MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF APRIL 13, 2007

(Published April 21, 2007, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
April 13, 2007 - 9:30 a.m.
Council President Johnson in the Chair.
Present - Council Members Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Samuels, Gordon, Hofstede, President Johnson.
Lilligren moved adoption of the agenda. Seconded.
Adopted upon a voice vote 4/13/2007.
Lilligren moved acceptance of the minutes of the regular meeting of March 30, 2007 and the adjourned session held March 30, 2007. Seconded.
Adopted upon a voice vote 4/13/2007.
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 4/13/2007.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT (See Rep):
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271912)
Blaisdell Housing Limited Partnership (re Blaisdell Apartments Project, 2119 Pillsbury Ave; 2200, 2215, 2221 & 2312 Blaisdell Ave): Preliminary & final approval to issue bonds for acquisition & renovation of multi-family housing facilities.
Landmark Minnesota, dba Master Development Group (re North Washington Industrial Park Project, 1300 & 1316 - 2nd St N & 109 - 14th Ave N): Extension of closing deadline for redevelopment contract.
1120-25th Ave N: Amendment to redevelpoment agreement to permit an alternate parking surface.
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271913)
Land Sale: 2034 W Broadway.
CPED Mortgage & Home Improvement Lending Services: Release of Request for Proposals.
Mpls Housing Replacement Tax Increment Financing District II: Addition of 24 parcels to & removal of 3 parcels from district.
2018 James Ave N: Inclusion of project into Century Homes Program.
Laurel Village Project (1103, 1317 & 1325 Hawthorne Ave; 1100, 1126, 1216, 1222, 1306, 1300 & 1322 Hennepin Ave; 20-15th St N; & 1400 Laurel Ave): Transfer of real estate from the Mpls Community Development Agency (MCDA) to the City.
Seven Corners Project (1811-1st St S): Transfer of real estate from the MCDA to the City.

Historic State, Orpheum & Pantages Theatres: Settlement of insurance policy purchased through MCDA.

GRANTS AND SPECIAL PROJECTS (271914)

2007 Consolidated Plan.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (271915)

Adjustment to 2006 NRP Administrative Budget & Fund 2300.

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271916)

Bean Scene Restaurant (2220 W Broadway): Working Capital Loan.

Master Development (re 201 W Broadway): Commercial Corridors Revitalization Loan.

Target Center Arena (600 - 1st Ave N): Selection of AEG Facilities, Inc as new operator & execution of leases, agreements; consenting to assignment by Midwest Entertainment Group LLC & assumption by AEG of arena agreements, assets & obligations; related actions.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (271917)

Bancroft NRP Phase II Neighborhood Action Plan.

HEALTH, ENERGY AND ENVIRONMENT:

HEALTH AND FAMILY SUPPORT SERVICES (271918)

Public Health Week (April 2-6, 2007): Presentation.

HEALTH, ENERGY AND ENVIRONMENT (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (271919)

Senior Citizen Advisory Committee: Mayoral and Council appointments for 2-year terms.

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

HEALTH AND FAMILY SUPPORT SERVICES (271920)

Tax Services for Low Income Adults: Accept $19,445 from Friends of the Skyway Senior Center to provide services to low income adults; and Approve appropriation.

Friends of the Skyway Senior Center Newsletter: Accept $9,000 from Friends of the Skyway Senior Center to provide newsletter preparation and distribution; and Approve appropriation.

Get Fit Twin Cities: Accept $2,325 from UCare as a donation towards the Get Fit Twin Cities Campaign; and Approve appropriation.

Pandemic Influenza Planning: Accept $151,818 from the Minnesota Department of Health for pandemic influenza planning; and Approve appropriation.

INTERGOVERNMENTAL RELATIONS:

INTERGOVERNMENTAL RELATIONS (271921)

Legislative Updates.

PUBLIC SAFETY AND REGULATORY SERVICES:

REGULATORY SERVICES (271922)

Dangerous Animals Ordinance and Enforcement Process: Report.

Worker Safety at Construction Sites in Minneapolis: Report.

Chapter 249 Property at 2623 Dupont Av N: Update report.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

LICENSES AND CONSUMER SERVICES (271923)

1st Quality Market (2728 Nicollet Av S): Grant Grocery and Tobacco Dealer Licenses, with conditions.

Licenses: Applications.

POLICE DEPARTMENT (271924)

Police Department Business Plan: 2007-2011 plan update.

REGULATORY SERVICES (271925)

Emergency Preparedness: Issue Request for Proposals for various emergency management and emergency preparedness professional service providers.

Rental Dwelling License at 2628 Dupont Av S: Revoke license held by Randy Gritz and Terry Kramer.

Financial Cost of False Alarms: Report.

Department of Regulatory Services Business Plan: Approve 2007-2011 plan.

PUBLIC SAFETY AND REGULATORY SERVICES and TRANSPORTATION & PUBLIC WORKS (SeeRep):

PUBLIC WORKS AND ENGINEERING (271926)

Special Assessment Deferment at 3438 Emerson Av N: Approve application of Charles D. Williams to defer tree removal assessment.

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

POLICE DEPARTMENT (271927)

Bomb Unit: Accept mobile storage facility/trailer from State of Minnesota.

PURCHASING (271928)

Regulatory Services Bids: Accept bids for Securing Vacant and Open Buildings, Weed Cutting, Tree Removal and Disposal, and Rubbish and Refuse Removal.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (271929)

Municipal State Aid Street System: Additions and deletions to system.

Transportation Management Organization (TMO): Appoint David Luick to TMO Executive Committee.

Bloomington-Lake Special Service District Advisory Board: Temporary appointments.

Chicago-Lake Special Service District Advisory Board: Temporary appointments.

City/County Solid Waste Management Facility: a) Agreements with Hennepin County; and b) Acquire property 620 Malcolm Av SE.

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

PUBLIC WORKS AND ENGINEERING (271930)

50th St E Reconstruction Project: Order work to proceed, and request Board of Estimate and Taxation to sell bonds; Comments.

Lynnhurst Street Renovation Project: Order work to proceed, and request Board of Estimate and Taxation to sell bonds.

Columbia Heights Membrane Filtration Plant: Amendment No 3.

Non-Motorized Transportation Pilot Program (NTP): a) Enter agreements to accept grant awards; b) Issue RFP for consultant: and c) Submit proposals for Ambassador Program.

Downtown Minneapolis Transportation Management Organization (TMO): Agreements with Met Council and Downtown Minneapolis TMO to accept grant funding.

Downtown Minneapolis Transportation Pilot Program (NTP): Submit pedestrian and bicycle projects.

Bids: a) OP 6732, Pierce Manufacturing, for two fire trucks; b) OP 6738, Nadeau Excavating, Inc., for West Broadway Gateway Monument Project; c) OP 6744, L.S. Black Constructors, Inc., for areaway abandonment at 2700 E Lake St; d) OP 6749, Commercial Asphalt Company and Bituminous Roadways, Inc. for bituminous mixtures; e) OP 6752, Cemstone Products Company, for ready mix concrete; and f) OP 6753, Mainlining Service Inc., for cleaning and lining of water mains.

WAYS AND MEANS BUDGET:

ATTORNEY (271931)

Ethical Practices Board: 2006 Annual Report.

COORDINATOR (271932)

Minneapolis Charitable Campaign Report: 2006 results.

ESTIMATE AND TAXATION (271933)

Minneapolis Police Department: Review of Confidential Funds, Chief's Contingency Fund, and Property and Evidence Room Cash.

WAYS AND MEANS BUDGET (See Rep):

BUSINESS INFORMATION SERVICES (BIS) (271934)

Bentley Systems, Incorporated: Contract for Computer-Aided Civil Engineering Application.

rClient, Incorporated: Contract for Broadband Implementation Services.

Application Support Positions: 8 FTE's for Information Systems & Customer Relations Division.

Business Plan: 2007 - 2011.

COMMUNICATIONS (271935)

May 2007 Utility Billing Insert: Park Smart.

CONVENTION & VISITORS ASSOCIATION OF GREATER MPLS (271936)

Business Plan: 2007 - 2011.

FINANCE DEPARTMENT (271937)

2006 Rollover Funds: Reappropriation to 2007.

Business Plan: 2007 - 2011.

HUMAN RESOURCES (271938)

Minneapolis Foremen's Association: Labor agreement.

INTERGOVERNMENTAL RELATIONS (271939)

Project to End Homelessness: RFP for Outreach Workers.

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (271940)

Appeal:

Curt Gunsbury (re Hotel Uptown, 3017, 3021 & 3027 Holmes Ave S): Re decision of the Planning Commission regarding application for variance for construction of a 6-story hotel.

Vacations:

Anne Gardner (3809, 3811 and 3813 Sheridan Ave S): Platted drainage and utility easements.

Global One Hotel (1125 4th Ave S): A portion of the Grant Street right-of-way and an easement for public alley purposes for construction of a 10-story.

The following reports were signed by Mayor Rybak on April 18, 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 COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev – Your Committee, having under consideration the City's application to the U.S. Department of Housing and Urban Development (HUD) for 2007 Community Development Block Grant, Home Investment Partnerships, Emergency Shelter Grant, Housing Opportunities for Persons with AIDS and American Dream Downpayment Initiative funding, now recommends that the proper City officers be authorized to submit the 2007 Consolidated Plan to HUD.

Adopted 4/13/2007.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of land for the Heritage Park Redevelopment Project Phases 1 and 2, Disposition Parcels No. HP 14 and 15 (property bounded by Emerson Ave North on the west, Van White Memorial Blvd on the east and 8th Ave N on the south, and the northern boundary being two homeowner lots at 800 Emerson and 801 Van White) to Heritage Housing, LLC, and that the proper City officers be authorized to execute all necessary documents related thereto.

Adopted 4/13/2007.

Resolution 2007R-159, authorizing sale of land Heritage Park Disposition Parcels Nos. HP 14 & 15 (property bounded by Emerson Ave N on the west, Van White Memorial Blvd on the east and 8th Ave N on the south, and the northern boundary being two homeowner lots at 800 Emerson and 801 Van White), was adopted 4/13/2007 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-159
By Goodman

Authorizing sale of land Heritage Park Disposition Parcels Nos. HP 14 & 15 (property bounded by Emerson Avenue North on the west, Van White Memorial Boulevard on the east and 8th Avenue North on the south, and the northern boundary being two homeowner lots at 800 Emerson and 801 Van White).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcels HP 14 & 15, in the Harrison and Near North neighborhoods, from Heritage Housing LLC, hereinafter known as the Redeveloper, the Parcels HP 14 & 15, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of HP 14 & 15; HPR 14 & 15; Outlots I & J: Outlot I and Outlot J, City of Minneapolis Near Northside Addition; and

Whereas, the Redeveloper has offered to pay the sum of $1, for Parcels HP 14 & 15 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcels; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on March 23, 2007, a public hearing on the proposed sale was duly held on April 3, 2007, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Heritage Park plan, as amended, is hereby estimated to be the sum of $1 for Parcels HP 14 & 15.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcels in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 4/13/2007.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 2034 W Broadway to EC Investments LLC for $23,500.

Adopted 4/13/2007.

Resolution 2007R-160, authorizing sale of land Tax Forfeiture Program Disposition Parcel No TF-442 (2034 W Broadway), was adopted 4/13/2007 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-160
By Goodman

Authorizing sale of land Tax Forfeiture Program Disposition Parcel No TF-442 (2034 W Broadway).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-442, in the Jordan neighborhood, from EC Investments LLC, hereinafter known as the Redeveloper, the Parcel TF-442, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION for TF-442; 2034 West Broadway: Lot 38, Block 20, Forest Heights. Being registered land as is evidenced by Certificate of Title No. 1142853; and

Whereas, the Redeveloper has offered to pay the sum of $23,500.00, for Parcel TF-442 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on March 23, 2007, a public hearing on the proposed sale was duly held on April 3, 2007, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Tax Forfeiture Program plan, as amended, is hereby estimated to be the sum of $23,500.00 for Parcel TF-442.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 4/13/2007.

Comm Dev - Your Committee recommends that the proper City officers be authorized to release a Request for Proposals to seek the services of an outside lender to perform some of the lending services for the Department of Community Planning & Economic Development mortgage and home improvement programs.

Adopted 4/13/2007.

Comm Dev - Your Committee recommends passage of the accompanying resolution adding 24 parcels to, and deleting 3 parcels from, the Minneapolis Housing Replacement Tax Increment Financing District II.

Adopted 4/13/2007.

Resolution 2007R-161, adopting the addition of 24 parcels to, and deletion of 3 parcels from, the Housing Replacement Tax Increment Financing District II, was adopted 4/13/2007 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-161
By Goodman

Adopting the addition of 24 parcels to and deletion of 3 parcels from Housing Replacement Tax Increment Financing District II.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals

Pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the "City"), acting by and through its department of Community Planning and Economic Development, has been granted the authority to propose and implement city development districts, housing and redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179, as amended, and Laws of Minnesota 1995, Chapter 264, Article 5, Sections 44 through 47, as amended by Minnesota Session Laws 1996, Chapter 471, Article 7, Minnesota Session Laws 1997, Chapter 231, Article 10, and Minnesota Session Laws 2002, Chapter 377, Article 7 (the "Act") and other laws enumerated therein (collectively, the "Project Laws"); and

By Resolution No 2003R-386 duly adopted on August 22, 2003, the City Council of the City (the "Council") adopted a resolution approving the Minneapolis Housing Replacement TIF District II Plan enabling the Agency to establish a Housing Replacement Tax Increment Financing District (the "District") within the City; and

That the Act and the Plan specify the procedures whereby parcels may be added to and deleted from the District; and

It has been proposed that the City adds twenty-four parcels to the District and deletes three parcels previously added to the District.

Section 2. Findings for the Adoption of the Plan

The Council hereby finds, determines and declares that these twenty-four parcels qualify for inclusion in the District pursuant to the Act and the Plan; and that the reasons and supporting facts for this determination are retained and available from the City; and

The Council further finds, determines and declares that three properties are being deleted from the District; and

The Council further finds, determines and declares that the intended acquisition of these properties did not take place and redevelopment did not occur, pursuant to the Project Laws; and

The Council further finds, determines and declares that the properties to be added to and certified within the District includes no vacant parcels; and

The Council further finds, determines and declares that the intended reuse of these properties is market-rate, owner-occupied housing, pursuant to the Project Laws; and

The Council further finds, determines and declares that there will be 82 parcels in the Minneapolis Housing Replacement TIF District II with the inclusion and deletion of the parcels identified on Attachment 1 to this resolution. The maximum number of parcels that can be included in the District is 100 parcels;

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

That the parcels listed are hereby approved for inclusion and/or deletion as part of the Minneapolis Housing Replacement TIF District II:

Housing Replacement District II

Existing Housing Replacement District II Properties (61)

2505 Irving Avenue North
2509 Irving Avenue North
2709 Humboldt Avenue North
3010 Queen Avenue North
2354 James Avenue North
3243 Aldrich Avenue North
3210 Aldrich Avenue North
3250 6th Street North
3223 6th Street North
4515 5th Avenue South
2750 Thomas Avenue North
1900 Willow Avenue North-Lowell School Site Assemblage
1418 25th Avenue North
2627 Fremont Avenue North
3201 Bryant Avenue North
1014 30th Avenue North
1316 14th Avenue North
1400 25th Avenue North
3246 Emerson Avenue North
2300 James Avenue North
2127 Queen Avenue North
3207 Bryant Avenue North
2517 James Avenue North
2641 Emerson Avenue North
2615 Thomas Avenue North

1518 Morgan Avenue North
2511 James Avenue North
2525 James Avenue North
2638 Colfax Avenue North
2814 Knox Avenue North
2542 17th Avenue South
2826 14th Avenue South
3504 Longfellow Avenue South
3343 Fremont Avenue North
630 19th Avenue NE
2751 Sheridan Avenue North
2119 James Avenue North
2302 Fremont Avenue North
419 31st Avenue North
427 31st Avenue North
428 31st Avenue North
429 31st Avenue North
1415 18th Avenue NE
3519 Oliver Avenue North
2534 James Avenue North
2530 James Avenue North
1620 26th Avenue North
1712 26th Avenue North
1716 26th Avenue North
5207 Girard Avenue North
4219 Girard Avenue North
~~3707 Girard Avenue North~~
~~3700 Girard Avenue North~~
3411 Fremont Avenue North
3301 Knox Avenue North
3730 Fremont Avenue North
~~3726 Fremont Avenue North~~
3442 Dupont Avenue North
2101 Ilion Avenue North
1000 30th Avenue North
1109 33rd Avenue North

Additions to Existing Housing Replacement District II (24)
406 30th Avenue North
420 30th Avenue North
409 31st Avenue North
415 31st Avenue North
424 31st Avenue North
3023 4th Street North
3035 6th Street North
2619 Oliver Avenue North
2623 Oliver Avenue North
2655 Oliver Avenue North
2814 Oliver Avenue North
2020 Penn Avenue North
2131 Penn Avenue North
2430 Penn Avenue North
2622 Penn Avenue North
2636 Penn Avenue North

2700 Penn Avenue North
2717 Penn Avenue North
2718 Penn Avenue North
2720 Penn Avenue North
2721 Penn Avenue North
2724 Penn Avenue North
2733 Penn Avenue North
2800 Penn Avenue North

Deletions from Existing Housing Replacement District II (3)
3707 Girard Avenue North
3700 Girard Avenue North
3726 Fremont Avenue North
Adopted 4/13/2007.

Comm Dev - Your Committee recommends approval of the inclusion of property at 2018 James Ave N, a vacant lot located within the Cottage Park Cluster development project area of the Northside Home Fund, into the Century Homes program.
Adopted 4/13/2007.

Comm Dev - Your Committee recommends passage of the accompanying resolution transferring the Laurel Village Project real estate (1103, 1317 and 1325 Hawthorne Ave; 1100, 1126, 1216, 1222, 1306, 1300 and 1322 Hennepin Ave; 20 - 15th St N and 1400 Laurel Ave) from the Minneapolis Community Development Agency (MCDA) to the City of Minneapolis.
Your Committee further recommends that the subject matter be forwarded to the MCDA Board of Commissioners.
Adopted 4/13/2007.

Resolution 2007R-162, transferring Certain Real Property of the Minneapolis Community Development Agency to the City of Minneapolis (1103, 1317 and 1325 Hawthorne Ave, 1100, 1126, 1216, 1222, 1306, 1300 and 1322 Hennepin Ave, 20 - 15th St N and 1400 Laurel Ave), was adopted 4/13/2007 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-162
By Goodman

Transferring Certain Real Property of the Minneapolis Community Development Agency to the City of Minneapolis (1103, 1317 and 1325 Hawthorne Avenue, 1100, 1126, 1216, 1222, 1306, 1300 and 1322 Hennepin Avenue, 20 - 15th Street North and 1400 Laurel Avenue).

Whereas, the City Council exercising powers granted by Minnesota Laws, 2003, Chapter 127, Article 12, Sections 31-34, adopted Chapter 415, Minneapolis Code of Ordinances, establishing the Department of Community Planning and Economic Development ("CPED") and authorizing transfers to the City of money, real property, investments, personal property, assets, programs, projects, districts, developments and obligations of the Minneapolis Community Development Agency ("MCDA"); and

Whereas, pursuant to Resolution Nos. 2003R-625 and 2003R-626, both adopted on December 29, 2003, the City Council approved transfer of the money, investments, personal property, programs, projects, districts and obligations of the MCDA described therein, including the assets, rights and obligations of the Common Bond Fund, effective as of January 1, 2004; and

Whereas, the City Council has decided to now transfer certain MCDA-owned real estate;

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

1. The City Council hereby transfers and conveys to the City the MCDA real property being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION for Laurel Village Project; 1103, 1317, & 1325 Hawthorne Avenue, 1100, 1126, 1216, 1222, 1306, 1300 and 1322 Hennepin Avenue, 20 - 15th Street N and 1400 Laurel Avenue:

Par 1: Lot 1 except the Northwesterly 157 feet thereof, Lot 2; The Northeasterly 13 feet of Lot 3; The Northwesterly 27 feet of the Northeasterly 13 feet of Lot 8; The Northwesterly 27 feet of Lot 9; The Northwesterly 8 feet of Lot 10; Block 10, Harmon's Addition to Minneapolis;

Par 2: All that part of Lots 6, 7, 8 and 9, Block 10, Harmon's Addition To Minneapolis, except the Northwesterly 27 feet of said lots and except that part taken for the widening of Hennepin Avenue;

Par 3: The Northwesterly 44 feet of Lots 6 and 7; Lots 8, 9 and 10, except the Southeasterly 11 feet taken for widening Hennepin Avenue; The Southeasterly 11 feet of Lots 3, 4 and 5, Block 11, Harmon's Addition To Minneapolis;

Par 4: Lot 1 and the Northeasterly 33 feet of Lot 2, Block 12, Harmon's Addition To Minneapolis, together with that portion of the Southwesterly 5 feet of vacated 13th Street North, formerly Fremont Street, lying between the Northeasterly extensions across said strip of the Northwesterly and the Southeasterly lines of said Lot 1;

Par 5: All that part of Lot 2, Block 12, Harmon's Addition To Minneapolis, lying Southwesterly of the Northeasterly 33 feet of said Lot 2, except that part of said lot which is embraced within the plat of Wilson, Bell & Wagner's Addition To Minneapolis;

Par 6: That part of Lot 3, Block 12, Harmon's Addition To Minneapolis, described as beginning at the most Easterly corner of said Lot 3; thence Southwesterly along the Southeasterly line of said Lot 3, a distance of 10.62 feet; thence Northwesterly parallel with the Northeasterly line of said Lot 3 a distance of 5 feet more or less, to a line erected perpendicular to the Northeasterly line of said Lot 3 at a point on said Northeasterly line distant 170 feet Northwesterly from the most Easterly corner of said Lot 8 in said Block 12; thence Northeasterly, along the last described perpendicular line to the Northeasterly line of said Lot 3; thence Southeasterly, along said Northeasterly line, to the point of beginning;

Par 7: Lot 3, Block 23, Wilson Bell And Wagner's Addition To Minneapolis;

Par 8: Lots 4, 5, 6, 7, 8 and 9, Block 23, Wilson Bell And Wagner's Addition To Minneapolis.

Being registered property as is evidenced by Certificate of Title No. 1133429:

Par 1: Lots 1, 2, 10, 11 and 12, Block 23, Wilson Bell And Wagner's Addition To Minneapolis.

Par 2: Lots 6 and 7, Block 11, Harmon's Addition To Minneapolis, except the Northwesterly 44 feet thereof and except the Southeasterly 11 feet of said Lots 6 and 7 taken for widening Hennepin Avenue.

Par 3: Lots 3 and 4, Block 12, Harmon's Addition To Minneapolis, except that part of said Lots embraced within the plat of Wilson, Bell & Wagners Addition of Minneapolis and except the following described property:

That part of Lot 3 in said Block 12 described as beginning at the most Easterly corner of said Lot 3; thence Southwesterly along the Southeasterly line of said Lot 3 a distance of 10.62 feet; thence Northwesterly parallel with the Northeasterly line of said Lot 3 a distance of 5 feet, more or less, to a line erected perpendicular to the Northeasterly line of said Lot 3 at a point on said Northeasterly line distant 170.00 feet Northwesterly from the most Easterly corner of Lot 8 in said Block 12; thence Northeasterly along the last described perpendicular line to the Northeasterly line of said Lot 3; thence Southeasterly along said Northeasterly line to the point of beginning;

Par 4: Lots 6, 7, 8, and 9, Block 12, Harmon's Addition To Minneapolis;

Par 5: Lot 10, Block 12, Harmon's Addition To Minneapolis, including that portion of the Southwesterly 5 feet of Thirteenth Street North, formerly Freemont Street, now vacated lying between extensions across said strip of the front and rear lines of said Lot 10 and excepting that portion of said premises included Hennepin Avenue as widened.

Being registered land as is evidenced by Certificate of Title No. 760850:

Par 1: The Northwesterly 157 feet of Lot 1, Block 10, Harmons Addition to Minneapolis;

Par 2: Lot 10, except part taken for widening of Hennepin Avenue and except the rear 8 feet thereof taken for public alley, Block 10, Harmons Addition to Minneapolis;

Being registered land as is evidenced by Certificate of Title No. 742892.

2. The transfer authorized by this resolution shall be effective upon execution and delivery of a deed with respect to the property identified above or other appropriate instrument from the MCDA in favor of the City.

Adopted 4/13/2007.

Comm Dev - Your Committee recommends passage of the accompanying resolution transferring the Seven Corners Project real estate (1811 - 1st St S) from the Minneapolis Community Development Agency (MCDA) to the City of Minneapolis.

Your Committee further recommends that the subject matter be forwarded to the MCDA Board of Commissioners.

Adopted 4/13/2007.

Resolution 2007R-163, transferring Certain Real Property of the Minneapolis Community Development Agency to the City of Minneapolis (1811 - 1st St S), was adopted 4/13/2007 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-163
By Goodman

Transferring Certain Real Property of the Minneapolis Community Development Agency to the City of Minneapolis (1811 - 1st Street South).

Whereas, the City Council exercising powers granted by Minnesota Laws, 2003, Chapter 127, Article 12, Sections 31-34, adopted Chapter 415, Minneapolis Code of Ordinances, establishing the Department of Community Planning and Economic Development ("CPED") and authorizing transfers to the City of money, real property, investments, personal property, assets, programs, projects, districts, developments and obligations of the Minneapolis Community Development Agency ("MCDA"); and

Whereas, pursuant to Resolution Nos. 2003R-625 and 2003R-626, both adopted on December 29, 2003, the City Council approved transfer of the money, investments, personal property, programs, projects, districts and obligations of the MCDA described therein, including the assets, rights and obligations of the Common Bond Fund, effective as of January 1, 2004; and

Whereas, the City Council has decided to now transfer certain MCDA-owned real estate;

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

1. The City Council hereby transfers and conveys to the City the MCDA real property being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of Seven Corners Project; 1811 1st Street South: That part of Lots 2, 3, 4, 8 and 9, Block 141, Town of Minneapolis, and that part of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, Block 2, Hancock and Rice's Addition to Minneapolis together with vacated Cedar Street (now known as Cedar Avenue) and First Street and Second Street according to the recorded plat of Hancock and Rice's Addition to Minneapolis, and vacated Second Street according to the recorded plat of Town of Minneapolis, and vacated 15th Avenue South as defined in Book 333 of Miscellaneous Records, page 105, Document No. 1781696, and vacated 19th Avenue South (a right of way in favor of the City of Minneapolis for public street and bridge purposes) as described as follows:

Commencing at the Southwest corner of Lot 2, Block 141, Town of Minneapolis; thence on an assumed bearing of South 59º19'24" East, along the Southwesterly line of said Block 141, a distance of 38.14 feet; thence Northeasterly on a nontangential curve concave to the East 9.64 feet, radius of said curve is 42.00 feet, to a point that is 9.58 feet Northeasterly, as measured at right angles, from

the Southwesterly line of said Block 141 and 37.02 feet Southeasterly, as measured at right angles, from the Northwesterly line of said Lot 2, Block 141, said point being the actual point of beginning of the parcel to be described; thence Southerly, along said curve, for a distance of 67.05 feet, radius of said curve 42.00 feet; thence South 59º19'24" East, tangent to last described curve, 57.46 feet; thence on a tangential curve to the left for a distance of 48.12 feet, radius of said curve is 90.00 feet; thence 89º57'27" East, tangent to last described curve, 308.52 feet to its intersection with the West right of way line of 19th Avenue South, per Document No. 4230302; thence North 0º05'09" East, along said right of way line, 192.92 feet; thence on a tangential curve to the right for 71.86 feet, radius of said curve is 935.47 feet; thence North 13º10'09" East, a distance of 168.35 feet to its intersection with a line parallel with and distant 10.00 feet North of the North line of said Block 2; thence North 89º53'14" West, along said parallel line to its intersection with the Northeasterly extension of a line described as beginning at a point on the Westerly line of Lot 5, Block 2, Hancock and Rice's Addition to Minneapolis, distant 68.71 feet Southerly of the Northwesterly corner of said Lot 5; thence Northeasterly to a point on the North line of said Block 2, distant 65.79 feet East of the Northwesterly corner of said Lot 5 and there terminating; thence South 43º49'58" West along said Northeasterly extension, to a point on the West line of said Lot 5, distant 68.71 feet South of the Northwest corner of said Lot 5; thence South 31º29'21" West, to a point on the Westerly line of Cedar Street (now known as Cedar Avenue) as platted in said Hancock and Rice's Addition to Minneapolis, distant 264.35 feet Northerly of the intersection of said Westerly line of Cedar Street and the Southwesterly line of said Block 141; thence South 32º06'17" West, a distance of 217.95 feet to a point of beginning, according to the plat thereof on file and of record in the office of the Registrar of Titles in and for Hennepin County, Minnesota.

Parts of which are registered land as is evidenced by Certificate of Title No. 658731 and are described as follows:

Parcel 1: That part of Lot 3, lying Northeast of a line drawn parallel with and distant 78.5 feet Northeasterly from the Southwesterly line of Lot 3, Block 141, Town of Minneapolis and West of the East line of the Northeast Quarter of Section 26, Township 29, Range 24, according to the plat thereof on file or of record in the office of the Register of Deeds in and for said County.

Parcel 2: Lot 1 and the South 70 feet of the West 30 feet of Lot 2, Block 2, Hancock and Rice's Addition to Minneapolis, according to the recorded plat thereof.

Parcel 3: That part of Lot 11 lying Northwesterly of 15th Avenue South, Block 2, Hancock and Rice's Addition to Minneapolis, according to the recorded plat thereof.

Parcel 4: That part of Lot 11 lying West of the East of 69 feet thereof and lying Southeasterly of 15th Avenue South except that part of said Lot 11 lying Southeasterly of the Southeasterly line of said 15th Avenue South as opened in street opening number 1227 and Easterly of a line run parallel with and distant 54 feet Westerly of the following described line: Beginning at the point of termination of a line hereinafter referred to as "Line A" which line is described as follows:

Beginning at a point on the center line of First Street South distant 32.38 feet Westerly of its intersection with the center line of 19th Avenue South; thence run Northeasterly at an angle of 61º27'04" from the center line of First Street South for 600 feet and there terminating, being the actual point of beginning of the line to be described; thence Southwesterly along said "Line A" a distance of 422.96 feet to appoint of curve; thence deflect to the left on a 6º30'00" curve (delta angle 28º32'06") for 439.0 feet; thence Southerly on a tangent to said curve for 550 feet and there terminating, Block 2, Hancock and Rice's Addition to Minneapolis, according to the recorded plat thereof.

Parcel 5: That part of Lot 2 lying Northeasterly of the Southwesterly 135 feet thereof, Block 141, Town of Minneapolis, according to the recorded plat thereof.

Parcel 6: Lot 8 and the Southwesterly 32 feet of Lot 9, all in Block 141, Town of Minneapolis, according to the plat thereof on file or of record in the office of the Register of Deeds in and for said County described as follows to-wit: Commencing at the Southeast corner of Lot 8; thence Northwesterly along the South line of said Lots 8 and 9 to the Southwest corner of said Lot 9; thence Northeasterly along the Westerly line of said Lot 9, 32 feet; thence Southeasterly and parallel with said South line of said Lot 9 to the Westerly line of Cedar Avenue; thence South along the said Westerly line of Cedar Avenue to the point of beginning, except that part of Lot 9 which lies Northwesterly of the following described line:

Beginning at the most Southerly corner of Lot 10, said Block 141; thence run Northeasterly to the Northeast corner of Lot 5, Block 2, Hancock and Rice's Addition to Minneapolis and there terminating.

Parcel 7: Lots 6 and 7, and that part of Lots 8, 9 and 10, Block 2 lying Northwesterly of the center line of 15th Avenue South, Hancock and Rice's Addition to Minneapolis, according to the plat thereof on file or of record in the office of the Register of Deeds in and for said County.

Parcel 8: Southeasterly ½ of Southwesterly 115 feet of Lot 2, Block 141; The Northeasterly 20 feet of the Southwesterly 135 feet of Lot 2, Block 141; That part of Lot 9, Block 141 lying Northeasterly of the Southwesterly 32 feet of said Lot 9 and West of the East line of the Northeast Quarter of Section 26, Township 29, Range 24, except that part which lies Northwesterly of the following described line: Beginning at the most Westerly corner of Lot 9, said Block 141; thence run Northeasterly to the Northeast corner of Lot 5, Block 2, Hancock and Rice's Addition, according to the plat thereof on file or of record in the office of the Register of Deeds in and for said county.

2. The transfer authorized by this resolution shall be effective upon execution and delivery of a deed with respect to the property identified above or other appropriate instrument from the MCDA in favor of the City.

Adopted 4/13/2007.

Comm Dev - Your Committee, having under consideration an insurance settlement for the Historic State, Orpheum and Pantages Theatres, now recommends authorization for settlement of the insurance policy that the Minneapolis Community Development Agency (MCDA) purchased through Marsh & McLennan for the Historic Theatres in 2004, and that the Department of Community Planning & Economic Development revenue budget be increased by $537.47 to reflect receipt of funds, by passage of the accompanying resolution.

Your Committee further recommends that the subject matter be forwarded to the MCDA Board of Commissioners.

Adopted 4/13/2007.

Approved by Mayor Rybak 4/16/2007.

(Published 4/17/2007)

RESOLUTION 2007R-164
By Goodman

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 revenue source for the Community Planning and Economic Development Agency in the Theatres Fund (STH0-890-8490-3755 04) by $537.47.

Adopted 4/13/2007.

Approved by Mayor Rybak 4/16/2007.

(Published 4/17/2007)

Comm Dev – Your Committee, having under consideration the issuance of revenue bonds on behalf of Blaisdell Housing Limited Partnership to finance the acquisition and renovation of five buildings at 2119 Pillsbury, 2200, 2215, 2221 and 2312 Blaisdell Ave S, consisting of approximately 150 multi-family housing facilities, now recommends passage of the accompanying resolution giving final approval to the issuance of up to $8,500,000 in Tax-exempt Multi-Family Housing Entitlement Revenue Bonds for the Blaisdell Apartments Project.

Ostrow moved that the report be postponed for two cycles. Seconded.

Goodman called the question on Ostrow's motion. Seconded.

Adopted upon a voice vote.

Ostrow's motion lost. Yeas, 2; Nays, 11 as follows:

Yeas - Ostrow, Lilligren.

Nays - Schiff, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Samuels, Gordon, Hofstede, Johnson.

The report was adopted 4/13/2007. Yeas, 9; Nays, 4 as follows:
Yeas - Schiff, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Gordon, Johnson.
Nays - Ostrow, Lilligren, Samuels, Hofstede.
(Republished 5/5/2007)

Resolution 2007R-165, approving a housing program and approving issuance and sale of Multifamily Housing Revenue Bonds on behalf of Blaisdell Housing Limited Partnership to finance the acquisition and renovation of five buildings at 2119 Pillsbury, 2200, 2215, 2221 and 2312 Blaisdell Ave S (Blaisdell Apartments Project), was adopted 4/13/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.
(Republished 5/5/2007)

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

RESOLUTION 2007R-165
By Goodman

Approving a housing program and approving issuance and sale of Multifamily Housing Revenue Bonds for the Blaisdell Apartments Project.

Whereas, the City of Minneapolis (the "City") has received a proposal from Blaisdell Housing Limited Partnership, a Minnesota limited partnership (the "Company"), that the City issue its revenue bonds in the aggregate principal amount of no more than $8,500,000 to finance the acquisition and renovation of a low and moderate income multifamily housing development located in the City (the "Project"); and

Whereas, pursuant to Minnesota Statutes, Section 462C.01 and 462C.03, the City has prepared a housing program (the "Housing Program") in connection with the Project; and

Whereas, in accordance with Minnesota Statutes, Section 462C.04, subd. 2, the Housing Program has been submitted to the Metropolitan Council for review; and

Whereas, in accordance with Minnesota Statutes, Sections 462C.01(2) and 462C.04, subd. 2, the City has held a public hearing on the Housing Program and the issuance of revenue bonds of the City to finance the Project;

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

1. That The Housing Program is hereby approved in substantially the forms on file with the City.

2. The Company has proposed that the City issue its Multifamily Housing Revenue Bonds (Orleans Homes Limited Partnership Project), Series 2007 (the "Bonds") in an amount not to exceed $8,500,000 to finance the costs of the acquisition and renovation of the Project in accordance with a Bond Purchase Agreement (the "Bond Purchase Agreement") among the City, Orleans Homes Limited Partnership, a Minnesota limited partnership (the "Company") and Dougherty & Company LLC (the "Purchaser").

3. The Bonds will be issued by the City pursuant to an Indenture of Trust dated as of April 1, 2007 (the "Indenture"), executed by the City and U.S. Bank National Association, St. Paul, Minnesota (the "Trustee"). The Bonds will be secured by a Combination Mortgage, Security Agreement and Fixture Financing Statement dated as of February 1, 2007 executed by the Company in favor of the Issuer and assigned by the Issuer to the Trustee pursuant to an Assignment of Mortgage dated as of April 1, 2007 (the "Assignment of Mortgage").

4. Pursuant to the terms of a Loan Agreement dated as of April 1, 2007 between the City and the Company (the "Loan Agreement"), the City will loan the proceeds of the Bonds to the Company to finance the Project. The Company has agreed, pursuant to a Regulatory Agreement dated as of April 1, 2007, by and among the City, the Company and the Trustee (the "Regulatory Agreement") to operate the Project as a "residential rental project" under Section 142(d) of the Internal Revenue Code of 1986, as amended. The Bonds will be offered for resale by the Purchaser pursuant to an Official Statement (the "Official Statement"), but only to accredited investors and only in minimum denominations of $100,000.

5. Forms of the following documents have been submitted to the City Council:

(a) The Loan Agreement;

(b) The Indenture;

(c) The Regulatory Agreement;

(d) The Bond Purchase Agreement; and

(e) The Assignment of Mortgage.

The foregoing documents are hereafter referred to as the "Bond Documents."

6. It is hereby found, determined and declared that:

(a) the issuance and sale of the Bonds, the execution and delivery by the City of the Bond Documents and the performance of all covenants and agreements of the City contained in the Bond Documents and of all other acts and things required under the constitution and laws of the State of Minnesota to make the Bond Documents and the Bonds valid and binding obligations of the City in accordance with their terms, are authorized by the Act;

(b) it is desirable that the Bonds be issued by the City upon the terms set forth in the Indenture;

(c) the basic payments under the Loan Agreement are fixed to produce revenue sufficient to provide for the prompt payment of principal of, premium, if any, and interest on the Bonds issued under the Indenture when due, and the Loan Agreement, Mortgage and Indenture also provide that the Company is required to pay all expenses of the operation and maintenance of the Project, including, but without limitation, adequate insurance thereon and insurance against all liability for injury to persons or property arising from the operation thereof, and all taxes and special assessments levied upon or with respect to the Project premises and payable during the term of the Loan Agreement and Indenture;

(d) under the provisions of Minnesota Statutes, Chapter 462C and as provided in the Loan Agreement and Indenture, the Bonds are not to be payable from or charged upon any funds other than the revenue pledged to the payment thereof; the City is not subject to any liability thereon; no holder of any Bonds shall ever have the right to compel any exercise by the City of its taxing powers to pay any of the Bonds or the interest or premiums thereon, or to enforce payment thereof against any property of the City except the interests of the City in the Loan Agreement which have been assigned to the Trustee under the Indenture; the Bonds shall not constitute a charge, lien, or encumbrance, legal or equitable upon any property of the City except the interests of the City in the Loan Agreement which have been assigned to the Trustee under the Indenture; the Bonds shall recite that the Bonds are issued without moral obligation on the part of the state or its political subdivisions, and that the Bonds, including interest thereon, are payable solely from the revenues pledged to the payment thereof; and, the Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.

7. The forms of the Bond Documents and exhibits thereto are approved substantially in the form submitted. The Bond Documents, in substantially the forms submitted, are directed to be executed in the name on behalf of the City by the Finance Officer. Any other documents and certificates necessary to the transaction described above shall be executed by the appropriate City officers. Copies of all of the documents necessary to the transaction herein described shall be delivered, filed and recorded as provided herein and in Bond Documents.

8. The City shall proceed forthwith to issue the Bonds, in the form and upon the terms set forth in the Indenture and at an interest rate not to exceed 7% per annum. The Bonds will be purchased on substantially the terms set forth in the Bond Purchase Agreement and the Indenture which have been submitted to the City in connection with this Resolution. The Finance Officer is authorized and directed to prepare and execute the Bonds as prescribed in the Indenture and to deliver them to the Trustee for authentication and delivery to the original purchasers.

9. The Finance Officer and other officers of the City are authorized and directed to prepare and furnish to the Purchaser certified copies of all proceedings and records of the City relating to the Bonds, and such other affidavits and certificates as may be required to show the facts relating to the legality of the bonds as such facts appear from the books and records in the officers' custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained herein.

10. The City hereby ratifies, confirms and consents to the use of the Official Statement in connection with the sale of the Bonds. The City has not prepared nor made any independent investigation of the information contained in the Official Statement other than the section therein captioned "The Issuer," and the City takes no responsibility for such information.

11. The approval hereby given to the various documents referred to above includes approval of such additional details therein as may be necessary and appropriate and such modifications thereof,

deletions therefrom and additions thereto as may be necessary and appropriate and approved by the City Attorney and the City officials authorized herein to execute said documents prior to their execution; and said City officials are hereby authorized to approve said changes on behalf of the City. The execution of any instrument by the appropriate official or officials herein authorized shall be conclusive evidence of the approval of such documents in accordance with the terms hereof.

12. The approval hereby given to the Bond Documents and the various other documents referred to in paragraph 6 above includes approval of (a) such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by Bond Counsel, the City Attorney and the City officials authorized herein to execute said documents prior to their execution and (b) such additional documents, agreements or certificates as may be necessary and appropriate in connection with the Bond Documents and with the issuance and sale of the Bonds and approved by Bond Counsel, the City Attorney and City officials authorized herein to execute said documents prior to their execution; and said City Attorney and City officials are hereby authorized to approve said changes or additional documents, agreements or certificates on behalf of the City. The execution of any instrument by the appropriate officer or officers of the City herein authorized shall be conclusive evidence of the approval of such documents in accordance with the terms thereof and hereof. In the absence (or inability) of the Finance Director, any of the documents authorized by this resolution to be executed by him may be executed by the Acting Finance Director.

13. 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 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted 4/13/2007. Yeas, 9; Nays, 4 as follows:

Yeas - Schiff, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Gordon, Johnson.

Nays - Ostrow, Lilligren, Samuels, Hofstede.

Comm Dev - Your Committee, having under consideration the subject matter of process for the issuance of Housing Revenue Bonds by the Department of Community Planning & Economic Development (CPED), now recommends approval of the following directions to staff:

a) Upon application by a developer for Housing Revenue Bonds, CPED Housing staff is directed to notify the Chair of the Community Development Committee and the Council Member of the ward where the proposed project is located before staff work continues on the application; and

b) CPED Housing staff determine the feasibility of preparing guidelines which require that in projects in impacted and concentrated areas a percentage of units be market rate in affordable housing projects which use Housing Revenue Bonds, and report back with recommendations to the Community Development Committee meeting of May 15, 2007.

Adopted 4/13/2007.

Comm Dev - Your Committee, having under consideration the deadline for the redevelopment contract between the City and Landmark Minnesota, LLC, an affiliate of Master Civil & Construction Engineering, Inc, dba Master Development Group, for the 1300 N Washington Industrial Park/1300 N 2nd project (development proposal for three parcels of vacant land at 1300 - 2nd St N, 1316 - 2nd St N and 109 - 14th Ave N), now recommends:

a) That Master must close on the land and execute a redevelopment contract with the City on or before July 1, 2007 if additional environmental testing (undertaken at Master's expense in April 2007) confirms no need for further environmental remediation;

b) If additional environmental remediation is determined to be necessary as a result of testing, Master will seek environment remediation funds in the fall 2007 grant round. In this case, the closing date on the land will be extended to December 28, 2007;

c) If Master is unsuccessful in securing these environmental remediation funds in the fall 2007 grant round, no further extensions of exclusive development rights will be granted;

d) Master will pay holding costs for an extension of exclusive development rights of $700 per month from April 1, 2007 through December 28, 2007. The holding costs are based on the City's 2006 holding costs;

e) The City will reappraise the land, assuming a clean site for a light industrial use, which may result in a new sale price. Master will agree to purchase the land for that price or will choose not to close on the land and execute a redevelopment contract with the City.

Adopted 4/13/2007.

Comm Dev - Your Committee, having under consideration the development requirements for property at 1120 - 25th Ave N, approved for lot division and sale as side yards to the two adjacent property owners on 9/22/2006, contingent upon each party constructing a concrete parking pad to a specification that would allow for the construction of a double car garage in the future, now recommends approval that the development agreement be amended to permit an alternate parking surface.

Adopted 4/13/2007.

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

Comm Dev & W&M/Budget - Your Committee, having under consideration the Bancroft 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 $265,505;

b) Passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by $89,359 in the NRP fund for implementation of said Plan;

c) Referral of $156,321 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 ($185,852) 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 4/13/2007.

RESOLUTION 2007R-166
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 $89,359.

Adopted 4/13/2007.

Comm Dev & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a Working Capital Loan for the Bean Scene Restaurant at 2220 W Broadway, in the amount of $70,000, consistent with the terms set forth in the Department of Community Planning & Economic Development staff report.

Your Committee further recommends passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by $70,000, from available fund balance.

Adopted 4/13/2007.

RESOLUTION 2007R-167
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 Community Development Fund (SPH0-890-8933) by $70,000, from available fund balance.

Adopted 4/13/2007.

Comm Dev & W&M/Budget - Your Committee, having under consideration the request of Master Development for loan assistance for acquisition of property at 201 W Broadway, now recommends that the proper City officers be authorized to execute a $350,000 Commercial Corridors Revitalization Loan to Master Development, and that the Department of Community Planning & Economic Development appropriation be increased by $350,000, by passage of the accompanying resolution.

Adopted 4/13/2007.

RESOLUTION 2007R-168
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 Common Project-Uncertified Fund (CAZ0-890-8933) by $350,000 from available fund balance.

Adopted 4/13/2007.

Comm Dev & W&M/Budget - Your Committee, having under consideration a new lease and management for the Target Center Arena, 600 - 1st Ave N, now recommends:

a) Approval of the selection of AEG Facilities, Inc. (AEG) as the new operator and execution of an Arena Lease, Operating, Management, Use and Assurances Agreement with AEG as described in the term sheet contained in the Community Planning and Economic Development staff report;

b) Consent to the assignment by Midwest Entertainment Group LLC and assumption by AEG of Target Center Arena agreements, assets and obligations as described in the staff report;

c) That the proper City and Minneapolis Community Development Agency (MCDA) officers be authorized to execute these agreements and any related documents necessary to implement the above referenced transactions;

d) That the Finance Officer be authorized to transfer funds and adjust 2007 appropriations as necessary to implement the above referenced transactions; and

e) That the subject matter be forwarded to the MCDA Board of Commissioners.

Adopted 4/13/2007.

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

HE&E - Your Committee recommends concurrence with the recommendation of the Mayor and City Council to appoint the following persons to the Senior Citizen Advisory Committee, for terms to expire December 31, 2009:

Frank Broderick, representing Ward 3;

Charles R. Rosensteel, representing Ward 6; and

Georgia Marinkov-Omorean, representing Agency Member, replacing Clarissa Walker.

Adopted 4/13/2007.

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

HE&E & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to accept $19,445 from the Friends of the Skyway Senior Center to provide tax services to low income

adults. Further, passage of the accompanying Resolution appropriating $19,445 to the Department of Health & Family Support.

Adopted 4/13/2007.

RESOLUTION 2007R-169
By Benson 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 Health & Family Support Agency in the Grants - Other Fund (060-860-8607) by $19,445 and increasing the Revenue Source (060-860-8607 - Source 3220) by $19,445.

Adopted 4/13/2007.

HE&E & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to accept $9,000 from the Friends of the Skyway Senior Center to provide newsletter preparation and distribution. Further, passage of the accompanying Resolution appropriating $9,000 to the Department of Health & Family Support.

Adopted 4/13/2007.

RESOLUTION 2007R-170
By Benson 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 Health & Family Support Agency in the Grants - Other Fund (060-860-8607) by $9,000 and increasing the Revenue Source (060-860-8607 - Source 3720) by $9,000.

Adopted 4/13/2007.

HE&E & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to accept $2,325 from UCare as a donation towards the Get Fit Twin Cities Campaign. Further, passage of the accompanying Resolution appropriating $2,325 to the Department of Health & Family Support.

Adopted 4/13/2007.

RESOLUTION 2007R-171
By Benson 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 Health & Family Support Agency in the Grants - Other Fund (060-860-8615) by $2,325 and increasing the Revenue Source (060-860-8615 - Source 3720) by $2,325.

Adopted 4/13/2007.

HE&E & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to accept $151,818 from the Minnesota Department of Health for pandemic influenza planning. Further, passage of the accompanying Resolution appropriating $151,818 to the Department of Health & Family Support.

Adopted 4/13/2007.

RESOLUTION 2007R-172
By Benson 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 Health & Family Support Agency in the Grants - Federal Fund (030-860-8621) by $151,818 and increasing the Revenue Source (030-860-8621 - Source 3210) by $151,818.

Adopted 4/13/2007.

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

PS&RS - Your Committee, to whom was referred back on March 9, 2007 an ordinance amending Title 9, Chapter 176 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection: Burglary and Holdup Alarm Systems*, amending false alarm penalties to create a registration fee for the first false alarm and an amended fine schedule for succeeding false alarms; requiring alarm businesses to complete an enhanced alarm verification process; and amending the time period that an alarm fine can be overdue before notice of a suspension of police response is sent and changing the suspension period, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 4/13/2007. Yeas, 9; Nays, 4 as follows:

Yeas - Ostrow, Schiff, Colvin Roy, Glidden, Benson, Samuels, Gordon, Hofstede, Johnson.

Nays - Lilligren, Remington, Goodman, Hodges.

Ordinance 2007-Or-026 amending Title 9, Chapter 176 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection: Burglary and Holdup Alarm Systems*, amending Sections 176.10, 176.20, 176.30, 176.40, 176.50, 176.55, 176.60 and 176.80 to create a registration fee for the first false alarm and an amended fine schedule for succeeding false alarms; requiring alarm businesses to complete an enhanced alarm verification process; and amending the time period that an alarm fine can be overdue before notice of a suspension of police response is sent and changing the suspension period, was adopted 4/13/2007 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-026
By Ostrow
Intro & 1st Reading: 12/1/2006
Ref to: PS&RS
2nd Reading: 4/13/2007

Amending Title 9, Chapter 176 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Burglar and Holdup Alarm Systems.

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

Section 1: That Section 176.10 of the above-entitled ordinance be amended to read as follows:

176.10. Definitions. The following terms when used in this chapter shall have the following meanings, respectively:

Alarm ~~*company*~~ *business*. The business by any individual, partnership, corporation, or other entity of selling, leasing, maintaining, monitoring, servicing, repairing, altering, replacing, moving, or installing any alarm system or causing to be sold, leased, maintained, monitored, serviced, repaired, altered, replaced, moved, or installed, any alarm system in or on any building, structure, or facility. This

includes alarm system monitoring companies and alarm system operators that are located outside the city limits of Minneapolis which monitor alarms installed within the city limits of Minneapolis.

Alarm site. A single, fixed premise, building, structure, facility or location served by an alarm system. Each tenant's space within a multi-tenant building or complex, if served by a separate alarm system, shall be considered a separate alarm site.

Alarm system. Any instrument(s) or other device(s) which, as one of its purposes, is used to protect buildings, premises, or persons from criminal acts or unauthorized entries by warning persons of a crime or unauthorized entry through the emission or transmission of a sound or signal.

Alarm user. The person, employee, firm, partnership, association, corporation, company, or organization of any kind which uses or is in control of an alarm system at an alarm site, regardless of whether it owns or leases the system.

Calendar year. The period January first through December thirty-first of each year.

Department. The licenses and consumer services division of the department of regulatory services of the City of Minneapolis.

Director. The director of the licenses and consumer services division of the department of regulatory services of the City of Minneapolis, or his or her designee.

Enhanced Alarm Verification Process. An alarm business must make at least 2 calls to the call list to verify that there is a valid alarm before requesting dispatch from MECC.

False Alarm. Any activation of an alarm not caused by or as a result of a criminal act, an unauthorized entry, or an act of nature as determined by the responding Police officer.

MECC. The Minneapolis Emergency Communications Center. The public safety communication center for all emergency police, fire, and ambulance services for the City of Minneapolis.

Valid Alarm. An activation of an alarm caused by or as a result of a criminal act or unauthorized entry as determined by the responding Police officer.

Section 2. That Section 176.20 of the above-entitled ordinance be amended to read as follows:

176.20. Alarm user duties. The duties of the alarm user shall be as follows:

(1) Maintain the premises and alarm system in a manner that will minimize or eliminate false alarms, including but not limited to having their alarm system inspected by a properly licensed alarm company technician at least once every two (2) years.

(2) Instruct all persons with access to the alarm system in the appropriate method of operation, codes, and premises securement as required for the proper use of the system.

(3) Maintain a current key-holder list with the alarm user's ~~company~~ alarm business.

(4) Notify the alarm ~~company~~ business of a false alarm activation as soon as the user is aware of the false alarm.

(5) Not manually activate an alarm except when in need of an immediate dispatch of law enforcement personnel to an emergency situation.

~~(6) Provide to the director, upon the occurrence of the system's third false alarm and, thereafter, on an ongoing basis, the following information:~~

~~a. The names and addresses of the alarm users, alarm owners (if different than the alarm user) and the alarm company.~~

~~b. The type of alarm system being used.~~

~~c. The person designated by the alarm user as its contact person for purposes of alarm related matters.~~

~~d. The person or entity designated to pay the alarm user penalties.~~

~~e. Any additions or changes to the above information.~~

(~~7~~ 6) Failure to provide ~~this information~~ alarm registration fees will be considered relevant in any decision to suspend police response to alarm dispatch requests in accordance with section 176.50.

(7) If the alarm user discovers an actual burglary, they must contact the Minneapolis Police Department within 5 days of the alarm activation and request an officer respond to the premises and make a police report.

(8) Alarm Registration fee exemption. City and government sites shall be exempt from the alarm registration fee but not any other section of this chapter.

Section 3. That Section 176.30 of the above-entitled ordinance be amended to read as follows:

176.30. Alarm ~~company duties~~ Business Duties. The duties of the alarm ~~company~~ business shall be as follows:

(1) Not install any burglary control panel failing to meet security industry association standards with false alarm prevention features programmed to the factory default.

(2) Provide each of its alarm users with the following:

a. Operating instructions for their alarm system, including an explanation of the ~~company's~~ alarm verification process.

b. A telephone number to call for assistance in operating the system.

c. A copy of the provisions of Chapter 176 relating to penalties for false alarms and the possibility of no police response to alarm systems experiencing an excessive number of false alarms.

(3) Complete an enhanced alarm verification process for all alarm signals prior to requesting a response by the police department.

~~(4) Maintain a current record, accessible to the director at all times, that includes the following:~~

~~a. Names, phone number and billing address of alarm users serviced by the company.~~

~~b. Addresses of the protected properties.~~

~~c. Type of alarm system.~~

~~d. Original installation date and subsequent modifications, if any, for each protected property and the name and phone number of the installer.~~

~~e. A record of the date and time of alarm dispatch requests to each protected property.~~

~~f. A record of the alarms at each property with evidence of the company's attempt to verify the alarm.~~

~~g. The names and phone numbers for all key holders and responders.~~

~~h. Provide 911 with the estimated time of arrival (ETA) for responders to alarm calls~~

~~i. Any additions or changes to the above information.~~

(~~5~~ 4) Work cooperatively with the alarm user and Director to determine the cause of any false alarm and to prevent recurrences.

(~~6~~ 5) Establish a training period during the first seven (7) days following the installation of any alarm system, during which the alarm user will be trained on the proper use of the system and no police dispatches will occur unless determined necessary by the director or the police department.

(~~7~~ 6) Violation of any of these duties will be subject to a civil penalty of one hundred dollars ($100.00) for each separate violation. Each day of non-compliance shall constitute a separate offense.

Section 5. That Section 176.40 of the above-entitled ordinance be amended to read as follows:

176.40. False alarms; penalties. (a) The alarm user shall pay a penalty to the city for each false alarm ~~in excess of two (2)~~ per calendar year. The penalty shall be:

(1) First alarm. . .Registration Required

a. Registration fee. Upon the first false alarm a registration fee of $30.00 shall be imposed.

b. Application Procedure. An alarm user must submit application materials as determined by the director.

c. Registration will be considered a lifetime registration if there are no false alarms in future years.

(2) Second alarm fine. . . $100.00

(~~1~~ 3) Third alarm ~~fee~~ fine $200.00

(~~2~~ 4) Fourth alarm ~~fee~~ fine . . . $300.00

(~~3~~ 5) Fifth alarm ~~fee~~ fine. $400.00

The ~~fee~~ fine shall increase by the sum of one hundred dollars ($100.00) for each succeeding false alarm thereafter.

(b) A penalty of two hundred dollars ($200.00) shall be paid by the alarm ~~company~~ business to the city for each false alarm where the responding police officer determines that it was caused by the on-site actions of an employee of the alarm ~~company~~ business.

(c) Fines are due within 30 days of the date of the invoice.

Section 6. That Section 176.50 of the above-entitled ordinance be amended to read as follows:

176.50. Suspension of police response. (a) *Notice.* Upon the occurrence of the fifth (5th) false alarm within a calendar year, or where the alarm user is more than ~~ninety (90) days overdue~~ forty five (45) days overdue in their payment of alarm penalties, the director shall serve, in person or by U.S. mail, the alarm user or the alarm user's designated contact person with written notification that effective immediately ~~fourteen (14) days from the date of the notice,~~ the Minneapolis Police Department may ~~will~~ not respond to alarm dispatch requests from that site ~~for the remainder of the calendar year~~ unless there is an in-person call for assistance from someone at ~~or near~~ the premises or other independent

information that verifies the need for immediate police response. Police suspension shall remain in effect until full payment of alarm fines are paid.

(b) ~~*Written appeal of suspension warning notice.* Within seven (7) days from the date of the suspension warning notice, the alarm user may file with the director a written appeal of the proposed suspension of police response explaining the steps taken to correct the problem, any facts pertaining to the overdue payment of fines, the facts and circumstances of the false alarms from this alarm site and any other information relevant to the director's proposed suspension of police response. Within five (5) days of the director's receipt of the written appeal and after review of the files for the alarm site, alarm user, and alarm company, attendance in a certified false alarm prevention course, and all the submissions of the alarm user, The director shall issue a decision to confirm, suspend, or rescind the suspension notice and serve a written copy thereof on the alarm user's contact person by mail.~~

~~(c) *Appeal of director's decision.* Within seven (7) days of the date of the letter informing the alarm user of the director's decision, the alarm user or alarm company may file a written appeal with the department. The appeal shall be conducted before a hearing officer in accordance with the administrative enforcement and hearing process of Title 1, Chapter 2.~~

(~~d~~ b) *Suspension of police response.* Upon the exhaustion of any departmental, administrative, and judicial appeal of a notice to suspend, the Minneapolis Police Department, in determining whether to make an immediate police response to notification of a signal from that alarm user's alarm system, may disregard that alarm dispatch request when the alarm signal is the only basis for making the dispatch request in accordance with section 176.50(a). Where there is, in addition to the alarm dispatch request, an in-person call, verification from a person at or near the premises or other independent evidence shows a need for police dispatch to the alarm site, police may consider the suspension of police response as an additional factor in the decision to order an immediate police response.

Section 7. That Section 176.60 of the above-entitled ordinance be and is hereby repealed:

~~**176.60. Nuisance.** (a) When an alarm user generates more than four (4) false alarms within a calendar year, the alarm user and alarm system may be declared a nuisance.~~

~~(b) When an alarm user is more than one hundred twenty (120) sixty (60) days overdue in their payment of alarm penalties, the user may be declared a nuisance and police response may be suspended.~~

Section 8. That Chapter 176 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 176.55 to read as follows:

176.55 Appeal. (a) Appeal letter. An alarm user or alarm business who wishes to appeal a false alarm, penalties or suspension of police response must file an appeal in writing to the director within 15 days of notification of a false alarm, issuance of any fines or penalties or notification of suspension of police response. Failure to file a timely appeal shall constitute a waiver of the alarm user's or alarm business's right to appeal provided however, that the director may, with discretion, waive the 15 day limit if good cause is shown. There shall be no rights to appeal the decision of the director to not waive the 15 day time limit for appeal. While the appeal is pending, the action proposed by the director shall not be implemented.

(b) Within five (5) days of the director's receipt of the written appeal and after review of the files for the alarm site, alarm user, and alarm business, and all the submissions of the alarm user, the director shall issue a decision to confirm, suspend, or rescind the suspension notice and serve a written copy thereof on the alarm user or the alarm user's contact person by mail.

(c) The decision of the director shall be final.

Section 9. That Section 176.80 of the above-entitled ordinance be and is hereby repealed:

~~**176.80. Implementation.** This ordinance shall be effective January 1, 2004.~~

Adopted 4/13/2007. Yeas, 9; Nays, 4 as follows:

Yeas - Ostrow, Schiff, Colvin Roy, Glidden, Benson, Samuels, Gordon, Hofstede, Johnson.

Nays - Lilligren, Remington, Goodman, Hodges.

PS&RS - Your Committee, having under consideration the application of HEI Minneapolis LLC, dba Westin Minneapolis, 88 S 6th St, for an On-Sale Liquor Class B with Sunday Sales 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 by the Health Department for the pool area, and compliance with all provisions of applicable codes and ordinances.

Adopted 4/13/2007.

Approved by Mayor Rybak 4/16/2007.

(Published 4/17/2007)

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of 1st Quality Market, 2728 Nicollet Av S, for Grocery and Tobacco Dealer Licenses, subject to conditions.

Adopted 4/13/2007.

Resolution 2007R-173, granting the application of 1st Quality Market, 2728 Nicollet Av S, for Grocery and Tobacco Dealer Licenses, was adopted 4/13/2007 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-173
By Samuels

Granting the application of 1st Quality Market, 2728 Nicollet Av S, 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 1st Quality Inc, dba 1st Quality Market, 2728 Nicollet Av S, for Grocery and Tobacco Dealer Licenses (new proprietor) to expire April 1, 2008, subject to the following conditions:

1. The licensee agrees not to sell items which are commonly used by drug users and drug dealers. These items include glass pipes (sometimes with roses inside), single hollowed-out cigars sometimes referred to as blunts, Brillo Pads or Chore Boys, and small zip lock bags, also known as jewelry bags. The licensee also agrees not to supply matches to non-tobacco customers.

2. All windows will be free of signs and other items that block the view in and out, in accordance with Section 543.350 of the Minneapolis Code of Ordinances.

3. The licensee shall comply with Section 259.230 of the Minneapolis Code of Ordinances governing surveillance cameras, which states that all new business applicants for grocery stores and tobacco dealers must immediately install surveillance cameras.

4. The licensee will provide formal training to all staff on how to avoid sales of tobacco products to minors.

5. The licensee agrees not to install pay phones in, on or attached to the premise property.

6. The licensee shall clean the premises of litter and trash daily, including the area within 100 feet of the property line and dumpster area, in accordance with Section 259.125 of the Minneapolis Code of Ordinances.

7. The licensee agrees to post Minneapolis Police “No Trespassing” signs, available at the 5th Precinct Safe Unit. Staff will call 911 to report loiterers refusing to leave the immediate area.

8. The licensee agrees to display a copy of these conditions alongside the business license certificate, clearly visible to customers and inspectors.

Adopted 4/13/2007.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.

Adopted 4/13/2007.

Resolution 2007R-174, granting applications for Business Licenses, was adopted 4/13/2007 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-174
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 April 13, 2007 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 271923):

Bowling Alley; Place of Entertainment; All Night Special Food; Boarding House; Caterers; Confectionery; Food Distributor; Grocery; Food Market Distributor; Farm Produce Permit Non-profit; Grocery; Food Manufacturer; Food Market Manufacturer; Meat Market; Restaurant; Food Shelf; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Sidewalk Cart Food Vendor; Vending Machine; Gasfitter Class A; Heating, Air Conditioning & Ventilating Class A; Hotel/Motel; Motor Vehicle Repair Garage; Municipal Market; Public Market; Residential Specialty Contractor; Sign Hanger; Swimming Pool - Public; Taxicab Service Company; Taxicab Vehicle; Taxicab Neighborhood Rideshare; Tobacco Dealer; Tree Servicing.

Adopted 4/13/2007.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.

Adopted 4/13/2007.

Resolution 2007R-175, granting applications for Gambling Licenses, was adopted 4/13/2007 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-175
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 Lawful Exempt

Sigma Alpha Epsilon, dba Sigma Alpha Epsiton Fraternity, 1815 University Av SE (Raffle April 18, 2007 at Northrup, 84 Church St)

Zuhrah Shrine Temple, dba Zuhrah, 2540 Park Av (Raffle April 24, 2007 at Zuhrah Shrine Center, 2540 Park Av)

Lake Country School, dba Lake Country School, 3755 Pleasant Av (Raffle April 28, 2007 at Lake Country School, 3755 Pleasant Av S)

St. Paul Chamber Orchestra Society, dba St. Paul Chamber Orchestra Society, 408 Peter St, St. Paul (Raffle May 12, 2007 at Minneapolis Convention Center, 1301 2nd Av S)

Special Olympics Minnesota, dba Special Olympics Minnesota, 100 Washington Av S (Raffle September 19, 2007 at Metrodome, 900 S 5th St).

Adopted 4/13/2007.

PS&RS - Your Committee recommends approval of the 2007-2011 Business Plan for the Department of Regulatory Services, as set forth in Petn No 271925 on file in the Office of the City Clerk.
Adopted 4/13/2007.

PS&RS - Your Committee recommends approval of the 2007-2011 Business Plan for the Police Department, as set forth in Petn Nos 271818 and 271924 on file in the Office of the City Clerk.
Samuels moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.
Adopted upon a voice vote 4/13/2007.

PS&RS - Your Committee recommends that the proper City officers be authorized to issue Request for Proposals for various emergency management and emergency preparedness professional service providers.
Adopted 4/13/2007.

PS&RS - Your Committee, having under consideration the Rental Dwelling License held by Randy Gritz and Terry Kramer for the property located at 2628 Dupont Av S, and having received Findings of Fact, Conclusions and Recommendations arising from a Rental Dwelling License Board of Appeals hearing held on January 30, 2007, now recommends concurrence with the recommendation of the Board of Appeals that said license be revoked for failure to meet licensing standards pursuant to Section 244.1910 (3) of the Minneapolis Code of Ordinances, that no rental dwelling or rental dwelling unit shall be over occupied or illegally occupied in violation of the Zoning Code or the Housing Maintenance Code, 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 4/13/2007.

The PUBLIC SAFETY & REGULATORY SERVICES and TRANSPORTATION & PUBLIC WORKS Committees submitted the following report:

PS&RS & T&PW - Your Committee, having under consideration the special assessment deferment application submitted by Charles D. Williams (Disabled Citizen) to defer the special assessment (Levy 01084, Project 2004) for tree removal in the remaining principal amount of $2,803.60 for payable 2007 and subsequent years, on the property located at 3438 Emerson Av N, PID 09-029-24-12-0230, legal description: Lot 25, Block 4, "Livingston Park" Addition, now recommends that the application be approved as provided for in Minnesota Statutes, Sections 435.193 through 435.195 and Council Resolutions 80R-365 passed August 8, 1980 and 93R-134 passed April 16, 1993.
Adopted 4/13/2007.

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

PS&RS & W&M/Budget - Your Committee recommends passage of the accompanying resolution accepting bids submitted to the Department of Regulatory Services for Securing Vacant and Open Buildings, Weed Cutting, Tree Removal and Disposal, and Rubbish and Refuse Removal.
Adopted 4/13/2007.
Approved by Mayor Rybak 4/16/2007.
(Published 4/17/2007)

Resolution 2007R-176, accepting bids submitted to the Department of Regulatory Services for Securing Vacant and Open Buildings, Weed Cutting, Tree Removal and Disposal, and Rubbish and Refuse Removal, was adopted 4/13/2007 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-176
By Samuels and Ostrow

Accepting bids submitted to the Department of Regulatory Services for Securing Vacant and Open Buildings, Weed Cutting, Tree Removal and Disposal, and Rubbish and Refuse Removal.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to accept the following bids, all in accordance with City specifications:

a. OP #6771, low responsive bid of Castrejon, Inc., for an estimated annual expenditure of $230,000, to furnish and deliver securing of open and vacant buildings as needed and called for through May 30, 2008. Vendor offers to increase up to 100% and extend for 12 months at the sole option of the City of Minneapolis.

b. OP #6772, low responsive bids, as indicated below, to furnish and deliver all labor, materials, equipment and incidentals necessary for weed cutting and related services as needed and directed through May 30, 2008:

Emerge StreetWerks, for an estimated annual expenditure of $25,000 for cutting, removal and disposition of weed and/or plant growth in South District 1;

Over the Top, Inc, for an estimated annual expenditure of $75,000 for cutting, removal and disposition of weed and/or plant growth in South District 2.

Vendor offers to extend for two additional one-year periods at the sole option of the City of Minneapolis.

c. OP #6773, low responsive bid of Arbor Barber Inc, for an estimated annual expenditure of $70,000, for the removal and disposal of hazardous and/or fallen trees and branches as needed and called for through May 30, 2008. Vendor offers to extend for two additional one-year periods at the sold option of the City of Minneapolis.

d. OP #6774, low bid of Emerge StreetWerks, for an estimated expenditure of $80,000, to accomplish rubbish and refuse removal in District No. 1 through the period May 31, 2008. Vendor offers to extend for an additional 12 months at the sole option of the City of Minneapolis.

Further, that all bids for District No. 2 be rejected.

Be It Further Resolved that the proper City officers be authorized to execute contracts for said services, all in accordance with City specifications and contingent upon approval of the Civil Rights Department. (Petn No 271928)

Adopted 4/13/2007.

Approved by Mayor Rybak 4/16/2007.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept a mobile storage facility/trailer, worth approximately $50,000, from the State of Minnesota, Department of Public Safety, for use at the Rosemount bomb training location by the Minneapolis and St. Paul Bomb Units. Further, that Minneapolis will retain the title to the trailer.

Adopted 4/13/2007.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee recommends passage of the accompanying resolution adopting deletions from, and additions to, the Municipal State Aid Street System within the City of Minneapolis.

Adopted 4/13/2007.

Resolution 2007R-177, adopting deletions from and additions to the "Municipal State Aid Street System" within the City of Minneapolis, was adopted 4/13/2007 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-177
By Colvin Roy

Adopting deletions from and additions to the "Municipal State Aid Street System" within the City of Minneapolis.

Whereas, it appears to the City Council of the City of Minneapolis that the streets hereinafter described should be deleted from or added to the system of "Municipal State Aid Streets" under the provisions of Minnesota Statutes of 1983, Chapter 162; and

Whereas, it is the desire of said City Council that said streets be deleted from or added to the system of "Municipal State Aid Streets" as previously established;

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

That the streets described and numbered as follows and designated as "Municipal State Aid Streets" as previously established be deleted from the system subject to the approval of the Commissioner of Transportation of the State of Minnesota:

- MSA Route 259, 42nd Av S from 50th St E to 680 feet north at Old Hiawatha Av (0.13 miles)
- MSA Route 345, Huron Blvd SE from Washington Av SE to University Av SE (0.08 miles).

Be It Further Resolved that the streets described and numbered as follows be designated as "Municipal State Aid Streets" of said City subject to the approval of the Commissioner of Transportation of the State of Minnesota:

- MSA Route 433, Granary Road from Malcolm Av SE to East City Limits (0.14 miles)
- MSA Route 446, 25th Av SE from 4th St SE to Granary Road (0.14 miles).

Adopted 4/13/2007.

T&PW - Your Committee recommends the appointment of David Luick, of Target Corporation, as a representative of the retail sector on the Transportation Management Organization Executive Committee, for a term to expire December 31, 2007.

Adopted 4/13/2007.

T&PW - Your Committee recommends the temporary appointment of the following representatives to the Bloomington-Lake Special Service District Advisory Board, for terms to expire December 31, 2008:

Julie Ingebretsen	Ward 9
Ted Muller	Ward 9
Kathee Foran	Ward 9
Elizabeth George	Ward 9
Jose Lala	Ward 9

Adopted 4/13/2007.

T&PW - Your Committee recommends the temporary appointment of the following representatives to the Chicago-Lake Special Service District Advisory Board, for terms to expire December 31, 2008:

Dr. David Johnson	Ward 6
John Wolf	Ward 8
Mark Simon	Ward 6
US Bank Corp	Ward 8
Ryan Co/NDC	Ward 9

Adopted 4/13/2007.

T&PW - Your Committee, having under consideration a joint City/County Solid Waste Management Facility, now recommends:

a) That the proper City officers be authorized to negotiate, prepare, and execute the appropriate development, operating, and maintenance management agreements with Hennepin County for the proposed project and site; and

b) That the proper City officers be authorized to acquire, through negotiation or condemnation, the property located at 620 Malcolm Av SE.

Colvin Roy moved that the report be postponed. Seconded.

Adopted upon a voice vote 4/13/2007.

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

T&PW & W&M/Budget - Your Committee, having under consideration the 50th St E Reconstruction Project (from 43rd Av S to Woodlawn Blvd), now recommends passage of the accompanying resolutions:

a) Ordering the work to proceed and adopting the special assessments in the amount of $410,916.44 for the project; and

b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of $410,910, with the bonds to be paid for from special assessments.

Adopted 4/13/2007.

Resolution 2007R-178, ordering the work to proceed and adopting the special assessments for the 50th Street E (43rd Av S to Woodlawn Blvd) Project, was adopted 4/13/2007 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-178
By Colvin Roy and Ostrow

50th STREET E RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6732

Ordering the work to proceed and adopting the special assessments for the 50th Street E (43rd Av S to Woodlawn Blvd) Project.

Whereas, a public hearing was held on April 3, 2007 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2007R-124, passed March 9, 2007, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2007R-124, passed March 9, 2007.

Be It Further Resolved that the proposed special assessments in the total amount of $410,916.44, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than $150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments to begin on the 2008 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of $150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2008 real estate tax statements.

Adopted 4/13/2007.

Resolution 2007R-179, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of $410,910 for the purpose of paying the assessed cost of street improvements in the 50th Street E (43rd Ave S to Woodlawn Blvd) Street Reconstruction Project, was adopted 4/13/2007 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-179
By Colvin Roy and Ostrow

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of $410,910 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the 50th Street E (43rd Ave S to Woodlawn Blvd) Street Reconstruction Project, Special Improvement of Existing Street No 6732, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted 4/13/2007.

T&PW & W&M/Budget – Your Committee, having under consideration the Lynnhurst (Northeast area) Street Renovation Project, now recommends passage of the accompanying resolutions:

a) Ordering the work to proceed and adopting the special assessments in the amount of $252,531.81 for the project; and

b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of $252,530, with the bonds to be paid for from special assessments.

Adopted 4/13/2007.

Resolution 2007R-180, ordering the work to proceed and adopting the special assessments for the Lynnhurst (Northeast area) Street Renovation Project, was adopted 4/13/2007 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-180
By Colvin Roy and Ostrow

LYNNHURST (NORTHEAST) STREET RENOVATON PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5181

Ordering the work to proceed and adopting the special assessments for the Lynnhurst (Northeast area) Street Renovation Project.

Whereas, a public hearing was held on April 3, 2007, in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2007R-096, passed February 23, 2007 to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2007R-096, passed February 23, 2007.

Be It Further Resolved that the proposed special assessments in the total amount of $252,531.81 for the Lynnhurst (Northeast) Street Renovation Project, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that for the Lynnhurst (Northeast) Street Renovation Project, the number of successive equal annual principal installments by which the special assessments of more than $150 may be paid shall be fixed at ten (10) and that the interest be charged at the same rate as the assessments bonds are sold for, with collection to begin on the 2008 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of $150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for, with collection of the special assessments on the 2008 real estate tax statements.

Adopted 4/13/2007.

Resolution 2007R-181, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of $252,530 for the purpose of paying the assessed cost of street improvements in the Lynnhurst (Northeast) Street Renovation Project, was adopted 4/13/2007 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-181
By Colvin Roy and Ostrow

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of $252,530 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Lynnhurst (Northeast) Street Renovation Project, Special Improvement of Existing Street No 5181, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments, payable in the same manner as real estate taxes.

Adopted 4/13/2007.

T&PW & W&M/Budget - Your Committee, having under consideration the construction of the Columbia Heights Membrane Filtration Plant, now recommends that the proper City officers be authorized to amend Contract C-19530 with Adolfson and Peterson Construction by $592,517, for a revised contract total of $36,908,540.78. Funds are available within the existing project budget.

Adopted 4/13/2007.

T&PW & W&M/Budget - Your Committee, having under consideration the Non-Motorized Transportation Pilot Program (NTP) Direct Awards and Ambassador Program, now recommends:

a) That the proper City officers be authorized to accept two NTP direct award federal grants in the amounts of $150,000 to be used for the City-wide Pedestrian Master Plan, and $200,000 to be used for City-wide Bicycle Parking;

b) That the proper City officers be authorized to accept a BlueCross BlueShield of Minnesota grant in the amount of $75,000, to be used for the City-wide Pedestrian Master Plan;

c) That the proper City officers be authorized to enter into respective agreements with MnDOT State Aid and/or BlueCross BlueShield of Minnesota, as needed, to obtain such grant awards;

d) Passage of the accompanying resolution increasing the appropriation and revenue for the project by $350,000 (federal grants) and $75,000 (BlueCross BlueShield of Minnesota grant);

e) That the proper City officers be authorized to develop and issue an RFP for a consultant to assist on the City-wide Pedestrian Master Plan, pending PRC approval;

f) That the proper City officers be authorized to submit a proposal for the NTP Bicycle and Pedestrian Ambassador Program; and

g) That the proper City officers be authorized to hire the appropriate grant-funded positions, if the City is selected and approved for the Ambassador Program.

Adopted 4/13/2007.

RESOLUTION 2007R-182
By Colvin Roy and Ostrow

Amending The 2007 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

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

a) Increasing the appropriation for the PW-Transportation Capital Agency in the Grants-Federal Fund (0300-943-9480) by $350,000 and increasing the revenue source (0300-943-9480-3210) by $350,000; and

b) Increasing the appropriation for the PW-Transportation Capital Agency in the Grants-Other Fund (0600-943-9480) by $75,000 and increasing the revenue source (0600-943-9480-3720) by $75,000.

Adopted 4/13/2007.

T&PW & W&M/Budget - Your Committee, having under consideration the Downtown Minneapolis Transportation Management Organization (TMO), now recommends:

a) That the proper City officers be authorized to execute Metropolitan Council Pass Through Grant Agreement No SG-2007-028 between the Metropolitan Council and the City of Minneapolis to provide up to $661,797 in federal grant funding (FTA-CMAQ) for Transportation Demand Management projects in effect for the period April 1, 2007 through March 31, 2009;

b) That the proper City officers be authorized to execute a City Agreement with the Downtown Minneapolis Transportation Management Organization to perform specific work efforts as outlined in, and in accordance with, Metropolitan Council Contract SG-2007-028, which provides up to $661,797 in federal grant funding in effect for the period April 1, 2007 through March 31, 2009; and

c) Passage of the accompanying resolution increasing the appropriation and revenue for Transportation Demand Management projects by $661,797.

Adopted 4/13/2007.

RESOLUTION 2007R-183
By Colvin Roy and Ostrow

Amending The 2007 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended increasing the appropriation for the PW-Transportation Capital Agency in the Capital Improvements Fund (4100-943-9462) by $661,797, and increasing the revenue source (4100-943-9462-3215) by $661,797.

Adopted 4/13/2007.

T&PW & W&M/Budget - Your Committee, having under consideration the Non-Motorized Transportation Pilot Project (NTP), now recommends that the proper City officers be authorized to submit pedestrian and bicycle projects to Transit for Livable Communities for the NTP first-round solicitation. (Petn No 271930)

Colvin Roy moved that Petition No 271930 referred to in the report be amended by adding a sixth and seventh project to the Bicycle Infrastructure list as follows:

INFRASTRUCTURE PROJECT	AMOUNT
Bicycle Infrastructure	
18th Ave NE Trail (Marshall to Monroe)	$1,500,000
U of M Trail (Bridge #9 to Oak Street)	$2,500,000
26th Avenue North (Emerson to I-94)	$2,000,000
LRT Trail Improvements/Hiawatha Trail Connections	$1,800,000
RiverLake Greenway	$ 400,000
Ryan Lake Trail	$ 250,000
Midtown Bicycle Station	$ 500,000

Seconded.
Adopted upon a voice vote.
The report was adopted 4/13/2007.

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

a) OP 6732, Accept low bid of Pierce Manufacturing, in the amount of $999,000, to furnish and deliver two fire trucks with additional add-ons;

b) OP 6738, Accept low bid of Nadeau Excavating, Inc., in the amount of $158,700, to furnish all labor, materials, equipment, and incidentals necessary to accomplish the West Broadway Gateway Monument Project;

c) OP 6744, Accept low bid of L.S. Black Constructors, Inc., in the amount of $339,000, to furnish all labor, materials, equipment, and incidentals necessary to accomplish the areaway abandonment at 2700 E Lake St, Minneapolis;

d) OP 6749, Accept low bids, as indicated below, to furnish and deliver bituminous mixtures as needed and called for through March 31, 2008:

- Commercial Asphalt Company, for an estimated annual expenditure of $2,420,000; and
- Bituminous Roadways, Inc., for an estimated annual expenditure of $573,795;

e) OP 6752, Accept low bid of Gemstone Products Company, for an estimated annual expenditure of $900,000, to furnish and deliver ready mix concrete; and

f) OP 6753, Accept low bid of Mainlining Service, Inc., in the amount of $803,953.80, to furnish all labor, materials, equipment, and incidentals necessary for the cleaning and lining of cast iron water mains.

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 271930).

Adopted 4/13/2007.

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

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a new contract with Bentley Systems, Inc., for maintenance and support of the Computer-Aided Civil Engineering Application and Enterprise Concurrent Civil Engineering, to expire December 31, 2008, in the amount of $212,610. This contract is in lieu of amending the expired contract C-17010.

Adopted 4/13/2007.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a contract with rClient, Inc., in the amount of $590,000 for Broadband Implementation Services.

Your Committee further recommends passage of the accompanying Resolution appropriating $590,000 in the Business Information Services Agency.

Adopted 4/13/2007.

RESOLUTION 2007R-184
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 (6400-880-8891) by $590,000; and increasing the revenue source (6400-880-8891 - Source 3450) by $590,000.
Adopted 4/13/2007.

W&M/Budget - Your Committee, having under consideration the Application Support positions in the Information Systems & Customer Relations (IS&CR) Division of Business Information Services (BIS), now recommends authorizing proper City officers to hire eight additional FTE positions, as set forth in Petn No 271934. Funding for the positions will be supported by customer department projects and budgets except one that is funded from BIS operating funds.
Your Committee further recommends passage of the accompanying Resolution appropriating $576,000 in the Business Information Services Agency.
Adopted 4/13/2007.

RESOLUTION 2007R-185
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 (6400-880-8861) by $576,000; and increasing the revenue source (6400-880-8861 - Source 3455) by $576,000.
Adopted 4/13/2007.

W&M/Budget - Your Committee recommends approval of the May 2007 utility billing insert on behalf of the Public Works Traffic and Parking Services to remind residents to "Park Smart", providing tips to avoid getting tickets or having their cars towed for illegal parking.
Adopted 4/13/2007.

W&M/Budget - Your Committee recommends that the proper City Officers be authorized to issue a Request for Proposals (RFP) for outreach workers for the Project to End Homelessness, as set forth in Petn No 271939.
Adopted 4/13/2007.

W&M/Budget - Your Committee recommends passage of the accompanying Resolution approving the terms of a 24 month labor agreement with the Minneapolis Foremen's Association, effective January 1, 2007 through December 31, 2008.
Adopted 4/13/2007.

Resolution 2007R-186, approving the terms of a 24 month labor agreement with the Minneapolis Foremen's Association, was adopted 4/13/2007 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-186
By Ostrow

Approving the terms of a collective bargaining agreement with the Minneapolis Foremen's Association 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 Foremen's Association, as set forth in Petn No 271938, 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 4/13/2007.

W&M/Budget - Your Committee, having under consideration the Business Information Services Department 5-Year Business Plan (2007-2011), now recommends approval of said plan as set forth in Petn No 271934 on file in the Office of the City Clerk.

Adopted 4/13/2007.

W&M/Budget - Your Committee, having under consideration the Minneapolis Convention Center 5-Year Business Plan (2007-2011), now recommends approval of said plan as set forth in Petn No 271936 on file in the Office of the City Clerk.

Adopted 4/13/2007.

W&M/Budget - Your Committee, having under consideration the Finance Department's 5-Year Business Plan (2007-2011), now recommends approval of said plan as set forth in Petn No 271937 on file in the Office of the City Clerk.

Adopted 4/13/2007.

W&M/Budget - Your Committee recommends passage of the accompanying Resolution amending the 2007 General Appropriation Resolution to provide for reappropriation of 2006 funds to 2007 as recommended by the Finance Officer.

Your Committee further recommends that the Finance Officer be authorized to execute any 2007 appropriation changes necessary to carry out the intent of said reappropriations.

Colvin Roy moved to amend the resolution by reducing the allocation to the City Coordinator - Regulatory Services for the Reconfiguration of the 3rd floor PSC by $27,000 and to increase the allocation to Public Works Field Services for the Transportation Action Plan by $27,000. Seconded.

Adopted upon a voice vote.

The report was adopted 4/13/2007.

Resolution 2007R-187, amending the 2007 General Appropriation Resolution providing reappropriation of 2006 funds to 2007, was adopted 4/13/2007 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-187
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 to reflect the following reappropriations of 2006 funds:

Reappropriation of 2006 funds to 2007

Fund	Agency	Agency Name	Appropriation	Description
0100	650	PW Administration	$247,000	Transportation Action Plan, to meet contractual obligations
0100	607	PW Field Services	$350,000	2006R-607 Footnote (s) 2007 Resolution – Seal Coating Budget
0100	607	PW Field Services	$478,234	Nicollet Mall SSD
0100	840	City Coordinator	$85,000	Strategic planning-Conference room upgrades, one-time initiatives
0100	840	City Coordinator	$17,752	Sustainability – Tree Trust
0100	840	City Coordinator	$98,491	Minnesota Planetarium Society
0100	815	City Coord-Human Resources	$2,473	Teamsters grievance payment-mediation
0100	842	City Coord-Communications	$30,000	Studio set furniture
0100	830	City Coord-911/311	$250,000	Upgrade 911 center's computer room
0100	835	City Coord-Reg Services	$106,291	Hamilton School - Remote Site
0100	835	City Coord-Reg Services	$300,000	Nuisance Abatement Contracts
0100	835	City Coord-Reg Services	$250,000	Fleet replacement
0100	835	City Coord-Reg Services	$149,000	Reconfigure 3rd floor PSC
0100	300	Civil Rights Department	$385,000	Disparity Study
		General Fund Subtotal	***$2,749,241***	
0760	MCC	Mpls Convention Center	$3,000,000	Terrazzo Floor
		MCC Subtotal	***$3,000,000***	
6900	815	Self Insurance-HR	$79,160	Minneflex forfeitures 2002-2004 For Benefits Administration & Wellness 2005R-506
6900	815	Self Insurance-HR	$40,715	Minneflex forfeitures 2005 For Benefits Administration & Wellness 2005R-506
		Self Insurance-HR Subtotal	***$119,875***	
		TOTAL	**$5,869,116**	

Enterprise Requests

0100	127	General Fund Transfer	$3,550,000

Adopted 4/13/2007.

The ZONING & PLANNING Committee submitted the following reports:

Z&P - Your Committee, having under consideration the appeal filed by Curt Gunsbury from the decision of the Planning Commission, which, not withstanding staff recommendation, granted an application for variance of the floor area ratio from the allowable 3.24 to 3.51, and not the requested 3.85, to permit development of the Hotel Uptown, a 6-story hotel at 3017, 3021 & 3027 Holmes Ave S, now recommends that said appeal be granted, and application approved for variance to increase the maximum permitted floor area ratio to 3.80.

Adopted 4/13/2007.

Absent - Colvin Roy.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Anne Gardner, Coen & Partners, to vacate all of the platted drainage and utility easements located on the properties at 3809, 3811 and 3813 Sheridan Ave S (#1509) for development of a single-family home, subject to retention of easement rights by Comcast Cable and 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 easements.

Adopted 4/13/2007.

Absent - Colvin Roy.

Resolution 2007R-188, vacating all of the platted Drainage and Utility Easements (located on the properties at 3809, 3811 and 3813 Sheridan Ave S) in Lot 1, Block 1, BILTMORE ON CALHOUN Addition to Minneapolis, as of record at the Hennepin County Recorder's Office, Minneapolis, Minnesota (#1509), was adopted 4/13/2007 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-188
By Schiff

Vacating all of the platted Drainage and Utility Easements (located on the properties at 3809, 3811 and 3813 Sheridan Ave S) in Lot 1, Block 1, BILTMORE ON CALHOUN Addition to Minneapolis, as of record at the Hennepin County Recorder's Office, Minneapolis, Minnesota (#1509).

Resolved by The City Council of The City of Minneapolis:

All of the platted Drainage and Utility Easements (located on the properties at 3809, 3811 and 3813 Sheridan Avenue South) in Lot 1, Block 1, BILTMORE ON CALHOUN Addition to Minneapolis, as of record at the Hennepin County Recorder's Office, Minneapolis, Minnesota, are hereby vacated except that such vacation shall not affect the existing easement right and authority of Comcast over the entire described areas to be vacated, and to Northern States Power Company, a Minnesota Corporation d/b/a Xcel Energy, over the entire described areas to be vacated.

Adopted 4/13/2007.

Absent - Colvin Roy.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Convention Center Hotel, LLC to vacate a portion of the Grant St right-of-way east of 4th Ave S and an easement for public alley purposes where the existing building now stands (#1450), for construction of a 10-story hotel with a restaurant and meeting rooms at 1125 4th Ave S, subject to retention of easement rights by the City of Minneapolis and Comcast Cable, 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 right-of-way and easement.

Adopted 4/13/2007.

Absent - Colvin Roy.

Resolution 2007R-189, vacating a portion of Grant Street (between 4th & 5th Avenues South) and an easement for public alley purposes on the property located between 4th Ave S, 12th St S, Interstate 35W, and 11th St S (#1450, in the vicinity of 1125 4th Ave S), was adopted 4/13/2007 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-189
By Schiff

Vacating a portion of Grant Street (between 4th & 5th Avenues South) and an easement for public alley purposes on the property located between 4th Ave S, 12th St S, Interstate 35W, and 11th St S (#1450, in the vicinity of 1125 4th Ave S).

Resolved by The City Council of The City of Minneapolis:

A portion of Grant Street (between 4th & 5th Avenue South) and an easement for public alley purposes, described as follows:

All that portion of Grant Street in the City of Minneapolis, which lies easterly of the northerly extension of the east line of Fourth Avenue South in the City of Minneapolis and westerly of the following described line: Beginning at the northeast corner of Lot 6, Block 3, Butlers Addition to Minneapolis, thence run northerly to the southeast corner of Lot 7, Block 21, Snyder Company's First addition to Minneapolis and there terminating; also,

an easement for public alley purposes as recorded in the office of the Hennepin County Register on October 27, 1927; Volume 127, Page 40799, Document No. 74089,

are hereby vacated except that such vacation shall not affect the existing easement right and authority of the City of Minneapolis and Comcast Cable, their successors and assigns, to enter upon that portion of the afore described street, but not the alley, which is described in regard to each of said corporation(s) as follows, to wit:

As to the City of Minneapolis: Easement rights for a storm drain in favor of the State of Minnesota Department of Transportation be retained throughout the entire length and width of the referenced vacation;

As to Comcast Cable: Easement rights in favor of Comcast Cable be retained throughout the entire length and width of the referenced street vacation.

Adopted 4/13/2007.

Absent - Colvin Roy.

MOTION

Ostrow moved that the regular payrolls for all City employees under City Council jurisdiction for the month of May, 2007, be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted 4/13/2007.

Absent - Colvin Roy.

RESOLUTION

Resolution 2007R-190, honoring the life and work of Al Sicherman, was adopted 4/13/2007 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-190
By Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden, Schiff, Remington, Benson, Colvin Roy, Hodges

Honoring the Life and Work of Al Sicherman.

Whereas, Al Sicherman has served the readers of the Minneapolis Tribune and Star Tribune for 38 years as copy editor, writer, and engineering innovator; and

Whereas, Al has been a resident of Minneapolis since 1964; and

Whereas, Al has spent 26 of those years as a food writer and has had 3,508 plus by-lines and handled over a jillion calls from readers asking esoteric recipe questions; and

Whereas, Al has written yearly columns about the death of his son Joe that have moved and motivated thousands of people, especially to hug their kids; and

Whereas, Al has kept vigilant watch on new grocery products, calculating price-per-ounce and price-per-unit differentials on packaged foods, thereby increasing the financial education of the city, region, and state; and

Whereas, Al's personal tests and reviews of said new grocery products have saved countless people countless taste tests of their own; and

Whereas, Al has recommended tasty and satisfying dessert options with passion, clear recipes and humor; and

Whereas, Al is known for a desk notable both for the popularity of the results of dessert recipe tests and the stop-and-gasp-at-it accumulation of epicurean oddities and reference material; and

Whereas, Al, as Uncle Al, has perfected the art of referring to oneself in the third person to great comic and dramatic effect; and

Whereas, Al is a great lover of dogs in general, and his dogs in specific, with the occasional exasperated indulgence of natural dog behavior; and

Whereas, Al is notably generous and handy, helping readers, colleagues, and friends find information and fix problems both informational and mechanical; and

Whereas, Al has enhanced the lives of Star Tribune readers by making them laugh, cry, and cook better; and

Whereas, Al is described by colleagues and friends as incredibly generous, genuine, decent, warm, full of fun, and clever as all get out; and

Whereas, Al is retiring from the Star Tribune and April 9th was proclaimed Uncle Al Day in the City of Minneapolis;

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

That the Minneapolis City Council recognizes and honors the life and work of Al Sicherman.

Adopted 4/13/2007.

Absent - Colvin Roy.

Lilligren moved to adjourn. Seconded.

Adopted upon a voice vote 4/13/2007.

Absent - Colvin Roy.

Merry Keefe,
City Clerk.

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