MINNEAPOLIS CITY COUNCIL
OFFICIAL PROCEEDINGS

REGULAR MEETING OF
MAY 25, 2007

(Published June 2, 2007, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
May 25, 2007 - 9:30 a.m.
Council President Johnson in the Chair.
Present - Council Members Colvin Roy, Glidden, Remington, Benson, Goodman, Samuels, Gordon, Hofstede, Ostrow, Schiff, Lilligren, President Johnson.
Absent – Council Member Hodges.
Lilligren moved adoption of the agenda. Seconded.
Adopted upon a voice vote 5/25/2007.
Absent - Hodges.
Hofstede moved to amend the agenda by adding consideration of a resolution to recognize the Marcy Open School Winning "Best in Presentation" in Project Citizen. Seconded.
Adopted by unanimous consent.
Absent - Hodges.
Lilligren moved acceptance of the minutes of the regular meeting of May 11, 2007. Seconded.
Adopted upon a voice vote 5/25/2007.
Absent - Hodges.
Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.
Adopted upon a voice vote 5/25/2007.
Absent - Hodges.

PETITIONS AND COMMUNICATIONS

CLAIMS:
RISK MANAGEMENT (272007)
Tort Claims Summary Report: 1st Quarter 2007.

COMMUNITY DEVELOPMENT:
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272008)
CPED's State & Regional Redevelopment Grant Applications & Awards-2006 Funding Rounds Report.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272009)

Senior Care Communities, Inc (dba Providence Place, formerly known as Nile Nursing Home, 3720-23rd Ave S): Final approval to issue refunding bonds for skilled nursing home.

Multifamily Housing Revenue Bond Program Guidelines: Revision to create a priority for projects in impacted areas where at least 20% of the units are market rate.

COMMUNITY DEVELOPMENT and WAYS AND MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272010)

2007 Metropolitan Council Livable Communities Demonstration Account: Applications for grant funding & ranking of applications.

Federal Empowerment Zone Grants: Approve use of EZ grant funds to execute contracts with Lundstrum Center for the Arts (1617 N 2nd St) & Plymouth Christian Youth Center (intersection of W Broadway & Oliver Ave N).

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (272011)

Lowry Hill NRP Phase II Neighborhood Action Plan.

HEALTH, ENERGY AND ENVIRONMENT:

COORDINATOR (272012)

2007 Sustainability Annual Report - Living Well.

HEALTH AND FAMILY SUPPORT SERVICES (272013)

Emergency Preparedness: Quarterly Update.

HEALTH, ENERGY AND ENVIRONMENT (See Rep):

MAYOR (272014)

Civil Rights Director: Appoint Michael Jordan as Director of Minneapolis Department of Civil Rights for the remainder of term expiring January 2, 2008.

HEALTH, ENERGY AND ENVIRONMENT and WAYS AND MEANS/BUDGET (See Rep)

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272015)

Family Centered Employment and Training Services: Apply for grants in excess of $250,000 for Northway Foundation.

PUBLIC SAFETY AND REGULATORY SERVICES:

POLICE DEPARTMENT (272016)

MPD Internal Affairs Audit: Request to accept proposal from Everett Law Firm.

2006 Internal Affairs Unit Annual Report.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

LICENSES AND CONSUMER SERVICES (272017)

Pantry Food Market (5200 Bryant Av N): Grant Grocery and Tobacco Dealer Licenses, subject to conditions.

Licenses: Applications.

LICENSES AND CONSUMER SERVICES (272018)

Shieks Palace Royale (115 S 4th St): Grant On-Sale Liquor Class A with Sunday Sales with Sunday Sales License, subject to conditions.

POLICE DEPARTMENT (272019)

Minneapolis SafeZone: Execute contract with NorthWrite Inc for work on Minneapolis SafeZone Project.

REGULATORY SERVICES (272020)

Rental Dwelling Licenses at 612 26th Av N; 2906 Emerson Av N; 2934 Colfax Av N; 3115 Sheridan Av N; 305 24th Av N; 2402 James Av N; and 1918 Queen Av N: Revoke, deny or non-renew licenses held by Paul G. Yackel.

CHRISTENSEN, LAUE & RASMUS, P.A. (272021)

C & H Excavating Co (1900 W 105th St, Bloomington): Request to refer matter of Wrecker of Buildings License to Administrative Law Judge.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS AND MEANS/BUDGET (See Rep):

ATTORNEY (272022)

Restorative Justice Programs: Award funding to Powderhorn Park Neighborhood Association; and Restorative Justice Community Action, Inc.

POLICE DEPARTMENT (272023)

MnPass I-394 High Occupancy Toll Lane Enforcement: Amend grant agreement with Minnesota Department of Transportation for police overtime to enforce toll lane rules and regulations.

Police Chaplain Services: Issue Request for Proposals for police chaplain services.

2005 Urban Area Security Initiative Grant: Amend grant agreement with Minnesota Department of Public Safety for events requiring increased security.

2005 Law Enforcement Terrorism Prevention Program Grant: Amend grant agreement with Minnesota Department of Public Safety for consultant/planner to work with Minnesota/Dakotas Analysis Center.

REGULATORY SERVICES (272024)

Linking Advance Practice Centers and Local Public Health Agencies Grant: Agreement with Hennepin County to receive further funding under grant by National Association of County and City Health Officials to plan responses to potential threats to food, water and safety during a disaster or public health emergency.

TAXES (BOARD OF EQUALIZATION) (See Rep):

CITY CLERK (272025)

Board of Appeal and Equalization: 2007 Report; Comments.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (272026)

Sale of Land: Set public hearing regarding sale of portion of Huron Blvd to U of M.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (272027)

Unpaved Alleys: Direct preparation of Feasibility Report regarding paving.

Access Minneapolis - Transportation Action Plan Study: Increase contract with Iteris, Inc. (dba Meyer, Mohaddes Associates).

Subrogation Services: Award contract to NCO Financial Systems.

Stormwater Management: Adopt 2007 Program.

Main St Bridge Reconstruction: a) Cost Participation Agreement with Hennepin County; and b) Adopt parking restrictions.

TRANSPORTATION AND PUBLIC WORKS and WAYS AND MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (272028)

Flood Area 1: Increase appropriation.

Mid-City Paving Project: Project designation and reallocation of excess bond proceeds.

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU): a) Submit grant applications; and b) Commit local funds.

Bids: a) OP 6794, Ram Building Restoration and Waterproofing, Inc., for expansion joints at State Ramps A and B; and b) OP 6796, Northern Air Corporation, for HVAC remodeling at Fire Station No. 17.

WAYS AND MEANS/BUDGET:

CITY CLERK (272029)

May 2007 Budget Status Report.

FINANCE DEPARTMENT (272030)

2007 Financial Status Report: 1st Quarter.

FIRE DEPARTMENT (272031)

May 2007 Budget Status Report.

HUMAN RESOURCES (272032)

Minneapolis Voluntary Employee Fitness Club Discounts.

POLICE DEPARTMENT (272033)

May 2007 Budget Status Report.

PUBLIC WORKS AND ENGINEERING (272034)

Water Works May 2007 Budget Status Report.

WAYS AND MEANS/BUDGET (See Rep):

BUSINESS INFORMATION SERVICES (BIS) (272035)

Fourth Precinct Safety Camera System: Increase contract C-23509; and Authorize execution of service contract to integrate Shotspotter technology.

Unisys Contract: Increase contract to cover change order transactions.

CITY CLERK (272036)

Printing, Copying, Copier Purchasing, and Mailing: Revised policy.

Convenience Copier System: Transfer to Business Information Services (BIS).

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272037)

Step-Up Youth Summer Employment Program: Execute contract with Achieve!Minneapolis.

CONVENTION & VISITORS ASSOCIATION OF GREATER MPLS (272038)

Minneapolis Convention Center: RFP for terrazzo flooring.

COORDINATOR (272039)

New Central Library Project: Change order with FKI Logistex Inc.

FINANCE DEPARTMENT (272040)

Workers' Compensation (WC) Case Management Services: Extend contract with Encore Unlimited, LLC; and RFP.

2006 Supplemental Appropriations: Appendix A.

HUMAN RESOURCES (272041)

Appointed Employee Salary Administration Plan and Compensation Administration for Classified Employees: Revised for starting salary approvals.

New Appointed Position: Director, Surface Water and Sewers.

AFSCME Local 9, General Unit: Labor agreement.

Minneapolis Professional Employees Unit: Labor agreement.

PUBLIC WORKS AND ENGINEERING (272042)

Nicollet Mall: 2008 Operating Budget.

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (272043)

Name/Re-name a Street: Application by East River Mews Assoc (vicinity of Franklin Ave SE and Thornton St SE) naming an existing, unnamed private street "River Mews Court".

Vacation:

Hennepin County Housing (vicinity of the block bounded by 28th St E, 11th Ave S, the Midtown Greenway and 10th Ave S): a portion of a public alley for open space, access to the Midtown Greenway and construction of a new portion of the alley.

Rezoning:

Greg Spaulding (3000 and 3010 West River Pkwy).

COMMITTEE OF THE WHOLE:

BIS and COMMUNICATIONS (272044)

Wireless Minneapolis, Digital Inclusion Fund, and Community Advisory Group: Updates.

COMMITTEE OF THE WHOLE (See Rep):

COORDINATOR (272045)

Community Engagement: Task Force Structure.

FILED:

COORDINATOR (272046)

Appointed Employee Salary Survey: Results.

CHILDREN'S HOSPITALS & CLINICS (272047)

Vacate public drainage and utility easements & alleyway located between Chicago Avenue and Columbus Avenue and between 25th Street and 26th Street for redevelopment of the property located within Block 5 providing for the campus expansion of Children's Hospitals and Clinics.

CHILDREN'S HOSPITALS & CLINICS (272048)

Vacate public drainage and utility easements in the vacated Elliot Avenue between Chicago Avenue and 10th Avenue and between 25th Street and 26th Street for redevelopment of the property located within the vacated Elliot Avenue for the campus expansion of Children's Hospitals and Clinics.

FELHABER, LARSON, FENLON & VOGT,P.A.(Acky-Emerson) (272049)

Lagoon Ave, West Lake St & Emerson Aves S vacate public right-of-way.

MINNEAPOLIS FIREFIGHTERS RELIEF ASSOCIATION (272050)

Legislative Commission on Pensions & Retirement: Pension Fund

MUSSMANN, CAITLIN, ET AL (272051)

Dogs: Petition to speak out on behalf of the Pit Bull Dog Breed.

The following reports were signed by Mayor Rybak on May 29, 2007, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The CLAIMS Committee submitted the following report:

Claims - Your Committee, having under consideration claims appealed from the decision of the Staff Claims Committee, now recommends that the following claims be denied:

a) Shawn Regan, 3944 12th Av S, Minneapolis
Towing
Amount Claimed: $138
b) Joe Winston, 1100 34th Av N, Minneapolis
Property Damage
Amount Claimed: $516
c) Kristi Youngblom, 2020 Garfield Av, Minneapolis
Towing
Amount Claimed: $187.82
d) Lisa Lane, 714 Maple Hills Dr E, Maplewood
Bodily Injury - Trip and Fall
Amount Claimed: $9,000
e) Diane Fischer, 5753 Sander Dr, Minneapolis
Property Damage
Amount Claimed: $729
f) Cynthia Johnstone, 3619 Fremont Av N, Minneapolis
Towing
Amount Claimed: $204.05
g) Andrew Pereira, 3245 Girard Av S, Minneapolis
Towing
Amount Claimed: $138
h) Thomas Judge, 2546 McKinley St NE, Minneapolis
Towing
Amount Claimed: $138
i) Tony Smith, 2211 Clinton Av S
Towing/Sale of Vehicle
Amount Claimed: $2,920
j) Kenneth Holt, 4529 16th Av S, Minneapolis
Towing/Sale of Vehicle
Amount Claimed: $1,414

Adopted 5/25/2007.
Absent - Hodges, Samuels.

The COMMITTEE OF THE WHOLE submitted the following reports:

Comm of the Whole - Your Committee, having under consideration the Track 2 Community Engagement Task Force, now recommends that the proposed charge and structure of the Community Engagement Task Force (as set forth in Petn No 272045), be **sent forward without recommendation.**

Lilligren moved to substitute the following report for the above report. Seconded.
Adopted by unanimous consent.
Absent - Hodges.

Comm of the Whole - Your Committee, having under consideration the Charge and Structure of the Community Engagement Task Force, now recommends approval of the structure of said Task Force to be comprised of the following members:

Voting Participants

6 Neighborhood Organizations (staff/volunteer; Large/small including the NRP categories of Redirection, revitalization and preservation)
2 Block Clubs
4 Ethnic/Cultural Organizations
2 Issue-Focused Organizations
2 Business Associations (1 large / 1 small)

Non-Voting Particpants

3 Council Members (1 chair)
1 Mayor/Representative
3-5 Staff Resources (may vary)
1 Task Force Support

8-10 Total Non-Voting Participants

2 Community Development Corporations
(1 geographic-based / 1 citywide)
1 Community Engagement Innovator
1 Civic Participation Advocate
2 At-Large Residents

22 Total Voting Participants

Your Committee further recommends approval of the Timeframe and Outline of the Track 2 Activities, as set forth in Petn No 272045 on file in the Office of the City Clerk.

Gordon moved that the substitute report be amended by reassigning the two (2) Community Development Corporations, the one (1) Community Engagement Innovator, and the one (1) Civic Participation Advocate as Non-Voting Participants. Seconded.

Lost. Yeas, 1; Nays, 11 as follows:

Yeas - Gordon.

Nays - Colvin Roy, Glidden, Remington, Benson, Goodman, Samuels, Hofstede, Ostrow, Schiff, Lilligren, Johnson.

Absent - Hodges.

Glidden moved that the substitute report be amended by adding the language that all voting participants be residents of the City of Minneapolis. Seconded.

Glidden withdrew her motion.

The substitute report was adopted 5/25/2007.

Absent - Hodges.

Comm of the Whole - Your Committee, having under consideration Community Engagement as it relates to the Neighborhood Revitalization Program (NRP), now recommends that City Council direct the City Coordinator to organize appropriate staff teams to organize and analyze the following background information as it relates to alternative options for the future focus, funding and governance of the Neighborhood Revitalization Program (NRP):

1. Relevant legislation
2. Mission statement and goals
3. Governance structure
4. Funding overview (past)
5. Financial status: trends, present, and post-2009
6. Program performance and accomplishments (investment results)
7. Impact on resident participation and inclusiveness
8. Tax policy considerations. Any actions related to tax policy to be referred to Ways & Means/Budget Committee for discussion and action.
9. Needs assessment for the future

Further, that the City Council directs the City Coordinator to report, on a quarterly basis, the progress of each staff team, at a regular meeting of the Committee of the Whole.

Adopted 5/25/2007.

Absent - Hodges.

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev – Your Committee, having under consideration the issuance of revenue bonds on behalf of Senior Care Communities, Inc (d/b/a Providence Place, formerly known as Nile Nursing Home) to refinance the Series 1999 Tax-exempt revenue bonds issued for the 256 bed skilled nursing facility at 3720 - 23rd Ave S, now recommends passage of the accompanying resolution giving final approval to the issuance of up to $24 million in 501(c)(3) Tax-exempt Advance Refunding Revenue Bonds, Series 2007, for Senior Care Communities, Inc.

Your Committee further directs staff to convene a discussion between representatives of Providence Place and the proposed dance studio, which seeks to locate at 3742 – 23rd Ave S, about a shared parking arrangement, the result of which would be the dance studio would be able to meet its parking needs. Any shared parking arrangement would be a private transaction between the parties and would not involve the City. Issuance of bonds and other financing for Providence Place are not conditioned upon negotiations of a shared parking arrangement.

Adopted 5/25/2007.

Absent - Hodges.

Approved by Mayor Rybak 5/25/2007.

(Published 5/30/2007)

Resolution 2007R-245, authorizing the issuance, sale, and delivery of revenue bonds for the benefit of Senior Care Communities, Inc (d/b/a Providence Place, formerly known as Nile Nursing Home) for the 256 bed skilled nursing facility at 3720 - 23rd Ave S, which bonds are payable solely from revenues pledged pursuant to the indenture; approving the form of and authorizing the execution and delivery of the revenue bonds and related documents; and providing for the security, rights, and remedies with respect to the revenue bonds, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-245
By Goodman

Authorizing the issuance, sale, and delivery of revenue bonds for the benefit of Senior Care Communities, Inc., which bonds are payable solely from revenues pledged pursuant to the indenture; approving the form of and authorizing the execution and delivery of the revenue bonds and related documents; and providing for the security, rights, and remedies with respect to the revenue bonds.

Whereas, pursuant to Minnesota Statutes, Sections 469.152 through 469.165 (as the same may from time to time be amended or supplemented, the "Act"), a city is authorized and empowered to issue revenue bonds to finance or refinance, in whole or in part, the cost of acquisition, construction, reconstruction, improvement, betterment, or extension of any properties, real or personal, used or useful in connection with a revenue-producing enterprise, whether or not operated for profit, engaged in providing health care services, including, without limitation, hospitals and related medical facilities, to refund revenue bonds previously issued under the Act, and to enter into a revenue agreement with any public or private corporation in such manner that payments required thereby to be made by such corporation shall be fixed, and revised from time to time as necessary, so as to produce income and revenue sufficient to provide for the prompt payment of principal of and interest on such revenue bonds when due; and

Whereas, the City of Minneapolis (the "City") has previously issued its Health Care Facilities Revenue Bonds (Shelter Care Foundation Project), Series 1999 (the "Prior Bonds") for the purpose of financing the acquisition by Senior Care Communities, Inc. (fka Shelter Care Foundation), a District of Columbia nonprofit corporation ("Shelter"), of a skilled care nursing facility located at 3720-23rd Avenue South in the City (the "Project"), including funding reserves and paying costs of issuance; and

Whereas, Shelter has requested that the City issue its revenue refunding bonds for the purpose of refunding the outstanding Prior Bonds resulting in debt service savings; and

Whereas, the City on April 17, 2007 did conduct a public hearing on the issuance of the refunding revenue bonds, following publication of notice as required by the Act and the provisions of the Internal Revenue Code of 1986, as amended; and

Whereas, by Resolution No. 2007R-192, adopted April 27, 2007, the City Council of the City gave preliminary approval to the issuance of its refunding revenue bonds; and

Whereas, the proposed revenue bonds are to be designated as Health Care Facilities Revenue Bonds (Senior Care Communities, Inc.), Series 2007 (the "Series 2007 Bonds"), are to be issued under an Indenture of Trust (the "Indenture"), between the City and the trustee designated therein (the "Trustee"), and the proceeds derived from the sale of such Series 2007 Bonds are to be loaned to a limited liability company to be formed of which Shelter will be the sole member (the "Corporation") pursuant to the terms of a Loan Agreement (the "Loan Agreement"), between the City and the Corporation; and

Whereas, the loan repayments required to be made by the Corporation under the terms of the Loan Agreement will be assigned to the Trustee under the terms of the Indenture; and

Whereas, the obligation of the Corporation to make loan repayments under the terms of the Loan Agreement will be secured by a mortgage lien on the Project; and

Whereas, the Series 2007 Bonds and the interest and any premium on the Series 2007 Bonds: (i) shall be payable solely from the revenues pledged therefor; (ii) shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation; (iii) shall not constitute nor give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers; and (iv) shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City other than the City's interest in the Loan Agreement and the Project;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City acknowledges, finds, determines, and declares that: (i) the issuance of the Series 2007 Bonds is authorized by the Act; (ii) the application of the proceeds of the Series 2007 Bonds to the refunding of the Prior Bonds and costs of various capital improvements at the Project, the funding of one or more reserve funds to secure the Bonds if determined to be necessary to market the Bonds, and the payment of certain expenses incurred in connection with the issuance of the Bonds is consistent with and furthers the purposes of the Act; and (ii) the facilities financed with the proceeds of the Series 2007 Bonds constitute a "project" within the meaning of Section 469.153, subdivision 2(b) and (d), of the Act.

Be It Further Resolved that, for the purposes set forth above, there is hereby authorized the issuance, sale and delivery of the Series 2007 Bonds in the approximate aggregate principal amount not to exceed $24,000,000. The Series 2007 Bonds shall be issued in three series comprising tax-exempt senior lien bonds (Series A), taxable senior lien bonds (Series A-T) and tax-exempt subordinate lien bonds (Series B), the principal amount of each such series to be determined as required by law and as deemed appropriate in the marketing of the Bonds so as to provide the most beneficial debt service costs to the Corporation. The Series A Bonds shall bear interest at fixed rates not to exceed an average interest rate of 6.00%, the Series A-T Bonds shall bear interest at fixed rates not to exceed an average interest rate of 7.50% and the Series B Bonds shall bear interest at fixed rates not to exceed an average interest rate of 6.50%. The Series 2007 Bonds shall be designated, shall be numbered, shall be dated, shall mature, shall be subject to redemption prior to maturity, shall be in such form, and shall have such other terms, details, and provisions as are prescribed in the Indenture, in the form now on file with the City, with the amendments referenced herein.

Be It Further Resolved that all of the provisions of the Series 2007 Bonds, when executed as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Series 2007 Bonds shall be substantially in the form or forms set forth in the Indenture, which form or forms are hereby approved, with such necessary and appropriate variations, omissions and insertions (including changes to the name of the Series 2007 Bonds, the aggregate principal amount of the Series 2007 Bonds, the stated maturities of the Series 2007 Bonds and the maturity dates of the Series 2007 Bonds, the interest rates on the Series 2007 Bonds, and the terms of optional and mandatory redemption of the Series 2007 Bonds) as the Finance Officer of the City (the "Finance Officer"), in his discretion, shall determine. The execution of the Series 2007 Bonds with the manual or facsimile signatures of the Finance Officer and the delivery of the Series 2007 Bonds by the City shall be conclusive evidence of such determination.

Be It Further Resolved that the Series 2007 Bonds shall be special limited obligations of the City the proceeds of which shall be disbursed pursuant to the terms of the Indenture and the Loan Agreement, and the principal, premium, and interest on the Series 2007 Bonds shall be payable solely from the proceeds of the Series 2007 Bonds, the revenues derived from the Corporation pursuant to the terms of the Loan Agreement and other funds pledged pursuant to the Indenture.

Be It Further Resolved that the City Council of the City hereby authorizes and directs the Finance Officer to execute and deliver the Indenture, and hereby authorizes and directs the execution of the Series 2007 Bonds in accordance with the terms of the Indenture, and hereby provides that the Indenture shall provide the terms and conditions, covenants, rights, obligations, duties and agreements of the owners of the Series 2007 Bonds, the City and the Trustee as set forth therein.

Be It Further Resolved that all of the provisions of the Indenture, when executed as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Indenture shall be substantially in the form on file with the City, which is hereby approved, with such necessary and appropriate variations, omissions and insertions as do not materially change the substance thereof, or as the Finance Officer, in his discretion, shall determine, and the execution and delivery thereof by the Finance Officer shall be conclusive evidence of such determination.

Be It Further Resolved that the Finance Officer is hereby authorized and directed to execute and deliver the Loan Agreement and the Bond Purchase Agreement (the "Purchase Contract"), between Piper Jaffray & Co. (the "Underwriter"), the Corporation and the City. All of the provisions of the Loan Agreement and the Purchase Contract, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Loan Agreement and the Purchase Contract shall be substantially in the forms on file with the City which are hereby approved, with such omissions and insertions as do not materially change the substance thereof, or as the Finance Officer, in his discretion, shall determine, and the execution thereof by the Finance Officer shall be conclusive evidence of such determination.

Be It Further Resolved that the Trustee is hereby appointed as the initial Bond Registrar with respect to the Series 2007 Bonds.

Be It Further Resolved that the proceeds of the Series 2007 Bonds shall be disbursed for the payment of the costs of refunding the Prior Bonds and certain capital improvements to the Project and to fund required reserves and pay related costs in accordance with the terms of the Indenture and the Loan Agreement.

Be It Further Resolved that the Finance Officer of the City and other officers are hereby authorized to execute and deliver, on behalf of the City, such other documents as are necessary or appropriate in connection with the issuance, sale, and delivery of the Series 2007 Bonds, including a Tax Certificate, a Tax Exemption Agreement, an Information Return for Tax-Exempt Private Activity Bond Issues, Form 8038, and all other documents and certificates as shall be necessary and appropriate in connection with the issuance, sale, and delivery of the Series 2007 Bonds. The City hereby approves the execution and delivery by the Trustee of the Indenture and all other instruments, certificates, and documents prepared in conjunction with the issuance of the Series 2007 Bonds that require execution by the Trustee. The City hereby authorizes Faegre & Benson LLP, as bond counsel of the City, to prepare, execute, and deliver its approving legal opinion with respect to the Series 2007 Bonds.

Be It Further Resolved that the City has not participated in the preparation of the Preliminary Official Statement or the Official Statement relating to the offer and sale of the Series 2007 Bonds (collectively, the "Official Statement"), and has made no independent investigation with respect to the information contained therein, including the appendices thereto, and the City assumes no responsibility for the sufficiency, accuracy, or completeness of such information. Subject to the foregoing, the City hereby consents to the distribution and the use by the Underwriter in connection with the sale of the Series 2007 Bonds of the Official Statement. The Official Statement is the sole material consented to by the City for use in connection with the offer and sale of the Series 2007 Bonds. The City hereby approves the execution and delivery by the Corporation of a Continuing Disclosure Agreement.

Be It Further Resolved that, except as otherwise provided in this resolution, all rights, powers and privileges conferred and duties and liabilities imposed upon the City or the City Council by the provisions of this resolution or of the aforementioned documents shall be exercised or performed by the City or by such members of the City Council, or such officers, board, body or agency thereof as may be required or authorized by law to exercise such powers and to perform such duties.

No covenant, stipulation, obligation or agreement herein contained or contained in the aforementioned documents shall be deemed to be a covenant, stipulation, obligation or agreement of any member of the City Council of the City, or any officer, agent or employee of the City in that person's individual capacity, and neither the City Council of the City nor any officer or employee executing the Series 2007 Bonds shall be liable personally on the Series 2007 Bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

No provision, covenant or agreement contained in the aforementioned documents, the Series 2007 Bonds or in any other document relating to the Series 2007 Bonds, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the Loan Agreement and the Series 2007A Note which are to be applied to the payment of the Series 2007 Bonds, as provided therein and in the Indenture.

Be It Further Resolved that, except as herein otherwise expressly provided, nothing in this resolution or in the aforementioned documents expressed or implied, is intended or shall be construed to confer upon any person or firm or corporation, other than the City or any holder of the Series 2007 Bonds issued under the provisions of this resolution, any right, remedy or claim, legal or equitable, under and by reason of this resolution or any provisions hereof, this resolution, the aforementioned documents and all of their provisions being intended to be and being for the sole and exclusive benefit of the City and any holder from time to time of the Series 2007 Bonds issued under the provisions of this resolution.

Be It Further Resolved that, in case any one or more of the provisions of this resolution, other than the provisions contained in the first sentence of Section 3 hereof, or of the aforementioned documents, or of the Series 2007 Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, or of the aforementioned documents, or of the Series 2007 Bonds, but this resolution, the aforementioned documents, and the Series 2007 Bonds shall be construed and endorsed as if such illegal or invalid provisions had not been contained therein.

Be It Further Resolved that the Series 2007 Bonds, when executed and delivered, shall contain a recital that they are issued pursuant to the Act, and such recital shall be conclusive evidence of the validity of the Series 2007 Bonds and the regularity of the issuance thereof, and that all acts, conditions, and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Series 2007 Bonds, and to the execution of the aforementioned documents to happen, exist and be performed precedent to the execution of the aforementioned documents have happened, exist and have been performed as so required by law.

Be It Further Resolved that the officers of the City, bond counsel, other attorneys, engineers, and other agents or employees of the City are hereby authorized to do all acts and things required of them by or in connection with this resolution, the aforementioned documents, and the Series 2007 Bonds for the full, punctual and complete performance of all the terms, covenants and agreements contained in the Series 2007 Bonds, the aforementioned documents and this resolution. In the event that for any reason the Finance Officer of the City is unable to carry out the execution of any of the documents or other acts provided herein, any persons delegated the duties of the Finance Officer shall be authorized to act in the capacity of the Finance Officer and undertake such execution or acts on behalf of the City with full force and effect, which execution or acts shall be valid and binding on the City.

Be It Further Resolved that the City understands that the Corporation will pay directly or through the City any and all costs paid or incurred by the City in connection with the transactions authorized by this resolution, whether or not the Series 2007 Bonds are issued.

Be It Further Resolved that the Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 97R-402 of the City adopted December 12, 1997.

Be It Further Resolved that this resolution shall be in full force and effect from and after its publication.

Adopted 5/25/2007.

Absent - Hodges.

Approved by Mayor Rybak 5/25/2007.

Comm Dev - Your Committee, having under consideration the request of Community Planning & Economic Development staff to revise the Multifamily Housing Revenue Bond program guidelines to create a priority for projects in impacted areas where at least 20% of the units are market rate, now recommends approval of staff recommendation for a revision that creates a priority for projects in impacted areas with market rate units, where feasible. Currently, the administrative Multifamily Housing Revenue Bond guidelines give priority to mixed-income projects based on the percentage of units at 50% Metropolitan Median Income in relation to the total units in the project (up to 20 points). An additional criteria could be added as follows: "Projects in impacted areas providing at least 20% of total units as non-income restricted, market rate housing (20 points)."

Adopted 5/25/2007.

Absent - Hodges.

The COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee, having under consideration the Lowry Hill Neighborhood Revitalization Program (NRP) Phase II Neighborhood Action Plan, now recommends:

a) Approval of said Action Plan and specifically those parts of the Plan that fall under City jurisdiction, with the total cost of the Plan not to exceed $448,754;

b) Passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by $157,064 in the NRP fund for implementation of said Plan;

c) Referral of $291,690 for Plan implementation in a reserve account within Fund CNR0 for future year expenditures on the approved Plan, provided that no more than 70% of the amount approved for the Plan ($314,128) be obligated in the first three years after approval of the Plan; and

d) That the proper City officers be authorized to enter into any contracts or agreements needed to implement said Plan.

Adopted 5/25/2007.

Absent - Hodges.

RESOLUTION 2007R-246
By Goodman and Ostrow

Amending The 2007 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Community Planning and Economic Development Agency in the NRP Program Fund (CNR0-890-3550) by $157,064.

Adopted 5/25/2007.

Absent - Hodges.

Comm Dev & W&M/Budget – Your Committee, having under consideration applications for grant funding from the 2007 Metropolitan Council Livable Communities Demonstration Account (LCDA), now recommends passage of the accompanying resolution authorizing submission and priority ranking of

grant applications to the LCDA, and authorizing the proper City officers to execute such agreements as may be necessary to implement the LCDA grant program. Rankings and grant amounts are as follows:

(1) Longfellow Station Project, $500,000
(2) West Broadway Curve, $1,445,000
(3) SEMI/University Research Park: East Granary Road, $971,000
(4) Jackson Street Northeast Artist Affordable Housing, $1,224,000
(5) Bystrom Bros./Franklin Station Redevelopment, $2,334,200
(6) Franklin Steele Commons, $830,000
(7) Currie Park Lofts and Station Place, $1,964,743
(8) North Loop Village Transit Oriented Development Project, $2,500,000

Adopted 5/25/2007.
Absent - Hodges.

Resolution 2007R-247, identifying the need for 2007 Metropolitan Council Livable Communities Demonstration Account Funding and authorizing applications for grant funds for the Longfellow Station, West Broadway Curve, SEMI/University Research Park: East Granary Road, Jackson Street Northeast Artist Affordable Housing, Bystrom Bros./Franklin Station Redevelopment, Franklin Steele Commons, Currie Park Lofts and Station Place, and North Loop Village Transit Oriented Development Projects, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-247
By Goodman and Ostrow

Identifying the need for Livable Communities Demonstration Account Funding and authorizing applications for grant funds.

Whereas, the City of Minneapolis is a participant in the Livable Communities Act's Housing Incentives Program for 2007 as determined by the Metropolitan Council, and is therefore eligible to apply for Livable Communities Demonstration Account funds; and

Whereas, the City has identified proposed projects within the City that meet the Demonstration Account's purposes and criteria and are consistent with and promote the purposes of the Metropolitan Livable Communities Act and the policies of the Metropolitan Council's adopted metropolitan development guide; and

Whereas, the City has the institutional, managerial and financial capability to ensure adequate project administration; and

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

Whereas, the City agrees to act as legal sponsor for the projects contained in the grant applications submitted on July 16, 2007; and

Whereas, the City acknowledges Livable Communities Demonstration Account grants are intended to fund projects or project components that can serve as models, examples or prototypes for development or redevelopment projects elsewhere in the region, and therefore represents that the proposed projects or key components of the proposed projects can be replicated in other metropolitan-area communities; and

Whereas, only a limited amount of grant funding is available through the Metropolitan Council's Livable Communities Demonstration Account during each funding cycle and the Metropolitan Council has determined it is appropriate to allocate those scarce grant funds only to eligible projects that would not occur without the availability of Demonstration Account grant funding; and

Whereas, cities may submit grant applications for up to five projects during each funding cycle but, using the cities' own internal ranking processes, must rank their projects by priority so the Metropolitan Council may consider those priority rankings as it reviews applications and makes grant awards;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council of the City of Minneapolis:

1. Finds that it is in the best interests of the City's development goals and priorities for the proposed projects to occur at these particular sites at this particular time.

2. Finds that the project components for which Livable Communities Demonstration Account funding is sought:

(a) will not occur solely through private or other public investment within the reasonably foreseeable future; and

(b) will not occur within two years after the grant award unless Livable Communities Demonstration Account funding is made available for these projects at this time.

3. Ranks the project funding applications, according to the City's own internal priorities, in the following order and amounts:

(1) Longfellow Station Project, $500,000
(2) West Broadway Curve, $1,445,000
(3) SEMI/University Research Park: East Granary Road, $971,000
(4) Jackson Street Northeast Artist Affordable Housing, $1,224,000
(5) Bystrom Bros./Franklin Station Redevelopment, $2,334,200
(6) Franklin Steele Commons, $830,000
(7) Currie Park Lofts and Station Place, $1,964,743
(8) North Loop Village TOD Project, $2,500,000

4. Represents that the City has undertaken reasonable and good faith efforts to procure funding for the project components for which Livable Communities Demonstration Account funding is sought but was not able to find or secure from other sources funding that is necessary for project components completion within two years as described in the project applications.

5. Authorizes its Director of Community Planning and Economic Development to submit on behalf of the City applications for Metropolitan Council Livable Communities Demonstration Account grant funds for the project components identified in the applications, and its Finance Officer or designee to execute such agreements as may be necessary to implement the projects on behalf of the City.

Adopted 5/25/2007.

Absent - Hodges.

Comm Dev & W&M/Budget - Your Committee, having under consideration the revitalization of West Broadway, as well as the Empowerment Zone (EZ) Northside Arts Initiative, now recommends approval of $195,722 from the federal EZ grant to execute contracts with Lundstrum Center for the Arts in the amount of $100,000 for renovation of the performance and training facility at 1617 N 2nd St; and Plymouth Christian Youth Center in the amount of $95,722 for renovation of the Capri Theater at the intersection of W Broadway and Oliver Aves N, selected based on the EZ 2006-2009 Strategic Plan, and payable from 0300-890-8942.

Your Committee further recommends that the proper City officers be authorized to execute contracts with the funding sub-recipients, setting forth the terms and conditions of the agreements.

Adopted 5/25/2007.

Absent - Hodges.

The HEALTH, ENERGY & ENVIRONMENT Committee submitted the following report:

HE&E - Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee to appoint Michael Jordan to serve as the Director of the Minneapolis Department of Civil Rights for a term to expire January 2, 2008, and having held a public hearing thereon, now recommends approval of said appointment.

Adopted 5/25/2007.

Absent - Hodges.

The HEALTH, ENERGY & ENVIRONMENT and WAYS & MEANS/BUDGET Committees submitted the following report:

HE&E & W&M/Budget - Your Committee recommends that the proper City officers be authorized to apply for grants in excess of $250,000, in partnership with the Northway Foundation, to provide family centered employment and training services to disadvantaged and low income families in North Minneapolis.

Adopted 5/25/2007.

Absent - Hodges.

The PUBLIC SAFETY & REGULATORY SERVICES Committee submitted the following reports:

PS&RS - Your Committee, having under consideration the application of Blackbird Inc, dba Blackbird, 815 W 50th St, 1st floor, for an On-Sale Wine Class D with Strong Beer License (new business) to expire April 1, 2008, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 5/25/2007.

Absent - Hodges.

PS&RS - Your Committee, having under consideration the application of NLN Inc, dba New York Deli, 1301 Harmon Pl, for an On-Sale Liquor Class E with Sunday Sales License (new business) to expire April 1, 2008, a Sidewalk Cafe License (new proprietor) to expire April 1, 2008, and a Tobacco Dealer License to expire April 1, 2008, and having held a public hearing thereon, now recommends that said license applications be sent forward without recommendation.

Goodman moved that the report be amended by deleting the language "be sent forward without recommendation" and inserting in lieu thereof "be granted, subject to the sidewalk cafe closing at 10:00 p.m. seven days a week, and final inspection and compliance with all provisions of applicable codes and ordinances". Seconded.

Adopted by unanimous consent.

Absent - Hodges.

The report, as amended, was adopted 5/25/2007.

Absent - Hodges.

Approved by Mayor Rybak 5/25/2007.

(Published May 30, 2007)

PS&RS - Your Committee, to whom was referred back on April 27, 2007 a report relating to the application of Pantry Food Market, 5200 Bryant Av N, for Grocery and Tobacco Dealer Licenses, now recommends passage of the accompanying resolution granting the application, subject to conditions.

Adopted 5/25/2007.

Absent - Hodges.

Resolution 2007R-248, granting the application of Pantry Food Market, 5200 Bryant Av N, for Grocery and Tobacco Dealer Licenses, subject to conditions, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-248
By Samuels

Granting the application of Pantry Food Market, 5200 Bryant Av N, for Grocery and Tobacco Dealer Licenses, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by K R & Sons Inc, dba Pantry Food Market, 5200 Bryant Av N, for Grocery and Tobacco Dealer Licenses to expire April 1, 2008, subject to the following conditions:

1. "No Trespassing" signs will remain clearly posted on the exterior of the business. Store staff will immediately ask people that are observed loitering in the immediate vicinity of the store to leave. If the loitering activity persists, staff will call 911 and request police assistance to alleviate the loitering activity. The business agrees to cooperate fully in the prosecution of criminal activity.

2. The business agrees not to sell cigars or cigarettes.

3. The business agrees not to sell items which are commonly used by drug users and drug dealers. These items include glass pipes (sometimes with roses inside), Brillo Pads or Chore Boy products, tobacco pipes, small zip lock bags also known as jewelry bags, and single use tobacco products to include rolling papers. The business will also agree not to supply matches to non-tobacco customers.

4. The business agrees to keep all exterior and interior lights illuminated and functioning properly.

5. All windows will be free of signs and other items that block the view in and out, as set forth in Section 543.350 of the Minneapolis Code of Ordinances.

6. The owner shall comply with the Surveillance Camera Ordinance, Section 259.230 of the Minneapolis Code of Ordinances.

7. The owner agrees not to install temporary advertising banners or signs on the exterior of the premises, including the walls, sidewalks or other fixtures of the property.

8. The business agrees to clean the property, and all areas within 100 feet of the property line of litter and trash twice daily. The business shall maintain a litter receptacle in front of the business that is convenient for customer use.

9. The business will stock a variety of common staple food items such as milk, bread, canned and frozen vegetables, soups, fruit juice, and cereals. Food items shall be removed from stock when the printed shelf life date has expired.

10. Refuse shall be stored in a regularly serviced, closed container (dumpster) that shall be maintained screened from view as is required by Minneapolis Codes. At no time shall this refuse container be overfilled so that the cover cannot be completely closed at all times.

Adopted 5/25/2007.

Absent - Hodges.

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of Shieks Palace Royale, 115 S 4th St, for an On-Sale Liquor Class A with Sunday Sales License, subject to conditions.

Adopted 5/25/2007.

Declining to vote - Benson.

Absent - Hodges.

Approved by Mayor Rybak 5/25/2007.

(Published 5/30/2007)

Resolution 2007R-249, granting the application of Shieks Palace Royale, 115 S 4th St, for an On-Sale Liquor Class A with Sunday Sales License, subject to conditions, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-249
By Samuels

Granting the application of Shieks Palace Royale, 115 S 4th St, for an On-Sale Liquor Class A with Sunday Sales License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Classic Affairs Inc, dba Shieks Palace Royale, 115 S 4th St, for an On-Sale Liquor Class A with Sunday Sales License (new shareholder/partner; new corporate officer) to expire April 1, 2008, subject to the following conditions:

1. The applicant will not allow any activities to occur on its premises which include or involve nude dancing, exposed genitals, genitals covered with non-opaque substance, revealing or inappropriate employee attire, lap or couch dancing, use of a hot tub or other bathtub fixtures, mud wrestling or wrestling in any other substance, employee wrestling with customers or with other employees or individuals, sexual contact (whether clothed or unclothed) or sexually suggestive touching, and other similar types of activities.

2. The applicant agrees to abide by all the provisions of all applicable ordinances and laws governing the applicant's business, including those ordinances and laws enacted subsequent to the applicant's submission or approval of it's application for a Class A On-Sale Liquor license, which shall include any ordinance pertaining to adult entertainment on the licensed premises. In the event of a conflict between the provisions of said ordinance and the License Addendum Agreement, the ordinance shall control.

The applicant further agrees not to distribute or hire others to distribute handbills, flyers or business advertising cards to the public in the City of Minneapolis. Further, no entertainer or promoter providing entertainment services at the licensee's establishment shall distribute or post handbills in Minneapolis that advertise events at the business.

In the event that the management of the establishment changes, approval of said management is subject to approval by the Director of Licenses and the Minneapolis City Council, pursuant to Chapter 362 of the Minneapolis Code of Ordinances.

The applicant's business is located in a historic building located at 115 4th St S, and it is a concern of the City Council that care is taken with respect to its maintenance and restoration. Within six months of the date of the approval of this license application and Addendum Agreement, Classic Affairs Inc shall report back to the Public Safety & Regulatory Services Committee of the City Council on its restoration plans for the building. The restoration plan shall include the scope of the restoration, an accounting of estimated costs, and projected timelines for completion of restoration efforts.

3. Violation of the terms of paragraph 1 above shall provide a basis for suspension, revocation or denial of the renewal of the City's consent for the applicant to operate the Class A Liquor License. Sanctions may also include administrative fines.

4. All parties hereto agree that this Agreement is specifically enforceable and that in any litigation involving this Agreement, no defense will be raised as to its enforceability.

Adopted 5/25/2007.

Declining to vote - Benson.

Absent - Hodges.

Approved by Mayor Rybak 5/25/2007.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 5/25/2007.

Absent - Hodges.

Approved by Mayor Rybak 5/25/2007.

(Published 5/30/2007)

Resolution 2007R-250, granting Liquor, Wine and Beer Licenses, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-250
By Samuels

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

On-Sale Liquor Class A with Sunday Sales, to expire June 24, 2007
Screaming Triangle LLC, dba Minneapolis Eagle, 515 Washington Av S (temporary expansion of premises, June 22, 23 & 24, 2007, 5:00 p.m. to 2:30 a.m.)
On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2007
Minnesota Historical Society, dba Mill City Museum, 704 S 2nd St
On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2008
Was Partners LLC, dba Nochee, 500 Washington Av S (internal transfer of shares)
Conga Corporation, dba Conga Latin Bistro, 501 E Hennepin Av
On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2008
Picosa Hospitality Group LLC, dba Picosa Restaurant, 65 Main St SE (change in ownership from Sophias Inc)
On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2007
Last Cowboy LLC, dba Bar Abilene, 1300 Lagoon Av (new manager)
Sirian Enterprises, dba Lee's Liquor Bar, 101 Glenwood Av
On-Sale Liquor Class C-1 with Sunday Sales, to expire October 1, 2007
Slainte LLC, dba The Melting Pot, 80 S 9th St
On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2008
Jasmine 26 Inc, dba Jasmine 26 Restaurant & Bar, 8 E 26th St
OSF International Inc, dba Old Spaghetti Factory, 233 Park Av (new manager)
Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 225 E Hennepin Av
OSF International Inc, dba Old Spaghetti Factory, 233 Park Av
A La Salsa Enterprises LLC, dba A La Salsa Restaurant, 920 E Lake St
Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 2600 Hennepin Av
Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 3040 Excelsior Blvd
Blue Plate Restaurant Co, dba Longfellow Grill, 4630 E Lake St
Cintia's of Mexico Bar & Restaurant Inc, dba Cintias, 6042 Nicollet Av
On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2008
Apple American Limited Partnership of Minnesota, dba Applebee's Neighborhood Grill & Bar, 615 Washington Av SE
On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2007
Buca (Minneapolis) Inc, dba Buca, 1204 Harmon Pl (new manager)
On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2008
Eastern Treasure Inc, dba Musashi Japanese Restaurant, 12 S 6th St (new business)
Temporary On-Sale Liquor
St. Paul Jaycees, dba St. Paul Jaycees, 401 Robert St, St. Paul (City Pages Beer Festival, June 2, 2007, 5:00 p.m. to 9:00 p.m. at Hennepin Av betw Lake St & 31st St)
Basilica of St. Mary, dba Basilica of St. Mary, 88 17th St N (July 6 & 7, 2007, 5:00 p.m. to 10:30 p.m. at Murrays)
Basilica of St. Mary, dba Basilica of St. Mary, 88 17th St N (July 6 & 7, 2007, 5:00 p.m. to 10:30 p.m.; Licensed Facilitator: Murrays)

On-Sale Wine Class E with Strong Beer, to expire April 1, 2008
St. Paul Bagelry Inc, dba Pizza Nea, 306 E Hennepin Av.
Adopted 5/25/2007.
Absent - Hodges.
Approved by Mayor Rybak 5/25/2007.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.
Adopted 5/25/2007.
Absent - Hodges.

Resolution 2007R-251, granting applications for Business Licenses, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-251
By Samuels

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:
That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of May 25, 2007 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 272017):
Caterers; Confectionery; Food Distributor; Food Market Distributor; Grocery; Food Manufacturer; Food Market Manufacturer; Restaurant; Food Shelf; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Sidewalk Cart Food Vendor; Vending Machine; Liquid Waste Hauler; Pedicab; Public Market; Residential Specialty Contractor; Sign Hanger; Solicitor - Company; Solid Waste Hauler; Swimming Pool - Public; Tattooist/Body Piercer; Tattooist/Body Piercer Establishment; Taxicab Service Company; Taxicab Vehicle; Taxicab Vehicle Non-transferable; Medical Contract Carrier; Tobacco Dealer; Transient Merchant; Tree Servicing; Valet Parking; Wrecker of Buildings Class B.
Adopted 5/25/2007.
Absent - Hodges.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.
Adopted 5/25/2007.
Absent - Hodges.

Resolution 2007R-252, granting applications for Gambling Licenses, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-252
By Samuels

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

Gambling Class B

Church of the Incarnation, dba Church of the Incarnation, 3817 Pleasant Av S (Site: The Little Wagon, 420 S 4th St)

Gambling Lawful Exempt

Church of St. Bridget, dba Church of St. Bridget, 3811 Emerson Av N (Bingo, Raffle, Paddlewheel & Pulltabs June 10, 2007 at Sojourner Truth Academy, 3820 Emerson Av N)

Minneapolis Police Federation Charities, dba Minneapolis Police Federation Charities, 1811 University Av NE (Raffle June 25, 2007 at 1029 Bar & Cafe, 1029 Marshall St NE)

Camp Heartland, dba Camp Heartland, 4425 N Port Washington Rd, Milwaukee, WI (Raffle July 15, 2007 at Brit's Pub, 1110 Nicollet Mall)

Minnesota Black Chamber of Commerce, dba Minnesota Black Chamber of Commerce, 2399 Ariel St, St. Paul (Raffle May 18, 2007 at Hyatt Regency, 1300 Nicollet Mall)

Goldbricks Club, dba Goldbricks Club, 1828 4th St NE (Raffle June 10, 2007 at Northeast Neighborhood Building, 1700 2nd St NE)

Church of St. Anthony of Padua, dba Church of St. Anthony of Padua, 804 2nd St NE (Bingo, Raffle, Paddlewheel, Pulltabs and Tipboards August 5, 2007).

Adopted 5/25/2007.

Absent - Hodges.

PS&RS - Your Committee, having under consideration License Settlement Conference recommendations relating to the On-Sale Liquor License held by Poodle Club, 3001 E Lake St; and having received Findings of Fact, Conclusions and Recommendations that concluded that the licensee violated the Minneapolis Code of Ordinances by interfering with inspector's duties; by making a false statement on the license application; by not being in direct control of the license or establishment; and by not living in Minneapolis until September 2006, now recommends that the following recommendations be sent forward without recommendation:

1. that in lieu of the imposition of adverse license action, including possible license revocation, the licensee agrees to comply with the following mandatory conditions, and understands that failure to do so may result in further adverse license action, inclusive of revocation:

a. the licensee will pay an administrative fine in the amount of $1,000, due at the time of signing the Agreement.

b. The licensee will exclude Swarn Singh, Jarnail Singh, Amarjit Singh, and Opinder Kaur aka Soni Singh from all interests, ownership and profit from Soni LLC and the Poodle Club. That the licensee will officially trespass Swarn Singh, Jarnail Singh, Amarjit Singh, and Opinder Kaur aka Soni Singh from the establishment.

c. The licensee will recycle bottles during normal business hours as not to disturb neighborhood residents.

Schiff moved to substitute the following report for the above report. Seconded.

Adopted by unanimous consent.

Absent - Hodges.

PS&RS - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the On-Sale Liquor License held by Poodle Club, 3001 E Lake St.

The substitute report was adopted 5/25/2007.

Absent - Hodges.

Resolution 2007R-253, approving License Settlement Conference recommendations relating to the On-Sale Liquor License held by Poodle Club, 3001 E Lake St, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-253
By Samuels

Approving License Settlement Conference recommendations relating to the On-Sale Liquor License held by Poodle Club, 3001 E Lake St.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on April 9, 2007 with the licensee; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded that the licensee or his agents have violated Minneapolis Code of Ordinances by the licensee or his agents interfering with inspector's duties on September 21, 2006; by the licensee making a false statement on the application; by having complaints about recycling bottles outside after bar close which has disturbed neighbors;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That in lieu of the imposition of adverse license action including possible license revocation, the licensee agrees to comply with the following mandatory conditions, and understands that failure to do so may result in further adverse license action inclusive of revocation, as more fully set forth in said Findings on file in the Office of the City Clerk which are hereby made a part of this report by reference:

1. the licensee will pay an administrative fine in the amount of $1,000 due at the time of signing the Agreement.
2. The licensee will exclude Swarn Singh, Jarnail Singh, Amarjit Singh, and Opinder Kaur aka Soni Singh from all interests, ownership, and profit from Soni LLC and the Poodle Club. That the licensee will officially trespass Swarn Singh, Jarnail Singh, Amarjit Singh, and Opinder Kaur aka Soni Singh from the establishment.
3. The licensee will recycle bottles during normal daytime business hours as not to disturb neighborhood residents.
4. The licensee will provide adequate security staff as needed to insure orderly behavior dispersement of customers at closing time. Weekend evenings or those dates when special entertainment or events are planned will require dedicated security staff.
5. The licensee will pick up litter and debris around the establishment daily, and will patrol the area between Lake St and 31st St on 30th Av S for litter at least twice weekly.
6. The licensee will relocate the sidewalk cafe onto the Lake St side of the establishment.
7. The licensee will keep the southern most door on 30th Av S closed and secured with panic exit hardware when not in use for deliveries.
8. The licensee will keep noise/loud music from emanating outside of the establishment at all times.

Adopted 5/25/2007.
Absent - Hodges.

PS&RS - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the On-Sale Liquor License held by El Nuevo Rodeo, 2709 E Lake St.

Adopted 5/25/2007.
Absent - Hodges.

Resolution 2007R-254, approving License Settlement Conference recommendations relating to the On-Sale Liquor License held by El Nuevo Rodeo, 2709 E Lake St, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-254
By Samuels

Approving License Settlement Conference recommendations relating to the On-Sale Liquor License held by El Nuevo Rodeo, 2709 E Lake St.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on December 11, 2006 with the licensee; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded that the licensee violated the Minneapolis Code of Ordinances by failing to maintain minimum parking requirements with a current valet license; by not meeting the minimum standard of operating without an excessive bar area; and by exceeding the establishment's occupancy by 188 people;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

1. This License Settlement Agreement may not be entered into evidence in any criminal proceeding, and it may be utilized solely for administrative and civil licensing purposes.
2. Independent accountant to submit food/liquor sales ratios to the Department of Licensing for a period of 12 months within 30 days of signing the Agreement.
3. That a penalty of $9,400 be imposed, and that $5,400 be stayed. This penalty may be paid in the following installments: $1,000 due at signing the Agreement; $1,000 due on the first of each following month for three months.
4. That the licensee continues to follow the business plan and premise drawing that was submitted with the original liquor license application on June 16, 2003 with slight modifications submitted within 30 days of signing this Agreement in order to reflect the number of seats/tables currently available.
5. No more snipe advertising.
6. That a penalty of $100 a day be paid starting the date of notice of delinquent license renewal December 22, 2006 for violating the valet license, totaling $3,100. This fine will be stayed, provided no same or similar violation; otherwise, the fine will be reinstated.
7. That the licensee stop advertising and operating as a nightclub.

Adopted 5/25/2007.

Absent - Hodges.

PS&RS - Your Committee, to whom was referred back on May 11, 2007 a report relating to the Wrecker of Buildings Class B License held by Keith Carlson, dba C & H Excavating Co, 1900 W 105th St, Bloomington; and having held a license hearing on May 2, 2007 to consider whether the licensee has complied with the agreed upon recommendations from a Technical Advisory Committee, signed by the licensee on September 7, 2001, now recommends the following:

a. that the recommendation to revoke the license be upheld.
b. that the license hearing not be reopened.
c. that new evidence presented by the licensee's representative not be accepted into the record.
d. that the Findings of Fact as drafted by the City Attorney's Office be adopted.

Your Committee, having further received a request by the licensee for a stay of the revocation decision, pending an appeal, be sent forward without recommendation.

Ostrow moved to divide the report so as to consider separately that portion relating to the stay of the revocation decision. Seconded.

Adopted by unanimous consent.

Absent - Hodges.

Ostrow moved adoption of the balance of the report. Seconded.

Adopted 5/25/2007.

Absent - Hodges.

PS&RS - Your Committee, having under consideration the recommendation to revoke the Wrecker of Buildings Class B License held by Keith Carlson, dba C & H Excavating Co, 1900 W 105th St, Bloomington, and having received a request by the licensee for a stay of the Committee's revocation decision, pending an appeal, now recommends that said request be sent forward without recommendation.

Samuels moved that the report be amended by deleting the language "be sent forward without recommendation" and inserting in lieu thereof "be denied". Seconded.

Adopted by unanimous consent.

Absent - Hodges.

Lilligren moved to adopt Findings of Fact as drafted by the City Attorney's Office. Seconded.

Adopted upon a voice vote.

Absent - Hodges.

The report, as amended, was adopted 5/25/2007. Yeas, 9; Nays, 3 as follows:

Yeas - Glidden, Remington, Benson, Goodman, Samuels, Hofstede, Schiff, Lilligren, Johnson.

Nays - Colvin Roy, Gordon, Ostrow.

Absent - Hodges.

PS&RS - Your Committee, having under consideration the Rental Dwelling License held by Paul G. Yackel for the properties located at 621 26th Av N; 2906 Emerson Av N; 2934 Colfax Av N; 3115 Sheridan Av N; 305 24th Av N; 2402 James Av N; and 1918 Queen Av N; and having received Findings of Fact that concluded that two of the properties located at 621 26th Av N and 2906 Emerson Av N were condemned, cancelling the rental dwelling licenses, now recommends concurrence with the recommendation of the Director of Inspections that said licenses be revoked, denied or non-renewed for failure to meet the license standards set forth in Section 244.1910 (13) of the Minneapolis Code of Ordinances, as more fully set forth in said Findings which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted 5/25/2007.

Absent - Hodges.

PS&RS - Your Committee, having under consideration the Minneapolis SafeZone WorkSite Project, an information sharing platform and website portal that has been in use in the Minneapolis SafeZone, now recommends that the proper City officers be authorized to execute a contract with NorthWrite, Inc, in an amount not to exceed $195,000, to work on the project.

Samuels moved that the report be amended by adding the following language: "Further, the contract shall be exempt from the Request for Proposals process." Seconded.

Adopted.

Absent - Hodges.

The report, as amended, was adopted 5/25/2007.

Absent - Hodges.

The PUBLIC SAFETY & REGULATORY SERVICES and WAYS & MEANS/BUDGET Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute an amendment to the grant agreement with the Minnesota Department of Public Safety, Commissioner of Transportation, to accept $80,000 for overtime details by Traffic Unit officers to enforce theMnPass I-394 High Occupancy Toll Lane rules and regulations. Further, passage of the accompanying resolution appropriating $80,000 to the Police Department.

Adopted 5/25/2007.

Absent - Hodges.

RESOLUTION 2007R-255
By Samuels

Amending The 2007 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Other Fund (060-400-DT13) by $80,000 and increasing the Revenue Source (060-400-DT13 - Source 3215) by $80,000.

Adopted 5/25/2007.

Absent - Hodges.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals for police chaplain services for the Minneapolis Police Department and the Minneapolis community, subject to review and approval by the Permanent Review Committee.

Adopted 5/25/2007.

Absent - Hodges.

PS&RS & W&M/Budget - Your Committee, having under consideration the 2005 Urban Area Security Initiative Grant, now recommends that the proper City officers be authorized to execute a no-cost amendment to the grant agreement with the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, to extend the grant for police overtime for events requiring increased security.

Adopted 5/25/2007.

Absent - Hodges.

PS&RS & W&M/Budget - Your Committee, having under consideration the 2005 Law Enforcement Terrorism Prevention Program Grant, now recommends that the proper City officers be authorized to execute a no-cost amendment to the grant agreement with the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, to extend the grant for a Police Department consultant/planner to work with the Minnesota/Dakotas Analysis Center.

Adopted 5/25/2007.

Absent - Hodges.

PS&RS & W&M/Budget - Your Committee, having issued a Request for Proposals for restorative justice programs, now recommends that the proper City officers be authorized to award $35,000 to the following two Minneapolis restorative justice organizations:

a. Powderhorn Park Neighborhood Association ($15,500)

b. Restorative Justice Community Action, Inc ($19,500).

Adopted 5/25/2007.

Absent - Hodges.

PS&RS & W&M/Budget - Your Committee, having under consideration the Linking Advance Practice Centers and Local Public Health Agencies grant to plan responses to potential threats to food, water and safety during a disaster or public health emergency, now recommends that the proper City officers be authorized to execute an agreement with Hennepin County to perform services as determined by the goals and objectives derived from the grant request funded by the National Association of County and City Health Officials. Further, passage of the accompanying resolution appropriating $133,159 to the Department of Regulatory Services.

Adopted 5/25/2007.

Absent - Hodges.

RESOLUTION 2007R-256
By Samuels

Amending The 2007 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Department of Regulatory Services Agency in the Grants - Federal Fund (030-835-8391) by $133,159 and increasing the Revenue Source (030-835-8391 - Source 3210) by $133,159.

Adopted 5/25/2007.

Absent - Hodges.

The TAXES Committee submitted the following report:

Taxes - Your Committee recommends approval of the following report of the Minneapolis Board of Appeals and Equalization Special Board of Review:

Minneapolis Board of Appeal and Equalization
Report of the Special Board of Review

The City Clerk submits the report of the Special Board of Review, pursuant to the provisions of an ordinance passed May 30, 1975, by the Minneapolis City Council relating to assessments of market value of real estate, providing for the creation of a Special Board of Review.

The Board met on Tuesday April 24, 2007, was duly sworn and after being so sworn entered upon the discharge of duties imposed by law on such Board. The Board continued to meet to and including Tuesday, May 15, 2007.

The Board equalized the assessments of the assessment rolls of real and personal property located in the City of Minneapolis, County of Hennepin, Minnesota. The Board recommends approval of the Assessor's rolls containing the assessment of real estate and personal property in the districts of the City of Minneapolis, as so revised, amended, equalized and granted by the Board.

The Board recommends to the City Clerk that copies of the adjustments and corrections made to such assessment rolls be transmitted to the City Council for approval or correction. If approved, The Board recommends such assessment rolls be transmitted to the City Assessor, County Board of Appeal and Equalization, and the State Tax Commissioner with the request that they take such action within their powers as authorized by law to give full effect to the correction and adjustments recommended and made by the Board.

Adopted 5/25/2007.

Absent - Hodges.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee recommends that the proper City officers be directed to prepare a Feasibility Report regarding the establishment of a long-term program for permanently paving (new construction) the remaining eighty-one (81) unpaved alleys in the City of Minneapolis.

Your Committee further recommends that the results of said report be presented to the Transportation and Public Works Committee by February 2008, prior to CLIC presentations.

Adopted 5/25/2007.

Absent - Hodges.

T&PW - Your Committee, having under consideration the Access Minneapolis - Transportation Action Plan Study, now recommends that the proper City officers be authorized to execute Amendment No 3 to Contract C-21804 with Iteris, Inc. (dba Meyer, Mohaddes Associates) increasing the contract by $104,000, for a revised contract total of $1,047,000, to allow for additional analysis and public outreach. No additional appropriation required.

Adopted 5/25/2007.

Absent - Hodges.

T&PW - Your Committee recommends that the proper City officers be authorized to enter into a contract with NCO Financial Systems for a one-year pilot project to provide subrogation services and represent the City's interests in negotiating and settling monetary disputes beyond simple collection services.

Adopted 5/25/2007.

Absent - Hodges.

T&PW - Your Committee, having under consideration the City of Minneapolis and Minneapolis Park and Recreation Board Annual National Pollutant Discharge Elimination System (NPDES) Report on the 2007 Minneapolis Stormwater Management Program and 2006 Activities, as set forth in Petn No 272027, and having held a public hearing thereon, now recommends passage of the accompanying resolution adopting the Minneapolis Annual NPDES Report on 2007 Minneapolis Stormwater Management Program and 2006 Activities as the City's Stormwater Management Plan, pursuant to Chapter 2, Section 14, of the City of Minneapolis National Pollutant Discharge Elimination System (NPDES) Permit #MN0061018.

Adopted 5/25/2007.

Absent - Hodges.

Approved by Mayor Rybak 5/25/2007.

(Published 5/30/2007)

Resolution 2007R-257, adopting the Annual National Pollutant Discharge Elimination System (NPDES) Report on the 2007 Minneapolis Stormwater Management Program and 2006 Activities, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-257
By Colvin Roy

Adopting the Annual National Pollutant Discharge Elimination System (NPDES) Report on the 2007 Minneapolis Stormwater Management Program and 2006 Activities.

Whereas, the City of Minneapolis is committed to improving the water quality in the lakes, wetlands, and streams; and

Whereas, on December 1, 2000, the City of Minneapolis was issued National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Permit #MN0061018 (Permit); and

Whereas, as required under the Permit, a public hearing was held on April 17, 2007; and

Whereas, the Annual NPDES Report on the 2007 Minneapolis Stormwater Management Program and 2006 Activities will now be submitted to the Minnesota Pollution Control Agency;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council hereby adopts the Annual NPDES Report on the 2007 Minneapolis Stormwater Management Program and 2006 Activities as the City's Stormwater Management Plan.

Adopted 5/25/2007.

Absent - Hodges.

Approved by Mayor Rybak 5/25/2007.

T&PW - Your Committee, having under consideration the reconstruction of the Main St NE Bridge over the right-of-way and tracks of the Burlington Northern Santa Fe Railway Company (approximately 2nd Av NE), now recommends:

a) Passage of the accompanying resolution authorizing the proper City officers to enter into a Cost Participation Agreement with Hennepin County and authorizing the expenditure of $30,000 for the City's cost participation in the project; and

b) Passage of the accompanying resolution establishing parking restrictions on Main St NE between 1st Av NE and 3rd Av NE, per the City Council approved layout and as required by Minnesota State Aid requirements.

Adopted 5/25/2007.

Absent - Hodges.

Resolution 2007R-258, entering into a Cost Participation Agreement with Hennepin County for the replacement of the Main St NE bridge, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-258
By Colvin Roy

Entering into a Cost Participation Agreement with Hennepin County for the replacement of the Main St NE bridge (PW 41-20-05 Project No 9321).

Whereas, the County will be removing and replacing the Main St NE bridge over the right-of-way and tracks of the Burlington Northern Santa Fe Railway Company (Bridge No 90485); and

Whereas, there exists an executed Agreement for Right-of-Way Acquisition PW 55-20-03 between Hennepin County and the City of Minneapolis, dated November 9, 2005; and

Whereas, there exists Amendment 1 to PW 55-20-03, which addresses reimbursement from Hennepin County to the City for work done by the City; and

Whereas, the County has requested financial participation from the City for grade retention and safety railings; and

Whereas, the City is willing to financially participate up to $30,000; and

Whereas, the $30,000 will be paid for from the PW-Paving Construction Capital Agency in the Capital Improvements Fund (4100-937-9372-PV004 CSAH Paving Program);

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis enters into a Cost Participation Agreement (PW 41-20-05 Project No 9321) which states that the City will participate toward costs associated with grade retention and safety railings.

Be It Further Resolved that the proper City officers be authorized to execute said agreement and any amendments thereto for and on behalf of the City.

Adopted 5/25/2007.

Absent - Hodges.

Resolution 2007R-259, directing the City Engineer to establish no parking restrictions on Main St NE between 1st and 3rd Av NE, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-259
By Colvin Roy

Directing the City Engineer to establish no parking restrictions on the westerly and easterly sides of Main St NE between the limits of 1st Av NE and 3rd Av NE.

Whereas, the City of Minneapolis and Hennepin County wish to reconstruct Main St NE between the limits of 1st Av NE and 3rd Av NE; and

Whereas, Minnesota Department of Transportation (MnDOT) State Aid Rule 8820 requires parking provisions to meet the existing average daily traffic and peak hour traffic volumes and a minimum number of drive lanes, lane widths and parking widths; and

Whereas, to meet State Aid Rule 8820 the County and the City recommend establishing No Parking Anytime at the following locations:
Both the easterly and westerly sides of Main St NE between the limits of 1st Av NE and 3rd Av NE; and

Whereas, State Aid rules require a certified resolution documenting the requested action;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby directed to install no parking anytime restrictions on the westerly and easterly sides of Main St NE between the limits of 1st Av NE and 3rd Av NE and to submit this resolution to the Commissioner of Transportation to meet State Aid Rule 8820.

Adopted 5/25/2007.

Absent - Hodges.

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee, having under consideration Flood Area 1 (between 41st Av N and 43rd Av N, and Sheridan Av N and Queen Av N), now recommends passage of the accompanying resolution increasing the appropriation for the project by $753,000, and decreasing the appropriation in the following funds in the total amount of $753,000:

SW004	Implement Stormwater Regulations	$150,000
SW011	Storm Drains and Tunnel Rehabilitation	$300,000
SW030	Alternative Stormwater Management Strategies	$303,000

Adopted 5/25/2007.

Absent - Hodges.

Resolution 2007R-260, increasing the appropriation for Flood Area 1 by $753,000 and decreasing the appropriation for three other projects in the Stormwater Fund by $753,000, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-260
By Colvin Roy and Ostrow

Amending Resolution 2006R-610, "Adopting the 2007-2011 Five Year Capital Program and fixing the maximum amounts for 2007 to be expended by the various funds under the jurisdiction of the City Council", passed December 11, 2006.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by adjusting the following capital project appropriations in the Stormwater and Sanitary Maintenance Agency in the Stormwater Fund (7300/932/9322) as follows:

From Project	Description	Appropriation Deducted	Project	To Description	Appropriation Added
SW004	Implement Stormwater Regulations	(150,000)	FLA01	Flood Area 1	150,000
SW011	Storm Drains & Tunnel Rehabilitation	(300,000)	FLA01	Flood Area 1	300,000
SW030	Alternative Stormwater Management Strategies	(303,000)	FLA01	Flood Area 1	303,000
		(753,000)			**753,000**

Adopted 5/25/2007.

Absent - Hodges.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying resolution designating the location and streets to be improved in the Mid-City Reconstruction Project, Special Improvement of Existing Street No 2919.

Adopted 5/25/2007.

Absent - Hodges.

Resolution 2007R-261, designating the location of the Mid-City Street Reconstruction Project, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-261
By Colvin Roy and Ostrow

MID-CITY STREET RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 2919

Designating the improvement of certain existing streets at the locations described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6 of the Minneapolis City Charter, by street paving with plant mix asphalt with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

Cleveland St between Summer St NE and Broadway Av and the intersections of Summer St NE and Kennedy St NE approximately 80 feet west of the Stinson Blvd Frontage Road right-of-way.

Adopted 5/25/2007.

Absent - Hodges

T&PW & W&M/Budget - Your Committee, having received a cost estimate of $758,000 for street reconstruction improvements and a list of benefited properties for the Mid-City Street Reconstruction Project (Cleveland St between Summer St NE and Broadway Av, and the intersections of Summer St NE and Kennedy St NE with the Stinson Blvd Frontage Road), Special Improvement of Existing Street No 2919, as designated by Resolution 2007R-261, passed May 25, 2007, now recommends that the City Engineer be directed to prepare proposed assessments against the list of benefited properties.

Your Committee further recommends that a public hearing be held on July 10, 2007 to consider approving the above-designated street reconstruction project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 5/25/2007.

Absent - Hodges.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying resolution decreasing the appropriation for the Mid-City Paving Project by $750,000 due to a reduction in the scope of the project, and increasing the appropriation for the following projects:

Lynnhurst Renovation (Phase III)	$370,000
Lake Street Reconstruction (Middle Segment)	$ 80,000
Elliot and 10th Av S Reconstruction	$300,000

Adopted 5/25/2007.

Absent - Hodges.

RESOLUTION 2007R-262
By Colvin Roy & Ostrow

Amending the 2007 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

a) Decreasing the appropriation in the PW-Paving Construction Capital Agency in the Capital Improvements Fund (4100-937-9372-PV036-Source 3846) by $750,000 for the Mid-City Street Reconstruction Project No 2919;

b) Increasing the appropriation in the PW-Paving Construction Capital Agency in the Capital Improvements Fund (4100-937-9372-PV603-Source 3846) by $370,000 for the Lynnhurst (Phase III) Renovation Project No 5182;

c) Increasing the appropriation in the PW-Paving Construction Capital Agency in the Capital Improvements Fund (4100-937-9372-LKST-Source 3846) by $80,000 for the Lake Street E (Middle Segment) Street Reconstruction Project No 6707; and

d) Increasing the appropriation in the PW-Paving Construction Capital Agency in the Capital Improvements Fund (4100-937-9372-PV034-Source 3846) by $300,000 for the Elliott & 10th Av S Reconstruction Project No 9848.

Adopted 5/25/2007.

Absent - Hodges.

T&PW & W&M/Budget - Your Committee, having under consideration the federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), now recommends that the proper City officers be authorized to submit a series of applications for 2011-2012 SAFETEA-LU funds passed through the state, as set forth in Petn No 272028 on file in the office of the City Clerk.

Your Committee further recommends that local funds be committed to support the approved SAFETEA-LU Projects, per federal requirements.

Adopted 5/25/2007.

Absent - Hodges.

T&PW & W&M/Budget - Your Committee recommends acceptance of the following bids submitted to the Public Works Department:

a) OP 6794, Accept low bid of Ram Building Restoration and Waterproofing, Inc., in the amount of $100,417, to furnish and deliver all labor, materials, equipment, and incidentals necessary for the removal and replacement of expansion joints for State Ramps A and B; and

b) OP 6796, Accept low bid of Northern Air Corporation, in the amount of $299,900, to furnish and deliver all labor, materials, equipment, and incidentals necessary to accomplish HVAC remodeling at Fire Station No 17.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said services, all in accordance with City specifications and contingent upon approval of the Civil Rights Department (Petn No 272028).

Adopted 5/25/2007.

Absent - Hodges.

The WAYS AND MEANS/BUDGET Committee submitted the following reports:

W&M/Budget - Your Committee, having held a public hearing to consider the 2008 Nicollet Mall Operating Budget, now recommends passage of the accompanying resolution:

a) Approving the 2008 Nicollet Mall Operating Budget in the amount of $1,263,101 as recommended by the Nicollet Mall Advisory Board; and

b) Directing the City Engineer to prepare an assessment roll setting forth the amount to be partially assessed against properties in the district as may be deemed appropriate by the City Council.

Adopted 5/25/2007.

Absent - Hodges, Hofstede.

Resolution 2007R-263, approving the 2008 Nicollet Mall Operating Budget, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-263
By Ostrow

Approving the 2008 Nicollet Mall Operating Budget and accepting adjustments to the 2007 Nicollet Mall Operating Budget.

Resolved by The City Council of The City of Minneapolis:

That the estimated cost of improving, operating and maintaining the Nicollet Mall for 2008, in accordance with Subd. 1, Section 420.102, Minnesota Statutes, be approved as follows:

Category 1 -	Amount to be charged against the General Funds of the City	$ 69,395
Category 2 -	Amount to be charged against benefited properties in Proportion to benefits	$1,172,706
Category 3 -	Amount to be specially taxed against properties after Deductions under categories 1 and 2, and rental fees	$ 0
	Rental received from vendors and other use	$ 21,000

Total amount required for 2008 improvements, operations and maintenance, prior years carry forward of unexpended balance and adjusted costs $1,263,101

Be it Further Resolved that the City Engineer be directed to prepare an assessment roll setting forth separately the amounts to be specially assessed against the benefited properties, in the district in proportion to benefits, descriptions of such properties and the names of the owners of such properties so far as such names are available to the City Engineer, and that the City Engineer confer with the Nicollet Mall Advisory Board in the preparation of such assessment roll.

Adopted 5/25/2007.

Absent - Hodges, Hofstede.

W&M/Budget - Your Committee, having under consideration the Fourth Precinct Safety Camera System, now recommends the following:

a) approve increasing the bid amount in contract C-23509 by $1,008,094 to provide said system; and

b) authorize execution of a services contract in the amount of $108,806 for integration with Shotspotter technology and existing cameras.

Your Committee further recommends passage of the accompanying Resolution appropriating $766,655 to Business Information Services Agency.

Adopted 5/25/2007.

Absent - Hodges, Hofstede.

RESOLUTION 2007R-264
By Ostrow

Amending The 2007 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Business Information Services Agency in the Info Tech - Internal Service Fund (6400-880-8870-5070 880F6784) by $766,655; and increasing the revenue source (6400-880-8870 - Source 3455) by $766,655.

Adopted 5/25/2007.

Absent - Hodges, Hofstede.

W&M/Budget– Your Committee recommends adoption of the revised policies for Printing, Copying and Copier Purchasing and Mailing, as set forth in Petn No 272036 on file in the Office of the City Clerk.

Your Committee further recommends directing the City Clerk to place said policies in the Policy and Procedures Library on the City's website.

Adopted 5/25/2007.

Absent - Hodges, Hofstede.

W&M/Budget - Your Committee, having under consideration the City Clerk's Convenience copier system, now recommends the transfer of the said system to Business Information Services (BIS), effective immediately.

Your Committee further recommends passage of the accompanying Resolution transferring the necessary funds to BIS.

Adopted 5/25/2007.

Absent - Hodges, Hofstede.

RESOLUTION 2007R-265
By Ostrow

Amending The 2007 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

a) decreasing the appropriation for the City Clerk Agency in the General Fund (0100-260-2630) by $187,100, minus expenses incurred by City Clerk's convenience copier system; and

b) increasing the appropriation for the Business Information Services Agency in the Info Tech - Internal Service Fund (6400-880-8811) by $187,100, minus expenses incurred by City Clerk's convenience copier system; and

c) decreasing the revenue source in City Clerk (6400-260-2630) by $300,000, minus revenues received by the actual transfer date; and

d) increasing the revenue source in Business Information Services (6400-880-8811) by 300,000, minus revenues received by the actual transfer date; and

e) authorizing the transfer of fixed assets from the City Clerk to Business Information Services using the same coding strings.

Adopted 5/25/2007.

Absent - Hodges, Hofstede.

(Republished June 16, 2007)

W&M/Budget - Your Committee, having under consideration the New Central Library Project, now recommends approval of Change Order No. 2 increasing Contract #C-22476 with FKI Logistex Inc. by $40,420, for a new contract total of $1,185,920.

Adopted 5/25/2007.

Absent - Hodges, Hofstede.

W&M/Budget– Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for the repair and polishing of the Minneapolis Convention Center terrazzo flooring, at an estimated cost of $3,000,000 and the completion date of August 15, 2008. No additional appropriations required.

Adopted 5/25/2007.
Absent - Hodges, Hofstede.
Approved by Mayor Rybak 5/25/2007.
(Published 5/30/2007)

W&M/Budget - Your Committee, having under consideration the Step-Up Youth Summer Employment Program, now recommends the following:

a) approval of the Empowerment Zone Governance Board Executive Committee recommendation, authorizing $92,000 from the federal Empowerment Zone grant (0300-890-8942); and

b) authorize the proper City officers to execute contracts with Achieve!Minneapolis setting forth the terms and conditions of administering federal Empowerment Zone funds.

Adopted 5/25/2007.
Declining to vote - Ostrow.
Absent - Hodges, Hofstede.

W&M/Budget - Your Committee, having under consideration the Workers' Compensation (WC) case management services, now recommends the following:

a) authorize the extension of the contract with Encore Unlimited, LLC for an additional 90 day term, commencing on May 15, 2007 to August 15, 2007, under the same fee arrangements; and

b) that the proper City officers be authorized to issue a Request for Proposals (RFP) for the provision of WC nursing case management services as well as consulting on medical liability claims or employment services.

Adopted 5/25/2007.
Absent - Hodges, Hofstede.

W&M/Budget – Your Committee recommends passage of the accompanying Resolution amending the 2006 General Appropriation Resolution to reflect the recommendation of the Finance Officer to provide supplemental departmental appropriations to accommodate spending commitments.

Adopted 5/25/2007.
Absent - Hodges, Hofstede.

Resolution 2007R-266, amending the 2006 General Appropriation Resolution to provide for supplemental departmental appropriations, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-266
By Ostrow

Amending The 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:
That the above-entitled resolution, as amended, be further amended as follows:

Appendix A
2006 Year End Supplemental Appropriations

Fund	Agency	Agency	Appropriation	Revenue	Description
GENERAL FUND					
0100	100	Assessor	$ 139,614		Technical adjustment
0100	127	Transfers Out (Equipment Fund)	$ 340,858		Technical adjustment
0100	127	Transfers Out (Self Ins Fund)	$ 3,080,000		Technical adjustment
0101	261	City Clerk	$ 40,401		Appropriation increase to cover spending
0100	264	Elections	$ 1,700		Appropriation increase to cover spending
0100	280	Fire	$ 19,448		Appropriation increase to cover spending
0100	400	Police	$ 4,000,000		Appropriation increase to cover spending
0100	607	Field Services	$ 925,000	$ 925,000	Bridge/Streets Work for Others
0100	650	PW Administration	$ 220,000	$ 220,000	Transportation Action Plan
	Total General Fund		**$ 8,767,021**	**$ 1,145,000**	
CDBG FUND					
0400	280	Fire	$ (23,825)		CDBG year 31 - Problem Properties
0400	835	Regulatory Services	$ 23,825		CDBG year 31 - Problem Properties
		Total CDBG	**$ -**	**$ -**	
GRANTS - OTHER FUND					
0600	127	Non-Departmental	$ 6,327,900	$ 6,327,900	Hilton Loan Payoff/ Loan Recapature Interest Rev.
	Total Grants - Other		**$ 6,327,900**	**$ 6,327,900**	
EQUIPMENT FUND					
6100	127	Transfers In		$ 340,858	Technical Adjustment
		Total Equipment	**$ -**	**$ 340,858**	
PROPERTY SERVICES FUND					
6200	680	Property Services	$ 1,500,000	$ 1,500,000	Technical Adjustment
	Total Property Srvs		**$ 1,500,000**	**$ 1,500,000**	

INFORMATION TECHNOLOGY FUND							
6400	260	City Clerk	$	452,060	$	452,060	Additional business Copy Center/Mailing
6400	880	BIS	$	5,790,723	$	5,790,723	Capital through operating
		Total Information Technology	**$**	**6,242,783**	**$**	**6,242,783**	
SELF INSURANCE FUND							
6900	127	Transfers In (G/F)			$	3,080,000	Technical Adjustment
6900	129	Health & Welfare	$	8,681,825	$	8,681,825	Technical Adjustment
6900	150	Liability	$	2,348,560			Technical Adjustment
	Total Self Insurance		**$**	**11,030,385**	**$**	**11,761,825**	
SANITARY SEWER FUND							
7100	630	Sewer Maintenance	$	2,000,000	$	2,000,000	SAC Charges
		Total Sanitary Sewer Fund	**$**	**2,000,000**	**$**	**2,000,000**	
WATER FUND							
7400	690	Water Operations	$	290,000			Appropriation increase to cover spending
		Total Sanitary Sewer Fund	**$**	**290,000**	**$**	**-**	
SOLID WASTE FUND							
7700	664	Solid Waste	$	76,000			Appropriation increase to cover spending
		Total Solid Waste Fund	**$**	**76,000**	**$**	**-**	
		Total All Funds	**$**	**36,234,089**	**$**	**29,318,366**	
		Expense Net Revenue	**$**	**6,915,723**			

Adopted 5/25/2007.
Absent - Hodges, Hofstede.

W&M/Budget – Your Committee, having received recommendations from the Human Resource Department regarding revision to the Appointed Employee Salary Administration Plan and the Compensation Administration for Classified Employees, now recommends the following:

a) authorize city Department Heads to approve extraordinary salary requests up to Step "C" or Step 3, respectively;

b) authorize the Human Resource Director to approve extraordinary salary requests above Step "C" or Step 3, respectively, except those for charter department heads; and

c) direct the Human Resources Department to continue its practice of requiring documentation of exceptional requests and keeping them in a central location in the Human Resources Department.

Adopted 5/25/2007.
Absent - Hodges, Hofstede.

W&M/Budget - Your Committee, having under consideration a recommendation by the Department of Human Resources to add a new appointed position entitled Director, Surface Water and Sewers, now recommends the following:

a) That the proposed position meets the criteria in Section 20.1010 of the Minneapolis Code of Ordinances, and that the position may be established in accordance with the findings (as set forth in Petn No 272041);

b) Approval of the proposed appointed position, allocated to grade 15 with 703 points; and

c) Passage of the accompanying Salary Ordinance establishing the annual salary for said position in accordance with the adopted appointed employee's compensation plan, effective May 16, 2007.

Adopted 5/25/2007.

Absent - Hodges, Hofstede.

Ordinance 2007-Or-034 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, establishing the newly appointed position of Director, Surface Water and Sewers, was adopted 5/25/2007 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2007-Or-034
By Ostrow
1st & 2nd Readings: 5/25/2007

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

Appointed Officials (CAP)
Effective: May 16, 2007

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A Start rate	Step B After 1 "A" year	Step C After 2 "B"	Step D After 3 "C"
E	1	Director Surface Water and Sewers	703	15	A	$99,249	$104,472	$107,606	$109,696

Adopted 5/25/2007.

Absent - Hodges, Hofstede.

W&M/Budget - Your Committee recommends passage of the accompanying Resolution approving the terms of a 12 month labor agreement with the AFSCME Local 9, General Unit effective January 1, 2007 through December 31, 2007.

Adopted 5/25/2007.

Absent - Hodges, Hofstede.

Resolution 2007R-267, approving the terms of a 12 month labor agreement with the AFSCME Local 9, General Unit, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-267
By Ostrow

Approving the terms of a collective bargaining agreement with the AFSCME Local #9, General Unit and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the American Federation of State, County and Municipal Employees Local #9, General Unit, as set forth in Petn No 272041, be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 5/25/2007.

Absent - Hodges, Hofstede.

W&M/Budget - Your Committee recommends passage of the accompanying Resolution approving the terms of a 1 year labor agreement with the Minneapolis Professional Employees Unit effective January 1, 2007 through December 31, 2007.

Adopted 5/25/2007.

Absent - Hodges, Hofstede.

Resolution 2007R-268, approving the terms of a 1 year labor agreement with the Minneapolis Professional Employees Unit, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-268
By Ostrow

Approving the terms of a collective bargaining agreement with the Minneapolis Professional Employees Unit and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the Minneapolis Professional Employees Unit, as set forth in Petn No 272041, be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 5/25/2007.

Absent - Hodges, Hofstede.

W&M/Budget - Your Committee, having under consideration the staff recommendation relating to the Unisys Contract C-1888101, now recommends increasing said contract by $500,000 for change order transactions of $50,000 or less through the end of 2007, as set forth in Petn No 272035 on file in the Office of the City Clerk. No additional appropriations required.

Adopted 5/25/2007.

Absent - Hodges, Hofstede.

The ZONING & PLANNING Committee submitted the following reports:

Z&P - Your Committee, having under consideration a request from the East River Mews Association to name an existing, unnamed private street serving a condominium/townhouse development in the vicinity of Franklin Ave SE and Thornton St SE, now recommends approval to name said street "River Mews Court" pursuant to Chapter 436 of the Minneapolis Code of Ordinances.

Your Committee further recommends that Public Works Department staff be directed to inform public and private agencies of said changes.

Adopted 5/25/2007.

Absent - Hodges.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Hennepin County Housing, Community Works and Transit to vacate a portion of a north-south public alley occurring within the block bounded by 28th St E, 11th Ave S, the Midtown Greenway and 10th Ave S (#1508), for construction of a new portion of the alley that leads out to 10th Ave S as well as utilizing the property for open space and access to the Midtown Greenway, subject to retention of easement rights by Xcel Energy, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying resolution vacating said alley.

Adopted 5/25/2007.

Absent - Hodges.

Resolution 2007R-269, vacating part of the public alley in Block 2, Avery's Chicago Avenue Addition to Minneapolis, Hennepin County, Minnesota (vicinity of the block bounded by 28th St E, 11th Ave S, the Midtown Greenway and 10th Ave S), was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-269
By Schiff

Vacating part of the public alley in Block 2, Avery's Chicago Avenue Addition to Minneapolis, Hennepin County, Minnesota (#1508).

Resolved by The City Council of The City of Minneapolis:

All that part of the alley in Block 2, Avery's Chicago Avenue Addition to Minneapolis according to the recorded plat thereof, Hennepin County, Minnesota, as follows: Beginning at a point located 6.68 feet north of the southeast corner of Lot 25, said Addition, then East to the west line of Lot 8, said Addition, then South to a point located 24 feet south of the south line of Lot 13, said Addition, then West to the east line of Lot 19, said Addition, then north to the point of beginning, is hereby vacated except that such vacation shall not affect the existing authority of Xcel Energy, their successors and assigns, to enter upon that portion of the aforedescribed alley which is described in regard to each of said corporations as follows, to wit:

Xcel Energy, subject to an easement over the entire area to be vacated,

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said easement upon or within the above-described areas without first obtaining the written approval of the corporation(s) having utility facilities located within the area involved authorizing them to do so.

Adopted 5/25/2007.

Absent - Hodges.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in denying the petition of Greg Spaulding (BZZ-3484) to rezone the property at 3010 W River Pkwy from R1A to the R6 District to allow 5 additional accessory parking spaces for the multi-family building at 3000 W River Pkwy, and adopting the related findings of the City Planning Commission, notwithstanding staff recommendation.

Adopted 5/25/2007.

Absent - Hodges.

MOTIONS

Schiff introduced an ordinance amending Title 11, Chapter 226 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Graffiti Nuisance Property, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (reducing the required time for graffiti abatement from 10 days to 7 days).

Lilligren introduced the subject matter of ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, which were given their first reading and referred to the Zoning & Planning Committee (to rezone select parcels and add a pedestrian oriented overlay district in response to the Nicollet Avenue Moratorium introduced August 18, 2006), as follows:

a. Chapter 521 relating to Zoning Districts and Maps Generally;
b. Chapter 551 relating to Overlay Districts.

Hodges introduced the subject matter of ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, which were given their first reading and referred to the Zoning & Planning Committee (to rezone select parcels and add a pedestrian oriented overlay district as an implementation step for the South Lyndale Corridor Master Plan adopted January 27, 2006), as follows:

a. Chapter 521 relating to Zoning Districts and Maps Generally;
b. Chapter 551 relating to Overlay Districts.

RESOLUTIONS

Resolution 2007R-270, honoring Cynthia Lee for 29 years of service to the City of Minneapolis, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-270
By Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden, Schiff, Remington, Benson, Colvin Roy and Hodges

Honoring Cynthia Lee for 29 years of service to the City of Minneapolis.

Whereas, Cynthia Lee has consistently provided outstanding performance in her 29-year career with the City of Minneapolis, exhibiting the highest caliber of professionalism, creative solutions to challenges, breadth of knowledge, management acumen and unwavering commitment to excellence; and

Whereas, Cynthia has a multitude of achievements including:

- Manager of the Multi-Family Housing Department, where she provided outstanding leadership and vigilance in addressing the many challenges of the work

- Multifamily rental gap funding more than tripled and production of affordable housing increased from 335 affordable units in 1999 to 1,294 affordable units in 2004, and a remarkable 10,000 rental and ownership units were produced throughout her career
- A number of "best practices" including the Multi-Family database, Housing Developer fee policy, pre-bid and closing procedures, electronic Request for Proposals systems, and closing support functions
- Creating and implementing many successful City policies and strategies to achieve affordable housing for seniors, supportive housing for homeless, mixed income and mixed use housing, high density corridor housing, and de-concentration of affordable housing
- Developing and implementing key City programs including the Affordable Housing Trust Fund, High Density Corridor Housing, Senior Housing Program, Affordable Ownership Housing Program, Market Building Pilot Program; and

Whereas, Cynthia has represented the City on many important committees and advisory boards, where her knowledge of the issues is unparalleled; and

Whereas, Cynthia is an accomplished artist, an avid traveler, a life long equestrian, and an all around good person; and

Whereas, Cynthia will leave employment with the City of Minneapolis on May 25, 2007;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That we commend Cynthia Lee for her dedicated service to the City of Minneapolis and thank her for her many contributions to the quality of life of residents in the City of Minneapolis.

Be It Further Resolved that we wish Cynthia Lee much happiness, excellent health, personal and professional fulfillment and many extraordinary traveling opportunities in the years to come.

Adopted 5/25/2007.

Absent - Hodges.

Resolution 2007R-271, recognizing the Marcy Open School Winning "Best in Presentation" in Project Citizen, was adopted 5/25/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2007R-271
By Hofstede, Ostrow, Gordon, Johnson, Samuels, Lilligren, Goodman, Glidden, Schiff, Remington, Benson, Colvin Roy and Hodges

Recognizing the Marcy Open School Winning "Best in Presentation" in Project Citizen.

Whereas, Marcy Open School endeavors to instill in its students the importance of citizen involvement as a positive impact on the community; and

Whereas, the importance of student activism, neighborhood improvement, dedication to civic responsibility and striving to make significant change is a hallmark of this involvement; and

Whereas, Abby Fields, Kristofer Bergh, Danny Fisher, Mariah Sadler project focused on the important neighborhood issue of bicyclist, pedestrian and student safety concerns at the intersection at University Avenue and 6th Avenue South East; and

Whereas, the students are concerned of future impact of automobile traffic upon the area as a result of increased business and housing developments in the Marcy Holmes neighborhood; and

Whereas, the students' recommendation called for the installation of a traffic signal and for the collaborative efforts of the City Council, biking organizations, Marcy Holmes Neighborhood, University of Minnesota Community Liaison, University of Minnesota Student organizations and the Marcy Open School to seek Transit for Livable Communities funding; and

Whereas, based upon their final report and presentation to a panel of judges on May 16, 2007 at the Minnesota State Capital, they were awarded the "Best in Presentation Category" award;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council commends the outstanding efforts of the students of Marcy Open School in improving their neighborhood and being active participants in citizen participation process in the City of Minneapolis.

Adopted 5/25/2007.

Absent - Hodges.

Lilligren moved to adjourn to Room 315 City Hall to consider the matter of *In Re Greater Minneapolis Day Care Association* and the lawsuit entitled *City of Minneapolis v. Ames & Fischer Co. II, LLP and Capitol Indemnity Corporation and Ames & Fischer Co. II, LLP v. City of Minneapolis and the Minneapolis Community Development Agency (MCDA)*. Seconded.

Adopted upon a voice vote 5/25/2007.

Room 315 City Hall
Minneapolis, Minnesota
May 25, 2007 - 11:35 a.m.
The Council met pursuant to adjournment.
Council President Johnson in the Chair.

Present - Council Members Colvin Roy, Glidden, Remington, Benson, Goodman, Gordon, Hofstede, Ostrow, Schiff, Lilligren, President Johnson.

Absent - Council Members Hodges, Samuels.

Ginder stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters of *In Re Greater Minneapolis Day Care Association* and the lawsuits entitled *City of Minneapolis v. Ames & Fischer Co. II, LLP and Capitol Indemnity Corporation and Ames & Fischer Co. II, LLP v. City of Minneapolis and the MCDA*.

At 11:38 a.m., Remington moved that the meeting be closed. Seconded.

Adopted upon a voice vote.

Absent - Hodges, Samuels, Hofstede, Ostrow, Schiff, Lilligren.

Present - Colvin Roy, Glidden, Remington (Out at 12:08 p.m.; In at 12:11 p.m.), Benson, Goodman, Gordon (Out at 12:46 p.m.; In at 12:48 p.m.), Hofstede (In at 11:41 a.m.), Ostrow (In at 11:39 a.m.; Out at 12:15 p.m.; In at 12:16 p.m.), Schiff (In at 11:41 a.m.; Out at 12:15 p.m.; In at 12:24 p.m.), Lilligren (In at 11:39 a.m.; Out at 1:15 p.m.; In at 1:21 p.m.), President Johnson.

Absent – Hodges, Samuels.

Also Present - Mayor R.T. Rybak; Peter Ginder, Deputy City Attorney; Susan Trammell, Assistant City Attorney (Out at 12:17 p.m.); Charles Nauen, outside counsel with Lockridge, Grindal, Nauen PLLP (In at 12:17 p.m.); Pat Born, Finance Officer; Mike Sachi, Parking & Skyway Systems Engineer; Jon Wertjes, Director of Transportation & Parking Services (Out at 11:59 a.m., In at 12:25 p.m.); Tina Smith, Mayor's Chief of Staff (Out at 1:00 p.m., In at 1:02 p.m.); Gretchen Musicant, Commissioner of Health; Becky McIntosh, Director of Administration, Health Department; Merry Keefe, City Clerk; and Tina Sanz, City Clerk's Office.

Trammell summarized the matter of *In Re Greater Minneapolis Day Care Association* from 11:40 a.m. to 11:49 a.m.

Ginder and Nauen summarized the *City of Minneapolis v. Ames & Fischer Co. II, LLP and Capitol Indemnity Corporation* and *Ames & Fischer Co. II, LLP v. City of Minneapolis and the MCDA* lawsuits from 12:19 p.m. to 12:38 p.m.

At 1:30 p.m., Lilligren moved that the meeting be opened. Seconded.

Adopted upon a voice vote.

Absent - Hodges, Samuels.

Colvin Roy moved to approve the settlement of the case of *The City of Minneapolis v. Ames and Fischer Co. II, LLP, and Capital Indemnity Corporation*; and *Ames and Fischer Co. II, LLP v. City of Minneapolis and MCDA*; Hennepin County Court File No.: CT 04-16998 according to the following terms:

- Ames and Fischer pays the City $1,000,000 in June 2007
- Ames and Fischer pays the City $4,400,000 at Ramp sale closing, approximately September 15, 2007
- Ames and Fischer pays the City $2,600,00 Ramp Purchase Price approximately September 15, 2010
- City sells Ramp to Ames and Fischer "As Is"
- Ramp Purchase Price to be fully secured by Letter of Credit or escrow account.

That appropriate City officials are further directed to take necessary actions to comply with MCO § 14.120 governing sale of city lands and buildings used for municipal purposes, including noticing appropriate public hearing before the Transportation and Public Works Committee and subsequent approval by the City Council. This settlement is contingent upon the subsequent approval by the council of the Ramp sale.

That the proper City officials are hereby authorized to execute any documents necessary to effectuate this settlement. That appropriate city officials are directed to begin preparation of necessary authorizations to issue tax increment refunding bonds and related appropriation directives to implement the settlement and return to the City Council for approval. Seconded.

Adopted 5/25/2007.

Absent - Hodges, Samuels.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

Lilligren moved to adjourn. Seconded.

Adopted upon a voice vote 5/25/2007.

Absent - Hodges, Samuels.

Merry Keefe,
City Clerk.

Unofficial Posting: 5/31/2007
Official Posting: 6/4/2007
Corrections: 6/8/2007; 6/22/2007; 8/17/2007