

MEMORANDUM

To: Policy Board Members and Alternates

From: Robert D. Miller, Director

Date: January 16, 2007

Subject: Kenny Neighborhood Request for Waiver to enter Phase II Planning, Phase I Plan Modification # 9 and Phase II Plan Modification # 1, and Phase II Participation Agreement approval.

The Kenny NRP Phase I Neighborhood Action Plan was adopted by the Policy Board on September 30, 1996. The total appropriation for the plan was \$614,220. The Kenny NRP Phase I Plan Review was presented at a widely advertised neighborhood meeting on December 13, 2005, and distributed to the NRP Policy Board on February 27, 2006.

As of September 22, 2005, the neighborhood had contracted 71% and expended 69% of its NRP Phase I Neighborhood Action Plan funds. As of November 22, 2006, more than a year later, the dollar amount contracted had increased by only 4% to 75%.

In its action of July 24, 2000 adopting the Phase II Planning Process for neighborhoods, the Board established the threshold for entering Phase II as either 95% contracted or 85% expended of the neighborhood's Phase I appropriation. The only exception to this threshold was if the remaining funds allocated but uncontracted were to be expended on a single project. The KNA Board requests a waiver to the contracted and expended requirements for entry into Phase II Plan development based on the fact that 86% of the remaining Phase I funds for this neighborhood are dedicated to a single project.

The basis for the waiver request is that the funded but yet uncontracted strategies for the Lyndale Avenue South Renewal– Creek to Crosstown (LASR-CC) redevelopment and the approved Master Plan for the area are not yet ready for implementation. The realignment of Hwy 121 (the southern gateway) is in the capital budget of the State for 2010-2011. Meetings between the County and LASR-CC on the Lyndale Avenue Bridge over Minnehaha Creek will be occurring shortly.

As a result, KNA requests that \$132,198.02 of NRP Phase I funds be rolled over to the NRP Phase II Plan for future Lyndale Avenue South Improvements. These funds would come from the following Phase I NAP strategies:

\$18,000	Kenny Park and Recreation Strategy 3.1.2 (a bikeway component identified in the new Lyndale Master Plan)
\$5,000	Lyndale Avenue Strategy 1.2.1 (Lyndale Ave. Market Study)
\$15,000	Lyndale Avenue Strategy 1.2.2 (Lyndale Gateway)
\$89,198.02	Lyndale Avenue Strategy 1.2.3 (Lyndale Streetscape Improvements)
\$5,000	Lyndale Avenue Strategy 1.2.4 (Parking needs analysis/study)

Based upon my review of the progress that Kenny has made on implementing their Phase I Neighborhood Action Plan it is clear to me that these funds would have been expended already but for the complex and extensive nature of this single priority of the neighborhood. I am, therefore, recommending approval of this request for a waiver of the Phase I contracting and expenditure entry requirement.

If this waiver is granted, the neighborhood is making several additional requests. Normally, these requests would be administratively approved under the authority the Board has previously granted to the Director for approving reallocations of less than \$50,000 and Phase II Participation Agreements. To expedite matters for the neighborhood, however, I am bringing those requests to the Board for approval as part of the entry waiver action.

Kenny Neighborhood is requesting a reallocation of \$22,500 from an existing strategy in their Phase I NAP to Roll Over Funds for development of the Kenny Neighborhood NRP Phase II Plan as follows:

\$22,500 from Lyndale Avenue, Strategy 1.2.2, Lyndale Gateway,
to a new NRP Phase II Plan Strategy, Phase II Plan Development.

The Kenny Neighborhood Association also requests approval of its NRP Phase II Participation Agreement, which was approved at a broadly advertised neighborhood meeting held on April 18, 2006. An effective date for both the Plan Modification and the Phase II Participation Agreement of May 18, 2006, is also requested.

Based on my review of the Kenny Neighborhood Association requests for (1) waiver of guidelines for entrance into Phase II Planning, (2) rollover \$132,198.02 of NRP Phase I funds for Lyndale Avenue South Improvements, (3) rollover \$22,500 of NRP Phase I funds for Development of the NRP Phase II Action Plan, and (4) approval of the Kenny Phase II Participation Agreement; I recommend the following resolution;

WHEREAS: The Kenny Neighborhood Association completed implementation of all other NRP Phase I Neighborhood Action Plan priority projects and prepared and submitted its NRP Phase I Highlights to the Policy Board; and

WHEREAS: The Kenny neighborhood identified Lyndale Avenue improvements as a priority in its Phase I NRP Neighborhood Action Plan and continues to be a partner with the City, County and State to implement the Lyndale Avenue South Master Plan; and

WHEREAS: The construction of Hwy 121 and Lyndale Avenue South are planned within the same time frame as the Kenny NRP Phase II Neighborhood Action Plan implementation; and

WHEREAS: The Kenny Neighborhood Association presented its Phase II Participation Agreement at a broadly advertised meeting for approval on April 18, 2006, to be funded by a Plan Modification of \$22,500 approved May 18, 2006; and

WHEREAS: NRP staff reviewed the Kenny Phase II Participation Agreement and determined that it is consistent with the guidelines adopted by the NRP Policy Board May 15, 2001;

THEREFORE, BE IT RESOLVED: That the Minneapolis Neighborhood Revitalization Program Policy Board (“Board”) hereby approves the Kenny Neighborhood Association request for a waiver of the contracting and expenditure threshold requirements for beginning Phase II planning; and

RESOLVED FURTHER: That the Board approves the Kenny Neighborhood Association request to rollover funds in the amount of \$132,198.02 from its NRP Phase I Neighborhood Action Plan to its NRP Phase II Action Plan for implementation of the Lyndale Avenue South Improvements; and

RESOLVED FURTHER: That the Board approves the Kenny neighborhood request for reallocation of \$22,500 from Lyndale Avenue Strategy 1.2.2 Lyndale Gateway of their Phase I Neighborhood Action Plan, to a new NRP Phase II Strategy, Phase II Plan Development with an effective date of May 18, 2006;

RESOLVED FURTHER: That the Board approves the Kenny neighborhood Phase II Participation Agreement with an effective date of May 18, 2006.



Kenny Neighborhood Association

NRP Phase II Participation Agreement

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Kenny Neighborhood Association's NRP Phase II Participation Agreement

Introduction/Purpose:

The Kenny Neighborhood Association (KNA) would like to begin its planning for the second round of NRP funding. The KNA will organize, develop, review, and approve a Neighborhood Action Plan which will outline how the NRP Phase II funding will be utilized in our neighborhood. This Participation Agreement describes the updated demographics of the Kenny neighborhood, how development of the action plan will occur, and what support resources will be needed for this plan development to occur. It contains details on how information will be disseminated to residents and other community stakeholders, what decision-making groups will develop the plan, and how grievances will be handled. Our goal is that the plan development process is inclusive and equitable, and that the plan will be reflective of the needs, concerns, and opportunities of the interested parties and stakeholders in the neighborhood.

Neighborhood Description:

The Kenny neighborhood is well regarded today as one of the cities' finest neighborhoods in which to live. It is abundant with residents who take great pride in their property as well as their strong sense of community. Our neighborhood is one of the safest of the eighty-one neighborhoods in the city of Minneapolis. Two public schools and the Kenny park shelter are encompassed within the Kenny borders; as well as two churches and five commercial properties. Grass Lake, at the southernmost tips of the neighborhood, is a unique and treasured feature of the area.

The Kenny neighborhood is bordered by 54th Street on the north, the Crosstown Highway on the south, the Logan Avenue alley on the west, and Lyndale Avenue on the east.

The demographic makeup of the neighborhood has changed since the 1990 Census data was available. According to the 2000 Census, the total population of the Kenny neighborhood is 3,493. This reflects a decrease of 5.8% from 1990, when the overall population was 3,708. A more specific look at the neighborhood reflects the following changes in race and ethnicity:

Chart 1: Kenny Race/Ethnic Composition

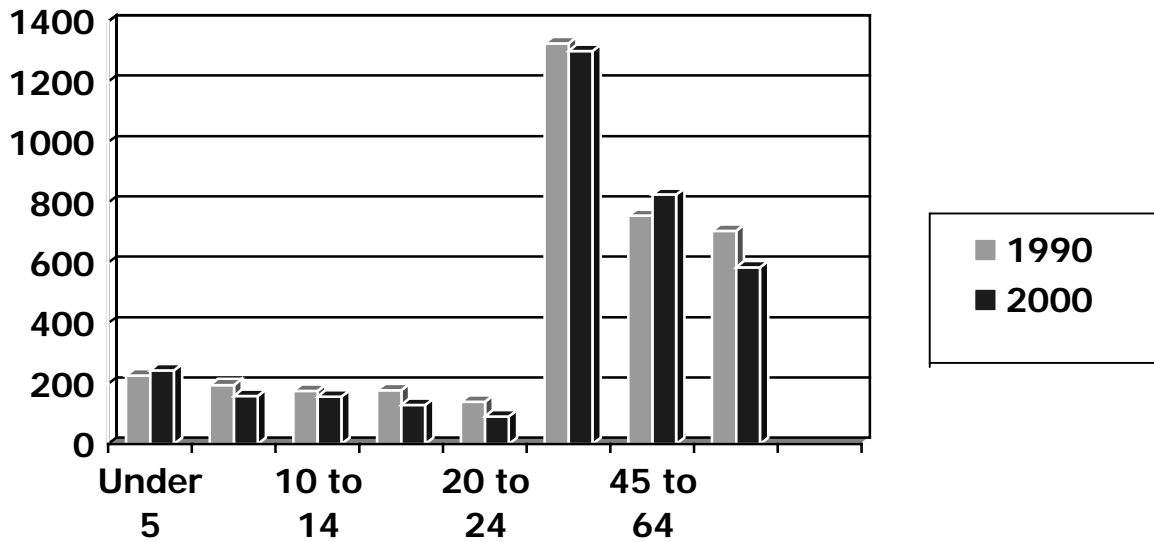
Race/Ethnicity	1990 Percentage	2000 Percentage
White alone	96.1%	93.8%
Black or African American alone	1.9%	1.7%
American Indian or Alaskan Native alone	.38%	.03%
Asian, Native Hawaiian, and other Pacific Islander alone	1.3%	2.5%
Some other race alone	.32%	.23%
Two or more races	Data unavailable	1.6%
Hispanic or Latino ethnicity	.78%	1.4%

These numbers reflect a decrease in all race and ethnicity populations between 1990 and 2000 except for the Hispanic/Latino and Asian, Native Hawaiian, and other Pacific Islander groups.

In addition, changes have occurred in age groups within the neighborhood since 1990:

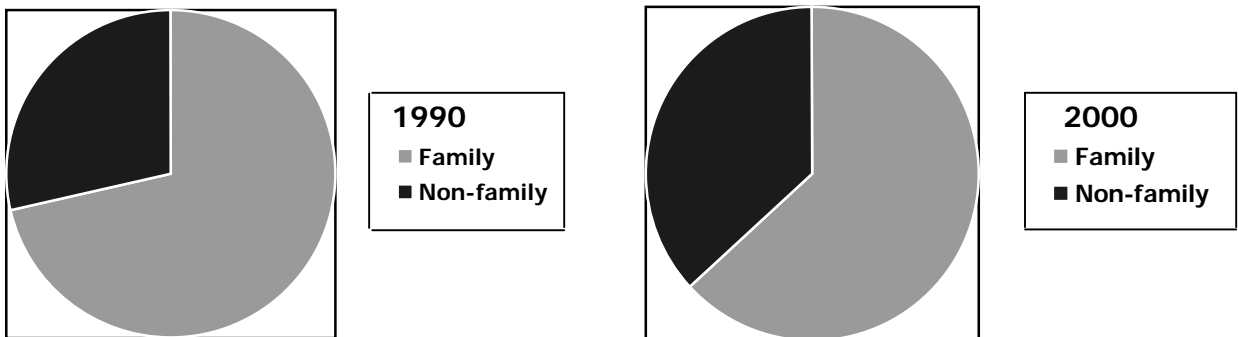
There were few population increases, with the greatest being in the age group of 45-64. A similar decrease in population of 35.0% and 37.2 % occurred in the 20-24 and 65-74 age groups respectively.

Chart 2: Kenny Population Age Distribution



In 2000, the neighborhood has 1,570 housing units, of which only 15 are larger than one unit. This is a change from 39 two-unit structures out of 1,558 in 1990. The household composition in these units has changed significantly in the past ten years. The number of family households decreased by 10.5% and the non-family households increased 30.5%. (A family household is defined as a married couple with or without children, or a single parent living with children.)

Chart 3: Kenny Household Composition



Plan Development: Organizational Structure

A Steering Committee has been established to oversee the development of the Phase II Kenny Neighborhood Action Plan. The Kenny Neighborhood Association (KNA) Board recruited Steering Committee representatives via the neighborhood newsletter, e-mail listserv, and personal invitations to find the participants. The Steering Committee is comprised of approximately ten members and two alternates; one business, school, and park representative, with the remaining nine members being residents. The two churches in the neighborhood were invited to join the committee as well, but declined. The residents range from long-established to newly moved-in neighbors, seniors, parents with children, married empty nesters, and singles.

The Steering Committee will act as a Task Force within the KNA with a limited term and purpose. Its activities will be guided by the Participation Agreement and subject to approval of the KNA Board. The Committee will be responsible for conducting outreach efforts for all parts of the Phase II Action Plan development and approval process, as well as developing and implementing the tools that will be used to gain neighborhood input, and the actual drafting of the plan itself. The Committee will have the responsibility to oversee the plan development and approval activities, as well as delegate tasks to smaller work groups. Once completed, the KNA will approve the NRP Action Plan prior to its submission to the neighborhood at large.

A variety of tools will be used for publicizing outreach efforts such as meetings, focus groups, and surveys. The neighborhood and school newsletters, mailings to residents, flyers at the park and businesses, announcements in the community newspaper, school and neighborhood e-mail listserv notices, information at neighborhood events, and the KNA website can all be utilized as appropriate.

The KNA's goal is to have the Steering Committee conduct its' activities, and have a draft of a plan in place within 12 months following approval of the Phase II Participation Agreement. The KNA believes it already has a knowledge base in place on how to conduct this process, which will cut down the time and learning it took to draft the first plan. In addition, the KNA will encourage the Steering Committee to have smaller work groups conducting outreach activities simultaneously, rather than sequentially, to cut down the amount of time it takes to gather input and information used in drafting a plan. See addendum A for a detailed timetable.

Plan Development: Outreach

Although the involvement of a wide diversity of residents has been difficult in the past, the KNA hopes that with creative ideas and energy, we can involve many people who may have been disinterested or uninvolved previously. For instance, the KNA now has access to a number of under-represented groups through avenues that already exist in the neighborhood. KNA has worked with the local businesses on a master planning process over the past few years. From their meetings and our mailing database, the KNA can send out flyers about meetings, surveys, focus groups, etc. Since rental properties in the neighborhood are minimal and clustered in certain areas, they can easily be targeted with hand-delivered flyers and door-knocking as needed. Youth groups can be accessed through our close relationship with the Kenny park and school staff. In addition, the Steering Committee would like to conduct survey interviews at the annual summer festival to reach residents who might not attend other neighborhood events.

The KNA has numerous tools for publicizing meetings and voting notices. The KNA has access to a large bulletin board in the park building that can be used for posting information. The schools have a newsletter that the KNA can submit information to and have distributed to the entire student body and their families. In addition, the KNA publishes a quarterly newsletter that is mailed to every household and can be used to disseminate critical information. Additional postcard mailings can relay information on what may occur between newsletters. Meetings are also publicized per special request in the SW Journal. In addition, the KNA has its' monthly meetings posted on the Kenny park sign, and could also coordinate special meeting notices there as needed. Finally, the KNA has an established website and listserv, which would be excellent tools for posting important information.

The KNA can work with other established neighborhood groups to help get the word out. The KNA can get on the agenda of the school's PTA and Site Council to advertise meetings and solicit involvement of residents in plan development. The Park staff works with the Kenny Park Activities Council (KPAC) to plan sports programs and special activities. The KPAC holds monthly meetings where the KNA could advertise meetings and solicit involvement of residents in plan development.

Although the numbers are growing, the KNA has few residents that may be non-English speaking (see demographics page 1). The KNA does not have the capacity or resources to reach out to such a small group of residents. However, the KNA will remain sensitive to the issue and do its best to address these needs as they may arise (e.g. securing translators).

The KNA can reach out to residents in a number of non-traditional ways to solicit their participation. As mentioned earlier, the KNA can use our listserv as well as the neighborhood website for posting information. The KNA is considering plans to conduct a neighborhood-wide survey and intends to conduct a number of targeted focus groups such as one for seniors, one for teens, one for Lyndale Avenue residents, etc. To encourage residents to complete the survey or come to a focus group, they may be offered incentives such as a free child care and food during the focus groups or being entered into a drawing for completing the survey. We also hope to increase survey participation by enabling residents to complete it via our website.

Plan Development: Process

The KNA will complete a variety of steps in developing its Phase II Neighborhood Action Plan. The KNA has already completed a review of its Phase I goals and strategies, and this data has been entered into PlanNet, NRP's database. A report on these accomplishments was developed and was approved at a neighborhood meeting in December 2005. This report will continue to be available at our annual meeting and neighborhood festival; our most well-attended events.

In addition, the KNA intends to do a follow-up survey similar to the one completed in Phase 1 to gauge resident's impressions of changes in the neighborhood and help identify future issues to address. The KNA will also hold focus groups or town meetings with stakeholders in the neighborhood for input on the new plan. Progress reports will be given at neighborhood meetings and in the neighborhood newsletter so residents can be kept informed and share their feedback in less formal manners.

The NRP Steering Committee will be responsible for generating advertising and communications materials related to the process of drafting the neighborhood action plan. The Steering Committee will work in conjunction with the KNA's communication committee to coordinate information in the newsletter cycles. Neighborhood volunteers and staff will assist with conducting the surveys and coordinating focus groups. A liaison from the Steering Committee will attend KNA board and neighborhood meetings to keep the board members and residents up to date on their progress.

Along with its internal processes, the Steering Committee will consult with city and government partners for guidance and expertise in relation to its action plan strategies. These partners may include the Minneapolis Park and Recreation Board, the Minneapolis School District, the Minneapolis Community Planning and Economic Development Agency, Public Works, etc. Additionally, the KNA will request assistance on tabulating its survey results, and utilize NRP staff for technical assistance as needed.

The KNA board will be responsible for reviewing and approving the action plan draft developed by the Steering Committee. The plan draft will be summarized and distributed by mail to every household, business, and other property in the neighborhood. In addition, a stack will be placed in the park building and possibly high-traffic businesses. A notice will be put in the neighborhood newsletter about how to get additional copies. Ballots will be attached to the draft to allow residents to simply return their response by mail. Neighbors will be informed that the full plan can be viewed on the neighborhood website if they are interested in more detailed information, and the website may be a possible additional tool for voting on the draft plan. Also, the Annual Meeting in April 2007 will be the meeting where the plan is presented publicly so that residents can ask questions and complete their vote on site. Once all necessary parties approve the plan, the KNA Board will oversee the implementation of the plan in coordination with designated KNA committees and its NRP coordinator.

The anticipated timeline for these processes are included (see Addendum A).

Grievances and Conflict of Interest

The KNA will follow its approved grievance policy established in its by-laws if the need arises (see Addendum C). The KNA has also established a Conflict of Interest Policy that can be reviewed in Addendum D.

Participation Agreement Modification

If a modification of the participation agreement appears to be needed, the KNA will instruct the Steering Committee to draft the proposed modification. The modified participation agreement will then be resubmitted for neighborhood approval, with subsequent final approval by the KNA Board and submission to NRP for review and approval.

Resources Needed

A budget for the plan development process is attached (see Addendum B).

Kenny Neighborhood Phase II Plan Development Timeline

Addendum A

	Apr-06	May-06	Jun-06	Jul-06	Aug-06	Sep-06	Oct-06	Nov-06	Dec-06	Jan-07	Feb-07	Mar-07	Apr-07	May-07	Jun-07
Participation agreement approval	■														
Drafting of survey		■	■												
Conducting survey interviews				■											
Conducting mail survey					■	■									
Conducting focus groups						■	■								
Data compilation/drafting plan								■	■	■	■				
Write plan and send to partners											■	■			
Plan draft and ballot sent out												■	■		
Plan presentation and vote													■		
Approvals by policy board, city														■	■
Implementation begins July 2007															

KNA Phase II Plan Development Budget

Personnel		
Coordinator	\$20/hr:15 hrs/week:1 yr.	\$15,600
Office		
KNA Insurance	Annual Renewal	\$250
Supplies	Notepads, envelopes, paper	\$500
Communications		
Major printing/distribution	Survey, action plan drafts, etc	\$3,000
Advertising/promotion	Flyers, postcards, ads, postage	\$2,000
Bulk Mail permit fee	Annual Renewal	\$150
Contingency Fund		\$1,000
	*Budget Total	\$22,500

*Funds for plan development will come from the Kenny Neighborhood's Phase I allocation.

Kenny Neighborhood Association's Grievance Procedure

All grievances against KNA or any of its activities shall be made in writing and directed to the Board of Directors. The grievance shall be given to all Board Members at the next possible Board of Director meeting at which time it shall be considered. The Board of Directors shall respond in writing, within thirty (30) days of this meeting.

Upon receipt of the written Board response, the complainant has 30 days to appeal or accept the written response. If no further action is taken within thirty (30) days, the Board will consider the matter resolved.

If the complainant is not satisfied with the Board's determination, the complainant may apply for any and all remedies due under law.

Kenny Neighborhood Association's Conflict of Interest Policy

Everyone who is involved with the Neighborhood Revitalization Program (NRP) must be sensitive to conflicts of interest and related issues. This policy applies to all transactions, contracts, and programs funded wholly or in part by NRP.

Definition:

A conflict of interest occurs when the interest of a participant, a member of the participant's household or a participant's organization conflict or appear to conflict with the interests of the NRP or the Kenny Neighborhood Association (KNA). A conflict of interest also can occur when a participant, a member of the participant's household or a participant's organization has a substantial and financial interest in an action to be taken by the KNA. A participant includes any officer, board member, committee chair, or employee of the KNA.

Situations which create a conflict of interest:

1. Participants may not directly or indirectly give, offer, request, or accept gifts or gratuities from any person in connection with a program or other action pending before the KNA
2. Participants and members of their households may not use their position with the KNA for personal or organizational advantage over members of the public
3. Participants and members of their households may not participate in programs which are funded, in whole or part, by NRP funds unless:
 - a) The participant discloses to the KNA that his or her application may represent a conflict of interest and such conflict is waived under this policy
 - b) The participant meets all applicable eligibility requirements established by the KNA for the specific program they are applying
 - c) The application is reviewed and acted upon in accordance with the same guidelines which apply to all applicants
 - d) The organization responsible for the review and action on the participants application maintains in its program records certification that the participant and KNA has complied with the requirements of this section, and that the KNA has taken official action to waive potential the potential conflict pursuant to this section
4. Participants and members of their households have a conflict if they serve on the board of directors of or act as an employee or independent contractor to any of the following:
 - a) Any entity, which receives or seeks to receive NRP funds administered by the KNA
 - b) Any entity, which conducts any activities, or seeks to conduct any activities which are or may be paid for, in whole or in part, by NRP funds administered by the KNA
 - c) Any entity, which governs, regulates, implements, or monitors activities funded by the NRP

Relief requirements:

Conflicts of interest may be waived after full and complete disclosure if the organization makes the findings and records in the minutes that granting a waiver is in the best interest of the KNA and NRP.

After disclosure, the participant may ask or be asked to recuse him or herself from discussion and/or voting on the subject matter of the disclosure. The Board of the KNA shall rule on whether relief is warranted and what form that relief shall take (e.g. recusal). Meeting records must include the persons present at the meeting, the name of the person making the disclosure, the details of the disclosure, a summary of the discussion on the disclosure, the relief requested, the ruling of the Board, and the relief granted or denied and the vote taken.

Written disclosure documents shall be retained by the KNA's secretary as part of the KNA's records. A board member must update his/her conflict of interest record if changes occur during the year.

The KNA must conduct an annual review of this policy at its annual meetings. The policy must be distributed to residents who wish to serve in any of the positions subject to this policy prior to any election or appointment that places them in office. The participants shall sign the document and this document shall be retained by the organization.

I have read and understand the terms of the Kenny Neighborhood Association's conflict of interest policy, and

____ I do not have any conflict of interest disclosures to make at this time

____ I have the following conflict of interest disclosures to make at this time:

Signature

Date