

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF JULY 23, 2010

(Published July 31, 2010, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
July 23, 2010 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Schiff, Lilligren, Colvin Roy, Tuthill, Glidden, Hodges, Samuels, Gordon, Reich, Hofstede, President Johnson.

Absent - Council Members Quincy, Goodman.

Lilligren moved adoption of the agenda. Seconded.

Lilligren moved to amend the agenda to delete the Committee of the Whole report regarding ballot language for a proposed amendment to the Minneapolis City Charter relating to the responsibility for the redistricting process. Seconded.

Adopted upon a voice vote 7/23/2010.

Absent - Quincy, Goodman.

Gordon moved to amend the agenda to include under "New Business" a notice of intent to introduce the subject matter of an ordinance amending Title 13 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations*, adding a chapter to provide for a temporary event parking permit. Seconded.

Adopted upon a voice vote 7/23/2010.

Absent - Quincy, Goodman.

The agenda, as amended, was adopted upon a voice vote 7/23/2010.

Absent - Quincy, Goodman.

Lilligren moved acceptance of the minutes of the regular meeting of July 2, 2010 and the adjourned session held July 12, 2010. Seconded.

Adopted upon a voice vote 7/23/2010.

Absent - Quincy, Goodman.

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 7/23/2010.

Absent - Quincy, Goodman.

PETITIONS AND COMMUNICATIONS

AUDIT:

FINANCE DEPARTMENT (274375)
2009 Financial Statement Audit.
INTERNAL AUDIT (274376)
Work Plan for July-Dec, 2010.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

CONVENTION & VISITORS ASSOCIATION OF GREATER MPLS (274377)
Target Center 2010 Budget Appropriation & Updated Target Center Finance Plan.

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274378)
Cedar Riverside Limited Partnership (re Riverside Plaza, 1525 - 4th St S): Preliminary approval to issue bonds for stabilization & rehab of rental housing facility.
HOME Program Income: Appropriation of accrued income.
Department of Labor North 4 Youth Employment Grant Funds: Acceptance of funds.
Minnesota Department of Employment & Economic Development Redevelopment Grant Program: Authorize staff to submit applications.

REGULATORY, ENERGY AND ENVIRONMENT (See Rep):

LICENSES AND CONSUMER SERVICES (274379)
Crema Cafe (735 Nicollet Av S): Approve Business License Operating Conditions relating to Sidewalk Cart Food Vendor License.
The Brothers Deli (750 Nicollet Mall): Approve Business License Operating Conditions relating to Sidewalk Cart Food Vendor License.
Original Turkey (1211 Lagoon Av): Approve Business License Operating Conditions relating to Mobile Food Vendor License.
Dandelion Kitchen (1904 Humboldt Av S): Approve Business License Operating Conditions relating to Mobile Food Vendor License.
LICENSES AND CONSUMER SERVICES (274380)
Licenses: Applications.
LICENSES AND CONSUMER SERVICES (274381)
Stanley's Northeast Bar Room (2500 University Av NE): Application for On-Sale Liquor Class C-1 with Sunday Sales License, subject to conditions.
LICENSES AND CONSUMER SERVICES (274382)
Taxicab Vehicle Licenses:
Approve issuance of 45 non-transferable taxicab vehicle licenses to taxicab service companies in accordance with the Minneapolis Code of Ordinances.
501 Club (501 Washington Av S): Grant On-Sale Liquor Class B with Sunday Sale License (expansion of premises for outdoor patio).
Fru-Lala (1315 4th St SE): Grant Sidewalk Cafe License, subject to conditions.
MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS (274383)
Dave's Heating, Air Conditioning & Electric: Administrative Law Judge's Findings of Fact, Conclusions and Recommendation; Official Record; and Recording of the hearing.
REGULATORY SERVICES (274384)
Dave's Heating, Air Conditioning & Electric: Adopt Findings of Fact, Conclusions of Law and Recommendation of Administrative Law Judge Richard C. Luis; Maintain license conditions approved

by the City Council on November 21, 2008; Impose sanction of \$3,000 for non-compliance with City ordinances and applicable license conditions.

REGULATORY SERVICES (274385)

Property at 2728 Stevens Av: Authorize demolition.

REGULATORY SERVICES (274386)

Vacant Building Registration: Ordinance adding criteria to clarify inclusion of commercial and residential property which is unable to receive a certificate of occupancy due to expired permits or demonstrated work stoppage as determined by the Building Official.

Rental Dwelling License at 3243 6th St N: Approve reinstatement of license to be held by Amy W. Shih/C.S. Global, LLC, subject to conditions.

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

REGULATORY SERVICES (274387)

Regulatory Services Technology Replacement Funding Plan: Approve updated funding plan; related transfers of expense appropriation; and directions to staff.

Special Assessments and Charges for Nuisance Abatement Activities: Direct the Hennepin County Auditor to cancel special assessments and charges.

TRANSPORTATION AND PUBLIC WORKS:

CENTERPOINT ENERGY (274388)

Utility Pole Installation: a) 3214 Logan Ave N; b) 1201 5th St SE; c) 801 2nd St N; d) 1018 University Ave SE; e) 150 26th Ave SE; and f) 331 Ulysses St NE.

PUBLIC WORKS AND ENGINEERING (274389)

Lyndale-Lake Special Service District: Set public hearing for August 17, 2010.

Traffic Zones, Restrictions, and Controls: 2010 2nd quarter report.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (274390)

Banners in Right-of-Way: Ordinance amending Title 17, Chapter 449 of Code relating to Decorations and Banners; Comments.

Lowry Ave Pedestrian and Bicycle Facilities: Management Agreement with Hennepin County and Metropolitan Council.

14th Ave N Cul-de-sac Construction Project No 9895: Project designation.

Interchange Working Group: Appoint three elected representatives.

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

PUBLIC WORKS AND ENGINEERING (274391)

Sidewalk Replacements: Settlement Agreement and Contract for Sidewalk Replacement with Standard Sidewalk, Inc.

Bids: a) OP 7281, Low responsive bid of Viking Electric for street light poles and fixtures; and b) OP 7306, Low bid of Max Steininger, Inc., for 18th Ave NE Trail Project.

WAYS AND MEANS BUDGET:

ATTORNEY (274392)

Minneapolis Ethical Practices Board: Appointment of Walter G. Bauch.

Ethics Report Line Activity: Semi-Annual Report.

FINANCE DEPARTMENT (274393)

Capital Long-Range Improvement Committee (CLIC): 2011-2015 recommendations.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (274394)

Selection of Bond Counsel: Kennedy & Graven.

BUSINESS INFORMATION SERVICES (BIS) (274395)

Inter-Voice Recognition System: Contract with DiRAD Technologies, Inc. to provide system to interface with City's Utility Billing application.

Unisys Managed Services Contract: Execute single four-year extension; and amend language to increase scope of services offered.

COMMUNICATIONS (274396)

August 2010 Utility Billing Insert: Required addendum to the 2010 Water Quality Report.

CONVENTION CENTER AND PROCUREMENT (274397)

OP#7301: Accept low bid of Columbia Building Services to provide window washing services.

HEALTH AND FAMILY SUPPORT SERVICES (274398)

School Based Clinic Program: Apply for twelve-month grant from US Department of Health and Human Services, Health Resources Services Administration (HRSA) to purchase equipment.

Emergency Preparedness: Authorize contract with City of Bloomington to accept revenue for the development of two videos for emergency responders and community based organizations; and approve appropriation.

HUMAN RESOURCES (274399)

City of Minneapolis Medical Insurance: Authorize final contract negotiations; and execution of a three year contract with selected vendor for insurance coverage effective January 1, 2011 with an option to extend the contract for up to two additional one-year periods.

Retirement Incentive for Police officers and Fire Fighters: Ordinance amending Title 2, Chapter 20, adding two new Sections 20.478 and 20.479.

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (274400)

Rezoning:

J Jerome Boxleitner Place (165 Glenwood Ave)

The Firm Workout Studio (1010 2nd Ave N, 1100 & 1102 2nd Ave N, & 227 Colfax Ave N)

4th Street Flats (1209 4th St SE, 1206 & 1212 5th St SE)

FILED:

CHARTER COMMISSION (274401)

Redistricting Process: a) Proposed amendments to Chapter 1, Section 3 of Charter relating to City and Ward Boundaries: Thirteen Wards; and Chapter 16, Section 1, relating to Parks and Parkways: Park and Recreation Board - Election-Terms of Office; and b) Redlined version of amendments.

Redistricting Process: a) Minnesota Common Cause correspondence; b) Proposed amendments by Minnesota Common Cause; and c) Appendix B - Redistricting Local Governments.

Redistricting Process: Proposed amendments recommended by City Attorney's Office related to school district redistricting.

The following reports were signed by Mayor Rybak on July 27, 2010, 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 and WAYS & MEANS/BUDGET Committees submitted the following reports:

Comm Dev & W&M/Budget – Your Committee, having under consideration the issuance of revenue bonds for the Riverside Plaza stabilization and rehabilitation project (vicinity of 1525 S 4th St), a reimbursement agreement settling the City's indemnity and access obligations and project financing restructuring, now recommends passage of the accompanying resolutions: a) Giving preliminary approval to the issuance of up to \$80,000,000 in Tax-Exempt Multi-family Housing Entitlement Revenue Bonds; and b) Amending the 2010 General Appropriation Resolution to increase the appropriation in the Department of Community Planning & Economic Development (CPED) by \$161,908, which reflects additional funds for reimbursement up to \$700,000 in costs related to relocation of the vacated 5th St driveway as the Relocated E-Building Driveway.

Your Committee further recommends that the proper City officers be authorized to execute 1) A reimbursement agreement settling the City's indemnity and access obligations; and 2) An agreement closing out the contract for deed and conveying title to Riverside Plaza Limited Partnership, as set forth in the CPED staff report.

Further, that the subject matter be forwarded to the Minneapolis Community Development Agency (MCDA) Board of Commissioners.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Approved by Mayor Rybak 7/23/2010.

(Published 7/27/2010)

Resolution 2010R-340, giving preliminary approval to the issuance of tax-exempt multifamily housing revenue bonds in one or more series under Minnesota Statutes, Chapter 462C for the purpose of financing a housing program consisting of the acquisition and construction of a multifamily rental housing development for the benefit of Cedar Riverside Limited Partnership (vicinity of 1525 S 4th St), was adopted 7/23/2010 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 2010R-340
By Goodman and Hodges

Giving preliminary approval to the issuance of tax-exempt multifamily housing revenue bonds in one or more series under Minnesota Statutes, Chapter 462C for the purpose of financing a housing program consisting of the acquisition and construction of a multifamily rental housing development for the benefit of Cedar Riverside Limited Partnership.

Whereas, the City of Minneapolis, Minnesota (the "City") is authorized, pursuant to Minnesota Statutes, Chapter 462C, as amended (the "Act") to develop and administer programs to finance one or more multifamily housing developments within its boundaries; and

Whereas, Section 462C.07 of the Act authorizes the City to issue and sell revenue bonds or obligations to finance programs for the multifamily housing developments; and

Whereas, representatives of Cedar Riverside Limited Partnership, a Minnesota limited partnership, or its affiliates or assigns (the "Developer") has requested that the City adopt a multifamily housing development program (the "Program") to provide for the issuance of up to \$80,000,000 of its tax-exempt multifamily housing revenue bonds, in one or more series (the "Bonds") for the purpose of loaning the proceeds thereof to the Developer to finance the acquisition and rehabilitation by the Developer of a 1303-unit multifamily rental housing development located at 1525 4th Street South, 1600 6th Street South, 1511 4th Street South, 1601 4th Street South, 1615 4th Street South, and 1530 6th Street South in the City (the "Project"); and

Whereas, the Developer has paid and expects to pay certain expenditures (the "Reimbursement Expenditures") in connection with the Project prior to the issuance of indebtedness for the purpose of financing costs associated with the Project on a long-term basis and certain of the proceeds of the Bonds will be used to reimburse the Reimbursement Expenditures; and

Whereas, the Community Development Committee of the Minneapolis City Council, on behalf of the City held a public hearing on the Program and proposed issuance of the Bonds after at least 15 days published notice hereof and after submission of the Program to the Metropolitan Council for review and comment; and

Whereas, the Council has been advised by Piper Jaffray & Co., representing the Developer, that on the basis of information available to them, the Project is economically feasible and the Bonds could be successfully issued and sold; and

Whereas, the City has been advised by the Developer that conventional commercial financing is available to pay the capital costs of the Project only on a limited basis and at such high costs of borrowing that the scope of the Project and the economic feasibility of its operations would be significantly affected; and

Whereas, the City shall not be liable on the Bonds, and the Bonds shall not be a debt of the City within the meaning of any state constitutional provision or statutory limitation, and will not constitute or give rise to a charge against the general credit or taxing power of the City or a pecuniary liability of the city, nor shall the Bonds be payable out of any funds or properties other than those provided as security therefor;

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

That the Program is hereby approved and adopted by the City.

Be It Further Resolved that the issuance of the Bonds pursuant to the Program in a principal amount not to exceed \$80,000,000 is preliminarily approved.

Be It Further Resolved that the City hereby reserves \$80,000,000 of its 2010 housing revenue bond entitlement authority for the financing of the Project.

Be It Further Resolved that the City hereby makes this declaration for purposes of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations.

Be It Further Resolved that the City hereby declares its official intent to use proceeds of indebtedness to reimburse the Developer for Reimbursement Expenditures, including those expenditures made sixty days prior to adoption of this Resolution.

Be It Further Resolved that the foregoing preliminary approval of the issuance of Bonds shall be subject to final determination by the City of terms and conditions and shall not constitute an irrevocable commitment on the part of the City to issue the Bonds.

Be It Further Resolved that the staff of the Minneapolis Community Planning and Economic Development Department is hereby authorized, in cooperation with bond counsel to take all steps necessary and desirable to proceed to develop the Program and financing therefor.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Approved by Mayor Rybak 7/23/2010.

**RESOLUTION 2010R-341
By Goodman and Hodges**

Amending the 2010 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 in the Department of Community Planning and Economic Development Housing Program Fund (01SHP-8900220-MSHP022) by \$161,908 from available fund balance.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Approved by Mayor Rybak 7/23/2010.

(Published 7/27/2010)

Comm Dev & W&M/Budget - Your Committee, having under consideration HOME Program income accrued since 2007, now recommends passage of the accompanying resolution appropriating HOME Program income currently available in the amount of \$1,487,532 for allocation to the specific programs that generated the income and 10% for administrative costs, as follows:

HOME Multi Family: Affordable Housing Trust Fund, \$39,662

HOME Single Family: HOME Ownership Works, \$1,447,870.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

**RESOLUTION 2010R-342
By Goodman and Hodges**

Amending the 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

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

a) Increasing the appropriation in the Department of Community Planning and Economic Development (CPED) 01500-HOME Fund (01500-8900220) by \$39,662; and

b) Increasing the CPED 01500-HOME Fund (01500-8900230) by \$1,447,870 from available fund balance.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Comm Dev & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept \$238,000 in Department of Labor North 4 Youth Employment Grant funds. Further, passage of the accompanying resolution appropriating \$238,000 to the Department of Community Planning & Economic Development.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

**RESOLUTION 2010R-343
By Goodman and Hodges**

Amending the 2010 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 in the Department of Community Planning and Economic Development Grants-Federal Fund (01300-8900610) by \$238,000 and increasing the revenue budget (01300-8900610-321011) by \$238,000.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing application to the Minnesota Department of Employment and Economic Development (DEED) Redevelopment Grant Program for redevelopment projects at (or known as) the West Broadway Retail District (South) Infrastructure Redevelopment Project (Phase 1), the Touchstone Public Infrastructure Project (Phase 1, Bystrom Brothers), the Southeast Minneapolis Industrial area [SEMI] Infrastructure Project (Granary Road, Phase 1), and the 14th Avenue N. Cul-de-sac Project.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Resolution 2010R-344, authorizing applications to the Minnesota Department of Employment and Economic Development Redevelopment Grant Program for the West Broadway Retail District (South) Infrastructure Redevelopment Project (Phase 1), the Touchstone Public Infrastructure Project (Phase 1, Bystrom Brothers), the SEMI Infrastructure Project (Granary Road, Phase 1), and the 14th Avenue North Cul-de-sac Project, was adopted 7/23/2010 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 2010R-344
By Goodman and Hodges

Authorizing Applications to the Minnesota Department of Employment and Economic Development [DEED] Redevelopment Grant Program for the West Broadway Retail District (South) Infrastructure Redevelopment Project (Phase 1), the Touchstone Public Infrastructure Project (Phase 1, Bystrom Brothers), the SEMI Infrastructure Project (Granary Road, Phase 1), and the 14th Avenue North Cul-de-sac Project.

Whereas, the City of Minneapolis intends to act as the legal sponsor for the following project that will be more completely described in the Redevelopment Grant application to be submitted to the Minnesota Department of Employment and Economic Development (DEED) on or by August 2, 2010: the West Broadway Retail District (South) Infrastructure Redevelopment Project (Phase 1), the Touchstone Public Infrastructure Project (Phase 1, Bystrom Brothers), and the SEMI Infrastructure Project (Granary Road, Phase 1), and the 14th Avenue North Cul-de-sac Project; and

Whereas, the City has the legal authority to apply for financial assistance, and the institutional, managerial and financial capacity to ensure adequate project administration; and

Whereas, the sources and amounts of the local match identified in the application are (or are expected to be) committed to the identified project; and

Whereas, the City has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice; and

Whereas, upon approval of its application, the City may enter into agreements with the State of Minnesota for the above-referenced projects and will comply with all applicable laws and regulations as stated in said agreement;

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

That the City Council authorizes the Director or Deputy of the Department of Community Planning and Economic Development to apply to the Minnesota Department of Economic Development for Redevelopment Program grant funding for the above-referenced projects, and that the City's Finance Officer, Contracts Administrator or Purchasing Agent and/or other duly authorized City staff are hereby authorized to execute any agreements that may be necessary to implement the projects.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

The REGULATORY, ENERGY & ENVIRONMENT Committee submitted the following reports:

RE&E - Your Committee, having under consideration the application of Stanley's Northeast Bar Room LLC, dba Stanley's Northeast Bar Room, 2500 University Av NE, for an On-Sale Liquor Class C-1 with Sunday Sales License (new business) to expire July 1, 2011, now recommends that said license be **sent forward without recommendation**.

Glidden moved that the report be amended by deleting the language "be sent forward without recommendation" and inserting in lieu thereof, "be granted, subject to the following business license operating conditions:

- a. The outdoor patio shall not exceed 30 seats/patrons.
- b. The outdoor patio shall not operate past 11:00 p.m. on Sunday through Thursday or past 1:00 a.m. on Friday and Saturday.

c. These conditions will be reviewed by Licenses & Consumer Services after one year from Council approval of this license.” Seconded.

Adopted by unanimous consent.

Absent - Quincy, Goodman.

The report, as amended, was adopted 7/23/2010.

Absent - Quincy, Goodman.

RE&E - Your Committee, having under consideration the application of Wanderer’s Food & Cocktail Inc, dba Wanderer’s Wondrous Azian Kitchen, 533 Hennepin Av, for an On-Sale Liquor Class B with Sunday Sales License (new business) to expire July 1, 2011, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Approved by Mayor Rybak 7/23/2010.

(Published 7/27/2010)

RE&E - Your Committee, having under consideration the application of 501 Club Inc, dba 501 Club, 501 Washington Av S, for an On-Sale Liquor Class B with Sunday Sales License (expansion of premises to include an outdoor patio on private property) to expire October 1, 2010, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

RE&E - Your Committee, having under consideration the application of Fru-Lala LLC, dba Fru-Lala, 1315 4th St SE, for a Sidewalk Cafe License (new business) to expire April 1, 2011, and having held a public hearing thereon, now recommends that said license be granted, subject to the following conditions:

a. Fru-Lala will hang three plants (flowering or non-flowering) from the restaurant’s awning from at least May 1st to October 30th on a yearly basis.

b. Final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Sidewalk Cart Food Vendor License held by Crema Cafe, 735 Nicollet Av S.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Resolution 2010R-345, approving Business License Operating Conditions relating to the Sidewalk Cart Food Vendor License held by Crema Cafe, 735 Nicollet Av S, was adopted 7/23/2010 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 2010R-345

By Glidden

Approving Business License Operating Conditions relating to the Sidewalk Cafe Food Vendor License held by Crema Cafe, 735 Nicollet Av S.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Sidewalk Cart Food Vendor License held by Crema Cafe, 735 Nicollet Av S:

1. Nicollet Mall Farmer's Market vendors have priority on location sites. Cart vendors operating on sidewalks previously dedicated to market vendors must coordinate site locations with the Market manager or not operate on Market day.

2. Sidewalk cart locations are subject to change due to future Mall sidewalk and street repair, redesign, construction, sidewalk surface condition, and adjacent building construction.

3. There may be other sidewalk vendor licenses granted near your site. When setting up, you are required to coordinate with other vendors to ensure proper clearances for pedestrian traffic.

4. All waste liquids, garbage, litter and refuse shall be kept in leak proof, non-absorbent containers which shall be kept covered with tight fitting lids and properly disposed of at the permanent location.

5. No waste liquids, garbage, litter or refuse shall be dumped or drained in or on sidewalks, streets, gutters, drains, trash receptacles or any other place except at the permanent location.

6. When leaving the sales area, the licensee or his employees shall pick up all litter resulting from his business and shall deposit such litter in an approved container located on his cart.

7. No items of any kind, other than approved food and beverage items, shall be sold or dispensed from the sidewalk cart.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Sidewalk Cart Food Vendor License held by The Brothers Deli, 750 Nicollet Mall.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Resolution 2010R-346, approving Business License Operating Conditions relating to the Sidewalk Cart Food Vendor License held by The Brothers Deli, 750 Nicollet Mall, was adopted 7/23/2010 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 2010R-346

By Glidden

Approving Business License Operating Conditions relating to the Sidewalk Cart Food Vendor License held by The Brothers Deli, 750 Nicollet Mall.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Sidewalk Cart Food Vendor License held by The Brothers Deli, 750 Nicollet Mall:

1. Nicollet Mall Farmer's Market vendors have priority on location sites. Cart vendors operating on sidewalks previously dedicated to market vendors must coordinate site locations with the Market manager or not operate on Market day.

2. Sidewalk cart locations are subject to change due to future Mall sidewalk and street repair, redesign, construction, sidewalk surface condition, and adjacent building construction.

3. There may be other sidewalk vendor licenses granted near your site. When setting up, you are required to coordinate with other vendors to ensure proper clearances for pedestrian traffic.

4. All waste liquids, garbage, litter and refuse shall be kept in leak proof, non-absorbent containers which shall be kept covered with tight fitting lids and properly disposed of at the permanent location.

5. No waste liquids, garbage, litter or refuse shall be dumped or drained in or on sidewalks, streets, gutters, drains, trash receptacles or any other place except at the permanent location.

6. When leaving the sales area, the licensee or his employees shall pick up all litter resulting from his business and shall deposit such litter in an approved container located on his cart.

7. No items of any kind, other than approved food and beverage items, shall be sold or dispensed from the sidewalk cart.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Mobile Food Vendor License held by Original Turkey, 1211 Lagoon Av #307.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Resolution 2010R-347, approving Business License Operating Conditions relating to the Mobile Food Vendor License held by Original Turkey, 1211 Lagoon Av #307, was adopted 7/23/2010 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 2010R-347

By Glidden

Approving Business License Operating Conditions relating to the Mobile Food Vendor License held by Original Turkey, 1211 Lagoon Av #307.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Mobile Food Vendor License held by Original Turkey, 1211 Lagoon Av #307:

1. Trailer jacks must be placed on moving pads and planks as needed to protect the sidewalk surface.

2. Surface under the trailer must be protected by an impervious barrier (i.e. tarp) to protect the sidewalk surface from slippery or corrosive materials.

3. On Nicollet Mall, vendors may not set up or remove their vehicles between the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 5:30 p.m., Monday through Friday.

4. Vendors on Nicollet Mall are limited to vehicles or trailers that do not exceed 3,000 pounds (unloaded).

5. Farmer's Market has priority on location site. Vendors on Nicollet Mall must coordinate the Farmer's Market on site location or not operate.

6. There may be other sidewalk vendor licenses granted near your site. When setting up you are required to coordinate with other vendors to ensure proper clearances for pedestrian traffic.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Mobile Food Vendor License held by Dandelion Kitchen, 1904 Humboldt Av S.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Resolution 2010R-348, approving Business License Operating Conditions relating to the Mobile Food Vendor License held by Dandelion Kitchen, 1904 Humboldt Av S, was adopted 7/23/2010 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 2010R-348

By Glidden

Approving Business License Operating Conditions relating to the Mobile Food Vendor License held by Dandelion Kitchen, 1904 Humboldt Av S.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Mobile Food Vendor License held by Dandelion Kitchen, 1904 Humboldt Av S:

1. Trailer jacks must be placed on moving pads and planks as needed to protect the sidewalk surface.
2. Surface under the trailer must be protected by an impervious barrier (i.e. tarp) to protect the sidewalk surface from slippery or corrosive materials.
3. On Nicollet Mall, vendors may not set up or remove their vehicles between the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 5:30 p.m., Monday through Friday.
4. Vendors on Nicollet Mall are limited to vehicles or trailers that do not exceed 3,000 pounds (unloaded).
5. Farmer's Market has priority on location site. Vendors on Nicollet Mall must coordinate the Farmer's Market on site location or not operate.
6. There may be other sidewalk vendor licenses granted near your site. When setting up, you are required to coordinate with other vendors to ensure proper clearances for pedestrian traffic.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

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

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Resolution 2010R-349, granting applications for Liquor, Wine and Beer Licenses, was adopted 7/23/2010 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 2010R-349

By Glidden

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 274380):

On-Sale Liquor Class A with Sunday Sales, to expire July 24, 2010

331 Club Inc, dba 331 Club, 331 13th Av NE (temporary expansion of premises July 24, 2010, Noon to 10:00 p.m.)

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2011

Avenue One Entertainment LLC, dba Bootleggers, 323 1st Av N (regular expansion of premises)

Prism Minneapolis Grand, LLC, dba Grand Hotel Minneapolis, 615 2nd Av S (new proprietor)

On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2011

Classic Affairs Inc, dba Schieks Palace Royale, 115 S 4th St (permanent expansion)

On-Sale Liquor Class A with Sunday Sales, to expire September 26, 2010

JULY 23, 2010

Food and Drink Inc, dba Barfly, 711 Hennepin Av (September 24 & 25, 2010, 5:00 p.m. to 2:00 a.m.)

On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2011

Midwest Latino Entertainment & Talent, dba El Nuevo Rodeo Restaurant, 2709 E Lake St

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2010

Epic Entertainment LLC, dba Epic Entertainment LLC, 110 5th St N (amending business plan/
downgrading)

On-Sale Liquor Class B with Sunday Sales, to expire October 1, 2010

Restaurants Unlimited Inc, dba Walker Room, 825 Hennepin Av (new corporate officer)

On-Sale Liquor Class C-2 with Sunday Sales, to expire October 1, 2010

J D Hoyt's Inc, dba J D Hoyt's, 301 Washington Av N (internal transfer of shares)

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2011

Starmac Inc, dba Champions Saloon & Eatery, 105 W Lake St (internal transfer of shares)

On-Sale Liquor Class E with Sunday Sales, to expire July 31, 2010

Halek's Bar Inc, dba Halek's Bar, 2024 Washington Av N (temporary expansion of premises,
Cancer Benefit July 31, 2010, 2:00 p.m. to Midnight)

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 2010

Restaurants Unlimited Inc, dba Palomino, 825 Hennepin Av (new corporate officer)

Temporary On-Sale Liquor

Diverse Emerging Music Organization, dba Diverse Emerging Music Organization, 6623 Kelsey
Ct, Edina (Have a Ball & Park Fundraiser July 16, 2010, 4:00 p.m. to 7:40 p.m.; and July 17, 2010, 3:00
p.m. to 6:40 p.m.)

Fourth Street Saloon, dba Deuce New Generation MC, 328 W Broadway (July 31 to August 1, 2010,
10:30 a.m. to 9:00 p.m.)

Pacim, dba Twin Cities Polish Festival, 2300 University Av NE (August 14, 2010, 10:00 a.m. to
10:00 p.m.; and August 15, 2010, 10:00 a.m. to 6:00 p.m.)

Diverse Emerging Music Organization, dba Diverse Emerging Music Organization, 6623 Kelsey
Ct, Edina (Have a Ball & Park Fundraiser, August 20, 2010, 4:00 p.m. to 7:00 p.m.; and August 21,
2010, Noon to 3:40 p.m.)

Liquor Catering Services, to expire August 1, 2011

Mintahoe Inc, dba Mintahoe Hospitality Group, 2117 W River Rd (Minneapolis Park and Recreation
Board).

Adopted 7/23/2010.

Absent - Quincy, Goodman.

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

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Resolution 2010R-350, granting applications for Business Licenses, was adopted 7/23/2010 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 2010R-350

By Glidden

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 July 23, 2010 be granted, subject to final
inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 274380):

Dancing School; Dry Cleaning & Laundry Pickup Station; Caterers; Confectionery; Food Market Distributor; Farm Produce Permits; Grocery; Food Manufacturer; Food Market Manufacturer; Mobile Food Vendor; Drive In Food; Restaurant; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Heating, Air Conditioning & Ventilating Class A; Hotel/Motel; Motor Vehicle Dealer - Cycles & Motorbikes; Motor Vehicle Dealer - New & Used; Motor Vehicle Dealer - Used Only; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Pet Shop; Plumber; Precious Metal Dealer; Public Market; Recycling/Salvage Yard; Refrigeration Systems Installer; Residential Specialty Contractor; Secondhand Goods Class A; Secondhand Goods Class B; Antique Dealer Class A; Antique Dealer Class B; Antique Mall Operator Class B; Sign Hanger; Solicitor - Company; Solid Waste Hauler; Steam & Hot Water Systems Installer; Tattooist/Body Piercer; Tattooist/Body Piercer Establishment; Taxicab Vehicle; Tobacco Dealer; Valet Parking; and Wrecker of Buildings Class B.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

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

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Resolution 2010R-351, granting applications for Gambling Licenses, was adopted 7/23/2010 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 2010R-351

By Glidden

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

(Petn No 274380):

Gambling Class B

Church of the Incarnation, dba Church of the Incarnation, 3817 Pleasant Av S (Site: 1029 Bar & Cafe, 1029 Marshall St NE)

Church of the Incarnation, dba Church of the Incarnation, 3817 Pleasant Av S (Site: Champions Saloon & Eatery, 105 W Lake St)

Gambling Exempt

Aegis Foundation Inc, dba Aegis Foundation, 4500 Chicago Av #109 (Raffle, August 11, 2010, Peavy Plaza)

Minnesota Rural Electric Association, dba Minnesota Rural Electric Association, 11640 73rd Av N, Maple Grove (Raffle September 16, 2010, Hilton Minneapolis Hotel).

Adopted 7/23/2010.

Absent - Quincy, Goodman.

RE&E - Your, having under consideration the Rental Dwelling License for the property located at 3243 6th St N, and having received an acceptable management plan for the property and verification that said property is now in compliance with rental licensing standards, now recommends concurrence with the recommendation of the Director of Inspections to approve the reinstatement of said license to

be held by Amy W. Shih/C.S. Global, LLC, subject to providing a landscaping plan and painting the handrail by the end of August.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

RE&E - Your Committee, having under consideration the issuance of 45 non-transferable taxicab vehicle licenses in accordance with Section 341.300 of the Minneapolis Code of Ordinances, now recommends that the following service companies be granted new taxicab vehicle licenses as non-transferable licenses:

- 4 licenses to Airport Taxi;
- 4 licenses to Yellow Taxi;
- 5 licenses to United Taxi;
- 4 licenses to Skybird;
- 4 licenses to Goldstar;
- 4 licenses to Minneapple;
- 5 licenses to TC Airport Taxi;
- 4 licenses to Ecco Cab;
- 3 licenses to Northstar;
- 3 licenses to Checker Cab;
- 5 licenses to Ecuadorian Express.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

RE&E – Your Committee, to whom was referred an ordinance amending Title 12, Chapter 249 of the Minneapolis Code of Ordinances relating to *Housing: Vacant Dwelling or Building, Nuisance Condition*, amending Section 249.80 adding criteria to clarify inclusion of commercial and residential property which is unable to receive a Certificate of Occupancy due to expired permits or demonstrated work stoppage as determined by the Building Official, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Ordinance 2010-Or-062 amending Title 12, Chapter 249 of the Minneapolis Code of Ordinances relating to *Housing: Vacant Dwelling or Building, Nuisance Condition*, amending Section 249.80 to add criteria to clarify inclusion of commercial and residential property which is unable to receive a Certificate of Occupancy due to expired permits or demonstrated work stoppage as determined by the Building Official, was adopted 7/23/2010 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 2010-Or-062
By Colvin Roy
Intro & 1st Reading: 6/18/2010
Ref to: RE&E
2nd Reading: 7/23/2010

Amending Title 12, Chapter 249 of the Minneapolis Code of Ordinances related to Housing: Vacant Dwelling or Building, Nuisance Condition.

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

Section 1. That Section 249.80 (a) and (b) of the above-entitled ordinance be amended to read as follows:

249.80. Vacant building registration. (a) The owner of a building shall register the building with the director of inspections within five (5) days after it becomes a vacant building. In this section, a "vacant building" is one that is:

- (1) Condemned; or
- (2) Unoccupied and unsecured for five (5) days or more; or
- (3) Unoccupied and secured by means other than those normally used in the design of the building for thirty (30) days or more; or
- (4) Unoccupied and has multiple housing maintenance, fire or building code violations existing for thirty (30) days or more; or
- (5) Unoccupied for a period of time over three hundred sixty-five (365) days and during which time an order has been issued to correct a nuisance condition pursuant to section 227.90; or
- (6) A vacant commercial or residential building or structure, which is unable to receive a certificate of occupancy due to expired permits, or demonstrated work stoppage of one hundred eighty (180) days or more as determined by the building official.

(b) The owner of a commercial building or structure designated as vacant pursuant to this section may appeal such designation within twenty-one (21) days after receipt of the designation or a billing statement therefore to the nuisance condition process review panel pursuant to the procedures established in section 249.45. The notice of designation or billing statement shall notify the building owner of such appeal rights.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

RE&E - Your Committee, having under consideration the Contractor Licenses held by Roberts Appliance Services, Inc and David Louis Roberts, dba Dave's Heating, Air Conditioning & Electric, 1607 37th Av NE, and an Administrative Hearing having been held before Administrative Law Judge Richard C. Luis who issued Findings of Fact, Conclusions and a Recommendation that the City Council issue a conditional license which conditions include the imposition of a \$3,000 fine and the requirement that the licensee remain in compliance with all applicable laws, ordinances and regulations respecting licenses, now recommends the following:

a. Adoption of the Findings of Fact, Conclusions of Law and Recommendation of the Administrative Law Judge.

b. That the following license conditions approved by the City Council on November 21, 2008 be maintained:

1. The City will impose a \$1,000 sanction, of which \$500 shall be paid after approval by the City Council, and \$500 to be stayed pending no further permit violations, failure to comply with written orders, or failure to notify the Inspections Division of required inspections.
2. All permits must be obtained before any work is started at the jobsite or within 24 hours of an emergency repair. The current department policy is the contractor must call the area inspector and notify them of the emergency repair on their voice mail. The contractor then must obtain the permit within 24 hours of the repair or the next available day the Inspections Division is open.
3. Dave's Heating and Air Conditioning and Electric must call Construction Code Services in a timely manner for rough-in and final inspections.
4. Dave's Heating and Air Conditioning and Electric will comply with all written orders by the due date given by the inspector unless the inspector has granted an extension to the orders of the inspections.
5. Dave's Heating and Air Conditioning and Electric understands that further violations of the mechanical codes resulting in an unsafe condition may result in adverse license action.

c. that a sanction in the amount of \$3,000 be imposed for non-compliance with City ordinances and applicable license conditions.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

RE&E - Your Committee, having under consideration the property located at 2728 Stevens Av, which has been determined by the Department of Regulatory Services to constitute a nuisance under the Minneapolis Code of Ordinances; and a Director's Order to Demolish the property having been issued to the property owner, which was subsequently appealed to the Nuisance Condition Process Review Panel, now recommends concurrence with the recommendation of the Panel that said Order be upheld and that the structure located at 2728 Stevens Av be demolished, in accordance with the Findings of Fact, Conclusions and Recommendation on file in the Office of the City Clerk, which are hereby made a part of this report by reference.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

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

RE&E & W&M/Budget - Your Committee recommends passage of the accompanying resolution directing the Hennepin County Auditor to cancel special assessments and charges against properties for nuisance abatement activities.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Approved by Mayor Rybak 7/23/2010.

(Published 7/27/2010)

Resolution 2010R-352, directing the Hennepin County Auditor to cancel special assessments and charges against properties for nuisance abatement activities, was adopted 7/23/2010 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 2010R-352

By Glidden

Cancellation of Department of Regulatory Services Special Assessments

Directing the Hennepin County Auditor to cancel special assessments and charges against properties for nuisance abatement activities.

Be It Resolved by The City Council of The City of Minneapolis:

That the Hennepin County Auditor is directed to cancel the following levied special assessments and charges against properties for nuisance abatement activities under Chapter 227, Chapter 249, Chapter 244 and similar provisions of the Minneapolis Code of Ordinances:

LEVY	ADDRESS	PROPERTY ID	AMOUNT	LEVY YEAR
1080	509 BROADWAY ST NE	1402924240208	175.00	2009
1081	2638 GIRARD AVE N	0902924430140	134.00	2009
1098	2638 GIRARD AVE N	0902924430140	1,125.00	2009
1080	2638 GIRARD AVE N	0902924430140	175.00	2009
1080	3238 PENN AVE N	0902924230024	175.00	2009
1080	3238 PENN AVE N	0902924230024	175.00	2009
1080	409 31ST AVE N	1002924320020	175.00	2009
1081	409 31ST AVE N	1002924320020	134.00	2009
1080	2210 JAMES AVE N	1602924230243	193.92	2009
1096	1514 THOMAS AVE N	1702924440175	6,000.00	2009
1089	1514 THOMAS AVE N	1702924440175	440.00	2009

JULY 23, 2010

1089	1514 THOMAS AVE N	1702924440175	220.00	2009
1089	2700 MORGAN AVE N	0902924330062	220.00	2009
1096	2700 MORGAN AVE N	0902924330062	6,360.00	2009
1089	2700 MORGAN AVE N	0902924330062	440.00	2009
1095	2125 JAMES AVE N	1602924230033	16,055.21	2009
1095	3042 18TH AVE S	0202824110032	16,305.68	2009
1080	1625 26TH AVE N	1602924210056	175.00	2009
1080	3239 LYNDAL AVE N	0902924140110	234.17	2009
1096	3627 EMERSON AVE N	0402924430177	6,000.00	2009
1099	4114 FREMONT AVE N	0402924130165	145.00	2009
1089	6121 13TH AVE S	1102824210072	2,200.00	2008
1089	6121 13TH AVE S	1102824210072	2,200.00	2008
1089	6121 13TH AVE S	1102824210072	2,200.00	2008
1096	1843 JACKSON ST NE	1102924440163	6,000.00	2008
1096	1847 JACKSON ST NE	1102924440164	6,000.00	2008
1096	2117 WEST BROADWAY	1602924220182	6,360.00	2009
1096	905 18TH 1/2 AVE NE	1102924440086	6,000.00	2008
1096	911 18TH 1/2 AVE NE	1102924440084	6,000.00	2008
1096	2211 4TH ST N	1502924230040	6,360.00	2009
1096	2718 THOMAS AVE N	0802924440087	6,360.00	2009
1099	2718 THOMAS AVE N	0802924440087	190.00	2009
1096	3936 4TH AVE S	1002824110223	6,000.00	2008
1096	812 21ST AVE N	1602924140107	6,000.00	2008
1096	2201 3RD ST N	0302824110143	2,000.00	2008
1096	5657 44TH AVE S	1902823140045	6,360.00	2009
1080	2214 4TH ST N	1502924230039	175.00	2009
1081	2214 4TH ST N	1502924230039	168.00	2009
1080	2215 4TH ST N	1502924230039	175.00	2009
1081	2215 4TH ST N	1502924230039	168.00	2009
1080	2215 4TH ST N	1502924230039	175.00	2009
1080	2215 4TH ST N	1502924230039	175.00	2009
1080	2218 4TH ST N	1502924230035	175.00	2009
1081	2218 4TH ST N	1502924230035	168.00	2009
1080	2406 MCNAIR AVE	1702924110244	220.75	2009
1080	2410 MCNAIR AVE	1702924110243	110.00	2009
1081	2410 MCNAIR AVE	1702924110243	168.00	2009
1081	2410 MCNAIR AVE	1702924110243	168.00	2009
1081	2635 JAMES AVE N	0902924340012	134.00	2009
1081	2635 JAMES AVE N	0902924340012	134.00	2009
1085	2635 JAMES AVE N	0902924340012	134.00	2009
1081	2635 JAMES AVE N	0902924340012	134.00	2009
1080	2724 PENN AVE N	0902924330110	175.00	2009
1081	2724 PENN AVE N	0902924330110	134.00	2009
1081	2826 BRYANT AVE N	0902924440114	134.00	2009
1081	2826 BRYANT AVE N	0902924440114	134.00	2009
1080	2946 OLIVER AVE N	0902924320190	175.00	2009
1080	2946 OLIVER AVE N	0902924320190	175.00	2009
1080	2946 OLIVER AVE N	0902924320190	175.00	2009
1081	2950 BRYANT AVE N	0902924410055	134.00	2009
1080	811 QUEEN AVE N	2002924140022	175.00	2009
1089	1928 ALDRICH AVE S #102	2802924440498	1,100.00	2009
1089	1928 ALDRICH AVE S #102	2802924440498	550.00	2009
1096	2419 4TH ST N	1502924220181	6,360.00	2009
1089	2621 3RD ST N	1002924330051	1,100.00	2009

JULY 23, 2010

1080	2703 14TH AVE S	3502924420308	175.00	2009
1096	5544 42ND AVE S	1902823120111	6,360.00	2009
1096	5960 CLINTON AVE	2202824410029	6,000.00	2009
1098	1411 24TH AVE N	1602924210136	215.00	2009
1096	1511 22ND AVE N	1602924240041	6,360.00	2009
1096	2500 HUMBOLDT AVE N	1602924120146	6,360.00	2009
1089	2703 14TH AVE S	3502924420308	220.00	2009
1089	2703 14TH AVE S	3502924420308	880.00	2009
1089	2201 FILLMORE ST NE	1202924310102	880.00	2008
1089	2201 FILLMORE ST NE	1202924310102	880.00	2008
1089	2201 FILLMORE ST NE	1202924310102	1,760.00	2008
1096	2201 FILLMORE ST NE	1202924310102	6,360.00	2009
1089	2201 FILLMORE ST NE	1202924310102	2,200.00	2009
1162	4057 30TH AVE S	1202824140148	220.00	2009
1096	2209 PORTLAND AVE	35029224220087	6,360.00	2009
1089	1213 22ND AVE N	1602924130163	385.00	2009
1096	3035 12TH AVE S	0902924420081	6,360.00	2009
1096	3100 HUMBOLDT AVE N	0902924420081	6,360.00	2009
1096	3107 UPTON AVE N	0802924420113	6,360.00	2009
1089	1924 4TH AVE S	2702924440078	880.00	2009
1089	2526 QUEEN AVE N	1702924110166	880.00	2009
1089	2526 QUEEN AVE N	1702924110166	1,760.00	2009
1097	2526 QUEEN AVE N	1702924110166	150.00	2009
1089	2726 BRYANT AVE N	0902924440100	550.00	2009
1099	3101 6TH ST N	1002924320053	145.00	2009
1089	4445 4TH AVE S	1002824440045	550.00	2009
1096	2542 14TH AVE	3502924130296	6,360.00	2009
1096	3349 PIERCE ST NE	0102924240133	6,360.00	2009
1096	3609 WASHBURN AVE N	0502924430147	6,360.00	2009
1096	5104 43RD AVE S	1802823410050	6,360.00	2009
1095	2635 JAMES AVE N	0902924340012	12,559.84	2009
1095	2826 BRYANT AVE N	0902924440114	21,910.39	2009
1089	3244 20TH AVE S	0102824230089	220.00	2009
1162	3307 UNIVERSITY AVE SE	3002923410063	220.00	2009
1162	3307 UNIVERSITY AVE SE	3002923410063	440.00	2009
1097	2955 LYNDAL AVE N	0902924410002	220.00	2009
1097	2955 LYNDAL AVE N	0902924410002	220.00	2009
1097	3526 DUPONT AVE N	0902924110189	150.00	2009
1097	3526 DUPONT AVE N	0902924110189	150.00	2009
1089	3526 DUPONT AVE N	0902924110189	220.00	2009
1089	3526 DUPONT AVE N	0902924110189	440.00	2009
1097	3526 DUPONT AVE N	0902924110189	150.00	2009
1097	3526 DUPONT AVE N	0902924110189	150.00	2009
1089	3526 DUPONT AVE N	0902924110189	220.00	2009
1089	3526 DUPONT AVE N	0902924110189	440.00	2009
1081	3614 DUPONT AVE N	0402924440119	134.00	2009
1097	3614 DUPONT AVE N	0402924440119	150.00	2009
1089	3614 DUPONT AVE N	0402924440119	550.00	2009
1081	3614 DUPONT AVE N	0402924440119	134.00	2009
1097	3614 DUPONT AVE N	0402924440119	150.00	2009
1089	3614 DUPONT AVE N	0402924440119	550.00	2009
1096	2414 UNIVERSITY AVE NE	1102924320037	6,000.00	2009
1096	2414 UNIVERSITY AVE NE	1102924320037	6,000.00	2009
1096	1203 MAIN ST NE	1002924140192	6,360.00	2009

JULY 23, 2010

1096	2627 CALIFORNIA ST NE	1002924140192	6,360.00	2009
1081	1564 HILLSIDE AVE N	1602924240061	134.00	2009
1081	1564 HILLSIDE AVE N	1602924240061	134.00	2009
1081	1564 HILLSIDE AVE N	1602924240061	134.00	2009
1097	1564 HILLSIDE AVE N	1602924240061	150.00	2009
1080	1564 HILLSIDE AVE N	1602924240061	175.00	2009
1096	2436 ELLIOT AVE S	3502924240176	6,000.00	2009
1081	5001 EMERSON AVE S	1602824420048	134.00	2009
1080	2209 PORTLAND AVE	3502924220087	175.00	2009
1089	2919 LOGAN AVE N	0902924320003	220.00	2009
1080	3227 GIRARD AVE N	0902924130109	175.00	2009
1089	3227 GIRARD AVE N	0902924130109	220.00	2009
1097	3244 20TH AVE S	0102824230089	150.00	2009
1089	3244 20TH AVE S	0102824230089	220.00	2009
1089	3957 SHERIDAN AVE N	0502924410101	220.00	2009
1096	3438 LYNDAL AVE N	1002924220118	6,000.00	2009
1096	4050 27TH AVE S	1202824130062	6,360.00	2009
1097	2436 ELLIOT AVE S	3502924240176	150.00	2009
1089	2925 6TH ST N	1002924320167	550.00	2009
1097	412 24TH AVE NE	1102924310068	150.00	2009
1081	412 24TH AVE NE	1102924310068	134.00	2009
1080	412 24TH AVE NE	1102924310068	175.00	2009
1081	3045 17TH AVE S	0202824110036	133.00	2009
1097	3045 17TH AVE S	0202824110036	150.00	2009
1089	3045 17TH AVE S	0202824110036	220.00	2009
1089	3045 17TH AVE S	0202824110036	220.00	2009
1089	3045 17TH AVE S	0202824110036	440.00	2009
1089	3045 17TH AVE S	0202824110036	440.00	2009
1089	3045 17TH AVE S	0202824110036	880.00	2009
1089	3045 17TH AVE S	0202824110036	1,750.00	2009
1096	3425 NEWTON AVE N	0902924220052	6,000.00	2009
1096	5723 34TH AVE S	1902823240096	6,360.00	2009
1098	1326 EMERSON AVE N	0502924430147	215.00	2009
1099	3534 VALLEY ST	0202924120075	145.00	2009
1085	2958 ULYSSES ST NE	0102924430107	134.00	2009
1096	2929 30TH AVE S	3602924440150	6,360.00	2009
1080	4053 30TH AVE S	1202824140149	100.00	2009
1089	2316 QUEEN AVE N	1702924110197	550.00	2009
1089	5005 THOMAS AVE S	1702824410107	220.00	2009
1096	3439 LYNDAL AVE N	0902924110144	6,360.00	2009
1089	3932 ELLIOT AVE S	1102824210120	440.00	2009

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Approved by Mayor Rybak 7/23/2010.

RE&E & W&M/Budget - Your Committee, having under consideration the Department of Regulatory Services Technology Replacement Funding Plan, now recommends the following:

RE&E - Approve the following updated funding plan for the KIVA Replacement System or Land Management System, estimated to cost \$12 million:

Savings from Regulatory Services and other departments - \$8 million;

Grant funding - \$3 million;

Capital Funding - \$1 million.

b) Approve related transfers of expense appropriation, when authorized by the Director of Regulatory Services, as needed to implement the plan.

c) That department heads of departments that will use the new Land Management System or KIVA Replacement System be directed to identify and implement methods of providing funding for their adaptation and usage of the new system.

W&M/Budget - a) Approve the following updated funding plan for the KIVA Replacement System or Land Management System, estimated to cost \$12 million:

Savings from Regulatory Services and other departments - \$8 million;

Grant funding - \$3 million;

Capital Funding - \$1 million.

b) Approve related transfers of Regulatory Services and 911 expense appropriation, when authorized by the Director of Regulatory Services, as needed to implement the plan.

c) That the Department of Regulatory Services, the Finance Department and other departments are directed as applicable to recommend a financing plan by December 31, 2010 for the other departments who will be included in the proposed land management system.

d) Further, the staff of the Department of Regulatory Services is directed to propose a land management allocation of percentages by department, for the various departments who will use the proposed new land management system. The allocation for departments receiving plan review revenue allocations will be those same percents. A percentage will also be established for the other departments who will use the system. The land management allocation of percentages by department will be used to charge out the costs of the ongoing maintenance of the new system. Further, the proposal shall be referred to the Information Systems Police Study Group (ISPSG) for review, with a report afterwards to the Ways & Means/Budget Committee.

Glidden moved that the report be amended to approve the Ways & Means/Budget Committee recommendation and to delete the Regulatory, Energy & Environment Committee recommendation. Seconded.

Adopted by unanimous consent.

Absent - Quincy, Goodman.

The report, as amended, was adopted 7/23/2010.

Absent - Quincy, Goodman.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee, to whom was referred the following ordinances amending Title 17, Chapter 449 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks: Decorations and Banners*:

a) Repealing the current Chapter 449; and

b) Adding a new Chapter 449 regarding regulations related to banners in the right-of-way;

now recommends that said ordinances be given their second reading for amendment and passage.

Colvin Roy moved to substitute a new ordinance for the ordinance referenced in part (b) above. Seconded.

Adopted by unanimous consent.

Absent - Quincy, Goodman, Samuels.

The report, as amended, was adopted 7/23/2010.

Absent - Quincy, Goodman, Samuels.

Ordinance 2010-Or-063 repealing Chapter 449 of Title 17 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks: Decorations and Banners*, was adopted 7/23/2010 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 2010-Or-063
By Colvin Roy
Intro & 1st Reading: 5/14/2010
Ref to: T&PW
2nd Reading: 7/23/2010

Repealing Chapter 449 of Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: Decorations and Banners.

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

Section 1. That Chapter 449 of the above-entitled ordinance be and is hereby repealed.

CHAPTER 449. DECORATIONS AND BANNERS

449.10. Permit required; procedure, conditions. Any person desiring to attach Christmas decorations, convention or community fund banners, signs or the like, to any street lighting fixture or fixtures, or desiring to hang or suspend any such decorations, banners or signs over and above any public right-of-way by means of cables or otherwise, may be granted a special permit issued by the city clerk for the purpose upon the following conditions:

(a) The person desiring such special permit shall make written application to the city engineer showing the requested location of such decorations or signs, the number and kind, the name of the applicant, and such other information as may be required in an application form prepared by the city engineer and the director of inspections:

(b) If the application is granted, a permit fee of twenty-five dollars (\$25.00) shall be paid to the city finance officer for each such permit issued:

(c) All such permits shall expire as provided for by the city clerk at the time of the issuance thereof, not later than sixty (60) days following the date of installation:

(d) Any and all such decorations and signs, together with any and all cables, wires or other devices used for the hanging or suspension of any thereof, shall be installed and removed only by a contractor approved by the director of inspections, and all such installations and removals shall be done with the consent and approval of the city engineer and the director of inspections:

(e) Any and all such decorations, banners and signs, together with any and all cables hung or suspended over any such public right-of-way, shall be removed and taken down within ten (10) days from and after the date of the expiration of such special permit:

449.20. Approval of city engineer and director of inspections. No such permit shall be issued for the installation of any such decorations, banners, signs, cables, wires or other devices without the approval of the city engineer and the director of inspections:

449.30. Clearance required. No such decorations, banners, signs, cables, wires or other devices shall be installed or suspended across any right-of-way unless they shall have a clearance over and above the right-of-way as shall be designated and required by the city engineer and the director of inspections, with due regard to all the surrounding circumstances and physical conditions of the area:

449.40. Attachment to buildings, utility fixtures. Where any such decorations, banners, signs, cables, wires or other devices are anchored to any building, poles, light fixtures or any device erected for use by a public utility, such anchoring or connection shall not be made without the consent of the owning utility and the approval of the city engineer and the director of inspections, and shall be on such terms and conditions as they may require:

449.50. Electrical work. All electrical work necessary to the installation of any such decorations, banners, signs, cables, wires or other devices shall be installed under a permit from the director of inspections in compliance with the city electric and building codes:

449.60. Permanent supporting fixtures. Wherever any supporting cables, wires or other fixtures (not including electrical wires or fixtures) are installed which are intended to be kept and maintained as permanent, such cables and other devices may be considered to be permanent and need not be

removed if approved by the city engineer and the director of inspections. The city engineer and/or director of inspections may from time to time inspect such supporting cables, and other fixtures, and if at any time in their judgment such cables, wires or fixtures become defective or dangerous, they may require them to be repaired or removed. Any person having a permanent supporting cable or other fixture shall provide sufficient public liability insurance therefor, as herein provided.

449.70. Insurance required. The applicant shall post with the city clerk and maintain in force a public liability insurance policy approved by the city attorney, including the City of Minneapolis as an additional named assured, and protecting against any liability which may result from or arise out of the installation or maintenance of the decorations, banners or signs, or the cables or devices used for the hanging or suspension thereof for which a permit is issued. The policy of insurance shall be maintained in its original amount by the applicant at his expense at all times during the period for which the permit is in effect. In the event that two (2) or more permits are issued to the same person or corporation, one policy of insurance may be furnished to cover all of the permits, provided that upon applying for each additional permit, the applicant shall file a certificate showing that the said policy of insurance on file is currently in effect and covers the activities for which the additional permit is requested. The policy of insurance shall be of a type which maintains coverage for the full limits of the policy for the occurrence of any accident or loss from which liability may occur.

The limits of liability on the policy of insurance posted shall in no case be less than five hundred thousand dollars (\$500,000.00) for bodily injuries or death occurring as a result of any one accident, nor less than one hundred thousand dollars (\$100,000.00) for bodily injuries to or death of any one person arising out of the accident, and twenty-five thousand dollars (\$25,000.00) for loss or damage of property arising out of any one accident.

449.80. Revocation of permit. Any violation of this chapter shall be grounds for the revocation of any special permit or permits granted, and any person violating the provisions of this chapter may be denied any future permits for the purposes set out in this chapter.

449.90. Installation by licensed sign hanger. The installation made pursuant to this chapter shall be made only by a sign hanger duly licensed by the city.

449.100. Flags over streets. Nothing shall prevent any person from hanging over or across any street right-of-way a flag or banner on any public holiday, nor any society or organization from hanging its flags or banners on any day of a convention or public gathering of such society or organization not more than two (2) days in any one month. No such flag or banner shall be at any time extended over any street or alley right-of-way so that it shall come within twenty (20) feet from the roadbed.

449.110. Reserved.

449.120. Violations a nuisance. Every sign or other structure erected or maintained contrary to the provisions of this chapter is declared to be a public nuisance, and any police officer may remove or abate the same without any other warrant or authority than this chapter.

Adopted 7/23/2010.

Absent - Quincy, Goodman, Samuels.

Ordinance 2010-Or-064 amending Title 17 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks* by adding a new Chapter 449 relating to *Decorations and Banners*, was adopted 7/23/2010 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 2010-Or-064
By Colvin Roy
Intro & 1st Reading: 5/14/2010
Ref to: T&PW
2nd Reading: 7/23/2010

Amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks by adding a new Chapter 449 relating to Decorations and Banners.

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

Section 1. That Title 17 of the above-entitled ordinance be amended by adding thereto a new Chapter 449 to read as follows:

CHAPTER 449. DECORATIONS AND BANNERS

449.10. Purpose and criteria. The purpose of the following is to promote the public health, safety and welfare through the regulation of placement, type, appearance, and servicing of banners and decorations on public rights-of-way so as to:

- Aid in the promotion of cultural and civic events.
- Promote the city and city-sponsored programs.
- Compliment the city's beautification and neighborhood identification efforts.
- Promote safe travel by controlling visual distractions to traffic control and directional signage.
- Provide a unified appearance to city streets.

449.20. Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Banner. Any rigid or flexible material containing a static message directed at the public, either by means of a symbol, graphic design or text attached to poles in the public right-of-way. Any flag, bunting, swag, ribbon, ornament, trimming, lights or other embellishments.

City engineer. City engineer means the city engineer, or the city engineer's designee.

Lineal block. The part of any right-of-way lying between two intersecting rights-of-way. In the event that no intersecting right-of-way exists, the terminating point of the right-of-way or a distance of three hundred thirty (330) feet, whichever is shortest.

Public right-of-way. The surface and space above, below, or otherwise integral to any public thoroughfare established by or located within the complete jurisdiction of the city, including but not limited to roadways, highways, streets, bicycle lanes, boulevards, or sidewalks.

Supporting hardware. Any bracket, wire, clamp, collar or other manufactured product necessary to attach, hold or fix in place a banner. Any electrical or mechanical device ancillary to a banner.

449.30. Permit required; procedure, conditions. (a) Notwithstanding the provisions set out at Chapter 544, any person or agency desiring to install any banner or supporting hardware on or over any public right-of-way or city-owned property may do so upon issuance of a permit by the city engineer. An application shall be submitted on a form prepared by the city engineer and shall contain, but not be limited to, the following information:

- The name, address and telephone number of the person making the application and to whom the permit will be issued.
- The name, address and telephone number of the contractor that will install the banner.
- A color, graphic sample of the banner.
- The specific dimensions of the banner.
- A detailed map depicting the specific location of each installation.
- The specific installation and removal dates for the banner.

(b) A nonrefundable application fee shall be charged in accordance with schedule established by the city council.

(c) All such permits shall expire on the date-provided for by the city engineer at the time of the issuance thereof.

(d) Any and all such banners, together with any supporting hardware, shall be installed and removed only by a licensed and bonded contractor and all such installations and removals shall be done with the approval of the city engineer.

(e) Any and all such banners shall be taken down and removed within five (5) days from and after the date of the expiration of such permit, notwithstanding the city engineer's approval of permanent supporting hardware as provided for in this section.

449.40. Banner Content. (a) Banners must identify a historical location, place of public interest, or an event of public interest taking place within or benefiting the city. Banners shall not be used to advertise specific businesses, products, or services. Banners shall not be used to advertise or promote political candidates, parties, issues, or messages.

(b) Banners may be used to promote arts and cultural activities including events, festivals, tourism or civic programs, as well as major sporting events.

(c) Banners may include a logo, name or symbol of a sponsoring agency, provided that no more than 15% of the banner area is utilized for such purpose.

(d) The content of any banner intended as an exhibit of public art shall be reviewed and approved in accordance with the art in public spaces policy adopted by the city council and administered by the office of cultural affairs of the community planning and economic development department.

449.50. Clearance required. No such banner or supporting hardware shall be installed unless they shall have a clearance over and above the right-of-way as shall be designated and required by the city engineer with due regard to public safety, surrounding circumstances, and physical conditions of the area.

449.60. Permanent supporting hardware. Wherever any supporting hardware (not including electrical wires or fixtures) are installed which are intended to be kept and maintained as permanent, such supporting hardware may be considered to be permanent and need not be removed if approved by the city engineer. The city engineer, if at any time in their judgment such hardware become defective or dangerous, may require them to be repaired or removed. Any person having a permanent supporting hardware shall provide sufficient public liability insurance therefore, as herein provided.

449.70. Insurance required. The applicant shall post with the city engineer and maintain in force a public liability insurance policy including the city of Minneapolis as an additional insured, and protecting against any liability which may result from or arise out of the installation or maintenance of the banners or the supporting hardware for which a permit is issued. The policy of insurance shall be maintained in its original amount by the applicant at their expense at all times during the period for which the permit is in effect. In the event that two (2) or more permits are issued to the same person or corporation, one (1) policy of insurance may be furnished to cover all of the permits, provided that upon applying for each additional permit, the applicant shall file a certificate showing that the said policy of insurance on file is currently in effect and covers the activities for which the additional permit is requested. The policy of insurance shall be of a type which maintains coverage for the full limits of the policy for the occurrence of any accident or loss from which liability may occur.

The limits of liability on the policy of insurance posted shall in no case be less than two million dollars (\$2,000,000.00) for bodily injuries or death occurring as a result of any one (1) accident, nor less than one hundred thousand dollars (\$100,000.00) for bodily injuries to or death of any one (1) person arising out of the accident, and twenty-five thousand dollars (\$25,000.00) for loss or damage of property arising out of any one (1) accident.

449.80. Revocation of permit. Any violation of this chapter shall be grounds for the revocation of any permits granted, and any person violating the provisions of this chapter may be denied any future permits for the purposes set out in this chapter.

449.90. Violations a nuisance. Any banner or supporting hardware erected or maintained contrary to the provisions of this chapter is declared to be a public nuisance, and any duly authorized city employee may remove or abate the same without any other warrant or authority other than this chapter.

449.100. Severability. In the event that any portion or section of this chapter is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, the decision shall in no manner affect the remaining portions or sections of this chapter, which shall remain in full force and effect.

Adopted 7/23/2010.

Absent - Quincy, Goodman, Samuels.

T&PW - Your Committee recommends that the proper City officers be authorized to enter into Maintenance Agreement No A091717 with Hennepin County and the Metropolitan Council for the installation of pedestrian and bicycle facilities on the northwest corner of Penn and Lowry Ave N (Petn No 274390).

Adopted 7/23/2010.

Absent - Quincy, Goodman.

T&PW - Your Committee, having under consideration the 14th Ave N Cul-de-sac Construction Project, Special Improvement of Existing Street No 9895, now recommends passage of the accompanying resolution designating the locations and streets to be improved in the project.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Resolution 2010R-353, designating the locations and streets to be improved in the 14th Ave N Cul-de-sac Construction Project, Special Improvement of Existing Street No 9895, was adopted 7/23/2010 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 2010R-353

By Colvin Roy

**14TH AVENUE CUL-DE-SAC CONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 9895**

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

Resolved by The City Council of The City of Minneapolis:

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

14th Ave N east from 2nd St N approximately 300 feet to its terminus in a cul-de-sac.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

T&PW - Your Committee, having received a cost estimate of \$430,000 for street construction improvements and a list of benefited properties for certain locations in the 14th Ave N Cul-de-sac Construction Project, Special Improvement of Existing Street No 9895, as designated by Resolution 2010R-353, passed July 23, 2010, now recommends that the City Engineer be directed to prepare a proposed Street Construction Special Improvement Assessment against the list of benefited properties.

Your Committee further recommends that a public hearing be held on August 17, 2010 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider approving the construction of the above-designated street location and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

T&PW - Your Committee recommends passage of the accompanying resolution approving the appointment of three (3) elected representatives from the City of Minneapolis to serve on The Interchange Working Group.

Colvin Roy moved that the report be referred back to the Transportation & Public Works Committee. Seconded.

Adopted by unanimous consent 7/23/2010.

Absent - Quincy, Goodman.

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

T&PW & W&M/Budget - Your Committee, having under consideration the flaking and chipping (spalling) of sidewalks installed under the Sidewalk Condemnation Program, now recommends that the proper City officers be authorized to approve the Settlement Agreement and Contract for Sidewalk Replacement negotiated by the City Attorney, Public Works, and Standard Sidewalk, Inc., and that the proper City officers be authorized to execute the agreement and proceed with the work (Petn No 274391).

Your Committee further recommends passage of the accompanying resolution increasing the appropriation for the Sidewalk Inspection Operating Budget by \$100,000, with revenues coming from permit fees and overhead charges.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

**RESOLUTION 2010R-354
By Colvin Roy and Hodges**

Amending The 2010 Capital Improvement 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 Capital Projects Fund in the Sidewalk Inspection Department (04100-6070100) by \$100,000, with revenues coming from permit fees and overhead charges.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low responsive bid submitted to the Public Works Department on OP No 7281 from Viking Electric, in the amount of \$245,443.75, to furnish and deliver street light poles and fixtures to the Public Works Traffic Division.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7306 from Max Steininger, Inc., in the amount of \$626,413.98, to furnish all labor, materials, equipment, permits, and incidentals necessary to accomplish the construction of the 18th Ave NE Trail Project, contingent upon the approval of the Minnesota Department of Transportation (Mn/DOT) including Mn/DOT Civil Rights/EEO Office.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Approved by Mayor Rybak 7/23/2010.

(Published 7/27/2010)

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

W&M/Budget - Your Committee recommends concurrence with the recommendation of the City Attorney, that the proper City officers be authorized to enter into a three-year legal services agreement with Kennedy & Graven to provide bond counsel services to the City, at a cost not to exceed \$300,000.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a three (3) year contract with DiRAD Technologies, Inc. to provide an inter-voice recognition (IVR) System to the Treasury Operations Division of the Finance Department, for an amount not to exceed \$255,000. No additional appropriation required.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

W&M/Budget - Your Committee, having under consideration the Unisys Managed Services contract C-25200, now recommends that the proper City officers be authorized as follows:

a) Execute a single four (4) year extension instead of two (2) two-year extensions; and

b) Amend the language contained in the contract for a change in the scope of services offered, and increase the contract by \$45,050,000 (Petn No 274395).

Hodges moved that the report be postponed. Seconded.

Adopted upon a voice vote 7/23/2010.

Absent - Quincy, Goodman.

W&M/Budget - Your Committee recommends approval of the August 2010 utility billing insert on behalf of the Public Works Department, providing a required addendum to the 2010 Water Quality Report that went to residents in June 2010.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

W&M/Budget - Your Committee recommends acceptance of the low bid received on OP #7301 from Columbia Building Services in the amount of \$75,000, to furnish and deliver all labor and materials for window washing at the Minneapolis Convention Center.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for this project, all in accordance with specifications.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to apply for a twelve (12) month grant (amount not to exceed \$50,000) from the U.S. Department of Health and Human Services, Health Resources Services Administration (HRSA) for a project period beginning no later than September 30, 2010. Funds are for the purchase of equipment for the Minneapolis Department of Health and Family Support (MDHFS) School Based Clinic Program.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a contract with the City of Bloomington to accept an estimated revenue of \$18,450 for the development of two videos for emergency responders and community based organizations focusing on the unique needs of individuals with disabilities during a disaster situation. Further, passage of the accompanying resolution appropriating funds.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

RESOLUTION 2010R-355

By Hodges

Amending The 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation

for the Department of Health & Family Support Agency in the Grants - Other Fund (01300-8600150) by \$18,450 and increasing the Revenue Source (01300-8600150-321000) by \$18,450.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

W&M/Budget - Your Committee, having under consideration the City of Minneapolis' Medical Insurance, now recommends that the proper City officers be authorized as follows:

a) Enter into final contract negotiations with the medical insurance carriers selected as a result of the Medical Insurance Request for Proposal (RFP) issued on May 18, 2010; and

b) Execute a three (3) year contract with the selected insurance carrier with an option to extend the contract for up to two (2) additional one-year periods.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

W&M/Budget - Your Committee, to whom was referred an ordinance amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, by adding two new Sections 20.478 and 20.479 to implement a retirement incentive for police officers and fire fighters; and having held a public hearing thereon, now recommends that said ordinance be given its second reading for amendment and passage.

Hodges moved to substitute the following ordinance for the ordinance referred to in the report. Seconded.

Adopted upon a voice vote.

Absent - Quincy, Goodman.

Ordinance 2010-Or-065 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, by adding two new Sections 20.478 and 20.479 to implement a retirement incentive for police officers and fire fighters, was adopted 7/23/2010 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 2010-Or-065
By Hodges
Intro & 1st Reading: 6/18/2010
Ref to: W&M/Budget
2nd Reading: 7/23/2010

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

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

Section 1. That Chapter 20 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 20.478 to read as follows:

20.478. 2010 Police Department Retirement Incentive Plan. (a) *Definitions.*

Eligible employee. For the purposes of this section, an eligible employee means a sworn employee of the Minneapolis Police Department who is eligible for full or reduced retirement benefits under any public employees' retirement plan.

Employee's health care savings account. The employee's account in the Minnesota State Retirement System's Health Care Savings Plan established through Minneapolis City Ordinance, Section 20.430.

(b) *Plan.* The first ten (10) eligible employees who submit a signed and completed participation form to the human resources department to the attention of the employee services director on or after September 16, 2010, and prior to or on December 10, 2010, who separate from service on or after

October 4, 2010 and prior to or on December 31, 2010 but no earlier than sixteen (16) days after submission of the completed election form, will receive twenty-five thousand dollars (\$25,000.00) deposited to the employees' health care savings account. Forms will be accepted by hand delivery or by delivery via U.S. Mail. Upon receipt, each envelope and/or form will be date and time stamped by the Human Resources Department. The Human Resources Department will notify the administration of the Minneapolis Police Department and the Police Officers Federation of Minneapolis of the names of employees submitting participation forms on a daily basis beginning September 16, 2010. An employee rescinding participation will be replaced by an employee in the order of submission.

(c) *Pension benefits impact.* To the extent permitted by law, the contribution will have no financial impact on the eligible employee's current or future pension benefits.

(d) *Employment ineligibility.* Employees who separate employment under the terms of this section are ineligible for future employment with any department under city council jurisdiction.

(e) *Rescission period.* An employee may rescind the election to participate pursuant to federal law, state law, civil service rules or collective bargaining agreement.

(f) *Payment.* The payment to the employee's health care savings account under this section will be made within thirty (30) days after the expiration of all applicable notice, waiver and rescission time periods.

(g) *Waiver of rights.* Employees participating in the incentive under this section must release the City of Minneapolis from any and all rights, causes of action or claims in connection with the employee's employment at the City of Minneapolis, termination of that employment and all related matters. The waiver shall exclude rights, causes of action and claims arising after the date, the waiver is executed. These rights and claims include, but are not limited to, those arising under any local, state, or federal laws, regulations or other requirements, including without limitation the Age Discrimination in Employment Act, as amended by the Older Workers' Benefit Protection Act. The waiver will not interfere with an employee's right to file a charge or participate in an investigation or a proceeding conducted by the Equal Employment Opportunity Commission.

(h) Notwithstanding subsection (b), the Chief of Police may expand the Plan to permit participation in the Plan of up to an additional ten (10) eligible employees provided the Chief of Police reports the additional number of participation slots to the Public Safety and Health Committee of the City Council prior to September 16, 2010. The participation of any additional eligible employees will be as provided in subsection (b).

Section 2. That Chapter 20 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 20.479 to read as follows:

20.479. 2010 Fire Department Retirement Incentive Plan. (a) Definitions.

Eligible employee. For the purposes of this section, an eligible employee means a sworn employee of the Minneapolis Fire Department who is eligible for full or reduced retirement benefits under any public employee's retirement plan.

(b) *Plan.* The first ten (10) eligible employees who submit a signed and completed participation form to the human resources department to the attention of the employee services director on or after September 16, 2010, and prior to or on December 10, 2010, who separate from service on or after October 4, 2010 and prior to or on December 31, 2010 but no earlier than sixteen (16) days after submission of the completed election form, will receive twenty-five thousand dollars (\$25,000.00). Forms will be accepted by hand delivery or by delivery via U.S. Mail. Upon receipt, each envelope and/or form will be date and time stamped by the Human Resources Department. The Human Resources Department will notify the administration of the Minneapolis Fire Department and the International Association of Fire Fighters Local 82 of the names of employees submitting participation forms on a daily basis beginning September 16, 2010. An employee rescinding participation will be replaced by an employee in the order of submission.

(c) *Pension benefits impact.* To the extent permitted by law, the contribution will have no financial impact on the eligible employee's current or future pension benefits.

(d) *Employment ineligibility.* Employees who separate employment under the terms of this section are ineligible for future employment with any department under city council jurisdiction.

(e) *Rescission period.* An employee may rescind the election to participate pursuant to federal law, state law, civil service rules or collective bargaining agreement.

(f) *Payment.* The payment to the employee under this section will be made within thirty (30) days after the expiration of all applicable notice, waiver and rescission time periods and will have all applicable federal and state taxes withheld.

(g) *Waiver of rights.* Employees participating in the incentive under this section must release the City of Minneapolis from any and all rights, causes of action or claims in connection with the employee's employment at the City of Minneapolis, termination of that employment and all related matters. The waiver shall exclude rights, causes of action and claims arising after the date, the waiver is executed. These rights and claims include, but are not limited to, those arising under any local, state, or federal laws, regulations or other requirements, including without limitation the Age Discrimination in Employment Act, as amended by the Older Workers' Benefit Protection Act. The waiver will not interfere with an employee's right to file a charge or participate in an investigation or a proceeding conducted by the Equal Employment Opportunity Commission.

(h) Notwithstanding subsection (b), the Fire Chief may expand the Plan to permit participation in the Plan of up to an additional ten (10) eligible employees provided the Fire Chief reports the additional number of participation slots to the Public Safety and Health Standing Committee of the City Council prior to September 16, 2010. The participation of any additional eligible employees will be as provided in subsection (b).

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Hodges further moved to amend the Supplemental Budget Resolution 2010R-216, passed by the City Council on April 30, 2010 to add the following footnote:

"r) Up to \$500,000 in addition to the funds set aside in footnote (d) for the retirement incentive for sworn Police and Fire personnel may be allocated from resources previously set aside in the contingency fund to cover department unemployment costs."

Adopted upon a voice vote.

Absent - Quincy, Goodman.

The report, as amended, was adopted 7/23/2010.

Absent - Quincy, Goodman.

RESOLUTION 2010R-356

By Hodges

Amending Resolution 2010R-216 entitled "Amending the 2010 General Appropriation Resolution by establishing revised 2010 appropriation levels for City departments", passed April 30, 2010.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended by adding the following:

"Changes to the Supplemental Budget - One Time Appropriations

r) Up to \$500,000 in addition to the funds set aside in footnote (d) for the retirement incentive for sworn Police and Fire personnel may be allocated from resources previously set aside in the contingency fund to cover department unemployment costs."

Adopted 7/23/2010.

Absent - Quincy, Goodman.

The ZONING & PLANNING Committee submitted the following reports:

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of CDHC Boxleitner, LLC, (BZZ-4757) to rezone the property at 165 Glenwood Ave to:

a) add the B4H Downtown Housing Overlay District; and

b) add the DS Downtown Shelter Overlay District,

to permit supportive housing and an overnight shelter and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinances amending the Zoning Code.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Ordinance 2010-Or-066 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 165 Glenwood Ave to add the B4H Overlay District, was adopted 7/23/2010 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 2010-Or-066
By Schiff
1st & 2nd Readings: 7/23/2010

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

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

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of that portion of the Southwest Quarter of the Southwest Quarter of Section 22, Township 29 North, Range 24 West, of the 4th Principal Meridian, Hennepin County, Minnesota, being unplatted property situated in the City of Minneapolis, described as follows, to-wit:

Beginning at a point on the South right-of-way line of Glenwood Avenue, according to the recorded plat thereof, distant 545.37 feet Easterly of the West line of said Section 22, as measured along said South right-of-way line; thence Southerly parallel with said West line of Section 22 a distance of 109.15 feet; thence Westerly at right angles to the last described course a distance of 3.9 feet; thence Southerly parallel with said West line of Section 22 a distance of 142.85 feet; thence Northeasterly parallel with Burlington Northern Railroad Company's Main Track centerline, as now located and constructed, to the point of intersection with said south right-of-way line of Glenwood Avenue; thence Westerly along said South right-of-way line to the point of beginning (165 Glenwood Ave - Plate 13) to add the B4H Overlay District.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Ordinance 2010-Or-067 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 165 Glenwood Ave to add the DS Overlay District, was adopted 7/23/2010 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 2010-Or-067
By Schiff
1st & 2nd Readings: 7/23/2010

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

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

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of that portion of the Southwest Quarter of the Southwest Quarter of Section 22, Township 29 North, Range 24 West, of the 4th Principal Meridian, Hennepin County, Minnesota, being unplatted property situated in the City of Minneapolis, described as follows, to-wit:

Beginning at a point on the South right-of-way line of Glenwood Avenue, according to the recorded plat thereof, distant 545.37 feet Easterly of the West line of said Section 22, as measured along said South right-of-way line; thence Southerly parallel with said West line of Section 22 a distance of 109.15 feet; thence Westerly at right angles to the last described course a distance of 3.9 feet; thence Southerly parallel with said West line of Section 22 a distance of 142.85 feet; thence Northeasterly parallel with Burlington Northern Railroad Company's Main Track centerline, as now located and constructed, to the point of intersection with said south right-of-way line of Glenwood Avenue; thence Westerly along said South right-of-way line to the point of beginning. (165 Glenwood Ave - Plate 13) to add the DS Overlay District.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of the Firm Workout Studio (BZZ-4779) to rezone the property at 1000 2nd Ave N, 1100 and 1102 2nd Ave N, and 227 Colfax Ave N, from OR2 with the PO Overlay District to the C2 Neighborhood Corridor Commercial District with the PO Pedestrian Oriented Overlay District to permit the development of a major sports and health facility and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Ordinance 2010-Or-068 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the properties at 1000 2nd Ave N, 1100 & 1102 2nd Ave N, and 227 Colfax Ave N to the C2 District, was adopted 7/23/2010 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 2010-Or-068
By Schiff
1st & 2nd Readings: 7/23/2010

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

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

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of Lots 9 and 10, Auditor's Subdivision No. 22 lying north of the northerly right-of-way line of Second Avenue North and southerly of a line drawn from the intersection of the West line of Lot 10, said Subdivision extended Southerly and the Northerly line of Second Avenue North to a point on the West

line of Dupont Avenue North, distant 145.68 feet North of the intersection of said West line of Dupont Avenue and the North line of Second Avenue North.

AND

That part of Lots 11, 12, 13, and 14, Block 1, Harrison's Addition to Minneapolis, Hennepin County, Minnesota, lying west of a line described as beginning at a point which lies 202.81 feet westerly along the southerly line of said Block 1 from the southeasterly corner of said Block 1; thence north to a point on the northerly line of said Block 1 which lies 213.48 feet westerly along said north line from the northeast corner of said Block 1 and said line there terminating.

AND

That part of the original bed of Bassett's Creek as shown on the recorded plat of Harrison's Addition and Aud. Sub. No. 22, lying east of Lot 9, Auditor's Subdivision No. 22, west of Block 1, Harrison's Addition to Minneapolis, north of the northerly right-of-way line of Second Avenue North, and south and west of the following described line: beginning at the northwest corner of Lot 14, Block 1, Harrison's Addition to Minneapolis; thence westerly along the westerly extension of the northerly line of said Lot 14 to the centerline of vacated Dupont Avenue North; thence north along said centerline to the easterly line of said Lot 9, Auditor's Subdivision No. 22, and said line there terminating, (1000 2nd Ave N, 1100 and 1102 2nd Ave N, and 227 Colfax Ave N - Plate 13) to the C2 District with the PO Overlay District.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Doran Development (BZZ-4785) to rezone the property at 1209 4th St SE and 1206 & 1212 5th St SE from R5 to the OR3 Institutional Office Residence District to permit a Planned Unit Development and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Ordinance 2010-Or-069 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the properties at 1209 4th St SE and 1206 & 1212 5th St SE to the OR3 District, was adopted 7/23/2010 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 2010-Or-069
By Schiff
1st & 2nd Readings: 7/23/2010

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

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

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of the northwesterly 1/2 of Lot 3 and all of Lots 4, 5, 6 and 7, Block Q, Tuttle's Addition to St. Anthony, Hennepin County, Minnesota (1209 4th St SE and 1206 & 1212 5th St SE - Plate 15) to the OR3 District.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

JULY 23, 2010

RESOLUTION

Resolution 2010R-357, providing for the use of the Elections Systems and Software, Inc. Model 650 central ballot counter, was adopted 7/23/2010 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 2010R-357

By Gordon

Providing for the use of the Elections Systems and Software, Inc. Model 650 central ballot counter.

Whereas, the passage of Session Laws Ch 194 (HF 3111) in the 2010 Minnesota legislative session provided for centralized processing and counting of absentee ballots in Minnesota counties and cities; and

Whereas, in order to permit the timely and effective processing and counting of absentee ballots, the City of Minneapolis requires the use of an electronic central ballot counter; and

Whereas, Hennepin County has leased two Elections Systems and Software, Inc. Model 650 central ballot counters for the 2010 election season and agreed to allow Hennepin County municipalities to use the machines; and

Whereas, the Elections Systems and Software, Inc. Model 650 central ballot counter has been approved by the secretary of state pursuant to Minnesota Statutes, Section 206.57; and

Whereas, pursuant to Minnesota Statutes, Section 206.58, subd. 1, the governing body of a municipality may provide for the use of an electronic voting system in one or more precincts and at all elections in the precincts, subject to approval by the county auditor; and

Whereas, the county auditor has approved the use of the Elections Systems and Software, Inc. Model 650 central ballot counter in the precincts of Hennepin County;

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

That the City Council provides for the use of the Systems and Software, Inc. Model 650 central ballot counter in all precincts and at all elections in the precincts of the City of Minneapolis in addition to previously approved voting equipment.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

UNFINISHED BUSINESS

Comm of the Whole - - Your Committee, having under consideration a proposed ordinance amending Chapter 2 of the City Charter relating to *Officers - Elections*, regarding Elections timelines as affected by state statute and housekeeping corrections, and having conducted a public hearing thereon, now concurs in the recommendation of the Minneapolis Charter Commission that said ordinance be passed by the affirmative vote of all its members, pursuant to Minnesota Statutes, Section 410.12, Subd. 7.

Lilligren moved to postpone. Seconded.

Adopted upon a voice vote 7/23/2010.

Absent - Quincy, Goodman.

Pursuant to previous notice, Samuels moved to introduce the subject matter of an ordinance amending Title 18, Chapter 466 of the Minneapolis Code of Ordinances relating to the *Traffic Code: In General*, for first reading and referral to the Public Safety & Health Committee (amending section 466.30 to clarify the ordinance with regard to registered owners in light of the State Appeals Court decision). Seconded.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Pursuant to previous notice, Samuels moved to introduce the subject matter of an ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to the *Traffic Code: Parking, Stopping and Standing*, for first reading and referral to the Public Safety & Health Committee (adding section 478.270 and amending 478.550 to clarify the ordinance with regard to registered owners in light of the State Appeals Court decision). Seconded.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

Pursuant to previous notice, Glidden moved to introduce the subject matter of an ordinance amending Title 19, Chapter 509 of the Minneapolis Code of Ordinances relating to *Water, Sewers and Sewage Disposal: Water*, for first reading and referral to the Transportation & Public Works Committee (amending assessment penalty and interest rates for repair to water or sewer service lines). Seconded.

Adopted 7/23/2010.

Absent - Quincy, Goodman.

NEW BUSINESS

Johnson moved to introduce the subject matter of an ordinance amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, for first reading and referral to the Zoning & Planning Committee (to rezone select parcels as an implementation step for the Lowry Avenue Strategic Plan). Seconded.

Adopted by unanimous consent 7/23/2010.

Absent - Quincy, Goodman.

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 13 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations* (adding a new chapter to provide for a temporary event parking permit).

Schiff moved to adjourn to Room 315 City Hall to consider the matter of *Baribeau, et al. v. City of Minneapolis, et al.* Seconded.

Adopted upon a voice vote 7/23/2010.

Absent - Quincy, Goodman.

Room 315 City Hall

Minneapolis, Minnesota

July 23, 2010 - 10:55 a.m.

The Council met pursuant to adjournment.

Council President Johnson in the Chair.

Present - Council Members Schiff, Lilligren, Colvin Roy, Tuthill, Glidden, Hodges, Samuels, Gordon, Reich, Hofstede, President Johnson.

Absent - Council Members Quincy, Goodman.

Jim Moore stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the matter of *Baribeau, et al. v. City of Minneapolis, et al.*

JULY 23, 2010

At 10:56 a.m., Lilligren moved that the meeting be closed. Seconded.
Adopted upon a voice vote.
Absent - Quincy, Goodman.

Present - Council Members Schiff, Lilligren (out 11:16-11:18 a.m.), Colvin Roy (out at 12:01 p.m.), Tuthill, Glidden, Hodges (out 11:48-11:50 a.m.), Samuels, Gordon, Reich, Hofstede (out 11:46-11:49 a.m.), President Johnson.

Absent - Council Members Quincy, Goodman.

Also present - Susan Segal, Peter Ginder and Jim Moore, City Attorney's Office; Mayor R.T. Rybak; Deputy Police Chief Janee Harteau; Tina Sanz and Peggy Menshek, City Clerk's Office.

Jim Moore summarized the matter of *Baribeau, et al. v. City of Minneapolis, et al* from 10:56 a.m. to 12:10 p.m.

At 12:10 p.m., Lilligren moved that the meeting be opened. Seconded.
Adopted upon a voice vote.
Absent - Colvin Roy, Quincy, Goodman.

Lilligren moved to adjourn. Seconded.
Adopted upon a voice vote 7/23/2010.
Absent - Colvin Roy, Quincy, Goodman.

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

Tina Sanz, Assistant City Clerk.

Unofficial Posting: 7/26/2010
Official Posting: 7/30/2010