Council Study Session
VIRTUAL meeting being conducted by electronic means in accordance with Minnesota Statutes, section 13D.021 Public portion available for connection via telephone Dial: 1-312-626-6799 Meeting ID: 87997606448# Passcode: 384476#
October 11, 2021

AGENDA

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

CITY COUNCIL MEETING
VIRTUAL meeting being conducted by electronic means in accordance with Minnesota Statutes, section 13D.021 Public portion available for connection via telephone Dial: 1-312-626-6799 Meeting ID: 87997606448# Passcode: 384476#
October 11, 2021

AGENDA

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

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

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

2. Invocation - Lawrence-Anderson - 7 p.m.

3. Call to Order Regular Business Meeting

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

a. Council Norms

4. Roll Call

5. Pledge of Allegiance

6. Approval of Agenda and Consent Agenda

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

a. Approval of Minutes

- Motion to approve the following minutes:

- *9.27.21-Study Session Meeting*
- *9.27.21-Regular Session Meeting*
- *9.27.21-Work Session Meeting*
- *10.4.21-Joint CC and FC Meeting*

b. Approval of Licenses

- Motion to approve the licenses as presented.

c. Resolution Approving Change Order Nos. 1-7, Improvement Project No. 2021-05, Brooklyn Boulevard Corridor Project Phase 2 Improvements

Motion to approve the attached resolution authorizing Change Order Nos. 1-7 in the amount of $48,117.21 for Improvement Project No. 2021-05, Brooklyn Boulevard Corridor Project Phase 2 Improvements.

d. Resolution Approving State of Minnesota Joint Powers Agreements with the City of Brooklyn Center on behalf of its City Attorney and Police Department

- Motion to approve the State of Minnesota Joint Powers Agreements with the City of Brooklyn Center on behalf of its City Attorney and Police Department

e. Resolution Approving the Contract for the Labor Agreement for Law Enforcement Labor Services, Inc. (LELS Number 82) and the City of Brooklyn Center for the Calendar Years 2022-2024

- Motion to approve the resolution approving the contract between the City of Brooklyn Center and Law Enforcement Labor Services, Inc. (LELS Number 82) for the calendar years 2022-2024

f. Resolution Setting the 2022 Employer Benefits Contributions for Full-Time Non-Union Employees

- Motion to approve a resolution setting the 2022 Employer Benefits Contribution for Full-Time Non-Union Employees

7. Presentations/Proclamations/Recognitions/Donations

a. Embedded Social Worker and Hennepin County Mental Health Overview Programs

- Motion to accept the presentation

8. Public Hearings

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

a. Resolutions for Proposed Special Assessments for Tall Grass and Weed Abatement Costs, Dead and Diseased Tree Abatement Costs, Administrative Fines/Citations and Emergency Private Utility Service Repairs

- Motion to:

- *Open the public hearings concurrently;*
- *Take public input; and*

- *Close the public hearings.*

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

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

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

9. Planning Commission Items

10. Council Consideration Items

a. Resolution Ending the Declaration of a Local Emergency

- Motion to approve a resolution ending the declaration of a local emergency

b. Appointments to City Commissions

- Approval of Mayor's appointments to various city commissions

11. Council Report

12. Adjournment

We Agree To

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

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

Council Regular Meeting

DATE: 10/11/2021

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

SUBJECT: Approval of Minutes

Requested Council Action:

- Motion to approve the following minutes:

- *9.27.21-Study Session Meeting*
- *9.27.21-Regular Session Meeting*
- *9.27.21-Work Session Meeting*
- *10.4.21-Joint CC and FC Meeting*

Background:

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

Budget Issues:

None

Inclusive Community Engagement:

None

Antiracist/Equity Policy Effect:

None

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
9/27 Study Session	10/4/2021	Backup Material
9/27 Regular Session	10/4/2021	Backup Material
9/27 Work Session	10/4/2021	Backup Material
10/4 JT CC AND FC	10/8/2021	Backup Material

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

STUDY SESSION
SEPTEMBER 27, 2021
CITY HALL – COUNCIL CHAMBERS

CALL TO ORDER

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

ROLL CALL

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

CITY COUNCIL DISCUSSION OF AGENDA ITEMS AND QUESTIONS

Councilmember Ryan stated he had a question of item 10b, Emergency Ordinance 2021-02 Sunset, for the City Attorney. Councilmember Ryan stated the first option is to take no action and let the emergency ordinance run out and the other option is to extend the ordinance. Councilmember Ryan asked for clarification on the process and necessary motions to do that.

City Attorney Troy Gilchrist noted under the City Charter, an emergency ordinance expires on the 61st day after adoption. Mr. Gilchrist stated extension would require a motion to adopt the emergency order and a unanimous vote by the entire Council.

Councilmember Ryan thanked Mr. Gilchrist for the clarification. Councilmember Ryan stated, as far as option one, that could simply be by consensus that members of the Council express a lack of interest in taking an action. Mr. Gilchrist stated Councilmember Ryan is correct. Mr. Gilchrist added if someone does make a motion to adopt by voting against that, that would allow the initial order to run its course in the end.

Councilmember Graves asked why it needs a unanimous vote this time whereas the first time it did not. Councilmember Graves noted she voted against it the first time. Mr. Gilchrist stated it did require a unanimous vote the first time. Mr. Gilchrist clarified Councilmember Graves voted against the emergency declaration the first time.

Councilmember Graves asked what the difference is. Mr. Gilchrist explained the unanimous vote for an emergency order is simply because the charter requires it. Mr. Gilchrist stated when it gets to the emergency declaration, that gets to statute and requires only a majority vote of the Council.

Councilmember Graves asked if this vote is to require a mask mandate. Mr. Gilchrist stated Councilmember Graves is correct.

Councilmember Graves asked when the vote on the emergency declaration would take place. Mr. Gilchrist stated the emergency declaration that the Council extended after the Mayor declared an emergency, happened because the Mayor's emergency declaration only lasts three days without an extension from the Council. Mr. Gilchrist stated the same day that the Mayor enacted the emergency declaration, the Council extended it by a majority vote. He explained the way it is written is that the extension continues until the Council takes an action to end it. Mr. Gilchrist stated another terminating event is if the Governor were to declare an emergency, but that does not seem likely.

Councilmember Graves stated she is still confused.

Councilmember Ryan stated this needs clarification. He felt the Council was on board with the most sensible and safety-affirming action they could take, which was masks in this case. Councilmember Ryan stated as far as the Mayor's emergency is concerned, they could end the emergency declaration by resolution but continue the mask mandate, which he believes they all agree on.

Mr. Gilchrist stated the fact that both are predicated by "emergency" gets confusing. He explained the mask ordinance is based on the charter that allows the Council to act when they determine that an emergency exists and need to place emergency actions on something, which was the wearing of face coverings in government buildings in this case. Mr. Gilchrist stated, under the Charter, that ordinance is enacted by unanimous vote, and that can be in effect up until 61 days. Mr. Gilchrist stated the Council does have the authority under the Charter to adopt a new one to extend it beyond the 61 days, and that is what is on the agenda today. Mr. Gilchrist stated today they will consider whether to adopt an ordinance to extend the mask mandate.

Mr. Gilchrist stated the emergency declaration, under the statute, the Mayor declares and the Council extends. Mr. Gilchrist stated this continues until the Council declares it is over.

Councilmember Graves noted it seems backward to her. She asked if she has to prepare the resolution or if staff could prepare it to end the emergency declaration. Councilmember Graves stated she will vote in favor of extending the mask mandate tonight, but she wants to readdress the emergency declaration.

Councilmember Ryan stated he concurs entirely with Councilmember Graves. He stated the use of the term "emergency" and the different criteria required for the Council to act created some confusion. Councilmember Ryan stated he appreciates Councilmember Graves' direction and would agree with creating a resolution to end the emergency order while voting to continue the mask mandate.

Councilmember Graves asked if there are any other Councilmembers interested in the staff preparing something to readdress the Mayor's emergency declaration.

Councilmember Lawrence-Anderson stated she concurs with Councilmember Graves.

Councilmember Ryan stated he concurs with Councilmember Graves as well.

Councilmember Graves stated she believes that is consensus.

Mayor Mike Elliott stated the staff will prepare something for consideration at the next meeting.

City Manager Reggie Edwards confirmed the staff will work on that.

Councilmember Graves stated she had a comment to add unless staff thought that the issues with city events are time-sensitive. Councilmember Graves requested a revision to the Study Session agenda to consider Miscellaneous Item a) Council Involvement City Events after Miscellaneous Item b) Commission Appointments.

Dr. Edwards stated the Council Involvement City Events is not time-sensitive, so they do not have a problem with switching those two around.

MISCELLANEOUS

b. Commission Appointments

Mayor Elliott stated there are three commission appointments: one to the Planning Commission with a second application coming at the next meeting, and two to the Parks and Recreation Commission. The applicants are Kau Guannu for the Planning Commission, David Lopez-Sanchez to the Parks and the Recreation Commission, and Paul Carey to the Parks and Recreation Commission.

Mayor Elliott stated David Lopez-Sanchez has been a resident of Brooklyn Center and Brooklyn Park area for the past 12 years, and he is a young man who is in college and working but is connected to the Latino community. This particular applicant came about through connecting with a liaison. Mayor Elliott stated Mr. Lopez-Sanchez is excited to serve on the Commission, and he thinks he will add to the Commission.

Mayor Elliott stated the appointment to the Planning Commission is Kau Guannu. Mayor Elliott stated she grew up in Brooklyn Center, and served as a part of the Brooklyn Center Youth Council. She is now an attorney in employment law and has an interest in serving on the Planning Commission.

Mayor Elliott stated Paul Carey is another applicant for the Parks and Recreation Commission and he has also been a long-time member of the Brooklyn Center community and is looking to serve.

Mayor Elliott stated those are the three appointments. Mayor Elliott added he made a trip to the New Millennium Academy and met with the CEO there to work on getting some folks from the Hmong community to be a part of the Commissions. Mayor Elliott stated he thinks this brings them further along, and they should have more appointments coming up also.

Councilmember Graves stated she is excited to hear that there will be two additions to the Parks and Recreation Commission as she is the liaison for that Commission. She noted they have gone through a lot of changes such as additional missions and focus areas, as well as the Park Director retiring and COVID-19 and two long-time Commissioners passed away. Councilmember Graves stated she hopes that the Parks and Recreation staff has gotten the bench that the Commission requested to honor Jerry and Tom. Councilmember Graves stated she is grateful for the new members and to the long-time Chair and is wondering if he has had an application and if his application was renewed anytime recently.

Mayor Elliott stated he had reached out to the Chair to set up a meeting, and they missed each other over the holiday weekend. Mayor Elliott stated he does plan to meet with Arvid Sorenson, and he thinks it would be great for the Chair to continue to serve.

Councilmember Graves stated Mr. Sorenson has been a great, steady source, and he has a lot of history in the City and on the Commission. Councilmember Graves stated she has seen him be very welcoming and grounded in how he approaches the meetings. Councilmember Graves stated she would like to see his application in and renewed.

Councilmember Graves added the other person she would like to see is Travis. Mayor Elliott stated he believes that Travis' application was renewed.

Councilmember Graves stated Travis has been wanting to serve since 2019. She asked how many seats there are on the Planning Commission. Mayor Elliott stated after tonight there will be one more application, and he has one more Hmong applicant that they should be ready to appoint at the next meeting.

Councilmember Graves stated she is wondering if people have been waiting for two years, has the staff reached out to see if they are still interested and willing to commit. She added she knows that there is a packet one must look over before applying, and she is wondering if within the packet there is a commitment to attendance and serving that term to the best of one's ability. Councilmember Graves stated she wants to be understanding if life happens, but she wants to make sure people are showing up, especially when you need a quorum to make something happen and that the Planning Commission has so few seats. Councilmember Graves stated there can be some dire consequences on the City's ability to move forward with business.

Councilmember Graves stated she appreciates Mayor Elliott reaching out to get more diverse community members and young people to serve. Councilmember Graves stated she agrees with the Mayor's suggestion to potentially compensate people for their time, and she wants to have that discussion in the next budget year. Councilmember Graves stated she does think they need to find a balance in maintaining some consistency and the roles being filled. She wants more diverse ideas while maintaining the historical knowledge of the rules and procedures and expectations about commitment.

Mayor Elliott stated adding a commitment to serve on the form is something they can do.

City Clerk Barb Suciu noted there is a question on the application asking the applicant if they are aware of the commitments and meeting times required of the role. Ms. Suciu added they have five Park Service Districts, and there is one District that is still unrepresented, so she wanted to make sure the Council was aware of that also. Ms. Suciu stated they will have three representatives for Park District 3, Park District 1 has two representatives, Park District 2 and 5 only have one representative, and Park District 5 does not have any.

Councilmember Graves asked what area of the city Park District 5 is located in. Ms. Suciu stated Park District 5 is South of Northport kind of by Highway 100.

Mayor Elliott stated they have one applicant who is interested in serving in that area, but they also have a part-time job in the City so that doesn't allow them to serve. Mayor Elliott stated they do have one more spot that they can recruit someone from that area for.

Ms. Suciu stated that would be seven on the Commission. Mayor Elliott stated he thought there were three openings on the Parks and Recreation Commission. Ms. Suciu explained there are two vacancies and three expired terms.

Councilmember Graves stated she suggests they reappoint two expired terms for Travis and Arvid Sorenson and then the two vacancies can be filled tonight with the recommendations the Mayor was presenting. Councilmember Graves stated that would leave one opening for Gale E.'s position.

Mayor Elliott stated he is fine moving forward with that.

Councilmember Graves stated she is not trying to rush the Mayor to do it tonight, but the applicants sound like great options that they haven't had before and come from more diverse communities. She stated they could put it onto the next agenda if the Council wants to see the applications.

Mayor Elliott stated he can bring those back at the next meeting and that is not a problem for him to do.

Councilmember Lawrence-Anderson stated she appreciates Mayor Elliot's outreach and since the Council votes on them, she would like to see the applications. She wants to make sure that all Park Districts are represented on the Parks and Recreation Commission and then Council can look at it as a whole. Councilmember Lawrence-Anderson added if appointments are displacing anyone, she would like to know about it. She would like to move it to the next agenda, but she would defer to the consensus of the Council for final thoughts.

Mayor Elliott stated he would like to move forward with the appointments because the Parks and Recreation Commission will still have a slot on it where they can make sure they are representing the fifth Park District. Mayor Elliott noted both the Planning Commission and the Parks and Recreation Commission have had some challenges in making meetings happen. Mayor Elliott stated he hears what the Council is saying and they will do a full overview at the next meeting, but he added would strongly suggest that they make those appointments that evening still.

Councilmember Lawrence-Anderson stated Mayor Elliott said they only had two applicants, but three appointments are being considered. Councilmember Lawrence-Anderson asked if they are considering an appointment for someone who hasn't applied.

Mayor Elliott stated that is incorrect, and there are three applicants. Mayor Elliott explained the three applications are from Kau Guannu for the Planning Commission, David Lopez-Sanchez to the Parks and the Recreation Commission, and Paul Carey to the Parks and Recreation Commission.

Councilmember Lawrence-Anderson thanked Mayor Elliott for the clarification.

Councilmember Butler stated she is fine moving it to the agenda later in the night if they have a consensus.

Councilmember Ryan stated he appreciates Councilmember Graves stepping forward on this and the imperative to move on Planning Commission appointments because they are all interested in expediting worthy projects. He would be fine with moving forward on the Planning Commission that night, but he thinks they ought to look at depth and balance in the new appointments and reappointments on the other Commissions. Councilmember Ryan stated it has been a conservative mind for some time, and he would like for them to work together on resolving those issues on the other Commissions.

Councilmember Lawrence-Anderson noted she received the final applications, and she is fine with doing whatever the rest of the Council would like to do. Councilmember Lawrence-Anderson stated she would like to look at vacancies and expired terms at the next meeting.

Mayor Elliott stated they could do that, but he added he would like to move forward with those appointments that evening as they have had issues meeting quorum.

Councilmember Graves stated she is okay with moving forward with the appointments Mayor Elliott was suggesting, both to the Parks and Recreation Commission and the Planning Commission. She agrees with other Councilmembers about having all of the information in front of them and being able to look at the applications being submitted, who is applying, and what other variables there are to make sure that they are getting variety, switching things up, getting different ethnic groups, as well as different areas of the City. Councilmember Graves stated she also wants to see the two names she already mentioned from the Parks and Recreation be a part of that discussion, and she will advocate for them at that time.

Mayor Elliott stated they will revise the Regular Session to add Council Consideration Item 10c. Commission Appointments.

a. Council Involvement City Events

City Manager Reggie Edwards stated staff wanted to raise a conversation with the Council related to how the Council would like to be informed of different events such as Departmental meetings or neighborhood gatherings. Dr. Edwards asked if the Council would like to be informed of those

through the weekly update or to have them added to the calendars. Dr. Edwards stated that weekend they had an art unveiling at Brooklyn Center Transit Center and another one at an art workshop that took place in a park. Dr. Edwards stated when those events happen, he is not sure if the Council wants them on their calendars or if they want an invite at all. Dr. Edwards stated he doesn't want those to be confused with other Council events and meetings, noting the number of city events could be in the double digits. Dr. Edwards stated he wants to keep the Council engaged with the multitude of events going on in the area.

Councilmember Graves stated she would prefer to have an invite on her calendar. She thinks that is the easiest way to see the week ahead rather than through emails. She suggested staff color code the events where Council meetings could be one color, development meetings could be another color, and city events could be yet another color.

Councilmember Lawrence-Anderson stated she would like to see everything on the calendar and, as Councilmember Graves said, a color-coding system would be great. Councilmember Lawrence-Anderson stated she would like to use the calendar to plan the week or the weeks ahead.

Councilmember Butler stated she agrees and would love to have it on the calendar as well and color-coded.

Councilmember Ryan stated his fellow Councilmembers have the right idea. He would like a laundry list of all the events because he knows that all of them use the weekend update carefully. Councilmember Ryan stated if they don't think to look at their calendar, then they look to that update and find a range of things that are coming up, some of which they are expected to attend and others are optional for them to attend. Councilmember Ryan stated he thinks the combination would be most helpful.

Councilmember Graves agreed with Councilmember Ryan as well because she uses those updates when she goes to different Commission meetings. She stated it is really helpful to have the update list in front of her at the meetings and bring to the forefront some of the most important things and to also do some face-to-face marketing and outreach. Councilmember Graves stated she finds those updates helpful.

Councilmember Lawrence-Anderson stated she completely agrees with Councilmember Graves that those are helpful to share with the Commissions. She stated the only question she has is related to the open meeting law. Councilmember Lawrence-Anderson asked how would they handle that if at the last minute they are all going to be somewhere or do they just police themselves at some point.

Mayor Elliott noted that is the question he had as there has to be some kind of system where they can either accept or decline a calendar invite before attending. Mayor Elliott stated they could otherwise let the City Clerk know whether they will be there or not. He asked if the open meeting law does apply if they receive information altogether or if it is for discussions.

Mr. Gilchrist stated this is one of those difficult aspects of the open meeting law. He stated it does refer to the gathering of a quorum to discuss or receive information, so even though no decisions

are made or there is not even discussion among the members, even receiving information at the same time triggers that open meeting law. Mr. Gilchrist stated the idea of informing staff to indicate that a Councilmember maybe there could work as it requires three days' notice if there is going to be quorum gathered somewhere. He stated staff could post a notice if they think that quorum or more may be in attendance at a meeting. Mr. Gilchrist that is the language they use in case a quorum would occur.

Mayor Elliott stated about three days before an event, the Councilmembers should notify the City Clerk if they are attending a meeting so staff would know to share a notice. He stated if multiple people want to attend an event, perhaps they can have an understanding that they will have to figure out who can and cannot attend. Mayor Elliott stated he hasn't seen too many instances where they have been faced with this issue, so he thinks it is something they can work through as long as they are all communicating with the City Clerk.

Councilmember Graves stated she doesn't want to seem blasé about the law in this case, but asked if it was possible for that to just be the boilerplate go-to on some of those community event flyers where people know the Council is going to be invited. Councilmember Graves stated it would be helpful to check in with the City Clerk, but ultimately in that situation, it is on the Council to just stay away from each other and spend the time talking to the community and not each other. Councilmember Graves stated she doesn't know if that is sufficient enough but thinks it may be enough and avoid an overcomplicated process.

Councilmember Graves stated if it is something that needs to be so regimented, they could have people potentially pick a time slot and have people show up during that time slot that only overlaps with one other Councilmember.

Dr. Edwards stated it takes a little bit of coordination to figure out a particular process for staff to sort through the events because the City Clerk might not always know about all of the events. Dr. Edwards suggested staff come back to the Council with some options on how they may pursue this.

Mayor Elliott stated if there are further suggestions, they can email him.

Councilmember Ryan stated he is fine with that option, and he can bring up some suggestions with Dr. Edwards.

b. Commission Appointments

This item was considered before Item 2a.

ADJOURN STUDY SESSION TO INFORMAL OPEN FORUM WITH CITY COUNCIL

Councilmember Lawrence-Anderson moved and Councilmember Graves seconded to close the Study Session at 6:47 p.m.

Motion passed unanimously.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss. Certification of Minutes
CITY OF BROOKLYN CENTER)

The undersigned, being the duly qualified and appointed City Clerk of the City of Brooklyn Center, Minnesota, certifies:

1. That attached hereto is a full, true, and complete transcript of the minutes of a Study Session of the City Council of the City of Brooklyn Center held on September 27, 2021.

2. That said meeting was held pursuant to due call and notice thereof and was duly held at Brooklyn Center City Hall.

3. That the City Council adopted said minutes at its October 11, 2021, Regular Session.

_____ _____

City Clerk Mayor

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
SEPTEMBER 27, 2021
VIA ZOOM

1. INFORMAL OPEN FORUM WITH CITY COUNCIL

CALL TO ORDER INFORMAL OPEN FORUM

The Brooklyn Center City Council met in Informal Open Forum called to order by Mayor Mike Elliott at 6:48 p.m.

ROLL CALL

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

Mayor Mike Elliott opened the meeting for Informal Open Forum.

Josiah Z. stated he wanted to check in on the Daunte Wright and Kobe Dimock-Heisler Community Safety and Violence Prevention Resolution. Josiah Z. stated he is concerned seeing the numbers and while he thinks they are doing something amazing with what the resolution entails, he is wondering what $154,000 is supposed to cover or if there is a breakdown of what that covers. Josiah Z. stated he knows that amount of money may only cover two salaries and a desk somewhere.

Josiah Z. stated the ideas in the resolution are very broad, and it seems like there would need to be some people coordinating how responses to nonviolent situations would happen and there would be a lot of legwork. Josiah Z. stated he presumes there would be at least some paid work and it wouldn't be a volunteer organization doing that work. Josiah Z. stated he is curious if anything has been sketched out on how it is going to work and why that particular number was reached.

Mayor Elliott stated this is something the Council is continuing to look at and agreed it is a bold thing that the Council set out to do. Mayor Elliott stated the numbers themselves are eventually going to still need to be worked out.

Councilmember Graves stated she appreciates Josiah Z's comments and she shares some of those concerns when they passed the resolution so quickly earlier on in the year. She explained her full-time job is in the Minneapolis Health Department's Office of Violence Prevention, so she understands the legwork that he spoke about and the capacity.

Councilmember Graves referenced a recent article she found to be misleading as it was saying the resolution had stalled and the City Manager mentioned budget constraints. Councilmember Graves stated it was a headline that was meant to upset people. She read the article thoroughly and commented on it although it is not something she wouldn't normally do. Councilmember Graves commented that is just one piece of the pie they are trying to put together to resolve happen, they can't change things overnight, but she thinks the City Manager and the Council are trying to be serious and swift about it.

Councilmember Graves noted staff's position that it is going to be in the Department of Public Safety and Health and reporting to the City Manager is going to use that $154,000. Councilmember Graves stated Josiah Z. is right that is only one salary or maybe two.

Councilmember Graves stated the City Manager has been putting in the work to secure further funding from local foundations that will give the City additional funding to do some pilot projects over the next two years. Councilmember Graves stated the Mayor has also gotten two FUSE fellows, and they are versed in this kind of work. She stated another thing that was funded by the Council is the Mayor's Public Policy Aide that is going to help lead the work of the Community Advisory Committee in figuring out how the resolutions should be implemented.

Councilmember Graves stated she thinks that altogether they need to explain the work they are doing as a City, why they are doing it, and how they see it going. She thinks they are still in the process of figuring that out and thanked Josiah Z. for reaching out and sharing his thoughts.

Diane Sannes stated there is a lot of talk about parks and recreation in the City, noting the City of Brooklyn Center is, of course, on the Mississippi River, and along that is the West Mississippi River Regional Trail. She stated the Three Rivers Park District is now taking over the maintenance of the trail as stated in the agenda. Ms. Sannes stated the Public Works Department in Brooklyn Center deserves much praise for the years of service to the trail, particularly this year for their extra efforts. She hopes they can highlight the trail to residents as not many people know there is a trail from Brooklyn Center to Minneapolis. She would like it to be advertised to get more people out to the trail.

Randy Christensen commended the Council for appointing people onto the Commissions, and he wanted them to understand it is not just a diversity of people, but areas that need to be addressed. He appreciates that the Council brought that up and hopes that continues in the discussions.

Ralph E. stated he lives by Georgetown Hall, and they had somebody evicted recently. Ralph E. stated this person wasn't given notice and didn't know that this was about to happen. He asked that the Council ensure that if someone is getting evicted, they get a notice a couple of months in advance so they can prepare themselves. He doesn't want someone to come home from work and realize they just have to go.

Mayor Elliott stated this will be coming to the Council very soon, noting many ways this is an emergency, and it is very difficult right now. Mayor Elliott stated this is something staff is working on right now and there is a timeline around when this would be brought to the Council.

City Manager Reggie Edwards stated staff is working on it, and while it is on the horizon, they do not have a set date. He stated staff would get back to the Council with the specific dates.

Community Development Director Meg Beekman stated this is something they have been working on for quite some time along with the City Attorney to draft an ordinance to address many tenant rights issues they have seen and heard about from residents of the community. Ms. Beekman stated they have also been working with HomeLine and the Housing Justice Center to refine and hone that draft. Ms. Beekman stated the City of St. Paul ran into some legal challenges and couldn't enforce any part of their housing protection ordinance, so staff wants to avoid that. Ms. Beekman stated they are taking a strategic approach to bring it forward.

Ms. Beekman stated staff is preparing draft language specifically for three provisions that are focused on addressing displacement as the eviction moratorium unfolds. Staff hopes to have something to the Housing Commission in October for review and comment and provided that conversation goes well and they provide recommendations for the draft, the Council would consider first reading in early November.

Mayor Elliott stated he feels terrible to hear about another person getting evicted, especially when people are being evicted without cause, noting it is even more difficult during a pandemic. He is curious to see how they can move the process forward as a month or two people can be evicted before then, especially because people are being put on month-to-month leases. Mayor Elliott stated it's a deep problem, and he wants to see from staff if there is a way to expedite the process without putting into jeopardy the overall policy.

Dr. Edwards stated he will communicate with staff and share information as soon as possible.

Mayor Elliott added he is also wondering if some temporary measures can be put in place in the meantime as a way to address any potential evictions. He asked if that is something the staff can work on too or if Mr. Gilchrist has any ideas. Mayor Elliott stated they will continue to work on this, although it won't be quick enough, and it is much needed.

Ralph E. stated a bunch of people have been placed on month-to-month leases, and once they get to that point, the next step is eviction. This is a huge problem right now, and they are looking to the Council to work in that area. Ralph E. stated he hopes there is not a retaliation going on.

Mayor Elliott asked if Ralph E. thought that evictions were happening as a form of retaliation. Ralph E. stated he thinks so and it is due to rent not being paid. Ralph E. stated they have worked hard to get stuff done around the apartment and ask for different parking lots and things like that. Ralph E. explained that when people miss a date to sign a new lease, but even if people are a couple of hours late, the management doesn't call tenants to let them know and instead puts them on month-to-month leases. Ralph E. stated there is a referral bonus where people get $500 for finding new tenants so he feels there is some retaliation happening.

Mayor Elliott asked if Ralph E. thinks people are being targeted for evictions. Ralph E. stated new management has been calling the police and the tenants have just been trying to get management

to do what they are supposed to do, and they are not doing it. He thinks because of all the pressure to get things done, people have been targeted and are not receiving notifications about having to move out and leave their apartment. Mayor Elliott stated he hopes things will move along quickly to address the issue sooner rather than later.

Patti stated she wanted to put on the record that she was at the September 15, 2021, Northport Park meeting, which went well and a lot of people showed up. Patti stated Dr. Edwards talked about the budget, that the City is proposing a 6.9% increase, and explained that really won't affect the homeowners as there are ARP funds available to subsidize that. Patti stated she does not believe that ARP funds will continue year after year, and may not be there in 2022. Patti stated she wanted to see how those funds would be made up in future years because their taxes are going up 6.9%, so whether it is this year or next year they will see that increase.

Patti added that Hennepin County just added a 3.5% increase, and tonight she heard the proposal for a sale tax of 1% in Brooklyn Center. Patti stated in this community, they are not high-income people. She believes they have the highest city taxes in the area and they are even higher than Edina.

Patti thinks the City should be looking at how to save money or use positions that have not been there for years so she is not sure what benefits they are bringing to the residents. Patti stated she is concerned that they will be putting people out of housing because rent will go up. Patti stated she doesn't know if a lot of people are going to be able to afford to stay in the City. Patti stated she wished they would push for types of things that would bring tax money into the City and not put it all on the residents who cannot afford to have taxes continually go up.

Councilmember Graves stated that is an agenda item but they don't take comments on agenda items. Councilmember Graves stated she was going to recommend the Council take fifteen minutes after the presentation to hear from the community about it. Councilmember Graves stated this is just a preliminary recommendation and if the Council is willing, perhaps they could allow time for comments after the staff presentation.

Mayor Elliott added he thinks they should revisit getting more comments on agenda items as they can't predict when things will be on the agenda. He agrees that they should take comments after that presentation.

Councilmember Graves moved and Mayor Elliott seconded to close the Informal Open Forum at 7:20 p.m.

Motion passed unanimously.

2. INVOCATION

Councilmember Butler stated she forgot she had invocation for tonight, so she asked if Councilmember Graves had any poetry on standby.

Councilmember Graves offered the following as the invocation: "Amid hate, I found there was, within me, an invincible love. Amid tears, I found there was, within me, an invincible smile. Amid the chaos, I found there was, within me, an invincible calm. I realized, through it all, the amid winter, I found there was, within me, an invincible summer. And that makes me happy. For it says that no matter how hard the world pushes against me, within me, there's something stronger – something better, pushing right back."

3. CALL TO ORDER REGULAR BUSINESS MEETING

The Brooklyn Center City Council met in Regular Session called to order by Mayor Mike Elliott at 7:24 p.m.

4. ROLL CALL

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

5. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Councilmember Graves moved and Mayor Elliott seconded to approve the Agenda and Consent Agenda, as amended, to add 15 minutes for public comment during Item 10a, Resolutions Approving the Preliminary 2022 Property Tax Levy and Budget, and the following consent items were approved:

6a. APPROVAL OF MINUTES

1. September 13, 2021 – Study Session
2. September 13, 2021 – Regular Session
3. September 13, 2021 – Work Session

6b. LICENSES

GARBAGE HAULERS

Sanimax	505 Hardman Avenue S South St. Paul MN 55075

MECHANICAL LICENSES

Zahl Petroleum Maintenance	3101 Spring Street NE Minneapolis, Mn 55413

RENTAL

INITIAL (TYPE IV – six-month license)	
6800 France Avenue N.	Willburt L. Brooks
INITIAL (TYPE II – two-year license)	
707 69th Avenue N.	HP Minnesota LLC
4207 Lakeside Avenue #125	Don Stenberg
RENEWAL (TYPE IV – six-month license)	
5606 Bryant Avenue N.	MNSF II W1 LLC–met requirements
5301 Logan Avenue N.	MNSF II W1 LLC – missing CPTED follow up
RENEWAL (TYPE III – one-year license)	
2318 55th Avenue N.	Helen Osonowo–missing action plan
5420 Fremont Avenue N.	Ross Herman – missing CPTED and action plan
3512 Woodbine Lane	HPA Borrower 2021-1 MS LLC – Missing CPTED
RENEWAL (TYPE II – two-year license)	
4819 Azellia Avenue N.	Penelope Brown
3218 64th Avenue N.	Nicolas Standal
4307 66th Avenue N.	Home SFR LLC
5406 70th Circle	Mohammed Aaser
RENEWAL (TYPE I – three-year license)	
6610 Colfax Avenue N.	Home SFR, LLC
2325 Ericon Drive	Ross Herman
4806 Howe Lane	Xiong Lin/Prosperous Property

6c. RESOLUTION NO. 2021-110 AUTHORIZING ACCEPTANCE OF ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM

6d. RESOLUTION NO. 2021-111 APPROVING AND AUTHORIZING EXECUTION OF WEST MISSISSIPPI RIVER REGIONAL TRAIL COOPERATIVE AGREEMENT BETWEEN THREE RIVERS PARK DISTRICT AND THE CITY OF BROOKLYN CENTER

6e. RESOLUTION NO. 2021-112 AUTHORIZING EXECUTION OF ENCROACHMENT AGREEMENT BETWEEN THE CITY OF BROOKLYN CENTER AND MEDTRONIC, INC.

6f. RESOLUTION NO. 2021-113 ACCEPTING FEASIBILITY REPORT AND CALLING FOR AN IMPROVEMENT PUBLIC HEARING FOR

IMPROVEMENT PROJECT NOS. 2022-01, 02, 03, AND 04, WOODBINE AREA STREET AND UTILITY IMPROVEMENTS

6g. RESOLUTION NO. 2021-114 APPROVING AND AUTHORIZING EXECUTION OF COOPERATIVE AND SUBGRANT AGREEMENT FOR CONNECTIONS II SHINGLE CREEK RESTORATION PROJECT BETWEEN SHINGLE CREEK WATERSHED MANAGEMENT COMMISSION, CITY OF BROOKLYN CENTER, AND THE CITY OF BROOKLYN PARK

Motion passed unanimously.

7. PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS/DONATIONS

None.

8. PUBLIC HEARINGS

8a. RESOLUTION NO. 2021-115 VACATING CERTAIN EASEMENTS WITHIN LOT 1, BLOCK 1, EVANGELICAL CHURCH OF THE MASTER 2ND ADDITION, HENNEPIN COUNTY, MINNESOTA

City Manager Reggie Edwards introduced the item and invited Mr. Albers to make the staff presentation.

City Engineer Mike Albers stated he had a short presentation before opening it up to a public hearing. Mr. Albers explained the Council is asked to consider the 69th Avenue North addition final plat process. The request is to combine two lots near 69th Avenue at 1200 69th Avenue and also a portion of 1107 Emerson Lane. Mr. Albers added as part of that proposed combination, there is a portion of the existing building that would be over the lot line for that development, so they are looking at an easement vacation for that.

Mr. Albers stated the specific easement they are looking at vacating is on Lot 1, Block 1, of Evangelical Church of the Master 2nd Addition. The vacation of the underlying platted easement is no longer needed as part of the future land use for this parcel, and the vacation of the easement would be contingent upon the Council's consideration of the final plat which would be later this evening. Mr. Albers stated the City Engineer and the City Attorney have reviewed the vacation documents and concur with the purpose and need for that vacation. Mr. Albers stated the specific easement they are looking at is a 5-foot easement that goes through the middle of an existing building that no longer has a utility purpose.

Mr. Albers stated, as a part of the public hearing proceedings, they have notified all affected entities that have an interest in vacating the easement, and they are unaware of any objections. Mr. Albers stated staff is recommending the continuation of the public hearing, taking public input on the implementation of the easement, a motion to close the public hearing, and then a consideration of comments and a motion to adopt a resolution vacating certain easements on the parcel.

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

Motion passed unanimously.

No one appeared to address this item.

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

Motion passed unanimously.

Councilmember Ryan moved and Councilmember Graves seconded to adopt RESOLUTION NO. 2021-115 Vacating Certain Easements Within Lot 1, Block 1, Evangelical Church of the Master 2nd Addition, Hennepin County, Minnesota.

Motion passed unanimously.

8b. RESOLUTION NO. 2021-116 CERTIFYING SPECIAL ASSESSMENTS FOR DELINQUENT 2021 PUBLIC UTILITY SERVICE ACCOUNTS TO THE HENNEPIN COUNTY PROPERTY TAX ROLLS

Dr. Edwards introduced the item and invited Mr. Splinter to make the staff presentation.

Acting Finance Director Andy Splinter stated this year is up a little bit from 2020, and they saw a large reduction in the amount in 2020 due to the effects of COVID-19. Mr. Splinter stated folks were caught up on their utility bills and quite a few payments came in over the past several weeks since they initially presented on this and called for a public hearing.

Mr. Splinter added they are now at 549 utility billing accounts for a total dollar value of $435,694, so that is a bit of a jump from last year but still well below 2019 and previous years before that. Mr. Splinter stated he has not been contacted by anyone stating they wish to object to any of the assessments, but if there was anyone present to speak, he would call to open a public hearing.

Councilmember Lawrence-Anderson asked if the listing in their packet is accurate or if it is a repeat of their first notice. Mr. Splinter stated the packet is reflective of last Tuesday when the packet was put together.

Councilmember Graves asked if there is any time left or if this is the final date. Mr. Splinter stated they still have time to pay, and they will collect payment on the assessment until the end of November. Mr. Splinter added it is interest-free, but they will have to pay it in full at that time.

Councilmember Ryan asked if it was generally true that the City has a close to 100% collection rate on the delinquent special assessments. Mr. Splinter stated that is correct, and they plan for 95% to be received in the first year and the rest to trickle in after that.

Councilmember Ryan stated that while it still has some effect on the current year's cash flow, they can anticipate that these will be recovered. He thinks, especially given comments from earlier in the evening where people were concerned about their tax bill from the city when they hear relatively large sums are in arrears in the public utility accounts, they should not be concerned that they will recover that money. Mr. Splinter stated that is correct. Councilmember Ryan stated he just wanted to provide that clarification and thanked Mr. Splinter for providing Council with the information.

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

Motion passed unanimously.

A resident stated she lives in Brooklyn Center, and her water bill is currently delinquent. She added this is the first time that this has happened to her, and it is due to the pandemic. She had reached out for resources through Help Minnesota through 411, and they are now just in the approval process for a lot of applications. The resident asked if people have time for their applications to go through for their water bills to be paid. Mr. Splinter stated the resident will have until November 27 as that is the date they have to send it over to the county.

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

Motion passed unanimously.

Councilmember Graves stated she has a theoretical question as it is something that has come up every year she has been on Council, and it still bothers her. She noted she may have asked it before, but she still wishes there was a way she could change it. Councilmember Graves stated her concern is about the fact that you can't make partial payments.

Councilmember Graves added she is not sure if that is a decision they made as a City or if it is specific to how the county wants to have it. Councilmember Graves stated she cannot remember if there is some other larger law or ordinance about collecting delinquent assessments. She explained she always feels, depending on how big it is, that it would be nice if people could pay what they can. Councilmember Graves wondered if Mr. Splinter could speak to that and remind her again.

Mr. Splinter stated he has also asked that question many times when people are trying to pay. He stated he knows it does relate to something from the County with how the process goes along. Mr. Splinter stated he can do some more research on the exact language of how that works but it is something where the City's hands are tied.

Councilmember Graves stated perhaps this is something the Council could advocate for or make a legislative priority in the future. She would appreciate it if the Council would consider that.

Councilmember Graves moved and Councilmember Ryan seconded to adopt RESOLUTION NO. 2021-116 Certifying Special Assessments for Delinquent 2021 Public Utility Service Accounts to the Hennepin County Property Tax Rolls.

Motion passed unanimously.

8c. RESOLUTION NO. 2021-117 APPROVING A MODIFICATION TO THE TAX INCREMENT FINANCING PLAN FOR TAX INCREMENT FINANCING DISTRICT NO. 3

Dr. Edwards introduced the item and invited Ms. Beekman to make the staff presentation.

Community Development Director Meg Beekman stated this is an item staff has asked Jason Aarsvold from Ehlers to present before the public hearing. Ms. Beekman noted this is a public hearing item and is required as part of the modification of any district plan.

Jason Aarsvold, Senior Municipal Advisor for Ehlers' Minnesota City Team, stated this item would modify the Tax Increment Financing (TIF) Plan for TIF District No. 3. Mr. Aarsvold stated the City is looking at doing this because in completing the annual TIF reports, which are required for their districts, District No. 3 is showing what is called excess increment. Mr. Aarsvold explained that excess increment happens when the increment that is collected in the district is more than what the budgetary authority allows. When this happens, the City needs to send that increment back to the County.

Mr. Aarsvold stated the City does not get to keep it for the purposes for which that District was created. Mr. Aarsvold noted this modification will increase the budgetary authority into TIF District No. 3, it will remove the excess increment issue, which in 2020 was $1.7 million, and it will allow the City to retain those dollars in the District for 2020 and the increment that will be collected in 2021.

Mr. Aarsvold explained once that happens, the 2021 district ends, and no more increment will be collected after 2021. Mr. Aarsvold stated they will have the ability to keep the remaining increment that will be collected through the life of the District and that increment can be directed to activities in that District as it has been in the community. Mr. Aarsvold stated the reason for the modification is simply to increase the budget and allow the City to retain that increment. Mr. Aarsvold explained that because it is a modification to the budget, an increase in budgetary authority does require, as Ms. Beekman said, a public hearing.

Mayor Elliott stated what Mr. Aarsvold is saying, is that this allows them to retain all of the funds. Mr. Aarsvold stated that is correct.

Councilmember Lawrence-Anderson asked where will this money go and if it will remain in the District. Mr. Aarsvold stated right now, all of the increment that gets collected in the District remains in that fund, and that is what will happen with the dollars that continue to be collected through the modification. Mr. Aarsvold stated they will effectively stay in the fund for the District, and they are available for them to use, as the District allows, for the development of the City.

Mr. Aarsvold stated there is a balance of funds today, and those are dollars that can be used to acquire property within the City and do certain things like that. Mr. Aarsvold stated they would still be able to do that as they have been since 1994 when the District was adopted. Mr. Aarsvold stated the funds would stay there until such time that the Council spends them or, if they choose, to send them back to the County for redistribution for an additional identified purpose. Mr. Aarsvold stated this allows the City the opportunity and flexibility to make that decision rather than being required to do it.

Councilmember Ryan stated this illustrates some of the complexity of redevelopment funding because, while TIF districts need to be established for the funding of eligible redevelopment projects and planning, the public is probably not aware of how this works. Councilmember Ryan stated he is very pleased to see that TIF District 3 has reached the end of its life and before that termination, the City is doing a readjustment of the TIF budget so that those TIF funds will still be available to the City for eligible purposes. Councilmember Ryan stated he appreciates the work of Ehlers and Mr. Aarsvold for bringing this to the City's attention because they would like to be able to retain those funds for eligible purposes. He stated the benefit for the expiration of a TIF district is the growth and the tax base is, as of 2022, available to the general tax base of the City. He appreciates the report and is pleased to move on this.

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

Motion passed unanimously.

No one appeared to address this item.

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

Motion passed unanimously.

Councilmember Graves moved and Councilmember Ryan seconded to adopt RESOLUTION NO. 2021-117 Approving a Modification to the Tax Increment Financing Plan for Tax Increment Financing District No. 3.

Motion passed unanimously.

9. PLANNING COMMISSION ITEMS

9a. RESOLUTION NO. 2021-118 REGARDING THE RECOMMENDED DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2021-003 FOR PRELIMINARY AND FINAL PLAT, REZONING, PUD AMENDMENT, AND SPECIAL USE PERMIT APPROVALS FOR CERTAIN PROPERTY COMMONLY KNOWN AS LUTHERAN CHURCH OF THE MASTER AND LOCATED AT THE NORTHWEST CORNER OF 69TH AVENUE NORTH AND DUPONT AVENUE NORTH (1107 EMERSON LANE, 6907 DUPONT AVENUE NORTH, 1100 69TH AVENUE NORTH, AND 1200 69TH AVENUE NORTH) AND

THE RECOMMENDED APPROVAL OF A 2040 COMPREHENSIVE PLAN AMENDMENT 1100 69TH AVENUE NORTH

Dr. Edwards introduced the item and invited Ms. McIntosh to make the staff presentation.

Planner and Zoning Administrator Ginny McIntosh provided an overview of Planning Commission Application No. 2021-003 and advised the Planning Commission recommended approval the applications at its September 9, 2021, meeting.

Ms. McIntosh stated this is a multi-item request, and there are five requests embedded in this one agenda item. Ms. McIntosh stated a lot of it is a matter of cleanup and the fact that there were some conditions of approvals that took place back in the 1990s that were not met. Ms. McIntosh stated everything has come full circle at this point. Ms. McIntosh stated this request is for Lutheran Church of the Master, a preliminary and final plat, rezoning, a pod amendment, a special use permit, and a comprehensive plan amendment. Ms. McIntosh stated ultimately, the entire reason this was before the Council was because Lutheran Church of the Master is intending to sell a standalone seven-unit apartment building that is at 1100 69th Avenue North. Ms. McIntosh stated through the process, they need to address some outstanding conditions of approval that were not met.

Ms. McIntosh stated the main church was constructed in 1961 and since then, Lutheran Church of the Master has received City approvals for multiple items over the years such as additions, reuses, replats, combinations, and rezonings that have resulted in what they see today which is the main church building and three ancillary buildings, two of which are connected by breezeways.

Ms. McIntosh stated Luther Church of the Master acquired this building that is intended for sale as well as two buildings to the North which were also originally seven-unit apartment buildings. They were intended to phase church uses into each of those buildings such as church utility spaces, meeting spaces, Sunday school. There are four units in one of the buildings that have been used for a long time for missionaries, church members, and church staff when needed. Ms. McIntosh added they are not intended for public use.

Ms. McIntosh stated this completion was intended to be done by 1998 and was part of a Planned Unit Development (PUD) that was approved in 1994. With the phasing, everything was supposed to be done no later than January 1, 1999. Ms. McIntosh stated a development agreement was approved between the City and Lutheran Church of the Master that outlined the phasing of each of the buildings, their uses, and conditions of approval.

Ms. McIntosh explained the problem they ran into is that if they did not satisfy those requirements by January 1, 1999, the zoning of those three original apartment buildings would revert to their previous zoning, which was R-4, meaning the church could no longer use those buildings for church uses, even if they owned them. Ms. McIntosh stated this was all uncovered in this process. Ms. McIntosh stated it looks like the church did gain approval for preliminary and final plat in 1998 but, for whatever reason, the final plat was never recorded with Hennepin County.

Ms. McIntosh stated from there everything fell apart. It looks like the zoning on those outer buildings reverted to the original R-4 multi-family zoning instead of the R-1. Ms. McIntosh stated the special uses were then essentially rescinded. Ms. McIntosh stated they are trying to clean that up to allow for the sale of the standalone building to the South and then get everything back in line for the remaining two buildings.

Ms. McIntosh stated in 1971, everything started expanding and changing over the years, noting the first request and biggest request is to go through the preliminary and final plat process with the intent of the standalone apartment building being on its lot, to be known as Lot 2. The church building along with the two North buildings connected by a breezeway, which the church intends to keep, would be on their lot as well. Ms. McIntosh stated they went through this process in 1998, and they have a record that they received preliminary and final plat approval to combine all of the buildings into one, but, for whatever reason, it was never recorded with the County. Ms. McIntosh stated, given the intent to sell, it makes sense for the standalone building to be on its lot. The remaining three buildings, which one of the requests this evening is to keep as a Planned Unit Development, would be on their lot as well.

Ms. McIntosh stated, as proposed, the standalone apartment building would provide 14 on-site parking spaces, which is the minimum required for a seven-unit apartment building. The trash enclosure that is there today would be on their site but would need some agreements in place so the church can obtain access to their buildings if and when needed, otherwise, it would be off by itself.

Ms. McIntosh noted there was a review by City staff on the plat multiple times and some changes were made. Assistant City Engineer Hogg provided a memo, as per usual. Ms. McIntosh stated under item 8a, Resolution Vacating Certain Easements Within Lot 1, Block 1 Evangelical Church of the Master 2nd Addition, Hennepin County, Minnesota, a vacation of an easement needed to take place.

Ms. McIntosh added there are some costs that City staff has made with some utility easements, cross access agreements, and adjustments to the lot lines to make sure they stay within the densities in the 2040 Comprehensive Plan. She noted City Fire Inspector Gautsch and Building Official Grinsteinner also reviewed the application and had some outstanding items regarding existing fire sprinkler systems and other interrelatedness between the buildings that would need to be addressed if they sell.

Ms. McIntosh stated these properties were meant to be PUD/R-1 in 1994 and there was a development agreement in place that would result in reverting of the zoning if the conditions were not met. Ms. McIntosh stated they are requesting that the properties at 1107 Emerson Lane and 6907 Dupont Avenue North are rezoned as PUD/R-1, which are the two former apartment buildings to the North that are being used for church ancillary uses. The property at 1100 69th Avenue North, which is the standalone apartment building, would remain R-4 because the development agreement reverted it to R-4, and that is what it needs to be. Ms. McIntosh stated there will need to be an amended and restated PUD documenting that the standalone apartment building is not going to be a part of the PUD anymore.

Ms. McIntosh stated the Special Use Permit has multiple uses concerning church functions. Ms. McIntosh added the development agreement stipulated that any special uses in the outer three buildings would be rescinded if the conditions of approval were not met, the big one being the plat. Ms. McIntosh stated they need to have a use permit which would cover the church and religious uses, assembly and gathering spaces, Sunday school classrooms, church offices, as well as the four apartment uses that are strictly used by employees, former employees, or members of the church. Ms. McIntosh stated that is in the Eastern-most Northern building closest to Dupont.

Ms. McIntosh stated she feels like Comprehensive Plan amendments are coming up a lot lately and one is being requested because when they were doing the 2040 Comprehensive Plan, they were unaware of the intent to sell one of the standalone apartment buildings. Ms. McIntosh stated all of the standalone apartment buildings were guided as public/semi-public/institutional and if the intent is to sell the standalone apartment building, then it makes sense to separate that use and amend it to what it has always been since the 1960s, which is an apartment building, or in this case, medium density residential.

Ms. McIntosh stated she does not need to go over all of the notifications and the timeline as it is reflected in the report, but she wanted to make sure there was an accurate historical reference of all the notifications. Ms. McIntosh stated the application was originally submitted in May, but they ended up withdrawing it once those other issues were discovered relating to the conditions of approval back in the 1990s. Ms. McIntosh stated that allowed them more time, but there was a publication for the public hearing and all notifications were sent out. Ms. McIntosh stated additional flyers were delivered in August, and then there were issues at August 12, 2021, meeting with accessing the meeting, so the public hearing had to be re-noticed in the *Sun Post* and notifications resent as well as a 60-day extension letter.

Ms. McIntosh stated the Planning Commission did hold a public hearing at September 9, 2021, meeting, and they were generally supportive of requests. There was representation from Lutheran Church of the Master and questions about the future of the standalone apartment building if they knew who they were selling it to, the ability for that apartment to expand at all, and discussion on parking and access for the two North buildings. Ms. McIntosh stated the North building's main access orientates to the South parking lot, so that is the parking lot that they typically will use. Ms. McIntosh added there were not any public comments except some phone calls for clarification, and she thinks that was because of the number of items being requested.

Ms. McIntosh stated the recommendation would be to adopt a resolution approving Application No. 2021-003 for the five items: preliminary and final plat, rezoning, planned unit development amendment, and special use permit. Ms. McIntosh stated there would be a recommended amendment to the City's 2040 Comprehensive Plan to allow for the re-designation of the standalone apartment building. Ms. McIntosh stated City Council has to give a nod to allow for a re-designation to the City's 2040 Comprehensive Plan, and that goes through a separate process for final approval. Ms. McIntosh stated she was open to answering any questions.

Councilmember Lawrence-Anderson thanked Ms. McIntosh for her report and added she has a couple of questions. Councilmember Lawrence-Anderson stated she is curious regarding some of the issues that were supposed to be resolved in 1999 and asked if they know how that fell off.

Ms. McIntosh stated the staff looked through the history and the approvals, and it was clear the preliminary and final plats were approved by City Council, but when staff went through County records, they couldn't find any evidence of the plat being recorded.

Councilmember Lawrence-Anderson stated much of what they are approving is housekeeping and cleanup, noting the zoning codes are currently being reevaluated and updated. She asked if that was what they are doing in essence in addition to making approval.

Ms. McIntosh stated this is, for the most part, a housekeeping item. She explained that when Lutheran Church of the Master initially came forward, it was purely for a preliminary and final plat so that they would get ahead of any sale of that seven-unit apartment building. They went back and forth on it for quite some time and started pulling some of the historical files on record, which is fairly large and long given the history of the church at this location. Ms. McIntosh stated while doing that, they did discover the development agreement that outlined these stipulations but could not find any evidence that they had met them.

Ms. McIntosh stated it is a matter of a preliminary and final plat now that they want to sell that building and it makes sense that it is off by itself. Ms. McIntosh stated the special use is effectively rescinded as a part of that development agreement so that needs to be reinstated. Otherwise, the two remaining North buildings can't be used for any church ancillary uses, even though they have been. Ms. McIntosh stated the rezoning and the PUD amendments are housekeeping items because the former and current apartment buildings all reverted to R-4. Ms. McIntosh stated the church intends to keep the two North buildings, therefore, the church wants them to remain as PUD/R-1, particularly as they are connected by breezeways. Ms. McIntosh stated the 2040 Comprehensive Plan Amendment is just a matter of the church not knowing about it until after the plan was already adopted, so it doesn't make sense for it to continue as institutional use.

Councilmember Lawrence-Anderson thanked Ms. McIntosh for her clarifications.

Councilmember Graves asked if she was correct that the rezoning was for the apartment building in the first motion. Ms. McIntosh stated the standalone apartment building does not need to be rezoned as it has already rezoned itself to R-4, which is what the plan was in the first place. The problem is that the development agreement also reverted the two North buildings from PUD/R-1 to R-4, which is problematic because of the ancillary church uses.

Councilmember Graves asked if the amendment to the 2040 Comprehensive Plan just basically changes the designation of that specific space but doesn't change anything else within the plan. Ms. McIntosh stated the recommended amendment to predesignate is specifically only for the standalone apartment building on the South because that one is planned to be sold shortly, so it doesn't make sense to continue the designation of it being institutional. Ms. McIntosh noted it wouldn't be connected to the church any longer, and they would want to move it to Medium Density - Residential.

Councilmember Graves asked if that is more in line with the 2040 Comprehensive Plan anyway. Ms. McIntosh stated in general, yes, and that is what it has functioned as. She explained the only

reason it was designated as institutional is because of its relationship to the church, but it has always functioned as a seven-unit apartment building.

Councilmember Ryan stated he appreciated the comments between Ms. McIntosh and Councilmember Graves as they were most helpful and the in-depth research done by staff.

Councilmember Graves moved and Councilmember Ryan seconded to adopt RESOLUTION NO. 2021-118 approving Planning Commission Application No. 2021-003 for Preliminary and Final Plat, Re-zoning, Planned Unit Development Amendment, and Special Use Permit approvals for certain property located at 1107 Emerson Lane, 6907 Dupont Avenue North, 1100 69th Avenue North, and 1200 69th Avenue North, and a recommended amendment to the City's 2040 Comprehensive Plan to allow for the re-designation of 1100 69th Avenue North from Public/Semi-Public/Institutional to Medium Density-Residential (5.01-15 Dwelling Units/Acre), based on the findings of fact and submitted plans, and as amended by the conditions of approval in the resolution.

Motion passed unanimously.

9b. RESOLUTION NO. 2021-119 REGARDING THE RECOMMENDED DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2021-004 SUBMITTED BY KYLE THOMPSON OF HOYT PROPERTIES ON BEHALF OF FRASER FOR A USE DETERMINATION AND ISSUANCE OF A SPECIAL USE PERMIT TO OPERATE A CHILDREN'S DAY TREATMENT CENTER FOR THE PROPERTY LOCATED AT 6701 PARKWAY CIRCLE

Dr. Edwards introduced the item and invited Ms. McIntosh to make the staff presentation.

Planner and Zoning Administrator Ginny McIntosh provided an overview of Planning Commission Application No. 2021-004 and advised the Planning Commission recommended approval the applications at its September 9, 2021, meeting.

Ms. McIntosh stated this request is coming from Hoyt Properties, from the industrial district in the City, as well as Fraser Clinic. The request is for a Special Use Permit (SUP), as mentioned, to allow for a children's day treatment center.

Ms. McIntosh stated Kyle Thompson of Hoyt Properties came forward on behalf of the proposed tenant, Fraser Clinic, for the application. Ms. McIntosh stated this would be for Fraser Clinic to occupy approximately 8,200 square feet of the building located at 6701 Parkway Circle, which is in the City's I-1 District and a Planned Unit Development.

Ms. McIntosh stated this request was made after City staff was discussing applications that had been submitted. Ms. McIntosh stated a building application permit had been submitted for a tenant finish, but it had been determined at that point that it was not a permitted use per the Zoning Code.

Ms. McIntosh stated, after some discussion with Hoyt Properties and Fraser Clinic and a tour of their facilities, it was determined that the only path forward for Fraser Clinic to occupy that space

would be for them to obtain a SUP, effectively for a medical clinic within the building space. Ms. McIntosh stated that medical clinic designation was determined as the closest use.

Ms. McIntosh stated this property came forward to City Council in 2019 most recently, along with some of the other neighboring properties. It was approved in 1984 initially for approximately 75,000 square feet of speculative office and warehouse space at the time. Ms. McIntosh stated there were some subsequent approvals, mostly to cover a common parking area that is located to the South of the property. Ms. McIntosh stated back then, they were trying to figure out how to handle speculative industrial buildings and the parking needs that would come with them.

Ms. McIntosh stated in 1995, the property was pulled into a PUD along with eight other nearby properties, and this also addressed some offsite parking locations in the previously mentioned common parking lot, as well as some flexibilities for office and industrial uses.

Ms. McIntosh stated in 2019, as earlier mentioned, the property, along with some of the surrounding properties, were involved in an amendment to the PUD to remove some existing use percentage allowances that were restrictive. It outlined how each building needed to function. Ms. McIntosh stated this particular property, she believes, was designated as a 100% office, whereas some of the other buildings were 60% industrial and 40% office, and it was really hard for them to meet those requirements.

Ms. McIntosh stated those restrictions were removed, and there was an amended and restated PUD agreement to be executed in June 2019, but the agreement maintained that this particular building would be limited to only permitted uses in the City's I-1 zoning district. Ms. McIntosh stated it ultimately meant that while clinics were an outlined use in one of the neighboring buildings that are also part of that PUD, it was not outlined as a use for this particular building, so medical clinics were not an allowable use. Ms. McIntosh stated after some discussion with the City Attorney, it was recommended that they pursue a SUP.

Ms. McIntosh stated the main entrance for the Fraser Clinic has some parking spaces along the front, and the building has been vacant for quite some time. Ms. McIntosh stated most recently it has been filling up, and she believes it was almost full at the time of the presentation.

Ms. McIntosh noted, as proposed, the applicant has identified 40 parking spaces in the common parking area located off a private drive called Parkway Circle. They also want a van drop-off area. Ms. McIntosh explained they plan to extend the sidewalk and would like a designated drop-off and pick-up area so that any of their clients would not need to cross the road if they didn't need to, although they would have some spaces dedicated if parents, guardians, or other private vehicles wanted to do a drop-off. Ms. McIntosh stated Fraser Clinic has stated multiple times that at no time would any of the children be attending be by themselves. Ms. McIntosh stated a staff member always comes out to physically take them in with them.

Ms. McIntosh stated at this particular location would be one of nine new Fraser Autism Centers, and they are satellite locations. Ms. McIntosh stated it would specifically be dedicated to serving children between three and six years of age, so much younger children who need intensive mental

health services. Ms. McIntosh added they would receive 1:1 services from Fraser staff members for up to a full day, so seven hours per day, Monday through Friday.

Ms. McIntosh stated the intent is to have up to 48 children at this point as well as 61 staff members at full capacity. Ms. McIntosh noted there are not no plans for an outdoor playground. Ms. McIntosh stated she knows some of the Council might recall the Helena Autism Center that came through in 2018 that specifically requested an outdoor playground; however, this use has no plan for an outdoor playground. Ms. McIntosh stated they would provide two indoor recreational spaces to serve as a playground.

Ms. McIntosh stated other than the previously mentioned sidewalks, drop-off, and pick-up zones, and ten parking spaces, there are no exterior improvements planned. There would be 40 spaces for staff remembers. Ms. McIntosh added, in reviewing the parking needs, based on medical clinics, which are based on a traditional doctor's office, that would require 55 parking spaces. Ms. McIntosh noted staff is not concerned with parking as it stands. She has been out there several times, and, at least up until now, that common parking area has not been utilized at all.

Ms. McIntosh stated, as the case with every SUP that they review, there are several standards that they review them against. These standards are intended to determine whether or not there will be negative impacts on adjacent permitted uses if there are certain traffic impacts that need to be considered, and ingress and egress impacts to the overall surrounding uses.

Ms. McIntosh stated because of this particular request, this SUP request is coming in as a use determination, so the existing Zoning Code outlines a process in the I-1 district for special uses that says any commercial developments that City Council finds to be compatible with existing adjacent land uses, complementary to existing adjacent land uses, of comparable intensity to permitted land uses, and planned and designed to ensure that there won't be traffic impacts on public streets.

Ms. McIntosh stated a public hearing notice was published in the *Sun Post,* notifications were mailed to the taxpayers as well as physical property owners, and the public hearing did take place on September 9, 2021. The Planning Commission was generally supportive of the request. Ms. McIntosh noted there was representation from both Hoyt Properties and Fraser Clinic. Ms. McIntosh stated there were questions regarding the operation of that center, the need and the use of Autism centers in general in the Metro and specifically Brooklyn Center, and opportunities to provide services directly to Brooklyn Center residents.

Ms. McIntosh noted in advance of the public hearing there was one public comment from the property owner just to the East of this building. Chedi Holdings is the name of the company. Ms. McIntosh stated they inquired specifically about pedestrian safety. She noted this is an industrial area and, with that in mind, the PUD was set up for that use, which is why there is all of that common parking. Ms. McIntosh stated when staff was reviewing it, they did note that there was an extremely faded crosswalk that led directly from the common parking area in the center of the area to the 6701 building. City staff did relay to Hoyt Properties that it should be re-striped, particularly if staff members are going to be using it.

Ms. McIntosh stated the recommendation would be a motion to adopt a resolution approving Planning Commission Application No. 2021-004 for issuance of a Special Use Permit to operate a children's day treatment center at 6701 Parkway Circle.

Councilmember Lawrence-Anderson asked, due to the clientele that would be serviced at this location, what are the number of handicapped parking spaces, if handicapped parking spaces are adequate, or if they would need to have more.

Ms. McIntosh stated particularly because of the age of the clients being 3-6 years of age and not driving so they would be dropped off by mini-van or medical van, they are asking to extend the sidewalk so there is direct access for the van to park alongside the front door area. A staff member would come out because they are on a strict drop-off and pick-up schedule, and physically take the children into the building. The same would occur at the end of the day when they are leaving, they wait until the van shows up, and then a staff member physically gets them into that van so that they are not having to go out into the parking lot.

Ms. McIntosh stated for the kids that are being dropped off by parents or guardians, there is designated parking right in front of the door. Ms. McIntosh stated it is not a full access aisle, but it is just one driveway aisle. Those parking spots would be for parents and guardians who choose to bring their kids to the front door.

Councilmember Lawrence-Anderson thanked Ms. McIntosh for her clarification and noted she wanted to make sure that in the worst-case scenario, there would be appropriate parking. Councilmember Lawrence-Anderson stated she trusts that Ms. McIntosh has taken all of that into consideration.

Councilmember Graves moved and Councilmember Ryan seconded to adopt RESOLUTION NO. 2021-119 approving Planning Commission Application No. 2021-004 for issuance of a Special Use Permit to operate a children's day treatment center at 6701 Parkway Circle, based upon the findings of fact and submitted plans, and as amended by the conditions of approval in the resolution.

Motion passed unanimously.

9c. RESOLUTION NO. 2021-120 REGARDING THE RECOMMENDED DISPOSITION OF PLANNING COMMISSION APPLICATION NO. 2021-005 FOR ISSUANCE OF A SPECIAL USE PERMIT FOR A NEW DYNAMIC MESSAGES SIGN (DMS) WITH A PUBLIC USE 1200 69TH AVENUE NORTH

Dr. Edwards introduced the item and invited Ms. McIntosh to make the staff presentation.

Planner and Zoning Administrator Ginny McIntosh provided an overview of Planning Commission Application No. 2021-005 and advised the Planning Commission recommended approval the applications at its September 9, 2021, meeting.

Ms. McIntosh stated this is also a request for a Special Use Permit (SUP) for a sign for Lutheran Church of the Master. The request is specifically for a dynamic messages sign. Ms. McIntosh stated Electro Signs, which is a sign contractor, initially submitted a sign permit application to the City in July, and City staff followed up with the sign contractor to notify them that they would need to receive issuance of a SUP.

Ms. McIntosh stated a dynamic messages sign that is owned and operated by a public use in a district where such public uses are allowed can be approved by a SUP, but only under certain standards. There are additional design and functionality standards to be considered with brightness, the overall maximum sign area, and distance from residential dwellings. Ms. McIntosh stated this is considered to be a public use, and they are looking to replace an existing illuminated bulletin board style sign, where you have to hand replace all of the letterings.

Ms. McIntosh stated Lutheran Church of the Master did receive approval back in the 1960s for a setback variance, specifically for a church identification sign and bulletin board. This sign has been there in some varying form since that time in the 1960s.

Ms. McIntosh stated the closest property overall is one of the City's pump houses across the street with green doors. The closest residential dwelling, from when staff did measurements using aerial geographical informational systems, is a house just across 69th Avenue, and it is just about 145 feet away. Ms. McIntosh stated the special use standards for the dynamic messages sign require that you be at least 50 feet away from the nearest residential dwelling, which is measured from the edge of the sign to the roofline effectively.

Ms. McIntosh stated the proposed sign is intended to be in essentially the same location. They are not looking to move it and already have electrical run out there. Ms. McIntosh stated, as earlier mentioned, there are additional standards for the signs and two provisions for the maximum square footage of sign area and a maximum height. Ms. McIntosh stated because Lutheran Church of the Master occupies more than one street frontage, the freestanding sign cannot exceed 72 square feet and be no more than 15 feet above the ground level.

Ms. McIntosh noted there are also additional standards that they have to meet. First, they have to meet the standard that the sign is perpendicular to the adjacent roadway. The sign must also be on a collector or arterial street, and since 69th Avenue is a collector street, it meets that condition.

Ms. McIntosh stated the area of the dynamic messages sign cannot exceed 50% of the maximum allowable size, which would be that 72 square foot sizing. In this case, the actual total freestanding sign they are proposing is 66 square feet total with a 26 square foot dynamic messages sign. Ms. McIntosh stated the provisions allow for up to 36 square feet, and the request is coming in under that at 26 square feet.

Ms. McIntosh added the sign's message must be static for 8 seconds or more and that would be a condition of any sign permit approval. Ms. McIntosh stated if the sign was changing or flashing every two seconds, then as soon as City received notice, the City could go out and enforce as they do for other signage.

Ms. McIntosh stated the dynamic messages sign cannot be closer than 50 feet from a residential dwelling. Ms. McIntosh stated, as earlier mentioned, the nearest dwelling appears to be about 145 feet, and the nearest property overall is a City pump house. Ms. McIntosh noted there are some houses to the Southwest that come in around the upper 100s, such as 190 feet, and there are apartments to the West, but they are coming in at about 200-some feet away. Ms. McIntosh stated they are meeting that condition.

Ms. McIntosh stated the fifth condition is that there needs to be certain dimming technology in place, particularly one that has a dimming process and works with ambient light conditions. Ms. McIntosh stated in this particular case, the brightness cannot exceed three-foot candles above ambient light. Ms. McIntosh stated Hyoco, who is furnishing the electronic portion of the sign, stated they would comply with City Code requirements as they do have photo sensors that can automatically adjust the brightness. Ms. McIntosh stated if this came up as a complaint, City staff would be able to go out and address it at that time.

Ms. McIntosh stated, about notifications, a public hearing notice was in the *Sun Post*, about 82 properties were notified, and the nearest residential dwelling was notified but the City did not receive any type of communication or response from them. Ms. McIntosh stated a public hearing was held on September 9, 2021. The Planning Commission was generally supportive, and representation was there from Lutheran Church of the Master and Electro Signs. Ms. McIntosh stated there were questions about how often the sign messaging would change and there were some initial concerns about flashing, overall brightness, and usage in the evening hours. There were no public comments.

Ms. McIntosh stated the recommendation for this evening is to adopt a resolution approving Planning Commission Application No. 2021-005 approving Planning Commission Application No. 2021-005 for issuance of a Special Use Permit for a new Dynamic Messages Sign (DMS) with a public use at 1200 69th Avenue North, based upon the findings of fact and submitted plans, and as amended by the conditions of approval in the resolution. Ms. McIntosh stated she is willing to answer any questions.

Mayor Elliott asked for questions, and there were none from the Council.

Councilmember Graves moved and Councilmember Ryan seconded to adopt RESOLUTION NO. 2021-120 approving Planning Commission Application No. 2021-005 for issuance of a Special Use Permit for a new Dynamic Messages Sign (DMS) with a public use at 1200 69th Avenue North, based upon the findings of fact and submitted plans, and as amended by the conditions of approval in the resolution.

Motion passed unanimously.

10. COUNCIL CONSIDERATION ITEMS

10a. RESOLUTION NOS. 2021-121 AND 2021-122 APPROVING THE PRELIMINARY 2022 PROPERTY TAX XLEVY AND BUDGET

Dr. Edwards stated the presentation is on the preliminary levy. Dr. Edwards explained if Council approves of this preliminary budget levy, then the Council could, between now and December, reduce the proposed levy, but they could not increase it. Dr. Edwards stated the presentation is designed to present the preliminary levy and provide insights into factors that guided the development, but there will not be as many details as in the past presentations. Dr. Edwards stated there will be a fiscal analysis and proposed steps going forward.

Dr. Edwards stated this budget is particularly challenging given the time of what the City is going through between COVID-19, the death of Duante Wright, civil unrest, and economic conditions and fiscal challenges of the City. He stated they earlier discussed the economic conditions including the poverty rate and income and those conditions were taken into consideration in the budget as well as organizational stability and allows Brooklyn Center to be a community-centered City. Dr. Edwards stated they are looking to approve a balanced approach to the budget to provide the existing services, receive input from the Council, and look forward to economic growth, all at an affordable cost to residents.

Dr. Edwards stated the proposed organizational structure includes new departments such as the Office of Community Prevention, Health, and Safety, which is something that stems out of work and priorities related to public safety. He noted there are currently seven departments: Public Works, Community Development, Financial Services, Administration, Recreation, Fire, and Police. Dr. Edwards stated three of those departments have advisory committees and two have advisory commissions.

Dr. Edwards stated the vision, which begins to frame the context of how this particular budget was developed, starts with the organization and its mission, its strategic priorities, and then goes into the specific priorities for this budget year. The vision for the overall City is Brooklyn Center as a thriving and diverse community with a full range of housing, business, cultural, and recreational offerings, and it is a safe and inclusive place that people of all ages love to call home, and visitors enjoy due to the convenient location and commitment to a healthy environment. Dr. Edwards stated it is in that context when they develop anything in the City and particularly the budget, it is done with this vision in mind along with the Council priorities.

Dr. Edwards stated two particular values that the Council has established and they try to carry throughout the organization are customer intimacy, which pertains to treating customers with dignity and respect, and also operational excellence, which relates to the quality and efficiency of the services given the limited resources of the City. Dr. Edwards stated they try to adhere to these values not only in the budget but also within all operations they do within the organization.

Dr. Edwards stated the City has established six strategic priorities, and they are in their fourth year of those priorities. Dr. Edwards noted every four years or so the Council does go back and revises those priorities, but most of the time they are fairly consistent because the fundamental direction of the Council is fairly stable and many of the priorities take a while or even years to completely address. Dr. Edwards explained that the six strategic priorities do not necessarily include all of the directions of the organization, but it informs staff on how they should use resources and other capital. Dr. Edwards stated the six strategic priorities are an enhanced community image, resident economic stability, inclusive community engagement, targeted redevelopment, safe, secure, stable

community, and key transportation investments. Dr. Edwards stated these are specific directions staff tries to abide by as they go about the work within and for Brooklyn Center.

Dr. Edwards noted this particular year for the budget, given the mission, vision, values, and strategic priorities, there are specific areas that the Council has charged staff with focusing on. Dr. Edwards stated the first of these is accountability in policing activities in the Office of Community Prevention, Health, and Safety through the Public Safety Resolution. Dr. Edwards stated another 2022 budget priority is economic stability through livable wages, and then finally, equitable City spending enterprise-wide through reduced charges for services.

Dr. Edwards stated as they developed the budget, there is nothing new added to the budget to any great extent except for what exists in these three focus areas. Dr. Edwards explained that two of the three specific priorities had already received priority funding in previous years, and they want to continue to provide support in the areas previously committed to. Dr. Edwards noted that oftentimes when they have priorities, they are not able to be achieved in only one, two, or three years because costs, going back to the economic environment of the City, do not allow them to make huge financial swings. Dr. Edwards stated they oftentimes have to stage out an approach to address significant City priorities, which is also the case in this budget. Dr. Edwards invited Mr. Splinter to continue the staff presentation.

Mr. Splinter stated, as a quick review of the budget policies, the purpose is to provide a basic framework and assist in the decision-making process as they work through it in internal meetings. Mr. Splinter added they always look for a balanced budget, use current revenues to pay for current expenses, try to keep a contingency for up to five percent of the budget and provide adequate funding for capital replacement and maintenance. He explained the budget should describe goals, services, and programs, and try to keep the general fund balanced between 50-52% of the next year's general fund budget.

Mr. Splinter stated some of the revenue policies are to maintain a diversified and stable revenue system, keep annual revenue estimates completed through an objective conservative analytical process, review and revise user fees on an annual basis, ensure fees and user charges fully support total direct and indirect costs, and establish user fees at a level which will recover the full cost of providing the service.

Mr. Splinter stated, as a quick review of the proposed property tax levy, they are looking for an increase of 5.67% in the general levy combined with a debt service levy of 1.26%, which would be a total city levy increase of 6.93%. Mr. Splinter stated that would be a $1,130,000 change on the general levy and about $250,000 on the debt service levy.

Mr. Splinter stated, to quickly summarize the drivers of that increase, the debt service, the prevention, health, and safety, which was described in the expansion by Dr. Edwards earlier, the cost-of-living adjustment and cafeteria increases of $345,000, the part-time livable wage, the reduced charges for services and fines in the Recreation and Police Departments, excess increment and Public Employee's Retirement Association aid loss. Mr. Splinter noted also that the City is no longer getting excess increment that the District was generating.

Mr. Splinter stated he wanted to clarify that the changes to the charges for services and fines in the Recreation and Police Departments are not due to any change in policy or procedure, but it is just bringing that item more in line with the historical amounts they have collected in fines. Mr. Splinter stated the budget had been a little higher than that item in recent years.

Dr. Edwards stated he wanted to go back to the debt as they have obligations and goals related to that. He noted the cost-of-living adjustment is related to simply the cost of living for staff increase at two percent.

Dr. Edwards stated that part-time livable wages are a commitment that the Council made three years ago in which they tried to lead an effort toward livable wages. Dr. Edwards stated no staff, whether part-time or full-time, or seasonal, are paid a wage below $16.16 which is the livable wage for Hennepin County as determined by their analysis. Dr. Edwards stated the primary focus was to lead the City in addressing the issue around livable wage, as the house should have that issue in order before they try to talk to others around a livable wage. Dr. Edwards noted it has taken some time to get to this point to ensure that no staff is paid beneath the $16.16, but it has not addressed the rippling effect throughout the organization. Dr. Edwards stated the rippling effect will come in future years, but this is an example of the staggering approach because of the significant cost to do that.

Dr. Edwards stated the reduced charges for services and fines have become more equitable over the past couple of years, noting reduced costs, particularly in the Recreation Department, make it more accessible to those who may not have disposable income.

Mr. Splinter stated, as a summary of changes by sources in the general budget between this year and last year, property taxes shifted up 1% between 78% and 79%. Mr. Splinter noted another change is the charge for services, which Dr. Edwards just explained. Mr. Splinter stated that everything else was pretty much the same.

Mr. Splinter stated they have a breakdown of general fund expenses by function and noted overall the expenditures are increasing by 3.85%. He noted that combines with some of the other revenue losses and administration are going up 10%. Mr. Splinter noted the change in the fiscal and support services division linked into that line include some of the reimbursements from other funds and some of the savings for vacancies and things of that nature, so it is not a true reduction of $300,000 there.

Mr. Splinter stated the Office of Prevention, Safety, and Health is new. Mr. Splinter stated the Communities, Activities, Recreation Services (CARS) division is the new division for public health and wellness, and that is not truly a 25% increase as it is reflecting a division that was brought over from the supplemental budget and was previously grouped under fiscal and support services.

Mr. Splinter stated there are charges for the general fund expenses by function similar to what they had for revenues. The major thing to point out was police went down from 41% to 39% with the addition of the Office of Prevention, Safety, and Health, but there are not a lot of other large changes. Mr. Splinter noted the 1% increase in general government expenses.

Mr. Splinter stated there was a summary of general fund expenses by object code, so the first line item is the largest line item which is for personal services including all the wages, payroll taxes, health insurance, and other items. Mr. Splinter stated that is $17.4 million out of $24.7 million.

Mr. Splinter stated for supplies there was an increase for some of the larger purchases for the Fire Department. Services and other charges are another large line item, and a lot of that is professional services that the City purchases or hires out for, whether that be legal fees, insurance coverage, or other things of that nature.

Mr. Splinter stated central garage charges are the payments they make to fund the vehicles each year. Mr. Splinter stated the increase in the fire truck costs has been outpacing what they put away, so there is an increase there as they anticipate charges in the upcoming years.

Mr. Splinter stated the line item for net transfers went up a little bit as they transfer from one of the other operating funds of the City into the general fund.

Dr. Edwards added that the services and other charges relate not only to contract services, which are basic skills outside of the skill sets of current employees, but also services that they may acquire so that they can provide services in a more cost-efficient way. Dr. Edwards stated, for example, if they do not have the legal skill set to provide certain services because they don't do that regularly, they wouldn't want to have staff and pay someone for a service 365 days a year when they would only utilize those services maybe a month out of the year. Dr. Edwards stated this allows them to be cost-efficient and also maximize and leverage the skills within the City.

Mr. Splinter stated the residential market value had the most significant decrease at 17.2%, and he did receive information recently that this line came down a little bit since he made the presentation. That will be information that they will see in the next meeting. Mr. Splinter stated industrial had a slight increase and apartments went up 11.5%. Mr. Splinter stated the Other is the American Legion Property.

Mr. Splinter stated the tax capacity split based on those changes for residents went from 50.7% from last year to 52.6% this year. Mr. Splinter stated there was a small decline in the commercial properties as that is going from 25% to 22.5%, and that was picked up by apartment which increased by 0.6%. Mr. Splinter noted that industrial stayed pretty flat.

Mr. Splinter stated the median home value and the previous peak of home values was in 2008 before the recession. Mr. Splinter stated after the recession, they dipped to a value of about $114,000 for the average home in the City, and that has now jumped up to $223,000. Mr. Splinter noted there was quite a raise in home values from 2021 to 2022. Mr. Splinter stated with the decertification of the tax increment financing in 2022, the tax rate does dip down even though they have a levy increase of 6.93%.

Mr. Splinter stated they have projected what taxes will be next year given this scenario. The average single-family residential home increased in taxable value of 9.26%, so when they multiply that by last year's tax rate, they would have paid taxes of $1,276 versus this year of $1,256. Mr.

Splinter stated that is a decrease of $20 just because of the change in the tax capacity with TIF District 3 coming off.

Mr. Splinter noted when looking at an average apartment building with a value of about $2.2 million, that would be several properties with an 11.5% change, which would just be an increase of $86 per unit. Mr. Splinter stated commercial buildings would see significant decreases in their tax bill.

Mr. Splinter stated the next steps would be a Work Session on October 4, 2021, on special revenue funds, and a Work Session on October 18, 2021, where they will be looking at the utility and enterprise funds. Mr. Splinter stated on December 6, 2021, they will have a public hearing for the adoption of the final budget and levy.

Dr. Edwards stated he would like to go back and make a point as to why they came to the 6.93% and what that is made up of. Dr. Edwards stated it continues to stabilize the organization, and they make a slight investment, if they can on the area in which was a top priority for the City. Dr. Edwards stated they utilized a balance in some increases of general fund dollars, which was fairly low to maintain a low tax levy increase, and they utilized dollars to begin a pilot program. Dr. Edwards stated over time, as they look for the sustainability of that effort, they can stage out the funding of those efforts.

Dr. Edwards stated, to the question that was raised earlier, the tax rate does come down although they have an increase in the levy. Dr. Edwards stated it does demonstrate a reduction in the cost of taxes paid for the most part throughout the entire City. He explained this is premised not on any grant fund as the City does not utilize one-time funds to fund bread and butter, operational functions because, as it was articulated earlier, those funds do run out. Dr. Edwards stated they do not want to set themselves up to where they now have a thing they cannot afford, so they try to stage it out. Dr. Edwards stated they try to fund the basic, core function of the City services with the general fund.

Dr. Edwards stated he is proud to present this budget given the conditions and circumstances of what is happening in the City such as COVID-19, civil unrest, the economy, and just the overall economic condition of the City. Dr. Edwards stated they are trying to stabilize the City and also move forward in a very bold way with some bold efforts. Dr. Edwards stated they are trying to deliver that in a way that allows for a reduction in taxes for residents for the most part throughout the entire City. Dr. Edwards stated he and Mr. Splinter are available to answer questions.

Councilmember Graves stated she appreciates the presentation from both Mr. Splinter and Dr. Edwards. She first wanted to point out that their Finance Department has a really good rating and track record of success for several years, even though they work with a moderate budget and very big City issues. Councilmember Graves stated staff has done a wonderful job over the years, both being able to move forward on initiatives the Council thinks are important that are not considered typical services but are trying to be responsive to the needs of their community. Councilmember Graves stated the Finance Department has done a good job with that.

Councilmember Graves stated as the City Manager said earlier, sometimes they need a staged approach as they do not want to have intentional consequences. She stated a lot of things they are trying have not been tried before, not in their City and maybe not in too many cities anywhere. Councilmember Graves stated she appreciates the care that staff has taken to try to move forward on their initiatives as well as maintaining the integrity of the City's services they have historically provided and are important too, such as water, sewage, and repairing the streets.

Councilmember Graves stated she thinks it is sometimes difficult to understand, and she didn't understand until she was on the Council, the difference between a general fund and the tax levy on the general funds versus other ways that the City funds services and initiatives. Councilmember Graves stated the City Manager spoke to that with some of his comments earlier. For instance, in the general fund budget, there is only $154,000 specific to public safety and health and for some of the reforms and initiatives that they want to try. She stated, as she mentioned earlier during the open forum, they have other funding sources that are not part of the general fund, so they are not specifically talking about those with this presentation. Councilmember Graves stated she thinks that can be confusing and misleading, so she just wanted to put that out there.

Councilmember Graves stated the only other thing that she wanted to reiterate is that, because of this TIF, which is something she is still trying to figure out as a Councilmember, the City was getting funding from that district. She stated one has to follow certain guidelines to even get TIF approved at higher levels of government. Councilmember Graves stated since the TIF District has come off their tax rolls, it drops the tax rate, which means a little bit fewer taxes.

Councilmember Graves stated even though they are proposing no more than a 6.93% levy, because of that TIF coming off of the tax rolls, it still means minus $20 for multi-family or residential homes. Councilmember Graves stated, typically, their taxes really won't be going up because they no longer have TIF on their tax rolls, so that is what is showing on the single-family residential level. Councilmember Graves stated there is $20 less than what they paid in 2021, noting this is all considering a maximum rate of 6.93%. Councilmember Graves stated she just wanted to reiterate all of that because it can get confusing.

Councilmember Graves stated when they are calculating other taxes, for example from school districts or the County, that would be on top of whatever the City decides. She noted that for right now, the typical single-family residential home if we went with this highest rate, would see a decrease of $20.

Councilmember Graves stated the last thing she wanted to say was a question about the difference between the fire trucks in the central garage versus when the fire budget was listed on a different graph when broken down by department. Councilmember Graves stated she is wondering how much of that Fire Department budget is specific to the central garage. Councilmember Graves stated the central garage was up a lot as well, so she wanted to get a little more clarity on what those expenses were.

Mr. Splinter stated the Fire Department operating budget is $1.95 million, and the central garage is $470,00 of that amount or about a quarter of their budget.

Councilmember Graves asked if Mr. Splinter could remind her what some of those other bigger items were in the Fire Department budget. Mr. Splinter asked if she meant the other budget items besides the central garage. Councilmember Graves confirmed that is what she meant.

Mr. Splinter stated the Fire Department has about $1.1 million in wages, including the Fire Relief Association payment for their pension plan. Mr. Splinter stated they have $125,000 in there that is related to the grant purchase of the exhaust equipment. Mr. Splinter stated the balance is then supplies and charges.

Councilmember Graves stated that it is not so much the size of the increase as it is the size of the increase compared to the typical budget. Mr. Splinter confirmed that Councilmember Graves was correct. Councilmember Graves thanked Mr. Splinter for the clarity and confirmed that she had no further comments.

Councilmember Ryan stated he appreciates the comments of Councilmember Graves and, in the interest of time, he will not amplify or qualify any of those comments.

Mayor Elliott opened the floor for public comment.

Joylenna stated she saw the proposal and was thinking about the comment made earlier. Joylenna stated she did have some concerns and questions about how, if they were to do a sales tax increase, it would affect people that shop and purchase in the City of Brooklyn Center.

Joylenna stated the other thing she was going to say about the 2022 budget was concerning the 100% increase, that $154,000 outlined for the Office of Community Prevention, Health, and Safety. She wondered if there is an opportunity to shift funds from one location to another. Joylenna asked in the case there are understaffed departments, are they looking at moving any of those funds over to other spaces. She also asked what happens with the money that is not being spent that was budgeted.

Dr. Edwards stated if they have current vacancies, they anticipate hiring and getting people into those positions assuming that we need them and that is why they have them budgeted. Dr. Edwards stated the cost savings from those vacancies typically go toward balancing out the year. Dr. Edwards stated there are typically some over unanticipated expenditures. Dr. Edwards stated, particularly in this given year addressing COVID-19 and the civil unrest, there were a lot of expenses, upward of over $1 million. Dr. Edwards stated it probably exceeds what they were projecting because they didn't know that those things would happen. He added that the unused funds would go towards things like that to hopefully have a balanced budget at the end of the year.

Joylenna stated when they are looking at the implementation of this resolution, as she knows that is going to be a part of the budget for 2022, the only line item she saw was the $154,000. She asked if that amount includes the third position, as she knows there are two positions elsewhere.

Dr. Edwards stated that the line item does not include going toward the resolution. Dr. Edwards stated his rough calculations show that the resolution requires $1.1 million if you think about just going with the Implementation Committee, and there is a Project Manager that has funding through

the Council's allocation of external funding. Dr. Edwards stated the Mayor has secured funding from FUSE for two fellows for around $300,000 or so. The Project Manager is going to be in the range of $140,000 after you've paid for the person and supplies and equipment.

Dr. Edwards stated they then have staff and programming dollars needed for the office that was established this year, and that is the $154,000 outlined in the budget. Dr. Edwards stated that the amount of money includes wages, some modest funds to provide services, or contract for services. Dr. Edwards stated additional funding is being secured through two foundations that would equate to $250,000 per foundation, so $500,000 for the next couple of years. Dr. Edwards stated if they combine the grant fundings for those pilot programs, the cost of the position and the office to coordinate the work as they go forward, as well as those funds outlined for the Project Manager, it is at a minimum of $1.1 million that has been secured or that will be utilized toward the effort of the resolution.

Joylenna stated she was looking over the budget and wondered where does severance comes into play when they are looking at the City budget. Joylenna also asked who would be receiving a severance package, noting it looks like the Police Department has a severance package line. Joylenna asked who would be receiving that severance package or what would qualify someone to receive that severance package.

Dr. Edwards stated they have funds for when they have to pay out vacation or benefits for employees, so they do time accrued or benefits accrued and have to pay that out if someone comes to the end of employment with the City.

Mr. Splinter added they do fund that through an internal service fund, so each year they look at the leave balances of all the full-time City employees, estimate their liability at the end of the year for how much it would cost to pay out severance on all of the employees based on how much they have earned, and then move those funds aside and fund that through different divisions as employees have earned that time off during the year. Mr. Splinter stated, theoretically, when someone receives a severance package, it has already been funded as they already had funds set aside for their sick and vacation time that would be paid out.

Joylenna asked who qualifies for a severance package and if it is for someone who terminates employment or is terminated from employment. She is seeing, from August year-to-date, $48,000, and asked who is receiving severance in the Police Department.

Dr. Edwards stated any full-time employee has benefits, and they would payout for any full-time employee of the City.

Joylenna asked if that is regardless of how their termination happened, whether it was willful or not. Dr. Edwards stated as far as benefits are concerned, if someone has earned vacation or other benefits, while they can be terminated, they have already earned those benefits, and the City does not have the authority to retroactively take it back.

Joylenna asked if anyone has a different understanding. No one responded to Joylenna's question.

Joylenna stated she was looking at overtime for the Police Department and wondered if there is a way to cut back on that cost.

Dr. Edwards stated they try to keep that fairly low across the organization because it is not predictable. He explained they do try to manage it, but it exploded over the past year simply because of civil unrest. That was something they did not anticipate. Dr. Edwards stated as of right now they are short-staffed, so some staff will be doing overtime to provide the services of the Department. He explained they typically do not budget excessive overtime, and they budget a minimum.

Joylenna stated she is seeing they are down quite a few officers and asked how the budget is not reflective of that. She also asked if they anticipate for staff to back up to that full number and, with the resolution, why would they need the same number of officers if they are essentially shifting some of those duties and responsibilities off their plates with the resolution.

Dr. Edwards stated they do their best to project what overtime might be and they do anticipate some additional overtime, at least at the beginning of the year, and hope that things will stabilize by January. Dr. Edwards stated there will probably be some going into the new year and probably through midway. He explained it takes about four months to bring someone new on, and they use a staggered approach with that.

Dr. Edwards stated, as for the resolution and existing police services, he does not anticipate the things that are proposed, such as the citations or the community response, will fully replace existing services as they do need to continue to provide a 24/7 service for public safety and patrolling within the City. Dr. Edwards stated those are very core, basic positions, and the complement is to simply provide that 24-hours a day for 365 days a year. Dr. Edwards stated when they add those additional services, they are not something that will replace their ability to patrol the streets of the City, but they are additional costs and additional services they want to add to the quality of their public safety. Dr. Edwards stated it is not a switch out of a dollar for a dollar as it is complimentary.

Dr. Edwards stated in the long term, as they embark upon health and prevention, the hope is to see some reduction in the need for some services. They do not know that and it will take some time to actualize as they go forward, but they are hoping that they will in the future.

Dr. Edwards stated as it relates to now and the next couple of years, they do not foresee that there will be swapping out of resources to police to address some of the things outlined in the resolution, but they are instead additions to the quality of service of public safety that they will be offering as a City.

Joylenna stated, if she is understanding correctly, they are anticipating that they will maintain the same number of officers on the force that is projected in the budget, which is the same as what they started the year out within 2021. She asked if that was correct. Dr. Edwards confirmed that she is correct.

Joylenna asked how many officers are currently on the force, and how many did they start within 2021.

Dr. Edwards stated he is not sure about how many they started with, but they are authorized for 49 officers. They roughly have about 38 officers at this particular time, but that does not include only patrol because they have staff that is administrative clerks on top of patrol officers. Dr. Edwards stated, as far as to patrol, they have authorization for 49 officers at this time. Dr. Edwards stated Police Chief Tony Gruenig can speak to the numbers.

Police Chief Tony Gruenig noted their numbers are a little bit lower than that. Chief Grueling stated they started the year with 44 officers, and they are authorized 49 officers, as Dr. Edwards said. Chief Grueling stated they are at about 32 staff right now, and there are a couple more resignations are coming forward so they are probably looking in the realm of the 30 range soon.

Joylenna stated that is quite a bit lower than what they are budgeted for and asked Dr. Edwards if he is confident that they are going to have 49 officers to use that budget. She is trying to understand how the position is being held that this is going to be in addition to these services, and they are currently down officers which means there is money that is not being spent that is originally budgeted.

Joylenna noted they are talking about a 41% budget going towards the Police Department. Joylenna stated she did the numbers, and she does not know if they have had a chance to look at the compared cities that was presented a while back. She noted when they are talking about Champlin, Crystal, Fridley, Golden Valley, and Maplewood, there was a slide that outlined those cities, and when one compares those cities' budgets and what they budget for their police force, Golden Valley, for example, is 28.6% for 2021. Fridley is at 15.6% police budget, Crystal is at 18.3%, and Champlin is at 11.9%. She explained she is trying to understand why the City of Brooklyn Center has 41.1% going towards the police force when the comparable cities don't.

Dr. Edwards noted there could be a multitude of reasons for that and they do not know the priorities of those cities. He stated in their strategic priorities, one of the six strategic priorities is a safe, secure, stable community, so that is and has been a priority of the City.

Dr. Edwards stated they had had earlier conversations while going through the budget about the dynamics of Brooklyn Center, which are different than Champlin and New Hope. Dr. Edwards stated they do have an environment where some characteristics flow between Minneapolis, Brooklyn Center, and Brooklyn Park, so they have to address issues that are unique to Brooklyn Center. He stated they do not have the same circumstances as New Hope, Edina, or some of those other places, noting that is not good or bad or one way or another, but their makeup and their circumstances are different.

Dr. Edwards stated he does not know how other cities choose to allocate their resources, but this City's resources are important, they have allocated those over the years, and they continue to do so. Dr. Edwards stated it is the direction of the Council of how those allocations have been made to address what the Council does perceive as a priority and the issues within the City.

Joylenna stated she would be curious to know if that is something they are looking at when comparing those cities and offering them up on the slides in a budget presentation. She asked if they are going to look at cities and compare those cities that have alignment with some of the policies and priorities of their City. Joylenna stated she knows there are a lot of things that factor into it, but asked if that is something they will be looking at when moving forward. Joylenna stated she knows they are working on a tight timeline because they are approaching the end of this year.

Dr. Edwards explained there are two parts to that. The first they must look at is whether a city is comparable in character and dynamics. Dr. Edwards stated as for when they address it in the cost when comparing to Brooklyn Park, they are a third of the size of Brooklyn Park and exponentially smaller than Minneapolis. Dr. Edwards stated while they share characteristics, they are by no means comparable from a fiscal perspective or capacity to Brooklyn Park or Minneapolis. Dr. Edwards added they can compare by characteristics but not by capacity or resources to address those, and they have to do more with less.

Dr. Edwards stated they try to be as fiscally prudent and strategic as possible, noting it is similar to the approach around the stagger. Dr. Edwards stated it is not because they do not have the desire to approach the issue, but due to the fiscal constraints and the challenges of the City dictate that they be more strategic in how they approach certain issues that other jurisdictions may have more resources to address.

Joylenna stated the resolution that was passed back in May is a result, if she is not mistaken, both in Duante Wright's and Kobe Dimock-Heisler's situation, of a police response. Joylenna stated when they talk about being more fiscally prudent, are they looking at the fact that 41% of the budget is going to the same officers that responded to these two situations as a responsibility fiscally to make a shift to support this resolution.

Joylenna stated they just talked about the police force and the numbers are significantly down. She asked, given the climate of Brooklyn Center, how likely is it that more officers are wanting to get into Brooklyn Center or in police departments in general. Joylenna stated, if she is not mistaken, it is hard to acquire new officers for police in general.

Councilmember Graves noted she thinks Joylenna asked some really important questions, she is grappling with all of those questions, and it is something she has been asking since she first got on the Council and was surprised by how big the Police Department budget was. Councilmember Graves stated she still would like to see more of their resources going to preventative measures rather than reactive ones, which is typically what policing is.

Councilmember Graves stated she also understands where the City Manager is coming from when saying the percentage of their budget and the cost of public safety in Brooklyn Center is part of the reason why it is so high in comparison to a different city that has a bigger budget and maybe less crime or a bigger budget and the same amount of crime, public safety issues, or calls for service. Councilmember Graves stated she does think it is really difficult to find that balance.

Councilmember Graves noted she likes the questions that Joylenna brought up, and they should think and talk about it more, especially considering the absences they have on the police force.

She does not know what is going to happen such as whether or not they are going to get back to a fully staffed Police Department. Councilmember Graves stated if they are still able to make positive moves forward in public safety and public health in the City without a full police force, then it makes a pretty strong case that maybe some of their resources should be allocated differently.

Councilmember Graves stated she is not going to pretend like she has the answers or they have the perfect budget here, but she does think that the staff has come up with a good plan. Councilmember Graves stated the budget is still moving them in the right direction, and it takes some risk without overstepping. She is also open for further discussion or information and asked what if they addressed how many vacancies they think they can fill over the next budget year, and if they do not think it is back up to 49, is there something they could do with those positions that they do not think they really could fill to help strengthen their public safety and community health approaches.

Councilmember Graves stated they have already used 25 minutes for public comment, and she wants to get to the rest of their business. She thanked Joylenna for her questions and comments and for using the opportunity to voice them. Councilmember Graves stated she would like to move to the next agenda item and close the public comment period.

Mayor Elliott asked if Joylenna had any further questions or comments before moving to the next agenda item.

Joylenna thanked Mayor Elliott and stated she would just end with the comment that she is looking for the resolution to move forward and not be diluted, noting she saw the position posting for a manager when the resolution clearly says the director. She thanked the Council for listening to her.

Councilmember Ryan moved and Councilmember Graves seconded to adopt RESOLUTION NO. 2021-122 Approving a Preliminary Tax Capacity Levy for the General Fund and Debt Service Funds and a Market Value Tax Levy for the Housing and Redevelopment Authority for Property Taxes Payable in 2022.

Mayor Elliott abstained from the vote. Motion passed.

10b. EMERGENCY ORDINANCE 2021-02 SUNSET

City Attorney Troy Gilchrist stated he had prepared a new Emergency Ordinance to essentially extend the face-covering requirement, and it appears it did not make it into the packet. Mr. Gilchrist stated on August 9, 2021, the Council unanimously adopted an emergency ordinance that required face coverings in public buildings. On August 16, 2021, the Council considered and unanimously adopted an amendment to that ordinance to provide some exceptions that were largely suggested by staff in recognizing some of the practical difficulties, such as not wearing masks while eating, exercising, swimming, and those sorts of activities.

Mr. Gilchrist stated, as he explained in the Work Session, the charter allows the Council to adopt an emergency ordinance by not following the normal two readings and 30 days effective date, and

it places a time limit for how long things can be in effect. The charter dictates that if it is not repealed earlier, an emergency ordinance automatically expires 61 days after adoption. Mr. Gilchrist stated that is roughly October 9, 2021, that the emergency ordinance would expire.

Mr. Gilchrist stated in looking at the timing of the meetings, he wanted to bring forward the option of extending the mask requirement for Council consideration. Mr. Gilchrist stated this could be done through a new emergency ordinance adoption.

Mr. Gilchrist noted the preamble recognizes the conditions that led to the original August 9, 2021, emergency ordinance, and that essentially has not changed. Mr. Gilchrist stated there is still a high ranking of transmission for the County as ranked by the Center for Disease Control, and the conditions continue.

Mr. Gilchrist stated the operative portions of the ordinance are in Article II as they cover the locations, the face-covering requirements, the exemptions, which include the exceptions that were amended into the original ordinance, the signage, enforcement, and effect, and noted those are all the same and this is merely carrying it forward. Mr. Gilchrist stated the only portion of this that changes are the effective date, and he has that scheduled to go into effect at 11:59 p.m. October 7, 2021. Mr. Gilchrist stated that is a day or two early just to make sure there is no question about when one ended and another one picked up. Mr. Gilchrist noted that other than changing the effective date to October 7 from the original August 9, everything else in the ordinance is the same as when it was amended by the Council on August 16, 2021.

Mr. Gilchrist stated if the Council is so inclined to continue the status quo on this requirement, it would take a motion to adopt the ordinance, and that would have to pass by unanimous vote by all of the Councilmembers. Mr. Gilchrist added he would be happy to answer any questions for them.

Mayor Elliott thanked Mr. Gilchrist for the overview and asked the Council if they had any questions for Mr. Gilchrist.

Councilmember Ryan noted during the discussion about the Council's agenda, they had come to a consensus that masks rules needed to be continued but the emergency resolution for the Mayor's authority would be subject to further consideration or elimination. Councilmember Ryan stated he wanted a clarification on the record regarding this motion and second.

Mayor Elliott stated they would bring that up again at the next meeting.

Councilmember Graves moved and Councilmember Ryan seconded extending the face mask Emergency Ordinance 2021-02 with Emergency Ordinance 2021-03.

Motion passed unanimously.

10c. COMMISSION APPOINTMENTS

Councilmember Graves stated she did want to move forward with the appointments that night but noted it was getting late. Councilmember Graves stated she believes there were three Planning

Commissioners still so that should be enough for a quorum, but if they feel that a recommendation to the Planning Commission is necessary, then she would be willing to go forward with this.

Councilmember Graves stated, considering that Mayor Elliott wanted to have a much larger discussion about Commissioner applications and appointments and she knows there are at least two items on the Housing Development Authority and the Economic Development Authority meetings that they have already passed on the regular agenda, she would suggest that they move that to the next meeting and adjourn the regular meeting.

Mayor Elliott stated he has the folks on the call this evening who have been on the call since 6:00 p.m. waiting to hear their appointment. Mayor Elliott stated he does get a lot of pressure from the Planning Commission staff, and it is tough wondering if there is going to be a quorum or not. Mayor Elliott stated he would like to move forward with the appointments that evening and do an overview of the different Commissions at the next meeting. Mayor Elliott stated they can probably get this part done depending on whether there is more discussion.

Councilmember Graves stated she did not realize that they were on the call, so she thinks that they should do that.

Mayor Elliott asked if Council is ready to consider the appointments or if they need more time for discussion.

Mayor Elliott moved and Councilmember Butler seconded to ratify the Mayoral appointments of Kau Guannu to the Planning Commission, David Lopez-Sanchez to the Parks and Recreation Commission, and Paul Carey to the Parks and the Recreation Commission.

Motion passed unanimously.

11. COUNCIL REPORT

Due to the late hour, this item was not considered.

12. ADJOURNMENT

Mayor Elliott moved and Councilmember Ryan seconded adjournment of the City Council meeting at 9:56 p.m.

Motion passed unanimously.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss. Certification of Minutes
CITY OF BROOKLYN CENTER)

The undersigned, being the duly qualified and appointed City Clerk of the City of Brooklyn Center, Minnesota, certifies:

1. That attached hereto is a full, true, and complete transcript of the minutes of the Regular Session of the City of Brooklyn Center held on September 27, 2021.

2. That said meeting was held pursuant to due call and notice thereof and was duly held at Brooklyn Center City Hall.

3. That the City Council adopted said minutes at its October 11, 2021, Regular Session.

_____ _____

City Clerk Mayor

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

SPECIAL WORK SESSION
SEPTEMBER 27, 2021
VIA ZOOM

CALL TO ORDER

The Brooklyn Center City Council/Economic Development Authority (EDA) met in Work Session called to order by Mayor/President Mike Elliott at 5:00 p.m.

ROLL CALL

Mayor/President Mike Elliott and Councilmembers/Commissioners Marquita Butler (arrived at __ p.m.), April Graves (arrived at __ p.m.), Kris Lawrence-Anderson, and Dan Ryan. Also present were City Manager Reggie Edwards, Community Development Director Meg Beekman, and City Clerk Barb Suciu.

PRESENTATION OF SALES TAX LEGISLATION FOR FUNDING COMMUNITY CENTER IMPROVEMENTS AND WATER PARK

a. Sales Tax Levy Discussion

City Manager Reggie Edwards noted there is only one other city with a double-digit poverty rate like Brooklyn Center's with a comparable population, and that is New Hope. He stated Brooklyn Center's poverty rate is 15.10% and the City also has a lower average income rate than comparable cities. Dr. Edwards stated the City has to look at alternative resources due to their economic standing, and staff is looking at ways to introduce alternative revenue streams. He hopes that this leverages the limited resources of the City while bringing significant opportunities without being a burden financially. Dr. Edwards provided a summary of the item and introduced Ms. Beekman to continue the presentation.

Community Development Director Meg Beekman stated they have identified some major gaps when it comes to recreation in the City for residents. She stated a study has undertaken a master planning process to see if the City can provide an opportunity to grow and expand recreation services. Part of that is thinking about partnerships and ways to leverage a facility that could serve beyond the City of Brooklyn Center residents, but also have a regional significance. Ms. Beekman stated as they looked at the Opportunity Site, they considered the idea of a regional draw and what that could look like or do in terms of providing a place for the community to gather and for people to recreate together, but also a place that people outside of the community can enjoy and then use other businesses and services that the City has to offer.

Ms. Beekman stated in their conversations with Ehlers, the City's public finance consultants, staff has talked about options in terms of financing. Ms. Beekman explained that a sales tax is one option they wanted to discuss so they asked Ehlers to do an analysis and explain what the process would be and the potential revenue it could bring into the community. Ms. Beekman stated they also looked at eligibility for the funds and how would the funds get spent.

Ms. Beekman introduced Jason Aarsvold and Stacie Kvilvang, consultants from Ehlers who had been working with the staff.

Jason Aarsvold, Ehlers, stated they looked at various things such as what types of local projects can be funded with the sales tax, who would be paying that local sales tax, and what type of funds would a local sales tax generate. Mr. Aarsvold stated there is a fairly lengthy process to follow through on to put a sales tax in place.

Mr. Aarsvold explained, in terms of the kinds of projects that can be funded by a local sales tax, it is focused on only those that are capital projects and it must include projects that are of regional significance. Mr. Aarsvold noted Ms. Beekman talked about a couple of those projects being contemplating in Brooklyn Center, and Ehlers thinks those potential projects meet that qualification of showing a regional significance to establish a local sales tax. Mr. Aarsvold stated the projects that they had been looking at during this process were the new Opportunity Site and the Community Center.

Mr. Aarsvold stated as for who would be paying the local sales tax, that is why it is appealing for communities to consider this. Mr. Aarsvold noted when the City raises a property tax levy, that is paid 100% by the taxpayers in Brooklyn Center. One of the appealing things that come along with a local sales tax is when anyone pays a sales tax in your community, the general sales tax will pay the local sales tax as well. That is a benefit because most studies indicate that about 55% of that sales tax is probably paid by residents, but that leaves about 45% of that sales tax that is paid by those outsides of the community. Mr. Aarsvold stated when you pay for a facility of regional significance, folks from around Brooklyn Center are also contributing to the regional benefit. He explained the City would not be paying for the Community Center solely from the money of Brooklyn Center residents. Mr. Aarsvold stated the percentage is a generalization that can vary, and that number can even be flipped for communities that draw significantly from their surrounding areas. He stated if the City could do a very specific study to see where that money is going to come from.

Mr. Aarsvold stated another thing to add is that these sales taxes do include vehicle sales. Mr. Aarsvold stated Brooklyn Center has many dealerships, and those sales have been taken out of their calculations, and they will see how that flows through.

Mr. Aarsvold stated they took data from the Minnesota Department of Revenue about the taxable retail sales in Brooklyn Center through 2019. He noted the 2020 data will not be available until the first part of next year, so there is a little bit of a lag in data availability. Mr. Aarsvold stated this information can show what the amount of sales tax could potentially generate in Brooklyn Center. Mr. Aarsvold stated they took the amount of taxable retail sales, minus motor vehicle sales just to be conservative, and that left a net number of taxable retail sales.

Mr. Aarsvold stated they then estimated what a sales tax could generate at .25%, .5%, and 1%. Mr. Aarsvold stated the important thing is as the project moves forward to 2021, they used a simple 1% inflation. They had about $1.2 million for a .25% sales tax up to $5.1 million for the 1% local sales tax. Mr. Aarsvold stated he thinks the important numbers are how much they could generate today from the sale of bonds, for example, to pay for the facilities at each of those levels of funding. Mr. Aarsvold stated if it is a .25%, then they are looking at about $21 million in funding, so if they issued a bond at 2% over 20 years, that is the order of magnitude of what they could raise for local sales tax. Mr. Aarsvold stated at .5%, it would be $42 million and up to 1% sales tax would be $84 million. Mr. Aarsvold noted this assumes it is collected over 20 years, which is the most typical duration for those types of taxes to run.

Mr. Aarsvold explained there is a very specific process and they need to follow through on all the steps. Mr. Aarsvold stated the legislature recently changed this process and flipped it to putting the onus on the City to go to the legislature first, so it requires the City to adopt a resolution indicating the proposed tax rate that they wish to institute in Brooklyn Center. Mr. Aarsvold stated .5% is a typical amount used by cities.

Mr. Aarsvold stated the City would need to detail and describe all of the proposed projects that they intend to finance with that sales tax and document the regional significance of those projects. Mr. Aarsvold stated when they have worked with several communities that have done this, they think that the City could do this quite easily. He stated the Community Center already has data to see where people are coming from, and they can probably demonstrate today the fact that it is a regional facility. He knows from living in Champlin, he has used that facility for swimming lessons for his kids. Mr. Aarsvold stated people are coming from places outside of Brooklyn Center to use the Community Center so demonstration of regional significance is not a problem, but it is something they need to be aware of.

Mr. Aarsvold stated the resolution needs to include an amount to raise for each project, adding they would need to point out what the length of time for that sales tax will be. Mr. Aarsvold stated, as mentioned, 20 years is most typical and is generally enough time to finance the projects that are contemplated within your plan. Mr. Aarsvold stated some cities after the 20 years have gone back to renew the tax, but that would be something to consider at a later time.

Mr. Aarsvold stated the resolution passed would be submitted to the State tax committees during the legislative sessions, so there is a deadline to do that. The deadline is January 31 in the year in which you are seeking to institute the tax. Mr. Aarsvold stated if they were looking to have that done in the next legislative session, January 31 is the deadline to get it in the queue for consideration by the legislature. Mr. Aarsvold stated all of the data and documentation about the regional benefit would need to be included in the package for submittal. The City would need to get the legislature to approve their local tax so oftentimes, communities work through their local legislatures to get it introduced and secure approval. Mr. Aarsvold stated hurdle number one is to get the legislature to approve the tax. Once that is done, the City needs to adopt another resolution accepting that law and then file it with the Secretary of State to acknowledge that the law is in place. Mr. Aarsvold stated after all that is done, the City would need to go to voters with a referendum, and voters will decide whether or not the sales tax would be instituted in Brooklyn

Center. Mr. Aarsvold stated that the process has been flip-flopped in the past, but this is the current law. Mr. Aarsvold stated the referendum must be conducted within two years to impose the tax, and then it goes on to specify that they need to include a separate question on the ballot for every project the City is contemplating for funding. Mr. Aarsvold stated after that is done, if approved, then the City would pass an ordinance, impose the tax, and then notify the Commissar of Revenue that the tax is in place.

Mr. Aarsvold stated once they do all of that then the question is how do they collect that tax and how is it administered. Mr. Aarsvold explained that once everything is set up, the City has to notify the Department of Revenue that the City has the tax. At least 90 days before you want it imposed, those taxes will be collected with other taxes. Mr. Aarsvold stated the Department of Revenue will remit the portion of the local tax to the City, generally quarterly. Mr. Aarsvold stated the City would be able to use the money for debts or other projects depending on how they choose to use the finances.

Mr. Aarsvold stated that is the extent of the formal points he wanted to cover, but he is open to more questions or to go into further detail about processes or other concerns the Council/EDA may have.

QUESTIONS & NEXT STEPS

Mayor/President Elliott asked if there were any questions or comments from the Council/EDA.

Councilmember/Commissioner Butler asked how thorough education to the community is important or necessary before trying to put something like this on the ballot and what have they seen done in other cities.

Mr. Aarsvold noted other communities have spent several meetings with engagement around the issue and solicited feedback if the tax should be imposed. Other cities have put out a community survey or separate polls in individual community meetings. Mr. Aarsvold stated that is up to the Council/EDA to decide how it would best have a dialogue in the community, noting there is a definite need to share why it would be beneficial for the community and how that revenue is going to come into the community. Mr. Aarsvold stated in his experience, discussing what projects it is going toward is very important.

Councilmember/Commissioner Ryan stated he was very pleased that they would have the discretion to exclude certain types of sales. He noted he had done a little bit of reading and talked to some people about this, and the fact that the City could exclude vehicle sales never came up, which was a concern of his. Councilmember/Commissioner Ryan stated another facet that has a lot of appeals is that the City would gain from revenue is generated by sales from people outside of the City.

Councilmember/Commissioner Ryan asked if there had been any work on studying the effects on retail generally with increases in sales taxes. He stated there was a lot of hyperbole around that when talking about the stadium tax, but he was curious if there was something Mr. Aarsvold could share with them on that facet.

Mr. Aarsvold stated he cannot cite a particular study but studies have been conducted to show that it is not a deterrent. Mr. Aarsvold stated they can help locate some of that information if that is useful for them and to have in place for future community dialogue. He noted the piece on omitting sales tax from vehicles is written into the statute, so it is not discretionary.

Councilmember/Commissioner Graves asked how much of the proceeds the Department of Revenue gets to keep and if that is reflected in the chart Mr. Aarsvold prepared.

Mr. Aarsvold stated they will keep the cost of administration of the tax and it is not specified in statute exactly how much that is. Mr. Aarsvold stated Ehlers has been conservative in the numbers presented, so it is not something that is going to change the magnitude of the numbers they would be receiving.

Councilmember/Commissioner Graves stated she was asking because, on a much smaller scale, she was thinking about the child support system and how frustrating that has been for her as an individual. She understands the need to take money out for administration, but it is money taken away from a particular family. Councilmember/Commissioner Graves stated it is a different situation, but it is what piqued her interest.

Councilmember/Commissioner Lawrence-Anderson stated she appreciated the presentation. She stated she is neutral at this point, wants to hear from the public, and encouraged anyone from the public to email or call. Councilmember/Commissioner Lawrence-Anderson stated she thinks it sounds like a wonderful venue, but everyone is at different places in their lives and it is not something she would use. She looks forward to hearing what the residents think and thanked Mr. Aarsvold for his presentation and questions.

Stacie Kvilvang, Ehlers, stated she thinks Mr. Aarsvold alluded to this in the beginning, but if it is something that the Council/EDA is interested in moving forward with, there will likely be very tight time frames, so it is something that requires a lot of direction to staff. Ms. Kvilvang stated if it is something the Council/EDA wanted to pursue with either one or both of the projects, they would be looking at the 2022 session. Ms. Kvilvang added if they are lucky enough to have a tax bill, that would come typically at the end of June or July that things would be approved. From there, it would move onto 2023 to have on their referendum in November, and the earliest they would be doing construction on any of the facilities would be 2024. Ms. Kvilvang stated it is not one of those things they can do the next year as it still takes time. She stated they have to consider if they are still going to move forward on the Community Center and it if fits that timeline. Ms. Kvilvang stated if this is something they are truly interested in and wanted to pursue this year, January will be here before they know it.

Councilmember/Commissioner Graves stated she understands the shortness of the time frame in terms of submitting something by the January 31 deadline. She wondered what kind of community input they could get before that and is curious what staff has to say about that in terms of what is feasible.

Dr. Edwards stated he thinks they certainly can put together information sessions and surveys, noting the primary challenge would be explaining to residents what it is and the funding of the taxes, such as who would pay. He thought they could embark upon engagement to get a sense of what residents may think about it if the Council/EDA had an interest. Dr. Edwards stated they would find out as much as they can about how the community sits on this issue.

Ms. Kvilvang stated traditionally what they see in the communities that move forward with this, they don't have the level of community engagement at the front end. Ms. Kvilvang stated it is first about the desires of the Council/EDA and what they want to pursue projects. She noted when they go to the legislature, there is no guarantee that you are going to get what they ask for. Ms. Kvilvang stated they haven't seen other cities get as much input on the front end, but the hard work starts once they get authorization and decide what projects they want to pursue, what they want to put on the ballot, and how they will educate the public. Ms. Kvilvang added she is not saying it is not great to get some initial feedback from folks, but it doesn't have to be the end-all-be-all if they decide to move forward.

Dr. Edwards added he thinks Ms. Beekman might weigh in more about engagement.

Ms. Beekman stated she just wanted to underscore that this discussion has been borne out of the need for a new Community Center. Ms. Beekman stated the City has applied for State bonding to help pay for that project and if the funding comes through, the City would be responsible for a portion of the total cost. Ms. Beekman stated this conversation is in response to the question about where the funding would come from to pay for the City's portion.

Ms. Beekman added there has been exploration around some type of recreation use that provides regional significance on the Opportunity Site. She wanted to underscore in fleshing out the details of the projects, there are certainly no plans that are ready to go or have been developed, but this is the first step to see if there is an appetite at the legislature to help the City pay for these things. Ms. Beekman stated the planning for the projects would ramp up at a later time.

Councilmember/Commissioner Graves stated she understands there isn't much point in getting a lot of community engagement if they aren't even sure if they will have something to engage them about. She has a general interest and thinks the Community Center needs work, but with some of their priorities beyond recreation such as health and wellness, having some leverage to have a more welcoming Community Center to host more cultural events and that serve the youth in a better capacity, are all preventative measures for the City to make sure it is a safe place for people to live and visit and play. Councilmember/Commissioner Graves stated she is not completely sure at what level of tax, but she is more interested in the .25% or the .5% range.

Councilmember/Commissioner Graves asked how much of an increase or significance it would be reflected on someone's receipt or on an average person's salary. Mr. Aarsvold explained the State has studies that estimate the sales tax impact on varying levels of income and if that information is of interest to the Council, he can provide it. Mr. Aarsvold stated he can gather that with the other data that was requested to give a better sense of how it would impact a person. He stated the most simple level is the .25% or the .5% that would be tacked onto a simple purchase, but it seems

like Councilmember/Commissioner Graves is getting at more of the policy implications and the impact over the year.

Councilmember/Commissioner Graves stated she would appreciate that information. She understands this is just the beginning stages and nothing has been decided until a final vote. Councilmember/Commissioner Graves stated she is willing to move forward at the .25% or the .5% local taxes and then would defer to staff to decide further to the bonding bill that will be submitted.

Councilmember/Commissioner Ryan clarified if they don't get their ask on the bonding bill, then the local sales tax is moot because they wouldn't have a regional significance. He asked if it would otherwise apply to projects coming up in the Opportunity Site.

Ms. Beekman stated the sales tax could only be used for capital projects that are included in the legislation to ask for the sales tax. She added the City can ask for multiple projects in that ask, though each project has to meet the eligibility requirements in that it be a capital project and have regional significance that could be demonstrated. Ms. Beekman explained if the State bonding does not come through for the Community Center, then she thinks there are a couple of other options available to the City as an alternative.

Ms. Beekman stated this is a topic they have been exploring for a couple of years, noting some people have been calling the new regional site a "white water park" and some have called it a "waterpark". Ms. Beekman stated they are looking at a year-round and outdoor adventure park. She thinks the details of what types of facilities are available on it are probably less important than it being something that is of regional significance that provides year-round play, adventure, and outdoor activities for individuals. Ms. Beekman stated this has always been conceived of a public/private partnership between the City and a private business that would operate the facility. Ms. Beekman stated because of its regional significance, Brooklyn Center residents would receive benefits such as free or reduced access, which has been part of that conversation. Ms. Beekman stated that has taken a rest during the pandemic, and it is something they have not worked on in the last year or so but the conversation has begun to kick up a little bit. She thinks that is an option and it is not necessarily dependent upon State bonding being successful.

Ms. Beekman noted another thing about the Community Center itself is they went into the State legislature around a new Community Center facility. Ms. Beekman noted as a part of the master planning process, they looked at other options that may include an expansion of the existing facility and renovation, a new facility, or a new facility with a field house. Ms. Beekman stated there are significant improvements to the Community Center that could take place even without State bonding, though they would not be as significant. She thinks it is important to note that the sales tax could be an avenue to do some regionally significant improvements to the Community Center that could benefit the community. Ms. Beekman stated this does leave quite a few options available and any multitude of outcomes could occur for both of these projects, so this needs to remain adaptable and flexible until the point that taxpayers vote.

Ms. Kvilvang stated what they are trying to do is to add tools to the City's toolbox. She noted if the City doesn't get their full bonding amount or only a small amount, they are trying to provide

another option. Ms. Kvilvang stated if it is important to renovate or expand the Community Center facility, this is just another tool so it is not 100% of the costs borne by residents of Brooklyn Center. Ms. Kvilvang stated as they do some expansions, there will be a more regional draw.

Mayor/President Elliott noted there was a comment in the chatbox asking if the sales tax would affect tax services at the car dealerships.

Mr. Aarsvold explained the statute expressly excludes motor vehicle sales, but everything else that is subject to sales tax would be subject to this local sales tax because there are no other specific exclusions identified in the statute.

Arvid Sorenson stated his understanding that about 55% of the money would be coming from local which is quite a fair amount. He asked what other local cities also have a local sales tax, noting the City is already having to attract retail, so what would the effect be on that issue.

Mr. Aarsvold stated Maple Grove has legislative approval for a sales tax that is related to a community center and Rogers recently went through that process. Mr. Aarsvold stated those are the closest neighbors doing a similar process and while there are others, he didn't have a full list in front of him. Mr. Aarsvold stated they can share that information as a part of the follow-up.

Mr. Aarsvold stated, regarding the effect on retailers, there will be some concerns that. He noted if they go another way with 100% property tax paid improvement, there are impacts there as well. Mr. Aarsvold stated there is no avoiding some kind of an impact but studies have not shown a deterrent for shoppers in communities that impose a sales tax. Mr. Aarsvold stated he will find more reports that can be cited in future conversations.

Councilmember/Commissioner Graves thanked Mr. Sorenson for his questions and stated she had thought about one of those earlier about businesses. Councilmember/Commissioner Graves stated Mr. Aarsvold noted a local sales tax in Maple Grove and Rogers related to a community center and asked if Mr. Aarsvold had examples of a local sales tax for other projects not specific to a community center.

Mr. Aarsvold stated there are others and he will provide more information in a follow-up meeting. Mr. Aarsvold stated Rogers, for example, used theirs for several different things including trails and another facility beyond a community center. Mr. Aarsvold stated it has to be limited to the realm of capital projects, so that is why a community center is a common item since it is a regional benefit and a capital project.

Councilmember/Commissioner Graves stated she would be interested in more information on the reports Mr. Aarsvold cited.

Mayor/President Elliott stated he is interested in understanding what the impact is on the poor people in a community with a sales tax.

Dr. Edwards stated he was looking for general interest from the Council/EDA to see if this was something they were interested in pursuing. Dr. Edwards stated they will come back with an

assessment related to concerns that were brought up in the meeting and if this is something worth pursuing, then he would prepare that information.

Mayor/President Elliott stated he hears folks are interested in doing this, but they want more information.

Councilmember/Commissioner Lawrence-Anderson noted she would like to move forward based on the available time frame since she does not know what the legislature will come up with down the line.

Councilmember/Commissioner Butler stated she concurs.

Councilmember/Commissioner Ryan stated he thinks they should pursue this and he is interested in staff recommendations about various percentage increases and the impacts on various income levels. His biggest concern was motor vehicle sales, but learning that those are excluded addresses his largest concern. Councilmember/Commissioner Ryan believes they should start to gather more information.

Councilmember/Commissioner Graves stated she is in favor of moving forward at least to find out more information and to start the process so they can decide once they have more information.

The majority consensus of the City Council/EDA was for staff to gather more information and address the issue further at a later date.

ADJOURNMENT

Mayor/President Elliott moved and Councilmember/Commissioner Ryan seconded adjournment of the City Council/Economic Development Authority Work Session at 5:55 p.m.

Motion passed unanimously.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss. Certification of Minutes
CITY OF BROOKLYN CENTER)

The undersigned, being the duly qualified and appointed City Clerk of the City of Brooklyn Center, Minnesota, certifies:

1. That attached hereto is a full, true, and complete transcript of the minutes of the Special Work Session of the City of Brooklyn Center held on September 27, 2021.

2. That said meeting was held pursuant to due call and notice thereof and was duly held at Brooklyn Center City Hall.

3. That the City Council adopted said minutes at its October 11, 2021, Regular Session.

_____ _____

City Clerk Mayor

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
OCTOBER 4, 2021
VIA ZOOM

1. 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.

2. ROLL CALL

Mayor Mike Elliott and Councilmembers Marquita Butler, April Graves, Kris Lawrence-Anderson, and Dan Ryan.

Also present were Financial Commissioners Chair Taneshia Kragness and Dean Van Der Werf.

Not present were Financial Commissioners David Dwapu, Taofeek Ishola, Emmanuel Kpaleh, and Abate Terefe.

Also present were City Manager Reggie Edwards, Acting Finance Director Andy Splinter, Community Development Director Meg Beekman, City Clerk Barb Suciu, and City Attorney Troy Gilchrist.

3. APPROVAL OF AGENDA

There was a motion by Mayor Elliott and seconded by Councilmember Lawrence-Anderson to approve the agenda. Motion passed unanimously.

4. SPECIAL REVENUE FUNDS, DEBT SERVICE, AND INTERNAL SERVICE FUND BUDGET REVIEW

4a. SPECIAL REVENUE, DEBT SERVICE, AND INTERNAL SERVICE FUND BUDGET REVIEW

City Manager Reggie Edwards introduced the topic and added that October 18 and December 6 are future discussions for the next steps on this topic. He invited Mr. Splinter and Ms. Beekman to make the staff presentation.

Acting Finance Director Andy Splinter stated the special revenues funds are funds of the City with dedicated expenses and use but don't necessarily benefit from user fees or break even, which is

similar to the enterprise fund. He added some of the special revenue funds may have a dedicated funding source, but they also receive some tax levies.

Mr. Splinter stated the first special revenue fund is the Economic Development Authority and Housing and Redevelopment Authority and noted Ms. Beekman would go further into that at a later time. He stated another special revenue fund is the Tax Increment Financing funds for Districts 2, 3, 5, 6, and 7, and added District 4 was decertified last year. Mr. Splinter stated District 3, as they discussed in the general fund, is coming off the rolls next year, but that District will hang out for several years and have some funds left in that District to spend on projects throughout the City that qualify.

Mr. Splinter stated the police forfeiture fund is where they receive any Driving Under the Influence forfeitures as they are turned over to the City or the County Attorney's Office, and the Police can use those funds for equipment purchases or things of that nature. They most recently used a large share of their fund to outfit their new SWAT vehicle.

Mr. Splinter added in the category of city grants, the Police Department received Auto Theft Prevention, Towards Zero Deaths, Justice Assistance Grant, Violent Offenders Task Force Grant, and Federal Bullet Proof Vest Grant. Mr. Splinter stated the city grants also include grant funds and donation-based funds that Recreation keeps track of, and Luther Soccer League is the biggest one there.

Mr. Splinter added the last grant in the city grants category is the Northwest Cable Communication Grant. He stated this is funding related to fees for people to access programming, and added these funds come into the City and they are required to use them for certain purposes related to government communication. Most recently they used these funds when doing the renovation in City Council Chambers about four years ago.

Mr. Splinter stated the last special revenue fund, which was previously an enterprise fund, is the Centerbrook Golf Course. Mr. Splinter noted golf has hit a bit of a boon recently due to COVID-19, so they made a profit last year and were able to pay down a few of their cash deficits. They are hoping for another successful year, and they reduced the general fund a little bit for 2022.

Ms. Beekman stated the Housing and Redevelopment Authority and the Economic Development Authority are distinctive in that they have differing missions. Ms. Beekman noted the mission of the Housing and Redevelopment Authority is to utilize its taxing authority to fund the operations of the Brooklyn Center Economic Development Authority. Ms. Beekman stated the mission of the Brooklyn Center Economic Development Authority is to initiate programs and facilitate redevelopment or renovation opportunities that promote public and private investments into commercial, industrial, and residential redevelopment and renovation activities.

Ms. Beekman stated the Economic Development Authority primarily serves the strategic priorities of resident and business economic stability and targeted redevelopment. She stated last year when the Council was preparing for their 2021, they identified several budget priorities, and divided the resident and business economic stability priority into two distinct priorities, one focused on reticent economic stability and the other focused on business economic stability.

Ms. Beekman stated the primary activities of the Economic Development Authority are primarily around business retention, expansion, and attraction, community marketing activities, promoting development opportunities, economic development initiatives, and programs that support business growth, expansion, and capacity-building within the City with a focus on small and local businesses, and planning initiatives and budgeting associated with the use of Tax Increment Financing. She added they fund the Minnesota Housing and Finance Agency program to provide reduced interest rates for homeowners who are looking to rehabilitate their properties.

Ms. Beekman stated in 2020, the Economic Development Authority pivoted their focus, and they responded to the pandemic by taking all of their initiatives and resources and funneling them towards small business resources and technical assistance along with resident support and resources. In 2020 the City received Coronavirus Aid, Relief, and Economic Security Act funding which, combined with their Community Development Block Grant money, funded the Forgivable Loan Program for small businesses. She added they provided $150,000 in forgivable loans in the community.

Ms. Beekman stated they provided non-profit community resource grants that were providing services to residents. She stated they provided direct technical assistance to places like Liberian Business Association and Patio Consulting as well as supporting organizations like African Career, Education, and Resource who were providing direct technical assistance as well.

Ms. Beekman noted they provided a significant amount of outreach and education, going door-to-door in some cases and reaching out to small businesses to make sure they were aware of the resources that were available to them through the City, county, and state. Ms. Beekman stated the Economic Development Authority addressed food access and worked with the local food shelves to help them stabilize and expand services. She added they partnered with Hennepin County and Community Emergency Assistance Programs to provide rental assistance to renters in the community and utilized the Community Development Block Grant funds to fund a down payment assistance program for first-time homebuyers in the community.

Ms. Beekman stated the Coronavirus Aid, Relief, and Economic Security Act funding had ended by the end of 2020, but they continued the work to focus on loan support in 2021. She noted they had a new Economic Development Coordinator start in January of 2021, and he was able to hit the ground running and do an assessment of local business needs. Ms. Beekman stated they developed a business resource webpage with different sections for entrepreneurs looking to start a business as well as existing businesses in the community that is looking to grow.

Ms. Beekman added they continued to implement and expand resources and technical assistance. She stated they created a revolving loan fund to support low-interest loans of up to $100,000 to help expanding businesses get the equipment or do capital improvements. Ms. Beekman stated they partnered with the Liberian Business Association to support small entrepreneurs who have had barriers to accessing traditional capital markets, and the micro-loan fund has allowed them to access those capital dollars while also getting one-on-one mentoring on becoming bank-ready.

Ms. Beekman stated they partnered with Hennepin County on their Elevate Business program

which provides free technical assistance to small businesses. She noted their Economic Development Coordinator has done a good job of promoting that program and meeting specifically with the technical service providers to make sure they are providing a customized experience for residents. Ms. Beekman added the Economic Development Coordinator has served as an ombudsman and point-of-contact for people in the community that have questions or need assistance. Ms. Beekman stated the City also funded a micro-grant facade program which is currently being implemented.

Ms. Beekman stated they also provided a Sewer Availability Charge credit program, which allows the City to collect unused Sewer Availability Charge credits and pool them in a Citywide fund that can then support small businesses with their expansions. She stated they developed a formal Business Retention and Expansion Program to go out and meet with existing businesses in the community, talk to them about where they are at and where they see themselves in five or ten years and ask about their barriers and how the City can support them. They partnered with the Minneapolis City Chamber to track the information they are gathering, so that will ultimately yield full reports. Ms. Beekman added it also helps them to build relationships with those businesses and better understand what their needs are. Ms. Beekman stated the program has already put businesses that were in expansion mode in contact with locations they can relocate to and expand into and help them fund equipment purchases to facilitate the expansion.

Ms. Beekman stated they have helped to provide affordable bricks and mortar spaces for businesses. Ms. Beekman stated she knows business stability is a major concern for entrepreneurs in the community and having access to affordable space has been a major priority, so they are focusing on an Entrepreneurial Market Plaza incubator as an initial phase of development. She noted they also have goals around affordable commercial set-asides in new development.

Ms. Beekman stated, moving into 2022, they looked at the Council's priorities from 2021 and identified what they had accomplished, what was yet to be done and focused the Economic Development Authority's budget around those particular initiatives and actions. She stated the three key pieces, as earlier mentioned, are targeted redevelopment, resident economic stability, and business economic stability and identified initiatives for each of those. Ms. Beekman noted the Economic Development Authority is not the only source of funding for these programs, and she will note where they have initiatives identified that are funded through other sources, such as Tax Increment Financing funds or the general fund or are excellent candidates for American Rescue Plan Act funds. They will be including such programs in the proposal to the Council for such funds. Ms. Beekman stated those have yet to be determined as the Council has not decided how those funds will be allocated, but they are working on developing a proposal for the Council to consider at a later date.

Ms. Beekman stated targeted development is primarily focused on the Opportunity Site and redevelopment work they will see with that once they get a project out of the ground. Ms. Beekman stated strategic redevelopment of existing Economic Development Authority-owned properties and considers strategic acquisitions the Economic Development Authority makes throughout the year as opportunities become available. She stated the former owner of the Sear's site is looking to redevelop that site, so part of the Economic Development Authority's initiative involves working with them to find a land use that is feasible from a market perspective and also meets the

former owner's goals. Ms. Beekman noted there are not necessarily dollars attached to these items as it is the day-to-day work of the staff, but she wanted to include it as they are areas they want to focus on.

Ms. Beekman stated the resident economic stability priority has four key initiatives. Ms. Beekman stated they plan to do workforce development and focus on creating pathways for residents to obtain training and, ultimately, higher-paying jobs. Ms. Beekman stated the initiative of resident wealth creation focuses on ownership as well as financial literacy. She noted food security is a new area of focus in 2021 and one that they have begun to pour into. Ms. Beekman stated the job retention and expansion are tied with targeted redevelopment with the focus on the need for livable wage jobs and expansion of those opportunities.

Ms. Beekman stated the business economic stability priority focuses on assessing local needs, identifying resources for local businesses, and creating stability for local businesses so that they can thrive. Ms. Beekman stated all of the initiatives associated with targeted redevelopment would be allocated to the District 3 Tax Increment Financing pooling that they have available, so those initiatives are not included in the Economic Development Authority budget.

Ms. Beekman noted she would first be focusing on resident economic stability. Ms. Beekman stated the first initiative of resident wealth creation focuses on promoting homeownership and wealth building programs among historically low wealth communities, and they have several actions they are focused on within that area. Ms. Beekman stated for the housing assistance and related resources initiative, they continually work they have been doing with Hennepin County as they are bringing rental assistance and mortgage assistance programs to the community.

Ms. Beekman stated the Economic Development Authority also wants to continue to promote homeownership, and they have a program that is funded through Community Development Block Grant money. Ms. Beekman stated they are looking to expand programs related to financial literacy. She noted one example of this is the work with Powderhorn Residents Group. Ms. Beekman stated that the program is available for folks who currently live or work in the community or whose children attend a school in the community, and it provides up to $10,000 of down payment assistance to buy a home in Brooklyn Center. Ms. Beekman noted they realize some people may not be ready for homeownership, so the partnership with Powderhorn Residents Group provides one-on-one financial readiness and assistance to get folks ready to buy a home. Ms. Beekman stated people can enter into the program, work with the Powderhorn Residents Group for any amount of time that makes sense, and then, upon completion of the program, have access to those funds.

Ms. Beekman stated they are also working on a City-wide housing study which is being funded by the District 3 Tax Increment Financing Housing Fund. She noted the outcome from the study will be recommendations to form a Housing Policy Action Plan. Ms. Beekman stated they intend to have that deliverable within the first quarter of 2022, and the work will begin in moving forward with that action plan.

Ms. Beekman stated tenant protection has been a major issue. She stated she provided an update to the Council last week on where they are at with that, and it should be coming to the Council

relatively quickly. Ms. Beekman stated they focused on legal fees and preparing ordinances. Ms. Beekman stated they are working with advocates to get the ordinance language just right. Ms. Beekman noted this work is currently budgeted in the general fund.

Ms. Beekman stated food security is a new area of focus and is really about facilitating food security for residents. Ms. Beekman noted they have three actions they are working on to promote food security. She stated an action item for this initiative is to partner with local food shelf providers to identify barriers and invest in sustainable food production and distribution. Ms. Beekman stated they are in partnership with CAPI and the Community Emergency Assistance Program to have a conversation about a proposal that they are putting together to provide a mobile food truck type of model that would allow for the food shelves to do better distribution and provide food access by meeting people in the community. Ms. Beekman noted the proposal is for the use of American Rescue Plan Act funds.

Ms. Beekman stated they have been working on a deep winter greenhouse which relates to the effort of supporting the Brooklyn Center Community Food Collective. She noted this was budgeted for in last year's Economic Development Authority budget, but it was not expended. Ms. Beekman stated they did not get to the point of constructing the greenhouse, but they have moved forward quite a bit on that work. Ms. Beekman stated those funds are, in a sense, rolling forward to be available for that program when it is ready.

Ms. Beekman stated another action item to promote and facilitate food security is to support local farmers' markets. Ms. Beekman noted they have had conversations with local farmer's market providers in Brooklyn Center, and the Economic Development Authority is looking to grow and develop their work. She added they have partnered with and hired some local organizations to help with that, and they have requested funds to help pay for a farmer's market coordinator who can come in and help them think through a plan to expand, develop communications and outreach plan, and stabilize the farmers' market. The local farmer's markets have requested a three-year commitment of $12,000 to support that work. Ms. Beekman stated there will be a formal proposal at a later date, but the intention here is to put it into the budget should the proposal and program move forward.

Ms. Beekman stated job retention and expansion are focused on increasing the number of high-quality jobs in the community. She stated this is work they do as a part of their day-to-day, but the focus on local hiring practices is something they want to expand into. Ms. Beekman stated this is ultimately to identify redevelopment opportunities and advance the creation of livable wages and skilled jobs while emphasizing and encouraging local hiring practices. Ms. Beekman stated they would like to emphasize the relationships between new businesses coming in and local hiring.

Ms. Beekman stated job pathways and workforce development is related to job retention and expansion. Ms. Beekman stated workforce development has been an initiative for the City since 2018 when the Economic Development Coordinator position was created. She noted an area that they struggled to figure out was what the City's role is in providing the necessary training and workforce development that their residents need. Ms. Beekman stated they landed that it is about collaboration and partnerships and leveraging the work that others are doing while expanding upon that work. Ms. Beekman stated they have been in conversations with the city of Brooklyn Park

about expanding workforce development collectively and recognizing that this is something that goes beyond individual city borders. Ms. Beekman stated the focus is where the City can make a significant difference.

Ms. Beekman noted they have some amazing educational institutions, organizations, and employers looking to hire in the community, and the gap is in the pathways between those spaces - from high school into higher education and training and then into employment. Ms. Beekman stated they are working on an initiative to address that, and they are proposing the use of American Rescue Plan Act funds on that. Ms. Beekman stated they are also looking to connect residents to jobs within the City, and they are doing that in partnership with the Administration Department of the City.

Ms. Beekman stated they want to further support the BrookLynk Program that the City already does support. She stated the City allocates about $50,000 each year to that program, and that program can leverage six times that in state grants that go back into the community to fuel that work. Ms. Beekman stated the success that the program has had in obtaining state dollars has been eye-opening for the Economic Development Authority in understanding what the county is looking for in terms of funding.

Ms. Beekman stated this year they funded training programs with the Organization of Liberians in Minnesota. Ms. Beekman stated they had partnered with several Certified Nurse Practitioner Training and Certification programs and then directly worked with residents to connect them to those training programs, help them through the programs, and move them into employment. She added this has been a successful approach, and they are looking to continue that work and hopefully utilizing American Rescue Plan Act funds.

Ms. Beekman stated, moving into business economic stability, is focused on supporting local businesses. Ms. Beekman stated they are working on an assessment that will identify where there are service gaps for local entrepreneurs and then what are resources for them to access. They anticipate having a report to the Council by the end of the year that culminates the work of 2021.

Ms. Beekman started focusing on resources for local businesses is about implementing and expanding resources and technical assistance to local businesses, with an emphasis on disadvantaged businesses. She added they have programs that will continue to monitor and evaluate current programs into 2022 to ensure that those programs are effective and evolving going forward.

Ms. Beekman stated another initiative is the Business Resource Center which would be a place for local entrepreneurs could go and access resources. Ms. Beekman noted they have identified $50,000 in the Economic Development Authority budget to help support that work, and they hope to continue to do that as it is a much-needed and valuable resource in the community.

Ms. Beekman noted they plan to strengthen partnerships to connect local businesses to existing resources. Ms. Beekman stated they want to expand and formalize the Business Retention and Expansion Program.

Ms. Beekman described the Local Procurement Program initiative, staff's conversations with consultants, including the Brooklyn Park consultant, and the preparation of several proposals. This program would scan the community's business climate to provide procurement services and also look at the City's decentralized local procurement process. It would focus on private investment so consideration was given to drafting a business subsidy policy that requires when a City subsidy is received, that the business must comply with a local procurement program. This item was budgeted at $150,000, to put the program into place the right way.

Ms. Beekman stated they have earmarked another $50,000 for a micro-grant program. She stated they funded a $50,000 micro-grant program which was successful, and the work is out being completed currently.

Ms. Beekman stated the goal of business economic stability looks like being able to promote a stable environment for local businesses to thrive by providing bricks and mortar opportunities. She stated first action item is the Entrepreneurial Market Plaza business incubator as part of the Opportunity Site which will be funded by the District 3 Tax Increment Financing funds. Ms. Beekman noted they want to utilize the Economic Development Authority-owned shell retail space to serve local entrepreneurs and small business needs and explore the creation of additional affordable commercial spaces as the Economic Development Authority-owned properties develop. She added they also want to create a program that would provide access to capital to promote real estate acquisition and ownership for small businesses, which is the proposed use of American Rescue Plan Act funding.

Ms. Beekman stated they are not proposing any staffing changes for 2022. She noted as the department has grown over the years, the Economic Development Authority has absorbed a greater proportion of wages versus the general fund, and they have been able to do that because District Three Tax Increment Financing has historically funded economic development initiatives that would have otherwise been funded by the Economic Development Authority. With District Three Tax Increment Financing being decertified this year, they know that the ongoing initiatives will now need to be funded by the Economic Development Authority, so they are proposing to begin to move some wages to the general fund to make room for Economic Development Authority initiatives that would have been funded by District Three Tax Increment Financing. For 2022, they are looking at a reduction in full-time equivalent time for staff down to 2.25 full-time equivalent in 2022 then hold at 1.25 full-time equivalent in 2023.

Ms. Beekman stated the Economic Development Authority anticipates revenues of $693,654 and expenditures anticipated at $885,097, part of which are programs they did not complete in 2021. Ms. Beekman noted they do have a strong Economic Development Authority reserve, so they believe this is an acceptable use of those reserves.

Ms. Beekman showed a slide on the Tax Increment Financing Districts. Ms. Beekman explained the Tax Increment Financing funds have the authority to collect tax increment which is then used for various redevelopment projects within the City and for debt service payments of bonds that were issued for redevelopment purposes. The state dictates how those funds can be used. She added they currently have four active Tax Increment Financing Districts in the City, but they track seven budgets because they have a few Districts that have been decertified but still have funds.

Ms. Beekman stated District Two Tax Increment Financing was decertified in 2011 and was primarily used to finance the redevelopment of Earle Brown Terrace and Earle Brown Commons, and the current district goals are to provide the Economic Development Authority with options for maximizing redevelopment opportunities and benefits, to repay District Five Tax Increment Financing inter-fund loan, and to support the development of the Opportunity Site. She noted the current balance of the District Two Tax Increment Financing fund is about one million dollars with revenue of about $100,000 and the only ear-marked expenditure is $100,000 stormwater improvements for the Heritage Center. Ms. Beekman stated one of the potential uses of the other funds is opportunity seed for the Entrepreneurial Market Plaza.

Ms. Beekman stated District Three Tax Increment Financing covers three designated areas: Brooklyn Boulevard/69th, Brookdale area, and Willow/Highway 252 and decertifies in 2021. 15% of District Three Tax Increment Financing revenues are dedicated to the housing fund. She noted the District's goals are primarily for debt service, to develop options for the use of out-of-district pooled funds, redevelopment of 57th/Logan, the Opportunity Site, and the former Sears site, and the Brooklyn Boulevard Corridor Land Use Plan.

The projected balance at the beginning of 2022 will be about $7.4 million, the projected revenue is $29,100, and the planned activity is $2.7 million. Ms. Beekman noted the planned activity primarily covers debt service at $2.3 million for 2022. She added there would be some administration reimbursements budgeted at $150,000, an upcoming Brooklyn Center project at $50,000, the Opportunity Site planning will cost $300,000, and property maintenance requires $125,650. Ms. Beekman stated there are some opportunities for pooled funds such as a District Seven Tax Increment Financing inter-fund loan to assist with the redevelopment of the Opportunity Site, strategic land acquisition, and other eligible expenses. Because District Seven Tax Increment Financing is so new, it doesn't have upfront costs covered, and District Three Tax Increment Financing can step in to help cover the initial costs and will be paid back over time.

Ms. Beekman explained that District Three Tax Increment Financing also has a housing fund with a projected balance of $2.2 million at the beginning of 2022, no projected revenue, and $248,981 of planned activity for debt service. The opportunities for housing funds include implementing the outcomes of the housing study perhaps by supporting the preservation or expansion of affordable housing.

Ms. Beekman stated District Five Tax Increment Financing is a renewal and renovation district established in 2011 for the Shingle Creek Crossing Planned Unit Development that decertifies in 2029. Most of the increment goes to debt service on the bonds related to the redevelopment, and 5% of the increment is pooled to cover administrative costs. She noted the projected balance of the fund will be $565,852 and they anticipate about $500,000 of revenue coming in through the District with expenditures being about the same. Those funds could be used to reposition and market vacant properties or provide infrastructure improvements to facilitate redevelopment and build-out. Ms. Beekman showed a slide depicting when they can expect expenditures with District Five Tax Increment Financing and noted the revenues and expenditures are fairly stable over the life of the District. She noted the debt service for District Five Tax Increment Financing will come to an end in 2024, and they will see quite a bit of cash balance growing from there.

Ms. Beekman stated District Six Tax Increment Financing primarily was created to assist with the redevelopment of the sanctuary and decertifies in 2043; its revenue derives from a Pay As You Go note. Ms. Beekman stated the balance of the fund is about $83,000 and the revenue and expenditures are about equal.

Ms. Beekman stated District Seven Tax Increment Financing is the Opportunity Site and the Kohl's/Bank of America site. She noted the activity in the district must commence by 2023 or they will lose the District. Any expenditures related to the Opportunity Site are currently being billed to District Three Tax Increment Financing, but they did set up an inter-fund loan agreement to allow District Seven Tax Increment Financing to pay back District Three Tax Increment Financing for Opportunity Site expenditures at a later date. Ms. Beekman stated the primary goal of the District is to develop funding strategies that promote the redevelopment of the Opportunity Site. The current balance in that fund is about $242,000, and they do not have any expenditures planned for the District. Ms. Beekman explained District Eight Tax Increment Financing was created to facilitate the SonderPlace development. She noted it has not been certified yet, but it should be happening shortly.

Mr. Splinter stated the police forfeitures funds account for forfeitures related to drug and alcohol-related crimes. The alcohol forfeitures are restricted for alcohol-related crime expenses and have a glance of $3,452, and the drug forfeitures are restricted for law enforcement expenses that currently have $34,303. He explained the funds were previously used for the Incident Command Vehicle and the purchase of body-worn cameras, but there is no current planned use for the fund for 2022.

Mr. Splinter stated the city grants fund which includes the Northwest Cable Communications Grant, recreation grants, and police grants. He noted the Northwest Cable Communications Grant had a glance of $149,432 at the end of September, and they have $40,000 budgeted for grant revenue in 2022. Mr. Splinter explained the recreation grants account for donations, fees, and revenues designated for the support of a specific community and recreational activities. The activities identified include Safety Camp for $1,000, Luther Soccer League for $10,000, and Community Center epochal events such as a Halloween Party or Holly Sunday part for $14,000.

Mr. Splinter stated the police grants account for local, state, or federal grants for police activities. He noted the Auto Theft Prevention Grant was recently renewed for $34,200 to be used for some equipment purchases. They also received a separate grant to fund an investigator. Mr. Splinter stated the Byrne Grant Fund pays for a portion of one of their caseworkers, and the Violent Offenders Task Force is a grant for officers that take part in that task force. He added the Towards Zero Deaths grant allows for officers to take up extra shifts if they can on major holidays, and they usually receive a small number of federal funds for bulletproof vest replacement.

Mr. Splinter stated the internal service funds are primarily just the Central Garage which accounts for the operation of centralized management of fuel, preventative maintenance, and repair and replacement of city-owned motorized equipment and fleet. There will be no changes to staffing for 2022. Mr. Splinter noted 2021 was the first year they moved the Deputy Public Works Director directly to this fund. The changes for the Central Garage budget include an increase in general charges by about $250,000, a small increase for the cost-of-living adjustment, a decrease of

equipment purchases by $267,000, and very little change in the administrative services.

Mr. Splinter explained the Central Garage is projecting fuel sales of $345,000 for City vehicles and school district busses. He noted the equipment replacement charges are at $1.3 million, the overhead charges cost about $260,000, and a budget for repair and maintenance of $400,000. On the operating expense side, personal services cost about $638,000, the cost for supplies is just over $522,000, general services and charges take up $278,183, and the capital outlay is the largest piece at $1,050,000 approximately.

Mr. Splinter showed a slide reflecting the cash flow projection over the next several years, and noted they try to keep a targeted cash balance of around $3 million. He stated as they purchase more fire trucks, the cash balance will be dipping down around 2023.

Mr. Splinter stated the debt service funds keep track of all of their bonds related to governmental activities. They have issued improvement bonds in many of the recent years to pay for neighborhood infrastructure improvements which are repaid with special assessments and property tax revenues. He noted the tax increment bonds used to be more popular, but now it is more of a pay-as-you-go obligation. Mr. Splinter stated they have some utility revenue bonds that are used to finance water, sewer, and storm drainage that are paid from utility user fees and are not included as a debt service fund.

Mr. Splinter stated they do have a proposed debt issuance for 2022. The street reconstruction tax levy, water, sewer, and storm drainage are included in the bond with an estimated new debt service levy of $200,000 to fund those $ 8.25 million reconstructions over ten years.

Mayor Elliott asked Council if they had any objections to comments and questions from the public.

Councilmember Lawrence-Anderson asked if the public comments were related to items on the budget and stated if they wanted to deviate from the agenda, then they should vote on that.

Councilmember Ryan stated he can appreciate public questions, but if some of the budget questions do not pertain directly to this portion of the budget perhaps the Clerk can take questions and staff would get to them with more information. Councilmember Ryan stated his concern is that the staff remains in the meeting no later than they need to even though he does respect the public questions.

Councilmember Graves added they could have a set amount of time for public comments.

Mayor Elliott stated there is no way of knowing how many people will be on the call, but he would like to commit to adjourning the meeting by 8:00 PM.

A resident asked if can get copies of the slides.

Mayor Elliott stated the City Clerk could collect email addresses of interested residents and will email them the slides.
Lori B. stated her concerns are primarily about the previous budget presentation. She stated as a

19-year resident of Brooklyn Center, affordable housing, safe drinking water, outreach, employment opportunities, and the health and safety of her family are her biggest concerns. She added living in a safe environment ensures the health and wellness of its inhabitants and allows for residents to hold governmental leadership accountable. Lori B. stated she was there to ask for the Daunte Wright and Kobe Dimock-Heisler Safety Act to be fully funded the way it was created. She stated it took a lot of research in its creation, and, if fully implemented, will help to create a better environment from a community-based approach. She noted they are not looking to defund the police. Lori B. stated, if anything, the police are defunding the residents. Lori B. stated the residents should be the ones deciding how tax dollars are spent, especially since the Police Department receives 41.1% of the budget. She explained she is a tax-payer, and she should have some say about how her taxes are spent. Lori B. stated she lives in Brooklyn Center, but police are from areas like Anoka or South Dakota. Lori B. noted police are leaving them because they have no vested interest in making the City a better place to live.

Lori B. asked who is reviewing the budget line-by-line and looking for areas where the area can be better spent. She noted one discrepancy she can see is the funding for 49 officers when they currently have 32 officers and two are on their way out. She stated police react to crime; they don't prevent it. She stated the City should take preventative measures and invest in the community. She stated other areas of reallocation include a $1,000 per month spent on a media consultant and $150,000 meant for community engagement which is a sore spot for a lot of the community. There are several areas they could be better at spending money and also consider community members like herself that volunteer their time and show up not for payment or political gain, but they show up because they care and value people and their neighborhood.

Ken D. stated given the fact that crime is up across the nation, he is not in favor of reducing the police force at all. He noted police should be included in discussions when discussing policing and any kind of changes that have to occur.

Financial Commissioner Dean Van Der Werf stated he does not want the meeting to be about funding or defunding the police. He wants the City to spend money rightly for the taxpayers whether black or white, and he thinks they need to focus on making Brooklyn Center a safe place.

5. FUTURE BUDGET DISCUSSIONS

5a. OCTOBER 18, 2021 – WORKSESSION – ENTERPRISE/UTILITIES FUNDS

5b. DECEMBER 6, 2021 – PUBLIC HEARING & BUDGET ADOPTION

Noted.

6. ADJOURN

There was a motion by Mayor Elliott and seconded by Councilmember Ryan to adjourn the meeting. Motion passed unanimously. The Brooklyn Center City Council/Financial Commission adjourned at 7:50 p.m.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss. Certification of Minutes
CITY OF BROOKLYN CENTER)

The undersigned, being the duly qualified and appointed City Clerk of the City of Brooklyn Center, Minnesota, certifies:

1. That attached hereto is a full, true, and complete transcript of the minutes of the City Council from the City of Brooklyn Center Joint Work Session with Financial Commission held on October 4, 2021.

2. That said meeting was held pursuant to due call and notice thereof and was duly held at Brooklyn Center City Hall.

3. That the City Council adopted said minutes at its October 11, 2021, Regular Session.

_____ _____

City Clerk Mayor

Council Regular Meeting

DATE: 10/11/2021

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

SUBJECT: Approval of Licenses

Requested Council Action:

- *Motion to approve the licenses as presented.*

Background:

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

Gasoline Service Station

Brooklyn Center Municipal Garage	6844 Shingle Creek Pkwy Brooklyn Center MN 55430
Holiday Stationstore #292 420 66th Ave N	4567 American Blvd Minneapolis MN 55437

Mechanical Licenses

Albertson Mechanical LLC	15662 137th St SE Becker MN 55308
Apollo Plumbing Inc	307 Jackson Ave Ste 4 Elk River Mn 55330

Tobacco Related Products

Holiday Stationstore #292 420 66th Ave N	4567 American Blvd Minneapolis MN 55437
Premier Tobacco Corp 6930 Brooklyn Blvd	10501 Van Buren Cir NE Blaine MN 55434

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

ATTACHMENTS:

Description	Upload Date	Type
Rental Criteria	3/16/2021	Backup Material
Rental Licenses 10-11-2021	10/7/2021	Backup Material

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

b. Police Service Calls.

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

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

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

Rental Licenses for Council Approval on October 11, 2021								
Property Address	Dwelling Type	Renewal or Initial	Owner	Property Code Violations	License Type	Police CFS *	Final License Type **	Previous License Type ***
2223 Brookview Dr	Single	Initial	Willie Mae Overstreet	11	IV	N/A	IV	
6807 Drew Ave N	Single	Initial	John Yufani	18	IV	N/A	IV	
5661 Northport Dr	Single	Initial	Allan Kemboi	16	IV	N/A	IV	
6106 Quail Ave N	Single	Initial	Almamy Momo Toure	11	IV	N/A	IV	
5347 Brooklyn Blvd	2 Family	Renewal	Randall Cook	2	I	0	I	I
5412 Fremont Ave N	2 Family	Renewal	Gary Anakkala	2	I	0	I	III
4100 61st Ave N	Single	Renewal	Emmanuel Coker	6	III	0	III	I
3106 64th Ave N	Single	Renewal	2017-1 IL Borrower LP - met action plan	5	II	0	II	III
5937 Abbott Ave N	Single	Renewal	Mark Crost	4	II	0	II	II
6116 Aldrich Ave N	Single	Renewal	MNSF II W1 LLC	5	II	0	II	III
6315 Brooklyn Blvd	Single	Renewal	Raymond He	2	I	0	I	I
5331 Camden Ave N	Single	Renewal	Ross Herman - missing mitigation plan	2	I	0	IV	IV
3800 Commodore Dr	Single	Renewal	David Koenig	12	IV	0	IV	IV
5530 Girard Ave N	Single	Renewal	Kin Chew	9	III	0	III	III
5542 Irving Ave N	Single	Renewal	Cel Monton LLC / RiFive LLC	5	II	0	II	II
5643 Knox Ave N	Single	Renewal	Jason Flaa	2	I	0	I	I
3007 Ohenry Rd	Single	Renewal	IH3 Property Illinois LP/Invitation Homes - met plan requirements	13	IV	0	IV	III
6130 Scott Ave N	Single	Renewal	2017-1 IL Borrower LP	12	IV	0	IV	IV
5949 Vincent Ave N	Single	Renewal	Royal Priesthood LLC - missing CPTED & action plan	3	II	0	III	III
4419 Winchester LA	Single	Renewal	Sara Brang	0	I	0	I	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 sho Type 1 = 3 Year Type II = 2 Year Type III = 1 Year

All properties are current on City utilities and property taxes

Council Regular Meeting

DATE: 10/11/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Mike Marsh, Acting Public Works Director
BY: Mike Albers, P.E., City Engineer

SUBJECT: Resolution Approving Change Order Nos. 1-7, Improvement Project No. 2021-05, Brooklyn Boulevard Corridor Project Phase 2 Improvements

Requested Council Action:

Motion to approve the attached resolution authorizing Change Order Nos. 1-7 in the amount of $48,117.21 for Improvement Project No. 2021-05, Brooklyn Boulevard Corridor Project Phase 2 Improvements.

Background:

On May 10, 2021, the City Council awarded a Contract to Park Construction Company of Minneapolis, Minnesota for the above referenced improvement. The attached Change Order Nos. 1-7 were necessary during construction of the street and utility improvements for the Brooklyn Boulevard Corridor Project Phase 2 Improvements.

- Change Order 1 in the amount of $4,951.96 is for removing and replacing a section of chain link fence at the SE corner of Brooklyn Blvd and 65th Ave that the plans identified as a 5-ft tall fence that was actual a 6-ft tall fence in the field.
- Change Order 2 in the amount of -$8,480 (deduct) is for using on-site granular bedding material in lieu of importing Fine Aggregate Bedding materials for use on RCP storm sewer.
- Change Order 3 in the amount of $7,374.40 is for installation of temporary pedestrian crossings with push buttons and pedestrian indicators on the south legs of the temporary signal systems at the intersections of 63rd Ave and 65th Ave.
- Change Order 4 in the amount of -$1,535 (deduct) is for installation of double-wall HDPE pipe meeting requirements of Spec 3247, in lieu of TP perf pipe drains, at locations specified in the Plan.
- Change Order 5 in the amount of $35,876.25 is for replacing a segment of sagging sanitary sewer along Brooklyn Blvd south of 65th Ave, removing 2 existing gate valves north of 62nd Avenue, removing a portion of a 23" casing pipe at the watermain offset near Brooklyn Blvd Sta. 124+60, and elimination of an outside sanitary service drop at sanitary manhole 805.
- Change Order 6 in the amount of $0 is for installation of Proco ProFlex Series 790 “Light Weight” Check Valve meeting requirements of Spec 2503, in lieu of Series CMUF-SL slip-in CheckMate Ultraflex Valves as manufactured by Tideflex Technologies®, at locations specified in the Plan.
- Change Order 7 in the amount of $9,929.60 is for costs associated with the utility delays experienced by the Contractor per specification 1806.2.B(2) which included de-mobilization and re-mobilization of equipment, and inefficiencies in certain work completed prior to the full relocation of the identified utilities.

Budget Issues:

The attached resolution authorizes Change Order Nos. 1-7 for the project. The original contract amount was $12,222,880.30. Change Order Nos. 1-7 increases the contract amount to $12,270,997.51. The total amount of Change Order Nos. 1-7 ($48,117.21) represents an increase of 0.39 percent to the original contract amount. This falls within the contingency amount of $1,222,288.00 that was included in the project budget for items of this nature.

Inclusive Community Engagement:

N/A

Antiracist/Equity Policy Effect:

N/A

Strategic Priorities and Values:

Key Transportation Investments

ATTACHMENTS:

Description	Upload Date	Type
Resolution	10/5/2021	Cover Memo

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION APPROVING CHANGE ORDER NOS. 1-7, IMPROVEMENT PROJECT NO. 2021-05, BROOKLYN BOULEVARD CORRIDOR PROJECT PHASE 2 IMPROVEMENTS

WHEREAS, pursuant to a written contract signed with the City of Brooklyn Center, Minnesota, Park Construction Company of Minneapolis, Minnesota, was instructed to complete additional work as itemized on Change Order Nos. 1-7 for Improvement Project No. 2021-05, Brooklyn Boulevard Corridor Project Phase 2 Improvements; and

WHEREAS, Change Order 1 in the amount of $4,951.96 is for removing and replacing a section of chain link fence at the SE corner of Brooklyn Blvd and 65th Ave that the plans identified as a 5-ft tall fence that was actual a 6-ft tall fence in the field; and

WHEREAS, Change Order 2 in the amount of -$8,480 (deduct) is for using on-site granular bedding material in lieu of importing Fine Aggregate Bedding materials for use on RCP storm sewer; and

WHEREAS, Change Order 3 in the amount of $7,374.40 is for installation of temporary pedestrian crossings with push buttons and pedestrian indicators on the south legs of the temporary signal systems at the intersections of 63rd Ave and 65th Ave; and

WHEREAS, Change Order 4 in the amount of -$1,535 (deduct) is for installation of double-wall HDPE pipe meeting requirements of Spec 3247, in lieu of TP perf pipe drains, at locations specified in the Plan; and

WHEREAS, Change Order 5 in the amount of $35,876.25 is for replacing a segment of sagging sanitary sewer along Brooklyn Blvd south of 65th Ave, removing 2 existing gate valves north of 62nd Avenue, removing a portion of a 23" casing pipe at the watermain offset near Brooklyn Blvd Sta. 124+60, and elimination of an outside sanitary service drop at sanitary manhole 805; and

WHEREAS, Change Order 6 in the amount of $0 is for installation of Proco ProFlex Series 790 “Light Weight” Check Valve meeting requirements of Spec 2503, in lieu of Series CMUF-SL slip-in CheckMate Ultraflex Valves as manufactured by Tideflex Technologies®, at locations specified in the Plan; and

WHEREAS, Change Order 7 in the amount of $9,929.60 is for costs associated with the utility delays experienced by the Contractor per specification 1806.2.B(2) which included de-mobilization and re-mobilization of equipment, and inefficiencies in certain work completed prior to the full relocation of the identified utilities; and

RESOLUTION NO. _____

WHEREAS, said additional work was not included in the original contract, but was deemed necessary to properly complete the improvements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that Change Order Nos. 1 through 7 in the amount of $48,117.21 for Improvement No. 2021-05 is hereby approved. The revised contract amount is as follows:

Original Contract Amount	$12,222,880.30
Change Order Nos. 1-7	$ 48,117.21
Revised Contract Amount	$12,270,997.51

October 4, 2021
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

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

Council Regular Meeting

DATE: 10/11/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Tony Gruenig, Acting Police Chief

SUBJECT: Resolution Approving State of Minnesota Joint Powers Agreements with the City of Brooklyn Center on behalf of its City Attorney and Police Department

Requested Council Action:

- Motion to approve the State of Minnesota Joint Powers Agreements with the City of Brooklyn Center on behalf of its City Attorney and Police Department

Background:

The Bureau of Criminal Apprehension continues to develop new technology and tools for law enforcement to perform investigative duties. The Joint Power Agreement allows for the city to gain access to current programs being offered and stay up to date with new technology when it becomes available without the need of signing additional agreements.
Programs that the city will gain future access to as part of this agreement are E-Charging and Integrated Search Services (ISS). E-Charging is the electronic submission of criminal complaints giving prosecutors, law enforcement and judges the ability to review and sign complaints from their offices reducing time and travel expenses. ISS is an integrated search
service which provides law enforcement with responses from multiple databases resulting from one query. These two programs arejust an example of technologies that are quickly emerging with more improvements in the near future.

Budget Issues:

The police department is already paying for network connections at a rate that is not expected to increase due to the renewal of this JPA.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type

Resolution	10/7/2021	Resolution Letter
JPA	10/7/2021	Backup Material
Court Amendment	10/7/2021	Backup Material

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE CITY OF BROOKLYN CENTER ON BEHALF OF ITS CITY ATTORNEY AND POLICE DEPARTMENT

WHEREAS, the City of Brooklyn Center, Minnesota on behalf of its Prosecuting Attorney and Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the City is eligible. The Joint Powers Agreements further provide the City with the ability to add, modify and delete connectivity, systems and tools over the five-year life of the agreement and obligates the City to pay the costs for the network connection.; and

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

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Brooklyn Center on behalf of its Prosecuting Attorney and Police Department, are hereby approved.

2. That the City Manager, Dr. Reginald Edwards, or his successor, is designated the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.

3. That the City Attorney, Troy Gilchrist, or his successor, is designated the Authorized Representative for the Prosecuting Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.

4. That Mike Elliott, the Mayor for the City of Brooklyn Center, and Barb Suciu the City Clerk, are authorized to sign the State of Minnesota Joint Powers Agreements.

October 11, 2021
Date

_____
Mayor

ATTEST: _____
City Clerk

RESOLUTION NO. _____

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.

State of Minnesota
Joint Powers Agreement

This Agreement is between the State of Minnesota, acting through its Department of Public Safety on behalf of the Bureau of Criminal Apprehension ("BCA"), and the City of Brooklyn Center on behalf of its Police Department ("Governmental Unit"). The BCA and the Governmental Unit may be referred to jointly as "Parties."

Recitals

Under Minn. Stat. § 471.59, the BCA and the Governmental Unit are empowered to engage in agreements that are necessary to exercise their powers. Under Minn. Stat. § 299C.46, the BCA must provide a criminal justice data communications network to benefit political subdivisions as defined under Minn. Stat. § 299C.46, subd. 2 and subd. 2(a). The Governmental Unit is authorized by law to utilize the criminal justice data communications network pursuant to the terms set out in this Agreement. In addition, BCA either maintains repositories of data or has access to repositories of data that benefit authorized political subdivisions in performing their duties. The Governmental Unit wants to access data in support of its official duties.

The purpose of this Agreement is to create a method by which the Governmental Unit has access to those systems and tools for which it has eligibility, and to memorialize the requirements to obtain access and the limitations on the access.

Agreement

1 Term of Agreement

1.1 Effective Date. This Agreement is effective on the date the BCA obtains all required signatures under Minn. Stat. § 16C.05, subdivision 2.

1.2 Expiration Date. This Agreement expires five years from the date it is effective.

2 Agreement Between the Parties

2.1 General Access. BCA agrees to provide Governmental Unit with access to the Minnesota Criminal Justice Data Communications Network (CJDN) and those systems and tools which the Governmental Unit is authorized by law to access via the CJDN for the purposes outlined in Minn. Stat. § 299C.46.

2.2 Methods of Access.

The BCA offers three (3) methods of access to its systems and tools. The methods of access are:

A. **Direct access** occurs when individual users at the Governmental Unit use the Governmental Unit's equipment to access the BCA's systems and tools. This is generally accomplished by an individual user entering a query into one of BCA's systems or tools.

B. **Indirect Access** occurs when individual users at the Governmental Unit go to another Governmental Unit to obtain data and information from BCA's systems and tools. This method of access generally results in the Governmental Unit with indirect access obtaining the needed data and information in a physical format like a paper report.

C. **Computer-to-Computer System Interface** occurs when the Governmental Unit's computer exchanges data and information with BCA's computer systems and tools using an interface. Without limitation, interface types include: state message switch, web services, enterprise service bus and message queuing.

For purposes of this Agreement, Governmental Unit employees or contractors may use any of these methods to use BCA's systems and tools as described in this Agreement. Governmental Unit will select a

method of access and can change the methodology following the process in Clause 2.10.

2.3 Federal Systems Access. In addition, pursuant to 28 CFR §20.30-38 and Minn. Stat. §299C.58, BCA may provide Governmental Unit with access to the Federal Bureau of Investigation (FBI) National Crime Information Center.

2.4 Governmental Unit Policies. Both the BCA and the FBI's Criminal Justice Information Systems (FBI-CJIS) have policies, regulations and laws on access, use, audit, dissemination, hit confirmation, logging, quality assurance, screening (pre-employment), security, timeliness, training, use of the system**,** and validation. Governmental Unit has created its own policies to ensure that Governmental Unit's employees and contractors comply with all applicable requirements. Governmental Unit ensures this compliance through appropriate enforcement. These BCA and FBI-CJIS policies and regulations, as amended and updated from time to time, are incorporated into this Agreement by reference. The policies are available at https://bcanextest.x.state.mn.us/launchpad/.

2.5 Governmental Unit Resources. To assist Governmental Unit in complying with the federal and state requirements on access to and use of the various systems and tools, information is available at https://sps.x.state.mn.us/sites/bcaservicecatalog/default.aspx. Additional information on appropriate use is found in the Minnesota Bureau of Criminal Apprehension Policy on Appropriate Use of Systems and Data available at https://bcanextest.x.state.mn.us/launchpad/cjisdocs/docs.cgi?cmd=FS&ID=795&TYPE=DOCS.

2.6 Access Granted.

A. Governmental Unit is granted permission to use all current and future BCA systems and tools for which Governmental Unit is eligible. Eligibility is dependent on Governmental Unit (i) satisfying all applicable federal or state statutory requirements; (ii) complying with the terms of this Agreement; and (iii) acceptance by BCA of Governmental Unit's written request for use of a specific system or tool.

B. To facilitate changes in systems and tools, Governmental Unit grants its Authorized Representative authority to make written requests for those systems and tools provided by BCA that the Governmental Unit needs to meet its criminal justice obligations and for which Governmental Unit is eligible.

2.7 Future Access. On written request from the Governmental Unit, BCA also may provide Governmental Unit with access to those systems or tools which may become available after the signing of this Agreement, to the extent that the access is authorized by applicable state and federal law. Governmental Unit agrees to be bound by the terms and conditions contained in this Agreement that when utilizing new systems or tools provided under this Agreement.

2.8 Limitations on Access. BCA agrees that it will comply with applicable state and federal laws when making information accessible. Governmental Unit agrees that it will comply with applicable state and federal laws when accessing, entering, using, disseminating, and storing data. Each party is responsible for its own compliance with the most current applicable state and federal laws.

2.9 Supersedes Prior Agreements. This Agreement supersedes any and all prior agreements between the BCA and the Governmental Unit regarding access to and use of systems and tools provided by BCA.

2.10 Requirement to Update Information. The parties agree that if there is a change to any of the information whether required by law or this Agreement, the party will send the new information to the other party in writing within 30 days of the change. This clause does not apply to changes in systems or tools provided under this Agreement.

This requirement to give notice additionally applies to changes in the individual or organization serving the Governmental Unit as its prosecutor. Any change in performance of the prosecutorial function must be provided to the BCA in writing by giving notice to the Service Desk, BCA.ServiceDesk@state.mn.us.

2.11 Transaction Record. The BCA creates and maintains a transaction record for each exchange of data utilizing its systems and tools. In order to meet FBI-CJIS requirements and to perform the audits described in Clause 7, there must be a method of identifying which individual users at the Governmental Unit conducted a

particular transaction.

If Governmental Unit uses either direct access as described in Clause 2.2A or indirect access as described in Clause 2.2B, BCA's transaction record meets FBI-CJIS requirements.

When Governmental Unit's method of access is a computer-to-computer interface as described in Clause 2.2C, the Governmental Unit must keep a transaction record sufficient to satisfy FBI-CJIS requirements and permit the audits described in Clause 7 to occur.

If a Governmental Unit accesses data from the Driver and Vehicle Services Division in the Minnesota Department of Public Safety and keeps a copy of the data, Governmental Unit must have a transaction record of all subsequent access to the data that are kept by the Governmental Unit. The transaction record must include the individual user who requested access, and the date, time and content of the request. The transaction record must also include the date, time and content of the response along with the destination to which the data were sent. The transaction record must be maintained for a minimum of six (6) years from the date the transaction occurred and must be made available to the BCA within one (1) business day of the BCA's request.

2.12 Court Information Access. Certain BCA systems and tools that include access to and/or submission of Court Records may only be utilized by the Governmental Unit if the Governmental Unit completes the Court Data Services Subscriber Amendment, which upon execution will be incorporated into this Agreement by reference. These BCA systems and tools are identified in the written request made by the Governmental Unit under Clause 2.6 above. The Court Data Services Subscriber Amendment provides important additional terms, including but not limited to privacy (see Clause 8.2, below), fees (see Clause 3 below), and transaction records or logs, that govern Governmental Unit's access to and/or submission of the Court Records delivered through the BCA systems and tools.

2.13 Vendor Personnel Screening. The BCA will conduct all vendor personnel screening on behalf of Governmental Unit as is required by the FBI CJIS Security Policy. The BCA will maintain records of the federal, fingerprint-based background check on each vendor employee as well as records of the completion of the security awareness training that may be relied on by the Governmental Unit.

3 Payment

The Governmental Unit currently accesses the criminal justice data communications network described in Minn. Stat. §299C.46. The bills are sent quarterly for the amount of Three Hundred Ninety Dollars ($390.00) or a total annual cost of One Thousand Five Hundred Sixty Dollars ($1,560.00).

The Governmental Unit will identify its contact person for billing purposes, and will provide updated information to BCA's Authorized Representative within ten business days when this information changes.

If Governmental Unit chooses to execute the Court Data Services Subscriber Amendment referred to in Clause 2.12 in order to access and/or submit Court Records via BCA's systems, additional fees, if any, are addressed in that amendment.

4 Authorized Representatives

The BCA's Authorized Representative is the person below, or her successor:

Name: Dana Gotz, Deputy Superintendent
Address: Minnesota Department of Public Safety; Bureau of Criminal Apprehension
1430 Maryland Avenue
Saint Paul, MN 55106

Telephone: 651.793.1007
Email Address: Dana.Gotz@state.mn.us

The Governmental Unit's Authorized Representative is the person below, or his/her successor:

Name: Tony Gruenig, Acting Chief
Address: 6645 Humboldt Ave N
Brooklyn Center, MN 55430
Telephone: 763.503.3203
Email Address: tgruening@ci.brooklyn-center.mn.us

5 Assignment, Amendments, Waiver, and Agreement Complete

5.1 Assignment. Neither party may assign nor transfer any rights or obligations under this Agreement.

5.2 Amendments. Any amendment to this Agreement, except those described in Clauses 2.6 and 2.7 above must be in writing and will not be effective until it has been signed and approved by the same parties who signed and approved the original agreement, their successors in office, or another individual duly authorized.

5.3 Waiver. If either party fails to enforce any provision of this Agreement, that failure does not waive the provision or the right to enforce it.

5.4 Agreement Complete. This Agreement contains all negotiations and agreements between the BCA and the Governmental Unit. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

6 Liability

Each party will be responsible for its own acts and behavior and the results thereof and shall not be responsible or liable for the other party's actions and consequences of those actions. The Minnesota Torts Claims Act, Minn. Stat. § 3.736 and other applicable laws govern the BCA's liability. The Minnesota Municipal Tort Claims Act, Minn. Stat. Ch. 466 and other applicable laws, governs the Governmental Unit's liability.

7 Audits

7.1 Under Minn. Stat. § 16C.05, subd. 5, the Governmental Unit's books, records, documents, internal policies and accounting procedures and practices relevant to this Agreement are subject to examination by the BCA, the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this Agreement.

Under Minn. Stat. § 6.551, the State Auditor may examine the books, records, documents, and accounting procedures and practices of BCA. The examination shall be limited to the books, records, documents, and accounting procedures and practices that are relevant to this Agreement.

7.2 Under applicable state and federal law, the Governmental Unit's records are subject to examination by the BCA to ensure compliance with laws, regulations and policies about access, use, and dissemination of data.

7.3 If the Governmental Unit accesses federal databases, the Governmental Unit's records are subject to examination by the FBI and BCA; the Governmental Unit will cooperate with FBI and BCA auditors and make any requested data available for review and audit.

7.4 If the Governmental Unit accesses state databases, the Governmental Unit's records are subject to examination by the BCA: the Governmental Unit will cooperate with the BCA auditors and make any requested data available for review and audit.

7.5 To facilitate the audits required by state and federal law, Governmental Unit is required to have an inventory of the equipment used to access the data covered by this Agreement and the physical location of each.

8 Government Data Practices

8.1 BCA and Governmental Unit. The Governmental Unit and BCA must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, as it applies to all data accessible under this Agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Governmental Unit under this Agreement. The remedies of Minn. Stat. §§ 13.08 and 13.09 apply to the release of the data referred to in this clause by either the Governmental Unit or the BCA.

8.2 Court Records. If Governmental Unit chooses to execute the Court Data Services Subscriber Amendment referred to in Clause 2.12 in order to access and/or submit Court Records via BCA's systems, the following provisions regarding data practices also apply. The Court is not subject to Minn. Stat. Ch. 13 but is subject to the *Rules of Public Access to Records of the Judicial Branch* promulgated by the Minnesota Supreme Court. All parties acknowledge and agree that Minn. Stat. § 13.03, subdivision 4(e) requires that the BCA and the Governmental Unit comply with the *Rules of Public Access* for those data received from Court under the Court Data Services Subscriber Amendment. All parties also acknowledge and agree that the use of, access to or submission of Court Records, as that term is defined in the Court Data Services Subscriber Amendment, may be restricted by rules promulgated by the Minnesota Supreme Court, applicable state statute or federal law. All parties acknowledge and agree that these applicable restrictions must be followed in the appropriate circumstances.

9 Investigation of Alleged Violations; Sanctions

For purposes of this clause, "Individual User" means an employee or contractor of Governmental Unit.

9.1 Investigation. The Governmental Unit and BCA agree to cooperate in the investigation and possible prosecution of suspected violations of federal and state law referenced in this Agreement. Governmental Unit and BCA agree to cooperate in the investigation of suspected violations of the policies and procedures referenced in this Agreement. When BCA becomes aware that a violation may have occurred, BCA will inform Governmental Unit of the suspected violation, subject to any restrictions in applicable law. When Governmental Unit becomes aware that a violation has occurred, Governmental Unit will inform BCA subject to any restrictions in applicable law.

9.2 Sanctions Involving Only BCA Systems and Tools.

The following provisions apply to BCA systems and tools not covered by the Court Data Services Subscriber Amendment. None of these provisions alter the Governmental Unit internal discipline processes, including those governed by a collective bargaining agreement.

9.2.1 For BCA systems and tools that are not covered by the Court Data Services Subscriber Amendment, Governmental Unit must determine if and when an involved Individual User's access to systems or tools is to be temporarily or permanently eliminated. The decision to suspend or terminate access may be made as soon as alleged violation is discovered, after notice of an alleged violation is received, or after an investigation has occurred. Governmental Unit must report the status of the Individual User's access to BCA without delay. BCA reserves the right to make a different determination concerning an Individual User's access to systems or tools than that made by Governmental Unit and BCA's determination controls.

9.2.2 If BCA determines that Governmental Unit has jeopardized the integrity of the systems or tools covered in this Clause 9.2, BCA may temporarily stop providing some or all the systems or tools under this Agreement until the failure is remedied to the BCA's satisfaction. If Governmental Unit's failure is continuing or repeated, Clause 11.1 does not apply and BCA may terminate this Agreement immediately.

9.3 Sanctions Involving Only Court Data Services

The following provisions apply to those systems and tools covered by the Court Data Services Subscriber Amendment, if it has been signed by Governmental Unit. As part of the agreement between the Court and

the BCA for the delivery of the systems and tools that are covered by the Court Data Services Subscriber Amendment, BCA is required to suspend or terminate access to or use of the systems and tools either on its own initiative or when directed by the Court. The decision to suspend or terminate access may be made as soon as an alleged violation is discovered, after notice of an alleged violation is received, or after an investigation has occurred. The decision to suspend or terminate may also be made based on a request from the Authorized Representative of Governmental Unit. The agreement further provides that only the Court has the authority to reinstate access and use.

9.3.1 Governmental Unit understands that if it has signed the Court Data Services Subscriber Amendment and if Governmental Unit's Individual Users violate the provisions of that Amendment, access and use will be suspended by BCA or Court. Governmental Unit also understands that reinstatement is only at the direction of the Court.

9.3.2 Governmental Unit further agrees that if Governmental Unit believes that one or more of its Individual Users have violated the terms of the Amendment, it will notify BCA and Court so that an investigation as described in Clause 9.1 may occur.

10 Venue

Venue for all legal proceedings involving this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

11 Termination

11.1 Termination. The BCA or the Governmental Unit may terminate this Agreement at any time, with or without cause, upon 30 days' written notice to the other party's Authorized Representative.

11.2 Termination for Insufficient Funding. Either party may immediately terminate this Agreement if it does not obtain funding from the Minnesota Legislature, or other funding source; or if funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination must be by written notice to the other party's authorized representative. The Governmental Unit is not obligated to pay for any services that are provided after notice and effective date of termination. However, the BCA will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. Neither party will be assessed any penalty if the agreement is terminated because of the decision of the Minnesota Legislature, or other funding source, not to appropriate funds. Notice of the lack of funding must be provided within a reasonable time of the affected party receiving that notice.

12 Continuing Obligations

The following clauses survive the expiration or cancellation of this Agreement: Liability; Audits; Government Data Practices; 9. Investigation of Alleged Violations; Sanctions; and Venue.

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The Parties indicate their agreement and authority to execute this Agreement by signing below.

1. GOVERNMENTAL UNIT

Name: _____
(PRINTED)

Signed: _____

Title: _____
(with delegated authority)

Date: _____

Name: _____
(PRINTED)

Signed: _____

Title: _____
(with delegated authority)

Date: _____

2. DEPARTMENT OF PUBLIC SAFETY, BUREAU OF CRIMINAL APPREHENSION

Name: _____
(PRINTED)

Signed: _____

Title: _____
(with delegated authority)

Date: _____

3. COMMISSIONER OF ADMINISTRATION
As delegated to the Office of State Procurement

By: _____

Date: _____

COURT DATA SERVICES SUBSCRIBER AMENDMENT TO CJDN SUBSCRIBER AGREEMENT

This Court Data Services Subscriber Amendment ("Subscriber Amendment") is entered into by the State of Minnesota, acting through its Department of Public Safety, Bureau of Criminal Apprehension, ("BCA") and the City of Brooklyn Center on behalf of its Police Department ("Agency"), and by and for the benefit of the State of Minnesota acting through its State Court Administrator's Office ("Court") who shall be entitled to enforce any provisions hereof through any legal action against any party.

Recitals

This Subscriber Amendment modifies and supplements the Agreement between the BCA and Agency, SWIFT Contract number 200220, of even or prior date, for Agency use of BCA systems and tools (referred to herein as "the CJDN Subscriber Agreement"). Certain BCA systems and tools that include access to and/or submission of Court Records may only be utilized by the Agency if the Agency completes this Subscriber Amendment. The Agency desires to use one or more BCA systems and tools to access and/or submit Court Records to assist the Agency in the efficient performance of its duties as required or authorized by law or court rule. Court desires to permit such access and/or submission. This Subscriber Amendment is intended to add Court as a party to the CJDN Subscriber Agreement and to create obligations by the Agency to the Court that can be enforced by the Court. It is also understood that, pursuant to the Master Joint Powers Agreement for Delivery of Court Data Services to CJDN Subscribers ("Master Authorization Agreement") between the Court and the BCA, the BCA is authorized to sign this Subscriber Amendment on behalf of Court. Upon execution the Subscriber Amendment will be incorporated into the CJDN Subscriber Agreement by reference. The BCA, the Agency and the Court desire to amend the CJDN Subscriber Agreement as stated below.

The CJDN Subscriber Agreement is amended by the addition of the following provisions:

1. **TERM; TERMINATION; ONGOING OBLIGATIONS.** This Subscriber Amendment shall be effective on the date finally executed by all parties and shall remain in effect until expiration or termination of the CJDN Subscriber Agreement unless terminated earlier as provided in this Subscriber Amendment. Any party may terminate this Subscriber Amendment with or without cause by giving written notice to all other parties. The effective date of the termination shall be thirty days after the other party's receipt of the notice of termination, unless a later date is specified in the notice. The provisions of sections 5 through 9, 12.b., 12.c., and 15 through 24 shall survive any termination of this Subscriber Amendment as shall any other provisions which by their nature are intended or expected to survive such termination. Upon termination, the Subscriber shall perform the responsibilities set forth in paragraph 7(f) hereof.

2. **Definitions**. Unless otherwise specifically defined, each term used herein shall have the meaning assigned to such term in the CJDN Subscriber Agreement.

a. **"Authorized Court Data Services"** means Court Data Services that have been authorized for delivery to CJDN Subscribers via BCA systems and tools pursuant to an Authorization Amendment to the Joint Powers Agreement for Delivery of Court Data Services to CJDN Subscribers ("Master Authorization Agreement") between the Court and the BCA.

b. **"Court Data Services"** means one or more of the services set forth on the Justice Agency Resource webpage of the Minnesota Judicial Branch website (for which the current address is www.courts.state.mn.us) or other location designated by the Court, as the same may be amended from time to time by the Court.

c. "**Court Records**" means all information in any form made available by the Court to Subscriber through the BCA for the purposes of carrying out this Subscriber Amendment, including:

i. "**Court Case Information**" means any information in the Court Records that conveys information about a particular case or controversy, including without limitation Court Confidential Case Information, as defined herein.

ii. "**Court Confidential Case Information**" means any information in the Court Records that is inaccessible to the public pursuant to the Rules of Public Access and that conveys information about a particular case or controversy.

iii. "**Court Confidential Security and Activation Information"** means any information in the Court Records that is inaccessible to the public pursuant to the Rules of Public Access and that explains how to use or gain access to Court Data Services, including but not limited to login account names, passwords, TCP/IP addresses, Court Data Services user manuals, Court Data Services Programs, Court Data Services Databases, and other technical information.

iv. "**Court Confidential Information**" means any information in the Court Records that is inaccessible to the public pursuant to the Rules of Public Access, including without limitation both i) Court Confidential Case Information; and ii) Court Confidential Security and Activation Information.

d. "**DCA**" shall mean the district courts of the state of Minnesota and their respective staff.

e. "**Policies & Notices**" means the policies and notices published by the Court in connection with each of its Court Data Services, on a website or other location designated by the Court, as the same may be amended from time to time by the Court. Policies & Notices for each Authorized Court Data Service identified in an approved request form under section 3, below, are hereby made part of this Subscriber Amendment by this reference and provide additional terms and conditions that govern Subscriber's use of Court Records accessed through such services, including but not limited to provisions on access and use limitations.

f. "**Rules of Public Access**" means the Rules of Public Access to Records of the Judicial Branch promulgated by the Minnesota Supreme Court, as the same may be amended from time to time, including without limitation lists or tables published from time to time by the Court entitled *Limits on Public Access to Case Records or Limits on Public Access to Administrative Records*, all of which by this reference are made a part of this Subscriber Amendment. It is the obligation of Subscriber to check from time to time for updated rules, lists, and tables and be familiar with the contents thereof. It is contemplated that such rules, lists, and tables will be posted on the Minnesota Judicial Branch website, for which the current address is www.courts.state.mn.us.

g. "**Court**" shall mean the State of Minnesota, State Court Administrator's Office.

h. **"Subscriber"** shall mean the Agency.

i. "**Subscriber Records**" means any information in any form made available by the Subscriber to the Court for the purposes of carrying out this Subscriber Amendment.

3. REQUESTS FOR AUTHORIZED COURT DATA SERVICES. Following execution of this Subscriber Amendment by all parties, Subscriber may submit to the BCA one or more separate requests for Authorized Court Data Services. The BCA is authorized in the Master Authorization Agreement to process, credential and approve such requests on behalf of Court and all such requests approved by the BCA are adopted and incorporated herein by this reference the same as if set forth verbatim herein.

a. **Activation**. Activation of the requested Authorized Court Data Service(s) shall occur promptly following approval.

b. **Rejection**. Requests may be rejected for any reason, at the discretion of the BCA and/or the Court.

c. **Requests for Termination of One or More Authorized Court Data Services**. The Subscriber may request the termination of an Authorized Court Data Services previously requested by submitting a notice to Court with a copy to the BCA. Promptly upon receipt of a request for termination of an Authorized Court Data Service, the BCA will deactivate the service requested. The termination of one or more Authorized Court Data Services does not terminate this Subscriber Amendment. Provisions for termination of this Subscriber Amendment are set forth in section 1. Upon termination of Authorized Court Data Services, the Subscriber shall perform the responsibilities set forth in paragraph 7(f) hereof.

4. SCOPE OF ACCESS TO COURT RECORDS LIMITED. Subscriber's access to and/or submission of the Court Records shall be limited to Authorized Court Data Services identified in an approved request form under section 3, above, and other Court Records necessary for Subscriber to use Authorized Court Data Services. Authorized Court Data Services shall only be used according to the instructions provided in corresponding Policies & Notices or other materials and only as necessary to assist Subscriber in the efficient performance of Subscriber's duties

required or authorized by law or court rule in connection with any civil, criminal, administrative, or arbitral proceeding in any Federal, State, or local court or agency or before any self-regulatory body. Subscriber's access to the Court Records for personal or non-official use is prohibited. Subscriber will not use or attempt to use Authorized Court Data Services in any manner not set forth in this Subscriber Amendment, Policies & Notices, or other Authorized Court Data Services documentation, and upon any such unauthorized use or attempted use the Court may immediately terminate this Subscriber Amendment without prior notice to Subscriber.

5. GUARANTEES OF CONFIDENTIALITY. Subscriber agrees:

a. To not disclose Court Confidential Information to any third party except where necessary to carry out the Subscriber's duties as required or authorized by law or court rule in connection with any civil, criminal, administrative, or arbitral proceeding in any Federal, State, or local court or agency or before any self-regulatory body.

b. To take all appropriate action, whether by instruction, agreement, or otherwise, to insure the protection, confidentiality and security of Court Confidential Information and to satisfy Subscriber's obligations under this Subscriber Amendment.

c. To limit the use of and access to Court Confidential Information to Subscriber's bona fide personnel whose use or access is necessary to effect the purposes of this Subscriber Amendment, and to advise each individual who is permitted use of and/or access to any Court Confidential Information of the restrictions upon disclosure and use contained in this Subscriber Amendment, requiring each individual who is permitted use of and/or access to Court Confidential Information to acknowledge in writing that the individual has read and understands such restrictions. Subscriber shall keep such acknowledgements on file for one year following termination of the Subscriber Amendment and/or CJDN Subscriber Agreement, whichever is longer, and shall provide the Court with access to, and copies of, such acknowledgements upon request. For purposes of this Subscriber Amendment, Subscriber's bona fide personnel shall mean individuals who are employees of Subscriber or provide services to Subscriber either on a voluntary basis or as independent contractors with Subscriber.

d. That, without limiting section 1 of this Subscriber Amendment, the obligations of Subscriber and its bona fide personnel with respect to the confidentiality and security of Court Confidential Information shall survive the termination of this Subscriber Amendment and the CJDN Subscriber Agreement and the termination of their relationship with Subscriber.

e. That, notwithstanding any federal or state law applicable to the nondisclosure obligations of Subscriber and Subscriber's bona fide personnel under this Subscriber Amendment, such obligations of Subscriber and Subscriber's bona fide personnel are founded independently on the provisions of this Subscriber Amendment.

6. APPLICABILITY TO PREVIOUSLY DISCLOSED COURT RECORDS. Subscriber acknowledges and agrees that all Authorized Court Data Services and related Court Records disclosed to Subscriber prior to the effective date of this Subscriber Amendment shall be subject to the provisions of this Subscriber Amendment.

7. LICENSE AND PROTECTION OF PROPRIETARY RIGHTS. During the term of this Subscriber Amendment, subject to the terms and conditions hereof, the Court hereby grants to Subscriber a nonexclusive, nontransferable, limited license to use Court Data Services Programs and Court Data Services Databases to access or receive the Authorized Court Data Services identified in an approved request form under section 3, above, and related Court Records. Court reserves the right to make modifications to the Authorized Court Data Services, Court Data Services Programs, and Court Data Services Databases, and related materials without notice to Subscriber. These modifications shall be treated in all respects as their previous counterparts.

a. Court Data Services Programs. Court is the copyright owner and licensor of the Court Data Services Programs. The combination of ideas, procedures, processes, systems, logic, coherence and methods of operation embodied within the Court Data Services Programs, and all information contained in documentation pertaining to the Court Data Services Programs, including but not limited to manuals, user documentation, and passwords, are trade secret information of Court and its licensors.

b. Court Data Services Databases. Court is the copyright owner and licensor of the Court Data Services Databases and of all copyrightable aspects and components thereof. All specifications and information pertaining to the Court Data Services Databases and their structure, sequence and organization, including without limitation data schemas such as the Court XML Schema, are trade secret information of Court and its licensors.

c. Marks. Subscriber shall neither have nor claim any right, title, or interest in or use of any trademark used in connection with Authorized Court Data Services, including but not limited to the marks “MNCIS” and “Odyssey.”

d. Restrictions on Duplication, Disclosure, and Use. Trade secret information of Court and its licensors will be treated by Subscriber in the same manner as Court Confidential Information. In addition, Subscriber will not copy any part of the Court Data Services Programs or Court Data Services Databases, or reverse engineer or otherwise attempt to discern the source code of the Court Data Services Programs or Court Data Services Databases, or use any trademark of Court or its licensors, in any way or for any purpose not specifically and expressly authorized by this Subscriber Amendment. As used herein, "trade secret information of Court and its licensors" means any information possessed by Court which derives independent economic value from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use. "Trade secret information of Court and its licensors" does not, however, include information which was known to Subscriber prior to Subscriber’s receipt thereof, either directly or indirectly, from Court or its licensors, information which is independently developed by Subscriber without reference to or use of information received from Court or its licensors, or information which would not qualify as a trade secret under Minnesota law. It will not be a violation of this section 7, sub-section d, for Subscriber to make up to one copy of training materials and configuration documentation, if any, for each individual authorized to access, use, or configure Authorized Court Data Services, solely for its own use in connection with this Subscriber Amendment. Subscriber will take all steps reasonably necessary to protect the copyright, trade secret, and trademark rights of Court and its licensors and Subscriber will advise its bona fide personnel who are permitted access to any of the Court Data Services Programs and Court Data Services Databases, and trade secret information of Court and its licensors, of the restrictions upon duplication, disclosure and use contained in this Subscriber Amendment.

e. Proprietary Notices. Subscriber will not remove any copyright or proprietary notices included in and/or on the Court Data Services Programs or Court Data Services Databases, related documentation, or trade secret information of Court and its licensors, or any part thereof, made available by Court directly or through the BCA, if any, and Subscriber will include in and/or on any copy of the Court Data Services Programs or Court Data Services Databases, or trade secret information of Court and its licensors and any documents pertaining thereto, the same copyright and other proprietary notices as appear on the copies made available to Subscriber by Court directly or through the BCA, except that copyright notices shall be updated and other proprietary notices added as may be appropriate.

f. Title; Return. The Court Data Services Programs and Court Data Services Databases, and related documentation, including but not limited to training and configuration material, if any, and logon account information and passwords, if any, made available by the Court to Subscriber directly or through the BCA and all copies, including partial copies, thereof are and remain the property of the respective licensor. Except as expressly provided in section 12.b., within ten days of the effective date of termination of this Subscriber Amendment or the CJDN Subscriber Agreement or within ten days of a request for termination of Authorized Court Data Service as described in section 4, Subscriber shall either: (i) uninstall and return any and all copies of the applicable Court Data Services Programs and Court Data Services Databases, and related documentation, including but not limited to training and configuration materials, if any, and logon account information, if any; or (2) destroy the same and certify in writing to the Court that the same have been destroyed.

8. INJUNCTIVE RELIEF. Subscriber acknowledges that the Court, Court's licensors, and DCA will be irreparably harmed if Subscriber's obligations under this Subscriber Amendment are not specifically enforced and that the Court, Court's licensors, and DCA would not have an adequate remedy at law in the event of an actual or threatened violation by Subscriber of its obligations. Therefore, Subscriber agrees that the Court, Court's licensors, and DCA shall be entitled to an injunction or any appropriate decree of specific performance for any actual or threatened violations or breaches by Subscriber or its bona fide personnel without the necessity of the Court, Court's licensors, or DCA showing actual damages or that monetary damages would not afford an adequate remedy. Unless Subscriber is an office, officer, agency, department, division, or bureau of the state of Minnesota, Subscriber shall be liable to the Court, Court's licensors, and DCA for reasonable attorneys fees incurred by the Court, Court's licensors, and DCA in obtaining any relief pursuant to this Subscriber Amendment.

9. LIABILITY. Subscriber and the Court agree that, except as otherwise expressly provided herein, each party will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of any others and the results thereof. Liability shall be governed by applicable law. Without limiting the foregoing, liability of the Court and any Subscriber that is an office, officer, agency, department, division, or bureau of the state of Minnesota shall be governed by the provisions of the Minnesota Tort Claims Act, Minnesota Statutes, section 3.376, and other applicable law. Without limiting the foregoing, if Subscriber is a political subdivision of the state of Minnesota, liability of the Subscriber shall be governed by the provisions of Minn. Stat. Ch. 466 (Tort Liability, Political Subdivisions) or other applicable law. Subscriber and Court further acknowledge that the liability, if any, of the BCA is governed by a separate agreement between the Court and the BCA dated December 13, 2010 with DPS-M -0958.

10. AVAILABILITY. Specific terms of availability shall be established by the Court and communicated to Subscriber by the Court and/or the BCA. The Court reserves the right to terminate this Subscriber Amendment immediately and/or temporarily suspend Subscriber's Authorized Court Data Services in the event the capacity of any host computer system or legislative appropriation of funds is determined solely by the Court to be insufficient to meet the computer needs of the courts served by the host computer system.

11. [reserved]

12. ADDITIONAL USER OBLIGATIONS. The obligations of the Subscriber set forth in this section are in addition to the other obligations of the Subscriber set forth elsewhere in this Subscriber Amendment.

a. Judicial Policy Statement. Subscriber agrees to comply with all policies identified in Policies & Notices applicable to Court Records accessed by Subscriber using Authorized Court Data Services. Upon failure of the Subscriber to comply with such policies, the Court shall have the option of immediately suspending the Subscriber's Authorized Court Data Services on a temporary basis and/or immediately terminating this Subscriber Amendment.

b. Access and Use; Log. Subscriber shall be responsible for all access to and use of Authorized Court Data Services and Court Records by Subscriber's bona fide personnel or by means of Subscriber's equipment or passwords, whether or not Subscriber has knowledge of or authorizes such access and use. Subscriber shall also maintain a log identifying all persons to whom Subscriber has disclosed its Court Confidential Security and Activation Information, such as user ID(s) and password(s), including the date of such disclosure. Subscriber shall maintain such logs for a minimum period of six years from the date of disclosure, and shall provide the Court with access to, and copies of, such logs upon request. The Court may conduct audits of Subscriber's logs and use of Authorized Court Data Services and Court Records from time to time. Upon Subscriber's failure to maintain such logs, to maintain accurate logs, or to promptly provide access by the Court to such logs, the Court may terminate this Subscriber Amendment without prior notice to Subscriber.

c. Personnel. Subscriber agrees to investigate, at the request of the Court and/or the BCA, allegations of misconduct pertaining to Subscriber's bona fide personnel having access to or use of Authorized Court Data Services, Court Confidential Information, or trade secret information of the Court and its licensors where such persons are alleged to have violated the provisions of this Subscriber Amendment, Policies & Notices, Judicial Branch policies, or other security requirements or laws regulating access to the Court Records.

d. Minnesota Data Practices Act Applicability. If Subscriber is a Minnesota Government entity that is subject to the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, Subscriber acknowledges and agrees that: (1) the Court is not subject to Minn. Stat. Ch. 13 (see section 13.90) but is subject to the Rules of Public Access and other rules promulgated by the Minnesota Supreme Court; (2) Minn. Stat. section 13.03, subdivision 4(e) requires that Subscriber comply with the Rules of Public Access and other rules promulgated by the Minnesota Supreme Court for access to Court Records provided via the

BCA systems and tools under this Subscriber Amendment; (3) the use of and access to Court Records may be restricted by rules promulgated by the Minnesota Supreme Court, applicable state statute or federal law; and (4) these applicable restrictions must be followed in the appropriate circumstances.

13. FEES; INVOICES. Unless the Subscriber is an office, officer, department, division, agency, or bureau of the state of Minnesota, Subscriber shall pay the fees, if any, set forth in applicable Policies & Notices, together with applicable sales, use or other taxes. Applicable monthly fees commence ten (10) days after notice of approval of the request pursuant to section 3 of this Subscriber Amendment or upon the initial Subscriber transaction as defined in the Policies & Notices, whichever occurs earlier. When fees apply, the Court shall invoice Subscriber on a monthly basis for charges incurred in the preceding month and applicable taxes, if any, and payment of all amounts shall be due upon receipt of invoice. If all amounts are not paid within 30 days of the date of the invoice, the Court may immediately cancel this Subscriber Amendment without notice to Subscriber and pursue all available legal remedies. Subscriber certifies that funds have been appropriated for the payment of charges under this Subscriber Amendment for the current fiscal year, if applicable.

14. MODIFICATION OF FEES. Court may modify the fees by amending the Policies & Notices as provided herein, and the modified fees shall be effective on the date specified in the Policies & Notices, which shall not be less than thirty days from the publication of the Policies & Notices. Subscriber shall have the option of accepting such changes or terminating this Subscriber Amendment as provided in section 1 hereof.

15. WARRANTY DISCLAIMERS.

a. WARRANTY EXCLUSIONS. EXCEPT AS SPECIFICALLY AND EXPRESSLY PROVIDED HEREIN, COURT, COURT'S LICENSORS, AND DCA MAKE NO REPRESENTATIONS OR WARRANTIES OF ANY KIND, INCLUDING BUT NOT LIMITED TO THE WARRANTIES OF FITNESS FOR A PARTICULAR PURPOSE OR MERCHANTABILITY, NOR ARE ANY WARRANTIES TO BE IMPLIED, WITH RESPECT TO THE INFORMATION, SERVICES OR COMPUTER PROGRAMS MADE AVAILABLE UNDER THIS AGREEMENT.

b. ACCURACY AND COMPLETENESS OF INFORMATION. WITHOUT LIMITING THE GENERALITY OF THE PRECEDING PARAGRAPH, COURT, COURT'S LICENSORS, AND DCA MAKE NO WARRANTIES AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION CONTAINED IN THE COURT RECORDS.

16. RELATIONSHIP OF THE PARTIES. Subscriber is an independent contractor and shall not be deemed for any purpose to be an employee, partner, agent or franchisee of the Court, Court's licensors, or DCA. Neither Subscriber nor the Court, Court's licensors, or DCA shall have the right nor the authority to assume, create or incur any liability or obligation of any kind, express or implied, against or in the name of or on behalf of the other.

17. NOTICE. Except as provided in section 2 regarding notices of or modifications to Authorized Court Data Services and Policies & Notices, any notice to Court or Subscriber

hereunder shall be deemed to have been received when personally delivered in writing or seventy-two (72) hours after it has been deposited in the United States mail, first class, proper postage prepaid, addressed to the party to whom it is intended at the address set forth on page one of this Agreement or at such other address of which notice has been given in accordance herewith.

18. NON-WAIVER. The failure by any party at any time to enforce any of the provisions of this Subscriber Amendment or any right or remedy available hereunder or at law or in equity, or to exercise any option herein provided, shall not constitute a waiver of such provision, remedy or option or in any way affect the validity of this Subscriber Amendment. The waiver of any default by either Party shall not be deemed a continuing waiver, but shall apply solely to the instance to which such waiver is directed.

19. FORCE MAJEURE. Neither Subscriber nor Court shall be responsible for failure or delay in the performance of their respective obligations hereunder caused by acts beyond their reasonable control.

20. SEVERABILITY. Every provision of this Subscriber Amendment shall be construed, to the extent possible, so as to be valid and enforceable. If any provision of this Subscriber Amendment so construed is held by a court of competent jurisdiction to be invalid, illegal or otherwise unenforceable, such provision shall be deemed severed from this Subscriber Amendment, and all other provisions shall remain in full force and effect.

21. ASSIGNMENT AND BINDING EFFECT. Except as otherwise expressly permitted herein, neither Subscriber nor Court may assign, delegate and/or otherwise transfer this Subscriber Amendment or any of its rights or obligations hereunder without the prior written consent of the other. This Subscriber Amendment shall be binding upon and inure to the benefit of the Parties hereto and their respective successors and assigns, including any other legal entity into, by or with which Subscriber may be merged, acquired or consolidated.

22. GOVERNING LAW. This Subscriber Amendment shall in all respects be governed by and interpreted, construed and enforced in accordance with the laws of the United States and of the State of Minnesota.

23. VENUE AND JURISDICTION. Any action arising out of or relating to this Subscriber Amendment, its performance, enforcement or breach will be venued in a state or federal court situated within the State of Minnesota. Subscriber hereby irrevocably consents and submits itself to the personal jurisdiction of said courts for that purpose.

24. INTEGRATION. This Subscriber Amendment contains all negotiations and agreements between the parties. No other understanding regarding this Subscriber Amendment, whether written or oral, may be used to bind either party, provided that all terms and conditions of the CJDN Subscriber Agreement and all previous amendments remain in full force and effect except as supplemented or modified by this Subscriber Amendment.

IN WITNESS WHEREOF, the Parties have, by their duly authorized officers, executed this Subscriber Amendment in duplicate, intending to be bound thereby.

1. SUBSCRIBER (AGENCY)

Subscriber must attach written verification of authority to sign on behalf of and bind the entity, such as an opinion of counsel or resolution.

Name: _____
(PRINTED)

Signed: _____

Title: _____
(with delegated authority)

Date: _____

Name: _____
(PRINTED)

Signed: _____

Title: _____
(with delegated authority)

Date: _____

2. DEPARTMENT OF PUBLIC SAFETY, BUREAU OF CRIMINAL APPREHENSION

Name: _____
(PRINTED)

Signed: _____

Title: _____
(with delegated authority)

Date: _____

3. COMMISSIONER OF ADMINISTRATION

delegated to Materials Management Division

By: _____

Date: _____

4. COURTS

Authority granted to Bureau of Criminal Apprehension

Name: _____
(PRINTED)

Signed: _____

Title: _____
(with authorized authority)

Date: _____

Council Regular Meeting

DATE: 10/11/2021

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

SUBJECT: Resolution Approving the Contract for the Labor Agreement for Law Enforcement Labor Services, Inc. (LELS Number 82) and the City of Brooklyn Center for the Calendar Years 2022-2024

Requested Council Action:

- Motion to approve the resolution approving the contract between the City of Brooklyn Center and Law Enforcement Labor Services, Inc. (LELS Number 82) for the calendar years 2022-2024

Background:

The current contract with LELS 82 (police officers and detectives) will expire on December 31, 2021. The City and the Union have met and negotiated in good faith to reach a settlement on all issues of concern. This labor agreement covers all police officers and detectives.

The attached agreement has been approved by a vote of the members and upon adoption by the City Council will establish wages and working conditions for calendar years 2022 - 2024.

The Articles affected by these negotiations include the following:

ARTICLE 25 – Longevity and Educational Incentive Effective January 1, 2022
25.5 After twenty (25) years of continuous employment, each employee shall be paid supplementary pay of eleven percent (11%) of the employee's base rate.

ARTICLE 27 – Vacation Leave

27.1 Permanent full time employees shall earn vacation leave with pay as per the following schedule:

6 through 10 years of service one hundred twenty-eight (128) hours per year (accrued at 4.92 hours per pay period)

eight (8) additional hours per year of service to a maximum of one hundred sixty (168) hours after fifteen (15) years of service

11 years – 5.23 hours per pay period
12 years – 5.54 hours per pay period
13 years – 5.85 hours per pay period
14 years – 6.15 hours per pay period

15 years – 6.46 hours per pay period

At 20 years of service eight (8) additional hours accrued at 6.77 hours per pay period to a maximum annual accrual of 176 hours.

ARTICLE 29 - Insurance

29.1 Full-time employees

For the duration of this agreement, the City will offer the best of any agreement that we have for any other employee group.

ARTICLE 30 - Wage Schedule

- Three (3%) increase and $400 per month market adjustment effective January 1, 2022
- Three (3%) increase effective January 1, 2023
- Three (3%) increase effective January 1, 2024

ARTICLE 36 – Duration

Three-year agreement January 1, 2019 – December 31, 2021.

Budget Issues:

In 2022, the cost of the wage adjustment is approximately $322,602. The increase in the City's insurance contribution is approximately $66 per employee per month from $1,320 to $1,386, which is the same as offered to all employees.

In 2023, the cost of the wage adjustment is approximately $123,683. The increase in the City's insurance contribution is unknown at this time, but the amount will be the same as offered to all employees.

In 2024, the cost of the wage adjustment is approximately $127,370. The increase in the City's insurance contribution is unknown at this time, but the amount will be the same as offered to all employees.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
LELS 82 2021 redline agreement	10/7/2021	Backup Material
Resolution	10/7/2021	Resolution Letter

ARTICLE 1 – Purpose of Agreement

This Agreement is entered into between the City of Brooklyn Center, hereinafter called the Employer, and Law Enforcement Labor Services, hereinafter called the Union.

It is the intent and purpose of this Agreement to:

1.1 Establish procedures for the resolution of disputes concerning this Agreement's interpretation and/or application; and

1.2 Place in written form the parties' Agreement upon terms and conditions of employment for the duration of this Agreement.

ARTICLE 2 - Recognition

2.1 The Employer recognizes the Union as the exclusive representative, under the Minnesota Public Employment Labor Relations Act, for all police personnel in the following job classifications:

Detective Police Officer

2.2 In the event the Employer and the Union are unable to agree as to the inclusion or exclusion of a new or modified job class, the issue shall be submitted to the Bureau of Mediation Services for determination.

ARTICLE 3 - Definitions

3.1 UNION: Law Enforcement Labor Services.
3.2 UNION MEMBER: A member of Law Enforcement Labor Services.
3.3 DEPARTMENT: The City of Brooklyn Center Police Department.
3.4 EMPLOYEE: A member of the exclusively recognized bargaining unit.
3.5 EMPLOYER: The City of Brooklyn Center.
3.6 CHIEF: The Chief of the Brooklyn Center Police Department.
3.7 UNION OFFICER: Officer elected or appointed by Law Enforcement Labor Services (Local No. 82).
3.8 DETECTIVE: An employee specifically assigned or classified by the Employer to the job classification and/or job position of Detective.
3.9 OVERTIME: Work performed at the express authorization of the Employer in excess of the employee's scheduled shift.
3.10 SCHEDULED SHIFT: A consecutive work period including rest breaks and a lunch break.
3.11 REST BREAKS: Period during the scheduled shift during which the employee remains on continual duty and is responsible for assigned duties.
3.12 LUNCH BREAKS: A period during the scheduled shift during which the employee remains on continual duty and is responsible for assigned duties.
3.13 REGULAR RATE OF PAY: The employee's hourly or monthly base pay rate, including educational incentive pay, longevity pay, and differential for detective and school liaison officer excluding any other special allowance.
3.14 BASE PAY RATE: The employee's hourly or monthly pay rate excluding educational incentive pay, longevity pay, and differential for detective, drug task force and school liaison officer.
3.15 STRIKE: Concerted action in failing to report for duty, the willful absence from one's position, the stoppage of work, slowdown, or abstinence in whole or in part from the full, faithful, and

proper performance of the duties of employment for the purposes of inducing, influencing, or coercing a change in the conditions or compensation or the rights, privileges, or obligations of employment.

ARTICLE 4 - Employer Security

The Union agrees that during the life of this Agreement the Union will not cause, encourage, participate in, or support any strike, slowdown, or other interruption of or interference with the normal functions of the Employer.

ARTICLE 5 - Employer Authority

5.1 The Employer retains the full and unrestricted right to operate and manage all personnel, facilities, and equipment; to establish functions and programs; to set and amend budgets; to determine the utilization of technology; to establish and modify the organizational structure; to select, direct, and determine the number of personnel, to establish work schedules, and to perform any inherent managerial function not specifically limited by this Agreement.

5.2 Any term and condition of employment not specifically established or modified by this Agreement shall remain solely within the discretion of the Employer to modify, establish, or eliminate.

ARTICLE 6 – Union Security

6.1 The Employer shall deduct the wages of employees who authorize such a deduction in writing an amount necessary to cover monthly Union dues. Such monies shall be remitted as directed by the Union.

6.2 The Union may designate employees from the bargaining unit to act as a steward and an alternate and shall inform the Employer in writing of such choice and changes in the position of steward and/or alternate.

6.3 The Employer shall make space available on the employee bulletin board for posting Union notice(s) and announcement(s).

6.4 The Union agrees to indemnify and hold the Employer harmless against any and all claims, suits, orders, or judgments brought or issued against the Employer as a result of any action taken or not taken by the Employer under the provisions of this Article.

ARTICLE 7 - Savings Clause

This Agreement is subject to the laws of the United States, the State of Minnesota, and the City of Brooklyn Center. In the event any provision of the Agreement shall be held to be contrary to law by a court of competent jurisdiction from whose final judgment or decree no appeal has been taken within the time provided, such provisions shall be voided. All other provisions of this Agreement shall continue in full force and effect. The voided provision may be renegotiated at the written request of either party.

ARTICLE 8 – Constitutional Protection

Employees shall have the rights granted to all citizens by the United States and Minnesota Constitutions.

ARTICLE 9 - Seniority

9.1 Seniority shall be determined by continuous length of service in all of the job classifications covered by this Agreement. Employees promoted or assigned to classifications covered by this Agreement shall accrue classification seniority in the promoted or assigned classification in addition to bargaining unit seniority. Employees promoted from classifications covered by this Agreement to a position outside the bargaining unit will continue to accrue seniority under this Agreement until the completion of their promotional probationary period or for no longer than twelve (12) months. The seniority roster shall be based on length of service in all of the job classifications covered by this Agreement. Employees lose seniority under this Agreement under the following circumstances: resignation, discharge for cause, or transfer or promotion to a classification not covered by this Agreement after completion of the promotional probationary period or for no longer than twelve (12) months after transfer or promotion.

9.2 There shall be an initial probationary period for new and promoted employees of twelve (12) months. During the probationary period, a newly hired or rehired employee may be discharged at the sole discretion of the Employer. During the probationary period a promoted or reassigned employee may be replaced in their previous position at the sole discretion of the Employer.

9.3 A reduction of work force will be accomplished on the basis of seniority. The Employer shall give the Union and the employees at least two (2) weeks written notice in advance of any layoff. Employees shall be recalled from layoff on the basis of seniority. An employee on layoff shall have an opportunity to return to work within two (2) years of the time of the layoff before any new employee is hired.

9.4 Senior employees will be given preference with regard to transfer, job classification assignments, and promotions when the job-relevant qualifications of employees are equal.

9.5 Senior qualified employees shall be given assignment preference after eighteen (18) months of continuous full-time employment. Except as noted in the preceding sentence, shift assignments shall be bid on the basis of seniority during month of October. The resulting shift assignments will take effect January 1 and span through December 31 of the same year. A new shift bid may occur outside of these dates at the mutual agreement of the city and the Union. A permanent change in the work schedule will not result in re-bidding the work schedule if the permanent change in the work schedule would be effective within 90 days of January 1.

It is agreed that a ‘permanent change to the work schedule’ is defined as a promotion; permanent departure from employment; and an extended assignment.

In the instance of a permanent change to the work schedule, a ‘partial rebid’ will be conducted within thirty (30) days of the date that the permanent change to the work schedule takes effect. This bid will be based upon seniority and involve only those officers from the most senior affected officer through the least senior officer who has completed at least eighteen (18) months of continuous full-time employment. A partial re-bid may be waived at

the mutual agreement of the City and the Union.
Officers may, through their own mutual agreement and with approval of the Patrol Commander, trade shift assignments at their own discretion. The maximum duration of any such trade shall be sixty (60) calendar days.

9.6 The Employer shall consider seniority by classification as the primary factor when calling off-duty employees to duty. Reverse seniority shall be considered the primary factor when scheduling duty changes, provided such employees are deemed qualified.

9.7 One continuous vacation period shall be selected on the basis of seniority until December 31st of each calendar year. Bids for the continuous vacation period shall be approved no later than November 15.

9.8 The Employer shall recognize seniority as the primary factor when authorizing holiday leave and compensatory time leave.

9.9 No time shall be deducted from an employee's seniority accumulation due to absences occasioned by an authorized leave with pay, layoffs of less than two (2) years in duration, or any military draft or government call-up to Reserves or National Guard.

ARTICLE 10 – Work Schedules

10.1 The normal work year is two thousand and eighty (2,080) hours to be accounted for by each employee through:

a. hours worked on assigned shifts,
b. holidays,
c. assigned training, and
d. authorized leave time.

10.2 Authorized leave time (including holiday hours) is to be calculated on the basis of the actual hours used for such leave based on the time that the employee would otherwise have been scheduled to work.

10.3 Nothing in this or any other Article shall be interpreted to be a guarantee of a minimum or maximum number of hours the Employer may assign employees.

ARTICLE 11 - Discipline

11.1 The Employer will discipline employees for just cause only. Discipline will be in one or more of the following forms:

a. oral reprimand;
b. written reprimand;
c. suspension;
d. demotion; or
e. discharge.

11.2 Suspension, demotions, and discharges will be in written form.

11.3 Written reprimands, notices of suspension, and notices of discharge which are to become part of an employee's personnel file shall be read and acknowledged by signature of the employee. Employees and the Union will receive a copy of such reprimands and/or notices.

11.4 Employees may examine their own individual personnel files at reasonable times under direct supervision of the Employer.

11.5 A single disciplinary action for failure to attend training, court or tardiness will be removed from the personnel file after 18 months if, during that time, the single incident of discipline for failure to attend training, court or tardiness, is the only occurrence of discipline during that 18-month period.

11.6 Discharges will be preceded by a five (5) day suspension without pay.

11.7 For purposes of discipline, a day will mean eight (8) hours.

11.8 Employees will not be questioned concerning an investigation of disciplinary action unless the employee has been given an opportunity to have a Union representative present at such questioning.

11.9 Grievances relating to this Article shall be initiated by the Union in Step 3 of the grievance procedure under Article 12.

ARTICLE 12 – Employee Rights – Grievance Procedure

12.1 *Definition of a Grievance* - A grievance is defined as a dispute or disagreement as to the interpretation or application of the specific terms and conditions of this Agreement.

12.2 *Union Representatives* - The Employer will recognize Representatives designated by the Union as the grievance representatives of the bargaining unit having the duties and responsibilities established by this Article. The Union shall notify the Employer in writing of the names of such Union Representatives and of their successors when so designated as provided by 6.2 of this Agreement.

12.3 *Processing of a Grievance* - It is recognized and accepted by the Union and the Employer that the processing of grievances as hereinafter provided is limited by the job duties and responsibilities of the Employees and shall therefore be accomplished during normal working hours only when consistent with such Employee duties and responsibilities. The aggrieved Employee and a Union Representative shall be allowed a reasonable amount of time without loss in pay when a grievance is investigated and presented to the Employer during normal working hours provided that the Employee and the Union Representative have notified and received the approval of the designated supervisor who has determined that such absence is reasonable and would not be detrimental to the work programs of the Employer.

12.4 *Procedure* - Grievances, as defined by Section 12.1, shall be resolved in conformance with the following procedure:

Step 1. An Employee claiming a violation concerning the interpretation or application of this Agreement shall, within twenty-one (21) calendar days after such alleged violation has occurred, present such grievance to the Employee's supervisor as designated by the Employer. The Employer-designated representative will discuss and give an answer to such Step 1 grievance within ten (10) calendar days after receipt. A grievance not resolved in Step 1 and appealed to Step 2 shall be placed in writing setting forth the nature of the grievance, the facts on which it is based, the provision or provisions of the Agreement allegedly violated, the remedy requested, and shall be appealed to Step 2 within ten (10) calendar days after the Employer-designated representative's final answer in Step 1. Any grievance not appealed in writing to Step 2 by the Union within ten (10) calendar days shall be considered waived.

Step 2. If appealed, the written grievance shall be presented by the Union and discussed with the Employer-designated Step 2 representative. The Employer-designated representative shall give the Union the Employer's Step 2 answer in writing within ten (10) calendar days after receipt of such Step 2 grievance. A grievance not resolved in Step 2 may be appealed to Step 3 within ten (10) calendar days following the Employer-designated representative's final Step 2 answer. Any grievance not appealed in writing to Step 3 by the Union within ten (10) calendar days shall be considered waived.

Step 3. If appealed, the written grievance shall be presented by the Union and discussed with the Employer-designated Step 3 representative. The Employer-designated representative shall give the Union the Employer's answer in writing within ten (10) calendar days after receipt of such Step 3 grievance. A grievance not resolved in Step 3 may be appealed to Step 4 within ten (10) calendar days following the Employer-designated representative's final answer to Step 3. Any grievance not appealed in writing to Step 4 by the Union within ten (10) calendar days shall be considered waived.

Step 3a. If the grievance is not resolved at Step 3 of the grievance procedure, the parties, by mutual Agreement, may submit the matter to mediation with the Bureau of Mediation Services. Submitting the grievance to mediation preserves timelines for Step 4 of the grievance procedure. Any grievance not appealed in writing to Step 4 by the Union within ten (10) calendar days of mediation shall be considered waived.

Step 4. A grievance unresolved in Step 3 or Step 3a and appealed to Step 4 by the Union shall be submitted to arbitration subject to the provisions of the Public Employment Labor Relations Act as amended. The selection of an arbitrator shall be made in accordance with the "Rules Governing the Arbitration of Grievances" as established by the Bureau of Mediation Services.

12.5 *Arbitrator's Authority*

a. The arbitrator shall have no right to amend, modify, nullify, ignore, add to, or subtract from the terms and conditions of this Agreement. The arbitrator shall consider and decide only the specific issue(s) submitted in writing by the Employer and the Union, and shall have no authority to make a decision on any other issue not so submitted.

b. The arbitrator shall be without power to make decisions contrary to, or inconsistent with, or modifying or varying in any way the application of laws, rules, or regulations having the force and effect of law. The arbitrator's decision shall be submitted in writing within thirty (30) days following close of the hearing or the submission of briefs by the parties, whichever be later, unless the parties agree to an extension. The decision shall be binding on both the Employer and the Union and shall be based solely on the arbitrator's interpretation or application of the express terms of this Agreement and to the facts of the grievance presented.

c. The fees and expenses for the arbitrator's services and proceedings shall be borne equally by the Employer and the Union provided that each party shall be responsible for compensating its own representatives and witnesses. If either party desires a verbatim record of the proceedings, it may cause such a record to be made, providing it pays for the record. If both parties desire a verbatim record of the proceedings, the cost shall be shared equally.

12.6 *Waiver*

If a grievance is not presented within the time limits set forth above, it shall be considered "waived". If a grievance is not appealed to the next step within the specified time limit or any agreed extension thereof, it shall be considered settled on the basis of the Employer's last answer. If the Employer does not answer a grievance or an appeal thereof within the specified time limits, the Union may elect to treat the grievance as denied at that step and immediately appeal the grievance to the next step. The time limit in each step may be extended by mutual written Agreement of the Employer and the Union in each step.

ARTICLE 13 – Overtime

13.1 Employees will be compensated at one and one-half (1 ½) times the employee's regular rate of pay for hours worked in excess of the employee's regularly scheduled shift. Changes of shift do not qualify an employee for overtime under this Article.

13.2 Overtime will be distributed as equally as practicable.

13.3 Overtime refused by employees will for record purposes under Article 13.2 be considered as unpaid overtime worked.

13.4 For the purpose of computing overtime compensation, overtime hours worked shall not be pyramided, compounded, or paid twice for the same hours worked.

13.5 Overtime will be calculated to the nearest six (6) minutes.

13.6 Employees have the obligation to work overtime or call backs if requested by the Employer unless unusual circumstances prevent the employee from so working.

13.7 When uniformed patrol employees have less than twelve (12) hours of duty-free time between assigned shifts, they will be compensated at a rate of one and one-half (1 ½) times the employee's regular rate of pay for the next shift. For purposes of this Article, shift extensions, elected overtime, voluntary changes of shifts, City-contracted work, training, and

court time are considered as duty-free time. The twelve (12) hour requirement may be waived by mutual Agreement between the Employee and the Police Administration.

13.8 As an alternative to monetary compensation for overtime, an employee may elect compensatory time off at a rate of one and one-half (1 ½) time. An employee's compensatory time bank shall not exceed sixty (60) hours at any time during the calendar year. Employees with less than 30 hours of compensatory time will be paid out to the employee on or about the first paycheck in December. Employees with thirty (30) or more hours up to the sixty (60) hour limit will have pay placed in the employee's HCSP account on or about the first pay check in December. No compensatory time will be accumulated or used during the month of December. Special overtime duty assignments made available to all positions by the Chief of Police at the police officer's rate of compensation will not be eligible for compensatory time. Compensatory time off shall be granted only at the convenience of the Employer with prior approval of the Employer-designated supervisor.

13.9 Employees given less than sixteen (16) hours notice of a scheduled duty change other than their regularly scheduled work period shall be compensated at one and one-half (1 ½) times the employee's regular rate of pay for hours worked outside of the scheduled work period.

ARTICLE 14 - Court Time

14.1 Court Appearances:

14.1.1 An employee who is required to appear in court during their scheduled off-duty time shall receive a minimum of three (3) hours pay at one and one-half (1 ½) times the employee's regular rate of pay. An extension or early report to a regularly scheduled shift for court appearance does not qualify the employee for the three (3) hour minimum. Employees shall not be required to work office or street duty to qualify for the court time minimum.

14.1.2 An employee who is required to appear in court during their scheduled off-duty time shall be given 12 hours' prior notification of cancellation of the court appearance. If the notification if not given 12 hours prior to the scheduled court time, the employee will receive the three (3) hour court time minimum.

14.2 Standby Pay:

14.2.1 Any employee placed on standby on scheduled days on will be paid three (3) hours at one times the employee's regular rate of pay. IE: If an officer is scheduled to work night shift on Monday and Tuesday night and is placed on standby on Monday or Tuesday, then standby pay would be at straight time.

14.2.2 An employee who is placed on standby for court during their scheduled off-duty time shall be given 12 hours prior notification of cancellation of the court appearance. If the notification is not given 12 hours prior to the scheduled court time, the employee will receive three (3) hours at one and one-half times the employee's regular rate of pay. If the standby period is extended beyond three hours, the employee will be compensated for the actual time at one and one-half times employee's regular rate of pay.

14.2.3 Any employee who is placed on stand-by for court should retain a copy of the notice placing them on stand-by, or obtain the name of the person placing them on stand-by.

ARTICLE 15 - Call Back Time

An employee who is called to duty during their scheduled off-duty time shall receive a minimum of two (2) hours pay at one and one-half (1 ½) times the employee's regular rate of pay. An extension or early report to a regularly scheduled shift for duty does not qualify the employee for the two (2) hours minimum.

ARTICLE 16 - Working Out of Classification

Employees assigned by the Employer to assume the full responsibilities and authority of a higher job classification shall receive the salary schedule of the higher classification for the duration of the assignment.

ARTICLE 17 –Standby Pay

Employees required by the Employer to standby shall be paid for such standby time at the rate of one hour's pay for each hour on standby.

ARTICLE 18 – Leaves of Absence

18.1 In cases of demonstrated need and where sick leave has not been abused, the Employer shall grant to employees a leave of absence without pay for extended personal illness after the accumulative sick leave has expired. Such leaves of absence shall not exceed ninety (90) calendar days. Upon granting such unpaid leave of absence, the Employer will not permanently fill the employee's position and the employee's benefits and rights shall be retained.

18.2 An employee called to serve on a jury shall be reimbursed the difference between the amount paid for such service (exclusive of travel and expense pay) and compensation for regularly scheduled working hours lost because of jury service.

18.3 Employees ordered by proper authority to National Guard or Reserve Military Service not exceeding fifteen (15) working days in any calendar year shall be entitled to leave of absence without loss of status. Such employees shall receive compensation from the Employer equal to the difference between his regular pay and the lesser military pay.

18.4 Employees called and ordered by proper authority to active military service in time of war or other properly declared emergency shall be entitled to leave of absence without pay during such service. Upon completion of such service, employees shall be entitled to the same or similar employment of like seniority, status, and pay as if such leave had not been taken, subject to the specific provisions of state and federal law.

18.5 Members of the bargaining unit will receive such additional leaves as provided for under State or Federal law, as the same laws may be amended from time to time.

18.6 Additional leaves of absence may be granted in the City Manager’s discretion upon the same terms and conditions as then applicable to non-Union employees pursuant to the City’s

Personnel policy applicable to non-Union employees at the time of application for a leave of absence.

ARTICLE 19 - Severance

19.1 Before terminating employment, the employee shall give the Employer two (2) weeks written notice.

19.2 Severance pay in the amount of one-third (1/3) the accumulated sick leave employees have to their credit at the time of resignation or retirement, times their respective regular pay rate, shall be paid to employees who have been employed for at least five (5) consecutive years. If discharged for just cause, severance pay shall not be allowed.

19.3 Employees electing to participate in the Health Care Savings Plan will receive 40% of sick leave severance paid into the Health Care Savings Plan. If the employee is not eligible to have a Health Care Savings Plan they will receive the one-third sick leave severance.

ARTICLE 20 – Injury on Duty

Employees injured during the performance of their duties for the Employer and thereby rendered unable to work for the Employer will be paid the difference between the employee's regular pay and Workers' Compensation insurance payments for a period not to exceed 720 hours per injury, not charged to the employee's vacation, sick leave, or other accumulated paid benefits, after a three (3) calendar day initial waiting period per injury. The three (3) calendar day waiting period shall be charged to the employee's sick leave account if they were regularly scheduled work days less Workers' Compensation insurance payments.

ARTICLE 21 - False Arrest Insurance

The City of Brooklyn Center shall maintain liability insurance that includes a provision for unlawfully detaining an individual when an employee is acting within the scope of their duties on behalf of the City of Brooklyn Center.

ARTICLE 22 - Training

22.1 The Employer shall reimburse each employee who is required to maintain a license as a law enforcement officer under Minnesota Statutes, Section 626.84, et seq., for actual expenses of tuition, meals, travel, and lodging incurred in meeting the continuing education requirements of the Minnesota Police Officers Standards and Training Board, not to exceed 48 hours of such training every three (3) years. The Employer need not make such reimbursement for attendance at a course located less than sixty (60) miles from the City of Brooklyn Center and such reimbursement shall not exceed similar allowances for state employees. If the Employer provides in-service training to its employees which meets the continuing education requirements of the Minnesota Police Officers Standards and Training Board, and if the Employer provides its employees with an opportunity to attend such in-service training courses, to the extent that such opportunity is provided to each employee, the obligation of the Employer to reimburse such employee for expenses incurred in attending continuing education courses shall be reduced.

22.2 The Employer shall pay each employee a minimum of their regular salary for all scheduled course hours while attending Employer approved or Employer required continuing education

courses, whether or not such courses attended are in-service training courses or courses given by instructors other than the Employer. Should a course exceed the scheduled course hours, the Employer shall pay the employee for the actual hours in attendance.

ARTICLE 23 – Post License Fees

The Employer shall pay up to $90 for the cost of POST license fees for all employees requiring such license during each license period.

ARTICLE 24 - Uniforms

The Employer shall provide required uniform and equipment items. In addition, the Employer shall pay to the uniformed officers a maintenance allowance of $200 per year for 2020.

Detectives and plainclothes officers, including the trainee, will have the option of selecting either business appropriate attire as defined by the Employer with an allowance of $300 per year or business professional attire as defined by the Employer with an allowance of $590 per year.

ARTICLE 25 – Longevity and Educational Incentive

Effective January 1, 2020

25.1 After eight (8) years of continuous employment, each employee shall be paid supplementary pay of three percent (3%) of the employee's base rate.

25.2 After twelve (12) years of continuous employment, each employee shall choose to be paid supplementary pay of five percent (5%) of the employee's base rate.

25.3 After sixteen (16) years of continuous employment, each employee shall choose to be paid supplementary pay of seven percent 7%) of the employee's base rate.

25.4 After twenty (20) years of continuous employment, each employee shall be paid supplementary pay of nine percent (9%) of the employee's base rate.

25.5 After twenty (25) years of continuous employment, each employee shall be paid supplementary pay of eleven percent (11%) of the employee's base rate.

25.6 Employees may choose supplementary pay either for length of service or for educational credits no more often than once every twelve (12) months.

25.7 Supplementary pay based on educational credits will be paid to employees after twelve (12) months of continuous employment at the rate of:
Bachelor's Degree - 3% of employee's base rate
Master's Degree - 4% of employee's base rate

ARTICLE 26 – Holiday Leave

26.1 Employees shall receive eight (8) hours of holiday leave per month. Ninety-six (96) hours of holiday leave shall be advanced to employees on January 1st of each calendar year beginning on January 1st 2002. In the event an employee is not employed for the entire calendar year, the employee's holiday leave shall be reduced by eight (8) hours for each full month that the employee will not have worked in that calendar year.

26.2 Employees may use holiday leave with the approval of the Employer.

26.3 An employee who works on New Year's Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, Memorial Day, Veteran's Day, Columbus Day, Martin Luther King Day, or President's Day shall receive one and one-half (1 ½) times the employee's regular pay rate for all hours actually worked during the named holiday.

26.4 Except as provided in 26.3, overtime pay shall not be authorized for employees for hours worked on holidays when such work is part of the planned schedule.

26.5 An employee who is on their regularly scheduled day off for a holiday as specified in 26.3, and is called in to work or kept over to work such holiday due to staff shortage(s), etc., will receive two times the employee's regular pay rate for all hours actually worked during the named holiday in lieu of one and one-half (1 ½) times the employee's regular pay rate under Section 26.3. Employees who accept a shift under 26.6 shall be paid as provided in 26.3 and 26.4 and shall not be eligible for payment pursuant to 26.5.

26.6 An employee may request a holiday off, which they are required to work, prior to fourteen calendar days before the holiday. The Employer shall post the open holiday shift to be filled by another employee at the holiday rate of pay. The employee making the request for the holiday off is responsible for working the holiday if the posting is not filled five (5) days prior to the holiday.

26.7 Employees beginning employment after January 1st of a calendar year shall receive eight (8) hours of holiday leave per month beginning on the first month in which they are working as of the first day of that month. Such employees shall receive an advance of holiday leave hours equal to eight (8) hours multiplied by the number of whole months they will work through December of the year in which they were first employed.

26.8 Any holiday leave not used on or before December 31st of each year will be deemed forfeited and shall not carry over into the next calendar year.

ARTICLE 27 – Vacation Leave

27.1 Permanent full-time employees shall earn vacation leave with pay as per the following schedule:

0 through 5 years of service - eighty (80) hours per year (accrued at 3.08 hours per pay period)

6 through 10 years of service - one hundred twenty-eight (128) hours per year (accrued at 4.92 hours per pay period)

eight (8) additional hours per year of service to a maximum of one hundred sixty (168) hours after fifteen (15) years of service

11 years – 5.23 hours per pay period
12 years – 5.54 hours per pay period
13 years – 5.85 hours per pay period
14 years – 6.15 hours per pay period

15 years – 6.46 hours per pay period

At 20 years of service eight (8) additional hours accrued at 6.77 hours per pay period to a maximum annual accrual of 176 hours.

27.2 Employees using earned vacation leave or sick leave shall be considered working for the purpose of accumulating additional vacation leave.

27.3 Vacation may be used as earned, except that the Employer shall approve the time at which the vacation leave may be taken. Employees shall not be permitted to waive vacation leave and receive double pay.

27.4 Employees may accrue a maximum of two hundred thirty (230) hours of vacation leave. No more than two hundred thirty (230) hours can carry over from year to year.

27.5 Employees leaving the service of the Employer shall be compensated for vacation leave accrued and unused.

27.6 Health Wellness Benefit: An additional 40 hours of vacation leave time will be provided to be used after May of 2021. This amount will be allowed to be carried over into 2022 in addition to other leave/vacation time already allowed to be carried over into the next year. This will not apply to those permanently promoted to Detective or working in that classification during 2020.

ARTICLE 28 – Sick Leave

28.1 Sick leave with pay shall be granted to probationary and permanent employees at the rate of eight (8) hours per month or ninety-six (96) hours per year (computed at 3.69 hours per pay period) of full time service or major fraction thereof.

28.2 Sick leave shall be used for absence from duty because of personal illness or legal quarantine of the employee, or illness of or injury to the employee's child, adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent, for reasonable periods of time as the employee's attendance may be necessary, on the same terms upon which the employee is able to use sick leave benefits for the employee's own illness or injury.

The employer may limit the use of personal sick leave benefits provided for absences due to an illness of or injury to the employee's adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent to no less than 160 hours in any 12-month period. This paragraph does not apply to absences due to the illness or injury of a child.

Sick leave may be used for the purpose of attending the funeral of immediate family members, defined as an employee's brother, sister, parent, parent-in-law, spouse, children, brother-in-law, sister-in-law, grandparents, grandparents-in-law, and grandchildren of the employee.

28.3 Sick leave shall accrue at the rate of eight (8) hours per month or ninety-six (96) hours per year until nine hundred sixty (960) hours have been accumulated (shall be computed at 3.69 hours per pay period). Effective January 1, 1994, after nine hundred sixty (960) hours have been accumulated, sick leave shall accrue at the rate of four (4) hours per month or forty-eight (48) hours per year (computed at 1.85 hours per pay period), and simultaneously vacation leave, in addition to regular vacation leave accrual, shall accrue at the rate of two (2) hours per month or twenty-four (24) hours per year (computed at .925 hours per pay period). Employees using earned vacation or sick leave shall be considered to be working for the purpose of accumulating additional sick leave. Workers' Compensation benefits shall be credited against the compensation due employees utilizing sick leave.

28.4 In order to be eligible for sick leave with pay, an employee must:

a. notify the Employer prior to the time set for the beginning of their normal scheduled shift;
b. keep the Employer informed of their condition if the absence is of more than three (3) days duration;
c. submit medical certificates for absences exceeding three (3) days, if required by the Employer.

28.5 Employees abusing sick leave shall be subject to disciplinary action.

28.6 An employee who has accumulated 960 hours of sick leave and who uses not more than the equivalent of two regularly scheduled shift's worth of sick leave hours in a calendar year shall receive a wellness incentive equal to one of the employee's regularly scheduled shifts' compensation at the employee's regular rate of compensation.

ARTICLE 29 - Insurance

29.1 ***Full-time employees***

For the duration of this agreement, the City will offer the best of any agreement that we have for any other employee group.

29.2 Life Insurance and Balance of Cafeteria Funds: The City of Brooklyn Center will provide payment for premium of basic life insurance in the amount of $10,000. The employee may use the remainder of the contribution (limits as stated above) for use as provided in the Employer's Benefit Plan. The Employer will make a good faith effort to provide the following options for employee selection: group dental, supplemental life, long-term disability, deferred compensation or cash benefits. The Employer will be excused from the requirement of offering a particular option where such becomes unfeasible because of conditions imposed by an insurance carrier or because of other circumstances beyond the City's control.

ARTICLE 30 - Wage Rates

Base Pay Rate: The employee's hourly or monthly pay rate excluding educational incentive pay, longevity pay, and differential for detective, drug task force and school liaison officer.

30.1 Effective January 1, 2022 Police Officer base rate:

There shall be a $400/month market adjustment and a 3% general wage increase.

After 36 months of continuous employment: $7,935.08
After 24 months of continuous employment: 86% of the 36 months' rate
After 12 months of continuous employment: 79% of the 36 months' rate
Starting rate: 68% of the 36 months' rate

Effective January 1, 2023 Police Officer base rate:
There shall be a 3% general wage increase.
After 36 months of continuous employment: $8,173.13
After 24 months of continuous employment: 86% of the 36 months' rate
After 12 months of continuous employment: 79% of the 36 months' rate
Starting rate: 68% of the 36 months' rate

Effective January 1, 2024 Police Officer base rate:
There shall be a 3% general wage increase.
After 36 months of continuous employment: $8,418.33
After 24 months of continuous employment: 86% of the 36 months' rate
After 12 months of continuous employment: 79% of the 36 months' rate
Starting rate: 68% of the 36 months' rate

30.2 Employees classified or assigned by the Employer to the following job classifications or positions will receive four and one half percent (4.5%) per month in addition to the base pay rate.

Detective Detective Trainee

Employees classified or assigned by the Employer to the following job classifications or positions will receive one hundred dollars ($100) per month or one hundred dollars ($100) prorated for less than a full month in addition to their regular wage rate.

School Resource Officer	Auto Theft Officer	Street Crimes Unit
Task Force Officers	Juvenile Officer	

30.3 Detectives Serving On-Call: Detectives will work a schedule which requires them to serve on-call on a rotating basis. The City will pay each Detective serving on-call on a rotating basis two and one half percent (2.5%) in addition to the base pay rate effective January 1, 2017. Detectives who are called back to duty while serving on-call will be paid according to Article 15 of the labor Agreement. Officers assigned to work with the Detectives for training purposes will not receive the two and one-half percent (2.5%) additional pay nor will they be required to serve on-call.

30.4 Employees classified or assigned by Employer to the position of Use of Force Instructor or Field Training Officer (FTO) will receive .125 hour(s) of vacation time for each one hour of Use of Force presentations or FTO training time.

30.5 When there is no Sergeant on duty, and senior management personnel do not assume command of the shift, the senior officer working will be in charge of the shift. The senior officer working the shift will have the choice to opt out of working as officer in charge of the shift. An election to opt out of working as officer in charge of the shift shall be effective for the balance of the calendar year. Officers wishing to make an election to opt out of serving as

officer in charge of the shift shall make such election during the first 2 weeks of January. Employees may opt out of working as senior officer in charge of shift on an annual basis at the beginning of each year.

The officer in charge will receive, in addition to their regular hourly pay, two dollars ($2.00). Officer in charge pay will be calculated to the nearest six (6) minutes.

30.6 Field Training Officers while serving in the capacity of a Field Training Officer (working with a new police officer) shall not serve as the senior officer in charge.

30.7 Employees classified by the Employer to the canine handler classification will receive the following in addition to their regular wage rate:

a. The officer will receive the last thirty (30) minutes of each scheduled shift for dog maintenance and care at the officer's home.

b. The officer will receive forty-five (45) minutes of overtime pay for dog maintenance, care, and training for each of the officer's scheduled days off.

c. When the officer uses time off (sick, vacation, or comp time) for any whole scheduled shift, he must take time equivalent to one-half hour less than whole shift and be paid for whole shift.

d. When the officer uses holiday time for any whole schedule shift, he must take eight (8) hours of leave time and will be paid for eight (8) hours.

e. When the officer uses a portion of a scheduled shift as sick or vacation time, which is less than the full eight (8) hours, he must take the actual time used in leave time.

f. When dog is out of the care of the canine officer, all above items do not apply.

ARTICLE 31 – Benefits for Retirees

Retirees at the time of retirement shall receive the same options and level of City contribution for insurance coverage upon retirement as are provided by the City's Personnel Policy covering non-Union employees as such options and contributions may be changed by the City from time to time.

ARTICLE 32 – Mileage and Expense Reimbursement

Employees shall receive the same mileage and expense reimbursement rates upon the same terms and conditions as generally provided in the City's Personnel Policy covering non-Union employees as such policy may be changed by the City from time to time.

ARTICLE 33 – Light Duty

Members of the bargaining unit will be eligible for temporary light duty assignment upon approval of the City Manager upon such terms and conditions as would apply to non-Union employees of the City as set forth in the City's Personnel Policy, as the same may be amended from time to time by the City.

ARTICLE 34 – Health Care Savings Plan

34.1 The State of Minnesota through Minnesota Statute 352.98 has authorized the Minnesota State Retirement System (MSRS) to establish and administer a Health Care Savings Plan (HCSP.)

34.2 Participation in this program is mandatory, based on specific criteria, for all employees covered by this labor agreement.

34.3 All employees with a compensatory time balance of 30 hours or more up to the 60-hour limit of pay will be placed in the employee's HCSP account on or about the first pay check in December.

34.4 All Employees eligible for retirement according to PERA and who terminate their employment from the City of Brooklyn Center will pay to the Employee's HCSP account at the time of termination, 40% of accumulated sick leave, all of the Employee's accrued vacation up to a maximum of 230 hours, and all of the Employee's accrued compensatory time up to a maximum of 60 hours.

ARTICLE 34 - Agreement Implementation

Employer shall implement the terms of this Agreement in the form of a resolution. If the implementation of the terms of this Agreement require the adoption of a law, ordinance, or charter amendment, the Employer shall make every reasonable effort to propose and secure the enactment of such law, ordinance, resolution, or charter amendment.

ARTICLE 35 -Waiver

35.1 Any and all prior Agreements, resolutions, practices, policies, rules, and regulations regarding terms and conditions of employment, to the extent inconsistent with the provisions of this Agreement, are hereby superseded.

35.2 The parties mutually acknowledge that during the negotiations which resulted in this Agreement, each had the unlimited right and opportunity to make demands and proposals with respect to any term or condition of employment not removed by law from bargaining. All Agreements and understandings arrived at by the parties are set forth in writing in this Agreement for the stipulated duration of this Agreement. The Employer and the Union each voluntarily and unqualifiedly waives the right to meet and negotiate regarding any and all terms and conditions of employment referred to or covered in this Agreement or with respect to any term or condition of employment not specifically referred to or covered by this Agreement, even though such terms or conditions may not have been within the knowledge or contemplation of either or both of the parties at the time this contract was negotiated or executed.

ARTICLE 36 - Duration

This Agreement shall be effective as of January 1, 2022 and shall remain in full force and effect until the thirty-first (31) day of December, 2024, as noted in the contract.

IN WITNESS THERETO, the parties have caused this Agreement to be executed this _____ day of _____, 2021.

FOR THE CITY OF FOR LAW ENFORCEMENT

BROOKLYN CENTER

_____
Mayor

_____
City Manager

LABOR SERVICES

_____
Business Agent

_____
Union Steward

_____
Union Steward

Member introduced the following resolution and moved its adoption:

RESOLUTION NO.

RESOLUTION APPROVING THE LABOR AGREEMENT FOR LAW ENFORCEMENT LABOR SERVICES, INC. (LELS NUMBER 82) AND THE CITY OF BROOKLYN CENTER FOR THE CALENDAR YEARS 2022-2024

WHEREAS, Section 2.07 of the City Charter for the City of Brooklyn Center states that the City Council is to fix the salary or wages of all officers and employees of the City; and

WHEREAS, the City has negotiated in good faith with LELS NUMBER 82 (Police and Detectives) for a contract for the years 2022-2024 as attached.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brooklyn Center approves the attached contract with LELS NUMBER 82 (Police and Detectives) for the calendar years 2022-2024; and

BE IT FURTHER RESOLVED that authorized wage and benefit adjustments not to exceed the maximum contained herein shall become effective according to the schedule of the contract, which commences January 1, 2022.

_____ _____

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: 10/11/2021

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

SUBJECT: Resolution Setting the 2022 Employer Benefits Contributions for Full-Time Non-Union Employees

Requested Council Action:

- Motion to approve a resolution setting the 2022 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 medial insurance but other insurances provided by the City including dental, supplemental and dependent life, and long/short term disability.

The City participates in the LOGIS health care consortium. The consortium allows members to pool together their purchasing power for health and life insurance. Our health insurance provider will continue to be Health Partners.

Annually, the City receives the premium increase for health insurance coverage from the LOGIS group. For 2022 the group received a -5% due to the fact that claims utilization. For 2022, the single health insurance premiums range from $717 to $853. Family premiums range from $1,864 to $2,219.

Employees who participate in high deductible health plans tend to be better care consumers as they are responsible for out of pocket expenses (preventative visits are always covered at 100%). The total recommended employer benefit contribution for 2022 is $1,386 per month. Employees who elect to opt out will receive 75% of the cafeteria contribution, which is $1,039.50 for 2022.

Budget Issues:

Sufficient funds are available in the general fund of the proposed 2022 budget.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Enhanced Community Image, Customer Intimacy , Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Resolution	10/7/2021	Backup Material

Member introduced the following resolution and moved its adoption:

RESOLUTION NO._____

RESOLUTION SETTING 2022 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 2022 should increase by $66; 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 2022 shall be set at $1,386.00 per month including the cost of $10,000 in life insurance coverage. Employees who elect to opt out will receive $1,040 per month for 2022.

_____ _____

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: 10/11/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Tony Gruenig, Acting Police Chief

SUBJECT: Embedded Social Worker and Hennepin County Mental Health Overview Programs

Requested Council Action:

- *Motion to accept the presentation*

Background:

Hennepin County Sheriff's Office Dispatch Center is working on a new approach to law enforcement in that they are partnering with Hennepin County Social workers in an Alternative Response approach to Mental health emergency calls for service. Tony Martin (Dispatch Director) and Mike Risvold (Community Outreach Liaison) are working on what that exactly looks like. They are currently working on a pilot program that starts in the dispatch center with an embedded social worker. Tony Martin and Mike Risvold will give a presentation on the pilot program. One thing of note Brooklyn Park Police wrote and received a grant to pilot a program with Hennepin County for an Alternative Response to Mental Health calls for service which means a social worker and a paramedic will respond to some mental health calls, once the scene is safe.

Prior to this presentation, I will provide a brief update on how our imbedded social worker program is going and where we are with regards to referrals.

I also want to define a couple of terms that I learned a few weeks ago that I thought might be helpful for this presentation.

Co-responder Model - Police officer and Mental health worker or social worker responds to mental health call for service.

Alternative Response Model – Paramedic and Mental health worker or social worker respond to Mental Health call for service.

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

ATTACHMENTS:

Description	Upload Date	Type

Social Worker PPT Slides	10/6/2021	Presentation
Mental Health Overview	10/6/2021	Presentation
Mental Health Overview	10/6/2021	Presentation

Brooklyn Center Embedded Social Worker

Brooklyn Center City Council Meeting, October 11, 2021

Tony Gruenig, Chief of Police

Embedded Social Worker Program Overview

Embedded workers assist the community with two primary responsibilities:

- Respond to identified mental health related and substance abuse reports, provide the client with intervention and stabilization for people who may benefit from connections to services and resources.
- Offer support to help reduce use of 911, and coordinate service needs for community members.

Embedded Social Worker Program Goals

Timely engagement with people who need support.

Increased access to community resources.

Embedded Social Worker History

- This program began back in 2019 with six suburban cities and will be expanding in 2022 to an additional 15 departments covering 29 cities in Hennepin County.
- Program operates under a 60/40 cost sharing split with the city paying 60% of the social worker wages.
- Brooklyn Center Police Department began its embedded social worker program on May 3, 2021.

Embedded Social Worker Referrals

Referrals are made to the social worker either in person, by email or through a referral form made by one of our officers.

Our social worker also reviews the prior week's mental health related calls for service as a way to made additional referrals.

Embedded Social Worker 2nd Quarter 2021 Referral Data

There were 65 total referrals to the embedded social worker from May 3, 2021 to June 30, 2021:

- Total mental health related calls for service during this time – 100
- Mental health issues – 45
- Substance abuse issues – 9
- Combination of mental health and substance abuse – 6
- Classified as "other" referrals – 9

Continued on Next Slide

Embedded Social Worker 2nd Quarter 2021 Referral Data

Continued

Referrals made by social worker (by type of service):

- Mental Health Services – 12
- Substance Abuse Treatment Services – 3
- Housing – 2
- Obtaining Public Assistance - 6
- Transportation – 1
- Care Coordination with Other Social Service Providers – 31

There have been 75 referrals made for Quarter 3 of 2021 (ends September 30, 2021) and 176 Mental Health calls for service as of September 15th.

Embedded Social Worker 3rd Quarter 2021 Referral Data

There have been 75 referrals made for Quarter 3 of 2021 (ends Sept. 30th).

- We have received 176 Mental Health CFS since Sept. 15th
- A breakdown of referrals isn't possible yet as the quarter isn't complete.

HENNEPIN COUNTY

SHERIFF

Emergency Communications Division
1245 Shenandoah Ln N, Plymouth, MN 55447
952-258-5321 | hennepinsheriff.org

Emergency Communications Overview

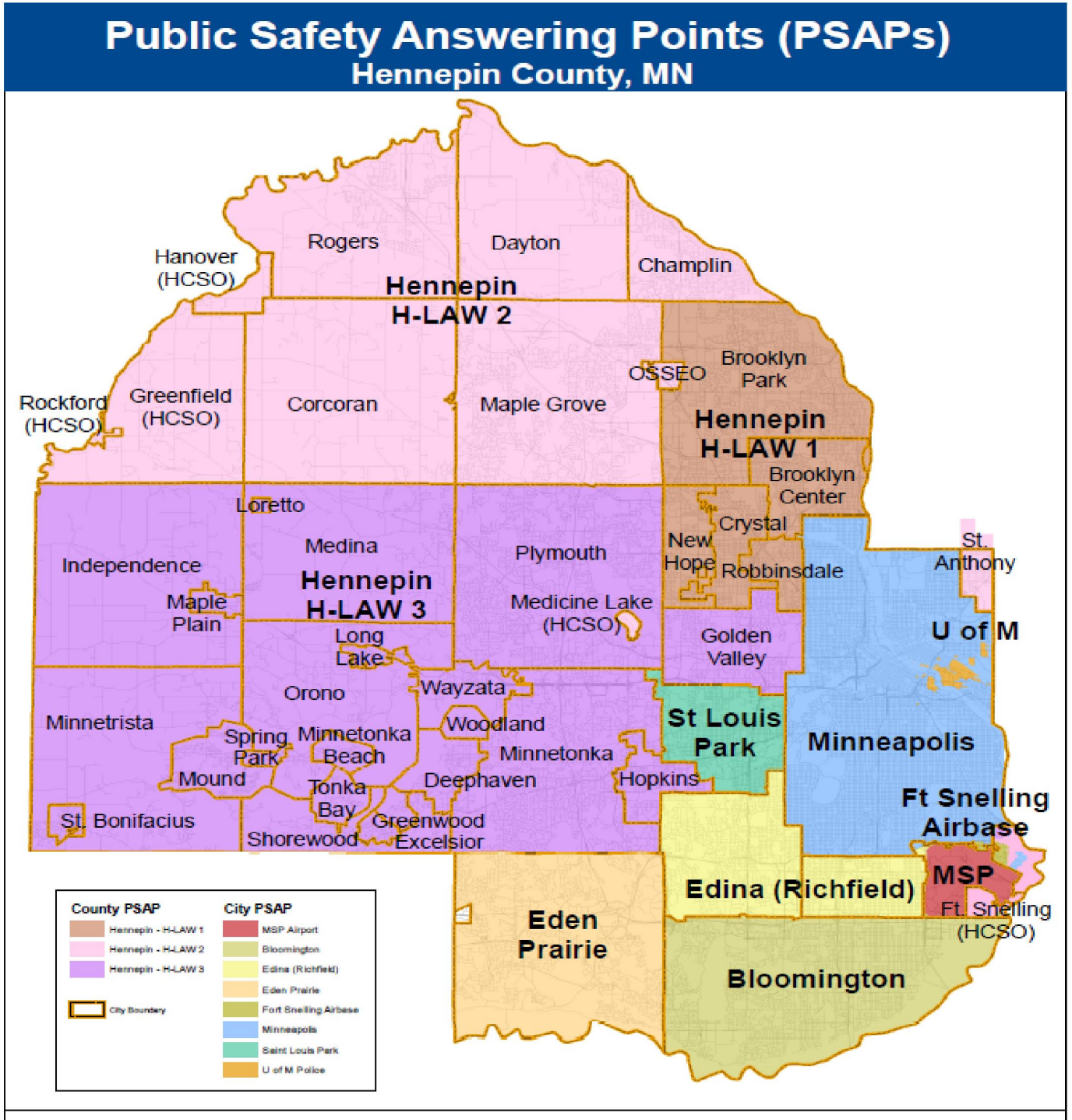
- The Emergency Communications Division is made up of the 9-1-1 Dispatch Center and Communications Technology Services – 100 Staff
- Dispatch for 27 law agencies and 26 fire departments
- Dispatch serves 39 communities in Hennepin County with over 523K residents
- Technical Services maintain various components of numerous radio tower sites, 600 Responder laptops, and 8,500 two-way radios across the entire county for Police, Fire, EMS & Public Works

Eight Primary 9-1-1 Center's in Hennepin County

- Hennepin County Communications (39 cities)
- Minneapolis Communications
- St. Louis Park
- Edina (Richfield)
- Bloomington
- Eden Prairie
- MSP Airport
- University of Minnesota Police

Four Secondary 9-1-1 Center's cover Hennepin County

- Hennepin County EMS
- North Memorial EMS
- Allina EMS
- Ridgeview EMS



Current Hennepin Sheriff/County Initiatives

- All are separate initiatives, work is parallel
  - Suburban Police Department Embedded Social Worker's (2019-Current)
  - 911 Embedded Social Worker Pilot (2019-Current)
  - 911/Mental Health Task Force (2021-Current)
  - Suburban Community Engagement Liaison (Mike Risvold)
  - Hennepin County Behavioral Health Proposal for (2022-2024)

Police Department Embedded Social Workers

Hennepin County Sheriff's Office

Police Dept. Embedded Social Worker's

Collaborate with Hennepin County Suburban Police Department Embedded Social Workers

2019
- Bloomington
- Brooklyn Park
- Hopkins/St. Louis Park
- Minnetonka/Plymouth
- St. Anthony/Ramsey Co. (Roseville, New Brighton, Maplewood)

2020
- Edina/Richfield

2021
- Brooklyn Center
- Crystal/New Hope/Robbinsdale
- University of MN
- Golden Valley

Interested, Working on Contracts
- Maple Grove
- Rogers/Champlin/Dayton

2022
- Lake Minnetonka Consortium
  - Corcoran
  - Deephaven
  - Medina
  - Minnetrista
  - Orono
  - South Lake Minnetonka
  - Wayzata
- Eden Prairie

9-1-1 Embedded Social Worker

9-1-1 Embedded Social Worker Pilot

- Pilot started in 2019 with Hennepin County Commissioner Irene Fernando & Sheriff David Hutchinson
- Desired Outcomes
  - Match appropriate professionals with 911 mental health related calls.
  - Increase mental health training for dispatchers.
  - Provide officers and community members with information related to community resources.
  - Provide social service follow-up to mental health related 911 calls.
- 3 Separate Phases

9-1-1 Embedded Social Worker Pilot

- Phase 1
  - Data Collection
  - Identify Repeat Callers
  - Social worker aftercare for people identified as having been in mental health crisis
- Phase 2
  - Partner with Golden Valley Police to provide real-time info to officers on mental health calls where they need to respond. Sharing necessary information can help providing a successful outcome
- Phase 3
  - Routing calls that meet criteria to mental health professionals & alternative responses

8 Hennepin County PSAPs – Piloting with GV, however plan is to have them available to all agencies and PSAPs in Hennepin County as the pilot is expanded

9-1-1 Mental Health Task Force

911/Mental Health Task Force

- Board Action – December 2020 From Commissioner Irene Fernando
  - Collect and analyze data surrounding calls involving the mentally ill/people in crisis
  - Research national best practices in alternative response to people in crisis
  - Collaborate with stakeholders on community engagement surrounding response
  - Provide Hennepin County Board recommendations on response to people in crisis

911/Mental Health Task Force

- Members:
  - Leah Kaiser, HC Behavioral Health
  - Jill Hermanutz, HC Administration
  - Mike Risvold, Suburban Community Engagement Liaison, Hennepin County Sheriff’s Office
  - Tony Martin, Director Emergency Communications, Hennepin County Sheriff’s Office
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- Alternative Response Proposal – Like the Denver STAR Model
  - Social Worker (Licensed Clinician) & Community Paramedic (no police)
  - Lower risk calls (i.e., no weapons involved or violent)
  - 9-1-1 call-takers would screen the following calls for riskiness, if during questioning there is no immediate need to police, fire or EMS, the alternative response would be dispatched

911/Mental Health Task Force

- Data – Consistency across the entire county
  - Since not all “nature codes” could be assigned to LE or the Alternative Response, we are looking to have dispatchers and responders add a notation to any call where they believe an alternative response could be used.
    - As we collect data, we would like to help determine types of calls, time/day, locations, etc.
    - This will help with training for police, fire, EMS & long-term staffing

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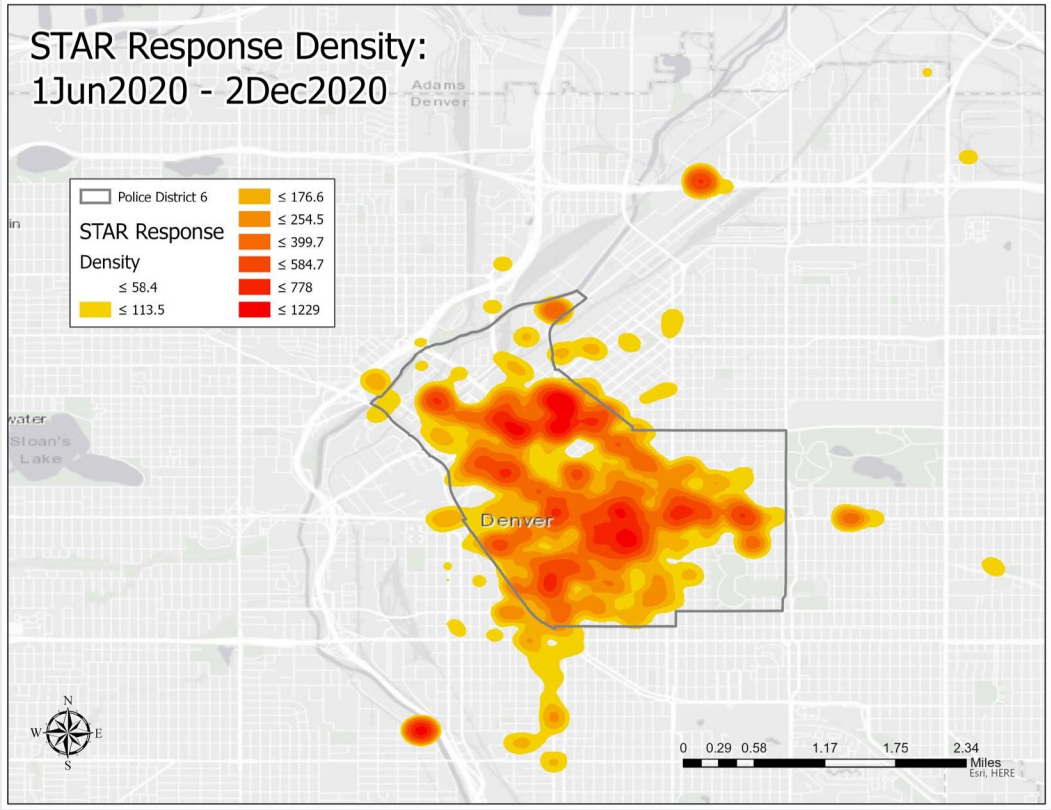

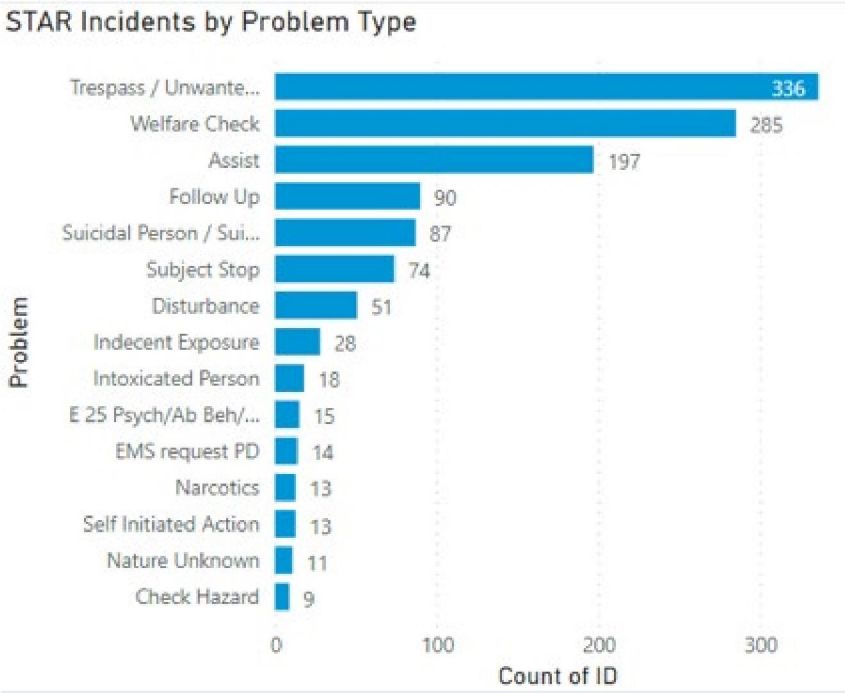

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  - Track the unit(s) via CAD
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  - HC & BPPD both applied for grants to fund this program
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Hennepin County Sheriff's Office

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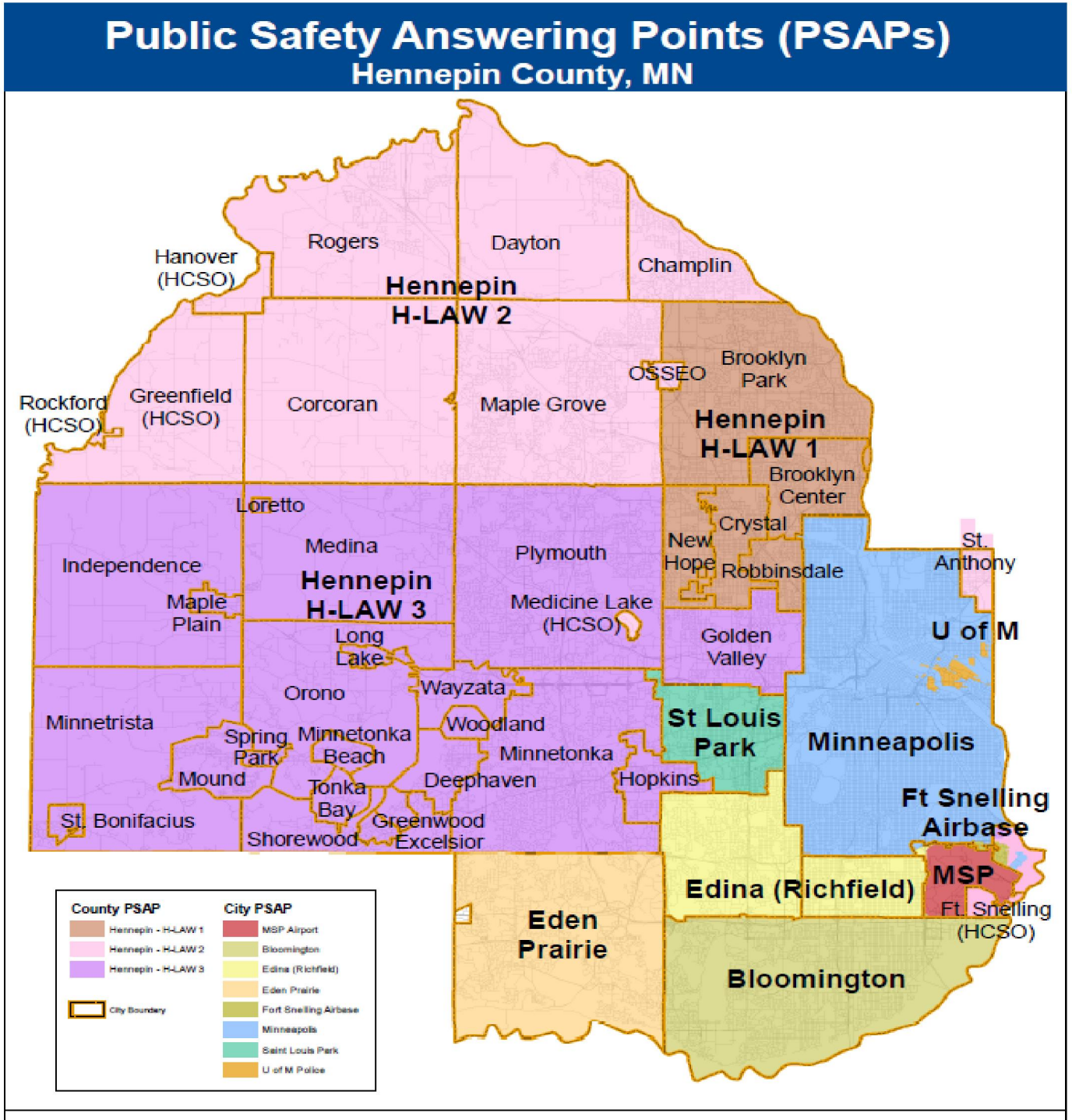

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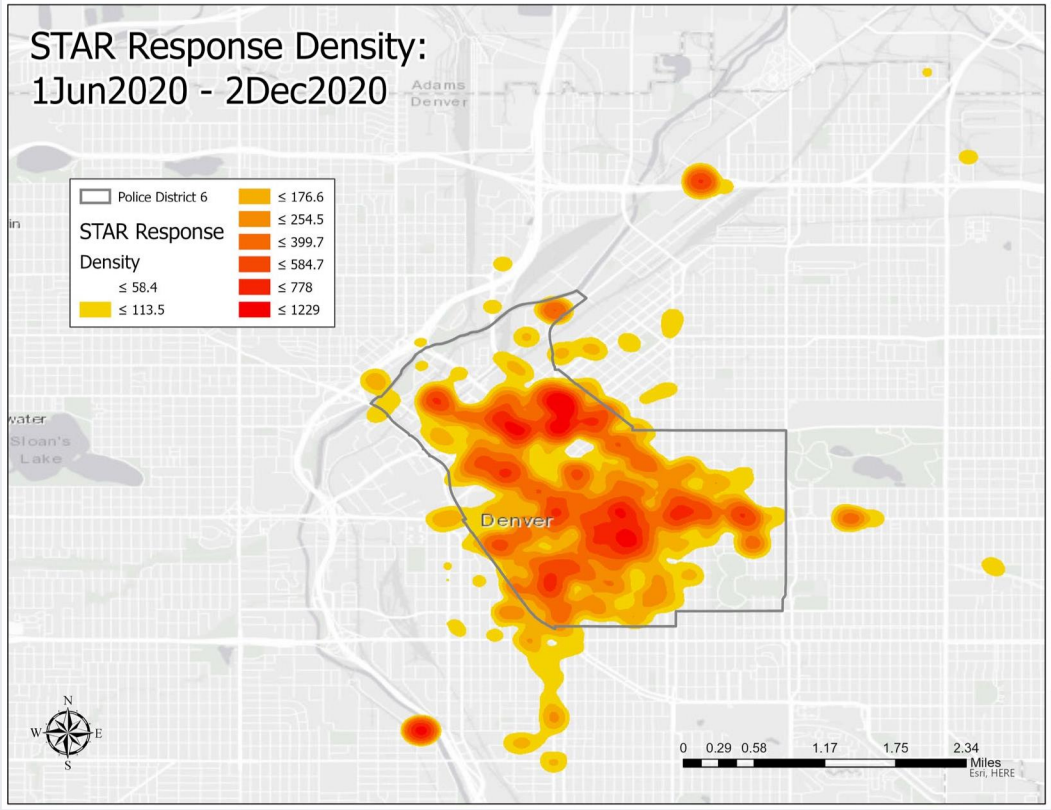

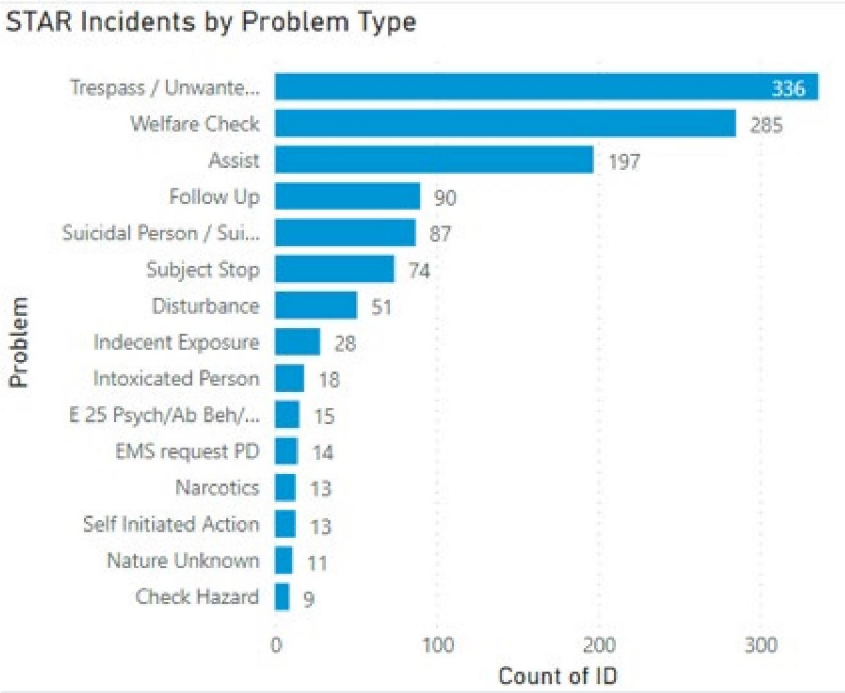

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Council Regular Meeting

DATE: 10/11/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: Meg Beekman, Community Development Director
BY: Jesse Anderson, Deputy Director of Community Development

SUBJECT: Resolutions for Proposed Special Assessments for Tall Grass and Weed Abatement Costs, Dead and Diseased Tree Abatement Costs, Administrative Fines/Citations and Emergency Private Utility Service Repairs

Requested Council Action:

- Motion to:

- *Open the public hearings concurrently;*
- *Take public input; and*
- *Close the public hearings.*

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

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

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

Background:

Three public hearings have been scheduled for October 11, 2021 to consider certification of proposed special assessments. The Notice of Public Hearing was posted in the City's official newspaper, the *Sun Post*, on September 23, 2021. All potentially affected property owners have also been notified by certified mail of the date of the public hearing and the amount of the proposed special assessments.

The following is a brief summary of the minimum process involved leading up to a City-facilitated abatement.

- Once a violation is verified or correction is identified, a written compliance notice is provided to the owner of record. In addition to notifying the owner of record, in certain cases, properties may be posted or other responsible parties may be notified.
- A follow up inspection is conducted to verify that the property was brought into compliance with the code.
- If compliance has not been achieved, the city will send additional notices, or take corrective actions to remove the public nuisance or hazard, depending on the nature of the issue.

- In the case of an abatement, the city bills the owner of record for the portion of costs the city incurred directly related to the abatement action. A service charge is applied to help recover administrative costs associated with the abatement process such as time spent on inspections, notifications, invoicing, overhead, etc.
- The costs of the abatements are recorded as pending special assessments and this information is available to the public.
- When a property is sold, title companies, real estate agents, or other parties are obligated to conduct property searches to determine the pending and levied special assessment amounts. Payments of any pending or levied special assessment should be negotiated by the sellers and buyers as part of the sales transactions.

For administrative citations/fines, an appeal process is prescribed by City Ordinance Chapter 18. Information about the appeal process and timeframe is provided with the citation.

Public Hearing Process

Staff recommends that the City Council conduct the hearings concurrently. The attached resolutions certifying the assessments to the Hennepin County tax rolls are provided for Council consideration upon closing of the Public Hearings.

If any additional property owner files an appeal with the City Clerk prior to the Public Hearing, or should any person appear at the hearing and object to an assessment, staff recommends that the Council refer any substantive objections to staff for a report back to the Council at a continued hearing to take place in two weeks. This would provide staff time to research the details of the items and assemble documentation for Council's consideration. If any assessments are removed from the proposed levy roll, it is recommended that the Council consider adopting the remaining proposed assessments.

If an appeal for a specific property is filed within district court, the City Attorney will advise the Council of options for handling the dispute and potential litigation issues.

Payment Options Available to Property Owners

Once an assessment roll is adopted by the Council, the owner of each property has the following options:

1. Pay the entire amount of the special assessment, without interest, between October 11, 2021 and November 24, 2021.
2. If payments are made with property taxes, the first payment will be due with taxes in 2022. The total principal will be payable in annual installments for the period stated on the levy roll and as indicated below. Interest of 3 percent is accrued on the unpaid balance.

Administrative Fines/Citations	One Year
Tall Grass and Weed Abatements	One Year
Dead and Diseased Tree Abatements	Five Years

Partial prepayments:

Based on feedback from the City Council, staff had a discussion with Hennepin County Staff regarding partial payments. The County has stated that after an assessment is certified partial payments can't be

accepted. However, they have granted Brooklyn Center permission to accept partial payments prior to the assessments being certified to Hennepin county.

The Certification occurs on December 1 annually. Therefore, any current assessment could allow for the assessment amount to be reduced with a partial payment prior to November 24, 2021

Budget Issues:

These 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 2022, and are therefore included in the 2022 budget.

The levy roll for administrative fines/citation totals $24,280. ($22,730 - 2020 total).
The levy roll for weed destruction totals $1,856.25. ($4,440 - 2020 total)
The levy roll for dead/diseased tree removal totals $15,823.16. ($9,848.46 - 2020 total)

An updated list will be provided at the Council Meeting reflecting payments made by October 11, 2021.

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Safe, Secure, Stable Community

ATTACHMENTS:

Description	Upload Date	Type
Public Hearing Notice	9/29/2021	Exhibit
Admin Citation Resolution	10/1/2021	Resolution Letter
Admin Citation SA List	10/1/2021	Backup Material
Tree Resolution	10/1/2021	Resolution Letter
Tree SA List	10/1/2021	Backup Material
Tall Grass and Weeds Resolution	10/1/2021	Resolution Letter
Tall Grass and Weeds SA List	10/1/2021	Backup Material
Special Assessments for Emergency Private Utility Service Repairs	10/11/2021	Backup Material

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

Notice is hereby given that the City of Brooklyn Center City Council will hold a **public hearing via Zoom** on **Monday, October 11, 2021,** at approximately 7:00 p.m. or as soon thereafter as the matter may be heard, to hear and pass upon all objections, if any, to the proposed assessments. To join the meeting here is the Zoom information https://us06web.zoom.us/j/87997606448?pwd=c3IzWXV5QTRmbVY1djBoZEFOblE0dz09 or you can join by dialing 1-312-626-6799; Meeting ID: 87997606448#.

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

Publish:

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 September 1, 2020 thru September 15, 2021 under the authority of City Ordinance Section 18-204 and Minnesota Statutes, Section 429; and

WHEREAS, on October 11, 2020, certain Administrative Fines/Citation costs remained unpaid; and

WHEREAS, an assessment roll for unpaid accounts from September 1, 2020 thru September 15, 2021 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 September 1, 2020 thru September 15, 2021 is hereby adopted and certified as Levy No. 21010.

2. The special assessments as adopted and confirmed shall be payable with ad valorem taxes in 2022, in one annual installment with interest thereon at three (3) percent per annum and shall bear interest on the entire assessment from November 1, 2021 through December 31, 2022.

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 or partially pay the assessment, to the City Treasurer, without interest, if the assessment is paid on or before November 24, 2021. After November 24, he or she may pay the total special assessment, plus interest. Interest will accumulate from November 1, 2021 through the date of payment. Such payment must be made by the close of business November 24, 2021 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 11, 2021 _____
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

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

Amended Special Assessment Certified Roll (Admin Fines/Citations)
September 1, 2020 through September 15, 2021 Administrative Penalty/Citation
Printed October 01, 2021

Municipal Code No. 22 Levy Runs One Year

Levy No.	Property Address	Property ID	Pending Amount	Capital Interest Charge	Special Assessment Charge	Total Amount Certified
21010	5935 Lyndale Ave N	01-118-21-12-0014	125.00	10.00	30.00	165.00
21010	6018 Camden Ave N	01-118-21-12-0038	750.00	10.00	30.00	790.00
21010	5943 Colfax Ave N	01-118-21-21-0018	125.00	10.00	30.00	165.00
21010	6021 Bryant Ave N	01-118-21-21-0097	875.00	10.00	30.00	915.00
21010	5711 Camden Ave N	01-118-21-24-0105	375.00	10.00	30.00	415.00
21010	5513 Bryant Ave N	01-118-21-31-0053	375.00	10.00	30.00	415.00
21010	5544 Dupont Ave N	01-118-21-31-0082	4,250.00	10.00	30.00	4,290.00
21010	5510 Emerson Ave N	01-118-21-32-0123	125.00	10.00	30.00	165.00
21010	5415 Dupont Ave N	01-118-21-33-0080	125.00	10.00	30.00	165.00
21010	5424 Emerson Ave N	01-118-21-33-0086	1,025.00	10.00	30.00	1,065.00
21010	1217 54th Ave N	01-118-21-33-0134	125.00	10.00	30.00	165.00
21010	5301 Dupont Ave N	01-118-21-33-0146	875.00	10.00	30.00	915.00
21010	5324 Emerson Ave N	01-118-21-33-0149	125.00	10.00	30.00	165.00
21010	5438 Dupont Ave N	01-118-21-34-0109	750.00	10.00	30.00	790.00
21010	5444 Dupont Ave N	01-118-21-34-0115	875.00	10.00	30.00	915.00
21010	5819 Knox Ave N	02-118-21-14-0023	875.00	10.00	30.00	915.00
21010	2406 Ericon Dr	02-118-21-31-0019	125.00	10.00	30.00	165.00
21010	5344 Knox Ave N	02-118-21-44-0102	120.00	10.00	30.00	160.00
21010	6012 York Ave N	03-118-21-11-0039	125.00	10.00	30.00	165.00
21010	5801 Ewing Ave N	03-118-21-13-0039	250.00	10.00	30.00	290.00
21010	3818 61st Ave N	03-118-21-21-0105	125.00	10.00	30.00	165.00
21010	3715 58th Ave N	03-118-21-24-0059	250.00	10.00	30.00	290.00
21010	5801 Halifax Ave N	03-118-21-24-0104	375.00	10.00	30.00	415.00
21010	7217 Camden Ave N	25-119-21-31-0083	1,000.00	10.00	30.00	1,040.00
21010	1619 73rd Ave N	26-119-21-41-0094	250.00	10.00	30.00	290.00
21010	7018 Irving Ave N	26-119-21-44-0056	250.00	10.00	30.00	290.00
21010	6915 Humboldt Ave N	26-119-21-44-0070	125.00	10.00	30.00	165.00
21010	6950 Brooklyn Blvd	27-119-21-33-0101	500.00	10.00	30.00	540.00
21010	6930 Brooklyn Blvd	27-119-21-33-0103	1,750.00	10.00	30.00	1,790.00
21010	7018 France Ave N	27-119-21-43-0057	125.00	10.00	30.00	165.00
21010	4702 69th Ave N	28-119-21-44-0002	250.00	10.00	30.00	290.00
21010	6324 Scott Ave N	33-119-21-42-0024	125.00	10.00	30.00	165.00
21010	5108 Eleanor La	33-119-21-42-0026	125.00	10.00	30.00	165.00
21010	3224 67th Ave N	34-119-21-11-0114	125.00	10.00	30.00	165.00
21010	6740 Grimes Pl	34-119-21-21-0026	725.00	10.00	30.00	765.00
21010	4512 Winchester La	34-119-21-23-0032	250.00	10.00	30.00	290.00
21010	4501 Winchester La	34-119-21-23-0067	375.00	10.00	30.00	415.00
21010	6106 Kyle Ave N	34-119-21-33-0106	375.00	10.00	30.00	415.00
21010	3006 65th Ave N	34-119-21-41-0097	375.00	10.00	30.00	415.00
21010	6110 Brooklyn Blvd	34-119-21-43-0042	125.00	10.00	30.00	165.00
21010	1601 Freeway Blvd	35-119-21-41-0014	2,025.00	10.00	30.00	2,065.00
21010	6600 Camden Dr	36-119-21-13-0106	125.00	10.00	30.00	165.00
21010	6418 Girard Ave N	36-119-21-32-0053	250.00	10.00	30.00	290.00
21010	6138 Colfax Ave N	36-119-21-34-0027	125.00	10.00	30.00	165.00

Amended Special Assessment Certified Roll (Admin Fines/Citations)
September 1, 2020 through September 15, 2021 Administrative Penalty/Citation
Printed October 01, 2021

Municipal Code No. 22 Levy Runs One Year

Levy No.	Property Address	Property ID	Pending Amount	Capital Interest Charge	Special Assessment Charge	Total Amount Certified
					Total:	**24,280.00**

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 2021 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 11, 2021, certain tree removal costs remained unpaid; and

WHEREAS, an assessment roll for unpaid accounts during 2021, 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 2021 is hereby adopted and certified as Levy No. 21007.

2. The special assessments as adopted and confirmed shall be payable in equal annual installments with interest thereon at 3 percent per annum, extending over a period of five years. The first of the installments shall be payable with ad valorem taxes in 2022, and shall bear interest on the entire assessment from November 1, 2021 through December 31, 2022. 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 or partially pay the assessment, to the City Treasurer, without interest, if the assessment is paid on or before November 24, 2021. After November 24, he or she may pay the total special assessment, plus interest. Interest will

accumulate from November 1, 2021 through the date of payment. Such payment must be made by the close of business November 24, 2021 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 11, 2021
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

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

Amended Special Assessment Certified Roll (Trees)
September 1, 2020 through September 15, 2021 Tree Removal
Printed October 01, 2021

Municipal Code No. 22 Levy Runs Five Years

Levy No.	Property Address	Property ID	Pending Amount	Capital Interest Charge	Special Assessment Charge	Total Amount Certified
21007	6000 Vincent Ave N	02-118-21-22-0008	805.00	30.00	30.00	865.00
21007	2501 Co Rd No 10	02-118-21-31-0062	500.00	30.00	30.00	560.00
21007	5406 Logan Ave N	02-118-21-44-0025	2,689.88	30.00	30.00	2,749.88
21007	5431 James Ave N	02-118-21-44-0128	550.00	30.00	30.00	610.00
21007	3913 58th Ave N	03-118-21-24-0029	6,500.00	30.00	30.00	6,560.00
21007	5007 Zenith Ave N	10-118-21-14-0080	750.00	30.00	30.00	810.00
21007	7216 Fremont Ave N	25-119-21-32-0004	650.00	30.00	30.00	710.00
21007	3318 66th Ave N	34-119-21-14-0051	300.00	30.00	30.00	360.00
21007	6330 Indiana Ave N	34-119-21-31-0095	2,538.28	30.00	30.00	2,598.28
					Total:	**15,823.16**

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 11, 2021, certain weed destruction accounts for removal of said weeds and tall grass costs remained unpaid; and

WHEREAS, an assessment roll for unpaid accounts from September 1, 2020 thru September 15, 2021, 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 from September 1, 2020 thru September 15, 2021 is hereby adopted and certified as Levy No. 21007.

2. The special assessments as adopted and confirmed shall be payable with ad valorem taxes in 2022, in one annual installment with interest thereon at 3 percent per annum and shall bear interest on the entire assessment from November 1, 2021 through December 31, 2022.

1. 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 or partially pay the assessment, to the City Treasurer, without interest, if the assessment is paid on or before November 24, 2021. After November 24, he or she may pay the total special assessment, plus interest. Interest will accumulate from November 1, 2021 through the date of payment. Such payment must be made by the close of business November 24, 2021 or interest will be charged through December 31 of the succeeding year.

RESOLUTION NO. _____

3. 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 11, 2021 _____
Date

_____
Mayor

ATTEST: _____
City Clerk

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

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

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

Amended Special Assessment Certified Roll (Grass/Weeds)
September 1, 2020 through September 15, 2021 Weed Destruction
Printed October 01, 2021

Municipal Code No. 22 Levy Runs One Year

Levy No.	Property Address	Property ID	Pending Amount	Capital Interest Charge	Special Assessment Charge	Total Amount Certified
21008	5447 Emerson Ave N	01-118-21-33-0093	255.00	10.00	30.00	295.00
21008	5601 Logan Ave N	02-118-21-42-0120	243.75	10.00	30.00	283.75
21008	3906 Janet La	34-119-21-34-0013	703.75	10.00	30.00	743.75
21008	6206 Chowen Ave N	34-119-21-43-0027	255.00	10.00	30.00	295.00
21008	6106 Girard Ave N	36-119-21-33-0012	198.75	10.00	30.00	238.75
					Total:	**1,856.25**

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 that:

1. The special assessment roll of emergency private utility repairs is hereby adopted and certified as Assessment Roll No. 21011.

2. The special assessments as adopted and confirmed shall be payable with ad valorem taxes levied in 2022, in five installments with interest thereon at three (3.0) 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 assessment to the City, without interest. Such payments must be made by the close of business on November 24, 2021 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. _____

_____ _____

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: 10/11/2021

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

SUBJECT: Resolution Ending the Declaration of a Local Emergency

Requested Council Action:

- *Motion to approve a resolution ending the declaration of a local emergency*

Background:

At the September 27, 2021, City Council meeting there was discussion regarding the emergency declaration that was enacted on August 9th and extended at the August 9th City Council meeting. During the discussion, there was an ask of readdressing the the emergency declaration.

Mayor Elliott declared the existence of a local health emergency for the City effective August 9, 2021 due to the rise in COVID-19 cases as a result of the spread of the Delta Variant; and at the City Council at the August 9th City Council meeting passed a resolution to extend the emergency declaration until the City Council passes a resolution to repeal it.

Based on the conversation from the September 27, 2021 City Council meeting the city attorney has created a resolution ending the declaration of a local emergency. This resolution would need to pass with a majority vote.

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

ATTACHMENTS:

Description	Upload Date	Type
Resolution	10/6/2021	Resolution Letter

Member introduced the following resolution and moved its adoption:

RESOLUTION NO. 2021-____

CITY OF BROOKLYN CENTER, MINNESOTA

A RESOLUTION ENDING THE DECLARATION OF A LOCAL EMERGENCY

WHEREAS, the Mayor of the City of Brooklyn Center, Minnesota declared the existence of a local health emergency for the City effective as of August 9, 2021 due to the rise in COVID-19 cases as a result of the spread of the Delta Variant; and

WHEREAS, on the same day, the City Council adopted a resolution to extend the emergency declaration "until the City Council acts by resolution to repeal it upon a determination that the public health risk no longer warrants maintaining the emergency declaration"; and

WHEREAS, at the same meeting, the City Council adopted an emergency ordinance pursuant to Section 3.06 of the Brooklyn Center City Charter to require, with certain exemptions, the use of face coverings in public buildings; and

WHEREAS, the City Council acted unanimously at its September 27, 2021 meeting to adopt another emergency ordinance to extend the requirement to wear face coverings in public buildings within the City; and

WHEREAS, the City Council finds and determines as follows:

a. Minnesota Statutes, sections 12.29 and 12.37 authorize the declaration and extension of a local emergency, which triggers the authority to exercise certain statutory emergency powers;

b. The City's declaration and extension of a local health emergency was justified given the rapid spread of the Delta Variant;

c. In the nearly two months since the declaration of a local health emergency, the City Council has determined it has not been necessary for the City to rely on the statutory emergency powers or to implament local emergency plans that are triggered by an emergency declaration, with the exception of meeting by electronic means under Minnesota Statutes, section 13D.021;

d. The City Council's authority under Section 3.06 of the City Charter to enact emergency regulations is not dependent on the declaration of a local emergency under Minnesota Statutes, section 12.29;

e. The health concerns associated with the spread of the Delta Variant remain and continue to support the City's emergency ordinance requiring the wearing of face coverings in public buildings; and

f. The City Council determines it can adequately address the current emergency situation under its existing City Charter and City Code authority without needing to continue the statutory emergency declaration.

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

1. The local health emergency declaration that was declared on August 9, 2021, and continued by City Council resolution, is hereby repealed effective immediately.

2. The repeal of the statutory emergency declaration has no effect on the emergency ordinances adopted by the City Council requiring the wearing of face coverings in public buildings.

3. The repeal of the local emergency also does not affect the City's authority to continue to meet electronically under Minnesota Statutes, section 13D.021 during the health pandemic so long as the Mayor, as the presiding officer, determines it is not practical or prudent to meet in person.

October 11, 2021
Date

Mayor

ATTEST: _____
City Clerk

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

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Council Regular Meeting

DATE: 10/11/2021

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

SUBJECT: Appointments to City Commissions

Requested Council Action:

- Approval of Mayor's appointments to various city commissions

Background:

At the September 27, 2021, City Council meeting, several members of the council asked for an overview of the City Commissions and outstanding appointments. As of the publication of the packet (10/7/21), here is the current status of each commission. Staff reached out to all applicants to hear if they were still interested in serving.

Financial Commission
The Financial Commission has a limit of a total of seven (7) commissioners. To date, there are two (2) true vacancies and three (3) residents have applied.

Financial Commission	
Number of True Vacancies:	2
Names of Applicants/Date Applied:	**Yolanda Hunter 1/11/21** Rose Keller 2/5/21 Jakayla Neal 8/9/21

Housing Commission
The Housing Commission has a limit seven (7) commissioners. To date, there are three (3) commissioners whose terms have expired and continue to serve. These three commissioners have re-applied to serve on the commission. In addition, there are three residents that have applied.

Housing Commission	
Expired Terms:	3
Names of commissioners wanting to serve:	**Kathie Amdahl (19)** **Mark Goodell (20)** **Paul Oman (18)**
Names of Applicants:	Brenda Moellman 2/24/21 Jakayla Neal 8/9/21 **Elizabeth Riel 12/16/19**

Park and Recreation Commission
The Park and Recreation Commission has a limit of seven (7) commissioners. To date, there are two (2) true

vacancies and three (3) commissioners whose terms have expired and continue to serve. Additionally, with this commission, there are five (5) Park Service Areas and currently we have representation in four of the five areas.

Park & Recreation Commission	
Number of True Vacancies:	2
Expired Terms:	3
Names of commissioners wanting to serve:	**Travis Bonovsky (19)** **Gail Ebert (19)** **Bud Sorenson (20)**
Names of Applicant/ Date of application/P.S.A.:	Michael Donnelly 2/11/21 P.S.A. 1 **Krissa Jackson 1/28/21 P.S.A. 5** Jakayla Neal 8/09/21 P.S.A. 1 **Noah Jeffrey 1/17/21 P.S.A. 5** Writhers Nyenie-Wea 2/21/20 P.S.A. 2 **Jennifer Umolac 2/10/21 P.S.A. 2** **Joe Younglove 1/28/21 P.S.A. 2**

Planning Commission

The Planning Commission has a limit of seven (7) commissioners. To date, there is one (1) true vacancy. To date, staff has received three (3) applications.

Planning Commission	
Number of True Vacancies:	1
Names of Applicants:	Randy Christensen 2/8/21 Joanne Riel 12/16/19 Rochelle Sweeney 11/12/19

Budget Issues:

None

Inclusive Community Engagement:

None

Antiracist/Equity Policy Effect:

None

Strategic Priorities and Values:

Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Financial Commission	10/5/2021	Backup Material
Housing Commission	10/5/2021	Backup Material
Parks & Recreation Commission	10/5/2021	Backup Material
Planning Commission	10/5/2021	Backup Material

Appointment to Advisory Commission

PLEASE PRINT

CITY USE ONLY

Application for

Attach additional sheets where necessary.

Check Which Commission You Are Applying:

_x__ Financial

___ Housing

___ Park & Recreation

___ Planning

___ NW Hennepin Human Services

___ NW Suburbs Cable

___ Shingle Creek / West Mississippi River Watersheds

PERSONAL

Last Name Hunter First Name Yolanda	Date of Application 01/11/2021
Street Address Apt. No. 5326 James Avenue N	Date Available 01/11/2021
City, State, Zip Brooklyn Center, MN 55430	Home Phone 763-347-0165
E-Mail Address yolandahunterenterprise@gmail.com	Work Phone 763-347-0165 May we call at work? _x___ Yes ____ No
How many years have you lived in Brooklyn Center? 8	Cell Phone

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one: Home Phone_____ Work Phone_____ Cell Phone_____ E-Mail Address__x___

Are you currently or have you been previously employed by the City? ___ Yes _x__ No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission. _x__ Yes ___ No

I have received and read the City's Business Ethics Policy. _x__ Yes ___ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.
N/A

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? _x__ Yes ___ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

Emerson Automation Solutions
02/2017 - 09/2020
Financial Account Specialist
Review and monitor trade accounts. Manage collection portfolio of 400 superior customer clientele. Assist upper management with preparation and distribution of ad hoc reports. Research and resolve escalated disputed delinquent accounts. Answer account inquiries and resolve complex matters.

Minnesota Department of Revenue
09/2016 - 02/2017
Revenue Tax Specialist
Perform taxpayer audits for small businesses with a Minnesota presence. Contact non-registered/non-filing businesses and encourage them to file. Conduct legal and technical research. Provide classroom and in-person education on Minnesota statutes.

Voya Financial
04/2015 - 09/2016
Senior Billing Administrator
Process complex billing transactions. Verify healthcare clients are paying the correct rates and research discrepancies. Prepare statements and client correspondence. Review monthly financials, suspense accounts, past due reports, and take the necessary actions.

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

Toastmaster's Advanced Commuicator Award (2019)
Toastmaster's Competent Comunicator Award (2018)
Toastmaster's Advanced Leadership Award (2019
Toastmaster's Competent Leadership Award (2018)
Lean in peer coaching circle (2019)
Vice President of Education (VPE) for Toastmaster's Appetite for Success Club (2018-2020)

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
Spiritual Life Church Bookstore Cashier	Ring up sales, bag purchased items, collect payment and give appropriate change	12	02/2005	12/2016

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

I'm interested in being appointed as a Financial Commission to serve the community, share my relevant experience (my undergrad is in accounting), stay current with community issues and have a voice in the decision making.

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

Minnesota law requires that you be informed of the purposes and intended uses of the information you provide to the City of Brooklyn Center during the application process.

Any information about yourself that you provide to the City of Brooklyn Center during the application process will be used to identify you as an applicant; to distinguish you from all other applicants; to enable us to contact you when additional information is required; send you notices; and to assess your qualifications for appointment to a City advisory commission.

If you wish to be considered for appointment, you are required to provide the information requested in this application. If you refuse to supply information requested by the City, it may mean that your application will not be considered.

You are hereby advised that, under Minn. Stat. 13.601 subd. 3(a), the information contained in this application about you must be made available to any member of the public who requests it, excluding your residential address, telephone numbers, and electronic mail address.

Materials submitted in support of an application are normally not returned. You should not submit an original document if it is your only copy.

I authorize investigation of all statements contained in this application for appointment as may be necessary to arrive at an appointment decision. I certify that all answers to the questions are true and understand that any false information on or omission of information from this application will be cause for rejection of this application or termination from a commission without notice.

_____Yolanda Hunter___ 01/11/2021 _____

Applicant's Signature Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

Application for Appointment to Advisory Commission

PLEASE PRINT

CITY USE ONLY: Date Received

Attach additional sheets where necessary.

Check Which Commission You Are Applying:	X Financial	___ NW Hennepin Human Services
	___ Housing	___ NW Suburbs Cable
	___ Park & Recreation	___ Shingle Creek / West Mississippi River Watersheds
	___ Planning	

PERSONAL

Last Name Keller First Name Rose	Date of Application 2/5/21
Street Address 7018 Grimes Ave N Apt. No.	Date Available 3/1/21
City, State, Zip Brooklyn Center MN 55429	Home Phone 763.291.3333
E-Mail Address rosekeller3333@gmail.com	Work Phone May we call at work? ✓ Yes ___ No
How many years have you lived in Brooklyn Center? 41.5	Cell Phone 763.291.3333

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:
Home Phone ✓ Work Phone ___ Cell Phone ✓ E-Mail Address ✓

Are you currently or have you been previously employed by the City? ___ Yes ✓ No
If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.
✓ Yes ___ No

I have received and read the City's Business Ethics Policy. ✓ Yes ___ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.
N/A

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? ✓ Yes ___ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

Employed by State of MN for 43 years in Depts of Public Safety, Finance, Transportation, Human Services, and Board on Aging giving me a broad understanding of government. Duties have included Finance manager, grant administrator, accounts supervisor and project manager.

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

PMP certified (Project Management Professional)

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

June 1977 - present State of MN (Depts of Public Safety, Transportation, Finance, Human Services, Board on Aging)

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
MN Mensa Executive Board	Compilation of Annual Report, Approve budget	3	5/2015	5/2018

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

As a long-time resident (since 1979) of Brooklyn Center, I have seen many changes in our community and welcome the opportunity to contribute my knowledge and skills to ensure sound financial decisions for the changes to come. I have strong analytical and logic skills. I have improved financial processes. I have reviewed and approved budgets. I have good listening skills and am open to different view points. My decision making is based on logic and common sense. I ask sound questions when clarification is needed or alternatives are suggested.

Application for Appointment to Advisory Commission

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Check Which Commission You Are Applying:	✓ Financial	___ NW Hennepin Human Services
	✓ Housing *	___ NW Suburbs Cable
	✓ Park & Recreation *	___ Shingle Creek / West Mississippi River Watersheds
	___ Planning	

PERSONAL

Last Name Neal First Name Jakayla	Date of Application 8/5/2021
Street Address 5507 Judy Lane, Apt. No.	Date Available ASAP
City, State, Zip Brooklyn Ctr. MN 55430	Home Phone 612401.5852
E-Mail Address jakaylalovette80@gmail.com	Work Phone May we call at work? ___ Yes ___ No
How many years have you lived in Brooklyn Center? 10	Cell Phone

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone ✓ Work Phone_____ Cell Phone_____ E-Mail Address ✓

Are you currently or have you been previously employed by the City? ___ Yes ✓ No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.
___ Yes ___ No

I have received and read the City's Business Ethics Policy. ___ Yes ___ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? ✓ Yes ___ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

I want to be apart of changing the narrative in Brooklyn Ctr. Creating a safe place for families. Advocating for change

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

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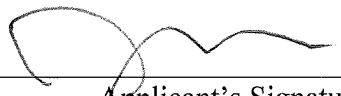
Materials submitted in support of an application are normally not returned. You should not submit an original document if it is your only copy.

I authorize investigation of all statements contained in this application for appointment as may be necessary to arrive at an appointment decision. I certify that all answers to the questions are true and understand that any false information on or omission of information from this application will be cause for rejection of this application or termination from a commission without notice.



Applicant's Signature

Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

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Lore M Keller
Applicant's Signature

2/5/21
Date

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Brooklyn Center, Minnesota 55430

Application for Appointment to Advisory Commission

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Check Which Commission You Are Applying:	___ Financial	___ NW Hennepin Human Services
	_X_ Housing	___ NW Suburbs Cable
	___ Park & Recreation	___ Shingle Creek / West Mississippi River Watersheds
	___ Planning	

PERSONAL

Last Name Amdahl First Name Kathie	Date of Application 11/12/19
Street Address 6909 Unity Ave. N. Apt. No.	Date Available 1/1/20
City, State, Zip Brooklyn Center, MN 55429	Home Phone N/A
E-Mail Address kamdahlus@yahoo.com	Work Phone May we call at work? ____ Yes _X_ No
How many years have you lived in Brooklyn Center? 33	Cell Phone (612) 413-2210

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one: Home Phone_____ Work Phone_____ Cell Phone E-Mail Address_X_

Are you currently or have you been previously employed by the City? ___ Yes _X_ No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.
_X_ Yes ___ No

I have received and read the City's Business Ethics Policy. ___ Yes _X_ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.
None

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? _X_ Yes ___ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

Accountant for CSM Corporation, a property management company

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

Housing Commissioner since December 2008

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
Mallard Creek Twinhome Association Board of Directors	Treasurer	2	October 2015	Current
Mallard Creek Twinhome Association Board of Directors	Board Member	2	April 2003	April 2012

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

I believe I add a perspective to the commission as a homeowner in a multi-family community and also as a long time member of the board of directors. I have first hand knowledge of the importance and impact a person can have by participating by volunteering in our community.

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

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I authorize investigation of all statements contained in this application for appointment as may be necessary to arrive at an appointment decision. I certify that all answers to the questions are true and understand that any false information on or omission of information from this application will be cause for rejection of this application or termination from a commission without notice.

Kathie Amdahl
Applicant's Signature

11/12/19
Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

Application for Appointment to Advisory Commission

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Attach additional sheets where necessary.

Check Which Commission You Are Applying:	___ Financial	___ NW Hennepin Human Services
	X Housing	___ NW Suburbs Cable
	___ Park & Recreation	___ Shingle Creek / West Mississippi River Watersheds
	___ Planning	

PERSONAL

Last Name GOODELL First Name MARK	Date of Application 12-26-2020
Street Address 1512 WOODBINE LN Apt. No.	Date Available Immed.
City, State, Zip BROOKLYN CENTER, MN 55430	Home Phone 612.242.5657
E-Mail Address mgoodell@gmail.com	Work Phone same May we call at work? (X) Yes ( ) No
How many years have you lived in Brooklyn Center? 24	Cell Phone same

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone ✓ Work Phone ____ Cell Phone ____ E-Mail Address ✓

Are you currently or have you been previously employed by the City? (X) Yes ( ) No

If yes, dates: various Position(s): election judge

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.

(X) Yes ( ) No

I have received and read the City's Business Ethics Policy. (X) Yes ( ) No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? (X) Yes ( ) No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

PRESIDENT, OPTIMAL INNOVATIONS, INC., September 1994 to present

CIO, MAVICA LLC, April 2009 to present

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
BC. CHARTER COMMISSION	Commissioner, Chair	1	6/2012	present
BC HOUSING COMMISSION	Commissioner, Chair	2	8/2014	present
Senate District 40 DFL	Chair	10	4/2014	present

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

I am interested in continuing to serve on the Brooklyn Center Housing Commission as a member of the community. I am dedicated to making sure that the city provides opportunities for fair & equitable housing for all our residents. I belive in the goal & purpose of the commission to provide input & feed back to the council on housing matters and serving as a liaison to new residents. I would welcome the opportunity to continue to serve & grow the impact & voice of the commission.

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

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Applicant's Signature

12-26-2020
Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

Application for Appointment to Advisory Commission

PLEASE PRINT

CITY USE ONLY: Date Received

Attach additional sheets where necessary.

Check Which Commission You Are Applying:	___	Financial	___	NW Hennepin Human Services
	X	Housing	___	NW Suburbs Cable
	___	Park & Recreation	___	Shingle Creek / West Mississippi River Watersheds
	___	Planning		

PERSONAL

Last Name Oman First Name Paul	Date of Application 11/23/2020
Street Address Apt. No.	Date Available now
City, State, Zip Brooklyn Center, MN 55429	Home Phone 7635310357
E-Mail Address paulfooter@yahoo.com	Work Phone May we call at work? ◯ Yes ◯ No
How many years have you lived in Brooklyn Center? 30+	Cell Phone 6122519279

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone_____ Work Phone_____ Cell Phone_____ E-Mail Address X

Are you currently or have you been previously employed by the City? ◯ Yes ⊗ No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.

⊗ Yes ◯ No

I have received and read the City's Business Ethics Policy. ⊗ Yes ◯ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.

none

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? ◉ Yes ◯ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

N/A

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
Urban Homeworks	Housing rehab.	40	1/2010	11/2020
		40	1/2010	1/2010

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

Interested in expanding availability of affordable housing and adequately maintaining existing housing stock in the city.

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

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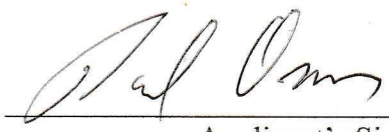

Applicant's Signature

11/23/2020

Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

BROOKLYN CENTER AT THE CENTER

Application for Appointment to Advisory Commission

PLEASE PRINT

CITY USE ONLY: Date Received

Attach additional sheets where necessary.

Check Which Commission You Are Applying:

- ___ Financial
- X Housing
- ___ Park & Recreation
- ___ Planning
- ___ NW Hennepin Human Services
- ___ NW Suburbs Cable
- ___ Shingle Creek / West Mississippi River Watersheds

PERSONAL

Last Name Moellman First Name Brenda	Date of Application 2/24/21
Street Address 3315 53rd Ave. No. Apt. No. 306	Date Available 2/24/21
City, State, Zip Brooklyn Center MN 55429	Home Phone (267) 202-1125
E-Mail Address blmoellman@live.com	Work Phone May we call at work? ◯ Yes (X) No
How many years have you lived in Brooklyn Center? 3	Cell Phone (267) 202-1125

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone____ Work Phone____ Cell Phone____ E-Mail Address X

Are you currently or have you been previously employed by the City? ◯ Yes (X) No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.

(X) Yes ◯ No

I have received and read the City's Business Ethics Policy. ◯ Yes (X) No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission. n/a

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? (X) Yes ◯ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

Target Corp. / Customer Service Team Leader (10 years)
Marsh & McLennan Risk Mgmt / Client Exec. (30+ years)

PROFESSIONAL DESIGNATIONS

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AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
Election Judge	Election monitoring	8	11/20	11/20

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

I am interested in the decision-making process for local housing issues including growth projections and regulations, and would like to bring my project management experience to the commission's use. As a long time renter, I would also like to provide a voice for rental constituents.

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PZ Mull
Applicant's Signature

2/24/21
Date

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Check Which Commission You Are Applying:	✓ Financial	___ NW Hennepin Human Services
	✓ Housing *	___ NW Suburbs Cable
	✓ Park & Recreation *	___ Shingle Creek / West Mississippi River Watersheds
	___ Planning	

PERSONAL

Last Name Neal First Name Jakayla	Date of Application 8/5/2021
Street Address 5507 Judy Lane, Apt. No.	Date Available ASAP
City, State, Zip Brooklyn Ctr. MN 55430	Home Phone 612401.5852
E-Mail Address jakaylalovette80@gmail.com	Work Phone May we call at work? ___ Yes ___ No
How many years have you lived in Brooklyn Center? 10	Cell Phone

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone ✓ Work Phone_____ Cell Phone_____ E-Mail Address ✓

Are you currently or have you been previously employed by the City? ___ Yes ✓ No

If yes, dates: Position(s):

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___ Yes ___ No

I have received and read the City's Business Ethics Policy. ___ Yes ___ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? ✓ Yes ___ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

I want to be apart of changing the narrative in Brooklyn Ctr. Creating a safe place for families. Advocating for change

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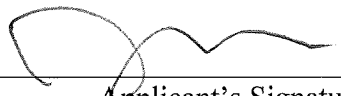

Applicant's Signature

Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

Application for Appointment to Advisory Commission

PLEASE PRINT

CITY USE ONLY: Date Received

Attach additional sheets where necessary.

Check Which Commission You Are Applying:	___ Financial	___ NW Hennepin Human Services
	_X_ Housing	___ NW Suburbs Cable
	___ Park & Recreation	___ Shingle Creek / West Mississippi River Watersheds
	___ Planning	

PERSONAL

Last Name RIEL First Name ELIZABETH	Date of Application 12-16-19
Street Address 5012 Winchester Ln. Apt. No.	Date Available OPEN
City, State, Zip Brooklyn Center MN 55429	Home Phone 763-229-2245
E-Mail Address Rickson555@gmail.com	Work Phone May we call at work? _X_ Yes ___ No
How many years have you lived in Brooklyn Center? 16	Cell Phone 612 685 8496

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone____ Work Phone____ Cell Phone____ E-Mail Address_X_

Are you currently or have you been previously employed by the City? ___ Yes _X_ No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.
_X_ Yes ___ No

I have received and read the City's Business Ethics Policy. _X_ Yes ___ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? _X_ Yes ___ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

MPLS Building Inspector
MPLS Electrical Inspector
Electrician

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

*MNBO- MN Building official - B0002728 2005 *MN Electrician - AJ11427 1996
*AMBO- Association of MN Building officials *U of M code council ICC Training 2011
*ICC-internitial code council (Building code Rezolutions 2005)

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

*Member of AMBO, AMBO 10,000 Code chapter,

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

MN Building officlal for City of MPLS

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
St croix VI FEMA	Horrican/Tornado/flooding Inspections		JUNE 2017	
Roshford MN	Flooding		2007	
Hugo MN	Tornado inspections		2008	

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

Emergancy operations facility - Fridley

FEMA - Responce team - MPLS, ST.CROIX VI, HUGO,

HUD - Condemned Properties inspections

ADU - Accessory Dwelling units Inspections

Rental propery inspections

I have been involded in housing/building inspections in some way for almost 15 years from either the permit inspection process or from disaster preparedness, response and recovery.

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

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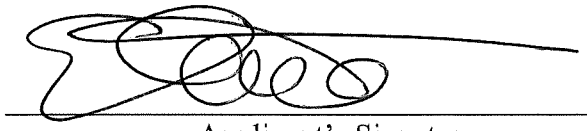

Applicant's Signature

12-16-19

Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

Application for Appointment to Advisory Commission

PLEASE PRINT

CITY USE ONLY: Date Received

Attach additional sheets where necessary.

Check Which Commission You Are Applying:	___ Financial	___ NW Hennepin Human Services
	___ Housing	___ NW Suburbs Cable
	X Park & Recreation	___ Shingle Creek / West Mississippi River Watersheds
	___ Planning	

PERSONAL

Last Name Bonovsky First Name Travis	Date of Application 8-20-20
Street Address 5540 Emerson Ave. N. Apt. No.	Date Available immediately
City, State, Zip Brooklyn Center	Home Phone 763-503-3604
E-Mail Address palmerlakeguy@gmail.com	Work Phone May we call at work? ___ Yes X No
How many years have you lived in Brooklyn Center? 18	Cell Phone 612-655-0484

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone____ Work Phone____ Cell Phone____ E-Mail Address X

Are you currently or have you been previously employed by the City? ___ Yes X No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.
X Yes ___ No

I have received and read the City's Business Ethics Policy. X Yes ___ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? X Yes ___ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

1995 - 2020: Clear Channel Outdoor Advertising

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

Published author & photographer with focus on nature & Wildlife

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
Park & Rec Commission Brooklyn Center	Volunteer/attend mtngs		11/12/13	current
Friends of Palmer Lake Park	park cleanup events, guided nature hikes	1	2013	-2017

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

I've been a member of the Park & Rec Commission since 2013 and overlooked renewing my appointment. Would like to stay on & continue if possible. My apologies!

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

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Travis Borowsky

Applicant's Signature

08-20-20

Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

Application for Appointment to Advisory Commission

PLEASE PRINT

CITY USE ONLY: Date Received

Attach additional sheets where necessary.

Check Which Commission You Are Applying:	___ Financial	___ NW Hennepin Human Services
	___ Housing	___ NW Suburbs Cable
	X Park & Recreation	___ Shingle Creek / West Mississippi River Watersheds
	___ Planning	

PERSONAL

Last Name Ebert First Name Gail	Date of Application 1-12-2021
Street Address 1613 IRVING Ln N Apt. No.	Date Available 1-12-2021
City, State, Zip BROOKLYN CENTER, MN 55430	Home Phone 7635666803
E-Mail Address ebesfamily@msn.com	Work Phone May we call at work? X Yes ___ No
How many years have you lived in Brooklyn Center? 62yrs (all my life)	Cell Phone 7635666803

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone X Work Phone____ Cell Phone____ E-Mail Address____

Are you currently or have you been previously employed by the City? ___ Yes X No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.
X Yes ___ No

I have received and read the City's Business Ethics Policy. X Yes ___ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission. N/A

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? X Yes ___ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

Child care Business Owner 30 yrs
(taking kids to parks regularly)

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

North Suburban Childcare Professionals 10yrs Presently Childcare Licens- 30yrs

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

Charter commission & Park Rec Comm over 10 yrs.

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
parks cleanup	picking up trash 2 X's / year	2-3 hrs every 4-6 mths	Jan yearly	Dec

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

I have been on Charter Commission over 10yrs. I've been on Park + Rec commission for longer. I've done childcare in Brooklyn Center for 30yrs. I've raised my 4 kids in B.C. Lived in B.C. all my life. I take my children / grandchildren / childcare children to the parks regularly to see how things are working / looking / not working - looking for any safety hazards.

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

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Gail Ebert
Applicant's Signature

1/13/2021
Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

Application for Appointment to Advisory Commission

PLEASE PRINT

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Attach additional sheets where necessary.

Check Which Commission You Are Applying:	___ Financial	___ NW Hennepin Human Services
	___ Housing	___ NW Suburbs Cable
	X Park & Recreation	___ Shingle Creek / West Mississippi River Watersheds
	___ Planning	

PERSONAL

Last Name SORENSON First Name ARVID (Bud)	Date of Application 10-1-2020
Street Address 6901 TOLEDO AVE N. Apt. No.	Date Available 10-1-2020
City, State, Zip Brooklyn Center MN 55429	Home Phone 763 566 4524
E-Mail Address a.sorenson@comcast.net	Work Phone NONE May we call at work? ___ Yes ___ No
How many years have you lived in Brooklyn Center? 48 years	Cell Phone 763 312 0228

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone X Work Phone ___ Cell Phone ___ E-Mail Address X

Are you currently or have you been previously employed by the City? ___ Yes X No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.
✓ Yes ___ No

I have received and read the City's Business Ethics Policy. ___ Yes ✓ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.
NONE

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? X Yes ___ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

Retired
Engineering Lab Manager Coroles Networks Inc

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

Earle Brown Parade Grand Marshall

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

Current BC Park & Rec Commission Chair

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
BC Lions Club	Community Service Park Cleanups, Holly Sunday Earle Brown Days, Dudley	15	1992	To date
BC Park & Rec Commission	Monitor Parks in Park Service Area 3 Serve As Commission Chair	~~1979~~ 10	1979	To Date

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

Promote Earle Brown Days, Dudley Monitor Parks. Attend Neighborhood meetings to Learn what area residents are looking for in Parks & Rec. Support Holly Sunday. We have a great park & trails system that needs to be promoted so all residents are aware of them so they can take advantage of them. We need to work on our littering issues in the parks. We must reactivate our Park & Trail Cleanup Volunteers Cleanup groups

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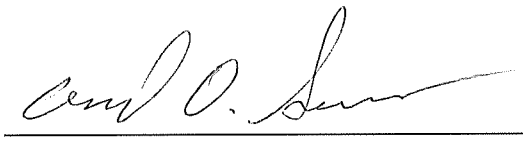

Applicant's Signature

10-1-2020

Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

BROOKLYN CENTER AT THE CENTER

FEB 11 2021

Application for Appointment to Advisory Commission

PLEASE PRINT | **CITY USE ONLY:** Date Received

Attach additional sheets where necessary.

Check Which Commission You Are Applying:	✓ Financial	___	NW Hennepin Human Services
	✓ Housing	___	NW Suburbs Cable
	___ Park & Recreation OR	___	Shingle Creek / West Mississippi River Watersheds
	✓ Planning		

PERSONAL

Last Name Donnelly First Name Michael	Date of Application 1/27/2021
Street Address 5509 Girard Ave N Apt. No.	Date Available Immediately
City, State, Zip Brooklyn Center MN 55430	Home Phone 612-214-0868
E-Mail Address mkdonnlly5632@gmail.com	Work Phone May we call at work? ___ Yes X No
How many years have you lived in Brooklyn Center? 15 years	Cell Phone 612-214-0868

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone____ Work Phone____ Cell Phone X E-Mail Address X

Are you currently or have you been previously employed by the City? ___ Yes X No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.
X Yes ___ No

I have received and read the City's Business Ethics Policy. X Yes ___ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.
None

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? X Yes ___ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

I have worked in the mortgage / title industry for over 15 years. I have worked as an underwriter, processor, title examiner and loan originator. This experience helps in both the housing and planning commissions. I am open to either one.

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

None. I spent several years in the mortgage industry

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

None

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

worked for DFL in various rolls Not specifically related to housing.

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
MIRAC & other immigration organizations	Volunteer coordinator, ESL, fundraising, advocacy	10-20 average	1997	2019 ~~2018~~
Various Environmental Organizations	Volunteer coordinator & various other ~~notes~~ roles	10 plus	1992	2019

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

I would like to be more involved with the decision making in our city. I have a passion to see this city succeed and improve. I would like to see all the vacant land in our city be filled quicker and with a mix of housing, retail & offices. I believe there may be a need for affordable condominiums and nursing homes. I also believe we need to find a way to bring in more middle income families to support new retail.

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

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Michael Donnelly
Applicant's Signature

1/27/2021
Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

Application for Appointment to Advisory Commission

PLEASE PRINT

CITY USE ONLY: Date Received

Attach additional sheets where necessary.

Check Which Commission You Are Applying:

___ Financial
___ Housing
___ Park & Recreation
___ Planning
___ NW Hennepin Human Services
___ NW Suburbs Cable
___ Shingle Creek / West Mississippi River Watersheds

PERSONAL

Last Name Jackson First Name Krissa	Date of Application 1-28-21
Street Address 3606 55th Ave. N. Apt. No.	Date Available 2/22/21
City, State, Zip Brooklyn Center	Home Phone 763-533-5666
E-Mail Address krissab@comcast.net	Work Phone May we call at work? ◯ Yes ◯ No
How many years have you lived in Brooklyn Center? 23	Cell Phone 612-599-5471

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone_____ Work Phone_____ Cell Phone_____ E-Mail Address X

Are you currently or have you been previously employed by the City? ◯ Yes (X) No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.
(X) Yes ◯ No

I have received and read the City's Business Ethics Policy. (X) Yes ◯ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.

none

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? (X) Yes ◯ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

- none relevant; minored in environmental science
- currently work as a psychotherapist

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
Clean up neighborhood park (Northport)				
Tree Trust	-surveyed treas in N. mpls. to increase density of residential trees	over 10 yrs. ago		

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

I am trying to be more involved in my local community. The parks, nature, and environment are passions of mine. I feel I can offer input and be open-minded in working to make Brooklyn Center as great as it can be.

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

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Applicant's Signature

1/28/21

Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

Application for Appointment to Advisory Commission

PLEASE PRINT

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Attach additional sheets where necessary.

Check Which Commission You Are Applying:	✓ Financial	___ NW Hennepin Human Services
	✓ Housing *	___ NW Suburbs Cable
	✓ Park & Recreation *	___ Shingle Creek / West Mississippi River Watersheds
	___ Planning	

PERSONAL

Last Name Neal First Name Jakayla	Date of Application 8/5/2021
Street Address 5507 Judy Lane, Apt. No.	Date Available ASAP
City, State, Zip Brooklyn Ctr. MN 55430	Home Phone 612401.5852
E-Mail Address jakaylalovette80@gmail.com	Work Phone May we call at work? ___ Yes ___ No
How many years have you lived in Brooklyn Center? 10	Cell Phone

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone ✓ Work Phone_____ Cell Phone_____ E-Mail Address ✓

Are you currently or have you been previously employed by the City? ___ Yes ✓ No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.
___ Yes ___ No

I have received and read the City's Business Ethics Policy. ___ Yes ___ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? ✓ Yes ___ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

I want to be apart of changing the narrative in Brooklyn Ctr. Creating a safe place for families. Advocating for change

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

Minnesota law requires that you be informed of the purposes and intended uses of the information you provide to the City of Brooklyn Center during the application process.

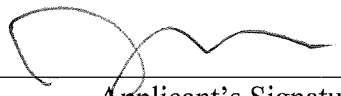
Any information about yourself that you provide to the City of Brooklyn Center during the application process will be used to identify you as an applicant; to distinguish you from all other applicants; to enable us to contact you when additional information is required; send you notices; and to assess your qualifications for appointment to a City advisory commission.

If you wish to be considered for appointment, you are required to provide the information requested in this application. If you refuse to supply information requested by the City, it may mean that your application will not be considered.

You are hereby advised that, under Minn. Stat. 13.601 subd. 3(a), the information contained in this application about you must be made available to any member of the public who requests it, excluding your residential address, telephone numbers, and electronic mail address.

Materials submitted in support of an application are normally not returned. You should not submit an original document if it is your only copy.

I authorize investigation of all statements contained in this application for appointment as may be necessary to arrive at an appointment decision. I certify that all answers to the questions are true and understand that any false information on or omission of information from this application will be cause for rejection of this application or termination from a commission without notice.



Applicant's Signature

Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

To Whom It May Concern,

My name is Noah Jeffrey and I am a software engineer and 2 year homeowner/resident in Brooklyn Center, previously residing in Robbinsdale. As a nature enthusiast and regular park visitor, I'm interested in serving on the Parks & Recreation commission.

Growing up in East Grand Forks, Minnesota, I was involved in a number of parks and recreation activities (mostly sports). I have fond memories of those times and, reflecting on it now, greatly appreciate the skills learned and friendships made that came out of those activities. I'd like to help ensure the youth and residents of Brooklyn Center also find value in the parks and recreation activities available to them. I'm also bilingual, having acquired a professional proficiency with the Spanish language after studying abroad in Spain, completing a Spanish minor at university, and working two years abroad in Chile.

In short, I'm looking to get more involved in the community and give back, as I really enjoy living here and want to help make this place even better for fellow residents. Attached you will find my completed application as both a PDF and each page attached separately as a JPEG image file. The reason for both formats is because after I filled out the form on my computer (Mac), the formatting of the PDF was greatly distorted when opened on a Windows machine. So the static image files help ensure proper formatting across operating systems.

Let me know if you need anything else for my application to be considered! And feel free to reach out if you have any questions.

Thanks for your time and consideration,
- Noah Jeffrey

Application for Appointment to Advisory Commission

PLEASE PRINT

CITY USE ONLY: Date Received

Attach additional sheets where necessary.

Check Which Commission You Are Applying:	___ Financial	___ NW Hennepin Human Services
	___ Housing	___ NW Suburbs Cable
	X Park & Recreation	___ Shingle Creek / West Mississippi River Watersheds
	___ Planning	

PERSONAL

Last Name Jeffrey, First Name Noah	Date of Application Jan 17, 2021
Street Address 3627 Admiral Ln N Apt. No.	Date Available Jan 18, 2021
City, State, Zip Brooklyn Center, MN 55429	Home Phone 312-912-3503
E-Mail Address noah.j.jeffrey@gmail.com	Work Phone May we call at work? (•) Yes ( ) No
How many years have you lived in Brooklyn Center? 2 years	Cell Phone same as home

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone X Work Phone ____ Cell Phone ____ E-Mail Address X

Are you currently or have you been previously employed by the City? ( ) Yes ( ) No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.
( ) Yes ( ) No

I have received and read the City's Business Ethics Policy. ( ) Yes ( ) No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.
not applicable

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? ( ) Yes ( ) No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

CTO @ Teton Backcountry Rentals - outdoor recreation company in Jackson, WY (2014 - current)
VP of Engineering @ Range Digital Marketing in Minneapolis, MN (2016 - current)
Landscape laborer in Jackson, WY (2014)
Park Security Ranger at the Red River State Recreation Area in East Grand Forks, MN (2009-2011)
Landscape Small Business Owner and Worker in East Grand Forks, MN (2005-2011)

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

Bachelor of Arts with a Major in Biology, Dean's List @ Saint John's University (2012)

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

Winner of the Regents'/Trustees' Scholarship
Magna Cum Laude, Phi Beta Kappa Society, Theta of Minnesota

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

Student Government Vice President, Boys State Representative,
and Model United Nations Participant

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
Math and Science Tutor	Teaching 3rd, 4th & 5th Grade	12		5/13

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

As a nature enthusiast and avid park visitor, I'm interested in serving on the Parks & Recreation commission. Since we purchased our home in Brooklyn Center and moved from Robbinsdale about 2 years ago, my wife and I have been exploring and enjoying the parks our city has to offer. Now that I'm 31 years old, it's about time that I get more involved in our community! And besides just picking up trash in my neighborhood, I thought I could get formally involved on a commission.

I can help determine where to strategically place garbage and recycling containers around the city as well as fencing to reduce litter accumulation, especially near parks and open water. I also have experience doing email and other forms of digital marketing, so if the city needs help communicating its parks and recreation goals digitally, I would be more than happy to advise on the best way to do that. I'm also happy to help create and distribute surveys to generate data to help drive decisions that will have the biggest impact on community improvement through the parks.

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

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If you wish to be considered for appointment, you are required to provide the information requested in this application. If you refuse to supply information requested by the City, it may mean that your application will not be considered.

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Materials submitted in support of an application are normally not returned. You should not submit an original document if it is your only copy.

I authorize investigation of all statements contained in this application for appointment as may be necessary to arrive at an appointment decision. I certify that all answers to the questions are true and understand that any false information on or omission of information from this application will be cause for rejection of this application or termination from a commission without notice.

Applicant's Signature

Jan 17, 2021

Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

Application for Appointment to Advisory Commission

PLEASE PRINT

CITY USE ONLY: Date Received

Attach additional sheets where necessary.

Check Which Commission You Are Applying:	___ Financial	___ NW Hennepin Human Services
	___ Housing	___ NW Suburbs Cable
	✓ Park & Recreation	___ Shingle Creek / West Mississippi River Watersheds
	___ Planning	

PERSONAL

Last Name Nyenie-Nea First Name Writhers	Date of Application 02/21/20
Street Address 6743 Humboldt Ave N Apt. No 301	Date Available Anytime
City, State, Zip Brooklyn Center, MN 55430	Home Phone 763-585-6024
E-Mail Address wnyeniewea@msn.com	Work Phone May we call at work? ✓ Yes ___ No
How many years have you lived in Brooklyn Center? Over 15 years	Cell Phone 612-600-8489

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone ✓ Work Phone ___ Cell Phone ✓ E-Mail Address ✓

Are you currently or have you been previously employed by the City? ___ Yes ✓ No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.
✓ Yes ___ No

I have received and read the City's Business Ethics Policy. ✓ Yes ___ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? ✓ Yes ___ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

Handler - Fedex Corporation - 1996 - 2004
Chemistry Lab Supervisor - College of St. Kates - 2000-2002
Support Specialist - Northwest Airlines - 2003 - 2005
CMA - Hennepin County Human Services - 2006 - Present

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

National Tax Roundtable - 2000-Present
The Advocates for Human Rights - 1998-Present

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

My role as Board Chairman of the National Maryland County Association, USA qualifies me for this commission

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
Local Coordinator VITA Tax Program	Supervised and managed the Volunteer tax preparers at the B.P. Library	20 hrs/mth	02/00	04/16
Board Chairman NAMCAL, USA	Provided fiduciary oversight for the day to day operations	25 hrs/mo	09/13	09/19

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

I am interested in being appointed to a commission for Brooklyn Center because it will be an opportunity to serve a community that I have been a part of for the last 15 years or so. My knowledge of data science, forensic accountant and fraud examination, coupled with my experience in US environmental law and policy will come handy in this position. It is my wish, if appointed, to reflect the wishes and concerns of the minority communities in Brooklyn Center.

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

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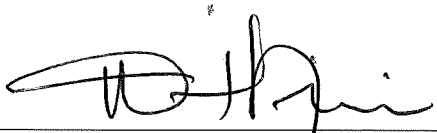

Applicant's Signature

02/21/20

Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

BROOKLYN CENTER
AT THE CENTER

Application for Appointment to Advisory Commission

PLEASE PRINT

CITY USE ONLY: Date Received

Attach additional sheets where necessary.

Check Which Commission You Are Applying:	___ Financial	___ NW Hennepin Human Services
	___ Housing	___ NW Suburbs Cable
	X Park & Recreation	___ Shingle Creek / West Mississippi River Watersheds
	___ Planning	

PERSONAL

Last Name Umolac First Name Jennifer	Date of Application 2.10.21
Street Address 5225 65th Ave N. Apt. No.	Date Available immediately
City, State, Zip Brooklyn Center, MN 55429	Home Phone 763.533.2649
E-Mail Address jumolac@yahoo.com	Work Phone May we call at work? X Yes ___ No
How many years have you lived in Brooklyn Center? 52	Cell Phone 612.532-8575

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone____ Work Phone____ Cell Phone____ E-Mail Address X

Are you currently or have you been previously employed by the City? ___ Yes X No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.
X Yes ___ No

I have received and read the City's Business Ethics Policy. ___ Yes X No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? X Yes ___ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

Self employed in various positions since 1998.
Vendor at Minneapolis Farmers Market 1998-2014
Licensed massage therapist 2003-present
Ran Visitors Center @ Earthship Biotecture
Feb-June 2014 Sustainable off-grid community

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

Licensed Foster Care Provider, Hennepin County, 4-1-18

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

Worked as staff on various political campaigns

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
Community Support Puerto Rico post Hurricane Maria	Supported survivors of Maria w/ food distribution, communications & body work	40	Nov 2017	May 2018
Supporting Single Moms	Meal preparation, child care support, help with household chores	8-12	April 2014	on-going

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

As a lifelong resident of Brooklyn Center, I have been blessed with access to parks, community centers & community sports that have shaped and enriched my life. In years of travel abroad I have noted ways in which communal spaces are used creatively to support the health of residents. I believe BC, with all of its diversity, could expand the ways that parks serve our community in ways that all of our citizens would support & benefit from. I now bring my daughter to the same park I used growing up, and appreciate from a new perspective all the ways a neighborhood park feeds those that use it. Community gardens, group exercise, neighborhood meet & greets, moms (& dads) clubs... the possibilities feel endless. Sadly, my daughter & I are often alone at Orchard Lane Park. Id like to contribute to helping Brooklyn Center make the most of its resources.

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

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If you wish to be considered for appointment, you are required to provide the information requested in this application. If you refuse to supply information requested by the City, it may mean that your application will not be considered.

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I authorize investigation of all statements contained in this application for appointment as may be necessary to arrive at an appointment decision. I certify that all answers to the questions are true and understand that any false information on or omission of information from this application will be cause for rejection of this application or termination from a commission without notice.

JR Umolac
Applicant's Signature

2-10-21
Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

Application for Appointment to Advisory Commission

PLEASE PRINT

CITY USE ONLY: Date Received

Attach additional sheets where necessary.

Check Which Commission You Are Applying:	___ Financial	___ NW Hennepin Human Services
	___ Housing	___ NW Suburbs Cable
	✓ Park & Recreation	___ Shingle Creek / West Mississippi River Watersheds
	___ Planning	

PERSONAL

Last Name Younglove First Name Joe	Date of Application 1-27-21
Street Address 7230 W. River Rd. Apt. No. 3	Date Available 1-28-21
City, State, Zip Brooklyn Center, MN 55430	Home Phone 402-430-7325
E-Mail Address joeyounglove@gmail.com	Work Phone May we call at work? ✓ Yes ___ No
How many years have you lived in Brooklyn Center? 1 year 10 months	Cell Phone 402-430-7325

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone____ Work Phone____ Cell Phone____ E-Mail Address ✓

Are you currently or have you been previously employed by the City? ___ Yes ✓ No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission. ✓ Yes ___ No

I have received and read the City's Business Ethics Policy. ✓ Yes ___ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.

N/A

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? ✓ Yes ___ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

I currently work for Midwest Special Services as a direct support professional. We support people with disabilities, and do a variety of activities. When there is not a pandemic, we provide a lot of community integration opportunities for our participants. Lately, I've been doing virtual services over Zoom, including live sidewalk chalk I did at Centennial Park.

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

I am med aide certified for my job, and I am on the safety Committee.

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

None

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

None

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
KFAI Radio volunteer	front desk, cleaning, recording, DJing in public spaces	10	5/19	present

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

I have lived in Brooklyn Center for almost two years now, and I'd like to get more involved in the welfare of the community. I thought this could be a good opportunity because I care about the environment, and I enjoy being able to use and enjoy public spaces. I am very concerned about the amount of litter around here, so I thought maybe this could be a way to help with that as well.

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

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Any information about yourself that you provide to the City of Brooklyn Center during the application process will be used to identify you as an applicant; to distinguish you from all other applicants; to enable us to contact you when additional information is required; send you notices; and to assess your qualifications for appointment to a City advisory commission.

If you wish to be considered for appointment, you are required to provide the information requested in this application. If you refuse to supply information requested by the City, it may mean that your application will not be considered.

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I authorize investigation of all statements contained in this application for appointment as may be necessary to arrive at an appointment decision. I certify that all answers to the questions are true and understand that any false information on or omission of information from this application will be cause for rejection of this application or termination from a commission without notice.

Joe Young Love
Applicant's Signature

1-28-21
Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

Application for Appointment to Advisory Commission

PLEASE PRINT

CITY USE ONLY: Date Received

Attach additional sheets where necessary.

Check Which Commission You Are Applying:	___ Financial	___ NW Hennepin Human Services
	___ Housing	___ NW Suburbs Cable
	___ Park & Recreation	___ Shingle Creek / West Mississippi River Watersheds
	X Planning	

PERSONAL

Last Name Christensen First Name Randall "Randy"	Date of Application 2-8-21
Street Address 7001 Regent Ave N. Apt. No.	Date Available 2-11-21
City, State, Zip Brooklyn Center MN 55429	Home Phone 763-561-6533
E-Mail Address Randy-act850@yahoo.com	Work Phone May we call at work? ___ Yes ___ No
How many years have you lived in Brooklyn Center? 49	Cell Phone

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone X Work Phone_____ Cell Phone_____ E-Mail Address_____

Are you currently or have you been previously employed by the City? ___ Yes X No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.
X Yes ___ No

I have received and read the City's Business Ethics Policy. X Yes ___ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? X Yes ___ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

ACT Management, Inc 25+ years as property manager
Real Estate Sale Lic. in MN.
Past Planning Commission, Vice Chair & Chair.

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

Real Estate Salespersons Lic. MN CAI, Legislative Action Committee

BC Lions member, NW Block Captain

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

Past Planning Commission Chair

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

This is a very important role to the Council. We work to hold public hearings & provide input for decisions the Council will be making.

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

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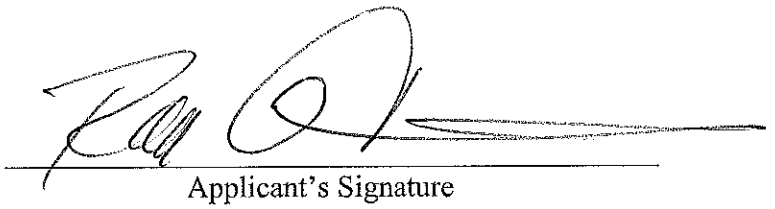

Applicant's Signature

2/8/21

Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

Application for Appointment to Advisory Commission

PLEASE PRINT

CITY USE ONLY: Date Received

Attach additional sheets where necessary.

Check Which Commission You Are Applying:	___ Financial	___ NW Hennepin Human Services
	___ Housing	___ NW Suburbs Cable
	___ Park & Recreation	___ Shingle Creek / West Mississippi River Watersheds
	X Planning	

PERSONAL

Last Name Riel First Name Joanne	Date of Application 12/16/19
Street Address 5012 Winchester Lane Apt. No.	Date Available Anytime
City, State, Zip Brooklyn Center	Home Phone 763-229-3342
E-Mail Address jessyjo22@comcast.net	Work Phone May we call at work? ___ Yes ___ No
How many years have you lived in Brooklyn Center? 16 yrs.	Cell Phone 763-229-3342

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:

Home Phone____ Work Phone____ Cell Phone____ E-Mail Address X

Are you currently or have you been previously employed by the City? ___ Yes X No

If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.
X Yes ___ No

I have received and read the City's Business Ethics Policy. X Yes ___ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission. None

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? X Yes ___ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

1976 → 2000 Supervisor for medical manufacturing

2001 → 2003 owned + oprated Bakery in Hill City S.D.

2004 → 2008 office manager for Home Repair Co.

2009 → 2015 Drove School Bus

2015 → present Retired

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

None

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

None

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

None

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
None				

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

Would like to see Brooklyn Center be the place were people want to come and live. And have a better reputation.

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

Minnesota law requires that you be informed of the purposes and intended uses of the information you provide to the City of Brooklyn Center during the application process.

Any information about yourself that you provide to the City of Brooklyn Center during the application process will be used to identify you as an applicant; to distinguish you from all other applicants; to enable us to contact you when additional information is required; send you notices; and to assess your qualifications for appointment to a City advisory commission.

If you wish to be considered for appointment, you are required to provide the information requested in this application. If you refuse to supply information requested by the City, it may mean that your application will not be considered.

You are hereby advised that, under Minn. Stat. 13.601 subd. 3(a), the information contained in this application about you must be made available to any member of the public who requests it, excluding your residential address, telephone numbers, and electronic mail address.

Materials submitted in support of an application are normally not returned. You should not submit an original document if it is your only copy.

I authorize investigation of all statements contained in this application for appointment as may be necessary to arrive at an appointment decision. I certify that all answers to the questions are true and understand that any false information on or omission of information from this application will be cause for rejection of this application or termination from a commission without notice.

Joanne Riel
Applicant's Signature

12/16/19
Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

BROOKLYN CENTER
AT THE CENTER

Application for Appointment to Advisory Commission

PLEASE PRINT

CITY USE ONLY: Date Received

Attach additional sheets where necessary.

Check Which Commission You Are Applying:	___ Financial	___ NW Hennepin Human Services
	___ Housing	___ NW Suburbs Cable
	___ Park & Recreation	___ Shingle Creek / West Mississippi River Watersheds
	✓ Planning	

PERSONAL

Last Name Sweeney First Name Rochelle	Date of Application 11.12.2019
Street Address 2213 54th Ave N Apt. No.	Date Available 11.12.2019
City, State, Zip Brooklyn Center, MN 55430	Home Phone NA
E-Mail Address tito2213@gmail.com	Work Phone 763-392-6237 May we call at work? ✓ Yes ___ No
How many years have you lived in Brooklyn Center? 20	Cell Phone 763-639-5768

If appointed, which contact information would you prefer to be made public? Minn. Stat. 13.601 subd 3(b)(2) requires you select at least one:
Home Phone____ Work Phone____ Cell Phone ✓ E-Mail Address ✓

Are you currently or have you been previously employed by the City? ___ Yes ✓ No
If yes, dates: Position(s):

I have read the City Enabling Resolution or Joint Powers Agreement, which defines the purpose, authority, and responsibility of this advisory commission.
✓ Yes ___ No

I have received and read the City's Business Ethics Policy. ✓ Yes ___ No

I wish to disclose the following potential conflicts of interest that may or will arise if I become a member of this advisory commission.

Are you aware of the importance of regular commission meeting attendance and participation, and do you feel you have the time available to be an active participant? ✓ Yes ___ No

EMPLOYMENT HISTORY

List relevant employment history applicable to appointment to this commission.

Position	Company	City	Start Date	End Date
Retail Operations Coordinator	Insignia Systems	Brooklyn Park	2015	Present
Project Manager	Periscope	Minneapolis	2012	2014
Marketing Specialist	Target	Minneapolis	2002	2012

PROFESSIONAL DESIGNATIONS

List relevant current professional memberships, registrations, or licenses applicable to appointment to this commission. Include dates first issued.

Certified Professional Project manager (CPPM) 2015 University of St. Thomas

AWARDS AND HONORS

List relevant current awards and honors applicable to appointment to this commission.

PRIOR GOVERNMENT SERVICE

List relevant prior government service applicable to appointment to this commission.

Brooklyn Center Planning Commissioner since 2014

VOLUNTEER WORK

List relevant volunteer work experience applicable to appointment to this commission.

VOLUNTEER ACTIVITY	WORK PERFORMED	No. Hrs/Month	From Month/Yr	To Month/Yr
Avenues for Homeless Youth	Manage the ongoing implementation and maintenance of online self-assessment survey	40	10/2014	4/2016

SUPPLEMENTAL INFORMATION

Briefly describe why you are interested in being appointed to a commission for the City of Brooklyn Center Describe any additional experience or skills that qualify you for appointment to this commission. Include remarks concerning your ideas or observations on the role of this commission.

I would like to continue to contribute to the advancement of economic development in the City of Brookyn Center as an experienced, dedicated and impartial planning commissioner.

IMPORTANT FACTS FOR YOU TO KNOW CONCERNING YOUR APPLICATION

Minnesota law requires that you be informed of the purposes and intended uses of the information you provide to the City of Brooklyn Center during the application process.

Any information about yourself that you provide to the City of Brooklyn Center during the application process will be used to identify you as an applicant; to distinguish you from all other applicants; to enable us to contact you when additional information is required; send you notices; and to assess your qualifications for appointment to a City advisory commission.

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You are hereby advised that, under Minn. Stat. 13.601 subd. 3(a), the information contained in this application about you must be made available to any member of the public who requests it, excluding your residential address, telephone numbers, and electronic mail address.

Materials submitted in support of an application are normally not returned. You should not submit an original document if it is your only copy.

I authorize investigation of all statements contained in this application for appointment as may be necessary to arrive at an appointment decision. I certify that all answers to the questions are true and understand that any false information on or omission of information from this application will be cause for rejection of this application or termination from a commission without notice.

Rochelle Sweeney
Applicant's Signature

11.12.2019
Date

SUBMIT APPLICATION TO:

City Clerk
City of Brooklyn Center
6301 Shingle Creek Parkway
Brooklyn Center, Minnesota 55430

Council/EDA Work Session
VIRTUAL meeting being conducted by electronic means in accordance with Minnesota Statutes, section 13D.021 Public portion available for connection via telephone Dial: 1-312-626-6799 Meeting ID: 87997606448# Passcode: 384476#
October 11, 2021

AGENDA

ACTIVE DISCUSSION ITEMS

1. Special Events Permit
   - Provide feedback to staff regarding the Special Events Permit Ordinance

PENDING LIST FOR FUTURE WORK SESSIONS

1. Pending Items

Council/EDA Work Session

DATE: 10/11/2021

TO: City Council
FROM: Dr. Reggie Edwards, City Manager
THROUGH: N/A
BY: Meg Beekman, Community Development Director

SUBJECT: Special Events Permit

Requested Council Action:

- Provide feedback to staff regarding the Special Events Permit Ordinance

Background:

At present, there is no single process for individuals to inform the City of events that are occurring, whether on public or private property. Depending on the location of an event, and the types of activities occurring at it (food trucks, liquor sales, road closures, etc.), there may be several permits and department reviews that an individual event organizer has to get in order to get approval to hold an event or large gathering. The City receives requests for special events on private as well as public property throughout the year and these requests come to the city through all di?erent departments. This makes the process confusing both for staff, as well as for individuals trying to plan events. Sta? has determined that there is not currently an e?ective process to ensure that all affected departments are aware of events occurring in the city, as well as allowing for a streamlined review and approval for the event holder.

In part, the impetus for an analysis of how events are reviewed and approved in the City has been the work staff has been doing on the new zoning code. At present, the zoning code has a provision for an administrative permit, which is issued by the Community Development Department. This permit was clearly intended to address a very narrow scope of special events taking place on private property in the City; however, it has been modified to include a much broader range of events than it was originally intended due to the lack of another option. As part of the zoning code rewrite, this section of the code will be rewritten to better address the narrow scope of temporary activities on private property that it was intended to focus on. This will leave the City without any formal process for reviewing or approving special events.

In January 2021, sta? sent a questionnaire to all department heads to gather information regarding establishing either an ordinance or policy regarding special events. We also had the department head appoint someone from their department to participate in developing the proposed ordinance or policy.

The city attorney ?rst crafted a policy but after discussing the policy, the group felt it would serve the city better as an ordinance. The ordinance would be more enforceable than the policy. The city attorney recrafted the document into an ordinance and this document was reviewed again by the sta? members that served in the group.

The purpose of this work session discussion is to share the draft ordinance with the City Council and get feedback on the proposed process. The goal of the ordinance would be to replace current, less formal,

processes for reviewing and approving special events.

Budget Issues:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

Safe, Secure, Stable Community, Operational Excellence

ATTACHMENTS:

Description	Upload Date	Type
Proposed ordinance	9/7/2021	Ordinance

CITY OF BROOKLYN CENTER

Notice is hereby given that a public hearing will be held on the ____ day of _____ 2021, at 7:00 p.m. or as soon thereafter as the matter may be heard at City Hall, 6301 Shingle Creek Parkway, to consider an ordinance amending Chapter 23 regarding special events.

Auxiliary aids for handicapped persons are available upon request at least 96 hours in advance. Please contact the City Clerk at 763-569-3306 to make arrangements.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 23
TO ALLOW AND REGULATE SPECIAL EVENTS

THE CITY COUNCIL OF THE CITY OF BROOKLYN CENTER DOES ORDAIN AS FOLLOWS:

ARTICLE I. Brooklyn Center City Code Chapter 23 is hereby amended by adding Sections 23-2600 through Sections 23-2617 as follows:

SPECIAL EVENTS

Section 23-2600. PURPOSE. The purpose of these Sections 23-2600 through 23-2616 (collectively, these "Sections") is to set forth procedures to be followed by organizers of special events within the City. Special events can be disruptive to neighboring properties and place a strain on City resources, particularly if they are conducted on City parks or streets. These sections impose reasonable regulations on special events to address the impacts such events can have on the City and its residents. Persons wishing to sponsor or hold a special event in the City are required to obtain a special event permit from the City and to comply with the requirements of these Sections and the City Code generally.

Section 23-2601. DEFINITIONS. For the purposes of these Sections, the following terms shall have the meaning given them in this section.

A. "Activity" means a parade, event, procession, carnival, community picnic, celebration, dance, promotional or fundraiser event, performance, entertainment or amusement event, party, dance, market, concert, large assembly, or other similar event.

B. "Ancillary activities" means the use or presence of any of the following at a special event: mobile food unit; commercial tent or stand; search or spot light; live music or a band; or sales of food, beverages, or merchandise.

C. "City" means the City of Brooklyn Center, Minnesota.

D. "City property" means any property owned or controlled by the City including, but not limited to, City parks, City rights-of-way, or other real property in which the City has a property interest.

E. "Event organizer" means any person or entity who conducts, manages, promotes, presents, sponsors, organizes, aids, or solicits attendance at a special event.

F. "Preapproved event" means a special event the City has agreed to provide some support services to without a charge. The preapproved events currently include:

1. Dudley Softball Tournament;

2. Brooklyn Center Community Celebration;

3. Music in the Park;

4. Movies in the Park; and

5. National Night Out.

G. "Right-of-way" means all portions of a city street, including the traveled surface, parking areas, sidewalks, ditches, and all other portions in which the City has an interest.

H. "Special event" or "event" means a temporary, organized activity sponsored by an event organizer involving the gathering of people to attend, participate in, or observe an activity occurring entirely or partly outside on City property or private property, and which is reasonably anticipated to involve one or more of the following:

1. Support services from the City;

2. Obstruct, delay, or interfere with the free and normal use of a right-of-way;

3. Attendance of 50 or more people;

4. Ancillary activities; or

5. Sound amplification, public address system, loud speaker, or other audio devices likely to result in noise levels that will unreasonably disturb others in the immediate area or that constitutes a nuisance in violation of Chapter 19.

This term does not include activities occurring entirely within an enclosed building.

I. "Special event permit" or "permit" means the permit that must be obtained from the City to conduct a special event in the City.

J. "Support services" means City services and equipment requested by the event organizer or that is otherwise reasonably needed to support the special event that exceeds the normal level of service provided by the City in conducting its regular service duties. Support services include, but are not limited to, additional services provided by the City police, fire, public works, or parks departments to perform activities such as closing streets, crowd control, security, or traffic control. Support services also includes City equipment used to support the event, such as barricades to close streets and related signage.

Section 23-2602. SPECIAL EVENT PERMIT REQUIRED.

A. An event organizer is required to obtain a special event permit from the City at least 45 days prior to holding a special event in the City.

B. If a special event requires more than one permit from the City, the City Manager, or designee, is authorized, but not required, to:

1. Waive the requirement to obtain a special event permit if the other required permit or permits are obtained. The City Manager, or designee, may add conditions to the permits issued for the event to address the purpose of the special event permit.

2. Waive the requirement to obtain one or more other permits if a special event permit is obtained. The City Manager, or designee, may add conditions to the special event permit as needed to address the purpose of the other permits.

The waiver of the requirement to obtain one or more permits is not valid unless the waiver is specifically noted in the permit issued for the event.

C. Special events occurring on the same property shall not extend for more than three consecutive days unless the City Manager, or designee, determines the event organizer has demonstrated as part of the application process that special circumstances exist to justify allowing an event to extend beyond three days. The special event permit must indicate the allowed period of the event.

Section 23-2603. EXCEPTIONS. A special events permit is not required for any of the following, but all such activities shall be conducted in accordance with the City Code and all applicable laws.

A. Expressive Activities. Rallies, marches, demonstrations and picketing which take place on public sidewalks, crossing streets only at pedestrian crosswalks in accordance with traffic regulations and laws applicable to use of public sidewalks.

B. Outdoor Demonstrations on Public Property. Demonstrations on publicly owned property (other than public rights-of-way), unless:

1. The activity is likely to obstruct, delay, or interfere with the free and normal use of such public property or the public rights-of-way; or

2. The activity is likely to result in the need for the City to provide support services in response to or arising out of the special event.

C. Block Parties. A block party occurring with a permit issued pursuant to Sections 25-901 through 25-908 and conducted in compliance with those sections.

D. City Activities. An event conducted by or at the request of the City. The City agreeing to cosponsor an event does not exempt the event from the requirements of these Sections.

E. Funeral Processions. Funeral processions by a licensed mortuary or funeral home;

F. Wedding Processions. Wedding processions conducted on public rights-of-way wherein applicable traffic regulations, laws, and controls are complied with.

G. Regularly Scheduled Athletic Events. Regularly scheduled outdoor athletic events conducted on property where such events are normally held.

H. Governmental Activities. Activities conducted by a governmental entity acting within the scope of its authority.

Section 23-2604. APPLICATION. An application for a special event permit is available from the City Clerk's office and, if approved, the application shall become a part of the permit. Incomplete applications will be returned without processing.

Section 23-2605. PERMIT FEE. The event organizer is required to pay the permit fee determined by the City to obtain a special event permit for the event. The

permit fee includes the administrative costs, support services costs, and the other costs required to be prepaid by the event organizer under these Sections. The City Council shall establish all such rates and costs as part of the City's fee schedule. The City will determine the amount of the required permit fee within 10 business days of the submission of a complete application based on the information provided in the application. The City will provide the event organizer written notice of the permit fee amount, which shall be paid in full to the City within 10 days of the notice. Failure to timely submit the required permit fee shall be deemed an automatic denial of the requested special event permit. The City will provide the event organizer written notice of denial for failure to submit the required permit fee.

Section 23-2606. INSURANCE. Except for marches, demonstrations, and other events protected by the First and Fourteenth Amendments of the U.S. Constitution, the event organizer must secure and maintain in full force and effect throughout the duration of the event the types and amounts of insurance coverages required in this section.

A. Commercial General Liability Insurance. Commercial general liability insurance or equivalent special event coverage protecting it from claims for damages for bodily injury and property damage which may arise from or in connection with the event and the use of any City property. The policy shall be written on an occurrence basis and provide not less than $1,000,000 per occurrence, combined single limits, and $2,000,000 aggregate, unless waived by the City. The insurance policy shall be written on an occurrence basis and shall be written for a period not less than 24 hours prior to the event and extending for a period not less than 24 hours following the completion of the event. The City shall be named as an additional insured on the policy if any portion of the event is conducted on City property.

B. Automobile Insurance. If automobiles will be used during the event, automobile liability insurance with a minimum combined single limit of $1,000,000 per occurrence. Coverage shall include liability for owned, non-owned, and hired automobiles.

C. Alcohol Liability. If alcohol will be sold or served as part of the event, liquor liability (dram shop) insurance in the minimum amount of $1,000,000 per occurrence.

D. Certificate of Insurance. The event organizer must submit to the City a certificate of insurance showing the required coverages and the additional insured endorsement if applicable. The certificate of insurance shall require written notice be provided to the City for at least the same period of notice required to the insured of cancellation or nonrenewal.

E. Modifications. The City reserves the right to modify these insurance requirements depending on the nature and scope of the event.

Section 23-2607. SUPPORT SERVICES. The event organizer is responsible for identifying in the application materials any support services it requests from the City related to its event. The event organizer is strongly encouraged to contact the City prior to submitting an application to help determine the needed amount and availability of support services for an event. The rates for support services are set out in the City's fee schedule. The City shall review the request and determine if it has sufficient resources to provide the requested support services or if the amount of support services actually needed for the event will likely exceed those requested. The City may deny a permit if it determines it does not have sufficient resources available to provide the needed support services for the event. The City will identify the support services it intends to provide and the costs of such services as part of the permit fee notice. The City does not guarantee it will be able to provide the identified support services for the event if those services are needed to respond to an emergency or other incident requiring an immediate response from the City.

Section 23-2608. CITY SUPPORT SERVICES FOR PREAPPROVED EVENTS. The City will provide basic support services to preapproved events without charge. Any additional support services needed, as determined by the City, will be charged as part of the permit fee. The City will notify the event organizer of a preapproved event in the permit fee notice if it determines more than basic support services will be needed for the event.

Section 23-2609. CITY SUPPORT SERVICES FOR CO-SPONSORED EVENTS. The City may agree to co-sponsor certain events with other organizations if the City Council determines the proposed event is in the general interest of the public and advances the City's public image. The City may provide financial support to these events as determined in the annual budget appropriation. These events must meet the other requirements of these Sections and the event organizer is required to pay as part of the permit fee any City costs in excess of the support level authorized by the budget appropriation. Approval of an event does not require the City to approve similar events or even the repeat of the same event. Each event will be reviewed separately.

Section 23-2610. CITY SUPPORT SERVICES FOR NON-PROFIT EVENTS. The City may provide support services to assist a special event conducted by a non-profit organization without charge up to the amount established in the City's fee schedule. The event must comply with the requirements of these Sections and the event organizer is required to pay as part of the permit fee any City costs in excess of this support level. An event organizer submitting an application for a non-profit event submit a current IRS 501(c)(3) statement with its application. Approval of an event does not require the City to approve similar events or a repeat of the same event. Each event will be reviewed separately.

Section 23-2611. CITY SUPPORT SERVICES FOR FOR-PROFIT EVENTS. The City may allow a special event operated by a for-profit event organizer that are beneficial to the City and the public. The event is subject to an additional use charge per

day for the use of the public property as established in the City's fee schedule, must pay 100% of all City costs related to the event, and shall comply with all other requirements of these Sections. The costs will be set out in the permit fee notice. Approval of an event does not require the City to approve similar events or a repeat of the same event. Each event will be reviewed separately.

Section 23-2612. FEES FOR SUPPORT SERVICES.

A. Hourly Rates. The event organizer shall be responsible for paying the City for any support services for which they are responsible under these Sections based on an hourly rate associated with the type of support services provided. The hourly rates are established by the City Council in the City's fee schedule and are subject to change without notice. The hourly rate shall include expenses related to the City's employee, including any applicable benefits.

B. Purchased or Rental Materials. The event organizer shall be responsible for paying the City for the actual costs of all materials purchased or rented by the City for use at the event.

C. Equipment Charges. The event organizer shall be responsible for paying the City for all equipment used by the City for the event at the current equipment usage rates as established by the City.

D. Replacement Costs. The event organizer shall be responsible for paying the City for any of its equipment or supplies that end up missing or damaged as a result of the event.

Section 23-2613. ISSUANCE. The City Manager, or designee, shall determine whether to issue a special event permit based on criteria identified in the following section. Approval of a permit is at the City's sole discretion. The City may impose conditions on the permit and the event organizer shall be responsible for ensuring compliance with all such conditions, the requirements of these Sections, and of all other applicable laws, rules, regulations, and ordinances. Issuance of a permit in no way indicates City sponsorship of the event and does not obligate the City to approve similar events in the future. Each application for an event will be reviewed and acted on separately.

Section 23-2614. CRITERIA. The City Manager, or designee, shall consider the following criteria with respect to the proposed special event and any ancillary activities to determine whether to issue a special event permit. The City Manager, or designee, must determine with respect to the special event and any ancillary activities that they:

A. Will not be detrimental to the public health, safety, or welfare, nor injurious to property or improvements in the immediate vicinity of the special event;

B. Will not cause noise, light, or glare which unreasonably impacts surrounding uses;

C. Will not endanger the participants, spectators, or the public;

D. Will not unreasonably interfere with rights-of-way or vehicular or pedestrian traffic flow at the proposed location;

E. Are supported by adequate plans for parking that meet the need generated by the proposed special event;

F. Are supported by adequate plans for sanitation and refuse facilities that meet the need generated by the proposed special event;

G. Are supported by adequate plans to return the area or routes to the same condition or cleanliness as existed prior to the event;

H. Are supported by adequate proof of insurance; and

I. Do not exceed the resources available for the City to provide the support services requested by the event organizer or that the City determines are otherwise needed for the special event.

Section 23-2615. REGULATIONS AND PROCEDURES.

A. Legal Compliance. The event must be conducted in compliance with all applicable federal, state, and local laws, rules, regulations, and ordinances. The event organizer is responsible for obtaining all other permits or permissions that may be required related to the event.

B. Traffic Control Measures. The event organizer is required to pay all costs for traffic control measures and traffic control personnel.

C. Traffic Barricades. The event organizer shall, through a bona fide contractor, provide, install, and remove all equipment required by the City's public works department. The installation and removal of barricades by the public works department is subject to the hourly rates established by the City.

D. Notice to Property Owners. The event organizer may be required to provide notice to surrounding owners about a special event as stipulated by the City Manager or designee.

E. Indemnification. The event organizer shall indemnify, defend, and hold the City harmless against any claims, demands, actions, causes of action,

charges, and expenses, including reasonable attorney fees, arising out of the event or by reason of conducting the event. This obligation shall not apply to claims arising solely from the City's own negligence.

F. Damages. The event organizer shall be responsible for reimbursing the City for all damages that may result to any real or personal property of the City as a result of an event.

G. Supervision. The event organizer is required maintain adult supervision of the event at all times. The event organizer shall provide security for the event as stipulated by the City's Chief of Police or designee. Any security provided by the City as part of its support services will be billed at the established hourly rate.

H. Clean-up. The event organizer shall, at no cost to the City, immediately clean up, remove, and properly dispose of all litter or material of any kind, which is placed or left on City property because of the event. If the event organizer neglects or fails to proceed with clean up of City property within a two-hour period immediately following the end of the event, or if the cleanup is done in an inadequate manner, the City may conduct the cleanup and charge event organizer at the established hourly rate.

I. Trash Disposal. The event organizer will provide plans for trash disposal including the company contracted for trash disposal as part of the special event permit application.

J. Restrooms. The event organizer shall provide plans for providing restrooms including the company contracted for supplying restrooms as part of the special event permit application.

K. Use of City Utilities. The event organizer shall not use City utilities for any event, unless permission has been granted by the City.

L. Food Permits. The event organizer shall obtain a Minnesota Department of Health food license and shall comply at all times with the applicable health codes and regulations. Proof of license shall be provided to the City clerk at least seven days before the event and kept on site for immediate inspection.

M. Mobile Food Units. If one or more mobile food units will be used at the event, the event organizer shall provide a mobile food unit license to the City prior to the event.

N. Alcoholic Beverages on Public Property. The sale of alcohol at an event may only occur if approved as part of the permit and then only if all required liquor licenses are in place. The event organizer is required to

follow the City's procedures and policies regarding the use of City property. All of the following apply to any special events involving the sale of alcohol:

1. Fencing surrounding the defined area for the service of alcoholic beverages will be secured to establish the outdoor event area. All liquor sales and containers used for consumption must remain in the defined space.

2. There should be controlled access to the event with event security personnel to identify and wrist band those of legal age to consume. The gate/emergency exit of the fenced area will need to be continuously staffed to prevent patrons from leaving with alcoholic beverages.

3. Events are "21 and over" after 9 p.m. when alcohol is being served.

4. All alcohol service will cease at 10 p.m. All patrons must exit the defined space by 10:30 p.m.

5. Event security will assist the police department in clearing the event at closing time. The closing time should be prominently displayed throughout so there is no confusion at the end of the evening when patrons are asked to leave.

6. Event organizers may be required to hire uniformed police officers to supplement their security staff. Monitoring of those consuming alcohol will be done by the event organizer and the City's police officers who have been hired to assist with the oversight of the event.

O. Outdoor Music. No outdoor music or amplified sound is allowed during the hours of 10 p.m. and 7 a.m. The City's Police Chief or designee has the ability to direct the event organizer to control the level of noise and/or terminate the event at any time. Any plans for outdoor music or amplified sound must be described in the special event permit application.

P. Outdoor Tents. A building permit must be obtained for any tent permits exceeding 200 square feet. Erection of tents, canopies, or similar structures as part of the event is allowed; however, the event organizer cannot drive stakes, nails, screws, posts, or otherwise disturb paved City parking lots, or either paved or unpaved surfaces within a right-of-way to secure such features.

Q. Waivers. The event organizer may request a waiver from the strict application of one or more requirements of these Sections. The event

organizer shall submit the waiver request in writing, identify the specific requirement to be modified, describe the requested modification, and the factors that the City Manager, or designee, should consider when determining the proposed waiver. The City Manager, or designee, is authorized to deny, approve, or approve with modifications the requested waiver. Waiver requests must be submitted with the special event permit application. Approval of a waiver does not require the City to approve similar waivers for any future events. Each waiver will be reviewed separately.

R. Cancellation. The event organizer may cancel an event by giving at least 10 days written notice to the City. The City will refund the unused portion of permit fee to the event organizer. If less than 24 hours' notice is given to cancel an event that required support services, staff will be compensated for a 2-hour minimum charge. City staff has the authority to cancel or stop an event, or place additional restrictions on the event, in order to protect public health, safety, or welfare. The City will notify the event organizer as soon as is practically possible if it cancels the event or if it modifies the conditions imposed on the event. The City may also immediately terminate an event in an emergency if needed to protect public safety. Any such cancellation or termination of an event by the City constitutes a revocation of the permit. It is a violation of these Sections to conduct, or continue to conduct, the event once it is cancelled or terminated by the City.

S. Additional Requirements. City staff may place any additional requirements on any event. These requirements may include specific staff levels for police, fire, public works, or other personnel. Expenses for any additional support services will be invoiced to the event organizer as additional costs as provided in these Sections.

Section 23-2616. ADDITIONAL COSTS.

A. Addition Costs. The event organizer shall be responsible for reimbursing the City for any additional costs the City incurs related to a special event. Additional costs are any costs the City incurs that exceed the permit fee and include, but are not limited to the following:

1. Damage to or loss of any City equipment or property related to the event;

2. Support services exceeding the planned for level of support; and

3. Clean up costs if the event organizer fails to clean up and restore City property to its pre-event condition.

B. Invoicing. The City will provide an itemized invoice for the additional costs the event organizer is required to pay the City. The invoice will identify the specific types and amounts of additional costs. The event organizer shall pay the full amount of the additional costs within 15 days of the date of the invoice. Failure to timely pay the additional costs may result in the denial of any future special event permit applications for the same or similar event or submitted by the same event organizer.

C. Collection. All amounts the event organizer is required to pay the City under these Sections shall constitute a service charge collectable by the City under Minnesota Statutes, section 366.012, which is available to the City under Minnesota Statutes, section 415.01, subdivision 1, on any property the event organizer owns in the state. Any portion of the service charge not paid, including collection costs, may be certified for collection on the property taxes of the event organizer. The City may also pursue any other options available to it under law to recover the amounts owed by the event organizer, including the costs of collection.

ARTICLE II. Effective Date. This ordinance shall become effective after adoption and upon thirty days following its legal publication.

Adopted this ___ day of _____ 2021.

_____
Mike Elliott, Mayor

ATTEST: _____
City Clerk

Date of Publication _____

Effective Date _____

(~~Strikeout~~ indicates material to be deleted, double underline indicates new material.)

Council/EDA Work Session

DATE: 10/11/2021

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

SUBJECT: Pending Items

Requested Council Action:

- MN Northwest Tourism - 10/25
- Sales Tax Follow-up - 10/25
- Beautification Follow-up - 10/25
- Overnight Parking Discussion -11/8
- Mn DOT Presentation Regarding TH252 - 11/8
- Earle Brown Name Change for Public Property
- Council Policy for City Charter requirement of Mayor's signature on all contracts
- Strategic Plans for years 2018-2020 and 2021-2023
- Review Special Assessment Policy
- Tobacco Ordinance
- Emerald Ash Boer Policy Review
- Civilian Discipline Review Committee
- Community-Wide Survey
- Attorney RFP Process

Background:

Budget Issues:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values: