



**HOUSING COMMISSION
CITY OF BROOKLYN CENTER
REGULAR MEETING
September 17, 2024**

Optional public access to the Webex meeting is below:

Online: logis.webex.com | Phone: (312) 535-8110

Meeting Number (Access Code): 2632 108 2894

Passcode: efPEnAUE697

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- 1. Call to Order — 7 p.m.**
 - 2. Roll Call**
 - 3. Approval of Agenda**
 - a. Motion to Approve Regular Meeting Agenda for September 17, 2024
 - 4. Approval of Meeting Minutes**
 - a. Motion to Approve April 16, 2024 Meeting Minutes
 - 5. Housing Commission Bylaws**
 - 6. Affordable Housing Trust Fund Presentation- Thrive, LLC - Breanne Rothstein**
 - 7. City Council Liaison's Report**
 - 8. Other Business**
 - a. New Neighbor Bags
 - b. Future Discussion: SWOT Analysis
 - 9. Adjournment**

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

REGULAR SESSION
APRIL 16, 2024

CALL TO ORDER

The Brooklyn Center Housing Commission was called to order by Chair Enger at 7:10 p.m. (recording started late)

MEETING ATTENDEES

Chair Gretchen Enger
Vice Chair Florence Williams
Commissioner Lori Best-Deyoe
Commissioner Laura Freund (excused)
Commissioner Elizabeth Riel

City Staff present: Community Development Director and Staff Liaison Jesse Anderson and Associate Planner Krystin Eldridge.

Also present: Mike Vraa, HOME Line.

APPROVAL OF AGENDA

(0:15) There was a motion by Commissioner Williams and seconded by Commissioner Best-Deyoe to approve the agenda as submitted. The motion passed.

APPROVAL OF MINUTES

(0:40) There was a motion by Commissioner Williams and seconded by Commissioner Best-Deyoe to approve the March 19, 2024 minutes as submitted. The motion passed.

HOMELINE MIKE VRAA – LEGISLATIVE UPDATES

Mike Vraa, representative of HOME Line, explained there has never been a year in Minnesota's history related to landlords and tenants as there was in the recent session. Minnesota's landlord and tenant laws are old. There were laws from before the Civil War that remained untouched until recently, though there were some updates in the 1970s and 1980s. Mr. Vraa pointed out, the democrats control the Minnesota government. Landlord and tenant protections are considered progressive.

Mr. Vraa stated there is now a State-level pre-eviction filing requirement. Brooklyn Center's ordinance is still the gold standard. The State requires 15 days of notice eviction due to nonpayment, which is a large majority of the reasons for evictions. Brooklyn Center has a 30-day notice. The cities' lead on the pre-eviction ordinances showed the State their usefulness.

Mr. Vraa pointed out the single biggest hurdle for a prospective tenant is a recent eviction on their record. Hennepin County has a housing court, and it is almost entirely for evictions. However, they are experts on all things housing, such as expungements. Other counties aren't as familiar with the eviction expungement process. Expungements used to be very discretionary, but the new law makes the expungement process very clear for judges.

Commissioner Williams asked what the trends are in expungements. Mr. Vraa noted there is a limited history with the new laws because they were only enacted in January. It is easier to get an expungement at a court hearing now.

Associate Planner Krystin Eldridge asked if expungements allow the eviction to be completely erased. Mr. Vraa stated expungements remove evictions from public record, but the courts will still have knowledge and records of the evictions internally.

Mr. Vraa added there has been an increased prevalence in landlords charging random fees. Pet fees can be optional, but there may be "required" fee such as an administrative fee. All advertisements and the lease must now include the fees be listed.

Community Development Director and Staff Liaison Jesse Anderson explained a landlord may charge a fee for maintenance. He asked if that can still be charged. Mr. Vraa stated it is still legal for a landlord to charge the tenant if something breaks due to misuse such as breaking a window with a baseball. However, there are no mandatory or recurring fees allowed without notice.

Chair Enger asked if landlords are likely to use the legislative changes regarding fees as a reason to increase rent. Mr. Vraa stated landlords are likely to raise the rents as much as the market can bear.

Mr. Vraa explained there used to be a law where the landlord couldn't go into the tenant's unit without reasonable notice. The law was vague. It now requires 24 hours of notice. There are also some restrictions about the hours, but the tenant can waive the hour restrictions if they so choose. There is also an increased financial penalty. The new law applies to any leases signed after January 1, 2024.

Mr. Vraa added it used to be difficult for landlords to be sued, but a shift in the law makes suing more accessible. Previously, the person had to be an active tenant to sue the landlord.

Commissioner Williams asked what the timeline is for suing a landlord. Mr. Vraa stated there is about a two-year time frame where a tenant can sue a landlord, regardless of if they are still a tenant with the landlord.

Mr. Vraa noted it is difficult to get out of a lease, but there are exceptions such as joining the military, dying, domestic violence, medical reason, disability, and more. The new laws clarified these reasons.

Mr. Vraa added there is a new heat code. From October through April, a landlord must provide heat of at least 68 degrees. Ms. Eldridge stated it was surprising the temperature rule wasn't

Statewide previously. Mr. Vraa stated there was some pushback at the State level, but it was passed.

Mr. Vraa stated there was clarity added regarding the services that must be provided by the landlord urgently such as a working elevator, toilet, air conditioning, and so on. The list used to be more vague but specifics were added. The court fee was also reduced for filing such a case.

Mr. Anderson asked what the process is for a tenant to file a case. Mr. Vraa stated a tenant would file an emergency request which basically gives the landlord 24 hours to address the issue. The initial notification to the landlord doesn't have to be formal; it could be through phone or text, if that line of communication was previously established. If the landlord doesn't fix it, then the tenant may file a case with the courts. The judge could force the landlord to fix the issue, possibly reimburse the tenant for a hotel stay, or other remedies.

Chair Enger asked if texts are preferred to phone calls because it is written proof. Mr. Vraa stated the best method, legally speaking, would be an email.

Ms. Eldridge asked how the case can be filed with the court. Mr. Vraa stated it can be filed online or in-person. Any hearings would be in-person. However, the threat of the filing is rather effective.

Ms. Eldridge asked if landlords have been required to tell tenants of their rights such as the opportunity to file a complaint with the court. Mr. Vraa stated there isn't a requirement for the landlord to disclose tenant rights.

Mr. Vraa noted new legislation does not allow for a requirement for pets to be declawed or devocalized. The County or State could fine a landlord if violated.

Mr. Vraa pointed out some laws were promoted by university students and subsequently passed. The main reason for first-time renters to call HOME Line is security deposits. The legislation requires a move-in inspection and a move-out inspection be offered. The move-out inspection is required a few days before the tenant moves out to point out any issues that need to be fixed. Then the tenant has a time to fix the issues. The new law only applies to leases signed after January 1, 2024.

Mr. Vraa added another law promoted by university students from Duluth due to an imbalance of power in the rental market. In areas with a lot of college students, landlords commonly request signing the subsequent lease within weeks of the initial lease. The new legislation has created restrictions for this scenario.

Mr. Vraa pointed out a new law cannot stop a tenant from possessing marijuana in a unit. Landlords can restrict a tenant having tobacco or alcohol or DVDs legally. There is an unanswered question regarding federal housing because marijuana is not legal at a federal level.

Chair Enger asked why so many changes happened at one time. Mr. Vraa stated it is likely because of the democrat-heavy government in Minnesota. Also, landlord lobbying groups don't like to see changes because historically the laws have favored landlords. It is unique in American law for the

government to intervene in private contracts. More recently, the lobbying groups haven't been able to play as much defense.

Commissioner Williams asked if the same changes would have been made if the government was primarily republican. Mr. Vraa stated it would not have happened at this time if there were more republicans in power. He provided an example regarding the number of paid applications a landlord may receive. People were afraid rentals would decrease, but that clearly didn't happen.

Mr. Anderson asked if there are any recommendations for cities in relation to tenant protection ordinances. He also asked for an update on St. Paul's tenant protection ordinance.

Mr. Vraa explained St. Paul had a just cause for nonrenewal ordinance that was dropped. He pointed out Brooklyn Center is the only City in the State to have such a protection in place. As for recommendations for Brooklyn Center, HOME Line submitted 75 pages of tenant protection right suggestions that the City could reference. Rent control is extremely contentious, but capping security deposits could be helpful. Commissioner Williams pointed out the deposits can be extremely expensive.

Mr. Vraa added HOME Line only hears about the worst of the worst landlords. He provided an example of how landlords can abuse the system through security deposits, interest, and small claims court. Minneapolis has an ordinance restricting the cost of security deposits.

Mr. Vraa provided a timeline on the pending legislation. It isn't possible to know what will happen at the State. One pending consideration is the ability of a landlord to refuse Section 8 vouchers. Several cities allow refusal of the vouchers. A case from Minneapolis went all the way up to the Minnesota Supreme Court.

Mr. Anderson noted Brooklyn Center has heard complaints from tenants about restricted office hours or inability to contact landlords. Also, there are complaints about issues not being repaired. Unfortunately, the tenants don't tend to report the issues for quite some time after the incident.

Mr. Vraa stated not all cities have inspections, let alone good inspections. Also, it is not recommended for inspectors to look into mold issues because they are unlikely to report mold. Therefore, advertising inspections isn't a widespread fix. However, an individual city may find advertising inspections as beneficial.

Mr. Anderson explained some tenants have reported issues with the ability to pay rent because the offices are always closed or because the online portal is inaccessible. Mr. Vraa stated that scenario would be well-received in the courts. There aren't any State requirements about the method of rent payment.

Mr. Vraa shared examples of additional fees such as the January Fee or the Rent Processing Fee.

Mr. Vraa asked the Commission what direction they are heading in. There was no response.

CITY COUNCIL LIAISON REPORT

City Council Liaison Lawrence-Anderson was not present at the meeting.

OTHER BUSINESS

FUTURE DISCUSSION ITEMS FOR HOUSING COMMISSION

Mr. Anderson asked the Commission if there are specific items to add to future agendas.

Chair Enger asked if there has been any progress implementing recommendations from the ULI report. Ms. Eldridge stated the tenant protections have been addressed. She noted the rental assistance recommendation was mostly related to the pandemic.

(1:05:45) Ms. Eldridge asked Mr. Anderson for an update on the CURA housing study. Mr. Anderson stated we have not done a NOAH program.

Mr. Anderson explained the recommendation related to Naturally-Occurring Affordable Housing (NOAH) has changed because of new legislation. Ultimately, the traction for NOAH has decreased in favor of building tax capacity for the City.

Ms. Eldridge agreed the tax base is overburdened. Brooklyn Center is using Tax Increment Funding to incentivize development.

Ms. Eldridge stated another recommendation is an information hub. Chair Enger stated she was planning to find all of the housing-related information on the City website so it can be consolidated. Ms. Eldridge pointed out she is in contact with an administrative person to remove outdated information and fix some broken links.

Chair Enger asked when the Council's new priorities will be reflected online. Mr. Anderson stated it should be soon.

Chair Enger stated there were a few things on the list she wanted to ask City Council Liaison Lawrence-Anderson about. For example, she was interested in the Opportunity Site and the small business incubator through that project. Mr. Anderson stated the Opportunity Site will be an upcoming discussion item.

Chair Enger asked if the Opportunity Site Advisory Board is happening. Mr. Anderson stated it is a possibility. The Councilmembers have varying opinions.

Mr. Anderson stated the Opportunity Site, which is a shared project with Resurrecting Faith World Ministries, Project for Pride in Living (PPL), and Alatus, are responsible for various pieces of the project. Unfortunately, Alatus is facing some financial constraints. The City is working for alternative funding sources to pay for the infrastructure and allow Resurrecting Faith and PPL to move forward with their portions of the project. Options for funding include bonding against affordable housing funds, grant money, and a separate bonding bill with Representative Vang's support. Staff will be asking Council if they would like to pursue the debt option. Alatus is also seeking alternative funding options. Overall, it is a step in the right direction.

(1:15:45) Chair Enger requested a housing SWOT analysis be on a future agenda for discussion.

Ms. Eldridge stated she plans to print out the Commission's bylaws for review. It will help to refine the scope of the Commission's discussions.

Chair Enger asked if the Council has considered anything else related to housing. Ms. Eldridge noted group homes have come up in discussion with the Council a couple of times. Some cities are working together to discuss the disparity in group homes in certain areas of the Metro.

Mr. Anderson added legislation is being considered that would impact even more of the City's control on rental housing and, ultimately, group homes. Mr. Eldridge summarized the City doesn't have any control over certain facilities such as sober housing and medical assistance homes.

Chair Enger stated the City is looking for housing for families. She asked how the influx of group homes impacts the need for single-family homes for renters. Mr. Anderson agreed potential homeowners are losing out on opportunities because they cannot compete with cash offers from group homes.

Ms. Eldridge stated the State requires an architectural code analysis. However, the owner can make changes under the single-family home code and be approved before declaring they are a group home.

Chair Enger asked if the Housing Commission could discuss group homes. Mr. Anderson stated the City doesn't have much control over group homes. If there was a solution through ordinance, then the Commission could review the ordinance.

Chair Enger requested the Commissioners review the Comprehensive Plan before the next meeting.

Ms. Eldridge stated she would prepare the bylaws for discussion and review issues on the website.

NEW NEIGHBOR BAGS

Mr. Anderson pointed out the bags aren't all delivered yet. Commissioner Williams stated she has 13 or 14 to deliver. The better weather will help with deliveries.

Mr. Anderson stated they won't make new bags until the current ones are distributed.

Ms. Eldridge asked if the need for Housing Commissioners can be posted to the City's Facebook page along with the expectations for the role. Mr. Anderson stated some Commissioners will be appointed at the coming meeting, though he isn't sure for which Commission.

ADJOURNMENT

(1:25:40) There was a motion by Commissioner Best-Deyoe and seconded by Commissioner Williams to adjourn the meeting. The motion passed. The Brooklyn Center Housing Commission adjourned at 8:35 p.m.

Chair Enger

Member Bill Fignar
and moved its adoption:

introduced the following resolution

RESOLUTION NO. 73-140

RESOLUTION ESTABLISHING A BROOKLYN CENTER HOUSING
COMMISSION AND DEFINING DUTIES AND RESPONSIBILITIES THEREFOR

WHEREAS, the housing situation in Brooklyn Center has reached a point in its development which requires a concentrated effort in the development of housing standards to protect the quality of life in the community; and

WHEREAS, Brooklyn Center shows the beginning of some housing deterioration and it is a common fact that deterioration can quickly reach a point where repair is no longer feasible and deterioration will then spread to the entire neighborhood causing blight; and

WHEREAS, for a housing program to be successful, it must involve citizen participation to tailor the program to the citizens of Brooklyn Center; and

WHEREAS, the City of Brooklyn Center being a progressive community, must commit itself to the maintenance of quality housing for its citizens:

NOW, THEREFORE, BE IT RESOLVED by the Brooklyn Center City Council that there is hereby established within the City of Brooklyn Center an advisory Housing Commission as follows:

Subdivision 1. TITLE: This organization shall be known as the Brooklyn Center Housing Commission.

Subdivision 2. SCOPE: The scope of activity of this Commission shall consist of advising the City Council and other Brooklyn Center advisory commissions regarding matters relevant to housing.

Subdivision 3. PURPOSE: The general purpose of this Commission shall be to afford citizen input in the development of a housing program to supplement the activities of the City Council.

Subdivision 4. DUTIES AND RESPONSIBILITIES: In fulfillment of its purpose, the duties and responsibilities of the Commission shall be to:

- (1) Advise, investigate, and review relevant matters for the City Council.
- (2) Develop an overall plan for housing in line with the comprehensive plan for Brooklyn Center and the needs of the metropolitan area.

Resolution No. 73-140

- (3) Serve as a forum for the citizens of Brooklyn Center to voice their opinions regarding housing matters.
- (4) Work closely with the Planning Commission and all other commissions on matters regarding housing.
- (5) Work with the neighborhood advisory committees of the Planning Commission to understand the housing needs of each area of Brooklyn Center.
- (6) Develop and recommend standards for occupancy and maintenance of housing for the community.
- (7) Study the feasibility of establishing an occupancy permit program in conjunction with a housing maintenance code in Brooklyn Center.
- (8) Investigate new and innovative concepts in housing for the community.
- (9) Develop and recommend programs which will provide quality housing for low and moderate income citizens.
- (10) Develop and recommend a rehabilitation program as needed for existing housing in Brooklyn Center.
- (11) Understand the financial resources available to the citizens in Brooklyn Center as it relates to housing.
- (12) Investigate all housing programs in terms of life safety.
- (13) Provide education seminars for the citizens of Brooklyn Center in matters of housing.

Subdivision 5. COMPOSITION: The Commission shall be composed of a chairman and eight members.

Subdivision 6. MEMBERS METHOD OF SELECTION - TERM OF OFFICE - REMOVAL:

Chairman: The Chairman shall be appointed by the Mayor with majority consent of the City Council. The Chairman may be removed by the Mayor with majority consent of the Council. The Chairman shall assure fulfillment of the following responsibilities in addition to those otherwise described herein:

Resolution No. 73-140

- (1) Preside over meetings of the Commission;
- (2) Appear or appoint a representative to appear before the City Council and City advisory commissions to present the viewpoint of the Commission in matters pertaining to housing;
- (3) Review all official minutes of the City Council and other advisory commissions for the purpose of informing the Housing Commission of matters relevant to housing;
- (4) Provide liaison with other governmental and voluntary organizations on matters relevant to housing;

Vice Chairman: A Vice Chairman shall be selected annually by the Chairman from the members of the Commission. The Vice Chairman shall perform such duties as may be assigned by the Chairman and shall assume the responsibilities of the chair in the absence of the Chairman.

Members' Term of Office: Members of the Commission shall be appointed by the Mayor with majority consent of the Council for staggered three-year terms, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. Upon expiration of his term of office, a member shall continue to serve until his successor is appointed and shall have qualified.

Residency Requirements: ~~The Commission members shall reside in geographic neighborhoods as described in Subdivision 11. One member of the Commission shall be appointed from each of the six neighborhoods and the Chairman and two members chosen at large, provided there shall be no more than two members residing in the same neighborhood.~~

Qualifications for Membership: Members of the Commission shall be residents of the City of Brooklyn Center while serving on the Commission and shall represent a broad range of interest in the housing function.

Resolution No. 73-140

Initial Appointment: The Commission under this resolution shall become effective September 1, 1973 and shall consist of three members appointed for a term through December 1974, three members appointed for a term through December 1975, and three members appointed for a term through December 1976.

Resignations - Removal from Office - Vacancies: Commissioners may resign voluntarily or may be removed from office by the Mayor with consent by majority vote of the City Council. Three consecutive unexcused absences from duly called Commission meetings shall constitute automatic resignation from office. Vacancies in the Commission shall be filled by Mayoral appointment with majority consent of the City Council.

Compensation: Commissioners shall serve without compensation.

Subdivision 7. RULES AND PROCEDURES: The Commission shall adopt such rules and procedures not inconsistent with these provisions as may be necessary for the proper execution and conduct of business.

Subdivision 8. MEETINGS: The initial meeting of the Commission shall be convened at the call of the Chairman during October 1973. Thereafter, regular meetings shall be held with date and time to be determined by the Commission. Special meetings may be called by the Chairman.

Subdivision 9. STAFF: The City Manager shall assign one member of the administrative staff to serve as staff to the Commission. The staff member assigned shall perform such clerical and research duties on behalf of the Commission as may be assigned by the Chairman.

Subdivision 10. EX OFFICIO MEMBERS: The Mayor or his Councilman-appointee shall serve as an ex officio member of the Commission privileged to speak on any matter but without a vote, and shall provide a liaison between the Commission and the City Council.

Subdivision 11. NEIGHBORHOODS:

Neighborhoods Described:

Southeast Neighborhood: The Southeast neighborhood shall be bordered on the south by the south city limits; on the east by the Mississippi River; on the north by FAI-94; and on the west by Shingle Creek.

Resolution No. 73-140

Northeast Neighborhood: The Northeast neighborhood shall be bordered on the south by FAI-94; on the east by the Mississippi River; on the north by the north city limits; and on the west by Shingle Creek.

Northwest Neighborhood: The Northwest neighborhood shall be bordered on the south by FAI-94; on the east by Shingle Creek; on the north by the north city limits; and on the west by the west city limits.

Central Neighborhood: The Central neighborhood shall be bordered on the south by County Road 10; on the east by Shingle Creek; on the north by FAI-94; and on the west by Brooklyn Boulevard.

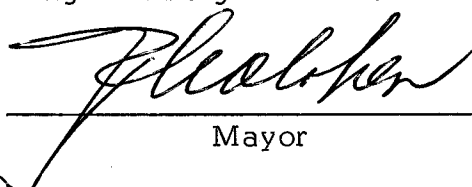
West Central Neighborhood: The West Central neighborhood shall be bordered on the south by County Road 10; on the east by Brooklyn Boulevard; on the north by FAI-94; and on the west by the west city limits.

Southwest Neighborhood: The Southwest neighborhood shall be bordered on the south by the south city limits; on the east by Shingle Creek; on the north by County Road 10; and on the west by the west city limits.

Neighborhood Advisory Committees: Each Commissioner representing a neighborhood shall automatically be a member of the neighborhood advisory committee of the Planning Commission. It will then be a responsibility of each neighborhood advisory committee of the Planning Commission to review housing matters and present the neighborhood attitudes and opinions on general and specific housing programs directly affecting that neighborhood.

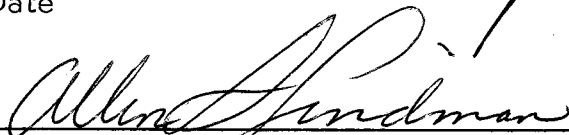
August 20, 1973

Date



Mayor

ATTEST:



Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member Tony Kuefler, and upon vote being taken thereon, the following voted in favor thereof: Philip Cohen, John Leary, Bill Fignar, and Tony Kuefler;

and the following voted against the same: none, whereupon said resolution was declared duly passed and adopted.

Member Bill Fignar introduced the following resolution and moved its adoption:

RESOLUTION NO. 75-97

RESOLUTION AMENDING RESOLUTION NO. 73-140 WHICH ESTABLISHED THE BROOKLYN CENTER HOUSING COMMISSION AND DEFINED THE DUTIES AND RESPONSIBILITIES THEREFOR

WHEREAS, the Brooklyn Center City Council adopted Resolution No. 73-140 establishing a Brooklyn Center Housing Commission and defining its duties and responsibilities on August 20, 1973; and

WHEREAS, the Brooklyn Center City Council at its March 24, 1975 regular session Council meeting, adopted a Housing Maintenance and Occupancy Ordinance, Chapter 12 of the City Ordinances; and

WHEREAS, Sections 12-1202 and 12-1203 of said ordinance contain provisions for a person to appeal a compliance order to the City Council sitting as a Board of Appeals; and

WHEREAS, it is the intention of the City Council to charge the Housing Commission with the duty and responsibility of being an advisory review body for appeals to contested compliance orders relating to said ordinance:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center to amend Resolution No. 73-140 in the following manner:

Change subdivision 4, Duties and Responsibilities, to include:

(14) Serve as the initial review and advisory body for the Board of Appeals regarding contested compliance orders pursuant to the Housing Maintenance and Occupancy Ordinance, Sections 12-1202 and 12-1203.

May 19, 1975

Date



Mayor

ATTEST:



Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member Robert Jensen, and upon vote being taken thereon, the following voted in favor thereof: Philip Cohen, Maurice Britts, Tony Kuefler, Bill Fignar and Robert Jensen; and the following voted against the same: none, whereupon said resolution was declared duly passed and adopted.

Member Tony Kuefler introduced the following resolution and moved its adoption:

RESOLUTION NO. 77-22

RESOLUTION ESTABLISHING A BROOKLYN CENTER HOUSING COMMISSION AND DEFINING DUTIES AND RESPONSIBILITIES THEREFOR

WHEREAS, the housing situation in Brooklyn Center has reached a point in its development which requires a concentrated effort in the development of housing standards to protect the quality of life in the community; and

WHEREAS, Brooklyn Center shows the beginning of some housing deterioration and it is a common fact that deterioration can quickly reach a point where repair is no longer feasible and deterioration will then spread to the entire neighborhood causing blight; and

WHEREAS, for a housing program to be successful, it must involve citizen participation to tailor the program to the citizens of Brooklyn Center; and

WHEREAS, the City of Brooklyn Center being a progressive community, must commit itself to the maintenance of quality housing for its citizens:

NOW, THEREFORE, BE IT RESOLVED by the Brooklyn Center City Council that there is hereby established within the City of Brooklyn Center an advisory Housing Commission as follows:

Subdivision 1. TITLE: This organization shall be known as the Brooklyn Center Housing Commission.

Subdivision 2. SCOPE: The scope of activity of this Commission shall consist of advising the City Council and other Brooklyn Center advisory commissions regarding matters relevant to housing.

Subdivision 3. PURPOSE: The general purpose of this Commission shall be to afford citizen input in the development of a housing program to supplement the activities of the City Council.

Subdivision 4. DUTIES AND RESPONSIBILITIES: In fulfillment of its purpose, the duties and responsibilities of the Commission shall be to:

- (1) Advise, investigate and review relevant matters for the City Council.

RESOLUTION NO. 77-22

- (2) Develop an overall plan for housing in line with the comprehensive plan for Brooklyn Center and the needs of the metropolitan area.
- (3) Serve as a forum for the citizens of Brooklyn Center to voice their opinions regarding housing matters.
- (4) Work closely with the Planning Commission and all other commissions on matters regarding housing.
- (5) Work with the neighborhood advisory committees of the Planning Commission to understand the housing needs of each area of Brooklyn Center.
- (6) Develop and recommend standards for occupancy and maintenance of housing for the community.
- (7) Study the feasibility of establishing an occupancy permit program in conjunction with a housing maintenance code in Brooklyn Center.
- (8) Investigate new and innovative concepts in housing for the community.
- (9) Develop and recommend programs which will provide quality housing for low and moderate income citizens.
- (10) Develop and recommend a rehabilitation program as needed for existing housing in Brooklyn Center.
- (11) Understand the financial resources available to the citizens in Brooklyn Center as it relates to housing.
- (12) Investigate all housing programs in terms of life safety.
- (13) Provide education seminars for the citizens of Brooklyn Center in matters of housing.
- (14) Serve as the initial review and advisory body for the Board of Appeals regarding contested compliance orders pursuant to the Housing Maintenance and Occupancy Ordinance, Sections 12-1202 and 12-1203.

RESOLUTION NO. 77-22

Subdivision 5. COMPOSITION: The Commission shall be composed of a chairman and eight members.

Subdivision 6. MEMBERS METHOD OF SELECTION - TERM OF OFFICE - REMOVAL:

Chairman: The Chairman shall be appointed by the Mayor with majority consent of the City Council. The Chairman may be removed by the Mayor with majority consent of the Council. The Chairman shall assure fulfillment of the following responsibilities in addition to those otherwise described herein:

- (1) Preside over meetings of the Commission;
- (2) Appear or appoint a representative to appear before the City Council and City advisory commissions to present the viewpoint of the Commission in matters pertaining to housing;
- (3) Review all official minutes of the City Council and other advisory commissions for the purpose of informing the Housing Commission of matters relevant to housing;
- (4) Provide liaison with other governmental and voluntary organizations on matters relevant to housing.

Vice Chairman: A Vice Chairman shall be selected annually by the Chairman from the members of the Commission. The Vice Chairman shall perform such duties as may be assigned by the Chairman and shall assume the responsibilities of the chair in the absence of the Chairman.

Members' Term of Office: Members of the Commission shall be appointed by the Mayor with majority consent of the Council for staggered three-year terms, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. Upon expiration of his term of office, a member shall continue to serve until his successor is appointed and shall have qualified.

Residency Requirements: Commission members shall be Brooklyn Center residents and may be appointed on an at large basis after giving consideration to the geographic neighborhoods as described in Subdivision 11.

Qualifications for Membership: Members of the Commission shall be residents of the City of Brooklyn Center while serving on the Commission and shall represent a broad range of interest in the housing function.

RESOLUTION NO. 77-22

Initial Appointment: The Commission under this resolution shall become effective September 1, 1973 and shall consist of three members appointed for a term through December, 1974, three members appointed for a term through December, 1975, and three members appointed for a term through December, 1976.

Resignations - Removal from Office - Vacancies: Commissioners may resign voluntarily or may be removed from office by the Mayor with consent by majority vote of the City Council. Three consecutive unexcused absences from duly called Commission meetings shall constitute automatic resignation from office. Vacancies in the Commission shall be filled by Mayoral appointment with majority consent of the City Council.

Compensation: Commissioners shall serve without compensation.

Subdivision 7. RULES AND PROCEDURES: The Commission shall adopt such rules and procedures not inconsistent with these provisions as may be necessary for the proper execution and conduct of business.

Subdivision 8. MEETINGS: The initial meeting of the Commission shall be convened at the call of the Chairman during October, 1973. Thereafter, regular meetings shall be held with date and time to be determined by the Commission. Special meetings may be called by the Chairman.

Subdivision 9. STAFF: The City Manager shall assign one member of the administrative staff to serve as staff to the Commission. The staff member assigned shall perform such clerical and research duties on behalf of the Commission as may be assigned by the Chairman.

Subdivision 10. EX OFFICIO MEMBERS: The Mayor or his Councilman-appointee shall serve as an ex officio member of the Commission privileged to speak on any matter but without a vote, and shall provide a liaison between the Commission and the City Council.

Subdivision 11. NEIGHBORHOODS:

Neighborhoods Described:

Southeast Neighborhood: The Southeast neighborhood shall be bordered on the south by the south city limits; on the east by the Mississippi River; on the north by FAI-94; and on the west by Shingle Creek.

RESOLUTION NO. 77-22

Northeast Neighborhood: The Northeast neighborhood shall be bordered on the south by FAI-94; on the east by the Mississippi River; on the north by the north city limits; and on the west by Shingle Creek.

Northwest Neighborhood: The Northwest neighborhood shall be bordered on the south by FAI-94; on the east by Shingle Creek; on the north by the north city limits; and on the west by the west city limits.

Central Neighborhood: The Central neighborhood shall be bordered on the south by County Road 10; on the east by Shingle Creek; on the north by FAI-94; and on the west by Brooklyn Boulevard.

West Central Neighborhood: The West Central neighborhood shall be bordered on the south by County Road 10; on the east by Brooklyn Boulevard; on the north by FAI-94; and on the west by the west city limits.

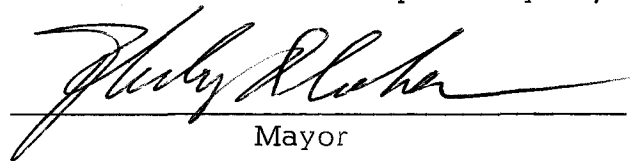
Southwest Neighborhood: The Southwest neighborhood shall be bordered on the south by the south city limits; on the east by Shingle Creek; on the north by County Road 10; and on the west by the west city limits.

Neighborhood Advisory Committees: Commissioners shall be assigned by the chairman as liaison to neighborhood advisory committees of the Planning Commission. It will then be a responsibility of each neighborhood advisory committee of the Planning Commission to review housing matters and present the neighborhood attitudes and opinions on general and specific housing programs directly affecting that neighborhood.

BE IT FURTHER RESOLVED that this resolution supersedes Resolution No. 73-140 adopted August 20, 1973 and Resolution No. 75-97 adopted May 19, 1975.

January 24, 1977

Date



Mayor

ATTEST:



Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member Bill Fignar, and upon vote being taken thereon, the following voted in favor thereof: Philip Cohen, Tony Kuefler, Bill Fignar, and Gene Lhotka; and the following voted against the same: none, whereupon said resolution was declared duly passed and adopted.

Member Celia Scott introduced the following resolution and moved its adoption:

RESOLUTION NO. 87-131

RESOLUTION AMENDING RESOLUTION NO. 73-140 WHICH CREATED THE BROOKLYN CENTER HOUSING COMMISSION AND DEFINED ITS DUTIES AND RESPONSIBILITIES; AMENDING RESOLUTION NO. 75-97 WHICH AMENDED RESOLUTION NO. 73-140; AND AMENDING RESOLUTION NO. 77-22 WHICH FURTHER DEFINED DUTIES AND RESPONSIBILITIES OF THE BROOKLYN CENTER HOUSING COMMISSION

WHEREAS, the Brooklyn Center City Council approved Resolution No. 73-140 establishing a Brooklyn Center Housing Commission and defining its duties and responsibilities on August 20, 1973; and

WHEREAS, Resolution No. 75-97 amended Resolution No. 73-140 allowing the Housing Commission to serve as a review and advisory board for the Board of Appeals related to the Housing Maintenance and Occupancy Ordinance; and

WHEREAS, Resolution No. 77-22 superseded Resolution No. 73-140 and Resolution No. 75-97 and further defined duties and responsibilities of the Brooklyn Center Housing Commission; and

WHEREAS, in an effort to review the City Council advisory commissions' enabling resolutions, as recommended in the Year 2000 Report, certain amendments to the Brooklyn Center Housing Commission resolution are desired.

NOW, THEREFORE, BE IT RESOLVED by the Brooklyn Center City Council that Resolution No 77-22 be amended as follows:

I. Change Subdivision 4, (10) to read:

Develop and recommend a rehabilitation program as needed for existing housing in Brooklyn Center, especially for major maintenance and energy modernization projects.

II. Add Subdivision 4, (15) to read:

Assist the Planning Commission in reviewing and discussing a redevelopment policy for the City of Brooklyn Center, and make recommendations to the City Council with regard to redevelopment in the City.

III. Change Subdivision 5 to read:

The Commission shall be composed of a chairperson and eight members, all of whom shall be appointed and serve as set forth in Subdivision 6.

IV. Change Subdivision 6 to read:

Chairperson: The Chairperson shall be appointed by the Mayor with majority consent of the City Council. The Chairperson may be removed by the Mayor with majority consent of the Council. The Chairperson shall assure fulfillment of the following responsibilities in addition to those otherwise described herein:

1. Preside over meetings of the Commission;
2. Appear or appoint a representative to appear, as necessary, before City advisory commissions and the City Council to present the viewpoint of the Commission in matters pertaining to housing, as it relates to business under consideration by said commissions or City Council;
3. Review all official minutes of the City Council and other advisory commissions for the purpose of informing the Housing Commission of matters relevant to housing;
4. Provide liaison with other governmental and voluntary organizations on matters relevant to housing.

Vice Chairperson: A Vice Chairperson shall be appointed annually by the Chairperson from the members of the Commission. The Vice Chairperson shall perform such duties as may be assigned by the Chairperson and shall assume the responsibilities of the chair in the absence of the chairperson.

Members' Term of Office: Members of the Commission shall be appointed by the Mayor with majority consent of the Council. The terms of office shall be staggered three-year terms, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. Upon expiration of his term of office, a member shall continue to serve until his successor is appointed and shall have qualified. Terms of office for members of the Commission shall expire on December 31 of respective calendar years.

In the event an appointed Commissioner suffers from an extended illness, disability, or other activity preventing proper fulfillment of duties, responsibilities, rules and regulations of the Commission, the Commissioner may be temporarily replaced during the temporary leave by an interim Commissioner appointed by the Mayor with majority consent of the City Council.

Qualifications for Membership: Members of the Commission shall be residents of the City of Brooklyn Center while serving on the Commission, shall have been residents of said City for at least one year prior to their appointment, and shall represent a broad range of interest in the housing function.

Representation Requirements: Commission members may be appointed on an at-large basis giving consideration to the geographic neighborhoods as described in Subdivision 11.

Conflict of Interest: No Commissioner shall take part in the consideration of any matter wherein he is the applicant, petitioner, or appellant, nor in the consideration of any application, petition, or appeal wherein his interest might reasonably be expected to affect his impartiality.

Initial Appointment: The Commission under this resolution shall become effective September 1, 1973 and shall consist of three members appointed for a term through December, 1974, three members appointed for a term through December, 1975, and three members appointed for a term through December, 1976.

Resignations - Removal from Office - Vacancies: Commissioners may resign voluntarily or may be removed from office by the Mayor with consent by majority vote of the City Council. Three consecutive unexcused absences from duly called Commission meetings or unexcused absences from a majority of duly called Commission meetings within one calendar year shall constitute automatic resignation from office. The City staff liaison on the Commission shall inform the Mayor of such automatic resignations. Vacancies in the Commission shall be filled by Mayoral appointment with majority consent of the City Council.

Compensation: Commissioners shall serve without compensation.

V. Change Subdivision 8 to read:

The initial meeting of the Commission shall be convened at the call of the Chairperson during October, 1973. Thereafter, regular meetings shall be held with date and time to be determined by the Commission. Special meetings may be called by the Chairperson.

VI. Change Subdivision 9 to read:

The City Manager shall assign one member of the administrative staff to serve as staff to the Commission. The staff member assigned shall perform

RESOLUTION NO. 87-131

such clerical and research duties on behalf of the Commission as may be assigned by the Chairperson or the City Manager.

VII. Change Subdivision 10 to read:

The Mayor or his Councilperson-appointee shall serve as an ex officio member of the Commission, privileged to speak on any matter but without a vote, and shall provide a liaison between the Commission and the City Council.

June 22, 1987

Date

Dean C. Nyquist
Mayor

ATTEST:

D. F. Weeks
Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member Bill Hawes, and upon vote being taken thereon, the following voted in favor thereof: Dean Nyquist, Gene Lhotka, Celia Scott, Bill Hawes, and Rich Theis; and the following voted against the same: none, whereupon said resolution was declared duly passed and adopted.

Member Philip Cohen introduced the following resolution and moved its adoption:

RESOLUTION NO. 92-136

RESOLUTION AMENDING RESOLUTION NOS. 73-140, 75-97, 77-22, AND 87-131 REGARDING THE BROOKLYN CENTER HOUSING COMMISSION

WHEREAS, Resolution Nos. 73-140, 75-97, 77-22, and 87-131 define the duties and responsibilities of the Brooklyn Center Housing Commission; and

WHEREAS, the Brooklyn Center City Council wishes to amend certain sections of these resolutions regarding the appointment of the chairperson, representation requirements, and filling vacancies on the Housing Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that Resolution Nos. 73-140, 75-97, 77-22, and 87-131 are hereby amended as follows:

I. Change Subdivision 6, Chairperson, to read:

The Chairperson shall be elected by majority vote of the Housing Commission membership. The election shall be conducted at the Housing Commission's first regular meeting of the calendar year, or, in the case of a vacancy, within two regularly scheduled Housing Commission meetings from the time a vacancy of the chair occurs. The Chairperson may be removed by majority vote of the Housing Commission membership. The Chairperson shall assure fulfillment of the following responsibilities in addition to those otherwise described herein:

II. Change Subdivision 6, Representation Requirements, to read:

Due regard shall be given by the Mayor and City Council in appointing Commission members which will take into consideration geographical distribution within the City, as described in Subdivision 11, and the representative nature of the Commission in terms of gender, religion, ethnic, racial, age, handicapped, employee, and employer groups.

III. Change Subdivision 6, Resignations - Removal from Office - Vacancies, to read:

Commissioners may resign voluntarily or may be removed from office by the Mayor with consent by majority vote of the City Council. Three consecutive unexcused absences from the duly called Commission meetings or

unexcused absences from a majority of duly called Commission meetings within one calendar year shall constitute automatic resignation from office. The City staff liaison shall inform the Mayor and City Council of such automatic resignations. Vacancies in the Commission shall be filled by Mayoral appointment with majority consent of the City Council.

Notices of vacancies shall be posted for 30 days before any official City Council action is taken. Vacancies shall be announced in the City's official newspaper and notices of vacancies shall be sent to all members of standing advisory commissions. Applications for Housing Commission membership must be obtained in the City Clerk's office and must be submitted in writing to the City Clerk who shall forward copies of the applications to the Mayor and City Council. The Mayor shall present at a regular City Council meeting the nominee for Housing Commission appointment who has submitted the required application form. By unanimous vote, the City Council may approve an appointment at the City Council meeting at which the nominee was presented, or, by majority vote, the City Council may approve an appointment at a regular City Council meeting following the presentation of the nominee.

BE IT FURTHER RESOLVED by the City Council that the present term of the Housing Commission chairperson shall expire upon passage of this resolution and the Housing Commission membership shall elect a chairperson for the Commission at the next regularly scheduled Commission meeting with a term to expire December 31, 1992. Thereafter, the Housing Commission chairperson shall be elected by the Housing Commission membership at its first regular meeting of each calendar year.

June 8, 1992

Date



Todd Paulson, Mayor

ATTEST:

Patricia A. Page
Deputy Clerk

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

Todd Paulson, Celia Scott, Jerry Pedlar, Dave Rosene, and Philip Cohen; and the following voted against the same: none, whereupon said resolution was declared duly passed and adopted.

unexcused absences from a majority of duly called Commission meetings within one calendar year shall constitute automatic resignation from office. The City staff liaison shall inform the Mayor and City Council of such automatic resignations. Vacancies in the Commission shall be filled by Mayoral appointment with majority consent of the City Council.

Notices of vacancies shall be posted for 30 days before any official City Council action is taken. Vacancies shall be announced in the City's official newspaper and notices of vacancies shall be sent to all members of standing advisory commissions. Applications for Park and Recreation Commission membership must be obtained in the City Clerk's office and must be submitted in writing to the City Clerk who shall forward copies of the applications to the Mayor and City Council. The Mayor shall present at a regular City Council meeting the nominee for Park and Recreation Commission appointment who has submitted the required application form. By unanimous vote, the City Council may approve an appointment at the City Council meeting at which the nominee was presented, or, by majority vote, the City Council may approve an appointment at a regular City Council meeting following the presentation of the nominee.

BE IT FURTHER RESOLVED by the City Council that the present term of the Park and Recreation Commission chairperson shall expire upon passage of this resolution and the Park and Recreation Commission membership shall elect a chairperson for the Commission at the next regularly scheduled Commission meeting with a term to expire December 31, 1992. Thereafter, the Park and Recreation Commission chairperson shall be elected by the Park and Recreation Commission membership at its first regular meeting of each calendar year.

June 8, 1992

Date



Todd Paulson, Mayor

ATTEST:

Patricia A. Page
Deputy Clerk

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

Todd Paulson, Celia Scott, Jerry Pedlar, Dave Rosene, and Philip Cohen; and the following voted against the same: none, whereupon said resolution was declared duly passed and adopted.

Member Kathleen Carmody introduced the following resolution and moved its adoption:

RESOLUTION NO. 95-79

RESOLUTION AMENDING THE ENABLING RESOLUTIONS OF THE BROOKLYN CENTER HOUSING COMMISSION

WHEREAS, Resolution Nos. 73-140, 75-97, 77-22, 87-131, and 92-136 define the duties and responsibilities of the Brooklyn Center Housing Commission; and

WHEREAS, the Brooklyn Center City Council wishes to amend certain sections of these resolutions regarding filling vacancies on the Housing Commission and by updating these resolutions with gender neutral language.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center that Resolutions 73-140, 75-97, 77-22, 87-131, and 92-136 are hereby amended as follows:

I. Change Subdivision 6, Members' Term of Office, to read:

Members of the Commission shall be appointed by the Mayor with majority consent of the Council. The terms of office shall be staggered three-year terms, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall be appointed only for the remainder of such term. Upon expiration of his or her term of office, a member shall continue to serve until his or her successor is appointed and shall have qualified. Terms of office for members of the Commission shall expire on December 31 of respective calendar years.

II. Change Subdivision 6, Conflict of Interest, to read:

No Commissioner shall take part in the consideration of any matter wherein he or she is the applicant, petitioner, or appellant, nor in the consideration of any application, petition, or appeal wherein his or her interest might reasonably be expected to affect his or her impartiality.

III. Change Subdivision 6, Resignations—Removal from Office—Vacancies, to read:

Commissioners may resign voluntarily or may be removed from office by the Mayor with consent by majority vote of the City Council. Three consecutive unexcused absences from the duly called Commission meetings or unexcused absences from a majority of duly called Commission meetings within one calendar year shall constitute automatic resignation from office. The City staff liaison shall inform the Mayor and City Council of such automatic resignations. Vacancies in the Commission shall be filled by Mayoral appointment with majority consent of the City Council. The procedure for filling Commission vacancies is as follows:

1. Notices of vacancies shall be posted for 30 days before any official City Council action is taken;
 2. Vacancies shall be announced in the City's official newspaper;
 3. Notices of vacancies shall be sent to all members of standing advisory commissions;
 4. Applications for Commission membership must be obtained in the City Clerk's office and must be submitted in writing to the City Clerk;
 5. The City Clerk shall forward copies of the applications to the Mayor and City Council;
 6. The Mayor shall identify and include the nominee's application form in the City Council agenda materials for the City Council meeting at which the nominee is presented;
 7. The City Council, by majority vote, may approve an appointment at the City Council meeting at which the nominee is presented.
- IV. Change Subdivision 10, EX OFFICIO MEMBERS, to read:

The Mayor or his or her Councilperson-appointee shall serve as an ex officio member of the Commission, privileged to speak on any matter but without a vote, and shall provide a liaison between the Commission and the City Council.

March 27, 1995

Date

Myrna Kragness

Mayor

ATTEST:

Sharon Knutson

Deputy Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member
Kristen Mann and upon vote being taken thereon, the following voted in
favor thereof: Myrna Kragness, Kristen Mann, Debra Hilstrom, and Kathleen Carmody;

and the following voted against the same: none,
whereupon said resolution was declared duly passed and adopted.

Member Debra Hilstrom introduced the following resolution and moved its adoption:

RESOLUTION NO. 98-13

RESOLUTION AMENDING THE ENABLING RESOLUTIONS OF THE CITY ADVISORY COMMISSIONS

WHEREAS, the City Council adopted resolutions which define the duties and responsibilities of the Brooklyn Center City Advisory Commissions; and

WHEREAS, the Brooklyn Center City Council wishes to amend the enabling resolutions for the Financial, Housing, Human Rights and Resources, and Park and Recreation Commissions in the section regarding **Resignations—Removal from Office—Vacancies** to reflect that the City Council liaison shall inform the Mayor and City Council of automatic resignations of commission members.


NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brooklyn Center, Minnesota, that the enabling resolutions of the Financial, Housing, Human Rights and Resources, and Park and Recreation Commissions are hereby amended as follows:

Change the paragraph in the section **Resignations—Removal from Office—Vacancies** to read:

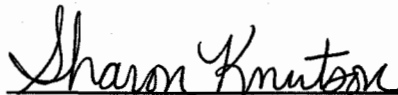
Commissioners may resign voluntarily or may be removed from office by the Mayor with consent by majority vote of the City Council. Three consecutive unexcused absences from the duly called Commission meetings or unexcused absences from a majority of duly called Commission meetings within one calendar year shall constitute automatic resignation from office. The City Council liaison shall inform the Mayor and City Council of such automatic resignations. Vacancies in the Commission shall be filled by Mayoral appointment with majority consent of the City Council.

January 12, 1998

Date


Mayor

ATTEST:


City Clerk

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

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

Myrna Kragness, Kathleen Carmody, Debra Hilstrom, Kay Lasman, and Robert Peppe;

and the following voted against the same: none,

whereupon said resolution was declared duly passed and adopted.

What to Do in the Short, Medium, and Long Terms

Short-term recommendations should be the city’s immediate objective. They will set the stage. Recommendations in the medium term would be important to implement or set up before the development of the Opportunity Site. The long-term column designates recommendations tied to the development site as plans are evaluated and development occurs.

Short Term	Medium Term	Long Term
Hire a housing coordinator to increase staff capacity to carry out the recommendations outlined in the report and below.		
<p>Increase tenant protections, eviction protections, and rental assistance</p> <p><i>*Just Cause expanded</i> <i>*Rental assistance not yet funded waiting for County funds</i></p>	<p>Pursue CURA’s Housing Study recommendation specifically related to tenant protections, preservation of NOAH housing, and increasing access to wealth-building opportunities</p>	<p>Use TIF to incentivize development</p>
<p>Develop a community information hub and expand access to financial literacy programs <i>*Partner with ACER/CAPI</i></p>	<p>Evaluate feasibility of a Tenant Opportunity to Purchase Act, inclusionary housing, community preference policies</p>	<p>Maximize public benefit of TIF by using it toward housing trust fund</p>
<p>Identify NOAH properties and form relationships with their owners</p> <p><i>*Ongoing via rental inspectors</i></p>	<p>Pursue land trusts, real estate investment trusts (REITS), and multifamily ownership models</p>	<p>Create a small business incubator on the Opportunity Site</p>
<p>Create an Equitable Development Scorecard and land disposition policy</p> <p><i>*EDS done - Land Disposition Policy in progress</i></p>	<p>Support maintenance of NOAH properties and protect their renters</p>	<p>Pursue cooperative ownership models for future commercial development</p>
<p>Formalize the Opportunity Site citizens advisory council</p> <p><i>*Engagement for Opportunity Site is done</i></p>	<p>Establish rehab funds for NOAH properties</p>	<p>Reinvest Opportunity Site TIF funds to support nearby residents</p>
<p>Evaluate feasibility of all city-owned sites for homeownership development opportunities</p> <p><i>*Work in progress</i></p>	<p>Support small-scale rental development on city-owned sites</p>	
<p>Identify and pursue financing incentives for homeownership development: impact funds, banks, philanthropy</p>	<p>Expand homeownership opportunities by allowing different housing typologies and ownership models</p>	
<p>Establish a housing trust fund</p> <p><i>*Land sale for Opportunity Site will help start a trust fund</i></p>	<p>Leverage public, private, and philanthropic sources to develop and work with developers on 4 and 9 percent tax-credit applications</p>	



DATE: September 17, 2024

TO: Housing Commission of the City of Brooklyn Center

THROUGH: Krystin Eldridge, Associate Planner | Ian Alexander, Economic Development Manager

FROM: Breanne Rothstein, Thrive LLC

SUBJECT: Consideration of Adoption of an Ordinance Creating a Local Housing Trust Fund (LHTF)

Recommendation:

Motion to recommend City Council approval of an ordinance establishing a Local Housing Trust Fund.

Background & Overview

In 2021, the Minnesota State legislature approved a funding match if communities created a local housing trust fund (this was also funded in subsequent years). In order to take advantage of this resource, and to position Brooklyn Center to be able to accept other sources of funding for housing, both market rate and affordable, staff recommends the creation of the Housing Trust Fund, which requires an ordinance.

It should be noted that each source of funding for the housing trust fund requires separate parameters and affordability levels. Each funding source will need to be segregated into separate sub-accounts for tracking and ensuring compliance with original funding source.

For the purposes of this discussion, the state trust housing matching fund program will require the following restrictions:

- Must be matched by a local contribution (1 to 1 match for funds up to \$150,000 and up to 2 to 1 match for funds up to \$300,000, subject to availability). This match is required to be “new” public revenue.
- Must be used for housing/eligible expenses for households at or below 115% of State Median Income
- Must be used within 5 years
- May be used for development, re-habilitation, or financing of housing development, down payment assistance, rental assistance, homebuyer counseling, admin expenses (up to 10%).

Each funding source will have its own set of requirements for spending, eligibility, and affordability levels. In addition to HRA levy and Local Affordable Housing Aid from the sales tax (LAHA), private donations, CDBG, HOME, TIF, and loan proceeds are other potential sources of funding for a local housing trust fund.

For more information on housing trust funds, the Minnesota Housing Partnership has put together a great resource.

<https://mhponline.org/wp-content/uploads/LHTFManualMN.pdf>

Attachment

Draft Ordinance – Establishing a Local Housing Trust Fund

ORDINANCE NO. _____

ESTABLISHING A LOCAL HOUSING TRUST FUND

Section 1. The Brooklyn Center City Code, **Title X, ADMINISTRATION**, is amended to add Chapter 4XX Local Housing Trust Fund to read:

Establishment. Pursuant to the authority granted to the city under Minnesota Statutes, Section 462C.16, a Local Housing Trust Fund is established to support the development, rehabilitation, or financing of housing, support housing projects, to provide down payment assistance, rental assistance, and home buyer counseling services, and for any other purposes authorized by law.

Funding sources. Pursuant to Minnesota Statutes, Section 462C.16, subd. 4, and as determined by the city council, the Local Housing Trust Fund may be funded from multiple sources, which may include, but are not limited to the following:

(a) Budgeted allocation of funds from the city's Economic Development Authority (EDA) or Housing and Redevelopment Authority levy as approved by the Economic Development Authority and the city council.

(b) Private cash donations from individuals, organizations, and businesses designated for the Local Housing Trust Fund.

(c) Grants and loans from a federal, state, or local government or other private sources.

(d) Bond proceeds.

(e) Payments in lieu of participation in current or future affordable housing programs.

(f) Matching funds from a federal or state Local Housing Trust Fund; or a state program designated to fund a Local Housing Trust Fund

(g) Principal and interest from Local Housing Trust Fund loan repayments and all other income from Local Housing Trust Fund activities, including but not limited to investment earnings.

(h) The sale of real and personal property as approved and as designated by the city council.

(i) Local government appropriations, development fees and other funds as designated from time to time by the city council.

(j) Tax Increment Finance (TIF) pooled funds.

(k) Other sources of funding approved by the city council.

Use of funds. Pursuant to Minnesota Statutes, Section 462C.16, subd. 3, funds in the Local Housing Trust Fund may only be used for the following:

(a) Making grants, loans, and loan guarantees for the development, rehabilitation, or financing of housing.

(b) Matching other funds from federal, state, or private resources for housing projects.

- (c) Providing down payment assistance, rental assistance, and home buyer counseling services.
- (d) Payment of administrative expenses of the Local Housing Trust Fund in the maximum amount of ten percent of the balance of the Local Housing Trust Fund.
- (e) Financing the acquisition, demolition, and disposition of property for housing projects.
- (f) Financing construction of public improvements and utilities to aid proposed residential developments.
- (g) Financing the rehabilitation, remodeling, or new construction of housing.
- (h) Interim financing of public costs for housing projects in anticipation of a permanent financing source (i.e., construction financing, bond sale, etc.)
- (i) Other uses as permitted by law and approved by the city council.

Administration of Local Housing Trust Fund.

- (a) The Economic Development Authority in and for the City of Brooklyn Center (the "EDA") shall administer the Local Housing Trust Fund on behalf of the city.
- (b) Program Establishment. The EDA shall determine the terms and conditions of funds administered from the local housing trust fund, including, but not limited to eligible applicants, terms of repayment, interest rates, forgiveness terms of loans and grants or any other applicable terms and conditions. Each program shall be according to any statutory or federal restrictions on use of funds.
- (c) Reporting. The EDA shall report annually to any applicable agencies on the use of the Local Housing Trust Fund, according to the requirements of each funding source