address	Dwelling Type	Renewal or Initial	Owner	Property Code Violations	License Type	PoliceCFS *	Final License Type **	Previous License Type ***
5325 Newton Ave N	Single	Initial	Sesan Ogunniran	4	II	N/A	II	
5912 Xerxes Ave N	Single	Initial	Jesse MacDonald/Mauzy Properties	0	II	N/A	II	
4101 61st Ave N	Single	Renewal	Ling Xiong - Met Action Plan	4	II	0	II	III
6005 Admiral Pl	Single	Renewal	Dan Soffia	3	II	0	II	II
6337 Bryant Ave N	Single	Renewal	My Truong / Park Ave Homes	22	IV	0	IV	III
5825 Colfax Ave N	Single	Renewal	Brahana Tsegaye - Met Mitigation Plan	4	II	0	II	IV
5025 Drew Ave N	Single	Renewal	Ryan Schmidt / Ryan Partners	18	IV	0	IV	III
5719 Halifax Ave N	Single	Renewal	Paul Zheng / 5719 Halifax Ave LLC	4	II	0	II	II

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

** License Type Being Issued

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

DATE: 10/28/2019

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Nate Reinhardt, Finance Director

SUBJECT: Resolution Certifying Special Assessments for Emergency Private Utility Service Repairs to the Hennepin County Property Tax Rolls

Requested Council Action:

- Motion to approval a resolution assessing the attached list of properties for emergency private utility service repair costs

Background:

At the March 26, 2018 City Council Meeting, City Council adopted an emergency private utility service repair policy to provide assistance to Brooklyn Center residents who are facing unexpected financial burden of a needed exterior utility repair (sewer or water line repair from the main, including curb stop, to the principle structure on the property). The program provides a minimum of \$500 and a maximum of \$10,000 for a homeowner to complete the eligible private exterior repair, which would then be assessed to the homeowner's property taxes.

As required by the policy, the homeowners have entered into a special assessment agreement, where the City is to pay the contractor's invoice, and the costs of the repair are to be assessed to the homeowner's property over a period of five years at the interest rate determined by the City's special assessment interest rate policy (currently four percent). As part of the assessment agreement the homeowner has agreed to waive any and all procedural and substantive objections to the improvement and special assessment, including but not limited to hearing requirements and any claim that the assessment exceeds the benefit to the property.

The City has entered into three special assessment agreements totaling \$11,500.

Budget Issues:

The City will recoup the costs incurred for these utility repairs over the five-year period of 2020-2024.

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Resolution Certifying Utility Service Line Repairs	10/14/2019	Resolution Letter
Agreement 1	10/14/2019	Backup Material
Agreement 2	10/14/2019	Backup Material
Agreement 3	10/14/2019	Backup Material

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION CERTIFYING SPECIAL ASSESSMENTS FOR EMERGENCY PRIVATE UTILITY SERVICE REPAIRS TO THE HENNEPIN COUNTY PROPERTY TAX ROLLS

WHEREAS, pursuant to the City's Emergency Private Utility Service Repair Assessment Policy provides assistance to Brooklyn Center residents who are facing unexpected financial burden of a needed exterior private utility repair; and

WHEREAS, the City has provided funds to the homeowner to complete a private exterior repair; and

WHEREAS, the homeowner has agreed, as part of the assessment agreement, to the assessment and to waive any and all procedural and substantive objections to the improvement and assessment, including but not limited to hearing requirements and any claim that the assessment exceeds the benefit to the property; and

WHEREAS, a special assessment roll, a copy of which is attached hereto and made part hereof by reference, has been prepared by the City Clerk, tabulating those properties where a private utility repair cost is to be assessed with the amount, including interest and service charges, to be assessed,

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

1. The special assessment roll of emergency private utility repairs is hereby adopted and certified as Assessment Roll No. 20318.
2. The special assessments as adopted and confirmed shall be payable with ad valorem taxes levied in 2019, in five installments with interest thereon at four (5.0) percent per annum.
3. The owner of any property so assessed may at any time prior to the certification of the assessments to the Hennepin County Auditor pay the entire assessment to the City, without interest. Such payments must be made by the close of business on November 20, 2019 or interest will be charged through December 31 of the succeeding year.
4. The City Clerk shall forthwith transmit a certified duplicate of this assessment to the Hennepin County Auditor to be extended on the property tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

RESOLUTION NO. _____

October 28, 2019

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.

This space reserved for recording purposes

**IMPROVEMENT AND
SPECIAL ASSESSMENT AGREEMENT**

This Special Assessment Agreement ("Agreement") is made this 26 day of APRIL, 2019, by and between the City of Brooklyn Center, a Minnesota municipal corporation ("City") and MICHELLE THAYER, (collectively, the "Property Owner").

RECITALS

A. The Property Owner is the owner of property in the City of Brooklyn Center, County of Hennepin, State of Minnesota, located at 5528 TWIN LAKES BLVD and legally described in the attached Exhibit A ("Subject Property").

B. The Property Owner has requested the repair of a SEWER service line on the Subject Property ("Improvement").

C. The City has an Emergency Private Utility Service Repair Assessment Policy ("Policy") that sets out the terms and conditions under which the City will assist owners to pay for the costs of utility repairs such as the Improvement and to recover its costs through a special assessment imposed on the affected property.

D. The Property Owner has requested that the City pay the costs of the Improvement and specially assess those costs against the Subject Property in accordance with the Policy and the terms and conditions of this Agreement.

AGREEMENT

In consideration of the mutual covenants and conditions set forth in this Agreement, the City and the Property Owner hereby agree as follows:

1. RECITALS. The recitals are true and correct and are, together with the exhibit and the Policy, incorporated into and made part of this Agreement.

2. IMPROVEMENT. The Property Owner is responsible for selecting a private contractor to construct the Improvement. The Property Owner shall not enter into a contract with a private contractor for the Improvement until it is first reviewed and approved by the City. The City is not a party to that contract, is not directly responsible to the private contractor under the contract, and is not responsible to the Property Owner for the quality of the work or performance of the private contractor. When work on the Improvement is completed, the Property Owner is responsible for obtaining an invoice for the work from the private contractor and for immediately forwarding it to the City.

3. SPECIAL ASSESSMENT. The total estimated cost of the Improvement is \$ 3,500. The City will review the invoice upon receipt and, if it appears to be in order, the City will pay the actual amount of the invoice ("Improvement Cost") in accordance with the Policy. The Property Owner requests and consents to the City specially assessing the Improvement Cost, plus the City's administrative fees, (collectively, the "Special Assessment") against the Subject Property. The City shall provide the Property Owner written notice of the total amount of the Special Assessment. The Special Assessment imposed on the Subject Property shall be spread over five (5) years at an interest rate of 5 % per year on the unpaid balance. The first installment shall be due and payable with taxes payable in 2020. The Property Owner waives any and all procedural and substantive objections to the Improvement and the Special Assessment including, but not limited to, any requirements of Minnesota Statutes, Chapter 429 with respect to the adoption or levying of the Special Assessment to the extent those requirements are not met and any claim that the Special Assessment exceeds the benefit to Subject Property. The Property Owner waives any appeal rights otherwise available pursuant to Minnesota Statute, section 429.081.

4. BINDING EFFECT; RECORDING. The covenants, waivers, and agreements contained in this Agreement shall run with the Subject Property shall be binding upon the Property Owner and the Property Owner's successors, heirs, and assigns. This Agreement may be recorded against the title to the Subject Property.

5. ENFORCEMENT. In the event that the Property Owner violates any of the covenants or agreements contained in this Agreement required to be performed by Owner, the City shall have the option to commence an action for specific performance requiring the Property Owner's full and faithful performance hereunder, and the Property Owner agrees that the City shall be entitled to its administrative costs, court costs, and reasonable attorneys' fees in connection with said action provided the City is successful.

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the date and year first written above.

PROPERTY OWNER

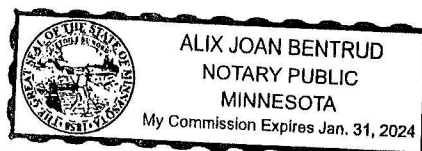
By: Michelle Thayer

By: _____

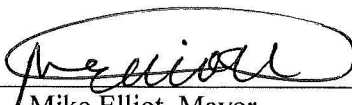
STATE OF MINNESOTA
COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me this 26 day of April, 2019, by Alix Bentrud.

[Signature]
NOTARY PUBLIC



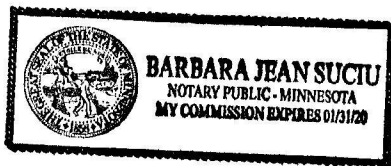
CITY OF BROOKLYN CENTER

By: 
Mike Elliot, Mayor

By: 
Curt Boganey, City Manager

STATE OF MINNESOTA
COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me this 8th day of May, 2014, by Mike Elliot and by Curt Boganey, respectively the Mayor and City Manager of the City of Brooklyn Center, a Minnesota corporation, on behalf of the corporation and pursuant to the authority granted by its City Council.




NOTARY PUBLIC

This document drafted by:
Kennedy & Graven, Chartered (TJG)
470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402
612-337-9300

EXHIBIT A

Legal Description of the Subject Property

MALCOLM'S LAKEVIEW ADDITION

LOT 012

Invoice

Joe's Sewer Service Inc.
4717 Hampshire Ave. N.
Crystal, MN 55428

Date	Invoice #
5/1/2019	6345

Bill To
City of Brooklyn Center 6301 Shingle Creek Pkwy Brooklyn Center, MN 55430

Due Date
5/1/2019

Description	Serviced	Amount
Dig and replace sewer to the curb. Supplies, labor. Michelle Thayer 5328 Twin Lake Blvd E	4/30/2019	3,500.00

Please send payment including invoice number to above address. Any payments by phone, inquiries on balance or invoices, please call (763) 535-3803 or (763) 425-4334. Mon. - Fri. 8 am to 3 pm.

Total	\$3,500.00
Payments/Credits	\$0.00
Balance Due	\$3,500.00

Emergency Private Utility Service Repair Assessment Policy

The purpose of this Emergency Private Utility Service Repair Assessment Policy ("Policy") is to provide assistance to Brooklyn Center residents who are facing unexpected financial burden of a needed exterior private utility repair (i.e., sewer or water line repair from the main, including the curb stop to the principle structure on the property). The program to assist eligible homeowners with the costs of these repairs will be funded through the City Sanitary Sewer and Water Utility Funds. The program will provide a minimum of \$500 and a maximum of \$10,000 for an eligible homeowner to complete the eligible private exterior repair. The City then recovers the amount it pays for the repair through a special assessment imposed on the homeowner's property.

The City shall be responsible for corrective work needed on prior utility service line repairs performed by a contractor hired by the City for a period of ten years from completion of the repair work. The City's responsibility shall be limited to repairs related to the workmanship of the original repair work as determined by the City and does not include any other repair work that may be needed. This responsibility does not apply to work performed by a contractor hired by a homeowner pursuant to this Policy.

Eligibility Requirements

Eligible Homeowner – The homeowner must be current on all property taxes and utility payments to be eligible to participate in program offered pursuant to this Policy. If any of these payments are delinquent, they must be made current before the homeowner can be approved for funding.

Eligible Dwelling – Only owner-occupied homes in the City of Brooklyn Center are eligible.

Eligible Repairs – Emergency exterior private utility repairs between \$500 and \$10,000 in situations where a condition requiring immediate and urgent attention, which threatens or imperils the health and/or safety of the homeowner's dwelling, such as a repair or replacement of a failed sewer or water line.

Repair

The homeowner shall enter into a contract with a private contractor to perform the repair work. The contract must be approved in advance by the City. When the work has been completed, the homeowner shall receive an invoice from the contractor. The homeowner must submit the contractor's invoice to the City together with a signed and notarized special assessment agreement in the form provided by the City.

Special Assessment

The City will pay the contractor's invoice and assess, pursuant to the assessment agreement, the costs of the repair on the homeowner's property over a period of five years at the interest rate determined by City's special assessment interest policy. The City shall add a certification fee and any other applicable administrative costs to the amount assessed. The homeowner must agree, as part of the assessment agreement, to the assessment and to waive any and all procedural and substantive objections to the improvement and special assessment, including but not limited to hearing requirements and any claim that the assessment exceeds the benefit to the property. The property owner also waives any appeal rights otherwise available pursuant to Minnesota Statutes, section 429.081.

This space reserved for recording purposes

**IMPROVEMENT AND
SPECIAL ASSESSMENT AGREEMENT**

This Special Assessment Agreement ("Agreement") is made this 17th day of JUNE, 2019, by and between the City of Brooklyn Center, a Minnesota municipal corporation ("City") and ANITA MENDEZ (collectively, the "Property Owner").

RECITALS

A. The Property Owner is the owner of property in the City of Brooklyn Center, County of Hennepin, State of Minnesota, located at 7025 FRANK AVE, and legally described in the attached Exhibit A ("Subject Property").

B. The Property Owner has requested the repair of a WATER service line on the Subject Property ("Improvement").

C. The City has an Emergency Private Utility Service Repair Assessment Policy ("Policy") that sets out the terms and conditions under which the City will assist owners to pay for the costs of utility repairs such as the Improvement and to recover its costs through a special assessment imposed on the affected property.

D. The Property Owner has requested that the City pay the costs of the Improvement and specially assess those costs against the Subject Property in accordance with the Policy and the terms and conditions of this Agreement.

AGREEMENT

In consideration of the mutual covenants and conditions set forth in this Agreement, the City and the Property Owner hereby agree as follows:

1. RECITALS. The recitals are true and correct and are, together with the exhibit and the Policy, incorporated into and made part of this Agreement.

2. IMPROVEMENT. The Property Owner is responsible for selecting a private contractor to construct the Improvement. The Property Owner shall not enter into a contract with a private contractor for the Improvement until it is first reviewed and approved by the City. The City is not a party to that contract, is not directly responsible to the private contractor under the contract, and is not responsible to the Property Owner for the quality of the work or performance of the private contractor. When work on the Improvement is completed, the Property Owner is responsible for obtaining an invoice for the work from the private contractor and for immediately forwarding it to the City.

3. **SPECIAL ASSESSMENT.** The total estimated cost of the Improvement is \$ 3,500. The City will review the invoice upon receipt and, if it appears to be in order, the City will pay the actual amount of the invoice ("Improvement Cost") in accordance with the Policy. The Property Owner requests and consents to the City specially assessing the Improvement Cost, plus the City's administrative fees, (collectively, the "Special Assessment") against the Subject Property. The City shall provide the Property Owner written notice of the total amount of the Special Assessment. The Special Assessment imposed on the Subject Property shall be spread over five (5) years at an interest rate of 5 % per year on the unpaid balance. The first installment shall be due and payable with taxes payable in 2020. The Property Owner waives any and all procedural and substantive objections to the Improvement and the Special Assessment including, but not limited to, any requirements of Minnesota Statutes, Chapter 429 with respect to the adoption or levying of the Special Assessment to the extent those requirements are not met and any claim that the Special Assessment exceeds the benefit to Subject Property. The Property Owner waives any appeal rights otherwise available pursuant to Minnesota Statute, section 429.081.

4. **BINDING EFFECT; RECORDING.** The covenants, waivers, and agreements contained in this Agreement shall run with the Subject Property shall be binding upon the Property Owner and the Property Owner's successors, heirs, and assigns. This Agreement may be recorded against the title to the Subject Property.

5. **ENFORCEMENT.** In the event that the Property Owner violates any of the covenants or agreements contained in this Agreement required to be performed by Owner, the City shall have the option to commence an action for specific performance requiring the Property Owner's full and faithful performance hereunder, and the Property Owner agrees that the City shall be entitled to its administrative costs, court costs, and reasonable attorneys' fees in connection with said action provided the City is successful.

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the date and year first written above.

PROPERTY OWNER

By: Anita Domingo Mendez

By: [Signature]

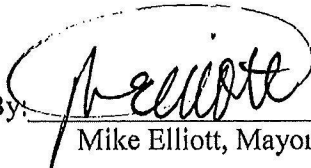
STATE OF MINNESOTA
COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me this 19th day of June, 2019, by Cynthia Majors.



[Signature]
NOTARY PUBLIC

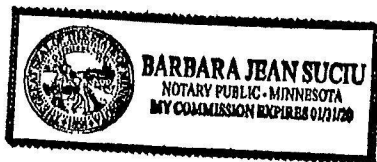
CITY OF BROOKLYN CENTER

By: 
Mike Elliott, Mayor

By: 
Curt Boganey, City Manager

STATE OF MINNESOTA
COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me this 2nd day of July, 2019, by Mike Elliott and by Curt Boganey, respectively the Mayor and City Manager of the City of Brooklyn Center, a Minnesota corporation, on behalf of the corporation and pursuant to the authority granted by its City Council.




NOTARY PUBLIC

This document drafted by:
Kennedy & Graven, Chartered (TJG)
470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402
612-337-9300

EXHIBIT A

Legal Description of the Subject Property

PALMER LAKE TERRACE 4th ADDITION

Joe's Sewer Service, Inc.

4717 Hampshire Ave. N.

Crystal, MN 55428

763-535-3803

763-425-4334

Invoice

Customer <i>Anita T NAMAGVA</i>		Date <i>6-26-2019</i>	
Address <i>7025 FRANCE AVE N.</i>		Phone	
City <i>Brooklyn Center</i>	Zip	Phone	
Description		Cost	
<i>Dig & Remove sidewalk to repair</i>			
<i>water leak to SAND pipe - FLARE</i>			
<i>new copper 1.5 inch and a 1.5 inch</i>			
<i>Compression to Compression</i>			
<i>Fitting. Side replace Cement</i>			
<i>ON 6-2-2019 HAUL AWAY Debris</i>			
<i>and Replace</i>		<i>3,500.00</i>	
<i>Permit - supplies - Labor - equipment</i>			
Guarantee ☐ 30 Days ☐ 60 Days ☐ None ☐ Other	Payment Type ☐ Cash ☐ Check ☐ Credit	Total	<i>3,500.00</i>
		Payment	
		Balance	

Thank you

This space reserved for recording purposes

**IMPROVEMENT AND
SPECIAL ASSESSMENT AGREEMENT**

This Special Assessment Agreement ("Agreement") is made this 6 day of July, 2019, by and between the City of Brooklyn Center, a Minnesota municipal corporation ("City") and ADEYINKA BADEWA (collectively, the "Property Owner").

RECITALS

A. The Property Owner is the owner of property in the City of Brooklyn Center, County of Hennepin, State of Minnesota, located at 3812 58th AVE and legally described in the attached Exhibit A ("Subject Property").

B. The Property Owner has requested the repair of a WATER service line on the Subject Property ("Improvement").

C. The City has an Emergency Private Utility Service Repair Assessment Policy ("Policy") that sets out the terms and conditions under which the City will assist owners to pay for the costs of utility repairs such as the Improvement and to recover its costs through a special assessment imposed on the affected property.

D. The Property Owner has requested that the City pay the costs of the Improvement and specially assess those costs against the Subject Property in accordance with the Policy and the terms and conditions of this Agreement.

AGREEMENT

In consideration of the mutual covenants and conditions set forth in this Agreement, the City and the Property Owner hereby agree as follows:

1. RECITALS. The recitals are true and correct and are, together with the exhibit and the Policy, incorporated into and made part of this Agreement.

2. IMPROVEMENT. The Property Owner is responsible for selecting a private contractor to construct the Improvement. The Property Owner shall not enter into a contract with a private contractor for the Improvement until it is first reviewed and approved by the City. The City is not a party to that contract, is not directly responsible to the private contractor under the contract, and is not responsible to the Property Owner for the quality of the work or performance of the private contractor. When work on the Improvement is completed, the Property Owner is responsible for obtaining an invoice for the work from the private contractor and for immediately forwarding it to the City.

3. **SPECIAL ASSESSMENT.** The total estimated cost of the Improvement is \$ 4,500. The City will review the invoice upon receipt and, if it appears to be in order, the City will pay the actual amount of the invoice ("Improvement Cost") in accordance with the Policy. The Property Owner requests and consents to the City specially assessing the Improvement Cost, plus the City's administrative fees, (collectively, the "Special Assessment") against the Subject Property. The City shall provide the Property Owner written notice of the total amount of the Special Assessment. The Special Assessment imposed on the Subject Property shall be spread over five (5) years at an interest rate of 5 % per year on the unpaid balance. The first installment shall be due and payable with taxes payable in 2020. The Property Owner waives any and all procedural and substantive objections to the Improvement and the Special Assessment including, but not limited to, any requirements of Minnesota Statutes, Chapter 429 with respect to the adoption or levying of the Special Assessment to the extent those requirements are not met and any claim that the Special Assessment exceeds the benefit to Subject Property. The Property Owner waives any appeal rights otherwise available pursuant to Minnesota Statute, section 429.081.

4. **BINDING EFFECT; RECORDING.** The covenants, waivers, and agreements contained in this Agreement shall run with the Subject Property shall be binding upon the Property Owner and the Property Owner's successors, heirs, and assigns. This Agreement may be recorded against the title to the Subject Property.

5. **ENFORCEMENT.** In the event that the Property Owner violates any of the covenants or agreements contained in this Agreement required to be performed by Owner, the City shall have the option to commence an action for specific performance requiring the Property Owner's full and faithful performance hereunder, and the Property Owner agrees that the City shall be entitled to its administrative costs, court costs, and reasonable attorneys' fees in connection with said action provided the City is successful.

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the date and year first written above.

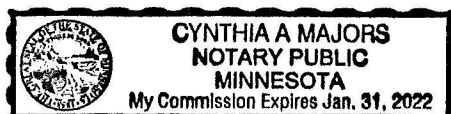
PROPERTY OWNER

By: [Signature]

By: _____

STATE OF MINNESOTA
COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me this 16 day of August, 2019, by Cynthia Majors



[Signature]
NOTARY PUBLIC

CITY OF BROOKLYN CENTER

By: _____

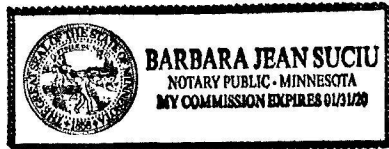
Mike Elliot, Mayor

By: _____

Curt Boganey, City Manager

STATE OF MINNESOTA
COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me this 14th day of August, 2019, by Mike Elliot and by Curt Boganey, respectively the Mayor and City Manager of the City of Brooklyn Center, a Minnesota corporation, on behalf of the corporation and pursuant to the authority granted by its City Council.



NOTARY PUBLIC

This document drafted by:
Kennedy & Graven, Chartered (TJG)
470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402
612-337-9300

EXHIBIT A

Legal Description of the Subject Property

ADDITION: PEARSONS NORTHPORT
3rd Addn.

LOT: 038 BLOCK: 006

Joe's Sewer Service Inc.

4717 Hampshire Ave. N.

Crystal, MN 55428

Invoice

Date	Invoice #
8/8/2019	6374

Bill To
City of Brooklyn Center 6301 Shingle Creek Pkwy Brooklyn Center, MN 55430

Due Date
8/8/2019

Description	Serviced	Amount
Dig and replace curb stop, blacktop patch. Labor, supplies and permit. 3812 - 58th Ave. N.	8/7/2019	4,500.00

Please send payment including invoice number to above address. Any payments by phone, inquiries on balance or invoices, please call (763) 535-3803 or (763) 425-4334. Mon. - Fri. 8 am to 3 pm.

Total	\$4,500.00
Payments/Credits	\$0.00
Balance Due	\$4,500.00

COUNCIL ITEM MEMORANDUM

DATE: 10/28/2019

TO: Curt Boganey, City Manager

THROUGH: Reggie Edwards, Deputy City Manager

FROM: Kelli Wick, HR Director

SUBJECT: Resolution Setting 2020 Employer Benefits Contribution for Full-Time Non-Union Employees

Requested Council Action:

- Motion to approve the resolution setting the 2020 employer benefits contribution for full-time non-union employees

Background:

The City provides a cafeteria benefit plan which allows employees to purchase not only their medical insurance but other insurances provided by the City including dental, supplemental and dependent life, and long and short term disability.

The City participates in the LOGIS health care consortium. The consortium allows member cities to pool together their purchasing power for health and life insurance. Our current health insurance provider is Health Partners.

Annually the City receives the premium increase for health insurance coverage from the LOGIS group. For 2020 the group received an 10.5%. For 2020 the single health insurance premiums range from \$660 to \$785. Family premiums range from \$1,714 to \$2,040.

Employees who participate in high deductible health plans tend to be better health care consumers as they are responsible for out of pocket expenses (preventative visits are always covered at 100%.) The total recommended employer benefits contribution for 2020 is \$1,261 per month. Employees who elect to opt out will receive \$898 for 2020.

It is recommended that the City Council consider adoption of the attached resolution setting the 2020 employer benefits contribution for full-time non-union employees.

Budget Issues:

Sufficient funds are available in the general fund of the proposed 2020 budget.

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
-------------	-------------	------

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION SETTING 2020 EMPLOYER BENEFITS CONTRIBUTION FOR FULL-TIME NON-UNION EMPLOYEES

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 2020 should increase by \$63; 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 2020 shall be set at \$1,261.00 per month including the cost of \$10,000 in life insurance coverage. Employees who elect to opt out will receive \$898 per month for 2020.

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: 10/28/2019

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

BY: Brett Angell, Business and Workforce Development Specialist

SUBJECT: Resolution Supporting a Grant Application to the Hennepin County Environmental Response Fund (ERF) by Hyde Development

Background:

Hennepin County Environment and Energy Department offers a Environmental Response Fund (ERF) grant which is used to fund the assessments and cleanup of contaminated sites in Hennepin County. ERF grants are awarded on a competitive basis twice per year, with grant rounds in the spring and fall of each year. The fall 2019 round has a deadline of November 4th with approximately \$1.2 million in total funds to be distributed for this round. The grant fund does not require a match but it is recommended, and can help grant applications score better in the competitive process. Match amounts can be covered by either a developer or local unit of government.

ERF grants are awarded on a competitive basis with priority given to the projects that meet one or more of the following:

- Significantly contaminated sites;
- Demonstrated project readiness
- Municipal and other public development projects;
- Affordable housing projects where contamination issues preclude redevelopment;
- Projects that promote economic development;
- Infill brownfield properties or orphan sites that contribute to blight;
- Other criteria includes projects that incorporate sustainable features and activities in project design, construction, and operation.

Eligible expenses for the ERF grant include, but are not limited to, environmental consulting fees, laboratory fees, site assessments, response action plan development, remediation costs, acquisition through purchase or condemnation, demolition, and hazardous materials assessments. Ineligible costs include attorney fees, work completed by unlicensed contractors, costs incurred prior to the date of county board action authorizing the grant, and work performed without appropriate approval or notification to the County.

Eligible applicants for ERF funding include both public entities, such as municipalities, as well as private companies, such as developers. Recently the City was approached by Hyde Development, with an interest in the former Sears location at 1297 Brookdale Mall. Hyde Development previously developed the Twin Lakes business park on a former Superfund Site in Brooklyn Center, no the Caribou Coffee head quarters. More recently they completed the Northern Stacks business park in Fridley. They are currently exploring the Sears site for a possible redevelopment. Hyde Development has received written approval from Sears to complete due diligence items such as environmental assessments, hazardous materials assessments, geotechnical work and surveying.

Hyde Development has intentions of applying for a ERF grant to assist in covering the costs of the environmental assessments and hazardous materials assessments. Hennepin County requires a resolution of support for the grant application for any proposal submitted by a private company. Hyde Development has received a scope of work from Braun Intertec to complete the environmental assessments for the property. The City will have the ability to retain copies of the environmental assessments completed of the property.

The former Sears site has multiple environmental concerns which could help be assessed with this funding. Due to the buildings age, there is likely asbestos used within the building that will have to be removed prior to demolition as well as the possibility of lead. Also, the auto center located at the property had underground tanks which, according the the MPCA, had a leak reported in 1993. Clean-up and investigation of this leak concluded in 2001, however underground tanks remained in use on the site. The proposed environmental assessments and hazardous materials assessments will help both the City and Hyde Development gain a better understanding of any environmental concerns and costs associated with the remediation and ultimate redevelopment of the site.

There is no cost to the City associated with conducting the environmental assessments other than the staff time of administering the contract and any grant funds awarded. Hyde Development would cover the cost of any portion of the environmental assessment work not covered by the grant.

Budget Issues:

There are no budget issues regarding this item at this time.

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
Resolution	10/18/2019	Resolution Letter

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2019- ____

RESOLUTION SUPPORTING A GRANT APPLICATION TO THE HENNEPIN COUNTY ENVIRONMENTAL RESPONSE FUND (ERF) BY HYDE DEVELOPMENT

WHEREAS, Hennepin County offers an Environmental Response Fund (ERF) grant to support the environmental assessment and cleanup of contaminated sites within the County; and

WHEREAS, the City of Brooklyn Center has identified the former Sears location, located at 1297 Brookdale Center, as a priority redevelopment site within the City; and

WHEREAS, the City of Brooklyn Center understands that there may be contamination concerns regarding the underground tanks located on the property and the potential of hazardous materials within the building; and

WHEREAS, Hyde Development has redevelopment interest in the site and is seeking to conduct environmental assessments of the property; and

WHEREAS, Hyde Development has obtained permission from the property owner for the proposed work to be conducted and has received a scope of work for these services from an approved consultant; and

NOW, THEREFORE, BE IT RESOLVED that, after appropriate examination and due consideration, the governing body of the City of Brooklyn Center approves the Sears Redevelopment Environmental Analysis project, for which an Environmental Response Fund grant application is being submitted to the Hennepin County Environment and Energy Department on November 4th, 2019 by Hyde Development Company subject to the following condition.

1. Any environmental analysis reports shall be shared with the City of Brooklyn Center Community Development Department.

October 28, 2019

Date

Mayor

ATTEST: _____
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner 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: 10/28/2019

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

BY: Brett Angell, Business and Workforce Development Specialist

SUBJECT: Resolution Identifying the Need for Brownfield Gap Financing Program Funding and Authorizing an Application for Grant Funds

Background:

Minnesota Brownfields, a non-profit organization, promotes the efficient cleanup and reuse of contaminated land as a means of generating economic growth, strengthening communities and enabling sustainable land use and development. The organization offers the Brownfield Gap Financing Program for environmental assessments of property in Hennepin County through funding from the County's Environmental Response Fund (ERF). The maximum individual award under this program is up to \$15,000 total in a 12-month span.

The City has identified the environmental assessment work which will take place at 1601 James Circle which would be eligible for this funding. Hennepin County recommended the City of Brooklyn Center apply for this funding. The City is seeking to apply for the Brownfield Gap Financing Program to cover the costs of a Phase I Environmental Site Assessment at 1601 James Circle which is currently owned by the Economic Development Authority of Brooklyn Center.

The City is requesting a grant award of \$2,500 from this program for the work listed in the previous paragraph. The City is concurrently applying for additional environmental grant funds through Hennepin County's Memorandum of Agreement (MOA) fund for the Phase II Environmental Assessments for the same property. The environmental work will allow for a comprehensive environmental review of the property and determine potential environmental concerns that may exist. The City has received a detailed scope of work for the environmental assessments at the property from Braun Intertec. A copy of the scope of services and cost estimate is attached for reference.

The results from environmental assessments will be shared with Mike Brady, who currently has a preliminary development agreement for the property. The preliminary development agreement is for a concept plan to construct an 81,000 square foot office building which features flexible workspaces and is designed to be an incubator to first and second generation immigrant owned tech companies.

Budget Issues:

There are no budget issues regarding this item at this time. There is no cost to the City associated with conducting the environmental assessments other than the staff time of administering the contract and any grant funds awarded.

Strategic Priorities and Values:

Targeted Redevelopment

ATTACHMENTS:

Description	Upload Date	Type
Resolution	10/18/2019	Resolution Letter
Scope of Services Proposal	10/21/2019	Backup Material

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. 2019- ____

RESOLUTION IDENTIFYING THE NEED FOR BROWNFIELD GAP FINANCING PROGRAM FUNDING AND AUTHORIZING AN APPLICATION FOR GRANT FUNDS

WHEREAS, Minnesota Brownfields, a 501(c)(3) non-profit organization, offers the Brownfield Gap Financing Program funded with an Environmental Response Fund grant from the Hennepin County Department of Environmental Services; and

WHEREAS, the City has identified a need to conducted environmental assessments at the Economic Development Authority-owned property located at 1601 James Circle and has received a detailed scope of services from Braun Intertec for this work; and

WHEREAS, the City has the institutional, managerial and financial capability to adequately manage an Minnesota Brownfield Gap Financing grant; and

WHEREAS, the City certifies that it will comply with all applicable laws and regulations as stated in the grant agreement.

NOW, THEREFORE, BE IT RESOLVED that, after appropriate examination and due consideration, the governing body of the City:

1. Finds that it is in the best interests of the City's development goals and priorities for the following proposed Brownfield Gap Financing Program project:

1601 James Circle Environmental Assessments

2. Authorizes the Business and Workforce Development Specialist to submit on behalf of the City an application for Brownfield Gap Financing Program grant funds for the 1601 James Circle Environmental Assessments project components identified in the application, and to execute such agreements as may be necessary to implement the grant on behalf of the City.

October 28, 2019

Date

Mayor

ATTEST: _____
City Clerk

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

October 17, 2019

Proposal QTB109746

Mr. Brett Angell
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, MN 55430-2199

Re: Phase I and Phase II Environmental Site Assessment (ESA) Scope Summary and Cost Estimate
1601 James Circle North (PID 3511921410021 – 4.93 acres)
Brooklyn Center, MN 55430

Dear Mr. Angell:

Braun Intertec Corporation is pleased to present this Scope of Services summary and cost estimate to provide Phase I and Phase II Environmental Site Assessment (ESA) services for the referenced property (Site). It is our understanding that funding for the Phase I ESA will be sought from MN Brownfields and funding for the Phase II ESA will be sought through Hennepin County. We understand that the City of Brooklyn Center currently owns the property and wishes to conduct environmental due diligence activities in anticipation of future redevelopment. The specific redevelopment is currently unknown.

Scope of Services

Phase I ESA

Braun Intertec will conduct a Phase I ESA of the Site in accordance with ASTM Standard Practice E 1527-13, which is the recognized industry standard defining good commercial and customary practice for conducting all appropriate inquiry (AAI) into the previous ownership and uses of the Site consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

The intent of this practice is intended to permit a user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on CERCLA liability. The purpose of the Phase I ESA will be to identify recognized environmental conditions in connection with the subject property.

The Phase I ESA will include a government and historical records review, site reconnaissance, interviews, and data evaluation. The results of the Phase I ESA will be summarized in a written report. So that they may be identified within the report, the user must supply the names of all parties intending to rely on the executed service and subsequent report. Additional reliance may be obtained at the discretion of Braun Intertec.

In order to satisfy the requirements of AAI, the user bears specific responsibilities for satisfying certain components of the environmental inquiry. The E 1527 Practice provides a *User Questionnaire* which outlines the information that the user must provide (if available) to the Environmental Professional. The User Questionnaire, attached to this proposal, should be completed and returned to Braun Intertec so the information can be included in the report. In addition, the Client Information Request Form is attached to this proposal and should be completed and returned to Braun Intertec so that the information can be included in the report.

The results of the Phase I ESA will be summarized in a written report documenting information sources used, findings and conclusions, and Braun Intertec professional opinion of the impact of any potential environmental concerns in connection with the Site. Appendices to the report will include copies of available historical information (e.g., fire insurance maps, aerial photographs, etc.). A draft copy of the Phase I ESA will be issued electronically for review and comment. Upon receipt of comments, Braun Intertec will issue the final Phase I ESA report.

Only an electronic copy of the Phase I ESA report will be submitted to you unless you request otherwise.

Phase II ESA

The purpose of the Phase II ESA is to: 1) identify the presence of contaminated soil that may require special management/off-site disposal during redevelopment, 2) determine if subsurface soil gas vapors are present that may require consideration of vapor controls under new structures, and 3) evaluate current groundwater quality. Data obtained from the Phase II ESA may also be used to determine the need for regulatory liability assurances (e.g. a No Association Determination for non-petroleum related contaminants) and to quantify potential cleanup costs related to the proposed redevelopment of the Site. Please note that current MPCA guidance requires two seasonal rounds (heating and non-heating seasons) of soil vapor sampling to support liability assurances. This proposal includes only the heating season (November 1 through March 31) sampling event. Given the timing of this project, a separate proposal will be provided in the future to complete the non-heating seasonal sampling event, which would need to be conducted after March 31, 2020.

Based on the proposed Phase II ESA scope of work, Braun Intertec estimates that the field work portion of the Phase II ESA will take approximately two (2) days to complete. As part of this task, Braun Intertec will complete the following:

1. Public utility clearance and subcontract a private utility locator.
2. GPS staking of borings.
3. Subcontract a licensed driller to advance two (2) soil borings with direct-push drill rig to an approximate depth of 12 feet below ground surface (bgs) for the purpose of collecting soil samples.
4. Subcontract a licensed driller to advance five (5) soil borings with direct-push drill rig to an approximate depth of 30 feet below ground surface (bgs) for the purpose of collecting soil and groundwater samples - groundwater is anticipated to be present at a depth of approximately 20 to 25 feet bgs. Groundwater samples will be collected from the temporary wells using polyethylene tubing and check valves, then submitted for analytical testing as described below. Following sampling, the well materials and tubing will be removed and the boreholes sealed in accordance with Minnesota Department of Health (MDH) regulations.
5. Conduct environmental monitoring during drilling of the seven (7) soil borings, including organic vapor screening of soil samples using a photoionization detector (PID), and visual/olfactory observations of soil samples for evidence of contamination (i.e. odors, staining, intermixed debris, etc.). Collect representative soil samples and submit for analytical testing as described below.

6. Subcontract a licensed driller to advance eight (8) soil vapor probes to an approximate depth of 10 feet bgs for the purpose of collecting soil vapor samples. Collect a soil vapor sample from each location using a laboratory provided Summa Canister.
7. Analyze representative soil samples from the borings using standard Environmental Protection Agency (EPA) methods as follows:
 - a) Volatile organic compounds (VOCs) - 10 samples;
 - b) Polynuclear aromatic hydrocarbons (PAHs) - 10 samples;
 - c) RCRA metals - 10 samples;
 - d) Diesel Range Organics (DRO) - 10 samples;
 - e) Gasoline Range Organics (GRO) - 10 samples.
8. Analyze five (5) groundwater samples from the temporary wells for VOCs and DRO.
9. Analyze eight (8) soil vapor samples for VOCs by EPA Method TO-15.
10. Phase II ESA Report including:
 - a) Boring logs and lab testing
 - b) Boring location map
 - c) Summary of soil, groundwater, and soil vapor analytical results
 - d) Conclusions and recommendations regarding any identified environmental impacts

Cost Estimate

An estimated cost for the above scope of services is attached.

General

We appreciate the opportunity to provide professional services for you on this project.

If you have questions about the proposed scope, please call Imants Pone at 952-995-2665 or Bob Rykken at 952-995-2672.

Sincerely,

BRAUN INTERTEC CORPORATION

A handwritten signature in blue ink, appearing to read 'Imants Pone', is positioned above the printed name and title.

Imants Pone
Senior Scientist

Attachments:

MN Brownfields Project Agreement-8
Cost Estimates
Proposed Investigation Locations Map

PROJECT AGREEMENT NO. 2019-8

Braun Intertec Corporation agrees to perform the following Scope of Work for the Compensation described below, and Minnesota Brownfields agrees to pay such compensation, all in accordance with the terms and conditions contained herein and stated in the Master Agreement for Environmental Consulting Services (the Agreement) dated April 24, 2013 and Amendment for Professional Services Agreement effective May 1, 2018, which is hereby incorporated herein by reference and made a part hereof.

Scope of Work: Braun Intertec and its subcontractors will conduct a Phase I Environmental Site Assessment (ESA) at the below property.

For the Property located at: PID 35-119-21-41-0021 – 4.93 acres
1601 James Circle North
Brooklyn Center, MN 55430

Minnesota Brownfields Contact:

Attn: Severin Oman
Minnesota Brownfields
2801 21st Ave S, Suite 145
Minneapolis, MN 55407
Email: soman@mnbrownfields.org
Phone No: 651.402.8676

Braun Intertec Contact:

Attn: Imants Pone
Braun Intertec Corporation
11001 Hampshire Avenue South
Bloomington, MN 55438
Email: ipone@braunintertec.com
Phone No: 952.995.2665

Compensation (check appropriate box):

- ☒ Hourly fee charges and rates for labor, equipment, supplies and expenses with a total to not exceed: **\$2,500.00**

BRAUN INTERTEC CORPORATION:

By: 
Its: Senior Scientist

Date: October 17, 2019

MINNESOTA BROWNFIELDS:

By: _____
Its: _____

Date: _____

**Scope of Work and Cost Estimate
Pre-Development Environmental Consulting Services
1601 James Circle North
Brooklyn Center, Minnesota (the Property)**

Background

We understand that the City of Brooklyn Center currently owns the property and wishes to conduct environmental due diligence activities in anticipation of future redevelopment, but the specific redevelopment is currently unknown.

Scope of Work

Braun Intertec will conduct a Phase I ESA of the Site in accordance with ASTM Standard Practice E 1527-13, which is the recognized industry standard defining good commercial and customary practice for conducting all appropriate inquiry (AAI) into the previous ownership and uses of the Site consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

The intent of this practice is intended to permit a user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on CERCLA liability. The purpose of the Phase I ESA will be to identify recognized environmental conditions in connection with the subject property.

The Phase I ESA will include a government and historical records review, site reconnaissance, interviews, and data evaluation. The results of the Phase I ESA will be summarized in a written report. So that they may be identified within the report, the user must supply the names of all parties intending to rely on the executed service and subsequent report. Additional reliance may be obtained at the discretion of Braun Intertec.

In order to satisfy the requirements of AAI, the user bears specific responsibilities for satisfying certain components of the environmental inquiry. The E 1527 Practice provides a *User Questionnaire* which outlines the information that the user must provide (if available) to the Environmental Professional. The User Questionnaire, attached to this proposal, should be completed and returned to Braun Intertec so the information can be included in the report. In addition, the Client Information Request Form is attached to this proposal and should be completed and returned to Braun Intertec so that the information can be included in the report.

The results of the Phase I ESA will be summarized in a written report documenting information sources used, findings and conclusions, and Braun Intertec professional opinion of the impact of any potential environmental concerns in connection with the Site. Appendices to the report will include copies of available historical information (e.g., fire insurance maps, aerial photographs, etc.). A draft copy of the Phase I ESA will be issued electronically for review and comment. Upon receipt of comments, Braun Intertec will issue the final Phase I ESA report.

Only an electronic copy of the Phase I ESA report will be submitted to you unless you request otherwise.

Cost Estimate

Braun Intertec will complete the Scope of Services described in this proposal on a time and materials basis per the attached Project Proposal cost estimate and the terms of the Agreement.

Project Proposal

QTB109771

PID 35-119-21-41-0021 - 4.93 Acres

Client:

Minnesota Brownfields
Severin Oman
2801 21st Ave South, Ste 145
Minneapolis, MN 55407
(651) 307-4371

Work Site Address:

1601 James Circle North
Brooklyn Center, MN 55430

Service Description:

Phase I Environmental Site Assessment
Project Agreement 2019-8

	Description	Quantity	Units	Unit Price	Extension
Phase 1	Phase I Environmental Assessment				
Activity 1.1	Field Work				\$459.00
330	Project Scientist	3.00	Hour	153.00	\$459.00
Activity 1.2	Expenses				\$426.50
1868	ENV Trip Charge	1.00	Each	40.00	\$40.00
SUB	Subcontractor	1.00	Each	386.50	\$386.50
Activity 1.3	Reports				\$1,614.50
330	Project Scientist	7.50	Hour	153.00	\$1,147.50
371	CADD/Graphics Operator	1.00	Hour	107.00	\$107.00
360	Project Assistant	1.50	Hour	88.00	\$132.00
340	Senior Scientist	1.00	Hour	171.00	\$171.00
LSADJ	Lump Sum Adjustments	1.00	Each	0.00	\$0.00
363	Project Manager	0.50	Hour	114.00	\$57.00
Phase 1 Total:					\$2,500.00

Proposal Total:	\$2,500.00
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Project Proposal

QTB109746

James Circle

Client:

Hennepin County

1600 Prairie Drive
Medina, MN 55340

Work Site Address:

1601 James Circle North
Brooklyn Center, MN

Service Description:

Environmental Property Assessment and
Cleanup
Contract: A188561

	Description	Quantity	Units	Unit Price	Extension
Phase 1	Phase II ESA				
Activity 1.1	Drilling Services				\$4,620.00
SUB	Subcontractor	1.00	Each	4,400.00	\$4,400.00
SUB	Subcontractor	1.00	Each	220.00	\$220.00
Activity 1.2	Field Work				\$3,046.00
310	Environmental Technician III	19.00	Hour	105.00	\$1,995.00
1856	Vehicle, per mile	100.00	Each	0.58	\$58.00
5036	PID w/10.6 eV lamp, per day	2.00	Each	150.00	\$300.00
5084	Water Level Tape, per Day	2.00	Each	57.00	\$114.00
5902	iPad/R1 Field Data GPS (sub-meter horizontal only), per day	1.00	Each	99.00	\$99.00
6914	Soil gas sampling tubing & expendable tip, per sample	8.00	Each	60.00	\$480.00
Activity 1.3	Subcontracted Analytical Testing				\$5,802.50
SUB	Analytical Testing	1.00	Each	5,802.50	\$5,802.50
Activity 1.4	Professional Services - Field Coordination				\$650.00
330	Project Scientist	2.00	Hour	155.00	\$310.00
340	Senior Scientist	2.00	Hour	170.00	\$340.00
Activity 1.5	Reporting				\$3,445.00
360	Project Assistant	1.00	Hour	90.00	\$90.00
371	CADD/Graphics Operator	2.00	Hour	115.00	\$230.00
363	Project Manager	1.00	Hour	125.00	\$125.00
330	Project Scientist	10.00	Hour	155.00	\$1,550.00
340	Senior Scientist	6.00	Hour	170.00	\$1,020.00
350	Principal Scientist	2.00	Hour	215.00	\$430.00
Phase 1 Total:					\$17,563.50

Proposal Total:	\$17,563.50
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Hennepin County Property Map

Date: 10/16/2019



PARCEL ID: 3511921410021

OWNER NAME: Econ Dev Auth Brooklyn Ctr

PARCEL ADDRESS: 1601 James Cir N,
Brooklyn Center MN 55430

PARCEL AREA: 4.93 acres, 214,718 sq ft

A-T-B: Both

SALE PRICE:

SALE DATA:

SALE CODE:

ASSESSED 2018, PAYABLE 2019

PROPERTY TYPE: Vacant Land-Commercial

HOMESTEAD: Non-Homestead

MARKET VALUE: \$0

TAX TOTAL: \$0.00

ASSESSED 2019, PAYABLE 2020

PROPERTY TYPE: Vacant Land-commercial

HOMESTEAD: Non-homestead

MARKET VALUE: \$0

Comments:

- Proposed Soil Boring with Temporary Monitoring Well
- Proposed Soil Boring
- Proposed Soil Vapor Probe

This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

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COUNTY 2019

Council Regular Meeting

DATE: 10/28/2019

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH:

BY: Andrew Splinter, Interim Finance Director

SUBJECT: Setting a Public Hearing on Proposed Utility Rates for 2020

Background:

At the October 21, 2019 joint work session of the City Council and Financial Commission, staff presented the expected expenditures for operation of the City's utility services for 2020. 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 2020 and for the next fifteen years to keep operations running smoothly and fund the infrastructure improvements needed in each of the utility systems. The cash flow analysis for each of the five utilities indicate anticipated rate changes necessary to maintain sufficient cash balances during the construction of the utility improvements associated with the City's 15-year Capital Improvement Plan (CIP).

For 2020, rate increases are proposed Water, Sanitary Sewer and Storm Sewer in order to maintain cash reserves, fund normal operations, pay for debt service and finance infrastructure improvements. Rates for the various utilities for 2020 are shown in comparison to 2019 below:

Fund	Description	2019 Rate	2020 Rate	Change
Water	Base Charge - Residential (quarterly)	\$15.52	\$16.61	\$1.09 / quarter
Consumption Charge - Residential Meters	Tier I (0 - 30 gallons)	\$2.59	\$2.77	\$0.18 / 1,000 gallons
	Tier II (31 - 60 gallons)	3.22	3.45	\$0.23 / 1,000 gallons
	Tier III (61 and greater)	4.81	5.15	\$0.34 / 1,000 gallons
Consumption Charge - Non-residential	(Per 1,000 gallons)	\$3.42	\$3.66	\$0.24 / 1,000 gallons
Sanitary Sewer	Base Charge (quarterly)	\$84.89	\$89.14	\$4.24 / quarter
Consumption Charge - Non-residential	(Per 1,000 gallons)	\$3.58	\$3.76	\$0.18 / 1,000 gallons
Storm Sewer	Base Charge (quarterly)	\$15.07	\$15.52	\$0.45 /quarter
Street Light	Base Charge (quarterly)	\$6.55	\$6.55	No change
Recycling	Base Charge (quarterly)	\$11.98	\$11.98	No change

The quarterly utility bill for a household using 18,000 gallons of water (considered the typical residential user) is shown in comparison to 2019 rates as follows:

Fund	2019 Bill	2020 Bill	\$ Change/quarter

Water	\$62.14	\$66.47	\$4.33
Sanitary Sewer	84.89	89.14	4.24
Storm Sewer	15.07	15.52	0.45
Street Light	6.55	6.55	-
Recycling	<u>11.98</u>	<u>11.98</u>	-
Total	\$180.63	\$189.66	\$9.02

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 will be published in the Brooklyn Center Post. A copy of the notice has been attached.

Budget Issues:

The proposed rates would become effective on January 1, 2020.

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Legal Notice for Publication	10/22/2019	Backup Material

CITY OF BROOKLYN CENTER
NOTICE OF PUBLIC HEARING ON PROPOSED MODIFICATIONS TO UTILITY
FEE SCHEDULES RELATED TO DELINQUENT UTILITY CHARGES

Notice is hereby given that the City Council of the City of Brooklyn Center, Minnesota, will meet in the Council Chambers of Brooklyn Center City Hall at 6301 Shingle Creek Parkway, on Monday, November 25, 2019 at 7 p.m. regarding proposed modifications to utility fee schedules related to delinquent utility charges.

These proposed fee schedules are now on file at City Hall and open to public inspection. Written or oral comments to the proposed rates will be considered at this meeting.

Auxiliary aids for persons with disabilities are available upon request at least 96 hours (4 days) in advance of the hearing. Please contact the City Clerk at 763-569-3300 to make arrangements.

Barb Suciu, City Clerk
By order of the City Council

Published in the Brooklyn Center Post on November ____, 2019.

Council Regular Meeting

DATE: 10/28/2019

TO: City Council

FROM: Curt Boganey, City Manager

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

BY: Mike Albers, P.E., City Engineer

SUBJECT: Resolution Approving Amendment to the Professional Services Agreement with SRF Consulting Group, Inc. for the Brooklyn Boulevard Corridor Project Phase 1, Improvement Project No. 2018-05

Background:

On August 8, 2016, the City Council authorized execution of a Professional Services Agreement with SRF Consulting Group, Inc. for preliminary design, environmental documentation, easement acquisition, final design services and construction administration services for the Brooklyn Boulevard Corridor Project Phase 1 Improvements (49th Avenue to Bass Lake Road), Project No. 2018-05. Plans were developed and on August 13, 2018 the City Council awarded a contract to C.S. McCrossan Construction Inc., of Maple Grove, Minnesota for the above referenced improvement.

SRF has been working with the City under this agreement since 2016, approximately three years. The total original budget was \$2,231,682.00. On May 8, 2017, the City Council executed an amendment to the Professional Services Agreement with SRF Consulting Group, Inc. in the amount of \$107,304.50 to provide professional services for the 51st Avenue/Frontage Road Improvements Project, Improvement Project 2018-06. The amended contract amount is \$2,338,986.50.

SRF's services were broken out into two primary categories: design phase and construction phase. The completion of the design phase work ended with exception to some out-of-scope work that was directed to be added and has already been paid to SRF in the amount of \$161,777.53 as follows:

• Additional project management for utility undergrounding and permit fees	\$ 7,959.68
• Additional Right of Way acquisitions (7 parcels)	\$ 30,719.05
• Additional Topographic Survey tasks (adjacent to project at Lilac/55 th)	\$ 10,870.88
• Additional Final Design tasks (banner height, trees, monument sign)	\$ 10,622.88
• Additional Final Design tasks (Brookdale Covenant site design)	\$ 16,505.00
• <u>Additional Signal Revisions tasks (49th Avenue and Highway 100)</u>	<u>\$ 85,100.04</u>
TOTAL	\$161,777.53

The construction phase budget is anticipated to be exceeded, most notably due to the project being extended into Spring 2020 and the contractor working on weekends. SRF construction phase budget is anticipated to have additional cost in the amount of \$264,000 for the professional services that are needed to deliver the Brooklyn Boulevard Corridor Project Phase 1 Improvements through Spring 2020.

Budget Issues:

The amended contract amount with SRF Consulting Group, Inc. for professional services for the Brooklyn Boulevard Corridor Project Phase 1 Improvements and the 51st Avenue/Frontage Road Improvements is \$2,338,986.50, which is a “not to exceed” amount unless amended.

A negotiated fee amount of \$425,777.53 for the professional services that are needed to deliver the remaining Brooklyn Boulevard Corridor Project Phase 1 Improvements is recommended to be approved and amend the Professional Services Agreement scope accordingly. The project budget estimated \$200,000 for engineering contingency. The amended contract amount is \$2,764,764.03.

Strategic Priorities and Values:

Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
Resolution	10/22/2019	Resolution Letter

Member
moved its adoption:

introduced the following resolution and

RESOLUTION NO. _____

RESOLUTION APPROVING AMENDMENT TO THE PROFESSIONAL
SERVICES AGREEMENT WITH SRF CONSULTING GROUP, INC. FOR
THE BROOKLYN BOULEVARD CORRIDOR PROJECT PHASE 1,
IMPROVEMENT PROJECT NO. 2018-05

WHEREAS, on August 8, 2016, the City Council approved a resolution authorizing a Professional Services Agreement with SRF Consulting Group, Inc., to proceed with and provide the services for the preliminary design, environmental documentation, easement acquisition and final design as required to meet the Federal Aid Project requirements for the Brooklyn Boulevard Corridor Project Phase 1 Improvements (49th Avenue to Bass Lake Road), Project No. 2018-05; and

WHEREAS, on May 8, 2017, the City Council amended the Professional Services Agreement with SRF Consulting Group, Inc. in the amount of \$107,304.50 to provide professional services for the 51st Avenue/Frontage Road Improvements Project, Project No. 2018-06; and

WHEREAS, an amendment to the aforementioned Professional Services Agreements has been negotiated with SRF Consulting Group, Inc., to provide the additional professional services into 2020. Funding for engineering, admiration and legal shall be funded temporarily out of the Capital Improvements Fund.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the City Manager is hereby authorized to execute the amendment to the Professional Services Agreement with SRF Consulting Group, Inc. in the amount of \$425,777.53 for the additional professional services for the Brooklyn Boulevard Corridor Project Phase 1 Improvements.

October 28, 2019

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: 10/28/2019

TO: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: Proclamation Declaring October 28, 2019, to be Designated as Random Acts of Kindness Day and Distribution of Certificates

Requested Council Action:

- Motion to Adopt a Proclamation Declaring October 28, 2019, to be Designated as Random Acts of Kindness Day.

- Council members read nomination while Mayor Elliott distributes recognition certificates to the 2019 Random Acts of Kindness recipients

Background:

The City of Brooklyn Center has celebrated Random Acts of Kindness since 1997. Each year the nominees by the City Council at this second meeting in October. The attached proclamation encourages residents to celebrate Random Acts of Kindness.

Budget Issues:

There are no budget issues to consider.

Strategic Priorities and Values:

Enhanced Community Image, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Proclamation	10/21/2019	Proclamation
Presentation	10/21/2019	Presentation

City of Brooklyn Center

Proclamation

*DECLARING OCTOBER 28, 2019, 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 23rd 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 October 28, 2019, 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.

October 28, 2019

Date

Mayor

Council Members

ATTEST: _____
City Clerk



Random Acts of Kindness



City Council Meeting, October 28, 2019
Barb Suciu, City Clerk

Random Acts of Kindness program

- Random Acts of Kindness program was established in 1997
- Honor Brooklyn Center residents and groups who demonstrate RAK to make our community a wonderful place to live and work
- This year we have 14 recipients.



Daisy Barton

nominated by Paige Myers

- Daisy has gone above and beyond in her work at CEAP as the Senior Services Program Manager. She helped an individual who had some fears about aging. In just two meetings, Daisy was able to get this individual to open up about the concerns about aging and the future. They've tackled everything from referring for grief counseling after the recent loss of a loved one, exploring and making decisions to move from a single-family home to senior apartments, and getting a trust and will in order. Daisy used her phone to reconnect this individual with their sister who there hadn't been any contact for weeks and there was a fear she had passed away. Daisy has invested time and energy into selflessly caring for the elders in our community and ensuring they are connected to all the resources they need.



Chris, Jen, and Tim Haroldson nominated by Kathleen Stoner

- I nominate the Haroldson's – Chris, Jen, and Tim - for their random acts of kindness during the last winter of 2018-2019 for clearing the snow from my driveway and the driveway of another neighbor. These were spontaneous random acts because I didn't ask them or call them. They would just show up after a snow fall and help a neighbor in need.
- Also, the Haroldson's have taken on the duties of hosting the National Night Out after the regular hosts were unable. They have continued hosting in 2019 and included other neighboring blocks to join when their block captains were unable to host separately.



Jennifer Nagel and sons

nominated by Friends of Brooklyn Center member

- During one of the 2019 snow storms, Jennifer and her sons shoveled out seven fire hydrants in their neighborhood. As it as tweeted “*#freethefirehydrant*”. This is so important and helpful to our first responders in case there is an emergency. Thank you for your act of kindness.



Diane and Darryl Sannes nominated by Allan Hancock

- Over a four year period Diane and Darryl have picked up over 180,000 bagels from a local Brooklyn Center bakery. Bagels that would normally be discarded at the end of the day. They have been delivering them to ten Brooklyn Center schools, the police department, the fire department, and public works.



Joan Schonning

nominated by Darnell Hancock

- Joan volunteers at Arc Village and has a Treasure Swap in her home periodically where women in the neighborhood can bring their used clothing and household items to trade free of charge. What doesn't get taken she and her husband bring to Arc for further distribution. She initiated an ice cream social for our neighborhood and City Officials at our local park. Joan passed out fliers to the neighborhood inviting them. Joan has hosted a potluck at her house inviting neighbors to encourage neighborhood unity.



Shirley Farmer-Olson nominated by Sophie Ball

- Shirley has volunteered at CEAP for years. She helps out in the Meals on Wheels kitchen and overseeing special projects in our food market. She goes above and beyond with the time she puts into her volunteerism and makes sure that others have a great experience volunteering.



Betsy Kenney

nominated by Sophie Ball

- Betsy volunteers as a Meals on Wheels driver. Most of the drivers will do a weekly route, but Betsy will cover routes many times a week and will drop everything to help out when there is a need. Betsy serves the community with a high degree of dedication and is an asset to our team!



Jack MacMillan

nominated by Sophie Ball

- Jack is a stellar volunteer and “jack of all trades”. In all of his roles he makes people feel welcome in our space and tries his best to meet the needs of both CEAP and participants coming through. Jack is dedicated and willing to take on new roles when we have a need.



Judith Nelson

nominated by Sophie Ball

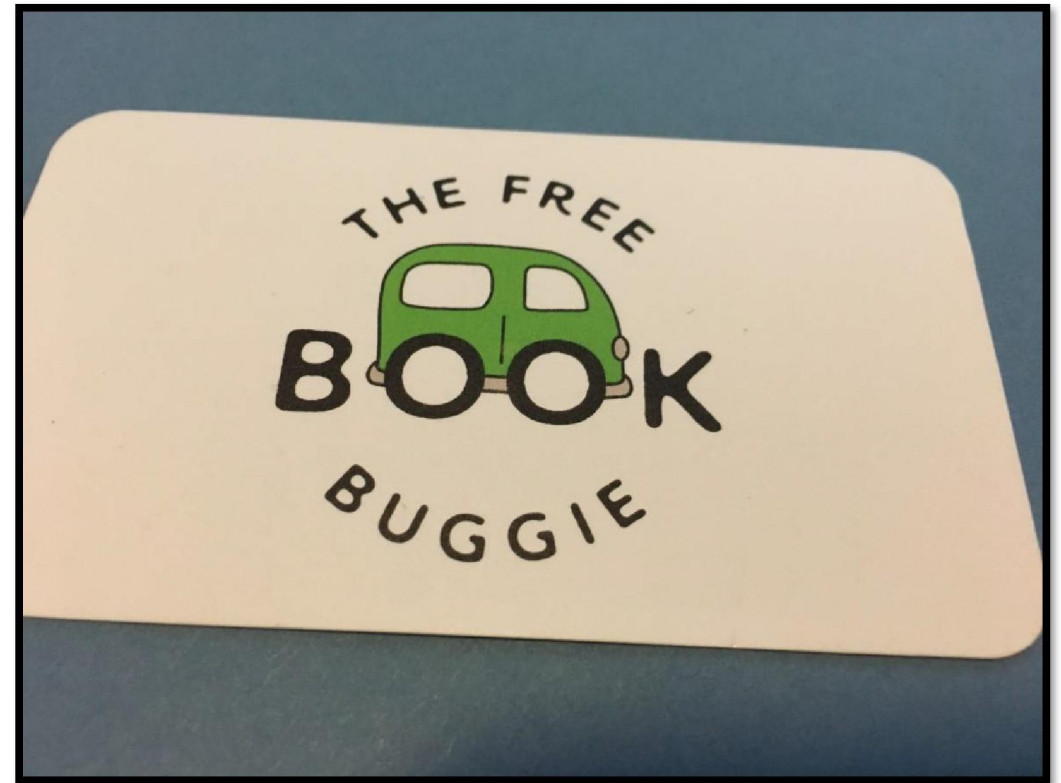
- Judith has many roles at CEAP, and is an essential team member even as a volunteer. She is always ready to help out in a pinch and shows her dedication every day by coming in early, scheduling her rides here, taking on extra work, and doing a great job training other volunteers.



Debbie Beck

nominated by Diane Sannes

- Debbie founded Book Buggy in June 2018 to help bring Free Books to community events. This is a great non-profit to assist Brooklyn Center residents. In the first year, 20,000 books went to 11,000 children and 60 partners.



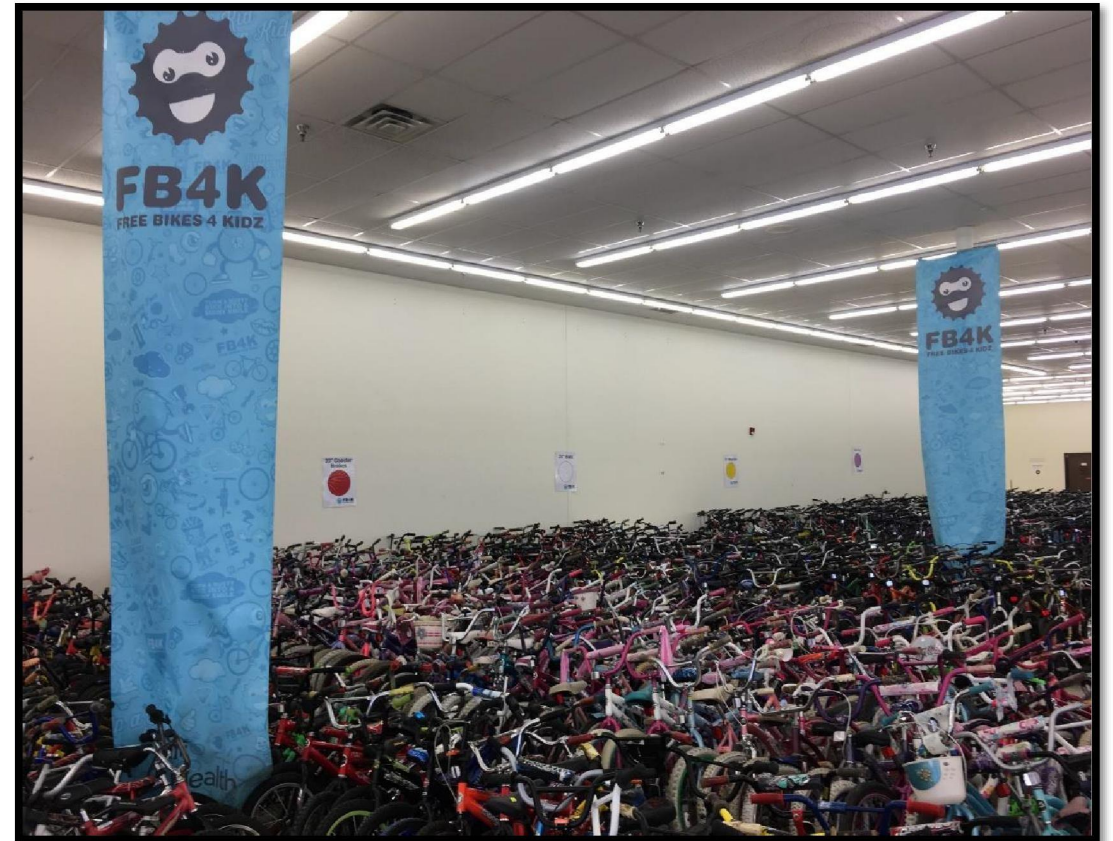
Allan and Darnell Hancock nominated by Diane Sannes

- Allan and Darnell spend the morning of the last Saturday of each month cleaning up trash from around the Brooklyn Center Transit Center. In June, they even had visiting guests from out of state help in this monthly effort. Thanks for helping Brooklyn Center stay clean.



Tia Martinson “Free bikes for kids” nominated by Diane Sannes

- Free Bikes for Kids held their annual Bike Drive and had warehouse space in Brooklyn Center last fall. Volunteers came to Brooklyn Center to fix 10,000 bikes and hundreds of people came to get bikes/helmets for kids in need. We are grateful for this non-profit bringing their business to Brooklyn Center. Thank you for all of those that helped and for helping Brooklyn Center.



Earl Simons and the BC Lions Club nominated by Diane Sannes

- When you think of the Brooklyn Center Lions Club, you think of seeing Earl Simons helping out the Brooklyn Center community. Early on the first day of school at Evergreen Park Elementary, Earl was there to “Welcome” the students to the new school year. Thank you Earl for being seen everywhere wearing your yellow BC Lions vest and welcoming all to Brooklyn Center with a smile.



Congratulations to the 2019
Random Acts of Kindness recipients.



Council Regular Meeting

DATE: 10/28/2019

TO: City Council

FROM: Curt Boganey, City Manager

THROUGH: N/A

BY: Curt Boganey, City Manager

SUBJECT: Proclamation for Nathan Reinhardt

Background:

Nathan Reinhardt has served the City of Brooklyn Center as the Director of Fiscal Services & Support for the past six years with professionalism, and outstanding leadership.

Mr. Reinhardt's has accepted a position with another City and his last with Brooklyn Center is October 30, 2019.

Budget Issues:

- None

Strategic Priorities and Values:

Enhanced Community Image, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Proclamation	10/24/2019	Proclamation

MAYOR'S PROCLAMATION

- WHEREAS, Nathan Reinhardt has served the City of Brooklyn Center as Director of Fiscal & Support Services from November 21, 2013, to October 30, 2019; and
- WHEREAS, Nathan Reinhardt has consistently provided the City of Brooklyn Center and its residents with professional dedicated public service during his six-year tenure as Director of Fiscal & Support Services; and
- WHEREAS, Nathan Reinhardt performed a liquor store market analysis, and has been instrumental in the acquisition and construction of a new City-Owned Liquor Store; and
- WHEREAS, during the tenure of Nathan Reinhardt the City has had an average annual investment earnings increased by a half-a-million dollars a year; and
- WHEREAS, Nathan Reinhardt implemented a paperless process for both invoice routing, approval and utility billing and payment systems, which improve customer service and reduce costs to the City; and
- WHEREAS, Nathan Reinhardt has significantly contributed to the preparation of the Comprehensive Annual Financial Report (CAFR), resulting in the City's successful receipt of the Certificate of Achievement for Excellence in Financial Reporting for years 2013-2017 (with 2018 pending); and
- WHEREAS, Nathan Reinhardt oversaw the Safety Training program to ensure OSHA Compliance as well as building online SDS repository; and
- WHEREAS, Nathan Reinhardt has served as the Chairperson of the Conference Committee for the Minnesota Government Finance Officers Association (MnGFOA); and
- WHEREAS, Nathan Reinhardt's demonstrated leadership as Director of Fiscal and Support Services contributed substantially to an effective, dependable, and knowledgeable finance staff; and
- WHEREAS, Nathan Reinhardt has performed his duties in an exemplary fashion, assuring that the best interests for the City of Brooklyn Center are fulfilled.

NOW, THEREFORE, I, MIKE ELLIOTT MAYOR OF THE CITY OF BROOKLYN CENTER, State of Minnesota, with the consent and support of the Brooklyn Center City Council, do hereby express appreciation and gratitude to Nathan Reinhardt for his dedicated public service to the City of Brooklyn Center.

October 28, 2019

Date

Mike Elliott, Mayor

Council members



Council Regular Meeting

DATE: 10/28/2019

TO: City Council

FROM: Curt Boganey, City Manager

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

BY: Mike Albers, P.E., City Engineer

SUBJECT: Resolution Ordering Improvements and Authorizing Preparation of Plans and Specifications for Improvement Project Nos. 2020-01, 02, 03 and 04, Grandview North Area Street, Storm Drainage and Utility Improvements

Background:

A public hearing is scheduled on October 28, 2019 to consider ordering improvements and authorize preparation of plans and specifications for Improvement Project Nos. 2020-01, 02, 03 and 04. All potentially affected property owners have been notified by mail of the date of the improvement public hearing and the amount of proposed special assessments.

An assessment public hearing to consider certification of proposed special assessments for street and storm drainage improvements for Improvement Project Nos. 2020-01 and 2020-02 will be held on December 9, 2019. A separate Notice of Public Hearing on proposed special assessments will be sent to properties that are proposed to be assessed in November, 2019.

I. Explanation of Improvements

The proposed project includes roadway, storm drainage and utility improvements for the residential neighborhood area commonly referred to as the Grandview North Area. The project was previously established by the City Council on May 13, 2019, by Resolution 2019-74. On September 23, 2019, the City Council received the project feasibility report and called for a public hearing to be held on October 28, 2019, to consider these improvements.

The project feasibility report provides a description of recommended improvements for the neighborhood and an estimated project budget. The proposed improvements are as follows:

1. **Street Improvements** – Full street reconstruction of all streets including regrading, base preparation, installation of concrete driveway aprons, bituminous paving, installation of concrete curb and gutter, replacement of street signs, replacement of free-standing street lights with LED light fixtures and boulevard restoration.
2. **Storm Drainage Improvements** – Includes the installation of new storm sewers and installation of concrete curb and gutter on all streets, and repair and replacement of existing storm sewers, installation of new and repair and replacement of existing catch basins and manholes.
3. **Water Main Improvements** – Includes the replacement of approximately 40 percent of existing water main pipes and installation of new valves, hydrants and water services to the shut off valve where impacted.

4. **Sanitary Sewer Main Improvements** – Includes the complete replacement of sanitary sewer pipe, access structures and residential sewer services to property lines.

II. Summary of Assessments

Special assessments are proposed as one of several funding sources for the improvements located within the Grandview North Area. The 2020 special assessment rates for street and storm drainage improvements will be established in accordance with the City's Special Assessment Policy. The 2020 rates are anticipated to be established by the City Council on November 12, 2019.

The feasibility report includes a preliminary assessment roll identifying approximately 110 residential properties that are zoned "R1", 1 sub-dividable church property that is zoned "R1", 32 townhomes that are zoned "R3" and 2 senior housing buildings that are zoned "R6". See attached Appendix D–Pending Assessment Roll and Figure 8–Assessment Map from the project feasibility report. The special assessments will not exceed the amounts on the attached special assessment roll.

Assessments for Full Street Reconstruction

Special assessments for non-subdividable single-family residential properties that are zoned R1 were calculated at full unit assessment rates of \$4,715 for street improvements and \$1,415 for storm drainage improvements. Other R1 zoned properties that are larger than the standard single-family lot were assessed based on computing a maximum number of subdividable lots times full R1 unit assessment amount for street and storm drainage improvements. The multi-family properties that are zoned R3 were assessed based on unit assessments prorated per total lot frontage for street and storm drainage improvements. The multi-family properties that are zoned R6 were assessed based on an acreage basis for street and storm drainage improvements.

III. Public Comments

Public comments were included in the Feasibility Report (Appendix B). Staff has not received any additional comments.

III. Recommended Council Procedure

Public Hearing to Order Improvements: Staff recommends that a presentation be provided to the City Council prior to holding the improvement public hearing. Following the presentation, a public hearing to consider ordering the improvement project should be conducted to receive public comments. Public comments concerning special assessments should be deferred to the assessment public hearing in December, 2019. A resolution ordering the improvements and authorizing preparation of plans and specifications is provided for City Council consideration upon closing of the public hearing.

Budget Issues:

The proposed street and utility improvements are included in the 2020 Capital Improvement Program for the City of Brooklyn Center. The total project cost is estimated to be \$6,294,000. Funding sources for the project are budgeted from sources as described in the project feasibility report previously accepted by the City Council on September 23, 2019. The funding source amounts that are included in the feasibility report are listed below:

	Feasibility Report (9/23/19)
Special Assessments	\$ 888,190.92
Sanitary Sewer Utility Fund	\$ 1,060,000.00
Water Utility Fund	\$ 784,000.00

Storm Drainage Utility Fund	\$ 1,258,073.95
Street Light Utility Fund	\$ 60,000.00
<u>Street Reconstruction Fund</u>	<u>\$ 2,243,735.13</u>
Total	\$ 6,294,000.00

Strategic Priorities and Values:

Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
Resolution	10/22/2019	Resolution Letter
Assessment Map	10/22/2019	Backup Material
Pending Assessment Roll	10/22/2019	Backup Material
Presentation	10/22/2019	Backup Material

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION ORDERING IMPROVEMENTS AND AUTHORIZING PREPARATION OF PLANS AND SPECIFICATIONS FOR IMPROVEMENT PROJECT NOS. 2020-01, 02, 03 AND 04, GRANDVIEW NORTH AREA STREET, STORM DRAINAGE AND UTILITY IMPROVEMENTS

WHEREAS, the Brooklyn Center City Council on May 13, 2019, authorized consideration of street, storm drainage and utility improvements in the area generally described as “GRANDVIEW NORTH AREA”, more specifically described as follows: 60th Avenue N from Dupont Avenue N to Humboldt Avenue N; 61st Avenue N from Dupont Avenue N to Fremont Avenue N; 62nd Avenue N from Dupont Avenue N to Lilac Drive N; Emerson Avenue N from 59th Avenue N to 62nd Avenue N; Fremont Avenue N from 59th Avenue N to 62nd Avenue N; Girard Avenue N from 60th Avenue N to Lilac Drive N; Humboldt Avenue N from 60th Avenue N to Lilac Drive N; and Lilac Drive N from Dupont Avenue N to Humboldt Avenue N; and

WHEREAS, the City Council has received and accepted a feasibility report for said proposed improvements, as prepared under the City Engineer’s supervision; and

WHEREAS, said improvements are necessary, cost effective and feasible as detailed in the feasibility report; and

WHEREAS, the City Council on September 23, 2019, adopted a resolution setting a date for a public hearing regarding the proposed improvements for Grandview North Area; and

WHEREAS, ten days published notice of hearing was given and the hearing was held on October 28, 2019, at which time all persons desiring to be heard were given the opportunity to be heard thereon; and

WHEREAS, the City Council has considered all comments, testimony, evidence and reports offered at or prior to the October 28, 2019, hearing; and

WHEREAS, the City reasonably expects to spend monies from the Infrastructure Construction Fund on a temporary basis to pay the expenditures described in this resolution; and

WHEREAS, the City reasonably expects to reimburse itself for such expenditures from the proceeds of taxable or tax-exempt bonds, the debt service of which is expected to be paid from property taxes, special assessments or utility fees. The maximum amount of special assessment obligations expected to be issued for such project is \$888,190.92; and

RESOLUTION NO. _____

WHEREAS, the City Engineer is prepared to develop plans and specifications for said public improvement project.

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

1. Improvement Project Nos. 2020-01, 02, 03 and 04, Grandview North Area Street, Storm Drainage and Utility Improvements, are hereby ordered and the City Engineer is authorized to prepare plans and specifications for said improvements.
2. This resolution is intended to constitute official intent to issue taxable or tax exempt reimbursement bonds for purposes of Treasury Regulations and any successor law, regulation, or ruling. This resolution will be modified to the extent required or permitted by Treasury Regulations or any successor law, regulation, or ruling.

October 28, 2019

Date

Mayor

ATTEST: _____

City Clerk

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

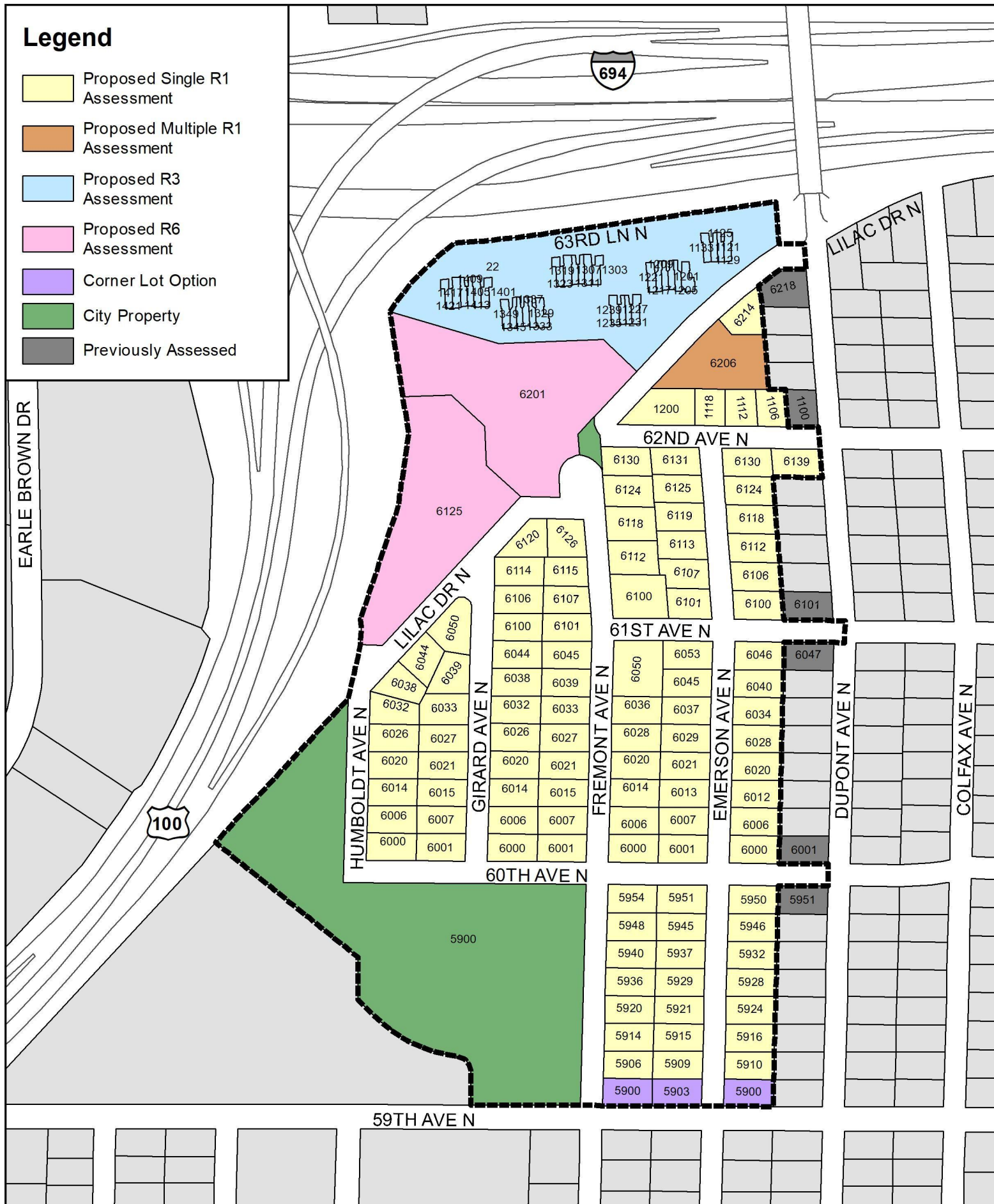
and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Legend

-  Proposed Single R1 Assessment
 Proposed Multiple R1 Assessment
 Proposed R3 Assessment
 Proposed R6 Assessment
 Corner Lot Option
 City Property
 Previously Assessed



CITY OF BROOKLYN CENTER PROPOSED PENDING ASSESSMENT ROLL
September 17, 2019
2020 GRANDVIEW NORTH AREA RECONSTRUCTION
IMPROVEMENT PROJECT NOS. 2020-01 AND 02

DRAFT

PROPERTY ID	HOUSE	STREET NAME	LEVY#	STREET	LEVY #	STORM	NOTES
3611921330016	1106	62ND AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330017	1112	62ND AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330018	1118	62ND AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330031	1200	62ND AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330059	1121	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330060	1125	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330061	1129	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330062	1133	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330063	1201	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330064	1205	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330065	1209	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330066	1213	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330067	1217	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330068	1221	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330069	1227	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330070	1231	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330071	1235	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330072	1239	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330073	1303	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330074	1307	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330075	1311	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330076	1315	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330077	1319	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330078	1323	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330079	1329	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330080	1333	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330081	1337	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330082	1341	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330083	1345	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330084	1349	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330085	1401	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330086	1405	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330087	1409	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330088	1413	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330089	1417	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330090	1421	63RD LA N		\$ 1,024.22		\$ 307.37	Multi Family R3, Unit Rate
3611921330019	6139	DUPONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220009	5900	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1 - Corner Property
0111821220023	5903	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1 - Corner Property
0111821220022	5909	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220010	5910	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220021	5915	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220011	5916	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220095	5921	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220012	5924	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220013	5928	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220020	5929	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220014	5932	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220019	5937	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220018	5945	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220015	5946	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220016	5950	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220017	5951	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220038	6000	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1

CITY OF BROOKLYN CENTER PROPOSED PENDING ASSESSMENT ROLL
September 17, 2019
2020 GRANDVIEW NORTH AREA RECONSTRUCTION
IMPROVEMENT PROJECT NOS. 2020-01 AND 02

DRAFT

PROPERTY ID	HOUSE	STREET NAME	LEVY#	STREET	LEVY #	STORM	NOTES
0111821220053	6001	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220039	6006	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220052	6007	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220040	6012	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220051	6013	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220041	6020	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220050	6021	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220042	6028	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220049	6029	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220043	6034	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220048	6037	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220044	6040	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220047	6045	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220045	6046	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220046	6053	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330025	6100	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330037	6101	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330026	6106	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330036	6107	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330027	6112	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330035	6113	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330028	6118	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330034	6119	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330029	6124	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330033	6125	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330030	6130	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330032	6131	EMERSON AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220024	5900	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1 - Corner Property
0111821220025	5906	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220093	5914	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220094	5920	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220026	5936	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220027	5940	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220028	5948	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220029	5954	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220054	6000	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220068	6001	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220055	6006	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220067	6007	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220056	6014	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220066	6015	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220057	6020	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220065	6021	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220064	6027	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220058	6028	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220063	6033	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220059	6036	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220062	6039	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220061	6045	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220060	6050	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330038	6100	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330010	6101	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330009	6107	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330039	6112	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1

CITY OF BROOKLYN CENTER PROPOSED PENDING ASSESSMENT ROLL
September 17, 2019
2020 GRANDVIEW NORTH AREA RECONSTRUCTION
IMPROVEMENT PROJECT NOS. 2020-01 AND 02

DRAFT

PROPERTY ID	HOUSE	STREET NAME	LEVY#	STREET	LEVY #	STORM	NOTES
3611921330008	6115	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330040	6118	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330041	6124	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330042	6130	FREMONT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220069	6000	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220084	6001	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220070	6006	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220083	6007	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220071	6014	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220082	6015	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220072	6020	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220081	6021	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220073	6026	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220080	6027	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220074	6032	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220079	6033	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220075	6038	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220078	6039	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220076	6044	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330011	6100	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330012	6106	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
3611921330013	6114	GIRARD AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220085	6000	HUMBOLDT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220086	6006	HUMBOLDT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220087	6014	HUMBOLDT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220088	6020	HUMBOLDT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220089	6026	HUMBOLDT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220090	6032	HUMBOLDT AVE N		\$ 4,715.00		\$ 1,415.00	R1
0111821220091	6038	LILAC DR N		\$ 4,715.00		\$ 1,415.00	R1
0111821220092	6044	LILAC DR N		\$ 4,715.00		\$ 1,415.00	R1
0111821220077	6050	LILAC DR N		\$ 4,715.00		\$ 1,415.00	R1
3611921330014	6120	LILAC DR N		\$ 4,715.00		\$ 1,415.00	R1
3611921330055	6125	LILAC DR N		\$51,069.88		\$25,973.33	Multi Family R6 (A) 100,538.96 sf, (B) 41,498.72 sf
3611921330007	6126	LILAC DR N		\$ 4,715.00		\$ 1,415.00	R1
3611921330167	6201	LILAC DR N		\$54,339.95		\$27,636.88	Multi Family R6 (A) 93,420.23 sf, (B) 75,782.57 sf
3611921330005	6206	LILAC DR N		\$ 9,430.00		\$ 2,830.00	Subdividable R1 = 2 equivalent parcels
3611921330006	6214	LILAC DR N		\$ 4,715.00		\$ 1,415.00	R1
Total Assessments				\$ 666,264.87		\$ 221,926.05	

Public Hearing on Proposed Improvements

Grandview North Area Street and Utility Improvements (2020)



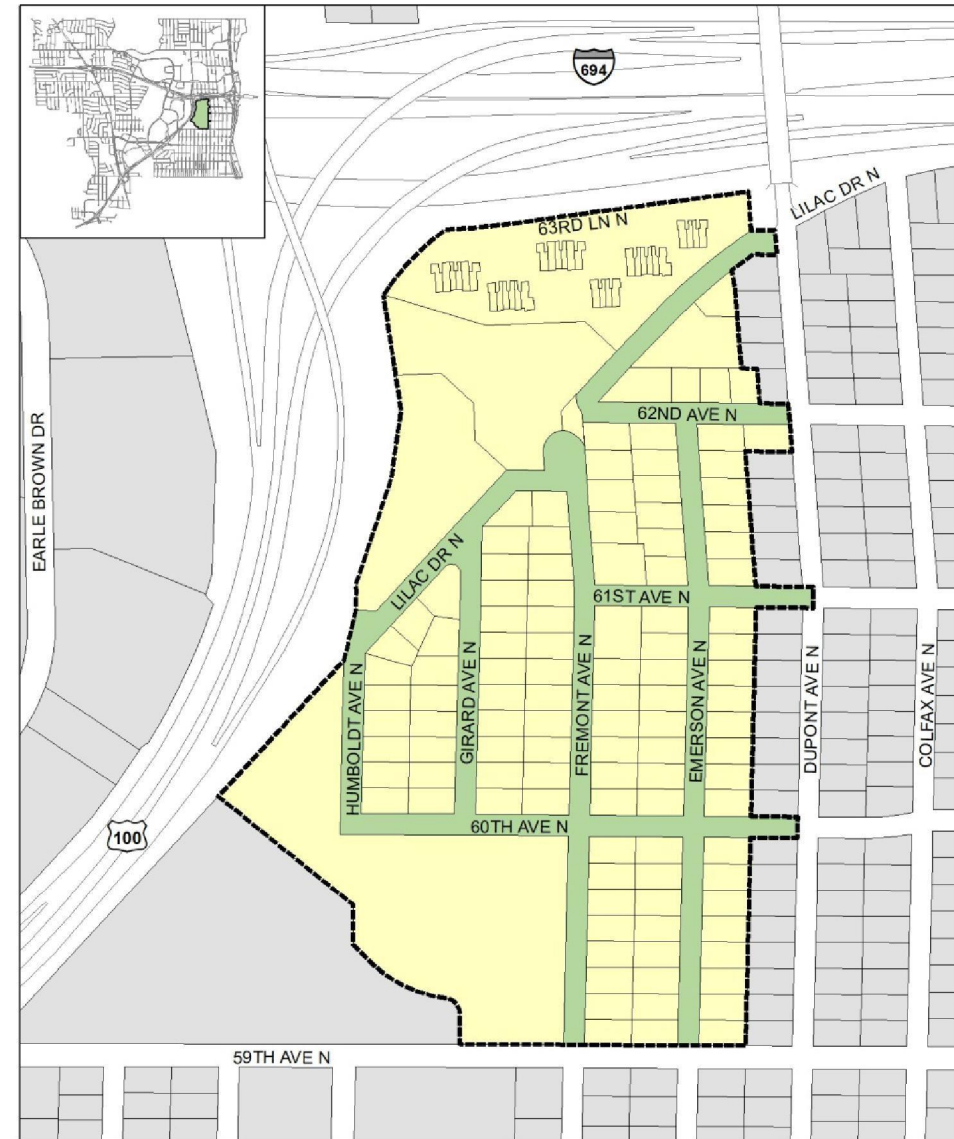
City Council Meeting, October 28, 2019
Mike Albers, City Engineer

Public Hearing to Order Improvements

- Grandview North Street and Utility Improvements, Improvement Project Nos. 2020-01, 02, 03 and 04
- Local public improvements to the City's infrastructure based on State of Minnesota Statute Chapter 429

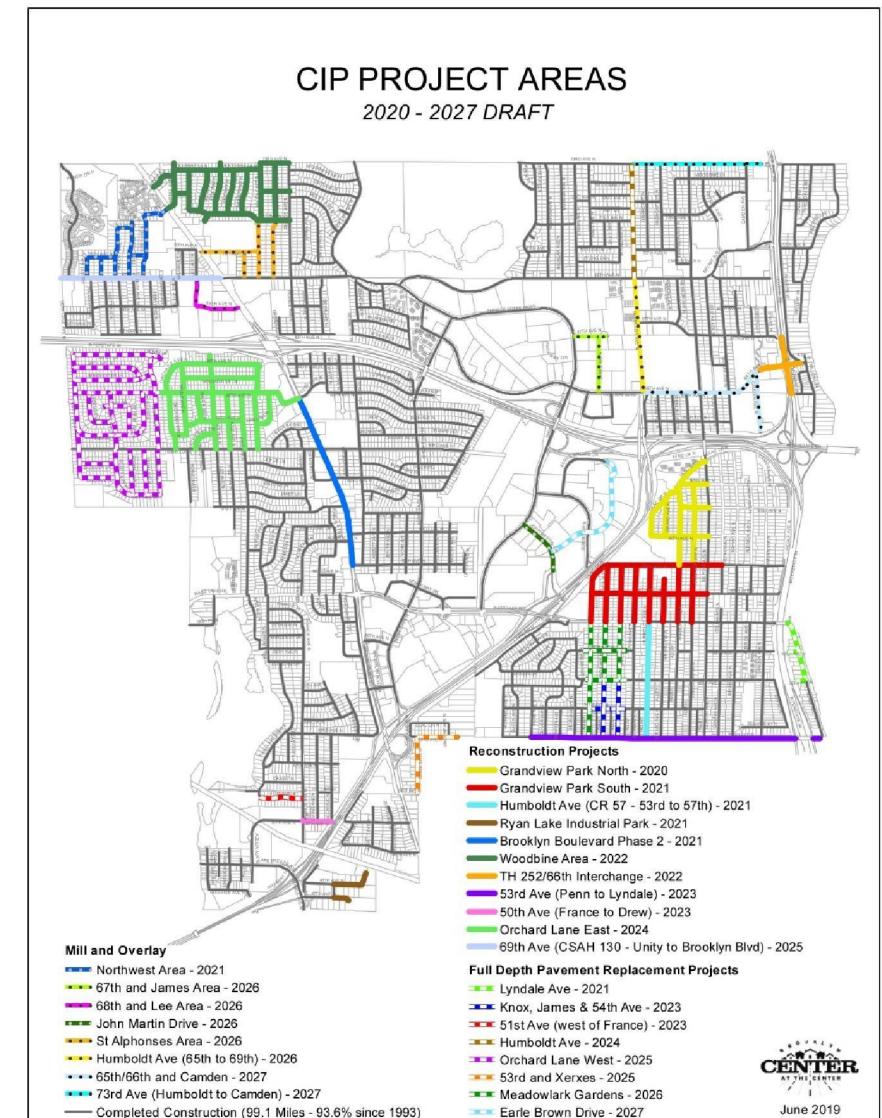


Grandview North Area Street and Utilities Improvements



Capital Improvement Program

- City Initiated Program in 1993
- Reconstruct Aging Public Streets and Utilities
- 99.1 miles (93.6%) Completed
- 2020 will be the 27th Year
- Projected Completion 2024
- 6.8 Miles Remaining
- Est. Cost 2020-2034 CIP: \$193 million



Project Planning

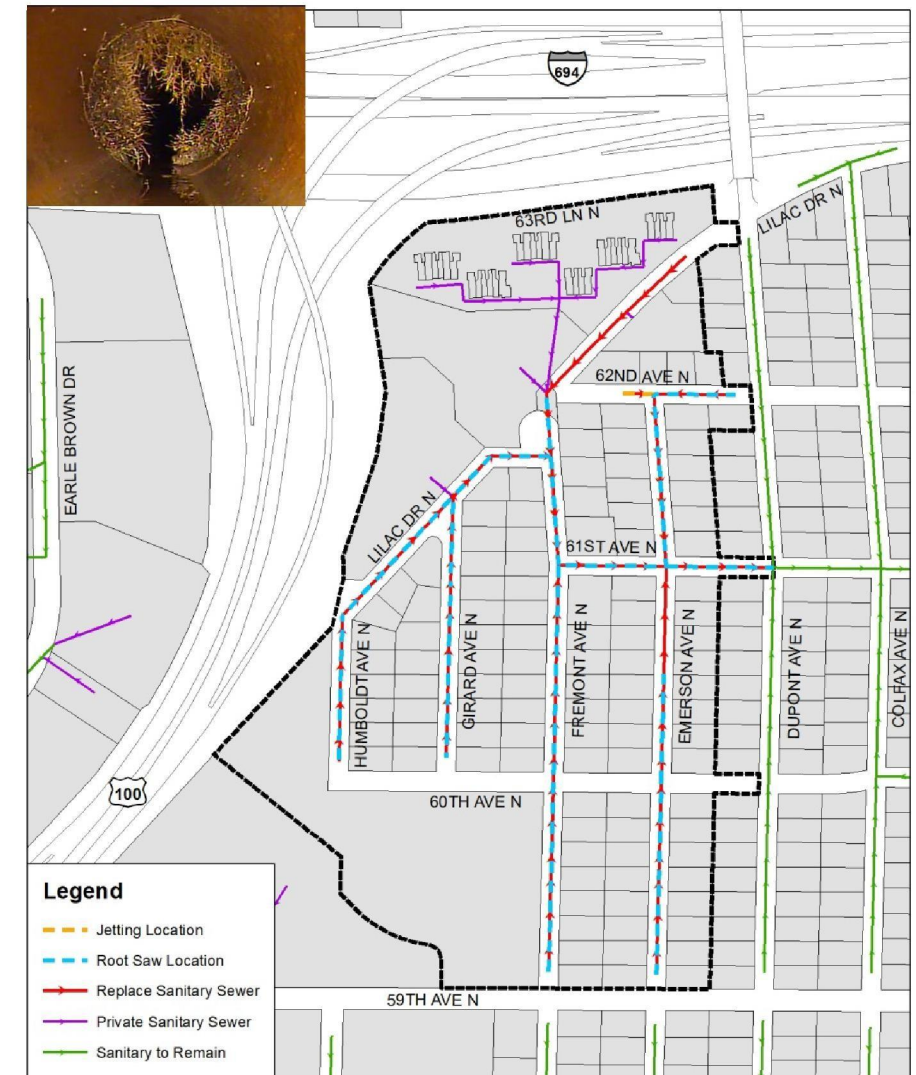
Project Evaluation

- Sanitary Sewer
 - Root intrusion, inflow and infiltration, sags, broken pipe
- Water Main
 - Corrosion, leaks, frozen water services, water quality, pipe material
- Storm Drainage
 - Local flooding, pavement preservation
- Streets, Sidewalks and Trails
 - Pavement deterioration, curb and gutter condition, sidewalk and trail system gaps
- Street Lights
 - Evaluate condition of lighting system



Utility Improvements: Sanitary Sewer System

- Collection System Installed between 1960 and 1963
- Mainly 8" VCP, some 8" PVC
- **Root Intrusion**- root sawing required to maintain conveyance capacity (95%)
- Condition Survey / Televising Inspections (**cracked pipe, sags**)
- Proposed Improvements
 - New trunk sewers within streets
 - Replace service lines up to property line within streets



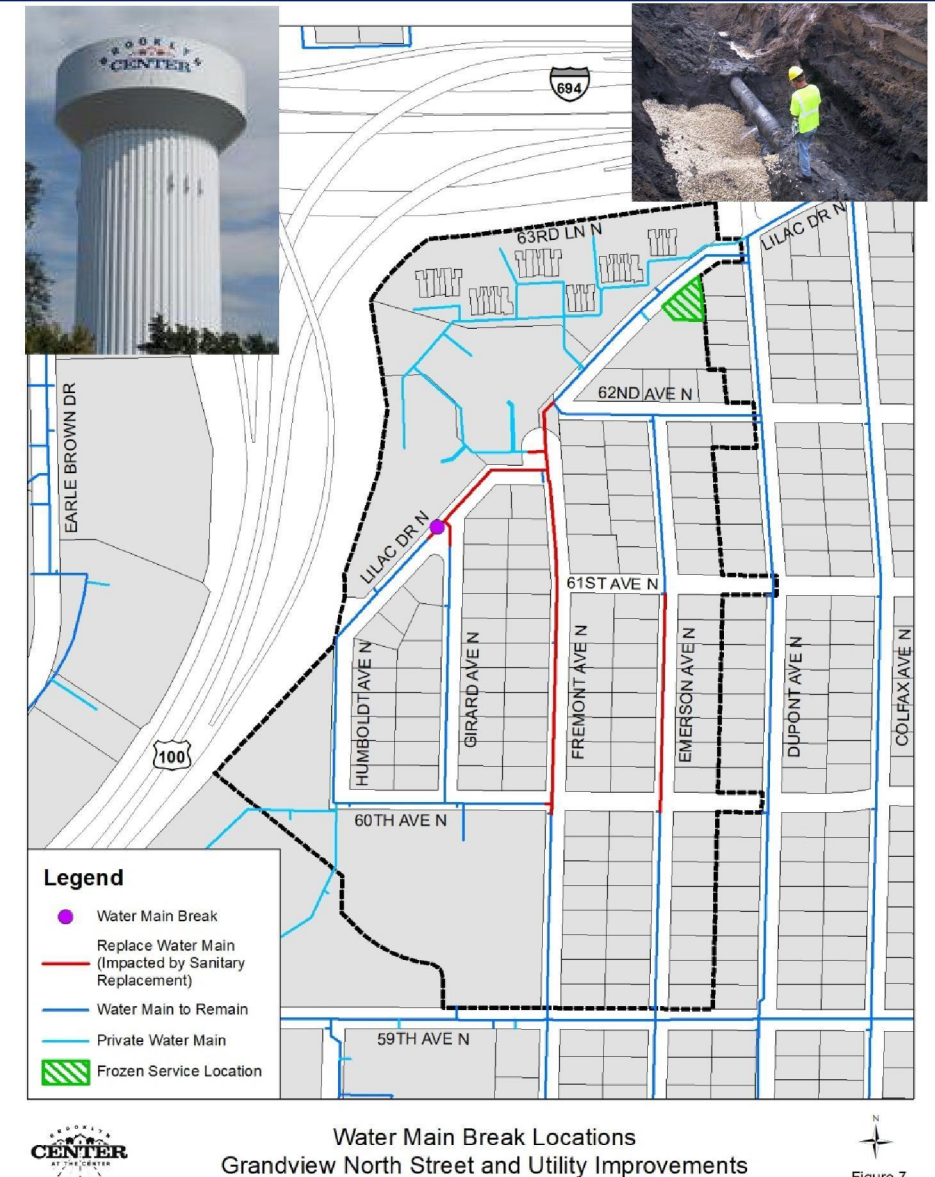
Sanitary Sewer Root Saw Locations
Grandview North Street and Utility Improvements

Figure 6



Utility Improvements: Water Distribution System

- Distribution System Installed in 1968
 - 6" and 8" CIP
- Cast Iron Pipe with cement liner – in relatively good condition (couple issue areas)
- Issues - Undermining Cast Iron Pipe (during sanitary sewer replacement)
- Proposed Improvements
 - Replace valves and hydrants throughout project area
 - Replacement of Water Main (where adjacent to deep sanitary sewer replacement: approx. 30%-40%)
 - Replace service lines up to property line , Curb Stops



Utility Improvements: Storm Sewer System

- Existing storm sewer system is developed throughout neighborhood – some standing water on road edges and at intersections
- Expansion of system needed
- Coordination with water and sewer replacement
- Proposed Improvements
 - Remove and Replace Storm Structures and Pipe As Needed
 - Extend new catch basins and storm sewer pipe where feasible
 - Water quality treatment: sump catch basins, rain gardens, other improvements where feasible



Existing Storm Sewer
Grandview North Street and Utility Improvements



Figure 4



Utility Improvements: Street Lighting

- 10 street lights on multi-use poles
- 5 street lights on free standing wood poles
 - All street lights have been converted to LED light fixtures
- Proposed Improvements
 - Existing Lights on Multi-Use Poles to Remain
 - Replace 5 Free-Standing Street Lights with Fiberglass Poles and LED light fixtures

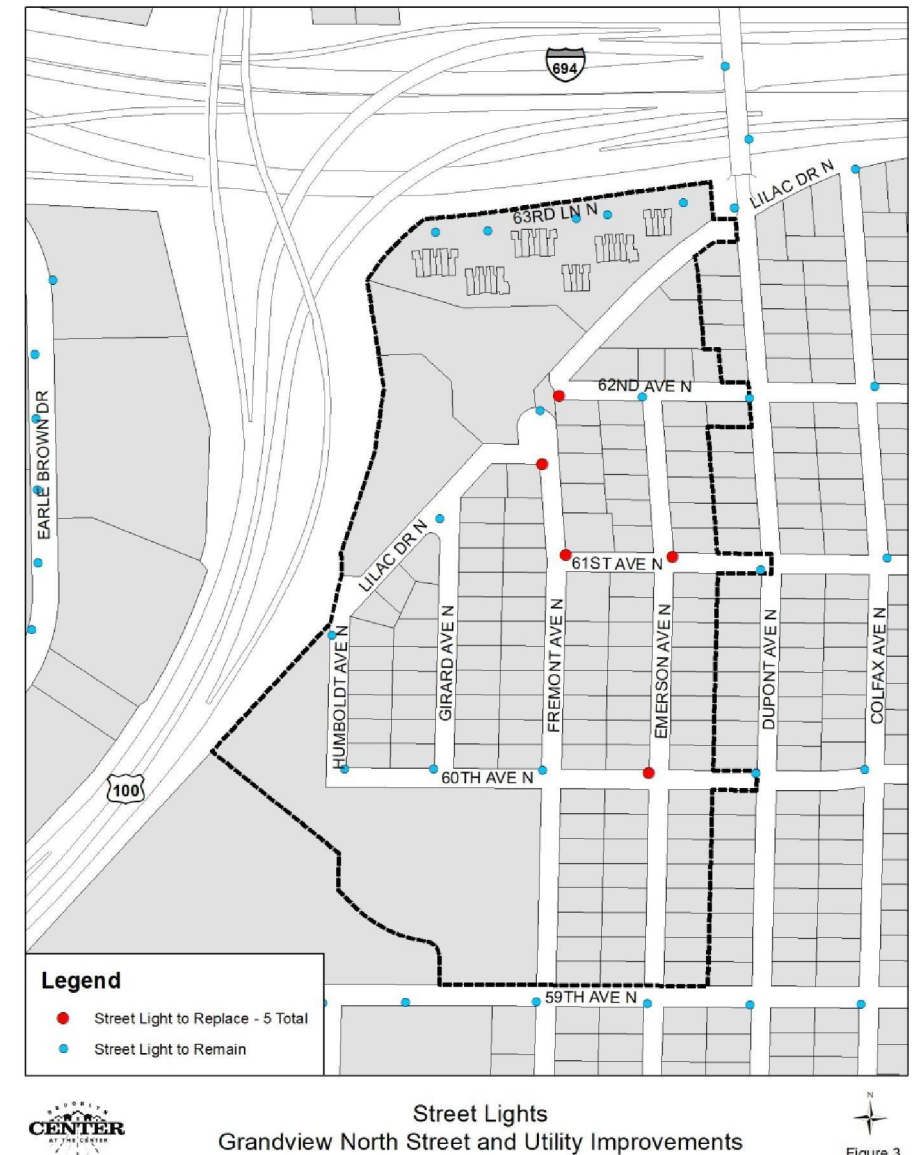
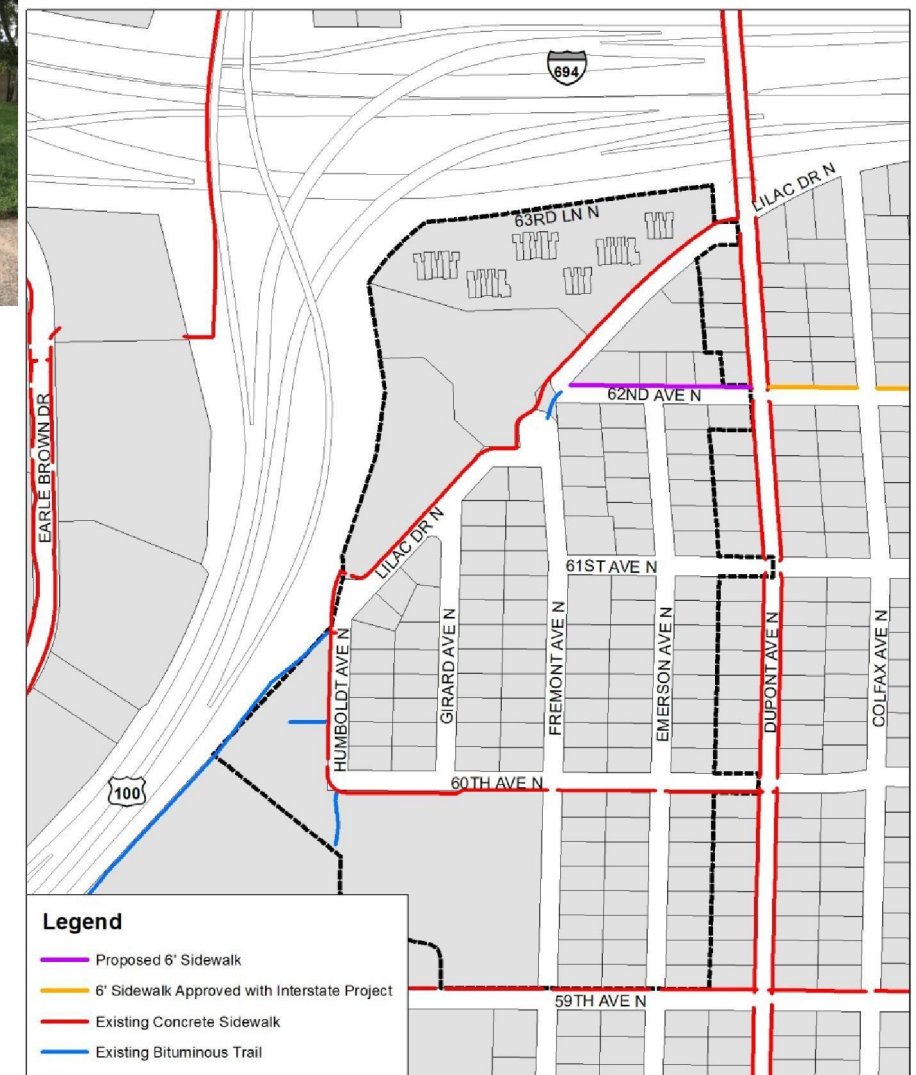


Figure 3

Sidewalk Improvements



- Sidewalks exist along the south side of 60th Ave, the west sides of Humboldt Ave, and north side of Lilac Dr.
- Existing bituminous walk connection between Fremont Ave and 62nd Ave.
- Pedestrian and Bicycle Plan identified a sidewalk gap along 62nd Ave from Lilac Drive to Lyndale Ave
- Proposed Improvements
 - New 6' concrete sidewalk on north side of 62nd Ave
 - Review eliminating bituminous walk between Fremont Ave and 62nd Ave
 - Sidewalk replacement/repairs as needed/impacted
 - Pedestrian Curb Ramps will be reconstructed at all cross streets with the Project



Sidewalks and Trails
Grandview North Street and Utility Improvements

Figure 2



Street Improvements

- Roadway constructed between 1961 and 1968. Most streets have concrete curb and gutter
- Subgrade (Foundation) Condition – good condition
- Some curb drainage issues
- Pavement Material Deterioration
- Proposed Improvements
 - Reconstruction 30 feet wide for all streets
 - Full Depth Pavement and Aggregate Base
 - Full Curb and Gutter Replacement



Restoration

- Driveways that are disturbed due to the street reconstruction will be replaced.
- Disturbed boulevard areas will be restored with topsoil and sod.
- Tree replacement on 1:1 ratio in fall



During Construction



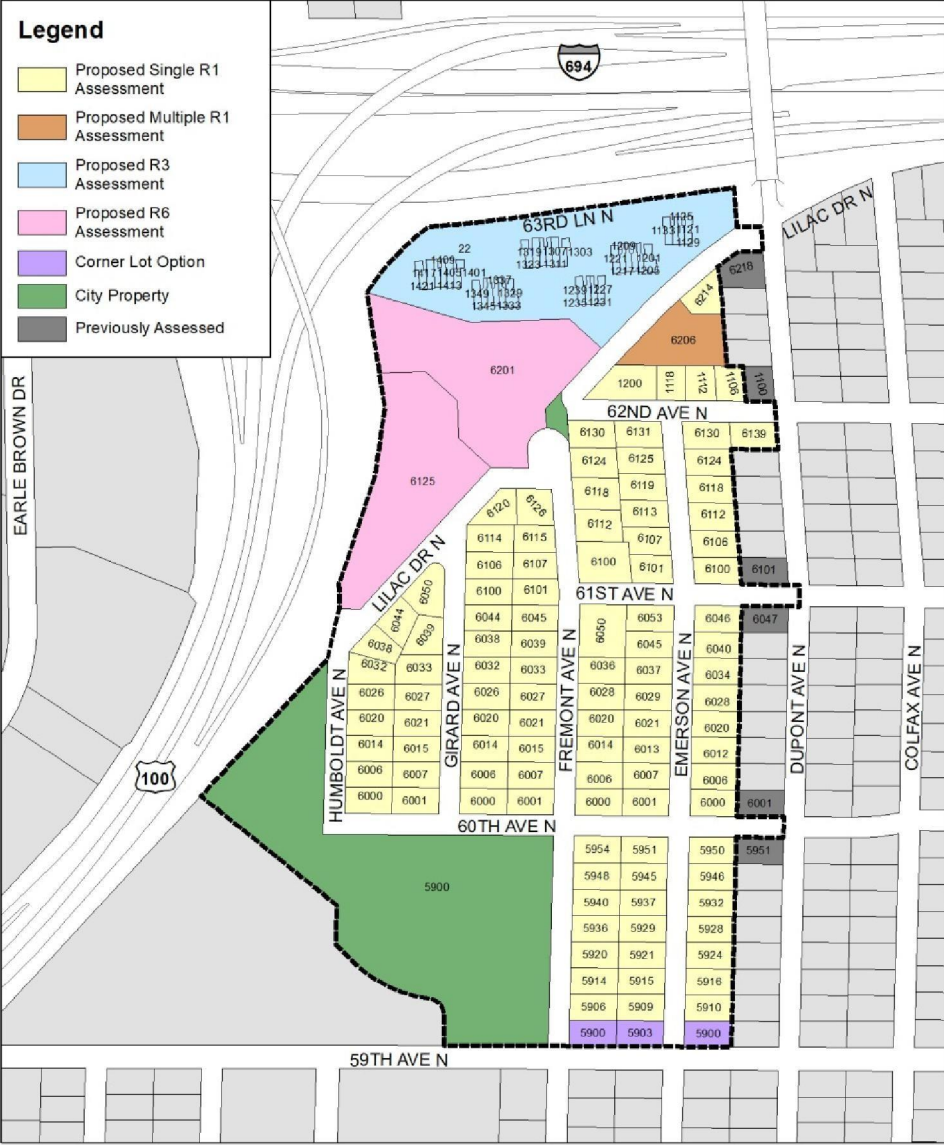
Preliminary Project Budget

	CIP – Est. <u>Project Amount</u>	Percent <u>Total</u>
Special Assessments	\$ 888,190.92	14.1%
Sanitary Sewer Utility	\$ 1,060,000.00	16.8%
Water Utility	\$ 784,000.00	12.4%
Storm Drainage Utility	\$ 1,258,073.95	20.0%
Street Reconstruction Fund	\$ 2,243,735.13	35.7%
<u>Street Light Utility</u>	<u>\$ 60,000.00</u>	<u>1.0%</u>
Total	\$ 6,294,000.00	100%

Note: These are only preliminary estimated amounts – these amounts will change. Costs and funding will be further updated and revised in the final design stage and bidding of the project.



Preliminary Assessment Area



Special Assessments - Estimated Amounts & Payment Options

The City has an Assessment Policy that outlines how street improvement projects are funded. The proposed assessments were calculated in accordance with the City's Special Assessment Policy. It is anticipated that the assessment and interest rates will be adopted by the City Council at the November 12, 2019 Council Meeting.

Assessment Rate for Street and Utilities Improvement Projects:

- Tentative 2020 Assessment Rates for R1 properties: Street assessment = **\$4,715 Per Property*** Storm assessment = **\$1,415 Per Property*** Total assessment = **\$6130 Per Property*** based upon a 2% increase from 2019 assessment rates
- 2020 Assessment Rates for R3 properties: based on front foot basis, divided by total number of units
- 2019 Assessment Rates for R6 properties: based on acreage with a "A" zone rate and a "B" zone rate
- 2020 Interest Rate: 3.5% (1.5% decrease from 2019)

*For properties which may be legally subdividable into two or more lots, the assessment to be applied shall equal the maximum number of lots allowable times the unit R1 assessment

Payment Options:

1. Pay in full - No interest between April 15 & Sept. 30, 2020
 2. Pay in full from Oct. 1 to Nov. 20, 2020 with interest from Oct. 1
 3. Pay in installments with property taxes over a 10-year period starting in 2021
- Partial prepayments cannot be accepted
 - If the project is approved an Assessment Reminder Letter will be sent
 - Deferment Questions: Contact Engineering at 763-569-3340



Estimated Payment Amount

Assessment Amount:	\$6,130.00			
Assessment Interest Rate:	3.50%			
Assessment Term:	10 Years			
Year	Annual Payment	Principle	Interest	Balance
1	\$881.19	\$613.00	\$268.19	\$5,517.00
2	\$806.10	\$613.00	\$193.10	\$4,904.00
3	\$784.64	\$613.00	\$171.64	\$4,291.00
4	\$763.19	\$613.00	\$150.19	\$3,678.00
5	\$741.73	\$613.00	\$128.73	\$3,065.00
6	\$720.28	\$613.00	\$107.28	\$2,452.00
7	\$698.82	\$613.00	\$85.82	\$1,839.00
8	\$677.37	\$613.00	\$64.37	\$1,226.00
9	\$655.91	\$613.00	\$42.91	\$613.00
10	\$634.46	\$613.00	\$21.46	\$0.00
Totals:	\$7,363.69	\$6,130.00	\$1,233.69	

Note: These are only preliminary estimated amounts – these amounts will change dependent on when interest starts accruing. Approximate monthly payment ranges from \$53 - \$73.



Preliminary Project Schedule

- Neighborhood Informational Meeting September 5, 2019
- City Council Receives Feasibility Report September 23, 2019
- **Improvement Public Hearing/Order Plans** **October 28, 2019**
- Establish 2020 Assessment Rates November 12, 2019
- **Assessment Public Hearing/Certify Assessment Roll** **December 9, 2019**
- Approve Plans/Advertise for Bids January 2020
- Accept Bids/Award Project February/March 2020
- Begin Construction April 2020
- Substantial Completion October 2020



Recommended Action

Public Hearing to Order Improvements – 4/5 Vote to Pass

- Motion to open Public Hearing to Order Improvements
- Take public input on the improvements
- Motion to close Public Hearing
- Consideration of comments and motion to adopt resolution Ordering Improvements and Authorizing Preparation of Plans and Specifications



COUNCIL ITEM MEMORANDUM

DATE: 10/28/2019

TO: Curt Boganey, City Manager

THROUGH: Meg Beekman, Community Development Director

FROM: Jesse Anderson, Deputy Director of Community Development

SUBJECT: Resolutions for Proposed Special Assessments for Nuisance Abatement Costs, Tall Grass and Weed Abatement Costs, Dead and Diseased Tree Abatement Costs and Administrative Fines/Citations

Requested Council Action:

- *Motion to adopt a Resolution Certifying Special Assessments for Nuisance Abatement Costs to the Hennepin County Property Tax Rolls*
- *Motion to adopt a Resolution Certifying Special Assessments for Administrative Citations to the Hennepin County Property Tax Rolls*
- *Motion to Adopt a Resolution Certifying Special Assessments for Diseased Tree Removal Costs to the Hennepin County Property Tax Rolls*
- *Motion to Adopt a Resolution Certifying Special Assessments for Weed Removal Costs to the Hennepin County Property Tax Rolls*
- *Motion to Approve a Resolution Certifying Special Assessments for 6842 West River Rd N Nuisance Abatement Costs to the Hennepin County Property Tax Rolls*

Background:

Five public hearings were held concurrently on October 14, 2019, to consider certification of proposed special assessments. There were four appeals received during the public hearing. The public hearing was closed, and the item was continued in order to allow for a super majority vote to pass the resolutions.

The Notice of Public Hearing was posted in the City's official newspaper, the *Sun Post*, on September 19, 2019. All potentially affected property owners were notified by certified mail of the date of the public hearing and the amount of the proposed special assessments.

Appeal Reports and Recommendations:

6007 Girard Avenue N: The property is a single family property. The owner was issued multiple citations for renting the property without a license. Notices are sent out to rental property owners 120 days prior to the end of their license period reminding them to renew, and then every 30 days after that. The owner failed to apply for their renewal rental license prior to it lapsing and then failed numerous inspections before the license could be issued further extending the period of time the property was rented without a license. The citations were valid and staff recommend the fees be specially assessed.

2801 63rd Avenue N: The property is a single family property. The property owner, who has since sold the property, received a Type III license based off of 5 code violations. Type III rental licenses require the submission of an Action Plan, which the property owner did not submit after multiple written notices and a verbal warning. The citations were valid and staff recommend the fees be upheld and specially assessed. It should be noted that the rental license ordinance was amended after this license was issued to allow one additional violation per rental license category type for single family homes.

5301 Russel Avenue N: The property is a multi-unit complex with a Type IV rental license. The citation being appealed was issued to the previous owner for renting without a license. The citation was valid. However, the citation was paid by the previous owner. It is not immediately clear why this payment was not accounted for in the special assessment records; however, staff was able to find a record of a receipt for the payment and it has been removed from the special assessment list.

The current property owner raised a number of concerns at the public hearing. A summary response relating to several of the items is provided within the appeals summary attached to this report. In addition, staff are in the process of preparing a year-end report on the rental licensing program for a future Council agenda. The report will include information relating to the inspection process, license categories, and the affects from the changes which were made to the ordinance in December of 2018. This will be an opportunity to discuss in more detail any of those items that may have been raised by the property owner pertaining to the program, but which don't directly relate to their appeal of this citation.

7231 Morgan Avenue N: Legal notification requirements were followed and the property continued to be in violation of inoperable vehicle storage. Three citations were issued. The inoperable vehicle continued to remain in violation and an abatement order was issued; however the tow could not be completed because the vehicle was blocked in by other vehicles. A fourth administrative citation was issued at this point. The first three citations were specially assessed to the property and eventually paid. The fourth remains outstanding and is being appealed.

Staff is recommending the citation be dismissed. The inoperable vehicle is currently in compliance. In addition, the City has a proactive code enforcement policy which provides for alternative enforcement actions that could have been utilized in this case in lieu of a citation.

Budget Issues:

Special assessment fees help recover some costs the City incurs related to services provided to specific properties. For accounting purposes, special assessments fees are included in the general fund as revenue. It is anticipated that these costs recovered through special assessments will be received in 2020, and are therefore included in the 2020 budget.

The levy roll for nuisance abatement costs totals \$1,082.50.

The levy roll for administrative fines/citation totals \$33,470.

The levy roll for weed destruction totals \$12,403.75.

The levy roll for dead/diseased tree removal totals \$4,189.00.

The levy total for the abatement at 6842 West River Rd is \$29,355.00

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Public Hearing Notice	9/12/2019	Backup Material
Resolution Admin Citations	10/21/2019	Resolution Letter
Citations List	10/22/2019	Exhibit
Resolution Nuisance Abatements	10/21/2019	Resolution Letter
Nuisance Abatement List	10/21/2019	Exhibit
Resolution for Grass	10/21/2019	Resolution Letter
Grass List	10/21/2019	Exhibit
Resolution for Trees	10/21/2019	Resolution Letter
Tree List	10/21/2019	Exhibit
Resolution for 6842 West River Rd Clean Up	10/21/2019	Resolution Letter
Appeals Summary	10/22/2019	Cover Memo

**CITY OF BROOKLYN CENTER
NOTICE OF PUBLIC HEARING ON PROPOSED SPECIAL ASSESSMENTS**

Notice is hereby given that the City Council of the City of Brooklyn Center, Minnesota, will meet in the Council Chambers of Brooklyn Center City Hall at 6301 Shingle Creek Parkway, on Monday, October 14, 2019 at 7 p.m. or as soon thereafter as the matter may be heard, to hear and pass upon any objections to the proposed assessments for the following:

DELINQUENT NUISANCE ABATEMENT ACCOUNTS

It is proposed to assess the costs of delinquent abatement costs to those tracts or parcels where, pursuant to City Ordinance Section 12-1101, 12-1206, 12-1504 and in accordance with MS 429 and 463.251, abatement procedures were performed by order of City Inspectors and the cost for such abatement remains unpaid.

DELINQUENT ADMINISTRATIVE FINES/CITATIONS

It is proposed to assess the costs of delinquent administrative fines/citations to those tracts or parcels where, pursuant to City Ordinance Section 18-204, 18-210 and in accordance with MS 429, delinquent administrative fines/citations were issued and the cost for such fines remains unpaid.

DISEASED TREE REMOVAL COSTS

It is proposed to assess the cost of diseased tree removal to those tracts or parcels where trees were removed by written agreement with the property owner or by order of the City Council pursuant to City Ordinances, Section 20-301 through 20-305 and in accordance with MS 429.

DELINQUENT WEED REMOVAL ACCOUNTS

It is proposed to assess the cost of noxious weed destruction to those tracts or parcels where, pursuant to City Ordinance Section 19-1601 through 19-1604 and in accordance with MS 429, noxious weeds were destroyed by order of the City Weed Inspector and the cost for such destruction remains unpaid.

UTILITY REPAIR COSTS

It is proposed to assess the cost of utility repairs to those tracts or parcels where, pursuant to City Ordinances, Section 04-201 through 04-305 service lines were repaired and the cost for such repairs remain unpaid.

PROCEDURAL INFORMATION FOR OBJECTIONS TO SPECIAL ASSESSMENTS

An owner may appeal an assessment to district court pursuant to Minnesota Statutes, Section 429.081 by serving notice of the appeal upon the Mayor or City Clerk within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the Mayor or City Clerk. No such appeal as to the amount of an assessment for a specific parcel of land may be made unless the owner has filed a written objection to that objection to that assessment, signed by the affected property owner, with the City Clerk prior to the hearing or has presented such a written objection to the presiding officer at the hearing.

These assessments are now on file at City Hall and open to public inspection. Written or oral objections to the proposed assessments will be considered at this meeting, but the City Council

may consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

AUXILIARY AIDS AVAILABLE UPON REQUEST

Auxiliary aids for persons with disabilities are available upon request at least 96 hours (4 days) in advance of the hearing. Please contact the City Clerk at 763-569-3300 to make arrangements.

Barbara Suciu, City Clerk
By order of the City Council

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION CERTIFYING SPECIAL ASSESSMENTS FOR ADMINISTRATIVE FINES/CITATION COSTS TO THE HENNEPIN COUNTY TAX ROLLS

WHEREAS, the City of Brooklyn Center has caused Administrative Fines/Citation costs for certain properties within the City from July 1, 2018 thru September 1, 2019 under the authority of City Ordinance Section 18-204 and Minnesota Statutes, Section 429; and

WHEREAS, on October 14, 2019, certain Administrative Fines/Citation costs remained unpaid; and

WHEREAS, an assessment roll for unpaid accounts from July 1, 2018 thru August 31, 2019 a copy of which is attached hereto and made part hereof by reference, has been prepared, tabulating those properties where Administrative Fines/Citation costs are to be assessed to each property; and

WHEREAS, City Ordinance Section 18-210 and Minnesota State Statute authorizes the certification of certain delinquent Administrative Fines/Citation accounts to the County tax rolls for collection; and

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for Administrative Fines/Citation costs.

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

1. The special assessment roll of Administrative Fines/Citation costs incurred from July 1, 2018 thru August 31, 2019 is hereby adopted and certified as Levy No. 20169.
2. The special assessments as adopted and confirmed shall be payable with ad valorem taxes in 2020, in one annual installment with interest thereon at four (5.0) percent per annum and shall bear interest on the entire assessment from November 1, 2019 through December 31, 2020.

RESOLUTION NO. _____

3. The owner of any property so assessed may at any time prior to the certification of the assessment to the County Auditor pay the whole of the assessment, to the City Treasurer, without interest, if the entire assessment is paid on or before November 14, 2019. After November 14, he or she may pay the total special assessment, plus interest. Interest will accumulate from November 1, 2019 through the date of payment. Such payment must be made by the close of business November 22, 2019 or interest will be charged through December 31 of the succeeding year.
4. The City Clerk shall forthwith transmit a certified duplication of this assessment to the County Auditor to be extended on the proper tax lists of the county and such assessments shall be collected and paid over in the same manner as other municipal taxes.

October 28, 2019

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:

whereon said resolution was declared duly passed and adopted.

Amended Special Assessment Certified Roll (Admin Fines/Citations)
 July 1, 2018 to September 1, 2019 Administrative Penalty/Citation
 Printed October 22, 2019

Municipal Code No. 22

Levy Runs One Year

<u>Levy No.</u>	<u>Property Address</u>	<u>Property ID</u>	<u>Pending Amount</u>	<u>Capital Interest Charge</u>	<u>Special Assessment Charge</u>	<u>Total Amount Certified</u>
20169	6007 Girard Ave N	01-118-21-22-0083	2,100.00	10.00	30.00	2,140.00
20169	5914 Fremont Ave N	01-118-21-22-0093	900.00	10.00	30.00	940.00
20169	5715 Emerson Ave N	01-118-21-23-0017	125.00	10.00	30.00	165.00
20169	5630 Aldrich Ave N	01-118-21-31-0005	875.00	10.00	30.00	915.00
20169	907 57th Ave N	01-118-21-31-0009	125.00	10.00	30.00	165.00
20169	5606 Bryant Ave N	01-118-21-31-0093	1,800.00	10.00	30.00	1,840.00
20169	5529 Aldrich Dr N	01-118-21-31-0136	300.00	10.00	30.00	340.00
20169	1424 55th Ave N	01-118-21-32-0059	500.00	10.00	30.00	540.00
20169	5637 Girard Ave N	01-118-21-32-0078	600.00	10.00	30.00	640.00
20169	5302 Humboldt Ave N	01-118-21-33-0032	300.00	10.00	30.00	340.00
20169	5415 Emerson Ave N	01-118-21-33-0098	425.00	10.00	30.00	465.00
20169	5330 Fremont Ave N	01-118-21-33-0130	125.00	10.00	30.00	165.00
20169	5301 Dupont Ave N	01-118-21-33-0146	375.00	10.00	30.00	415.00
20169	5408 Colfax Ave N	01-118-21-34-0058	1,875.00	10.00	30.00	1,915.00
20169	5432 Dupont Ave N	01-118-21-34-0111	1,775.00	10.00	30.00	1,815.00
20169	5930 Earle Brown Dr	02-118-21-12-0010	125.00	10.00	30.00	165.00
20169	5332 Lilac Dr N	02-118-21-33-0014	300.00	10.00	30.00	340.00
20169	5307 Penn Ave N	02-118-21-34-0043	300.00	10.00	30.00	340.00
20169	5603 James Ave N	02-118-21-41-0059	500.00	10.00	30.00	540.00
20169	5642 Logan Ave N	02-118-21-41-0081	4,100.00	10.00	30.00	4,140.00
20169	5520 James Ave N	02-118-21-41-0119	375.00	10.00	30.00	415.00
20169	5501 Logan Ave N	02-118-21-42-0014	125.00	10.00	30.00	165.00
20169	2012 55th Ave N	02-118-21-43-0076	125.00	10.00	30.00	165.00
20169	6101 Xerxes Ave N	03-118-21-11-0017	300.00	10.00	30.00	340.00
20169	6012 Admiral Pl	03-118-21-12-0038	125.00	10.00	30.00	165.00
20169	5308 Lilac Dr N	03-118-21-44-0022	600.00	10.00	30.00	640.00
20169	3321 50th Ave N	10-118-21-13-0013	250.00	10.00	30.00	290.00
20169	4811 Lakeview Ave	10-118-21-32-0054	250.00	10.00	30.00	290.00
20169	4100 Lakebreeze Ave	10-118-21-32-0064	800.00	10.00	30.00	840.00
20169	7217 Camden Ave N	25-119-21-31-0083	500.00	10.00	30.00	540.00
20169	2208 69th Ave N	26-119-21-34-0005	125.00	10.00	30.00	165.00
20169	7000 Knox Ave N	26-119-21-44-0016	125.00	10.00	30.00	165.00
20169	6925 Scott Ave N	28-119-21-43-0013	375.00	10.00	30.00	415.00
20169	7012 Unity Ave N	28-119-21-43-0077	125.00	10.00	30.00	165.00
20169	5331 70th Cir	28-119-21-43-0089	425.00	10.00	30.00	465.00
20169	4702 69th Ave N	28-119-21-44-0002	125.00	10.00	30.00	165.00
20169	6319 Perry Ave N	33-119-21-41-0077	125.00	10.00	30.00	165.00
20169	6340 Quail Ave N	33-119-21-41-0095	125.00	10.00	30.00	165.00
20169	6124 Scott Ave N	33-119-21-43-0018	125.00	10.00	30.00	165.00
20169	5401 63rd Ave N	33-119-21-43-0081	125.00	10.00	30.00	165.00
20169	6607 Beard Ave N	34-119-21-13-0011	300.00	10.00	30.00	340.00
20169	6533 Drew Ave N	34-119-21-13-0036	125.00	10.00	30.00	165.00
20169	6500 Brooklyn Blvd	34-119-21-13-0084	125.00	10.00	30.00	165.00
20169	6740 Grimes Pl	34-119-21-21-0026	300.00	10.00	30.00	340.00

Amended Special Assessment Certified Roll (Admin Fines/Citations)

July 1, 2018 to September 1, 2019 Administrative Penalty/Citation

Printed October 22, 2019

Municipal Code No. 22

Levy Runs One Year

<u>Levy No.</u>	<u>Property Address</u>	<u>Property ID</u>	<u>Pending Amount</u>	<u>Capital Interest Charge</u>	<u>Special Assessment Charge</u>	<u>Total Amount Certified</u>
20169	6243 France Ave N	34-119-21-34-0094	300.00	10.00	30.00	340.00
20169	3307 Poe Rd	34-119-21-41-0070	250.00	10.00	30.00	290.00
20169	1505 69th Ave N	35-119-21-11-0005	125.00	10.00	30.00	165.00
20169	2801 63rd Ave N	35-119-21-33-0019	3,500.00	10.00	30.00	3,540.00
20169	615 66th Ave N	36-119-21-13-0119	125.00	10.00	30.00	165.00
20169	6835 Colfax Ave N	36-119-21-21-0015	600.00	10.00	30.00	640.00
20169	1316 68th Ln N	36-119-21-22-0059	2,100.00	10.00	30.00	2,140.00
20169	6337 Bryant Ave N	36-119-21-31-0042	600.00	10.00	30.00	640.00
20169	6430 Humboldt Ave N	36-119-21-32-0044	125.00	10.00	30.00	165.00
Total:						33,470.00

Member
moved its adoption:

introduced the following resolution and

RESOLUTION NO. _____

RESOLUTION CERTIFYING SPECIAL ASSESSMENTS FOR NUISANCE
ABATEMENT COSTS TO THE HENNEPIN COUNTY TAX ROLLS

WHEREAS, the City of Brooklyn Center has caused abatement removal on certain properties within the City from July 1, 2018 thru September 1, 2019 under the authority of City Ordinance Section 12-1504 and Minnesota Statutes, Section 429 and/or by written agreement with the owners of such property; and

WHEREAS, on October 14, 2019, certain abatement accounts remained unpaid;
and

WHEREAS, an assessment roll for unpaid accounts from July 1, 2018 thru September 1, 2019, a copy of which is attached hereto and made part hereof by reference, has been prepared, tabulating those properties where abatement costs are to be assessed, together with the amounts proposed to be assessed to each property; and

WHEREAS, Minnesota State Statute authorizes the certification of delinquent abatement accounts to the County tax rolls for collection; and

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for abatement costs.

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

1. The special assessment roll of abatement costs incurred from July 1, 2018 thru August 31, 2019 is hereby adopted and certified as Levy No. 20168.
2. The special assessments as adopted and confirmed shall be payable with ad valorem taxes in 2020, in one annual installment with interest thereon at 5 percent per annum and shall bear interest on the entire assessment from April November 1, 2019 through December 31, 2020.
3. The owner of any property so assessed may at any time prior to the certification of the assessment to the County Auditor pay the whole of the assessment, to the City Treasurer, without interest, if the entire assessment is paid on or before November 14, 2019. After November 14, 2019, he or she may pay the total special assessment, plus interest. Interest will accumulate from November 1, 2019 through the date of payment. Such payment must be made by the close of business November 22, 2019 or interest will be charged through December 31 of the succeeding year.

RESOLUTION NO. _____

4. The City Clerk shall forthwith transmit a certified duplication of this assessment to the County Auditor to be extended on the proper tax lists of the county and such assessments shall be collected and paid over in the same manner as other municipal taxes.

October 28, 2019
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:

whereon said resolution was declared duly passed and adopted.

Amended Special Assessment Certified Roll (Abatement)

July 1, 2018 - September 2019 Abatement

Printed October 21, 2019

Municipal Code No. 22

Levy Runs One Year

<u>Levy No.</u>	<u>Property Address</u>	<u>Property ID</u>	<u>Pending Amount</u>	<u>Capital Interest Charge</u>	<u>Special Assessment Charge</u>	<u>Total Amount Certified</u>
20168	5415 Dupont Ave N	01-118-21-33-0080	572.50	10.00	30.00	612.50
20168	6842 Drew Ave N	34-119-21-12-0028	430.00	10.00	30.00	470.00
Total:						1,082.50

Member introduced the following resolution and moves its adoption:

RESOLUTION NO. _____

RESOLUTION CERTIFYING SPECIAL ASSESSMENTS FOR WEED
REMOVAL COSTS TO THE HENNEPIN COUNTY TAX ROLLS

WHEREAS, the City of Brooklyn Center has caused noxious weeds and tall grass to be cut down on properties within the City under the authority of Minnesota Statutes Section 18.78 and City Ordinance Section 19-1601 through 19-1604; and

WHEREAS, on October 14, 2019, certain weed destruction accounts for removal of said weeds and tall grass costs remained unpaid; and

WHEREAS, an assessment roll for unpaid accounts from 2019, a copy of which is attached hereto and made part hereof by reference, tabulating those properties where unpaid weed destruction account costs are to be assessed to each property; and

WHEREAS, Minnesota State Statute authorizes the certification of delinquent weed destruction accounts to the County tax rolls for collection; and

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for weed destruction costs.

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

1. The special assessment roll of unpaid weed destruction accounts incurred during the year 2019 is hereby adopted and certified as Levy No. 20253.
2. The special assessments as adopted and confirmed shall be payable with ad valorem taxes in 2020, in one annual installment with interest thereon at 5 percent per annum and shall bear interest on the entire assessment from November 1, 2019 through December 31, 2020.
3. The owner of any property so assessed may at any time prior to the certification of the assessment to the County Auditor pay the whole of the assessment, to the City Treasurer, without interest, if the entire assessment is paid on or before November 14, 2019. After November 14, 2019, he or she may pay the total special assessment, plus interest. Interest will accumulate from November 1, 2019 through the date of payment. Such payment must be made by the close of business November 22, 2019 or interest will be charged through December 31 of the succeeding year.

RESOLUTION NO. _____

4. The City Clerk shall forthwith transmit a certified duplication of this assessment to the County Auditor to be extended on the proper tax lists of the county and such assessments shall be collected and paid over in the same manner as other municipal taxes.

October 28, 2019
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:

whereon said resolution was declared duly passed and adopted

Amended Special Assessment Certified Roll (Grass/Weeds)

2019 Weed Destruction

Printed October 21, 2019

Municipal Code No. 22

Levy Runs One Year

<u>Levy No.</u>	<u>Property Address</u>	<u>Property ID</u>	<u>Pending Amount</u>	<u>Capital Interest Charge</u>	<u>Special Assessment Charge</u>	<u>Total Amount Certified</u>
20253	5900 Colfax Ave N	01-118-21-21-0119	502.50	10.00	30.00	542.50
20253	1208 57th Ave N	01-118-21-23-0020	251.25	10.00	30.00	291.25
20253	5807 Girard Ave N	01-118-21-23-0055	240.00	10.00	30.00	280.00
20253	5737 Dupont Ave N	01-118-21-23-0063	525.00	10.00	30.00	565.00
20253	5631 Emerson Ave N	01-118-21-32-0109	240.00	10.00	30.00	280.00
20253	5405 Girard Ave N	01-118-21-33-0062	273.75	10.00	30.00	313.75
20253	5452 Fremont Ave N	01-118-21-33-0109	240.00	10.00	30.00	280.00
20253	5309 Emerson Ave N	01-118-21-33-0120	480.00	10.00	30.00	520.00
20253	5330 Fremont Ave N	01-118-21-33-0130	262.50	10.00	30.00	302.50
20253	5301 Dupont Ave N	01-118-21-33-0146	296.25	10.00	30.00	336.25
20253	2024 Ericon Dr	02-118-21-42-0099	273.75	10.00	30.00	313.75
20253	5601 Logan Ave N	02-118-21-42-0120	1,038.75	10.00	30.00	1,078.75
20253	5344 Irving Ave N	02-118-21-44-0118	251.25	10.00	30.00	291.25
20253	3715 58th Ave N	03-118-21-24-0059	480.00	10.00	30.00	520.00
20253	4012 58th Ave N	03-118-21-24-0106	240.00	10.00	30.00	280.00
20253	4816 Twin Lake Ave	10-118-21-32-0060	480.00	10.00	30.00	520.00
20253	6931 Toledo Ave N	28-119-21-43-0041	525.00	10.00	30.00	565.00
20253	5330 63rd Ave N	33-119-21-42-0117	1,267.50	10.00	30.00	1,307.50
20253	3501 66th Ave N	34-119-21-13-0044	742.50	10.00	30.00	782.50
20253	6407 Marlin Dr	34-119-21-31-0072	561.25	10.00	30.00	601.25
20253	3906 Janet La	34-119-21-34-0013	1,038.75	10.00	30.00	1,078.75
20253	6243 France Ave N	34-119-21-34-0094	251.25	10.00	30.00	291.25
20253	3224 Lawrence Rd	34-119-21-44-0092	480.00	10.00	30.00	520.00
20253	6130 Emerson Ave N	36-119-21-33-0030	502.50	10.00	30.00	542.50

Total: 12,403.75

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION CERTIFYING SPECIAL ASSESSMENTS FOR DISEASED
TREE REMOVAL COSTS TO THE HENNEPIN COUNTY TAX ROLLS

WHEREAS, the City of Brooklyn Center has caused the removal of trees on certain properties within the City during 2019 under the authority of Minnesota Statutes, Section 18G.13, City Ordinance Section 20-301 through 20-306 and/or by written agreement with the owners of such property; and

WHEREAS, on October 14, 2019, certain tree removal costs remained unpaid;
and

WHEREAS, an assessment roll for unpaid accounts during 2019, a copy of which is attached hereto and made part hereof by reference, has been prepared, tabulating those properties where tree removal costs are to be assessed, together with the amounts proposed to be assessed to each property; and

WHEREAS, Minnesota State Statute authorizes the certification of delinquent tree removal costs to the County tax rolls for collection; and

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for tree removal costs.

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

1. The special assessment roll of tree removal costs incurred during the year 2019 is hereby adopted and certified as Levy No. 20252.
2. The special assessments as adopted and confirmed shall be payable in equal annual installments with interest thereon at 5 percent per annum, extending over a period of five years. The first of the installments shall be payable with ad valorem taxes in 2020, and shall bear interest on the entire assessment from November 1, 2019 through December 31, 2020. To each subsequent installment when due shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may at any time prior to the certification of the assessment to the County Auditor pay the whole of the assessment, to the City, without interest, if the entire assessment is paid on or before November 14, 2019. After November 14, 2019, he or she may pay the total special assessment, plus interest. Interest will accumulate from

RESOLUTION NO. _____

November 1, 2019 through the date of payment. Such payment must be made by the close of business November 22, 2019 or interest will be charged through December 31 of the succeeding year.

4. The City Clerk shall forthwith transmit a certified duplication of this assessment to the County Auditor to be extended on the proper tax lists of the county and such assessments shall be collected and paid over in the same manner as other municipal taxes.

October 28, 2019
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:
whereon said resolution was declared duly passed and adopted.

Amended Special Assessment Certified Roll (Trees)

2019 Tree Removal

Printed October 21, 2019

Municipal Code No. 22

Levy Runs Five Years

<u>Levy No.</u>	<u>Property Address</u>	<u>Property ID</u>	<u>Pending Amount</u>	<u>Capital Interest Charge</u>	<u>Special Assessment Charge</u>	<u>Total Amount Certified</u>
20252	5401 Logan Ave N	02-118-21-43-0065	650.00	30.00	30.00	710.00
20252	4019 Joyce La	34-119-21-34-0102	1,024.00	30.00	30.00	1,084.00
20252	3907 Joyce La	34-119-21-34-0107	850.00	30.00	30.00	910.00
20252	6842 West River Rd	36-119-21-12-0011	1,425.00	30.00	30.00	1,485.00
Total:						4,189.00

Member
moved its adoption:

introduced the following resolution and

RESOLUTION NO. _____

RESOLUTION CERTIFYING SPECIAL ASSESSMENTS FOR NUISANCE
ABATEMENT COSTS TO THE HENNEPIN COUNTY TAX ROLLS

WHEREAS, the City of Brooklyn Center has caused abatement removal at the property located at 6842 West River Rd N, Brooklyn Center, MN under the authority of City Ordinance Section 12-1504 and Minnesota Statutes, Section 429 and/or by written agreement with the owners of such property; and

WHEREAS, David W. Berg and Gwendyne C. Berg are the owners of the property located at 6842 West River Rd N located in Brooklyn Center; and

WHEREAS, on August 13, 2018, the City Council passed Resolution No.2018-144 declaring the partially-built house and accessory structures located on the Property to be hazardous buildings within the meaning of Minnesota Statutes, Section 463.15; and

WHEREAS, on October 14, 2019, the abatement account remained unpaid; and

WHEREAS, the property located at 6842 West River Rd N, Brooklyn Center, MN has a remaining special assessment balance of \$29,355.00 for clean-up that occurred at the property between May 1, 2019 through June 30, 2019; and

WHEREAS, the City Council approved resolution number 2019-## approving the restoration agreement with respect to the property at 6842 West River Rd N, Brooklyn Center.; and

WHEREAS, Minnesota State Statute authorizes the certification of delinquent abatement accounts to the County tax rolls for collection; and

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for abatement costs.

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

1. The special assessment of \$29,355 for the property located at 6842 West River Rd N, Brooklyn Center is hereby adopted and certified as Levy No. 20233.
2. The special assessments as adopted and confirmed shall be payable in equal annual installments with interest thereon at 5 percent per annum, extending over a period of five years. The first of the installments shall be payable with ad valorem taxes in 2020, and shall bear interest on the entire assessment from November 1, 2019 through December 31, 2020. To each subsequent

RESOLUTION NO. _____

installment when due shall be added interest for one year on all unpaid installments.

3. The owner of any property so assessed may at any time prior to the certification of the assessment to the County Auditor pay the whole of the assessment, to the City Treasurer, without interest, if the entire assessment is paid on or before November 14, 2019. After November 14, 2019, he or she may pay the total special assessment, plus interest. Interest will accumulate from November 1, 2019 through the date of payment. Such payment must be made by the close of business November 22, 2019 or interest will be charged through December 31 of the succeeding year.
4. The City Clerk shall forthwith transmit a certified duplication of this assessment to the County Auditor to be extended on the proper tax lists of the county and such assessments shall be collected and paid over in the same manner as other municipal taxes.

October 28, 2019

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:

whereon said resolution was declared duly passed and adopted.

Attachment- Summary of Appealed Properties

Property Number 1

Address: 6007 Girard Ave	Owner: R&B Management LLC
Appellant's Statement: Attempted to contact the City regarding administrative citations but staff did not get to back to him.	
Findings: The property had a Type I – 3 year rental license with an expiration date of October 31, 2018. A first notice to submit a rental license renewal application was sent on July 2, 2018. Staff did not receive a renewal license application, therefore, the second rental license renewal notice was sent on August 1, 2018. On October 31, 2018 the Type I – 3 year rental license application expired. On December 21, 2018 the rental license renewal application and fee was submitted. (typically due 90 days before expiration) The first rental license inspection was conducted on January 14, 2019 and failed due to 11 property code violations. The second rental license inspection was conducted on April 2, 2019 and failed. A \$300 Administrative Citation was issued for \$300 for operating without a rental license. The third rental license inspection was conducted on April 25, 2019 and failed. A \$600 Administrative Citation was issued. The fourth rental license inspection was conducted on May 7, 2019 and failed. On May 9, 2019 a \$1200 Administrative Citation was issued for \$1200 for operating without a rental license. The fifth rental license inspection was conducted on May 10, 2019 and failed. The sixth rental license inspection was conducted on May 24, 2019 and failed. The seventh rental license inspection was conducted on May 30, 2019 and failed. The eighth rental license inspection was conducted on June 11, 2019 and passed, however, \$600 in reinspection fees were still owed. On June 25, 2019 the \$600 reinspection fees were paid. The property qualified for a Type IV – 6 month rental license due to 11 property code violations and an expiration date of April 30, 2019. The license was issued on August 12, 2019.	

The rental license renewal application was submitted on August 28, 2019. The initial rental license inspection was conducted on October 1, 2019 and failed with 4 property code violations. The follow up inspection is scheduled for November 6, 2019.

Recommendation: Legal notification requirements were followed and the rental property did not have a valid rental license at the time of issuance. The administrative citations were not appealed. The special assessment is for the amount of \$2,100 including the Certification fees of \$40.

Violation Type	Dates	Action	Fees
Operating a rental dwelling without having a license.	1/11/18	Type I – 3 year rental license was issued with an expiration date of 10/31/19	
	7/2/18	1 st rental license renewal notice was sent	
	8/1/18	2 nd rental license renewal notice was sent	
	10/31/18	Type I – 3 year rental license expired	
	12/21/18	Rental license renewal application and fee was received	
	1/14/19	1 st rental license inspection failed with 11 property code violations	
	2/19/19	Management called to reschedule rental license inspection to 3/1/19	
	2/27/19	Management called to reschedule rental license inspection to 4/1/19	
	4/2/19	2 nd rental license inspection failed, not all items were corrected. A \$300 Administrative Citation was issued for operating without a rental license.	\$300
	4/25/19	3 rd rental license inspection failed, there was no access to the property. \$100 reinspection fee was charged. A \$600 Administrative Citation was issued for operating without a rental license.	\$600 / \$100
	5/7/19	4 th rental license inspection failed, there was no access to the property. \$100 reinspection fee was charged.	\$100
	5/9/19	A \$1,200 Administrative Citation was issued for operating without a rental license.	\$1,200
	5/10/19	5 th rental license inspection failed, there was no access to the property. \$100 reinspection fee was charged.	\$100
	5/24/19	6 th rental license inspection failed, there was no access to the property. \$100 reinspection fee was charged.	\$100
	5/30/19	7 th rental license inspection failed, the smoke alarm was not working. \$100 reinspection was charged.	\$100
	6/11/19	8 th rental license inspection passed, however, \$600 reinspection fees are still owed and a license was not issued.	\$100
	6/25/19	The \$600 reinspection fee was paid.	

Property Number 2

Address: 2801 63rd Ave N	Owner: Jason Blatz
Appellant's Statement: The Appellant stated that he informed the City that he is no longer going to rent the property and was going to terminate the lease agreement with the tenants. Since he is not renting the property, he felt that he did not need to submit an Action Plan. He further stated that he only had 4 property code violations therefore he should qualify for a Type II license.	
Findings: The property was issued a Type III – 1 year rental license on September 11, 2017. During the initial rental license inspection, there were 5 property code violations. The license would expire on October 31, 2018. Five Code Violations is a Type III License. However, this changed in December of 2018. On September 12, 2017 a notice was sent to Mr. Bennett to submit an Action Plan as required by the rental license type. An Action Plan was not received and a second notice was sent to submit an Action Plan on October 6, 2017. Staff followed up and spoke with Mr. Bennett on October 19, 2017 informing him of his license category and due to his license type he needed to submit an Action Plan. On March 16, 2018 a \$125 Administrative Citation was issued for failure to submit an Action Plan. On June 14, 2018 A \$250 Administrative Citation was issued for failure to submit an Action Plan. On July 11, 2018 A \$500 Administrative Citation was issued for failure to submit an Action Plan. On August 1, 2018 A \$1,000 Administrative Citation was issued for failure to submit an Action Plan. On August 16, 2018 A \$2,000 Administrative Citation was issued for failure to submit an Action Plan. On September 27, 2018 \$375 was specially assessed to the property taxes for payable on 2019 property taxes. On February 14, 2019 staff completed an occupancy check and found the property vacant. On February 19, 2019 the property was posted as a vacant building and a notice was sent to register the property. Staff received a call from Mr. Bennett stating he is putting the property on the market.	

On February 27, 2019 staff spoke with Mr. Bennett and explained the requirements for the vacant building registration and he was informed that registration will not be required if there is a purchase agreement to purchase the property.

On March 6, 2019 the realtor called and spoke with staff inquiring about the vacant building requirement and informed staff the property is in the process being rehabbed for sale.

March 19, 2019 Mr. Bennett provided documentation that the property was being sold. Staff informed him that the vacant building registration would not be required since there is an executed purchase agreement. Later, staff then spoke with Mr. Bennett again and informed him of the citations that were owed due to operating without a rental license. Staff then informed him of the special assessment process regarding any unpaid Administrative Citations.

Recommendation: Legal notification requirements were followed and the Action Plan was not submitted at the time of issuing the Administrative Citations. The administrative citations were not appealed. The special assessment is for the amount of \$3,500 including the Certification fees of \$40.

2801 63rd Ave N Timeline			
Violation Type	Dates	Action	Fees
Failure to submit an Action Plan	9/11/17	Type III – 1 year rental license was issued with an expiration date of 10/31/18.	
	9/12/17	1 st notice to submit Action Plan was sent	
	10/6/17	2 nd notice to submit Action Plan was sent	
	10/19/19	Staff called and spoke with Mr. Bennett about the submission of the Action Plan and license type.	
	3/16/18	\$125 Administrative Citation was issued for failure to submit an Action Plan	\$125
	6/14/18	\$250 Administrative Citation was issued for failure to submit an Action Plan	\$250
	7/11/18	\$500 Administrative Citation was issued for failure to submit an Action Plan	\$500
	8/1/18	\$1000 Administrative Citation was issued for failure to submit an Action Plan	\$1000
	8/16/18	\$2000 Administrative Citation was issued for failure to submit an Action Plan	\$2000
	9/27/18	\$375 was specially assessed to the 2019 property tax rolls.	
	2/14/19	Staff completed an occupancy check and found the property vacant.	
	2/19/19	Staff posted the property as a vacant building requiring the owner to register as a vacant building.	
	2/27/19	Staff spoke with Mr. Bennett and was informed that the property will be on the market.	
	3/19/19	Staff spoke with Mr. Bennett and was informed that the property has been sold. Staff then explained the citations and the special assessment process	

Property #3

Address: 5301 Russell Ave N	Owner: Midwest GIR Group
Appellant's Statement: The Appellant stated that she purchased the property in December 2018 and the administrative citation was issued in September. The appellant was not aware of the citation since it was issued to the previous owner.	
Findings: The property was previously owned by Nedzad Ceric. The property is a multi-family property with 36 units in 2 buildings. A Type III – 1 year rental license was issued on April 10, 2017 and expired on December 31, 2017. A rental license renewal application was submitted on December 11, 2017. A first inspection was completed on December 28, 2017 and failed with 197 property code violations. The Type III – 1 year rental license expired on December 31, 2017. A follow up rental license inspection was completed on February 5, 2018 and failed. A \$1000 reinspection fee was charged. A \$300 Administrative Citation for operating without a rental license was issued on February 8, 2018. On February 22, 2018 a follow up rental license inspection was completed and failed. A \$100 reinspection fee was charged. The \$1000 reinspection fee was paid. A \$600 Administrative Citation for operating without a rental license was issued on March 6, 2018. On March 9, 2018 the \$100 reinspection fee was paid. A follow up rental license inspection was completed on March 14, 2018 and failed. \$200 reinspection fee was charged. On March 23, 2018 \$300 reinspection fee was paid. On March 26, 2018 a follow up rental license inspection was completed and passed. The Type IV – 6 month rental license was issued on April 9, 2018. The expiration date is June 30, 2018. The rental license renewal application and fee was submitted on April 11, 2018. A first inspection was completed on May 11, 2018 and failed with 305 property code violations. Due to the number of property code violations, the follow up inspections were completed every two weeks to accommodate the owner and maintenance staff. A \$1200 Administrative Citation for operating without a rental license was issued on August 1, 2018. On September 10, 2018 a payment of \$1200 for the Administrative Citation was received. After several failed inspections, a \$2000 Administrative Citation for operating without a rental license was issued on September 19, 2018.	

On September 27, 2018 \$900 was specially assessed to the property taxes for payable on 2019 property taxes.

The rental inspection passed on October 29, 2018 and the Type IV – 6 month rental license was issued on December 10, 2018.

The current owners, Midwest GIR Group applied for a new rental license on December 18, 2018.

The initial inspection was conducted on January 3, 2019 and failed with 206 property code violations. A follow up inspection was conducted on February 12, 2019 and failed. \$1800 reinspection fee was charged.

The third inspection was conducted on March 13, 2019 and failed. \$150 reinspection fee was charged.

A \$1900 reinspection fee was paid on March 21, 2019. The remaining \$50 in reinspection fees were not charged.

The fourth inspection was conducted on April 15, 2019 and failed. New code violations were found during the inspection. No reinspection fees charged for this inspection.

The fifth inspection was conducted on April 16, 2019 and passed.

The Type IV – 6 month rental license was issued on May 13, 2019. The license expires on November 30, 2019.

The mitigation plan was submitted on July 12, 2019 and approved on August 14, 2019.

On September 10, 2019 the rental license renewal application and fee was submitted. The initial inspection was conducted on October 8, 2019 and failed with 93 property code violations. The follow up inspection is scheduled for November 5, 2019.

Recommendation: Legal notification requirements were followed and the rental property did not have a valid rental license at the time of issuing the Administrative Citations. The administrative citations were not appealed. The Administrative Citations were issued prior to the sale of the property and during the special assessment search, it would have been discovered the pending special assessment for \$2000 for an administrative citation. The special assessment is for the amount of \$2,000 including the Certification fees of \$40. Typically these fees are paid at closing and the current owners should address the fee with the closing agent.

Violation Type	Dates	Action	Fees
Operating a rental dwelling without having a license.	4/10/17	Type III - 1 year rental license was issued. Expired December 31, 2017.	
	12/11/17	Rental license renewal was submitted.	
	12/28/17	1 st rental license inspection was conducted and failed with 197 property code violations	
	12/31/17	Type III rental license expired	
	1/9/18	Staff posted vacant units	
	2/5/18	2 nd rental license inspection was conducted and failed. \$1000 reinspection fee charged.	\$1000
	2/8/18	\$300 Administrative Citation was issued.	\$300
	2/22/18	3 rd rental license inspection was conducted and failed. \$100 reinspection fee charged. \$1000 reinspection fee was paid.	\$100
	2/27/18	4 th rental license inspection was conducted and failed. No reinspection fee as new violations were found.	
	3/6/18	\$600 Administrative Citation was issued.	\$600
	3/14/18	5 th rental license inspection was conducted and failed. \$200 reinspection fee was charged.	\$200
	3/23/18	\$300 reinspection fee was paid.	
	3/26/18	6 th rental license inspection was conducted and passed.	
	4/9/18	Type Iv – 6 month rental license was issued.	
	4/11/18	Rental license renewal was submitted.	
	5/11/18	1 st rental license inspection was conducted and failed with 305 property code violations.	
	5/16/18	2 nd rental license inspection was conducted and failed. \$50 reinspection fee was charged.	
	5/23/18	3 rd rental license inspection was conducted and failed. \$50 reinspection fee was charged.	
	6/5/18	4 th rental license inspection was conducted and failed. \$50 reinspection fee was charged.	
	6/19/19	5 th rental license inspection was conducted and failed.	
	6/30/18	Type IV – 6 month rental license expired.	
	7/10/18	6 th rental license inspection was conducted and failed. \$50 reinspection fee was charged.	
	7/11/18	\$1500 reinspection fee was paid.	
	8/1/18	7 th rental license inspection was conducted and failed.	

	8/15/18	8 th rental license inspection was conducted and failed. \$1200 Administrative Citation was issued.	\$1200
	9/4/18	9 th rental license inspection was conducted and failed. Additional property code violations were found.	
	9/10/18	\$1200 reinspection was paid.	
	9/19/18	10 th rental license inspection was conducted and failed. Additional new property code violations were found. \$2000 Administrative Citation was issued.	\$2000
	9/27/18	On September 27, 2018 \$875 was specially assessed to the property taxes for payable on 2019 property taxes.	
	10/3/18	11 th rental license inspection was conducted and failed.	
	10/29/18	12 th rental license inspection was conducted and passed.	
	11/1/18	Staff received a complaint about property conditions. A follow up inspection was completed and correction orders were issued.	
	11/27/18	Complaint inspection follow up conducted and failed.	
	12/13/18	Complaint inspection follow up conducted and passed. All items were compliant.	
	12/18/18	Midwest GIR Group submitted a new rental license application.	
	1/3/19	1 st rental license inspection was conducted and failed with 206 property code violations.	
	2/12/19	2 nd rental license inspection was conducted and failed. \$1800 reinspection fee was charged.	
	3/13/19	3 rd rental license inspection was conducted and failed. \$150 reinspection fee was charged.	
	3/21/19	\$1900 reinspection fee was paid.	
	4/15/19	4 th rental license inspection was conducted and failed. New code violations were found during the inspection.	
	4/16/19	5 th rental license inspection was conducted and passed.	
	5/13/19	The Type IV – 6 month rental license was issued. Expires on 11/30/19.	
	7/12/19	Mitigation plan was submitted.	

	8/14/19	Mitigation plan was approved. Copy of the approved plan was sent to the owner.	
	9/10/19	Rental license renewal application and fee was submitted.	
	10/8/19	1 st inspection was conducted and failed with 93 property code violations.	
	11/5/19	2 nd inspection is scheduled for follow up.	

Address: 5301 Russell Ave N	Owner: Midwest GIR Group
Appellant's Statement: The Appellant stated additional concerns regarding the rental license program and the inspections that have occurred at the property.	
Findings: Building permit for new windows A building permit was issued to Nedzad Ceric on July 31, 2018 for replacing all the windows on the property. Staff conducted an inspection on September 20, 2019 and the new windows were not installed yet. A follow up inspection was conducted on December 13, 2018 and the owners stated he is getting close to have inspections. On January 25, 2019 the permit was close without final approval. Since the building was sold, the new owner needed to submit a new permit application to install or repair the windows. A building permit was issued to CCW MN Holdings 2 LLC on February 4, 2019 for window and three door replacements. An inspection was conducted on February 12, 2019 and staff noted that the window installation was partial complete. On February 22, 2019 an inspection was conducted and passed. A building permit was issued to CCW MN Holdings 2 LLC on February 19, 2019 for window repairs in a total of 9 units. An inspection was conducted on February 27, 2019 and approved the installation of the window. A building permit was issued to CCW MN Holdings 2 LLC on March 7, 2019 for 89 window repairs. An inspection was conducted on April 16, 2019 and staff noted that the windows were partial completed. An inspection was conducted on July 23, 2019 and approved the installation of the windows. ARM meeting requirement Once the property passed the rental license inspection, the notice on May 14, 2019 was sent to the owner stating the Mitigation plan requirements. Staff met with the owner and its representative regarding the mitigation plan requirements and staff explained each requirement. The Mitigation Plan was submitted on July 12, 2019 did not indicate any requirement for ARM meeting attendance. The Mitigation plan was approved on August 14, 2019 and a copy of the Mitigation Plan was sent to the owner. Citation/Reinspection fees Re-inspection fees are issued after the second failed inspection. Any inspection after the second inspection is charged a reinspection fee. The multi-family reinspection fee charged is \$50 per unit and \$100 per common area. After the second inspection on February 12, 2019, there were 26 units that failed and 5 common area. The fee charged for the failed 26 units were \$1300 and \$500 for the failed common areas, totaling \$1800.	

After the third inspection on March 13, 2019, there was 1 unit that failed and 1 common area. The fee charged for the failed unit was \$50 and \$100 for the failed common areas, totaling \$150. The total reinspection fee owed is \$1950.

There has been no Administrative Citations issued since Midwest GIR Group has been the property owner.

Property Code Violations

Prior to the rental license inspection, staff has provided the new property owners and managers with a brochure of the most common property code violations. The brochure is designed to be used as a checklist to ensure that common code violations can be checked off by the owner/property manager when they are doing their own walk-through inspection. The brochure lists violations such as blocked egress access which includes impediments from allowing the door to fully open and open light bulb sockets which are electrical hazards.

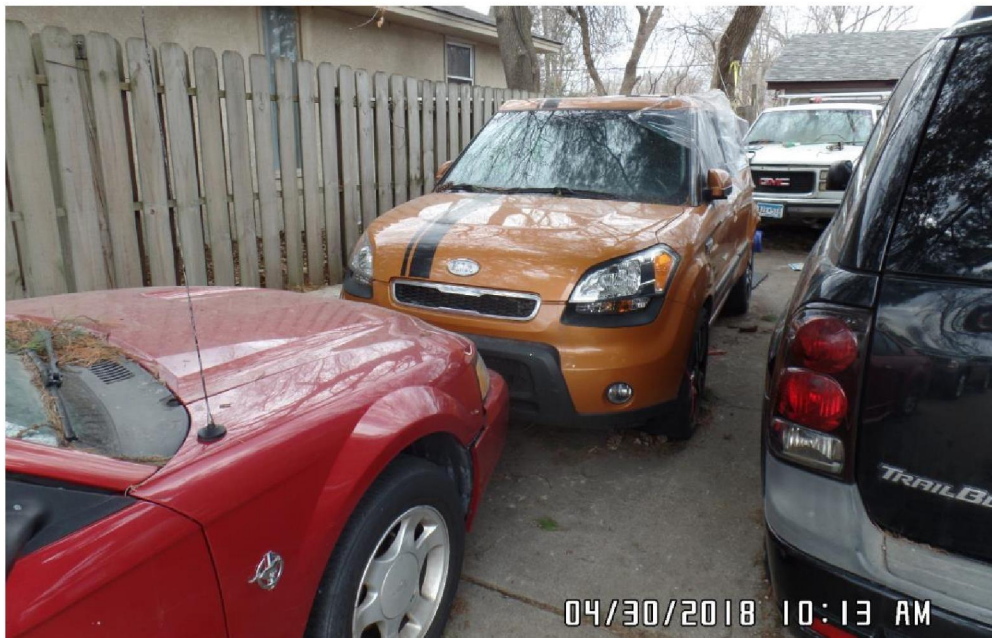
During the rental license inspection, staff will specifically call out and show the property code violation(s) to the management staff. If management or maintenance staff correct the violation during the inspection, staff will note that the violation is corrected onsite. The violation will still be used to determine the rental license type.

Property #4

Address: 7231 Morgan Ave N	Owner: Deborah Ledin
Appellant's Statement: The Appellant stated that the vehicles did not belong to her. The vehicles and belonged to her renter. She stated that she attempted to discuss the inoperable vehicle and junk storage with the renter but the renter did not correct the violations. She is in the process of buying the property and asking the fee to be lowered.	
Findings: Staff received a complaint about the storage of inoperable vehicles on the property. After completing an inspection staff found several inoperable vehicles in violation of the city ordinance. Staff spoke with an occupant and informed him of the inoperable vehicle violations. The occupant stated that the vehicles could not be repaired due to the weather. Staff advised on how to comply with city ordinances by updating the tabs on the vehicles, storing it in the garage, or moving it off the property. Compliance notices were sent and several inspections were conducted, the property continued to be in violation and Administrative Citations were issued for storage of inoperable vehicles on the property. Staff posted the vehicles to be towed, however, on the day of the towing, the vehicles were blocked in by other vehicles and the inoperable vehicles were not able to get towed off the property. On September 27, 2018 \$1,915 was specially assessed to the property taxes for payable on 2019 property taxes. Recommendation: Legal notification requirements were followed and the property continued to be in violation of inoperable vehicle storage at the time of issuing the Administrative Citations. However, staff is recommending the citation be dismissed due to the extenuating circumstances and the alternative enforcement actions that could have been done in lieu of a citation.	

Violation Type	Dates	Action	Fees
Unlicensed/Inoperable Vehicles	4/19/18	Staff received a complaint about inoperable vehicles in the driveway.	
	4/20/18	Staff completed an inspection and confirmed several inoperable vehicles stored on the property. Staff then spoke with an occupant at the property and the occupant stated that the weather is preventing him from working on the cars. Staff informed him to update the tabs on the vehicles, store them in the garage or move them off site. A first compliance notice was sent.	
	4/30/18	Staff completed a follow up inspection and the attempted to knock on the door. No one came to the door. The vehicles were still in violation. A second compliance notice was sent.	
	5/14/18	A follow up inspection was conducted. Vehicles are still in violation. \$125 Administrative Citation was issued.	\$125
	5/31/18	Staff received another complaint about inoperable vehicles. An inspection was conducted and the property was in violation for inoperable vehicle storage. \$250 Administrative Citation was issued.	\$250
	6/14/18	A follow up inspection was conducted and the property was still in violation. A \$500 Administrative Citation was issued.	\$500
	6/27/18	Staff received another complaint about inoperable vehicles on the property.	
	6/28/18	A follow up inspection was conducted and the property was in violation for inoperable vehicle storage. A \$1000 Administrative Citation was issued.	\$1000
	7/12/18	A follow up inspection was conducted and the property was in violation for inoperable vehicle storage. The inoperable vehicles were posted for towing. A compliance notice was sent informing the owner that the vehicles are posted to be towed if the vehicles are not in compliance.	
	7/27/18	An inspection was conducted and the inoperable vehicles were in violation. The inoperable vehicles could not be towed since	

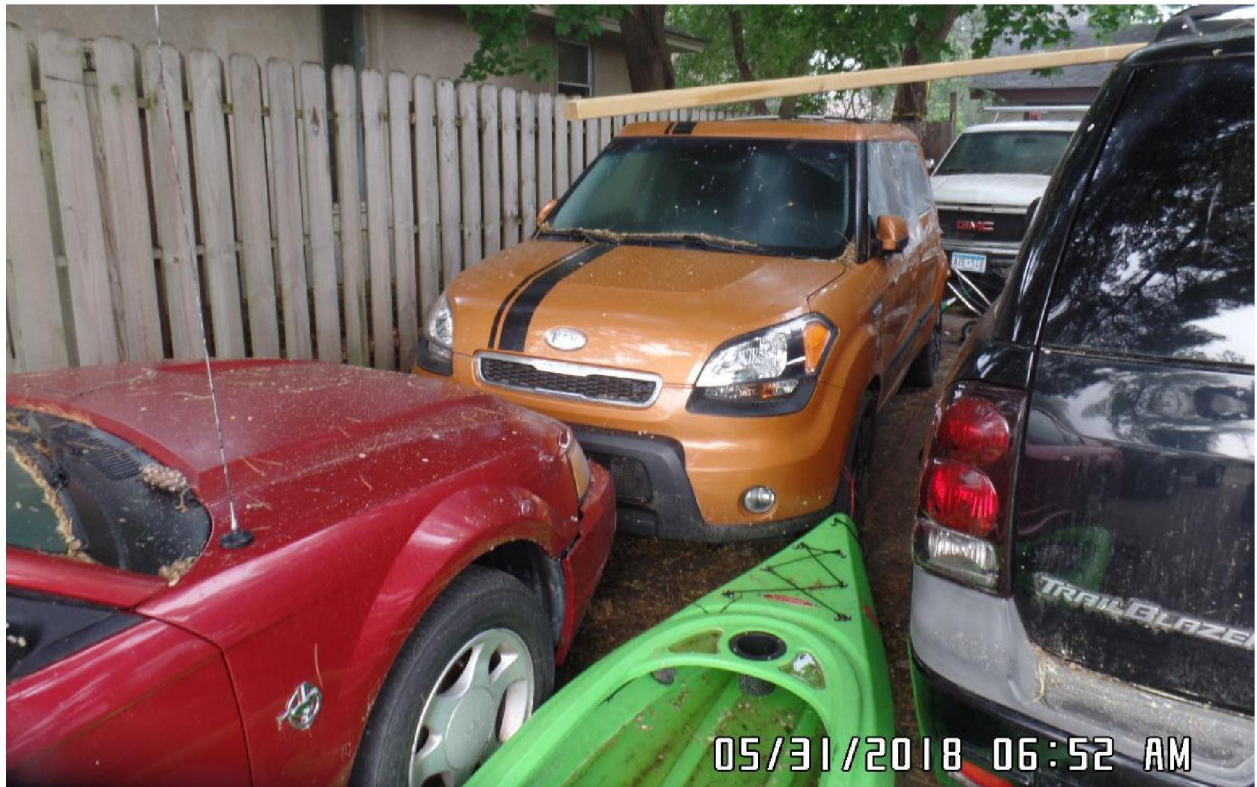
		the vehicles were blocked in by other operable vehicles. A third notice was sent.	
	8/3/18	A follow up inspection was completed and the vehicles were in violation.	
	8/7/18	A follow up inspection was completed and the vehicles were in violation. A \$2000 Administrative Citation was issued.	\$2000
	8/21/18	A follow up inspection was completed and all the vehicles were in compliance.	





























**Council/EDA Work
Session**

City Hall Council Chambers
October 28, 2019

AGENDA



The City Council requests that attendees turn off cell phones and pagers during the meeting. A copy of the full City Council packet is available to the public. The packet ring binder is located at the entrance of the council chambers.

ACTIVE DISCUSSION ITEMS

1. Housing Policy Discussion
2. Ordinance Amending the Public Dance Ordinance to the Entertainment Ordinance and Zoning Ordinance
3. Findings of Council Retreat & Recommendations

PENDING LIST FOR FUTURE WORK SESSIONS

1. Pending Items
 - Metro Transit Bus - (*upcoming CC presentation*)
 - Police Crisis Prevention Options - 11/25
 - Use of EDA Owned Property - 11/25
 - Environmental Sustainability Report - 11/25
 - Livable Wages - 12/9
 - Freeway Park /Mound Cemetery MOU - 1/13
 - Options for Use of Adjacent Space to Liquor Store - 1/27
 - Food Trucks - 1/27
 - Rental License Update - 1/27
 - Census Update - 1/27
 - Discussion of Mayor/City Council roles & responsibilities
 - Commemoration of 400 years of Slavery Activities

MEMORANDUM - COUNCIL WORK SESSION

DATE: 10/28/2019

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Meg Beekman, Community Development Director

SUBJECT: Housing Policy Discussion

Recommendation:

- Consider the proposed housing policy discussion, and provide direction relating to housing efforts.

Background:

The City's 2040 Comprehensive Plan identifies several broad housing goals:

2040 Housing & Neighborhood Goals

- Promote a diverse housing stock that provides safe, stable, and accessible housing options to all of Brooklyn Center's residents.
- Recognize and identify ways to match Brooklyn Center's housing with the City's changing demographics.
- Explore opportunities to improve the City's housing policies and ordinances to make them more responsive to current and future residents.
- Maintain the existing housing stock in primarily single-family neighborhoods through proper ordinances, incentive programs and enforcement.
- Explore opportunities to incorporate new affordable housing into redevelopment areas that promote safe, secure and economically diverse neighborhoods.

In addition to these goals, the 2040 Comprehensive Plan identifies implementation strategies as well as resources and tools for achieving its housing goals. These are contained in Chapters 4 and 9, of the Housing and Implementation chapters respectively (attached).

The current work being undertaken to update the City's Zoning Code is an example of an implementation strategy identified to support the City's Housing goals.

Another implementation strategy that is identified is to conduct an assessment of the City's housing stock for consistency with the City's changing demographics. This study would be a base line inventory and background assessment to identify gaps in the City's future housing demand. It would also provide a context and evaluation of regional market trends affecting Brooklyn Center's housing market.

Issue Identification

Changing demographics and shifting market trends have lead to an entirely different housing market throughout the region and within Brooklyn Center than existed ten years ago. Brooklyn Center, once hit hardest by the great recession, now is experiencing a market correction that is driven by rising home prices throughout the region, and home values are now increasing at some of the highest rates in Hennepin County. A shortage of

rental housing throughout the region, which is projected to continue into the next planning cycle, is driving vacancy rates to record lows and pushing rents up. This is causing all sorts of ripple effects that combined are making it harder and harder for low and moderate income families to find and keep, safe, stable, and affordable rental housing. As engagement related to the comprehensive plan and various redevelopment sites have occurred throughout the community over the past few years, a number of issues, concerns, and priority areas have bubbled up related to housing. Many of these issues are identified in the 2040 Comprehensive Plan.

In order to address issues related to housing, staff is recommending taking a comprehensive review of the City's housing policy approach, with an emphasis in key focus areas based on priorities which merit special attention.

The overall review would include identifying those housing issues which are currently surfacing in the community and prioritizing those which are most pressing. Issues which have broadly been identified that merit special attention include:

- Mitigating and preventing displacement as the community redevelops
- Tenant protections
- Creating home ownership opportunities
- Fair housing
- Maintenance and preservation of single family housing stock

Housing Policy Framework

Staff has identified 4 key areas to address over the next 18 months. Other priority areas may arise through continued engagement which would require an adjustment to this framework.

Fair Housing Policy

Title VIII of the Civil Rights Act establishes federal policy for providing fair housing throughout the United States. The intent of Title VIII is to assure equal housing opportunities for all citizens. Further, Cities as a recipient of federal community development funds under Title I of the Housing and Community Development Act of 1974, is obligated to certify that it will affirmatively further fair housing.

The city of Bloomington's Fair Housing Policy is attached as an example. Many other cities within Minnesota have Fair Housing Policies that are written very similar to Bloomington's. At present Brooklyn Center does not have a Fair Housing Policy. It is staff's recommendation that this be addressed in the near term, and that the Housing Commission be tasked with reviewing and recommending a policy to be adopted by the City.

Housing Study and Impact Assessment

As part of the housing study, staff would propose to include a housing study as described above. The housing study would be a first step, and provide a comprehensive analysis of the City's housing stock as well as demographic data that relates to it. It is context setting. It would also focus on data specific to the issues that have been identified as most critical. For example, as we have been engaging with the community around the Opportunity Site redevelopment; issues such as displacement and gentrification, if more multi-family housing is needed, how much and what type? How new development might impact existing housing in the community have all been concerns that have been raised. The housing study can specifically address these questions, and assist with providing an informed basis from which policy decisions can be made. The outcome of the study would allow us to identify priorities and set strategies that will inform the City's housing policy approach.

An impact assessment could also be conducted, geared at evaluating the impact a large-scale development, such as the Opportunity Site, might have on displacement and gentrification in Brooklyn Center. This would include a literature review of current research on the subject as well as a look at case studies of similarly situated communities in the United States which have successfully mitigated or prevented displacement and gentrification.

Measures to Mitigate and Prevent Displacement

Out of the housing study will come data that will assist with putting together an approach to preventing and mitigating displacement in the community. Any approach will need to be a multi-faceted one that addresses, among other areas, the preservation of existing rental housing as well as the creation of new legally-binding affordable housing.

While the Opportunity Site has caused this topic to rise to the forefront of discussion, the Opportunity Site is not the cause of gentrification in the community. The market is. The City's location in the region and market trends that reach far beyond the City's borders will continue to affect the investment interest and property values in the community. That is why any approach to mitigating and preventing displacement needs to be city-wide.

Tenant Protection

Nearly one third of the City's housing units are in multi-family residential buildings. With vacancy rates hovering near 3 percent, tenants are not in a favorable position when it comes to negotiating with landlords for favorable lease terms or other accommodations. Nearly all of the City's multi-family residential is considered naturally occurring affordable housing (NOAH). This is primarily due to its age and condition. Brooklyn Center hasn't had new multi-family housing constructed since 1971, and so this particular housing type, like most in the City, is aging. Maintenance varies significantly depending on ownership, as does the quality of property management. Therefore, it is important to continue to monitor the City's NOAH properties through a robust rental license program. However, when the rental license program was established tenant protections was not the focus of the program. A review of the City's ordinances, policies, and procedures through the lens of tenant protections would ensure that the program is serving residents as effectively as possible.

Community engagement strategies would be necessary to identify problems and potential solutions. Suggested engagement strategies include:

- Listening sessions with tenants and landlords
- Engage stakeholders such as Homeline, Housing Justice Center, ACER, etc

The City staff have met with ACER staff, Homeline, and the Housing Justice Center and discussed some of the issues affecting Brooklyn Center residents already. In addition, the City's housing inspectors spend a significant amount of time interacting with tenants and landlords and understand the complexities of the issues. These resources can be drawn upon to further explore ways to make adjustments to the City's ordinances, policies, and procedures to ensure existing residents are provided safe, secure, stable housing and afforded protections under the law.

Single Family Housing Stabilization:

Approximately 86 percent of Brooklyn Center's single family housing stock is more than 40 years old. This is a significant portion of the City's housing, therefore it is important to track the condition of these older homes as they are at-risk of deferred maintenance. At the same time, well maintained older homes can be an important source of entry-level housing.

When considering the type and age of housing in Brooklyn Center, the 2040 Comprehensive plan recommended the following programs.

- Housing study to assess the condition of the City's housing stock
- Home Ownership Program Assistance Program
 - Down Payment Assistance
 - Home Ownership Education
- Additional Low or No Cost Home improvement funding

A review of the City's single family housing policy approach will look at the programs and resources available

to single family home owners, identify if additional or different programs or resources would be appropriate, explore additional funding sources to support additional programs, and seek out ways to increase awareness of the availability of resources to home owners.

Tentative Time Line

1. Winter 2019 Fair Housing Policy
2. Winter 2019 Housing Study and Impact Assessment
3. Spring 2020-Summer 2020 Measures to prevent and mitigate displacement
4. Summer 2020-Fall 2020 Tenant Protections
5. Fall 2020-Winter 2020 Single Family Housing Stabilization

Next Steps

Staff recommends moving forward initially with the Housing Commission undertaking the review and drafting of a Fair Housing policy, which would then go to the City Council for final consideration. In addition, staff would recommend proceeding with the housing study and impact assessment as the initial step.

Policy Issues:

- What housing-related issues/topics do you see rising to the surface in the community?
- Are there any major elements you see needing to be addressed in the housing study in order to create a thorough baseline assessment of the City's housing stock?
- Should staff begin working with the Housing Commission on developing a Fair Housing Policy?
- Do you have any questions/concerns with the framework as it has been laid out?

Strategic Priorities and Values:

Resident Economic Stability, Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Chapter 4 - Housing	6/10/2019	Backup Material
Chapter 9 - Implementation Chapter	10/22/2019	Backup Material
Fair Housing Policy Example	8/16/2019	Backup Material

DRAFT CHAPTER 4: Housing & Neighborhood





INTRODUCTION

This Chapter evaluates Brooklyn Center’s existing housing stock and plans for future housing needs based on household projections, population projections, and identified needs communicated through this planning process. As required in the City’s 2015 System Statement prepared by the Metropolitan Council, understanding and planning for the City’s housing stock is a critical part of the 2040 Comprehensive Plan (Plan). The City’s planned land use includes three residential categories and residential components of new mixed-use designations which together account for approximately half of the City’s land use area. Residential land use will continue to be the largest land use in the community. A diverse housing stock that offers neighborhood stability combined with access to open space, goods and services is essential to a healthy, sustainable, and resilient community. It protects the community’s tax base against market fluctuations; it builds community pride and engagement of existing residents; it helps the community’s economic competitiveness by assisting Brooklyn Center businesses with employee attraction and retention; it provides options for existing residents to remain in the community should their life circumstances (e.g., aging-in-place) change; and it offers future residents access to amenities and levels of service that support a stable and supportive housing and neighborhood environment.

4-1

The first part of this Chapter focuses on the existing housing stock. It summarizes important information regarding the overall number of housing units, the type of units, their affordability, and the profile of their residents. These sections are a summary of more detailed socio-economic data which is attached to this Plan as an Appendix and serves as a supporting resource to this Chapter. Understanding the existing housing stock is key to determining what types of housing products may be demanded over the next 10-20 years and where they should be located.

In conjunction to the statistical or inventory information collected, this Chapter includes a summary of community, stakeholder and policy-maker feedback related to housing and neighborhoods heard throughout this planning process. Additionally, this Chapter addresses the projected housing needs during the planning period and presents some neighborhood and housing aspirations as identified by the City’s residents and policy-makers. The final section of this Chapter links projected housing need to practical implementation tools to help the City achieve its housing goals and identified strategies. The list contained in this Chapter is not exhaustive but provides a starting place from which the City can continue to expand and consider opportunities to meet current and future resident needs.

2040 Housing & Neighborhood Goals

- » Promote a diverse housing stock that provides safe, stable, and accessible housing options to all of Brooklyn Center's residents.
- » Recognize and identify ways to match Brooklyn Center's housing with the City's changing demographics.
- » Explore opportunities to improve the City's housing policies and ordinances to make them more responsive to current and future residents.
- » Maintain the existing housing stock in primarily single-family neighborhoods through proper ordinances, incentive programs and enforcement.
- » Explore opportunities to incorporate new affordable housing into redevelopment areas that promote safe, secure and economically diverse neighborhoods.

** Supporting Strategies found in Chapter 2: Vision, Goals and Strategies*

ASSESSMENT OF EXISTING HOUSING SUPPLY

Overview of Brooklyn Center's Residential Neighborhoods

The City of Brooklyn Center's residential neighborhoods are diverse and include a variety of housing types from single-family neighborhoods to large-scale apartment complexes. Although the City originally incorporated as a village in 1911, it wasn't until the Post-World War II era that the City began to develop on a large scale in which entire blocks and neighborhoods were constructed with tract housing, suburban streets, and neighborhood parks. Like much of the region's first ring suburbs, Brooklyn Center took on the role of a typical bedroom community where residents could get to their jobs in the downtown, stop for groceries at the retail center, and go home and park their cars in their garages for the evening. This pattern of development can be seen throughout the region, but Brooklyn Center had one significant difference for many decades – the regional mall known as Brookdale. The prominence of the mall and its surrounding commercial district played a major role in how neighborhoods were built and developed, which influenced neighborhood patterns and housing types.

Even though the mall is now gone, it continues to have lasting effects on the existing housing types and neighborhoods and will influence future housing as described in subsequent sections of this Chapter. For example, in the decades that the mall and regional retail center was operational much of Brooklyn Center's multi-family and apartment development was concentrated near the mall and its surrounding commercial district and provided a transition to the surrounding single-family neighborhoods. Therefore, even though the mall no longer exists, the apartments developed around the periphery of its retail area in the 1960s continue to be in high demand and provide a critical source of housing for many households.



The following sections identify and inventory the existing housing stock in the community including single-family, attached and apartment uses. Each of these housing types serve a different role in the community, but each type is an important part of the City’s neighborhoods. A summary of the City’s existing residential types and neighborhoods are as follows:

Single-Family Residential

Single-family residential neighborhoods are the dominant land use within the City and single-family detached homes comprise nearly 63 percent of the City’s housing stock. The City’s single-family detached neighborhoods were developed surrounding higher density and higher intensity land uses that included the former regional retail center and the major freeway corridors of I-94 and Highway 100. Most of the single-family neighborhoods are developed on a grid system with traditional ‘urban’ size lots. Exceptions of some larger lots are interspersed within the traditional block pattern and along the Mississippi River where a pocket of residents have views and/or frontage of the river corridor.

The 1950s were the peak decade for housing construction in the City; a period in which owner-occupied housing predominated. While other housing types began to emerge post 1950s, the demand for single-family detached housing continued through 1980 as the remaining land in the community developed. Given the period in which the majority of Brooklyn Center’s housing stock was built, nearly the entire single-family detached housing stock is more than 40 years old. This is a major concern because at 40 years of age exterior components of a building including siding, windows, and roofs often need to be replaced to protect its structural integrity. Because the City became mostly built-out by the late 1970s, nearly all of the City’s housing stock falls into this category, which means the City must be cognizant of potential issues and proactively monitor the situation to ensure neighborhoods are sustainable into the future.



While related to housing age, the size or square footage of single-family homes also plays a significant role in the demographics of a community. Changes to family structure, technology, and other factors alter housing preferences over time, which can lead to functional obsolescence of homes and result in reduced home values because they no longer meet current buyers’ expectations. Brooklyn Center’s single-family housing stock is fairly homogeneous and the overwhelming majority of homes in every neighborhood are less than 1,500 square feet – and in many areas less than 1,000 square feet. This is a relatively modest single-family housing size, and, therefore, the single-family housing stock lacks diversity, which results in lack of choice for current and prospective residents. At the same time, these homes offer an option for small families, single and two-person households, and first time homebuyers.

Because the majority of the City’s single-family housing stock is relatively small, older, and of a homogeneous type as compared to newer larger homes or neighborhoods with more housing variety, housing prices in Brooklyn Center tend to be affordable. Also, given the similar age, size and styles of many of the homes, housing in the community has a fairly consistent price-per-square foot. Affordability in the existing housing stock can be a positive attribute that has the potential to provide long-term stability to residents and neighborhoods. However, as shown in the Background Report residents of Brooklyn Center also tend to have lower median household incomes, which can mean residents may struggle to pay for large-scale capital investments in their homes such as replacing windows or a roof.

Additionally, within the region some communities with similar single-family stock to Brooklyn Center have experienced pressure for tear-downs and major remodeling, and that market trend has yet to reach the City. While that trend may eventually impact the community, at the present time the change and growth impacting the single-family neighborhoods is mostly related to the evolving demographics within the community. This change presents different considerations and challenges because it is not necessarily physical growth or changes to homes and neighborhoods. Instead the community is challenged with how to manage larger numbers of people living within a household such as growing numbers of multi-generational households.



Existing Single-family Neighborhood Perspectives Described in this Planning Process

Throughout this planning process policy-makers and residents alike expressed the desire to maintain the affordability of the existing single-family neighborhoods but acknowledged the current challenges of helping residents maintain their structures, blocks and neighborhoods in the face of compounding maintenance due to the age of the City’s neighborhoods. In addition to the physical condition of the structures, residents and policy-makers also acknowledged that as the City’s population and demographics become increasingly more diverse new residents are changing how existing homes are being occupied and, therefore, it would be valuable for the City to evaluate it’s ordinances and policies to ensure they align with the needs of residents. The demographic considerations are identified in subsequent sections of this Chapter, but it is worth noting that the demographic changes can have a significant impact the character of existing single-family residential neighborhoods. Most recognized this as a positive change, but also acknowledged and stated that the City must figure out how to pro-actively address some of these changes to protect the existing neighborhood fabric. For example, multi-generational households are becoming increasingly more prevalent within the City’s single-family neighborhoods which can impact how rooms within a home are used, how many cars may be present at the home, and how outdoor spaces and yards may be used.

4-6

Closely related to the demographic changes in the community is the City’s aspiration to promote and maintain neighborhood stability. This objective emerged repeatedly throughout this planning process as residents and policy-makers expressed the desire to identify strategies to help promote and encourage sustainability, resiliency and accessibility within the single-family neighborhoods. In part this objective is the result of several years of turnover within the single-family neighborhoods as long-term residents begin to age and move onto other housing options, new residents and families are moving into the neighborhoods. This life-cycle of housing is common, but the City wants to find ways to ensure new residents want to stay in their homes, their neighborhoods, and the community long-term and invest in making the City a better place for generations to come.



Multi-family Residential

Nearly one third (29 percent) of the City’s housing units are in multi-family residential buildings located throughout the community. Nearly all of these buildings were constructed in the 1960s and 1970s, and are primarily located on major roadways or corridors, and surrounding the former regional retail areas. This means these buildings are nearly 50 years old or older. Just as noted within the single-family neighborhoods, the potential for deterioration and need for significant investment in these aging buildings can pose a threat to the quality of the City’s housing stock if the buildings are not properly maintained, managed and updated.



There has been some maintenance and management of the multi-family housing stock, and a few complexes have even incorporated modest upgrades to the interiors. In fact, the City has started one large-scale rehabilitation of a building that would bring higher-market rate rental options to the community once completed. However, this is one project and despite these improvements the City’s multi-family housing stock continues to be one of the most affordable in the region with some of the lowest rental rates in the metropolitan area.

4-7

Many of the multi-family areas are near major corridors and are adjacent to high intensity uses that do not necessarily support or serve the residential use with the current development and land use patterns. As a result, many of the multi-family areas do not feel like an incorporated part of the City’s neighborhoods. As discussed in subsequent sections of this Chapter, the City is planning for redevelopment in or adjacent to many of the existing multi-family areas that will hopefully reinvigorate and reconnect the existing multi-family uses into a larger neighborhood context.

Multifamily Neighborhood Perspectives Described in this Planning Process

Throughout this planning process the City’s residents were vocal about the existing multi-family options available in the community and the lack of diversity within the multi-family housing stock. Without a full inventory of all available multi-family units it is difficult to confirm some of the anecdotal comments heard throughout the process, but nevertheless it is important to consider since residents’ testimony provides valuable insight into the existing housing stock. Several residents indicated that there are few options available for larger multi-family units with at least three (3) bedrooms, making it difficult to find stable living options for families with more than two (2) children. Residents also communicated a desire to have housing options that were closer to supportive retail, commercial and services so that they could walk, bike or easily use transit to meet their needs. Despite these challenges, the City’s parks, trails and open spaces were viewed as an integral and important part of their quality of life.



Similarly, to the single-family neighborhoods, the community’s aspiration to create a stable, accessible, and economically diverse multi-family housing stock was established as a short and long-term priority. Though not discussed at length during this planning process, it is widely known and understood that resident turnover, including evictions, is a serious problem that is most concentrated within the multi-family neighborhoods of the City. While this Chapter does not attempt to fully evaluate the causes for turnover and eviction in these neighborhoods, it does acknowledge it as a significant challenge and issue which shapes the character of these areas of the community. Turnover, including evictions, changes how residents feel about the community whether the City is directly involved or not. It has lasting affects on how safe people feel within a community, how invested in an area they want to become and how willing they are to contribute and reinvest in the City. For these reasons, it is imperative that the City tackle these issues and create a more stable, and integrated living environment so all residents feel a part of a neighborhood, and the larger community.

Housing Stock Statistics

The following existing housing stock characteristics support the previous neighborhood descriptions through more detail. This information, coupled with the previous description, provides a valuable baseline from which the City can evaluate and plan for the future of its housing stock.

Total Housing Units

According to data from the Metropolitan Council and the City of Brooklyn Center, there are 11,603 housing units in Brooklyn Center as of 2017. As a fully developed community, new residential development in Brooklyn Center has been limited since the late 1980s. According to the Metropolitan Council, around 100 new housing units have been built since 2000 and these homes were primarily small infill locations or small redevelopment opportunities.



Housing Tenure (Owned and Rented Units)

Nearly 40 percent of the community’s residents rent, and the majority of those renters live in apartment buildings which are integrated throughout the community. The Background Report in the Appendix includes maps illustrating the location of rental housing and demographics of renters. Given that a significant portion of the City’s population lives in apartments, the age of such structures becomes critically important to the overall health of the housing supply. The majority of the apartments were constructed prior to 1979 with the bulk of the units being constructed between 1966 and 1969. This means that the majority of the apartments is more than 50 years old, and that structural deficiencies and major capital improvements may be required in the relatively near term in order for the structures to remain marketable.



Housing Type

Related to housing tenure is housing type. Due to Brooklyn Center’s peak time of housing development in the 1950s, the housing type is predominantly single-family detached homes. As of 2017, there are 8,270 units (71 percent) of single-family housing (attached and detached) and 3,333 (29 percent) classified as multi-family housing.

The type of housing structure can influence not only affordability but also overall livability. Having a range of housing structures can provide residents of a community options that best meet their needs as they shift from one life stage to another. For example, retirees often desire multi-family housing not only for the ease of maintenance, but also for security reasons. Multifamily residences are less susceptible to home maintenance issues or burglary concerns because of on-site management. For those with health concerns, multi-family residences often have neighbors that can also provide oversight should an acute health problem occur.

71% of housing units are single-family

- Sources: Metropolitan Council; US Census; SHC

Approximately 86 percent of Brooklyn Center’s housing stock (over 10,000 units) is more than 40 years old. This is an overwhelming portion of the City’s housing, and it is therefore important to track the condition of these older homes as they are at-risk of deferred maintenance. This can rapidly result in critical structural problems. At the same time, well-maintained older housing can be an important source of entry-level housing because of its relative affordability when compared to newer construction.

86% of housing stock is more than 40 years old

- Sources: US Census; SHC

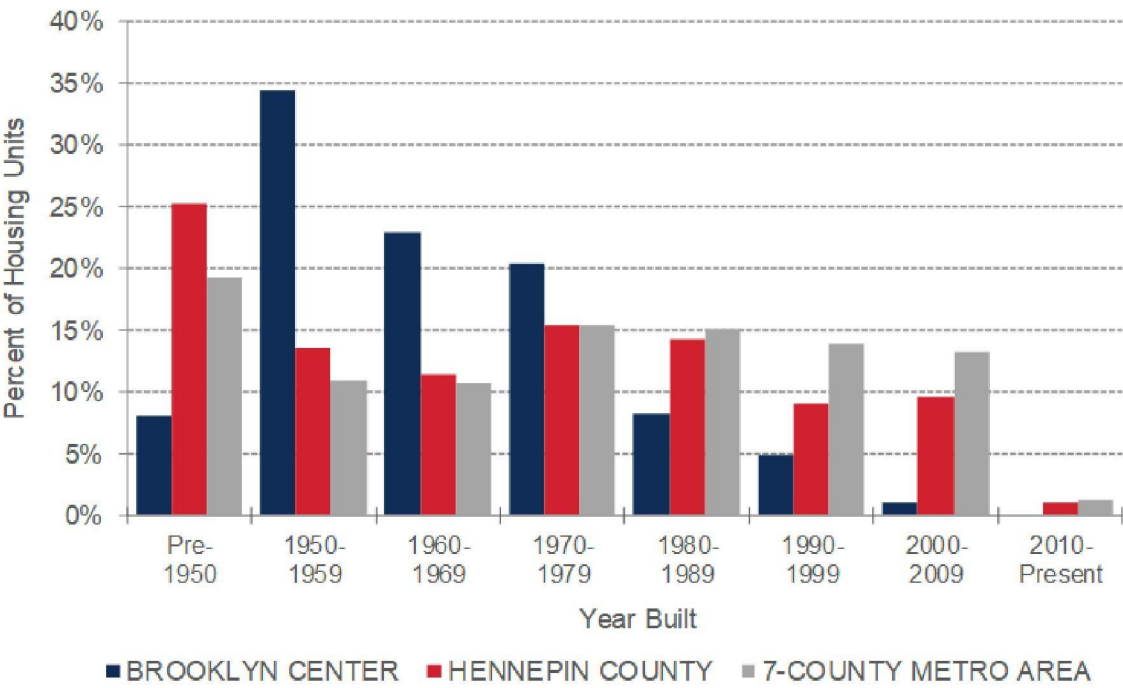
4-10 The majority (63 percent) of Brooklyn Center’s housing stock consists of detached single-family homes. This is above the proportion found in Hennepin County (55 percent) or throughout the metropolitan area (59 percent). Nevertheless, the City’s housing stock is diversified, with many multi-family units in large structures, as well as a significant number of single-family attached units. More detailed data are included in the Background Report in the Appendix.

Year Built

The age of the housing stock is an important characteristic of the community particularly as it relates to potential structural obsolescence and other limiting factors which correlate to housing values. As described earlier, much of Brooklyn Center’s single-family housing stock was developed post-World War II between 1950 and 1963 and many of the homes in this age range were dominated by rambler architectural styles. As shown on Map 15, entire neighborhoods were all constructed in a relatively short period of time which strongly defines a neighborhood pattern. As shown, most of Brooklyn Center was developed on a fairly regular grid pattern and does not reflect a ‘suburban’ development pattern. This is positive from the perspective that transportation and transit connections should be easier to improve, where necessary, because of the relatively dense population of the neighborhoods. However, aging neighborhoods can present a challenge as major systems (i.e. roof, siding, windows, HVAC, etc.) reach the end of their useful life. This can be particularly difficult if residents are unable to reinvest and maintain their properties, which leads to deferred maintenance and the potential for more significant problems that would become widespread across entire neighborhoods.

4-11

Table 4-1. Year Built



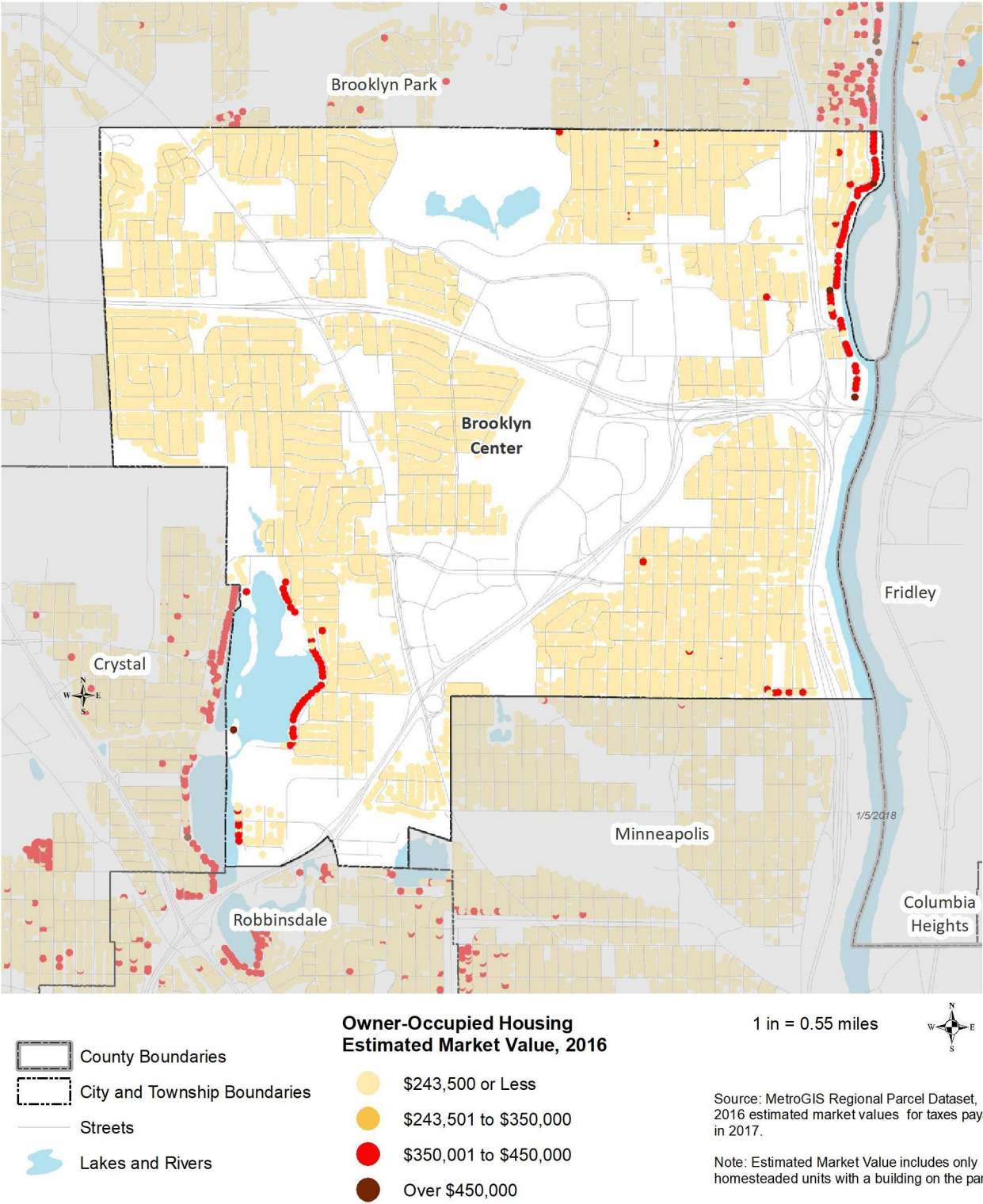
Source: US Census: 2011-2015 American Community Survey

Housing Affordability

The Metropolitan Council considers housing affordable when low-income households are spending no more than 30 percent of their income on housing costs. Households are considered low-income if their income is at or below 80 percent of the metropolitan area’s median income (AMI).

The housing stock in Brooklyn Center is affordable relative to other communities in the Twin Cities region. According to the Metropolitan Council, 93 percent of the housing units in 2017 in Brooklyn Center were considered affordable. Moreover, only a small portion (5 percent) of this housing is publicly subsidized. Therefore, most housing is privately-owned and pricing is set by the market. According to the Minneapolis Area Association of Realtors, there were 480 home sales in Brooklyn Center in 2017 with a median sales price of \$186,125. This was roughly 25 percent lower than the Metro Area median sales price of \$247,900. For rental housing, according to CoStar, a national provider of real estate data, the average monthly rent for a market rate apartment in Brooklyn Center in 2017 was \$981 compared to the Metro Area average of \$1,190.

Map 4-1. Estimated Market Value of Owner-Occupied Housing



\$186,125

2017 median home sale price
in Brooklyn Center

\$247,900

2017 median home sale price
in the Metro Area

- Source: Minneapolis Area Association of Realtors,



Table 4-2. Existing Housing Assessment

Total Housing Units ¹		11,608	
Affordability ²			
Units affordable to households with income at or below 30% of AMI	Units affordable to households with income 31% to 50% of AMI	Units affordable to households with income 51% to 80% of AMI	
460	4,451	6,029	
Tenure ³			
Ownership Units	Rental Units		
6,911	4,697		
Type ¹			
Single-family Units	Multifamily Units	Manufactured Homes	Other Housing Units
8,275	3,333	0	0
Publicly Subsidized Units ⁴			
All publicly subsidized units	Publicly subsidized senior units	Publicly subsidized units for people with disabilities	Publicly subsidized units: all others
553	22	0	531
Housing Cost Burdened Households ⁵			
Income at or below 30% of AMI	Income 31% to 50% of AMI	Income 51% to 80% AMI	
1,691	1,406	895	

¹ Metropolitan Council, 2016 housing sock estimate. Single-family units include single-family detached homes and townhomes. Multifamily units include units in duplex, triplex, and quadplex buildings as well as those in buildings with five or more units.

² Metropolitan Council staff estimates for 2016 based on 2016 and 2017 MetroGIS Regional Parcel Datasets (ownership units), 2010-2014 Comprehensive Housing Affordability Strategy data from HUD (rental units and household income), and the Council's 2016 Manufactured Housing Parks Survey (manufactured homes). Counts from these datasets were adjusted to better match the Council's estimates of housing units and households in 2016 as well as more current tenure, affordability, and income data from eh American Community Survey, home value data from the Federal Housing Finance Agency, and rents from HousingLink's Twin Cities Rental Revue data.

³ US Census Bureau, 2012-2016 American Community Survey five-year estimates; counts adjusted to better match the Council's 2016 housing stock estimates.

⁴ Source: HousingLink Streams data (covers projects whose financing closed by December 2016)

⁵ Housing cost burden refers to households whose housing costs are at least 30% of their income. Source: US Department of Housing and Urban Development, 2010-2014 Comprehensive Housing Affordability Strategy (CHAS) data, with counts adjusted to better match Metropolitan Council 2016 household estimates.

The high rate of affordability is largely due to the prevalence of smaller and older homes in the single-family neighborhoods, and the age and level of improvements within the multi-family rental neighborhoods. Such small sized properties are typically less expensive because they have significantly less living space than newer homes (average construction square footage has increased each decade since the 1950s). Age and level of update and improvements within the apartment stock, coupled with the average number of bedrooms in the rental units is impacting the relative affordability of the multi-family units. The condition in both the single-family and multi-family housing stock is what is known as Naturally Occurring Affordable Housing (NOAH), because the physical characteristics of the properties are what makes them affordable rather than the affordability being established through a legally binding contract. Although there is a high rate of affordability for existing units, the Metropolitan Council identifies a need for additional affordable units in any new housing construction added to the community through 2040. This condition would most likely be achieved by a legally binding contract, or some other financing mechanism as new affordable housing product would be difficult to achieve without some assistance given construction and land costs. Of the 2,258 projected new housing units, the Metropolitan Council establishes a need of 238 units to be affordable to households at or below 80 percent AMI to satisfy the regional share of affordable housing.

Although nearly all of Brooklyn Center's housing stock essentially fits within the criteria as naturally occurring affordable housing, there are some observable trends that would suggest the price of housing in Brooklyn Center could rise in the coming years. Most recently in 2018 the City's for-sale housing median home sales price surpassed the pre-bust pricing. While the median remains below the regional median, it does indicate growing demand and increased pricing. Significant areas of redevelopment identified on the Future Land Use Plan, including the former regional mall (Brookdale) location, present opportunities for higher-market rates for new housing added. These opportunities have the potential to create a more economically diverse housing stock within the City, which is relatively homogeneous at the time this Plan is written. Given these opportunities, it is important to continue to monitor the City's NOAH stock, and to evaluate and establish policies to incorporate legally binding and protected affordable housing as redevelopment occurs. This is a careful balancing act that requires concerted and direct monitoring, study, and evaluation in order to ensure an economically diverse, sustainable and resilient housing stock for the long-term success of the community.

KEY DEMOGRAPHICS

Age Profile of the Population

The age profile of a community has important ramifications on demand for housing, goods and services, and social cohesion. Tables and figures illustrating the City’s age distribution are presented in the Background Report in the Appendix. Unlike the broader region, in which the population continues to age rapidly, Brooklyn Center’s population grew younger between 2000 and 2010, and has stayed relatively stable since 2010. This is largely due to a significant increase in people age 25 to 34, many of which are starting families and having children. Increases in the number of young families place demands on schools, housing affordability, and the types of retail goods and services needed.

The median age of residents in Brooklyn Center in 2016 was 32.8, which is consistent with the 2010 median age of 32.6. This is younger than 2000 when the median ages was 35.3. With such a young population, it is expected housing units may turn over more frequently. But, as of 2016, more than 60 percent all households have been living in their homes for more than five (5) years. More data about geographic mobility of households is found in the Background Report in the Appendix.

Household & Family Type

Changing family and household structures can also have a profound effect on housing and other community needs. For example, decreasing household size has a direct impact on the amount of housing a household needs. As mentioned, the presence of children not only impacts local schools and parks, but also the types of retailers that can be supported and the nature of housing demanded.

Since 2010, the number of households with children in both single-parent and married couple households has been growing significantly. Meanwhile, the trend among households without children, especially married couples (i.e., empty-nesters) has been on the decline. The percentage of households with children is approaching 40 percent, which is well above the rate in the County and the metro area.



Cost Burdened Households

Cost burden is the proportion of household income spent toward housing and utilities. When lower income households spend more than 30 percent of their income toward housing and utilities this burden is considered excessive because it begins to limit the money available for other essentials such as food, clothing, transportation, and healthcare. According to data from the Metropolitan Council, 4,114 (35 percent) Brooklyn Center households at or below 80 percent average median income (AMI) are considered cost-burdened which means they spend more than 30 percent of household income on housing costs. This percentage is well above the metro area rate of 23 percent. Half of these Brooklyn Center households are lower income households who earn at or less than 30 percent AMI. The high incidence of cost burdened households is correlated with younger wage earners, lower-wage jobs, and a high proportion of older households, many of which are in retirement and no longer working.

FUTURE HOUSING OPPORTUNITIES

Projected Housing Need

As referenced in Chapter 3: Land Use & Redevelopment and the following Table 4-4, the Metropolitan Council’s 2015 System Statement forecasts that Brooklyn Center will add approximately 4,169 new residents and 2,258 new households through 2040 and identifies the following affordable housing allocation to be accommodated between 2020 and 2030.

Table 4-3. Affordable Housing Need Allocation

At or below 30% AMI	103
31 to 50% AMI	0
51 to 80% AMI	135
Total Units	238

Source: 2015 System Statement - Metropolitan Council

Housing Challenges Inform Housing Needs

The Metropolitan Council’s System Statement identifies approximately 10% of the planned housing units for some level of affordability as identified in Table 4-3. As described in other chapters of this Plan, for the first time since the post-World War II housing boom the City is expected to add a significant number of new households. These new households have the opportunity to provide a more diverse housing stock, and add to the options of available for existing and new residents in the community. Redevelopment can reinvigorate and revive

areas of the community with vibrant, experience-rich areas that will benefit everyone in the community. The City is excited for redevelopment to create a dynamic central hub of activity in the community, but also acknowledges that it must be balanced with strong assessment, planning and appropriate protection of its existing housing stock to ensure neighborhood sustainability and stability in all areas of the community.

New housing stock brings the possibility of adverse impacts to existing single-family and multi-family properties if proactive steps are not taken to protect existing naturally occurring affordable housing (NOAH), single-family neighborhoods, and multi-family properties. The City’s policy makers throughout this process discussed and acknowledged that bringing new market-rate, amenity rich housing products could have deleterious affects specifically on existing naturally occurring affordable housing if a plan to protect affordability is not implemented. This is a huge concern as resident stability through access to safe and healthy housing is one of the City’s adopted strategic priorities. If proper tools are not in place there are no protections to keep rents reasonable for residents and to maintain reasonably priced for-sale housing as redevelopment takes holds.

One of the positive aspects of the City’s identified redevelopment areas is that the land proposed for redevelopment does not contain existing housing. In a fully-development community this is unusual for a large redevelopment area, and is positive because no residents will be displaced as a result of the City’s redevelopment aspirations. However, even though residents will not be displaced directly, indirectly, redevelopment could increase the desirability of activities such as flipping single-family homes and converting NOAH multi-family properties for higher-rents.

To address some of these concerns an extensive list of high-level tools have been outlined in Table 4-5 of this Chapter. The City recognizes that this chapter is only the start of an ongoing conversation, and it is the City’s policy-makers intent to continue to be proactive, and to collaborate with non-profits and advocate for a broader regional approach to housing affordability. In addition to the tools identified in Table 4-5, the City is also continuing conversations about:

- Viability of a non-discrimination ordinance related to Section 8 acceptance. Adjacent Cities, including Minneapolis, have attempted to include ordinances in their tool-kit addressing this issue. While the issue is currently in court, Brooklyn Center will continue to monitor the process and may consider adoption of a similar ordinance depending on its outcome.

- The City has discussed developing a more formal housing action plan to better understand the needs of its residents. The plan would work to better understand cost-burdened households, eviction rates and policies, home-ownership racial disparities, and gaps in the housing stock.
- Continuing to revise, enhance and modify its policies and ordinance to respond to residents needs. This includes monitoring best-practices in the region, being agile and open to changes and enhancements. As an example of this type of ordinance or policy response the City recently adopted a Tenant Protection Ordinance that is aimed and protecting the City’s residents ability to maintain stable, safe housing.

The City’s projected housing needs are complex, and are likely to become more complicated as redevelopment occurs. However, the City intends to continue to prioritize discussion and action around creating safe and stable housing throughout the City. The following sections specifically address the new housing expected to be develop in this planning period. The new and redevelopment areas should be considered collectively with the City’s existing neighborhoods to ensure an incorporated, integrated approach to the City’s neighborhoods is achieved to create a dynamic community for generations to come.



New Housing Opportunities in this Planning Period

Recognizing that the land use plan for Brooklyn Center identifies several key areas that are envisioned for new development or redevelopment, this will result in an opportunity to accommodate more housing and increase the City’s number of households. Based on guided residential densities in the development opportunity areas, the City can accommodate the Metropolitan Council’s forecasted households as well as meet the allocated affordable units as shown in Table 4-3 above. As indicated in the Land Use Chapter, depending on how the market responds to these redevelopment areas the City could accommodate anywhere between 2,658 and 3,836 new households by 2040 (Chapter 3: Table 3-5, repeated in the following Table 4-4).

Table 4-4. Future Land Use Densities and Projected Acres, Households & Population

Future Land Use	Density (DU/A)	2020 Acres (Res) ^b	HH	Pop ^c	2030 Acres (Res) ^b	HH	Pop ^c
Transit Orient Development	31.01-130 DU/A	9	279	619	26	814	1,807
Neighborhood Mixed-Use	15.01-31 DU/A	13	195	433	19	285	632
Commercial Mixed Use	10.01 – 25 DU/A	8	80	178	15	150	333
High Density Residential	15.01-31 DU/A	212	3,180	7,060	212	3,180	7,060
TOTAL	—	—	3,734	8,290	—	4,429	9,832

Source: Metropolitan Council, Thrive 2040 Brooklyn Center 2015 System Statement, SHC.

^a Acreages assume that some recently redeveloped areas within these land use designations will not experience redevelopment until post-2040 and therefore households are not calculated. Please refer to Map 3-3 that identifies areas planned for change within this planning period.

^b Note, there are existing households in each of the designations today that would be re-guided for potential redevelopment in the future. This accounts for existing households and those that may potentially develop over the next two years.

^c Calculation multiplies households by 2.22 persons per household (According to the 2016 ACS (Census), for multi-family units (5+ units in structure))

There are three large districts identified in the City with guided land use that allows for significant potential of new development and redevelopment through 2040. These areas have the potential to greatly expand Brooklyn Center’s current housing numbers and choices. Moreover, each opportunity area has the potential to not only provide new forms and types of housing but to catalyze or rejuvenate investment into the City resulting in stronger linkages between neighborhoods and districts that are currently isolated from one another. The following section discusses these areas further.

Future Residential Uses in Planned [Re] Development Opportunity Areas

Transit-Oriented Development (TOD)

Transit-Oriented Development (TOD) is a new land use and redevelopment concept in the City that focuses on existing and planned transit as a major amenity and catalyst for redevelopment. While previous planning efforts have acknowledged the presence of transit in the community, none have embraced it as an opportunity for redevelopment. As this portion of the City redevelops, the location of future transit enhancements has the potential to attract significant new housing development. Therefore, this is where guided densities are the highest. This is purposeful because the area has exceptional visibility and access from Highway 100 and I-94, and will be served by two transit stops (one being a transit hub) for the C-Line Bus Rapid Transit (BRT) and the potential future D-Line BRT. The C-Line BRT is planned to open in 2019 and will mimic the operations of LRT (light rail transit), offering frequent transit service that will connect residents to the larger region. To best support the C-Line, and future D-Line, the City has planned to reinvigorate and re-imagine this central area of the community as a more livable, walkable, and connected neighborhood within the City. In addition, the potential for desirable views of Downtown Minneapolis could result in pressure to build taller structures in this area. Any development of this area should also be seen as an opportunity to support commercial users, improve multi-modal service and access, and allow safe, pleasant, and walkable connections to transit, parks, and other community destinations.

As this area evolves, the desirability of this area as an amenity-rich livable area is likely to improve. As change occurs, the housing within the area is likely to be at market rates adding to a more economically diverse housing stock than is currently available in the community. This would add more housing choices in Brooklyn Center, and it could also support a mix of both market rate and affordable units; provided proper policies are developed to ensure legally binding affordable housing is incorporated into development plans. Communities oftentimes explore policies such as inclusionary zoning as redevelopment accelerates which may become an appropriate consideration in the future, but is likely not to be the best approach given current market conditions. However, in the future if significant increases in the market occur it may warrant further discussion in the City. Regardless of the policy tool (whether regulatory or incentive based) selected, consideration will need to be given to working with any future developer in a possible partnership with the City to help deliver affordable units as part of redevelopment. As described within the Chapter 9: Implementation, the City will continue to explore proper methodology and policies to ensure an economically diverse housing stock is created as housing continues to evolve in the community.



Commercial Mixed-Use Areas

The Commercial Mixed-Use areas generally surround the TOD area and are contemplated for large-scale redevelopment but are equally as focused on supporting business and office users. These areas are generally within one mile of the transit station that serves as a major hub for regional and local transit services, and therefore new housing will still have opportunities to capitalize on this as an amenity. Slightly less dense than the TOD district, these areas may provide exceptional opportunities to introduce multi-family uses such as town homes, row homes, and small lot single-family uses that could cater to larger families and incorporate more units with three or more bedrooms. As indicated in previous sections of this Chapter, the City’s residents expressed a desire to have access to more rental units with more bedrooms and larger square footages. While a detailed market study would likely be needed to confirm the demand for these uses, if we can take the anecdotal information as true, this area has the potential to support those types of uses. As with the TOD district, affordability is likely to become a consideration in any redevelopment within these areas because new construction naturally costs more and as the area redevelops interest and demand is likely to escalate costs. It is therefore important, just as with the redevelopment of the TOD district, that the City evaluate and explore ways to incorporate a range of affordable and market rate opportunities in new developments.

4-22 Neighborhood Mixed-Use Areas

The Neighborhood Mixed-Use is a new land use designation that responds to resident and policy-makers desire to incorporate retail and services into the neighborhood fabric. One of the ways the City can accomplish that objective is to create ‘nodes’ of mixed-uses that include residential uses, but protect key corners for small retailers, shops, or restaurants that create a more vibrant streetscape. The City acknowledges that these areas are less likely to redevelop with any regularity. Therefore, the number of new housing units expected to come on-line in these areas is a little less tangible than in areas with large contiguous redevelopment acres. However, the nodes have the opportunity to provide yet another housing style and type, as these areas are not envisioned for large high-rises or extensive master plans. Instead, these areas are contemplated to have smaller footprints with living units above a small store front or restaurant for example.

HOUSING RESOURCES, STRATEGIES & TOOLS

Table 4-5 outlines a variety of resources, strategies, and tools to implement Brooklyn Center’s identified housing needs and stated housing goals. There is a wealth of resources available to assist communities in meeting their goals. The following table should be considered a starting point. As the City’s housing needs evolve or become clearer, this set of tools should expand with options.

Table 4-5. Housing Resources, Strategies & Tools

Housing Goal	Tool/ Resource/ Strategy	Description	Affordability Target
Promote a diverse stock that provides opportunities for all income levels	Housing Demand Market Study	Conduct a market study and gaps analysis to track housing demand. This study and report could double as a marketing and promotional piece about housing opportunities.	<30% AMI 51-80% AMI
	HRA/CDA/ EDA	Work with the County HRA and City EDA to protect and enhance existing NOAH in the City. Use Market Studies to help identify opportunities to meet housing needs in the City and evaluate ways to partner with the County and other program providers.	<30% AMI 30-50% AMI 51-80%
	Site Assembly	Consider strategies for assembling sites in high-density or mixed-use districts that would increase appeal to developers.	<30% AMI 51-80% AMI
	CDBG	Work with Hennepin County to use CDBG funds to help low-and moderate-income homeowners with rehabilitation assistance. CDBG funds will also be explored for use to support redevelopment efforts that meet the City's goals towards a diverse housing stock (units and market/ affordable diversity).	<30% AMI 51-80% AMI
	Tax Abatement	Consider tax abatement for large rental project proposals that provide unit and income-mix within a single project. The City is particularly interested in projects with market diversity and units of different size to cater to a larger market (singles, families, multi-generational, etc).	<30% AMI 51-80% AMI
	HOME and Affordable Housing Incentive Fund	Consider application, and utilization, of HOME and Affordable Housing Incentive fund grants to support a diverse housing stock. The City will prioritize projects that include a unit size and income mix that meets the needs of single-person and families in the City.	<30% AMI 30-50% AMI
	Housing Bonds	The City would consider issuing Housing Bonds for projects that include units for large families, particularly in projects with a mix of unit sizes and incomes. However, it should be noted that there are limitations to the city bonding authority and other programs may be more suitable	<30% AMI 51-80% AMI
	Brownfield Clean-up	In potential redevelopment areas, explore EPA and MN DEED grant programs that provide funding and assistance with planning, assessment, and site clean-up.	<30% AMI 30-50% AMI 51-80%
	4D for NOAH Properties	The City will continue use of 4D classification for the purpose of protecting its Naturally Occurring Affordable Housing (NOAH) uses throughout the City.	<30% AMI 30-50% AMI
	Pooled TIF Funds	Explore the use of TIF housing funds to create a revolving loan program to support the rehabilitation of existing single-family and multi-family NOAH properties.	<30% AMI 30-50% AMI 51-80%



Housing Goal	Tool/ Resource/ Strategy	Description	Affordability Target
Identify ways to match housing stock with changing demographic	Housing Coordinator Position	The City would create a position that would serve as a liaison to existing landlords to help them respond to shifting demographics through training and access to city resources. The position could also serve as a resource for tenants to connect to support services in the event of eviction notices, discriminatory practices, and other issues related to housing access. The position would include coordinating housing programs, including home ownership programs, resident financial literacy programs, with the intent to convert Brooklyn Center renters to successful home owners.	<30% AMI 30-50% AMI 51-80%
	Referrals	Review and update reference procedures and training for applicable staff including a plan to maintain our ability to refer residents to any applicable housing programs outside the scope of local services.	<30% AMI 30-50% AMI 51-80%
	Preserve LIHTC properties	The City will monitor expiring LIHTC properties and work to find solutions to protect and preserve these affordable units to meet the needs and demands of the City's residents. The City will approach owners with expiring properties to discuss the possibility of 4d program tax breaks	<30% AMI 30-50% AMI
Explore opportunities to improve City housing policies and ordinance to make more responsive	Expedited Application Process	Streamline the pre-application process in order to minimize unnecessary delay for projects that address our stated housing needs, prior to a formal application submittal	<30% AMI 30-50% AMI 51-80%
	Fair Housing Policy	The City will work to incorporate a Fair Housing policy into its ordinances and policies.	<30% AMI 30-50% AMI 51-80%
	Existing ordinances	The City will continue to operate its Rental Licensing Program, and will periodically review and make enhancements to support the City's residents.	<30% AMI 30-50% AMI 51-80%
	Update the City's Zoning to support new land uses	The City's future land use plan provides opportunities to include high density residential uses in the areas identified for redevelopment. The City will update its zoning ordinance, including prepare new zoning districts, to support the housing needs identified in this Housing chapter.	<30% AMI 51-80%

Maintain existing housing stock in single-family neighborhoods through proper ordinances, incentives and enforcement	Foreclosure Prevention	In established neighborhoods, a rash of foreclosures, especially in close proximity to one another, can have a deleterious effect on the surrounding neighborhood. Be aware of foreclosures and be able to direct homeowners at-risk of foreclosure to resources that can help prevent foreclosures. http://www.hocmn.org/	<30% AMI 30-50% AMI 51-80%
	Low or No Cost Home Loans	Providing low-or no-cost loans to help homeowners repair heating, plumbing, or electrical systems helps preserve existing housing. For example, Minnesota Housing's Rehabilitation Loan and Emergency Loan programs make zero percent, deferred loans that are forgivable if the borrower lives in the home for 30 years. Minnesota Housing's Community Fix Up Program offers lower-cost home improvement loans, often with discounted interest rates, remodeling advising, or home energy services, through a trained lender network.	<30% AMI 30-50% AMI 51-80%
	Home Ownership Program	Work with residents to provide education and programs to make home ownership possible, particularly converting existing renters to home owners through supporting down-payment assistance programs.	30-50% AMI 51-80%
	Code Enforcement	The City will continue to operate a robust code enforcement program that includes both complaint-based enforcement and proactive sweeps.	<30% AMI 30-50% AMI 51-80%
	Vacant Building Program	The City will continue to operate its Vacant Building Program that tracks and monitors vacant properties in the City to ensure adequate upkeep and maintenance.	<30% AMI 30-50% AMI 51-80%
Explore opportunities to incorporate new affordable housing into redevelopment areas	Inclusionary Housing Ordinance	<i>If</i> the market strengthens in redevelopment areas to the extent that policies would not deter investment, the City could consider an inclusionary housing ordinance to ensure that affordable housing is a component of any new housing development. Since current market conditions in the City are well below those of adjacent communities, an inclusionary policy may deter short-term investment. The City may want to explore this policy in the future if the market rents rise to levels of at least 80% AMI.	<30% AMI 30-50% AMI 51-80%
	Livable Communities (LCA and LCA LCDA-TOD)	Consider supporting/sponsoring an application to LCDA programs for multi-family rental proposals in areas guided for high density residential and targeted to households of all income levels.	<30% AMI 30-50% AMI 51-80%
	Tax Increment Financing (TIF)	To help meet the need for low-income housing, the City will establish a TIF district in an area guided for TOD and mixed uses.	<30% AMI 30-50% AMI 51-80%



DRAFT Chapter 9: Implementation





INTRODUCTION

This chapter is a critical part of the Comprehensive Plan Update process providing a roadmap for the City of next steps and implementation strategies to help bring this Plan to reality. The implementation strategies contained in subsequent sections of this Plan are specific to the chapters, goals and strategies, and feedback heard throughout this planning process.

Throughout this planning process consistent themes and messaging emerged that became the foundation for plan development, including the implementation strategies found in this chapter. At key milestones in this process the City solicited targeted feedback from residents, stakeholders, commission members and the City Council in an effort to establish Brooklyn Center's top priorities for the next 10–20 years. The following top priorities, including those characteristics of the community that are important to maintain, emerged from the planning process (unordered):

- Our location is exceptional but a consistent brand for the community has yet to be recognizable in the region since Brookdale closed. We have an opportunity to reimagine and redevelop this area—we have to design and implement a plan that is innovative, forward thinking and creative.
- Brooklyn Center's population is diverse and will be into the future. The City should embrace its diversity and use it as a differentiator that makes the City a desirable, exciting and vibrant place to live, work, and recreate.
- Creating an economically competitive, accessible and stable business climate is important to developing a stable, vibrant and sustainable community long-term.
- Brooklyn Center's accessible regional location in conjunction with the available redevelopment areas in the center city provide an opportunity to create a dynamic and vibrant sub-regional job center that provides employment opportunities to the City's residents and the larger region.
- Our youth is our future and we need to focus on their needs today, and in the future. We should partner with schools, work-programs, public and private post-secondary institutions to ensure kids have opportunities to work and live in the City as they become adults.
- The City's housing stock is aging and lacks economic diversity. We need to find ways to integrate a range of housing types, sizes, affordability, and market rate into redevelopment to expand the choices available to new and existing residents.

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- We need to establish clear standards and regulations for areas designated or identified for redevelopment. It is important to consider massing, setbacks, relationship with existing homes, open spaces, trails, and natural resources.
- We should capitalize on the transit improvements, particularly the C-Line, that could be an amenity to any new development in the center city if designed and planned for appropriately.
- The City should establish and enhance key relationships with partner agencies such as Metropolitan Council, DEED, MnDNR, Three Rivers Park District and Hennepin County to create a more integrated region that provides improved connections within the City and to the region.
- Safety of transit users was repeatedly mentioned particularly for users that would like to use the main transit station in the community. Community members identified concerns such as loitering, lighting, accessibility, and lack of consistency with routes as concerns. This transit ‘hub’ will likely become busier as the C-Line opens, and it is important for the City to partner with Metro Transit to plan for this station to ensure residents feel comfortable and safe at the station.

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Based on these guiding priorities and principles the following implementation strategies were derived. Most chapters’ implementation strategies can be found in the following sections with the exception of some the Housing Implementation Strategies that are partially included within the individual chapter for consistency with the Metropolitan Council’s checklist.

The following implementation strategies are meant to identify a set of high-level steps and considerations that will help guide the City to achieve the goals and objectives of this Plan. The strategies are not all encompassing, but instead are meant to serve as a guide and roadmap to describe the methods, steps and types of questions the City will tackle throughout this planning period. Just as this list may not include every strategy, Brooklyn Center may not complete every strategy on this list based on market dynamics or other external factors. But generally the City will use the following strategies as a guide to work towards implementing the Vision and Goals that this Plan has established for the City as it continues to evolve and change into 2040.



CAPITAL IMPROVEMENT PLAN

The Capital Improvement Program is a flexible plan based upon long-range physical planning and financial projections, which schedules the major public improvements that may be incurred by the City over the next five years. Flexibility of the Capital Improvement Plan is established through annual review, and revision if necessary. The annual review assures that the program will become a continuing part of the budgetary process and that it will be consistent with changing demands as well as changing patterns in cost and financial resources. Funds are appropriated only for the first year of the program, which is then included in the annual budget. The Capital Improvement Plan serves as a tool for implementing certain aspects of the City's comprehensive plan; therefore, the program describes the overall objectives of City development, the relationship between projects with respect to timing and need, and the City's fiscal capabilities.

The full Capital Improvement Plan is available at Brooklyn Center City Hall and on the City's website. It is also included as an appendix to the Comprehensive Plan. Specific implementation strategies for water, sewer and transportation infrastructure are also described in those chapters.

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CHAPTER 3: LAND USE & REDEVELOPMENT

The following list of Implementation Strategies is provided as a guide to implement the goals and strategies identified in Chapter 2 of this Comprehensive Plan Update.

Land Use

1. The City will complete a full update of its zoning ordinance to support the modified land use designations identified on the Future Land Use Plan.
 - a. The update at a minimum will include a full review of all residential, commercial, and industrial zoning classifications that consider the following:
 - i. Setbacks
 - ii. Parking
 - iii. Height Restrictions
 - iv. Coverage
 - v. Performance Standards
 - vi. Permitted/Un-permitted Uses
 - vii. Conditional Uses
 - viii. Accessory Structures/Uses
 - ix. Fencing/Screening

- b. To support the individual zoning district update process, a full review of the City Code as it may pertain to the administration of the Zoning Code will be completed. This process may result in changes and updates or may find that the existing ordinances are adequate. At a minimum, the review will consider the following:
 - i. Sign Standards
 - ii. Public Nuisances
 - iii. Special Use Permit (SUP) will be brought into Compliance with Minnesota State Statute requirements for Conditional Use Permits
 - iv. Variance process and language will be updated and revised to reflect 'Practical Difficulties' if not already completed.
 - v. Platting ordinance will be reviewed for platting process compliance and proper reference to revised zoning ordinance.
 - vi. PUD process and procedures will be reviewed for consistency with the City's stated goals and objectives, particularly as it relates to redevelopment areas identified within this Plan.
 - vii. Addition of a Shoreland Ordinance to comply with MRCCA requirements.

- c. The process to prepare the zoning ordinance update will be led by the City's staff, with support and assistance from a Consultant and input and direction from the City Council.
 - i. The City may establish a community engagement plan for the Zoning Code update process. This may include a sub-committee or task force to provide feedback and input on key issues throughout the update process to ensure a broad spectrum of perspectives is represented and addressed within the process.

2. The City will continue to support and explore incorporating policies within ordinance updates that address community resiliency and long-term sustainability.

- a. As ordinances are updated, the City will explore opportunities to encourage through incentives or regulations energy efficiency in redevelopment and site design.
- b. Addressing resiliency with respect to the City infrastructure and PTOS systems can be cost-effective when incorporated into initial site design requirements. The City will explore opportunities to address and incorporate such site design standards into its ordinances, particularly within new zoning districts.



Redevelopment

1. The City will create zoning districts to support the new land use designations identified on the Future Land Use Plan.
 - a. At a minimum seven new zoning districts will be developed for consistency with the Transit Oriented Development (TOD), Neighborhood Mixed-Use (N-MU), Commercial Mixed-Use (C-MU), and Business Mixed Use (B-MU) land use designations.
 - b. The process to prepare the new zoning districts will be led by Staff and a Consultant with direction from the City Council and City Commissions. The process should be initiated immediately upon adoption of this Comprehensive Plan and should be completed within nine (9) months of its adoption. Each zoning district will address, at a minimum:
 - i. Massing and architectural design
 - ii. Setbacks
 - iii. Height restrictions
 - iv. Site design/landscape standards
 - v. Permitted, conditionally permitted and not permitted uses
 - vi. Accessory structures/uses
 - vii. Transition of uses
 - viii. Mix of uses
 - ix. PUD process or other incentive process
 - x. Establishment of how mixed-use will be applied (i.e. through a master plan approach, parcel-by-parcel basis, etc.)
2. The City will develop a process and methodology for tracking the mixed-use and redevelopment projects to achieve the mix of uses as contemplated within this Comprehensive Plan. The ordinances should be developed with graphic representations of the standards to be more user friendly. The process may include exploration of ghost-platting, development of a database/tracking spreadsheet, and the development of 'cheat-sheet' or development reference guides for developers and land owners that describe the mix of uses contemplated and the process to ensure compliance with the ordinance and this Plan.
3. The City will establish guidelines and procedures for the sale of EDA-owned property. This may include creating marketing materials and promoting revised ordinances that highlight the ease of developing in the community.
4. The City will continue to evaluate opportunities for additional land acquisition particularly within proximity to land holdings in the center city that may offer larger redevelopment opportunities.

5. The City will participate as an active partner in any redevelopment effort that includes City financial participation including as the land owner, or TIF, tax abatement, grant partner, etc.
6. What has historically been known as the “Opportunity Site” is re-guided in this Plan to allow for mixed-use development of the site. At the time of this Plan the City is working with a developer on a master plan for the redevelopment that will add a significant number of new households to the community. Understanding that this redevelopment effort is in-progress, the new zoning districts that are created to support the land use designation must be prepared for consistency with the anticipated development. In an effort to minimize duplication of the process, the City will create a minimum of one supporting zoning district that is consistent with the known redevelopment plans. The zoning district will address, at a minimum, the following:
 - a. A minimum percentage of a project that must contain commercial, office or retail uses that support and are consistent with any developed housing.
 - b. The ordinance development process should consider how to incorporate a range of housing types, including considering incentives and/or standards that encourage the construction of new affordable housing
 - c. The ordinance will incorporate architectural and landscape design standards that support the goals and strategies contained within Chapter 2 of this Plan.
 - d. The ordinance will incorporate incentives, and where applicable standards, that are focus on sustainable site improvements and resilient infrastructure improvements such as: transit, trail and sidewalk connections, pervious pavers and other innovate landscape products, localized surface water management and other low impact development techniques.
 - e. The ordinance will require development that incorporates best practices for creating transit oriented places, including density minimums, parking maximums, pedestrian-oriented design, and accommodates a mix of uses.



CHAPTER 4: HOUSING

The Implementation Strategies that support the Metropolitan Council's checklist to achieve the City's Housing goals and objectives can be found in Chapter 4 of this Plan. The following implementation strategies support those contained within Chapter 4.

1. As part of the zoning ordinance update process the City will evaluate the rules and regulations to ensure that they allow existing and future residents to improve their homes in ways that add value and are desirable, and allow for infill housing that offers a range of housing types and products.
 - a. Residential zoning districts should be written to allow for a mix of housing types, with various setbacks and massing standards to allow for diversity within an individual development.
 - b. Ordinances should be written to define 'family' consistently with current demographics. This may require additional study to fully understand the greatest needs anticipated in the community over the next planning period.
 - c. Setback requirements should reflect existing conditions and allow reasonable expansions and additions to homes.
2. The City will evaluate the housing stock for consistency with current and projected demographics. This includes understanding appropriate mix of bedrooms, unit types, etc., that match the changing needs of the City's residents. The following examples may require additional study:
 - a. Unit mix, such as studios, 1-bedrooms, 2-bedrooms, 3 and 3+ Bedrooms
 - b. Private entry rental opportunities such as town homes, row homes, etc., versus standard multi-family apartments and condominium development.
3. The City will continue to operate its Rental Licensing Program, which has proven to be highly effective in maintaining the City's rental housing stock.
4. The City will continue to operate a robust code enforcement program that incorporates both complaint-based enforcement and proactive sweeps. The City will continue to engage residents and business owners to ensure code compliance and to provide information in a way that is understandable and clear.
5. The City will continue to operate its Vacant Building Program, which tracts and monitors vacant properties in the City, as well as ensuring adequate upkeep and maintenance.

6. The City will explore programs and policies that promote home ownership in the City.
7. The City will explore programs and policies that provide assistance with single-family housing rehabilitation and maintenance, including low and no-cost loans and grants, project consultation, and other resources. This may include partnerships with outside agencies as well as programs administered by the City.
8. The City will explore policies and ordinances, including incentives and standards, that encourage the construction of new affordable housing.
9. The City will explore partnerships that provide sources of financing and incentives to preserve existing multi-family housing, particularly ways to preserve naturally occurring affordable housing that maintains its affordability.
10. The City will explore programs and policies that encourage landlords to invest in their rental properties.
11. The City will consider creating a housing coordinator position to build relationships with existing landlords and tenants, administer programs, seek funding opportunities, and promote the City's housing goals.
12. The City will consider adopting policies that promote further the goal of providing safe, secure, and stable housing for renters. This may include adopting ordinances and/or policies that protect the rights of renters.
13. The City will consider inclusionary housing policies that ensure that affordable housing is a component of new housing development when the market strengthens to the extent that it would not deter investment.
 - a. For example, if market rents rise to levels that are affordable to those making 80% AMI then the City would consider adopting an inclusionary housing policy.
14. The City will consider adopting a public subsidy policy that gives greater consideration to projects that forward the City's housing goals. This includes the option of TIF Housing Set-Aside funds or new TIF Districts that support mixed-income and affordable housing. The City will support grant applications to outside agencies to benefit projects that forward the City's housing goals.



CHAPTER 5: COMMUNITY IMAGE, BUSINESS STABILITY & ECONOMIC COMPETITIVENESS

The following list of Implementation Strategies is provided as a guide to implement the goals and strategies identified in Chapter 2 of this Comprehensive Plan Update.

1. The City will work to create strategies and supporting resources to incorporate affordable commercial, retail and office space into new redevelopment areas.
2. The City will actively pursue a branding and marketing strategy that leverages the community's diversity as a key asset from which new businesses can be developed.
3. To promote and support local businesses the City will explore the development of a local procurement policy.
4. The City will form a task force or steering committee to study local entrepreneurial needs, gaps and opportunities of residents. Study and research will focus on:
 - a. Identification of barriers to growing or starting a business in the City.
 - b. Review of existing ordinances and policies to ensure they support small, start-up and pop-up businesses.
 - c. Understand what opportunities exist locally and regionally, and what strategies the City might employ to further support local entrepreneurs.
5. The City will explore the feasibility of a commercial land trust model that promotes perpetually affordable commercial space.
6. The City will review its existing business and industrial zoning district designations and revise and update, as necessary, language and policies to ensure regulations support and incentivize:
 - a. Local businesses to stay and grown in the City
 - b. New businesses to locate in the community
 - c. A mix of land uses that reflect current market needs and desires
7. The City will explore opportunities to enhance partnerships with local secondary and post-secondary education institutions that support school-work opportunities, skills and job training, and matching local companies with young talent.
8. The City will partner with DEED and Hennepin County to offer entrepreneurial resource and support programs such as WomenVenture and Open to Business.

9. The City will create a Business Retention & Expansion Program to work directly with the businesses within the community to ensure that their needs are being met.
10. The City will amend its Business Subsidy Policy to prioritize the creation of livable and high wage jobs.
11. The City will create and fund a revolving loan/grant program to assist property and business owners with expansions, interior buildouts, equipment purchasing, and exterior enhancements.
12. The City will explore other economic development programs, including with outside agencies, which would incentivize business expansion and attraction.
13. The City will explore job training and career pathways programs and policies that would benefit residents.
14. The City will explore options to connect the local workforce to employers.
15. The City will continue to support partnerships that promote workforce readiness and removing barriers for existing residents to access education and workforce training, such as the Brooklynk partnership with Brooklyn Park.
16. The City will explore partnerships and programs that promote financial literacy and wealth creation amongst residents.
17. The City will continue to explore ways to reduce racial disparities that exist as they relate the economic stability of its residents, including access to livable wage jobs, home ownership opportunities, financial literacy and wealth creation, and job pathways training.

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CHAPTER 6: PARKS, TRAILS AND OPEN SPACE (PTOS)

The following list of Implementation Strategies is provided as a guide to implement the goals and strategies identified in Chapter 6 of this Comprehensive Plan Update.

1. The City will continue to prioritize the completion of the PTOS system within redevelopment areas and will work with developers to identify appropriate and reasonable opportunities to enhance and improve access to the system by all residents.
2. Redevelopment projects will be required to provide trail connections that align with the surrounding local and regional trail system that are existing or planned within this Plan.
3. Redevelopment projects will be required to plan for parks and open spaces consistent with this Plan, and the City will work with developers to identify and prioritize improvements to the PTOS system.
4. The City will continue to maintain and manage the existing parks, trails and open space plan consistent with past and current practices. Current management includes:
 - a. Annual CIP budgeting and planning to support current park, trail, and open space function.
 - b. Continue to support the City's Community Activities, Recreation and Services (CARS) division through appropriate capital investments.
 - c. Periodic survey of residents and stakeholders to understand appropriate and needed parks, trails, and open space programming within the system.
 - d. Prepare and plan for system improvements that respond to the needs of the community. This includes improvements such as park system component conversions including transitioning baseball fields to multi-purpose fields (example)
5. Brooklyn Center will continue to support opportunities for community gatherings at each of its parks, including, but not limited to the summer markets, pavilion rentals, Brooklyn Center's movie in the parks, and Central Park events that unite the community.
6. The City will continue to complete the sidewalk and trail network consistent with previous planning efforts. This plan acknowledges that trails and sidewalks are a critical component of the Park and Recreation system but are equally as important to the transportation system.

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CHAPTER 7: TRANSPORTATION

The following list of Implementation Strategies is provided as a guide to implement the goals and strategies identified in Chapter 2 of this Comprehensive Plan Update.

1. The City's accessibility to the region, and within the region, is an important differentiator and asset to the community. The City will continue to prioritize roadways as an important part of the transportation network.
2. The City will continue to partner with Hennepin County and MnDOT on planned road reconstruction projects to ensure safety and accessibility of the road system within the City are prioritized.
3. Any roadway reconstruction or improvement will consider the incorporation of a stormwater assessment, and any plans should incorporate and implement the Minnesota Pollution Control Agency's Best Management Practices to improve stormwater quality, recharge local aquifers, and reuse and conserve stormwater where possible.
4. The City will continue to budget for regular maintenance of roadways approximately every five to eight years and include such plan within the City's Capital Improvement Program.
5. Brooklyn Center will plan for completing the Regional Bicycle Transportation Network (RBTN) that is currently planned within the City to connect to other regional and sub-regional job centers. As redevelopment and reconstruction of roadways occurs RBTN segments or gaps will be constructed to help complete the system.
6. Many of the City's residents use Transit, and many more could if service were improved in the City. Currently the City is divided into Transit Market II and Transit Market II, which provides varying levels of services. The following summary of considerations is provided:
 - a. The City will work with Metro Transit over this planning period to evaluate the appropriate Transit Market areas for the City per the Metropolitan Council.
 - i. The mapping completed for this Plan demonstrates that some of the residents that may benefit most from frequent and reliable transit may be underserved.
 - ii. The City is developed with a similar urban grid pattern for the majority of its neighborhoods without much distinction. Therefore, it seems inaccurate to identify some areas as more typical "suburban" development.
 - b. The City's Future Land Use Plan has identified the 'central spine' for possible redevelopment in this planning period. The redevelopment pattern contemplated embraces the Transit Station and uses it as an organizing feature.

CHAPTER 8: INFRASTRUCTURE (UTILITIES)

The following list of Implementation Strategies is provided as a guide to implement the goals and strategies identified in Chapter 2 of this Comprehensive Plan Update.

1. The City will continue to plan for water and sewer infrastructure improvements to occur concurrently with any planned roadway improvements and reconstruction projects.
2. The City prepared a full sanitary sewer plan and supportive modeling in conjunction with this Plan update. As redevelopment occurs, the sewer plan will be used to guide proper infrastructure improvements including sizing and capacity recommendations, timing and consideration for future phases of redevelopment.
3. The City prepared an update to its water plan and supportive modeling in conjunction with this Plan update. As redevelopment occurs the water plan will be used to guide proper/necessary infrastructure improvements.
 - a. The water supply permit from the DNR will be updated once this Plan and Future Land Use Plan are adopted to reflect projected housing and employment forecasts contained in this Plan.
4. The LSWMP identifies several capital and administrative projects that are incorporated into this implementation plan by reference. The City will properly manage and schedule such improvements to be included within its CIP for on-going planning and action.
5. The City will continue to work with its regional partners, including the Metropolitan Council, on sewer and water infrastructure planning and development so that regional coordination is maintained throughout this planning period.
6. Consideration for how to incorporate sustainable and resilient infrastructure through new development will be addressed at the specific site redevelopment level. This will first be accomplished through the ordinance review, creation and update process and described within previous sections; and will then be implemented through site and redevelopment plan sets and engineering.
 - a. The City's Public Works Department and its staff will work collaboratively with the Community Development department to identify potential ordinance revisions that would support the development of an integrated green network that not only supports the PTOS system but the City's infrastructure.

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APPENDIX: MISSISSIPPI RIVER CRITICAL CORRIDOR AREA PLAN

The following list of Implementation Strategies is provided as a guide to implement the MRCCA Plan contained within Appendix B of this Plan.

1. The City will develop ordinances to support the Minnesota Department of Natural Resources (MnDNR) requirements to regulate property contained within the MRCCA overlay designations.
 - a. At a minimum the City will develop a shoreland ordinance for properties that abut the Mississippi River and will structure the ordinance to comply with MnDNR requirements.
 - b. The City will work collaboratively with the MnDNR to establish appropriate setback and height standards based on specific parcel locations and potential redevelopment.
 - i. The City may seek flexibility from the MnDNR's standard requirements, particularly on sites identified for redevelopment. The City will work with the MnDNR to identify appropriate standards.
 - c. The City will engage residents during the ordinance development to provide education about the MRCCA standard requirements and ordinance development process.
 - i. The public engagement process will also solicit feedback regarding specific standards development include appropriate setbacks, height, coverage requirements, etc.

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Fair Housing Policy

1. Purpose and Vision

Title VIII of the Civil Rights Act establishes federal policy for providing fair housing throughout the United States. The intent of Title VIII is to assure equal housing opportunities for all citizens. Furthermore, the City of Bloomington, as a recipient of federal community development funds under Title I of the Housing and Community Development Act of 1974, is obligated to certify that it will affirmatively further fair housing.

The City of Bloomington strives to advance its commitment to inclusion and equity by developing this Fair Housing Policy to further the goal of creating a vibrant, safe, and healthy community where all residents will thrive.

2. Policy Statement

It is the policy and commitment of the City of Bloomington to ensure that fair and equal housing opportunities are available to all persons in all housing opportunities and development activities funded by the City regardless of race, color, religion, sex, sexual orientation, marital status, status with regard to public assistance, creed, familial status, national origin, or disability. This is done through external policies to provide meaningful access to all constituents as well as fair housing information and referral services; and through internal practices and procedures that promote fair housing and support the City's equity and inclusion goals.

3. External Practices

a. Intake and Referral

The City of Bloomington has designated the Staff Liaison to the Human Rights Commission as the responsible authority for the intake and referral of all fair housing complaints. At a minimum the Staff Liaison will be trained in state and federal fair housing laws, the complaint process for filing discrimination complaints, and the state and federal agencies that handle complaints. The date, time, and nature of the fair housing complaint and the referrals and information given will be fully documented. The Human Rights Commission will advise the City Council on City programs and policies affecting fair housing and raise issues and concerns where appropriate.

b. Meaningful Access

- i. **Online Information.** The City of Bloomington will continue to display information about fair housing prominently on its website. The website will continue to include links to various fair housing resources, including the Department of Housing and Urban Development, Minnesota Department of Human Rights, Mid-Minnesota Legal Aid, and others as well as links to state and federal fair housing complaint forms. In addition, the City will post the following documents on its website:
 1. Reasonable Accommodation Policy;
 2. Limited English Proficiency (LEP) Policy;
 3. Americans with Disabilities Act (ADA) Policy regarding access to City services; and
 4. The State of Minnesota's Olmstead Plan.
- ii. **In-Person Information.** The City of Bloomington will provide in-person fair housing information including:
 1. A list of fair housing enforcement agencies;
 2. Frequently asked questions regarding fair housing law; and
 3. Fair housing complaint forms for enforcement agencies

- c. **Languages.** The City of Bloomington is committed to providing information in the native language of its residents. The City of Bloomington will provide information in languages other than English as described in its LEP Policy.

4. Internal Practices

The City of Bloomington commits to the following steps to promote awareness and competency regarding fair housing issues in all of its government functions.

- a. **Staff and Officials Training.** The City will continue to train its staff and officials on fair housing considerations.
- b. **Housing Analysis.** The City will review its housing periodically to examine the affordability of both rental and owner-occupied housing to inform future City actions.
- c. **Code Analysis.** The City will review its municipal code periodically, with specific focus on ordinances related to zoning, building, and occupancy standards, to identify any potential for disparate impact or treatment.
- d. **Project Planning and Analysis.** City planning functions and development review will consider housing issues, including whether potential projects may perpetuate segregation or lead to displacement of protected classes.
- e. **Community Engagement.** The City will seek input from underrepresented populations in the community. Conversations regarding fair housing, development, zoning, and land use changes may be facilitated by the City.
- f. **Affirmatively Furthering Fair Housing.** As a recipient of federal funds, the City agrees to participate in the Regional Analysis of Impediments, as organized by the regional Fair Housing Implementation Council (FHIC), an ad hoc coalition of Community Development Block Grant (CDBG) entitlement jurisdictions and

others working together to affirmatively further fair housing. The City will review the recommendations from the analysis for potential integration into City planning documents, including the Consolidated Plan, the Comprehensive Plan, and other related documents.

Adopted by the City Council on August 6, 2018

MEMORANDUM - COUNCIL WORK SESSION

DATE: 10/28/2019

TO: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: Ordinance Amending the Public Dance Ordinance to the Entertainment Ordinance and Zoning Ordinance

Recommendation:

- Provide feedback on the proposed amendments to the Entertainment Ordinance and Zoning Ordinance

Background:

At the August 26, 2019, Work Session staff brought forward the concept of amending the Public Dance Ordinance into a more comprehensive and robust Entertainment Ordinance. At that time the council was supportive of the concept but expressed concerns with considering nearby residents and neighborhoods due to noise issues.

Tonight before the City Council is a draft Entertainment License that has been a collaboration by a committee of City staff. The intent of the proposed ordinance amendments is to place a focus on behaviors, particularly antisocial behaviors, that may result in police calls, and not focus on the type of establishments or its operations.

The public dance ordinance is a dated ordinance which does not fully address modern day entertainment. Amending the public dance ordinance allows the City to address antisocial behaviors that may be associated with establishments that cater to nighttime entertainment in a more effective manner.

The proposed entertainment ordinance establishes regulatory conditions such as zoning, overcrowding, parking limitations, police calls, and sound emissions. In addition, staff is proposing a set penalty schedule for violations of the ordinance. This would be set by resolution as part of the City's fee schedule.

For live entertainment, the zoning code requires a special use permit. By incorporating live entertainment into this ordinance, it will eliminate the special use permit and streamline the process into one permit. Staff is proposing to amend Chapter 35 Section 322; C2 Commerce District: subd. 1. b removing "provided they do not offer live entertainment". Additionally, subd. 3.d Special Uses; removing "Eating establishments offering live entertainment;" These changes in the City's Zoning Code will be contain within the proposed Entertainment Ordinance.

Staff met with the business owners that currently hold intoxicating liquor licenses to obtain feedback. Overall, the feedback was positive. The comments were very minimal but in a positive manner.

Policy Issues:

- None

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
8/26 Presentation	10/2/2019	Backup Material
8/26 Minutes Excerpt	10/2/2019	Backup Material
Proposed Ordinance	10/10/2019	Ordinance

Amendment Public Dance Ordinance to Entertainment Ordinance



City Council Meeting, 8/26/19

Request of Action

*Provide direction to staff regarding amending the
Public Dance Ordinance to Entertainment Ordinance*



2

Policy Background

- The intent of this propose ordinance change is to place a focus on behaviors, particularly antisocial behaviors, that may result in police calls and not a focus on the type of establishments or its operations.
- By identifying potential antisocial behaviors, regulatory policy strategies can be employed to mitigate or prevent such behaviors.



2

Policy Background

- The proposed ordinance amendments are rationale is two-fold:
 1. The current "public dance" ordinance is a dated ordinance which does not fully address related modern day entertainment.
 2. Amending of the "public dance" ordinance allows the City to address antisocial behaviors that may be associated with business establishments that cater to nighttime entertainment in a broad, comprehensive, and effective way.



2

Policy Background – Types of Entertainment

- Background or Jukebox Music
- DJ Music
- Live Music
- Concerts
- Dance
- Public Performers
- Recorded Music (i.e., tape, radio or machine device play)



2

Policy Background - Conditions

- By amending the "public dance" ordinance to an "entertainment" ordinance, broader and more comprehensive regulatory conditions may be established such as:
 - **Zoning:** The establishment and associated use must comply with the zoning code.
 - **Occupancy:** Permitting occupancy not to exceed the limits permitted under the uniform fire code (overcrowding)
 - **Building Standards:** The licensed premise must comply with the building standards including, but not limited to ADA accessibility for stages and dance floors, and ingress, and egress provisions.



2

Policy Background – Conditions (Continued)

- **Parking Limitations:** The licensed premise shall comply with zoning code, fire code, and building code requirements including but not limited to no blocking of emergency access lanes; No blocking of fire hydrants; and sufficient parking shall be provided as identified within the zoning code.
- **Police Calls:** Licensed premises cannot create a disproportional number of police calls relative to other like establishments.
- **Noise or Sound:** Sound should not be audible from the premise after 10 p.m.



2

Policy Background – Penalty for Violation

Violation	Penalty	Period
1 st Violation	\$200.00	N/A
2 nd Violation	\$500.00	Within 24 months of 1 st violation
3 rd Violation	\$1,000.00	Within 24 months of 2 nd violation
4 th Violation	Licensed revoked	Within 24 months of 3 rd violation



2

Policy Background

- Staff believes by focusing on behaviors, particularly antisocial behaviors that may result in police calls and not a focus on the type of establishments or its operations the City may mitigate or prevent antisocial behaviors and assist businesses with operating successfully.



2

Policy Issue

What is the direction of the Council on to staff regarding amending of the Public Dance Ordinance to Entertainment Ordinance?



2

**EXCERPT FROM AUGUST 26, 2019
WORKSESSION MINUTES**

**ORDINANCE AMENDING THE PUBLIC DANCE ORDINANCE TO THE
ENTERTAINMENT ORDINANCE**

Dr. Edwards reviewed a proposed amendment to the Public Dance Ordinance, which is proposed by a committee of City Staff that worked on this issue. He added the intent is to focus on anti-social behaviors that result in police calls rather than the type of establishment or its operations. He stressed the importance of regulatory policies for mitigating or preventing behaviors. He noted it is assumed that regulating liquor from 1:00 a.m. – 2:00 a.m. would not be sufficient enforcement given the diversity of police calls that are received.

Police Chief Tim Gannon stated there were less of the same types of calls from 2017-18. He added those figures could be provided to the City Council/EDA.

Councilmember/Commissioner Graves stated she is pleased with the recommendation, as it complements the liquor ordinance amendment. She asked whether the new Ordinance will incorporate both live music and public dance.

Mr. Boganey stated the City has a dance permit license process, and under the Zoning Ordinance, anyone providing live entertainment needs a special use permit. He added the intent is to have one process.

Councilmember/Commissioner Butler stated she supports moving forward with City Staff's suggestions. Councilmember/Commissioner Ryan agreed. Councilmember/Commissioner Lawrence-Anderson agreed.

Mayor/President Elliott stressed the importance of considering nearby residents and neighborhoods due to noise.

PUBLIC DANCING ENTERTAINMENT

Section 23-301. LICENSE REQUIRED. Any business that holds three or more “entertainment” events per calendar year, as defined under Section 23-302 (Definitions) below, shall obtain an Entertainment License. Licenses shall be issued for one (1) year period expiring December 31. No person shall conduct or permit public dancing in any public establishment within which intoxicating liquor or 3.2 percent malt liquor is licensed to be sold or consumed unless a public dance license shall have been issued by the City Council. Licenses shall be issued for one (1) year periods expiring December 31. The annual fee for a public dance license shall be as set forth by City Council resolution.

Section 23-302. APPLICATIONS FOR LICENSE. Applications for a public dance license shall be made to the City Clerk upon forms furnished by the City. The application shall include a drawing illustrating the area of the premises to be devoted to public dancing and a written statement describing the maximum dancers to be accommodated, the hours during which public dancing will be conducted, and the intended methods of controlling sound emissions from the licensed premises. DEFINITIONS. Except as may otherwise be provided or implied by context, all terms shall be given their commonly accepted definitions. For Sections 23-301 through 23-309, the following definitions shall apply unless the context indicated or requires a different meaning:

1. Applicant, means an individual the license is sought for or in the same name of a corporation or partnership.
2. Background music, means soft music intended as an unobtrusive accompaniment to some activity, such as dining in a restaurant.
3. Entertainment, means music either live performances or recorded music, singing, dancing either by the public or performers, concerts, or any the deliberate act intended to amuse or entertain patrons and employees.
4. Jukebox, means a machine that automatically plays a selected musical recording when a form of money is inserted into the machine.
5. License Settlement Conference, means a meeting between the license holder, City Designees as approved by the City Manager to discuss strategies for reducing police calls and increasing public safety.
6. Live performances music, means performance in front of an audience. The performance may be a single musician, or by a band.
7. Recorded music, means the play, use, or operation of any radio, tape or disc player, or other machine or device for the production or amplification of sound.
8. Premise, used in this Chapter, shall mean the inside of the building or the leased space inside a building as shown on the plan submitted to the City Manager’s designee with the

original license. Outside areas, such as patios or parking lots, shall not be included in the definition of “premises” unless specifically listed on the license or special permission is obtained in writing from the City for a limited period of time under certain conditions.

Section 23-303. ~~PENALTY. Any person violating the provisions of this ordinance shall, upon conviction thereof, be punished by a fine not to exceed one thousand dollars (\$1,000) or imprisonment not to exceed ninety (90) days or both, together with the costs of prosecution.~~ APPLICATION FOR LICENSE. Any person desiring a license to provide entertainment shall apply to the City Clerk for a license to do so, upon forms supplied by the City Clerk. The form shall require that the following information be set forth upon the application:

1. The full name of the applicant, date of birth, and current residential address.
2. The full name, date of birth, and address of the owner or proprietor of the building for which a license is desired.
3. The applicants' social security number, Federal ID Number, and Minnesota business identification number, as required by Minnesota Statutes Section 270.72.
4. (1) A scaled floor plan showing the interior layout, including any dance floor(s), and (2) a site plan showing the location of the building or buildings, parking layout, any outdoor seating or patio, and the part or portion thereof intended to be used in the conduct of such business and under such license.
5. The full name(s), date(s) of birth, residential address(es) of all partners or persons interested therein, including the on-site manager of the business; if a corporation, the state of incorporation; the name(s), place(s) and date(s) of birth of all officers, directors and stockholders controlling at least ten (10) percent of the outstanding shares issued.

The application shall be signed by the applicant and, if the applicant is a corporation, by an officer of the corporation who shall agree to comply with all the ordinances of the city relating to the business of providing entertainment. They shall file the application, the license fee, scaled floor plan, site plan, together with the consent of property owners or tenants as from now on provided.

If the applicant is tenant, a written letter of approval from the property owner must accompany the application or the renewal documents.

Section 23-304. FEE. The annual fees for an Entertainment license are outlined in the City's Fee Schedule.

Section 23-305. APPROVAL OF LICENSES AND PERMITS BY CITY COUNCIL. All licenses and permits shall be subject to review and approval by the City Council.

Section 23-306. CONDITIONS OF ENTERTAINMENT LICENSE. All Entertainment licenses shall be granted subject to the following conditions and any other applicable ordinances of the City:

- 1) Zoning: The establishment and associated use must comply with the Zoning Code.
- 2) Public Nuisance and Petty Offenses: The licensed premises must comply with Chapter 19 - Public Nuisance and Petty Offense of the Brooklyn Center City Code.
- 3) Permitting Occupancy to Exceed the Limits Permitted under the Uniform Fire Code (overcrowding): Licensees are bound to prevent situations in which the licensed premises become overcrowded. Each establishment must display the maximum occupancy limit for the licensed premise, and the maximum limit shall not be exceeded.
- 4) Building Standards: The licensed premise must comply with the building standards including, but not limited to ADA accessibility for stages, dance floors, and ingress, and egress provisions.
- 5) Parking Limitations: The licensed premise shall comply with Zoning Code, Uniform Fire Code, and Building Code requirements including but not limited to no blocking of emergency access lanes; No blocking of fire hydrants; and sufficient parking shall be provided as identified within the Zoning Code. As available on-site parking accommodations may not correlate to maximum building occupancy limits, the applicant is responsible for ensuring that building occupancy does not exceed available parking. If there are parking agreements with neighboring properties, the agreements must be in writing and provided at the time of application or renewal.
- 6) Police Calls: Licensed premises cannot create a disproportional number of police calls relative to other like establishments. The type of police calls to include the seriousness of the call, as well as the volume of calls will be evaluated throughout the license period. If the police calls become disproportionate to other licensed businesses due to the number or seriousness of the police calls, the City will conduct a License Settlement Conference with the licensee. The purpose of that meeting is to discuss strategies for reducing police calls and increasing public safety. A mitigation plan will be developed and implemented. If that plan is neither followed nor successful, a review of the license may be requested, and forwarded to the City Council for license action.
- 7) Noise or Sound: Sound that causes alarm or disturbs others should not be audible from the premise after 10 p.m.

Failure of an Entertainment License premise to comply with the requirements applicable to the license, and any additional conditions issued by the City Council, or a correction order issued by

the City shall constitute sufficient grounds for the revocation, suspension, or nonrenewal of the Entertainment License.

Section 23-307. DENIAL, REVOCATION OR NON-RENEWAL OF LICENSE APPLICATION

An application for a license hereunder may be denied, and a license may be revoked, after notice and opportunity for hearing thereon, for any of the following reasons:

1. The application contains material omissions or false, fraudulent or deceptive statements.
2. The premises are operated in such a manner as to be a public nuisance as provided by this Code or by Minnesota Statutes, Sections 609.74 and 609.745.
3. The applicant is not in compliance with one (1) or more of the provisions of this ordinance.
4. The proposed operation or use violates any federal, state or local law or ordinance including, but not limited to, any law relating to zoning, building maintenance, fire prevention, health or safety.
5. Filing a completed application within sixty (60) days of the submission of a partial application.
6. The applicant, including any partners, officers, shareholders, or on-site manager, if applicable, owes outstanding administrative fees imposed for Code violations.
7. Failure to comply with the conditions outlined in 23-306.

Section 23-308. PENALTY. Any person violating the provisions of this ordinance shall, upon conviction thereof, be punished by a fine not to exceed one thousand dollars (\$1,000). The City Council shall establish as part of the City's fee schedule the presumptive civil penalties applicable to violations, including multiple violations within a certain period of time. The City shall provide the licensee notice and an opportunity to be heard by the City Council prior to imposing a civil penalty. The civil penalties in the fee schedule are the presumed sanctions for a violation and failure to pay any civil penalty imposed is grounds for suspension or revocation of the license.

Article II. Amendment to Zoning Code C2 Commerce District

Section 35-322. C2 COMMERCE DISTRICT.

1. Permitted Uses

b. Eating establishments, ~~provided they do not offer live entertainment and further~~ provided that the category does not permit drive-in eating places and convenience-food restaurants.

3. Special Uses

d. ~~Eating establishments offering live entertainment;~~ **R**ecreation and amusement places such as motion picture theaterts and legitmate theater; sports arenas, bowling alleys, skating rinks, and gymnasiums, all provided they do not abut an R1, R2, or R3 district, including abutment at a street line.

MEMORANDUM - COUNCIL WORK SESSION

DATE: 10/28/2019

TO: Curt Boganey, City Manager

THROUGH: N/A

FROM: Curt Boganey

SUBJECT: Findings of Council Retreat & Recommendations

Recommendation:

- Receive and review the final report from Common Sense Consulting. Receive and review recommendations by Common Sense Consulting. Direct staff regarding actions in response to those recommendation

Background:

In January 2019, the Council discussed development areas of interest to the Council and the various formats for development such as retreats and presentations. The Council deliberated on many topic areas, including professional development, leadership skills development, strategic direction, hot topics, team building, etc. The Council reached consensus of participating in a retreat to further develop some of the areas of interest.

Staff issued a Request for Proposal (RFP) for consultants who may facilitate a full day and a half-day retreat over a weekend at the Earle Brown Heritage Center. There were a total of five consultants who responded to the RFP, which staff and the Council reviewed.

Common Sense Consulting, were selected to lead the Council Retreat with a focus on Council members gaining a better understanding of each other and team building based upon differences.

The Council participated in at three-part retreat. The first retreat was hosted on August 16th and included the Council and members of the Management Team. The second retreat was held August 17th with the City Council members, City Attorney, City Manager and Deputy City Manager in attendance.. The third and final retreat was held on September 7th, where the consultants worked more deeply with the Council members, City Attorney, City Manager and Deputy City Manager.

Following the retreat the City Manager, Deputy City Manager and representatives of Common Sense debriefed the retreat and reviewed the final report produced by Common Sense. The final report includes the following elements: Overview, Objectives Stated & Outcomes Accomplished, New Norms, Transformative Retreat Highlights, and Recommendations and Resources.

Included is the final report with the Common Sense recommendations to the Council for review and further direction regarding those recommendations. Questions to be considered.

~ Is there a consensus among the Council to receive the final report and recommendations from Common Sense Consulting?

~ Is there a consensus among the Council regarding direction to staff pertaining to actions in response to those recommendation?

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description

Upload Date

Type

Final Report and Proposal Costs

10/10/2019

Cover Memo

City of Brooklyn Center
CommonSense Consulting@Work
Retreat & Consulting Report

Overview

In response to the expressed needs of the City of Brooklyn Center, CommonSense Consulting@Work (CSC) designed and facilitated a series of three retreats for the City Council (Council) and Management Team (Management). The express purpose was to build team unity and deepen the Council and Management members of what is needed to share a cohesive story of the City. Each retreat was designed and facilitated as an interactive workshop, incorporating self-reflective and foundational exercises. In addition to retreat facilitation, CommonSense Consulting@Work offered individual interviews to each of the Councilmembers and City Leaders to hear from their various perspectives and incorporate their feedback into the retreat.

The first retreat was hosted on August 16th and included the Council and members of the Management Team. The second retreat was held the following day, August 17th. Only the City Councilmembers, City Attorney, City Manager and Assistant City Manager attended; the Management Team did not attend. Following this retreat, CommonSense Consulting@Work sent a survey out to the Councilmembers and conducted several brief meetings with the City Manager & Assistant City Manager. The third and final retreat was held on September 7th, where we worked more deeply with the Councilmembers, City Lawyer, City Manager and Assistant City Manager.

CommonSense Consulting@Work recognizes specific ways the retreat design fulfilled the goals of the initial RFP, yet believe it also responded to several additional and underlying issues that were not initially identified. These issues were inhibiting Council engagement and performance. As the interviews and retreats were conducted, it was made clear that there were pre-existing beliefs and assumptions that slowed the Council's ability to make timely decisions using a process that did not cause frustration and rework. Through our systematic approach, the Councilmembers reflections revealed significant breakthrough in group dynamics, restructuring norms and made an agreement to seek collective resolution. This report gives insight into how our objectives were accomplished.

Objectives Stated & Outcomes Accomplished

Retreat & Consulting Objective:	Outcomes & Response from Council:
1) Enable City Council and Management members to communicate a deeper understanding of one another's and the group's strengths and opportunities	→ Each retreat reinforced a different step toward this objective, facilitating both teambuilding and reconciliatory activities to reach new consensus for how the team can function more effectively as a whole.
2) Increase the Council's ability to understand and work together as they meet the needs and respond to the challenges of the increasingly diverse community of Brooklyn Center	→ Addressed through increasing intercultural awareness of different world-views of authority and power and offering ideas of more innovative data collection opportunities.
3) Bring clarity to the roles and decision-making process used by the Council & Management team members	→ The Council was introduced to the RACI model and given specific examples to work through the roles and responsibilities needed to perform the 'Simple Rules' designed by the Council (expanded under #6).
4) Offer tools and training on the Intercultural Conflict Styles (ICS) to deepen participants' understanding of conflict & communication spectrums	→ Each Councilmember, Director, the City Manager, Assistant City Manager City Attorney, and Management were given the opportunity to take the ICS assessment and attend training. Explication included how culture groups work within teams and diverse communities in Brooklyn Center.
5) Share insights & practical skills for mitigating the effects of bias	→ The section on micro-messaging gave descriptions and solutions for behaviors that are helpful or unhelpful for teamwork. Certain Councilmembers called out how positive micro-behaviors were not demonstrated at the most recent city council meeting (in between training sessions) and there was agreement to be more attentive to intentionally use positive micro-behaviors.
6) Use the retreat as a space to empower Council & Management members to create a cohesive story for the City of Brooklyn Center.	→ Through transformational dialogue, there was an opportunity to honor each member in the room and recognize the specific contribution they make to this specific council. There was an echoed belief by some group members that this is the right group, and all agreed that this group has specific potential because they are the most demographically representative Council the City of Brooklyn Center has had to date.
7) Develop a set of norms that can be used as a guideline whenever conflict arises, or decisions are questioned	→ The Council collectively drafted and agreed upon 20 new norms that will guide council behaviors and meeting structures. This was followed by the RACI model to ensure effective assignment and follow-through of specific tasks identified. *See norms listed in the following section.

New Norms

The following **Simple Rules** were collaboratively designed and agreed upon by Councilmembers, along with the City Attorney, City Council Manager and Assistant City Council Manager:

1. When each Councilmember expresses passion at a meeting, we agree to recognize that "It is obvious we all care about this issue".
2. We agree to not get hung up on the 'fine print'.
3. When there is a roadblock or disagreement we will ask "How can we get to the same place?"
4. When we need to redirect the conversation, any group member can say "Let's just take a moment to reset."
5. We agree to practice active listening. This includes being willing to vocalize & rephrase until we reach a mutual understanding.
6. We agree to be self-aware of our own body language, seeking to look at the person who is speaking & presenting with respect.
7. We agree to explain actions that may cause offense (e.g. if there is a circumstance when you need to look at your phone, it can be addressed instead of appearing to be a microaggression).
8. We agree to use language, tone of voice and actions that are supportive.
9. We seek to have the courage to reset when needed.
10. We agree to recognize our own behavior and will seek to not be offended if asked to reset.
11. We agree to ask, don't tell.
12. We agree to take responsibility to express our thoughts, not waiting to be sought out if we have something to say.
13. We agree to set aside our personal agendas work as a team for what's best for the City.
14. We agree that any group member may make a call for consensus and express when they believe the same points are being repeated: "Here are the points I have heard [list points] are there any more that need to be said? What am I missing?"
15. We agree that it is best to ask for consensus about breaks and that any council member may request a break.
16. We agree to do a time check and be willing to continue the conversation "Do we have time to continue this discussion? Can it wait or should it be addressed now?"
17. We agree to build relationships within the council.
18. We agree to authentically curious.
19. We agree to be willing to advocate for ideas outside of our own agenda.

Transformative Retreat Highlights

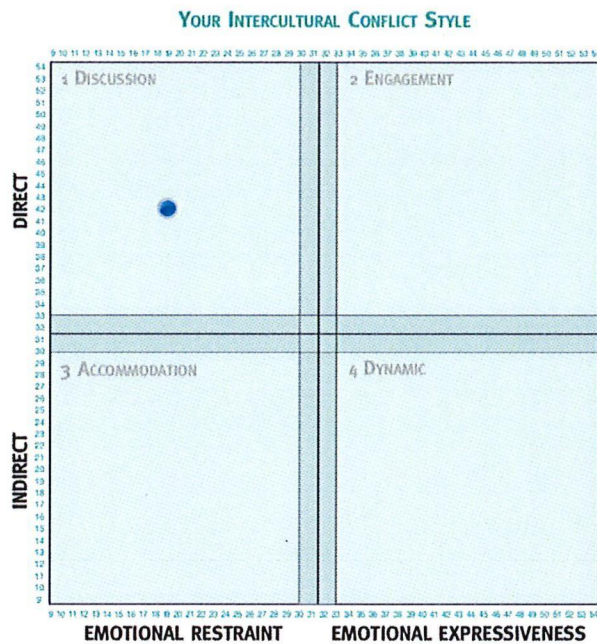
This section identifies some of the core training concepts and models that we specifically tailored for this group to be the most effective approach to accomplishing the stated objectives. *Although many of these models are adapted from other sources (see source list below) the strategy and use to these resources as a training is confidential. We ask that you only share the following information with those who physically attended our sessions.

1) Shared definition of Intercultural Agility:

- The ability to shift and adapt one's own behaviors, thoughts, and skills to create a bridge with others
- To develop and maintain a strong working relationship that is based on mutual trust and respect
- To successfully balance commonalities and differences

2) Assessment & training to explain Intercultural Conflict Style (ICS):

Group Profile Results:



Summary of the discussion style:

It is an approach to conflict resolution that emphasizes a verbally direct approach for dealing with disagreements, and a more emotionally restrained or controlled manner for communicating with one another. (*Information used with permission directly from the ICS inventory results report).

Groups with a Discussion style typically see their own strengths as:

- Confronts problems
- Elaborates position or argument
- Maintains a calm atmosphere

However, groups from other styles may view Discussion strategies as:

- Having difficulty "reading between the lines"

- Too logical and unfeeling
- Uncomfortable with emotional arguments

3) Collective Mindset Model

This model emphasizes how groups must seek to align their mindset with their reality, at the city of Brooklyn Center this is elevating the mindset toward “You and I” and eventually into the “We” collective thinking. The City of Brooklyn Center Council Culture identified as being in a ‘Transitional’ reality.

REALITY	Mono-Cultural	Transitional	Multi-Cultural
MINDSET	“Us vs. Them”	“You and I”	“We”

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4) Micro-inequities and Micro-affirmations

Personal and Council examples were used to identify and shift

- Micro-inequity: a cumulative pattern of subtle, semi-conscious, devaluing messages which discourage and impair performance to a certain group of individuals because of their group membership. Acts of exclusion that blocks contributions and performance of others and/or contributes to details missing that matter, e.g. culture, perspectives and identities.
- Micro-affirmation - a cumulative pattern of subtle, semi-conscious valuing messages which encourage and enhance performance.

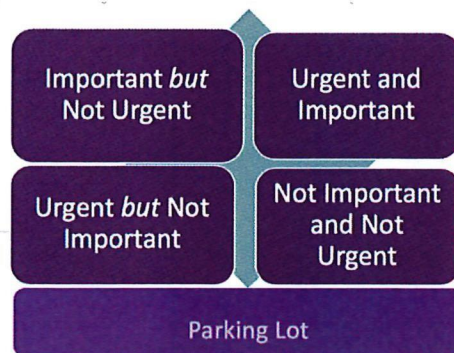
Source: Original micro-aggressions research conducted by Chester Pierce

5) DESC Model of Confrontation & Resolution

May be used to bring up confrontational conversations and move to resolution. It was agreed that this model can be used to address issues that arise in the council without letting frustration fester.

Describe	The situation, the problem, the behavior (WHAT)
Express	The impact or importance (WHY)
Seek/Specify	Alternative solutions/options to minimize impact and ensure future success. (HOW)
Consensus	A statement about how the solution will affect the future.

6) Priority Setting and 'Parking Lot' Model



Source: Adapted from Steven Covey

How to Create a Parking Lot Items as a team:

- Develop a process to ensure diverse data collection [opinions, information, feelings] and community being heard (IN PROGRESS)
- Review new and existing policies to ensure it is written as equitable and inclusive, from [diverse, multiple] new lenses and understanding why "yes and" (NEED TO SCHEDULE)
- Use questions, ask "what is working and what's not, what is innovative to consider" (NEW AGREEMENT)
- Consistently use a decision matrix and criteria (how time, rate, implement) (NEW AGREEMENT)

7) RACI Model & Grid

This model creates a concrete path forward with the various insights and goals that the council will want to operationalize coming out of the retreat. It directly empowers councilmembers to recognize what they will take ownership of, or where they will need to communicate ownership with the staff through the city manager.

- **Responsible** - these people are the "doers" of the work. They must complete the task or objective or make the decision. Several people can be jointly responsible.
- **Accountable** - this person is the "owner" of the work. He or she must sign off or approve when the task, objective or decision is complete. This person must make sure that responsibilities are assigned in the matrix for all related activities. There is only one person accountable, which means that "the buck stops there."
- **Consulted** - these are the people who need to give input before the work can be done and signed-off on. These people are "in the loop" and active participants.
- **Informed** - these people need to be kept "in the picture." They need updates on progress or decision, but they do not need to be formally consulted, nor do they contribute directly to the task or decision.

Task:				
Decisions:				
Milestones:				
Roles	Responsible	Accountable	Consulted	Informed

Recommendations

** As a consulting firm that values the evolution of equity practices in every sector of society, our recommendations are designed to foster best practice in your agency regarding diversity & inclusion. They may not be directly responding to your proposal or the retreat, but recommendations we would give in light of our time spent with your agency.*

- 1) Individual coaching for the newest member of the council.
- 2) Continue increasing innovation on how information is gathered from the broader community or diverse communities within the City of Brooklyn Center.
 - Seek out and show respect for the leaders of minority communities. Identify leaders and ask what they will need to have 'buy in' to the decision-making process (Somali, Hmong, Native American).
 - Choose neutral meeting locations. Leverage our partnership with the schools, religious centers, community orgs to host community conversations and ensure the contributions are considered "official" by city standards.
 - Select neutral facilitators Partner with local organizations, school administrators or third-party groups, to have neutral administrators
- 2) CSC recommends that each member complete the Intercultural Development Inventory Assessment (IDI) and attend a coaching session with a CSC coach. At the coaching session, each member will receive a report that identifies how they may respond when cultural differences are present. Additionally, the plan provides each member with up to 18 months of organized recommendations
- 3) A meeting with the Mayor and City Manager to collaboratively co-create a process to communicate and manage workflow between the Mayor and City Leaders.
- 4) Develop a process to follow up with the City Manager and Assistant City Manager and Council 90 days to 6 months after the retreat to determine if additional support by CSC is needed/required.

Resources

- 1) IDI Assessment, Coaching and Group Analysis¹
- 2) Global Culture Worldview Types²
- 3) Articles:
 - a. "Guardrails for Relationships Tilted by Power: How to Keep Everyone on the Road by Non-Profit Quarterly"³
 - b. "The Role of Empathy" by Heather Hiscox⁴

¹ <https://idiinventory.com>

² <http://honorshame.com/data-global-culture-types/>

³ <https://nonprofitquarterly.org/>

⁴ <https://pauseforchange.com/insights/f/the-role-of-empathy-and-experimentation-in-collaboration>

Curt Boganey

From: Alisha Olsen <alisha@cscworks.com>
Sent: Monday, October 7, 2019 6:42 PM
To: Reggie Edwards; Curt Boganey
Cc: Janice Downing
Subject: Follow-Up and Operationalizing with CSC

Hi Curt & Reggie

Thank you for taking time to debrief with us today. It was very helpful to better understand the power dynamics that are getting in the way of the Council operating as a team. As requested, here is our recommendation to resolve this, as well as the investment. After discussing with Janice, we believe it would be most effective for the council to implement all of the recommendations in a series of follow up meetings, as expressed below:

Recommendations	Total Hours	Investment
1) Send the retreat report to the Council		
2) Host 3 (2 hour) facilitated conversations with Mayor & City Manager about power dynamics.	21	\$3,570
3) Host 3 (2.5 hour) facilitated conversations with the Mayor & City Council about power dynamics	15	\$2,550
4) Facilitate 3 (2.5 hour) working sessions to help operationalize one of the items in the parking lot.	30	\$5,100
5) 4-6 Coaching sessions for Mayor*		\$4,080
TOTAL		\$11,350
Total with Coaching		\$15,430

*(5) This is a recommendation that was included in the retreat report, but was not discussed in our phone call today. We recommend this action is also approved by the Council.

Please take time to think about this and let us know how you would like to proceed, or if you need more before communicating with the Council on Monday.

Highest regards,

Alisha

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MEMORANDUM - COUNCIL WORK SESSION

DATE: 10/28/2019

TO: Curt Boganey, City Manager

THROUGH: Dr. Reggie Edwards, Deputy City Manager

FROM: Barb Suciu, City Clerk

SUBJECT: Pending Items

Recommendation:

- Metro Transit Bus - (*upcoming CC presentation*)
- Police Crisis Prevention Options - 11/25
- Use of EDA Owned Property - 11/25
- Environmental Sustainability Report - 11/25
- Livable Wages - 12/9
- Freeway Park /Mound Cemetery MOU - 1/13
- Options for Use of Adjacent Space to Liquor Store - 1/27
- Food Trucks - 1/27
- Rental License Update - 1/27
- Census Update - 1/27
- Discussion of Mayor/City Council roles & responsibilities
- Commemoration of 400 years of Slavery Activities

Background:

Strategic Priorities and Values:

Operational Excellence