MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF MAY 11, 2007

(Published May 19, 2007, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
May 11, 2007 - 9:30 a.m.
Council President Johnson in the Chair.
Present - Council Members Lilligren, Colvin Roy, Glidden, Remington, Goodman, Hodges, Samuels, Gordon, Hofstede, Ostrow, Schiff, President Johnson.
Absent - Council Member Benson.
Lilligren moved adoption of the agenda. Seconded.
Adopted upon a voice vote 5/11/2007.
Absent - Benson.
Lilligren moved acceptance of the minutes of the regular meeting of April 27, 2007. Seconded.
Adopted upon a voice vote 5/11/2007.
Absent - Benson.
Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.
Adopted upon a voice vote 5/11/2007.
Absent - Benson.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT (See Rep):
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271981)
Dain Plaza (501 Nicollet Ave): Granting of easements & consent to amendment of the easement & construction agreement with Brookfield DB Inc.
Tax Forfeited Properties: Negotiated language to Memorandum of Understanding between Hennepin County & the City.
Mpls Housing Replacement Tax Increment Financing District II: Addition of 17 parcels to & deleting of 2 parcels to District.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271982)
Project for Pride in Living (re Van Cleve Housing Project, 917-13th Ave SE): Van Cleve Redevelopment Plans & Tax Increment Financing Plans for Van Cleve Apartments East, Van Cleve Apartments West, Habitat for Humanity housing, PPL ownership housing & market rate housing.

PUBLIC SAFETY AND REGULATORY SERVICES:

POLICE DEPARTMEN (271983)

Conducted Energy Devices (Tasers): Report.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

LICENSES AND CONSUMER SERVICES (271984)

Blarney's Irish Pub & Grill (412 14th Av SE): Approve License Settlement Conference recommendations relating to On-Sale Liquor License.

Licenses: Applications.

LICENSES AND CONSUMER SERVICES (271985)

C & H Excavating Co (1900 W 105th St, Bloomington): Revoke Wrecker of Buildings Class B License.

LICENSES AND CONSUMER SERVICES (271986)

Temple Bar & Restaurant (1201 Harmon Pl): Grant Sidewalk Cafe License.

Bedlam Theatre (1501 S 6th St): Grant On-Sale Wine Class A with Strong Beer License, subject to conditions.

Red Stag Supperclub (509 1st Av NE): Grant On-Sale Liquor Class B with Sunday Sales License, subject to conditions.

Bryant Avenue Market (3200 Bryant Av S): Grant Grocery and Tobacco Dealer Licenses, subject to conditions.

Janine's Foods (1510 W Broadway): Grant Grocery and Tobacco Dealer Licenses, subject to conditions.

POLICE DEPARTMENT (271987)

MPD 2007-2011 Business Plan: Approve, as amended.

REGULATORY SERVICES (271988)

Rental Dwelling Licenses: Ordinance requiring holders of rental dwelling licenses to conspicuously post approved informational material provided by the Director of Inspections, to be inclusive of information on Minneapolis 311.

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

FIRE DEPARTMENT (271989)

Donation to Fire Department: Authorize accept recumbent bikes.

Minneapolis Community Emergency Response Team: Seek corporate/business donations in Minneapolis and the immediate surrounding metropolitan area cities to assist with financial support of CERT.

POLICE DEPARTMENT (271990)

Police Overtime for Safety Initiatives: Transfer Contingency funds to Police Department to support safety initiatives downtown and neighborhood precincts.

REGULATORY SERVICES (271991)

Parking Ramps: Ordinance allowing for cost recovery on parking ramp registrations; streamlining of insurance processes; and establishing a process for administrative penalties for violations; and Authorize adjust Director's Fee Schedule to increase registration fee.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (271992)

School Pedestrian Safety Program: Update.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (271993)

Walker Parking Consultants: Amendment No 1.

27th Av S (E Lake St to Minnehaha Av) Reconstruction, Streetscape, and Street Lighting District: Project designation.

Organized Solid Waste Collection Process: a) End planning period, begin discussion period; and b) Organized goals.

City County Solid Waste Management Facility: South East Economic Development (SEED) Committee comments. See Petn No 271929.

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

PUBLIC WORKS AND ENGINEERING (271994)

Speed Humps: Install pair along 15th Av S between 40th and 41st St E.

Bids: a) OP 6754, Standard Sidewalk, Inc., TiZack Concrete, Inc., and Concrete Ideas, Inc., for construction of sidewalks, alleys, driveways, curbs, and gutters; b) OP 6785, Ace Electrical Contractors, Inc., for standby generators; c) OP 6791, Topline Advertising, Inc., for parking ramp signs.

WAYS AND MEANS BUDGET:

CONVENTION & VISITORS ASSOCIATION OF GREATER MPLS (271995)

Minneapolis Convention Center: Terrazzo Flooring Report.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (271996)

Legal Settlement: Walter Childs v. James Burns.

No-Fault Claim: Wence Edwards.

Administrative Hearing Officer and Enforcement Panel: RFP.

Federal Communications Commission (FCC): Join appeal being filed.

Minnesota Court Information System (MNCIS): Authorize agreements.

COMMUNICATIONS (271997)

June 2007 Utility Billing Insert: Rain Garden Workshops and 2007 Minneapolis Blooms Awards.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271998)

Midtown Greenway: Increase contract with Short Elliott Hendrickson, Inc.

Juxtaposition Arts Grant: Redevelopment at 1100 West Broadway.

Making Central Avenue Great: RFP.

CONVENTION & VISITORS ASSOCIATION OF GREATER MPLS (272002)

Ticketing Services System: RFP.

Meet Minneapolis: Accept non-profit convention events funds.

FINANCE DEPARTMENT (271999)

Capital Long-Range Improvement Committee: Council Appointments.

Minneapolis Employees Retirement Fund (MERF): General obligation taxable pension bonds.

HEALTH AND FAMILY SUPPORT SERVICES (272000)

School-based Clinics Male Reproductive Health Services Grant.

Way To Grow: Master contract.

Medical Technologist I Position: Public health laboratory.

HUMAN RESOURCES (272001)

Minneapolis Building and Construction Trade Council, Inspectors Unit: Labor agreement.

Minneapolis Minneflex Plan: Adopt amended.

Minneapolis Community Development Agency (MCDA) Retirement Plan.

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMEN (272003)

Appeal:

Prairie Seeds Academy (1801 Dupont Ave N): Regarding decision of Planning Commission approving applications for conditional use permits, variances and site plan review, for a K-8 grade school.

COMMITTEE OF THE WHOLE (See Rep):

COORDINATOR (271980)

Community Engagement Report: Workplan; Comment.

FILED:

MAYOR (272004)

Interim Civil Rights Director: Extending Michael Browne's term.

MINNESOTA DEPT OF TRANSPORTATION (272005)

Municipal State Aid Street Designation: Commissioner's Order No 89605.

PARK BOARD (272006)

2006 Annual Park Board Report.

The following reports were signed by Mayor Rybak on May 15, 2007, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The COMMITTEE OF THE WHOLE submitted the following report:

Comm of the Whole - Your Committee, having under consideration the Community Engagement Report dated November 8, 2006, now recommends approval of the proposed work plan for Community Engagement System Improvements and related Neighborhood Revitalization Program decisions, as set forth in Petn No 271980 on file in the office of the City Clerk.

Adopted 5/11/2007.

Absent - Benson.

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev - Your Committee recommends approval of the granting of easements and consent to the amendment of the easement and construction agreement for Dain Plaza (501 Nicollet Ave) with Brookfield DB Inc, as set forth in the Department of Community Planning & Economic Development staff report, to facilitate the conversion of property to a hotel, and that the proper City and/or Minneapolis Community Development Agency (MCDA) officers be authorized to execute said agreement and any related documents necessary to implement said transactions.

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

Adopted 5/11/2007.

Absent - Benson.

Comm Dev - Your Committee, having under consideration proposed changes to the Memorandum of Understanding (MOU) between Hennepin County and the City regarding the purchase of tax-forfeited properties located in Minneapolis, now recommends approval of negotiated language changes to the MOU, and that staff be authorized to execute the MOU as follows:

a) Keep the amount of properties that the City can acquire for $1.00 at 20% of the total tax-forfeited land in targeted neighborhoods of the City and create a minimum of five properties per year, without establishing a maximum amount outside of the 20%.

b) For every rehabilitation that the City grants redevelopment authority to the County in Minneapolis' targeted neighborhoods, the County will make available another property that the City can acquire for $1.00, independent of the 20%.

Adopted 5/11/2007.

Absent - Benson.

Comm Dev - Your Committee recommends passage of the accompanying resolution adding 17 parcels to, and deleting 2 parcels from, the Minneapolis Housing Replacement Tax Increment Financing District II.

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-219, adopting the addition of 17 parcels to (1426, 1705 & 1711 25th Ave N, 2444 & 2523 Logan Ave N, 2501 & 2514 James Ave N, 1618, 1614, 1717 & 1709 26th Ave N, 2417, 2419, 2422, 2424, 2435 & 2439 16th Ave N) and deletion of 2 parcels (3201 Bryant Ave N & 2724 Penn Ave N) from Housing Replacement Tax Increment Financing District II, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-219
By Goodman

Adopting the addition of 17 parcels to and deletion of 2 parcels from Housing Replacement Tax Increment Financing (TIF) District II.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals

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

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

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

It has been proposed that the City adds 17 parcels to the District and deletes two parcels previously added to the District.

Section 2. Findings for the Adoption of the Plan

The Council hereby finds, determines and declares that these 17 parcels qualify for inclusion in the District pursuant to the Act and the Plan; and that the reasons and supporting facts for this determination are retained and available from the City.

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

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

The Council further finds, determines and declares that the properties to be added to and certified within the District include vacant parcels.

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

The Council further finds, determines and declares that there will be 97 parcels in the Minneapolis Housing Replacement TIF District II with the inclusion and deletion of the parcels identified on Attachment 1 to this resolution. The maximum number of parcels that can be included in the District is 100 parcels.

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

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

Housing Replacement District II

Existing Housing Replacement District II Properties (82)

2505 Irving Avenue North
2509 Irving Avenue North
2709 Humboldt Avenue North
3010 Queen Avenue North
2354 James Avenue North
3243 Aldrich Avenue North
3210 Aldrich Avenue North
3250 6th Street North
3223 6th Street North
4515 5th Avenue South
2750 Thomas Avenue North
1900 Willow Avenue North-Lowell School Site Assemblage
1418 25th Avenue North
2627 Fremont Avenue North
~~3201 Bryant Avenue North~~
1014 30th Avenue North
1316 14th Avenue North
1400 25th Avenue North
3246 Emerson Avenue North
2300 James Avenue North
2127 Queen Avenue North
3207 Bryant Avenue North
2517 James Avenue North
2641 Emerson Avenue North
2615 Thomas Avenue North
1518 Morgan Avenue North
2511 James Avenue North
2525 James Avenue North
2638 Colfax Avenue North
2814 Knox Avenue North
2542 17th Avenue South
2826 14th Avenue South
3504 Longfellow Avenue South
3343 Fremont Avenue North
630 19th Avenue Northeast

2751 Sheridan Avenue North
2119 James Avenue North
2302 Fremont Avenue North
419 31st Avenue North
427 31st Avenue North
428 31st Avenue North
429 31st Avenue North
1415 18th Avenue Northeast
3519 Oliver Avenue North
2534 James Avenue North
2530 James Avenue North
1620 26th Avenue North
1712 26th Avenue North
1716 26th Avenue North
5207 Girard Avenue North
4219 Girard Avenue North
3411 Fremont Avenue North
3301 Knox Avenue North
3730 Fremont Avenue North
3442 Dupont Avenue North
2101 Ilion Avenue North
1000 30th Avenue North
1109 33rd Avenue North
406 30th Avenue North
420 30th Avenue North
409 31st Avenue North
415 31st Avenue North
424 31st Avenue North
3023 4th Street North
3035 6th Street North
2619 Oliver Avenue North
2623 Oliver Avenue North
2655 Oliver Avenue North
2814 Oliver Avenue North
2020 Penn Avenue North
2131 Penn Avenue North
2430 Penn Avenue North
2622 Penn Avenue North
2636 Penn Avenue North
2700 Penn Avenue North
2717 Penn Avenue North
2718 Penn Avenue North
2720 Penn Avenue North
2721 Penn Avenue North
~~2724 Penn Avenue North~~
2733 Penn Avenue North
2800 Penn Avenue North

Additions to Existing Housing Replacement District II (17)
1426 25th Avenue North
1705 25th Avenue North
1711 25th Avenue North
2444 Logan Avenue North
2523 Logan Avenue North

2501 James Avenue North
2514 James Avenue North
1618 26th Avenue North
1614 26th Avenue North
1717 26th Avenue North
1709 26th Avenue North
2417 16th Avenue South
2419 16th Avenue South
2422 16th Avenue South
2424 16th Avenue South
2435 16th Avenue South
2439 16th Avenue South

Deletions from Existing Housing Replacement District II (2)
3201 Bryant Avenue North
2724 Penn Avenue North
Adopted 5/11/2007.
Absent - Benson.

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

Comm Dev & W&M/Budget – Your Committee, having under consideration the proposal of Project for Pride In Living (PPL) for redevelopment of a four-acre blighted industrial site that contains a grain elevator, grain storage towers, a single family home and two office buildings, with five development components consisting of Van Cleve Apartments East, Van Cleve Apartments West, Habitat for Humanity housing, PPL ownership housing, and market rate housing in the vicinity of 917 - 13th Ave SE, and the Department of Community Planning & Economic Development (CPED) staff recommendations for:

a) Passage of the accompanying resolution adopting the Van Cleve Redevelopment Plan, the Van Cleve Redevelopment Tax Increment Finance Plan, the Van Cleve Apartments West Tax Increment Finance Plan, and the Van Cleve Apartments East Tax Increment Finance Plan;

b) Passage of the accompanying resolution authorizing the issuance of a Limited Revenue Pay-As-You-Go Tax Increment Financing Note to Van Cleve Apartments West LLC for Van Cleve Apartments West in a principal amount not to exceed $595,000;

c) Passage of the accompanying resolution authorizing the issuance of a Limited Revenue Pay-As-You-Go Tax Increment Financing Note to Van Cleve Apartments East LLC for Van Cleve Apartments East in a principal amount not to exceed $415,000;

d) Approval of the proposed redevelopment contract business terms as described in the Termsheet contained in the CPED staff report; and

e) Authorizing the proper City officers to execute redevelopment contract documents with PPL or its affiliates, based on the terms contained in the report and all other necessary documents;

now recommends:

Comm Dev - That the staff recommendations be forwarded without recommendation.

W&M/Budget - Approval of the staff recommendations.

Goodman moved that the report be amended by deleting the Community Development Committee recommendation and approving the Ways & Means/Budget Committee recommendation. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-220, adopting the Van Cleve Redevelopment Plan, the Van Cleve Apartments East Tax Increment Finance (TIF) Plan, the Van Cleve Apartments West TIF Plan, and the Van Cleve Redevelopment TIF Plan for redevelopment in the vicinity of 917 - 13th Ave SE, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-220
By Ostrow

Adopting the Van Cleve Redevelopment Plan, the Van Cleve Apartments East Tax Increment Finance (TIF) Plan, the Van Cleve Apartments West TIF Plan, and the Van Cleve Redevelopment TIF Plan.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals

1.1 Pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the "City"), acting by and through its department of Community Planning and Economic Development, has been granted the authority to propose and implement city development districts, housing and redevelopment projects and tax increment financing ("TIF") districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179, as amended, and other laws enumerated therein (collectively, the "Project Laws").

1.2 It has been proposed and the City has prepared, and this Council has investigated the facts with respect to, the proposed Van Cleve Redevelopment Plan, Van Cleve Apartments East TIF Plan, Van Cleve Apartments West TIF Plan, and Van Cleve Redevelopment TIF Plan ("collectively, the Plans"). The Plans create three new TIF districts and one Redevelopment Plan to accommodate the activities and financing related to the proposed project, all pursuant to and in accordance with the Project Laws. The Plans designate property to be included within the boundaries of the redevelopment project and TIF districts, indicate land uses, identify budgets for expenditures, reflect project activities and costs, and establish a redevelopment project, two housing TIF districts and one redevelopment TIF district, all pursuant to and in accordance with the Project Laws.

1.3 The City has performed all actions required by law to be performed prior to the adoption of the Plans, including, but not limited to, a review of the proposed Plans by the affected neighborhood groups and the City Planning Commission, transmittal of the proposed Plans to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

1.4 The Council hereby determines that it is necessary and in the best interests of the City at this time to approve the Plans to reflect project activities and costs in the Project Area and TIF Districts.

Section 2. Findings for the Adoption of the Plans

2.1 The Council hereby finds, determines and declares that the objectives and actions authorized by the Plans are all pursuant to and in accordance with the Project Laws.

2.2 The Council hereby finds, determines and declares that the Plans will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Project Area and TIF Districts by private enterprise, as the proposed development provides rental and homeownership opportunities for low and moderate income households, and is necessary in order to finance a portion of the public redevelopment activities necessary to implement the project to relieve the current shortage of decent, safe, and sanitary housing for persons of moderate or low income and their families in Minneapolis; enhance the city's tax base; and carry out environmental remediation; and further, that tax increment assistance is being utilized to subsidize affordable housing at a site with extraordinary costs due to the constrained nature and high cost of the site, environmental testing and remediation, and its location in a neighborhood with little opportunity for street parking which makes underground parking the only viable option for the project.

2.3 The Council further finds, determines and declares that the Project Area consists of five parcels, two contain commercial structures, two are vacant lots and one parcel contains a small vacant residential structure. The parcels exhibit signs of blighting influences such as inability to meet existing MN State Energy Code regulations, IBC or accessibility codes. The vacant lots are poorly maintained; one is currently used as illegal storage for a motor vehicle and light utility trailer, and has a depression in the mid-point of the lot. All grain elevators on these parcels are abandoned, as are several of the smaller buildings. The vacant industrial site has been vacant for over two years and is a blighting influence on the neighborhood. All parcels are poorly maintained with scattered debris, volunteer growth and lack of general maintenance. The structures are substandard and contain broken window glass and lack utilities. The existing buildings are obsolete for their present or continued use and are functionally obsolete, lacking certain life safety factors, mechanical and electrical systems essential for continued occupancy. It is determined by City staff that all subject properties are substandard and meet the criteria for blighted condition due to the substantial cost to remedy the existing code violations noted at each property. None of the structures could be modified to satisfy building codes at a cost of less than 15% of the cost of constructing a new structure of the same square footage and type on the site. All properties were found to be detrimental to the safety, health, morals or welfare of the community by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or lack of ventilation.

2.4 It is therefore found that the Van Cleve site qualifies for inclusion in a redevelopment project area and is found to be blighted as defined in MN Statutes 469.002, Subd. 11 and Subd. 14.

2.5 The Council further finds, determines and declares that the Van Cleve Redevelopment TIF District is a redevelopment district pursuant to Minnesota Statutes, Section 469.174, Subdivision 10. Further, more than 70% of the area of the proposed redevelopment TIF district is occupied by buildings, streets, utilities, paved or gravel parking lots and other similar structures and more than 50% of the structures (100%) are structurally substandard to a degree requiring substantial renovation or clearance as noted in 2.3 herein. The proposed redevelopment TIF district is located within the Van Cleve Redevelopment Project, in accordance with the provisions of Minnesota Statutes Sections 469.001 through 469.047.

2.6 The Council hereby finds, determines and declares that the City adopted a Unified Housing Policy which recognizes the serious shortage of affordable housing in Minneapolis and puts forth the goal to "grow the population and to have no net loss of housing across all income levels". The Unified Housing Policy also states the City will focus on linking incentives to housing opportunities in proximity to jobs and transit. Development of the project will benefit residents by providing more housing choices as the project will provide new quality housing to low and moderate income residents on an underutilized site located close to a major transit bus line and commercial corridor[1].

2.7 The Council further finds, determines and declares that the Van Cleve Apartments East TIF District is a housing district pursuant to Minnesota Statutes, Section 469.174, Subdivision 11, and 469.1761, Subdivisions 1 and 3 and declares that the proposed rental project satisfies the income requirements for a Housing TIF district as defined in section 142(d) of the Internal Revenue Code as stated in Minnesota Statutes, Section 469.1761, Subdivision 3.

2.8 Since there will be 35 units at or below 50% of MMI[2], the Van Cleve Apartments East project complies with the City Affordable Housing Policy, which would require at least 7 affordable units (i.e. 20% of 35). There will be 8 units affordable at or below 30% of area median income and 27 units at or below 50% MMI for a total of 35 low income units.

2.9 The Council further finds, determines and declares that the Van Cleve Apartments West TIF District is a housing district pursuant to Minnesota Statutes, Section 469.174, Subdivision 11, and

(Footnotes)

[1] The University of Minnesota/SEMI area is a designated Growth Center and 16th Avenue SE and Como Avenue SE is a designated Neighborhood Commercial Node in the City's comprehensive plan. As a Growth Center, the comprehensive plan supports increased housing types and densities in the neighborhoods in and around the University of Minnesota. Increased housing density and a mix of housing types with both owner-occupied and rental units at this location will help to bring a greater range of housing options to the neighborhood and will help to support the small-scale commercial node at 16th and Como. The proposed project is also located within a block of a high-frequency bus line and will help to encourage transit ridership.

[2] Metropolitan Median Income

469.1761, Subdivisions 1 and 3 and declares that the proposed rental project satisfies the income requirements for a Housing TIF district as defined in section 142(d) of the Internal Revenue Code as stated in Minnesota Statutes, Section 469.1761, Subdivision 3.

2.10 Since there will be 50 units at or below 50% of MMI, the Van Cleve Apartments West project complies with the City Affordable Housing Policy, which would require at least 10 affordable units (i.e. 20% of 50). There will be 12 units affordable at or below 30% of area median income for a total of 50 low income units.

2.11 One hundred percent of the Van Cleve Apartments East and Van Cleve Apartments West projects are residential rental.

2.12 The Council further finds, determines and declares that the Plans conform to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Plans were issued, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.13 The Council further finds, determines and declares that: the use of tax increment financing is deemed necessary as the proposed development would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future; that the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increment for the maximum duration of the districts permitted by the TIF plans. Because it is the opinion of the City that the proposed project to be financed, in part, by the TIF Districts would not occur solely through private investment at this time, the City projects that the estimated market value of the site without the use of tax increment would remain at its present level. The calculations necessary to pass this test are contained in the TIF Plans. The public redevelopment activity, expenditures, and market values associated with the development proposed in the TIF Plans results in a series of calculations and figures that clearly pass the market value test. For the Van Cleve Apartments East TIF District, city staff completed an analysis[3] of the development pro forma based on proposed development costs provided by the developer and concluded that the estimate of the amount by which the market value of the entire district will increase without the use of tax increment financing is $0, and if all development which is proposed to be assisted with tax increment were to occur in the district, the total increase in market value would be up to $2,464,620, and the present value of tax increments from the district for the maximum duration of the district permitted by the TIF Plan is estimated to be $526,489, and even if some development other than the proposed development were to occur, the Council finds that without tax increment assistance no alternative development would occur that would produce a market value increase greater than $2,464,620. It is therefore the opinion of the City that the proposed development in the Van Cleve Apartments East TIF District and Project Area could not occur solely through private investment within the foreseeable future. The Council therefore finds, determines and declares that the land in the Project Area and Van Cleve Apartments East TIF District would not be made available for development without the financial aid to be sought.

For the Van Cleve Apartments West TIF District, city staff completed an analysis[4] of the development pro forma based on proposed development costs provided by the developer and concluded that the estimate of the amount by which the market value of the entire district will increase without the use of tax increment financing is $0, and if all development which is proposed to be assisted with tax increment were to occur in the district, the total increase in market value would be up to $3,664,620, and the present value of tax increments from the district for the maximum duration of the district permitted by the TIF Plan is estimated to be $714,883, and even if some development other than the proposed development were to occur, the Council finds that without tax increment assistance no alternative development would occur that would produce a market value increase greater than $3,664,620. It is therefore the opinion of the City that the proposed development in the Van Cleve Apartments West TIF District and Project Area could not occur solely through private investment within the foreseeable future.

(Footnotes)

[3] The calculations necessary to pass this test are contained in the TIF Plans.

[4] The calculations necessary to pass this test are contained in the TIF Plans

The Council therefore finds, determines and declares that the land in the Project Area and Van Cleve Apartments West TIF District would not be made available for development without the financial aid to be sought.

For the Van Cleve Redevelopment TIF District, city staff completed an analysis4 of the development pro forma based on proposed development costs provided by the developer and concluded that the estimate of the amount by which the market value of the entire district will increase without the use of tax increment financing is $0, and if all development which is proposed to be assisted with tax increment were to occur in the district, the total increase in market value would be up to $31,697,733, and the present value of tax increments from the district for the maximum duration of the district permitted by the TIF Plan is estimated to be $4,071,567, and even if some development other than the proposed development were to occur, the Council finds that without tax increment assistance no alternative development would occur that would produce a market value increase greater than $31,697,733. It is therefore the opinion of the City that the proposed development in the Van Cleve Redevelopment TIF District and Project Area could not occur solely through private investment within the foreseeable future. The Council therefore finds, determines and declares that the land in the Project Area and Van Cleve Redevelopment TIF District would not be made available for development without the financial aid to be sought.

2.14 The Council further finds, determines and declares that the entire fiscal disparity contribution required of the City for development occurring within these districts be taken from outside the Van Cleve Apartments East TIF District, the Van Cleve Apartments West TIF District, and the Van Cleve Redevelopment TIF District. Due to the level of required subsidy for this project, using a portion of the tax increment generated from this project to pay fiscal disparities is not financially viable and would stop the proposed project from developing. The election provided in the Minnesota Statutes Section 469.177, Subdivision 3, paragraph (a) is elected for all three TIF districts.

2.15 The Council finds additional public benefits will include provision of affordable housing units, tax base enhancement, environmental remediation, and increased neighborhood livability. The creation of these TIF districts is in the public interest because it will facilitate the development of a mixed-income rental and homeownership housing project, and will provide needed housing for moderate and low income persons and families.

2.16 The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Plans.

Section 3. Approval of the Plans; Creation of Redevelopment Project and TIF Districts

3.1 Based upon the findings set forth in Section 2 hereof, the Van Cleve Apartments East TIF Plan, the Van Cleve Apartments West TIF Plan, the Van Cleve Redevelopment TIF Plan, and the Van Cleve Redevelopment Plan presented to the Council on this date are hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plans

4.1 The officers and staff of the City, and the City's consultants and counsel, are authorized and directed to proceed with the implementation of the Plans, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further modifications, resolutions, documents and contracts necessary for this purpose.

4.2 As provided under Minnesota Statutes, Section 469.1781, Subd. 7, this Council hereby authorizes the advance of revenues from other available development revenues of the City in the principal amount needed to offset any negative fund balances incurred with respect to these Districts as a result of expenditures incurred prior to or in excess of the collection of tax increment revenue. The interest rate paid on such advances shall be equal to the rate of interest those revenues would have generated in their fund. The term of this advance shall end upon the termination of the Districts, although as revenues are available in the fund for the Districts, the advance shall be offset by such amounts.

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-221, authorizing the issuance of a tax increment limited revenue note in a principal amount not exceeding $595,000 in connection with the Van Cleve Apartments West HousingProject (vicinity of 917 - 13th Ave SE), was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-221
By Ostrow

Authorizing the issuance of a tax increment limited revenue note in substantially the form recited herein in a principal amount not exceeding $595,000 in connection with the Van Cleve Apartments West Housing Project.

Whereas, the City of Minneapolis (the "City"), acting pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, has certain powers, including without limitation the powers set forth in Minnesota Statutes, Sections 469.001 through 469.047, as amended (the "HRA Act") and Minnesota Statutes, Sections 469.174 through 469.179, as amended (the "TIF Act); and

Whereas, in furtherance of the objectives of the HRA Act, the City has undertaken programs for the clearance and reconstruction or rehabilitation of blighted, deteriorated, deteriorating, vacant, unused, underused or inappropriately used, areas of the City, and the development of housing for persons of low and moderate incomes, and in this connection the City is carrying out a housing development project known as the Van Cleve Apartments West Housing Project (the "Project") pursuant to the Van Cleve Redevelopment Plan dated March 16, 2007, and adopted May 11, 2007(the "Redevelopment Plan"); and

Whereas, pursuant to the TIF Act and in furtherance of the Redevelopment Plan, the City has approved the Van Cleve Apartments West Tax Increment Finance Plan dated March 16, 2007 and adopted May 11, 2007 (the "TIF Plan"); and

Whereas, pursuant to the TIF Plan and the TIF Act, specifically Minnesota Statutes, Section 469.178, subd. 4, the City is authorized to issue its tax increment limited revenue note(s) to finance the public redevelopment costs of the Project; and

Whereas, the City has entered or will enter into a redevelopment contract (the "Redevelopment Contract") with Van Cleve Apartments West, LLC, a Minnesota limited liability company (the "Developer"), pursuant to which the City will provide tax increment financing assistance and the Developer will develop a 35-unit rental housing project, with 35 affordable housing units, and related site and public improvements;

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

1. That it is desirable that the City issue a tax increment limited revenue note (the "Note") in substantially the following form:

[FORM OF NOTE]

UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF HENNEPIN
CITY OF MINNEAPOLIS

TAX INCREMENT LIMITED REVENUE NOTE
(Van Cleve Apartments West Project)

The City of Minneapolis (the "City"), hereby acknowledges itself to be obligated and, for value received, promises to pay to the order of Van Cleve Apartments West, LLC, a Minnesota limited liability company (the "Developer"), solely from the source, to the extent, and in the manner hereinafter provided, the principal amount of this Note, being Five Hundred Ninety-Five Thousand and No/100 Dollars

($595,000.00) or such lesser amount as may equal the certified Public Costs, with interest at the Note Rate, in the installments specified in this Note, on the Payment Dates.

Capitalized terms not defined elsewhere in this Note shall have the meanings below:

"Approximately" means give or take a difference of not more than 10% of the number of Units or parking spaces.

"Available Tax Increment" means the Tax Increment received by the City during the period preceding each Payment Date, less (i) the amount of Tax Increment, if any, which the City must pay to the school district, the county and the state pursuant to *Minnesota Statutes*, Sections 469.177, Subds. 9, 10, and 11; 469.176, Subd. 4h; and 469.175, Subd. 1a, as the same may be amended from time to time; and (ii) actual administrative costs of the City in an amount not to exceed 10% of the Tax Increment.

"Certificate of Completion" means a Certificate issued by the City to the Developer pursuant to Section 5.04 of the Contract certifying that Minimum Improvements have been substantially completed.

"Contract" means that certain Redevelopment Contract by and between the City and the Developer dated *[insert date],* 2007.

"***Declaration of Restrictive Covenants"*** means the Declaration of Restrictive Covenants executed by the Developer in favor of the City dated _____, 2007 that is filed against the property.

"Development Project" means the Van Cleve Development Project, which includes the Property.

"District" means the Van Cleve Apartments West Tax Increment Financing District within the Development Project.

"Maturity Date" means the earlier of (i) February 1 of the year following the final year of Tax Increment collection from the District; and (ii) the date when the principal and interest amount of this Note has been paid in full.

"Minimum Improvements" means Approximately new construction of 35 rental housing units, including one level of underground parking with 38 parking stalls and related improvements as described in the Contract.

"Note Rate" means six and one half percent (6.5%) per annum.

"Payment Date" means August 1 of the year of first increment collection from the District and each August 1 and February 1 thereafter until the Maturity Date, provided that in no event will any payment date occur before the City's issuance of the Certificate of Completion under the terms of the Contract.

"Property" means the real property legally described in the attached **Exhibit A**, upon which the Minimum Improvements will be constructed.

"Public Costs" means actual Public Costs as defined in the Contract, not in excess of $595,000 related to the Minimum Improvements and which are approved by the City pursuant to the Contract.

"***Public Costs Certification*"** means a certificate in substantially the form attached to the Contract, by which the City certifies the Public Costs pursuant to the terms of the Contract.

"Tax Increment" means that portion of the property taxes generated by the Property and Minimum improvements that is actually remitted to the City as tax increment under the Tax Increment Act.

"Tax Increment Act" means *Minnesota Statutes*, Section 469.174-469.1799, as amended, or any successor statutes applicable to the District.

On each Payment Date, the City shall pay the Developer an installment equal to the lesser of (i) the Available Tax Increment or (ii) the amount necessary to pay the accrued unpaid interest and the unpaid principal amount of this Note in full. If, after issuance of the Certificate of Completion the Developer is in default under the Contract or Declaration of Restrictive Covenants, and, after notice by the City to the Developer as provided in Section 9.02 of the Contract, such default has not been cured within the time period provided in the Contract, then the City may suspend payment on this Note until the default is cured or the City's obligations under this Note are terminated. If payments are suspended due to a Default under the Declaration of Restrictive Covenants, the City is not obligated to pay to the Developer the amount of the suspended payments that would otherwise have been paid to the Developer between the date the payment is suspended and the date the default is cured. Otherwise, if the City suspends payments due under this Note, the City shall make the suspended payments to the Developer within ten (10) business days after the Developer's cure of the Default to the City's

satisfaction. In no event is the City obligated to pay interest on the amount of the suspended payments between the date the payment is suspended and the last date on which the City is obligated to make the suspended payment to the Developer. To the extent that on any Payment Date there is insufficient Available Tax Increment to make a scheduled payment, such failure to make a scheduled payment shall not constitute a default under this Note. If the Developer or other Minimum Improvements' owner fails to pay all or a portion of the property taxes due and owing on the Minimum Improvements, then upon such failure to pay, no interest as required by the Note shall accrue on an amount equal to the amount of the Available Tax Increment that would have been paid to the City had such property tax amounts been paid.

Interest shall accrue on the initial principal amount of this Note from the date of issue of the Public Costs Certification. Each payment under this Note, whether a scheduled payment or any other payment, shall be applied first to current interest, then to accrued unpaid interest and then to the unpaid principal amount of this Note.

On the Maturity Date, this Note shall be deemed paid in full and the City shall have no further obligation under this Note even if the aggregate of the Available Tax Increment that has actually been paid to the Developer on the Payment Dates is less than the full principal and interest amount of this Note. The obligation of the City to make any scheduled payment shall terminate if and to the extent that the full principal and interest amount of this Note has been paid in full. This Note may be prepaid in full or in part at any time without penalty.

Each payment on this Note is payable in any coin or currency of the United States of America which on the date of such payment is legal tender for public and private debts and shall be made by wire transfer, check or draft made payable to the Developer and mailed to the Developer at 1115 Second Avenue South, , Minneapolis, MN 55403, or such other address as the Developer shall provide in writing to the City's notice address as set forth in the Contract.

The Note is a special and limited obligation and not a general obligation of the City, which has been issued by the City pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including *Minnesota Statutes*, Section 469.178, subdivision 4, to aid in financing a "project", as therein defined, of the City consisting generally of defraying certain public redevelopment costs incurred by the Developer within and for the benefit of the Project.

THE NOTE IS NOT A DEBT OF THE STATE OF MINNESOTA (THE "STATE"), OR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE CITY OF MINNEAPOLIS, MINNESOTA, EXCEPT THAT THE CITY SHALL BE OBLIGATED TO MAKE PAYMENTS FROM AVAILABLE TAX INCREMENT AS SET FORTH HEREIN, AND NEITHER THE STATE NOR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE CITY, SHALL BE LIABLE ON THE NOTE, EXCEPT FOR THE CITY'S OBLIGATION TO MAKE PAYMENTS FROM AVAILABLE TAX INCREMENT AS SET FORTH HEREIN, NOR SHALL THE NOTE BE PAYABLE OUT OF ANY FUNDS OR PROPERTIES OTHER THAN AVAILABLE TAX INCREMENT AS SET FORTH HEREIN.

This Note shall not be transferred to any person, unless the City has been provided with an opinion of counsel acceptable to the City that such transfer is exempt from registration and official statement delivery requirements of federal and applicable state securities law and an investment letter reasonably acceptable to the City.

This Note shall not be payable from or constitute a charge upon any funds of the City, and the City shall not be subject to any liability hereon or be deemed to have obligated itself to pay hereon from any funds except the Available Tax Increment, and then only to the extent and in the manner herein specified.

The Developer shall never have or be deemed to have the right to compel any exercise of any taxing power of the City or of any other public body, and neither the City nor any person executing or registering this Note shall be liable personally hereon by reason of the issuance of registration thereof or otherwise.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and the laws of the State of Minnesota to be done, to have happened, and to be performed precedent to and in the issuance of this Note have been done, have happened, and have been performed in regular and due form, time, and manner as required by law; that this Note is issued pursuant to the Tax Increment Act; and that this Note together with all other indebtedness of the City outstanding on

the date hereof and on the date of its actual issuance and delivery, does not cause the indebtedness of the City to exceed any constitutional or statutory limitation thereon.

IN WITNESS WHEREOF, the City of Minneapolis, by action of its City Council, has caused this Note to be executed by the manual signature of its Finance Officer, and has caused this Note to be dated _____, 2007.

CITY OF MINNEAPOLIS

By _____

Patrick Born
Its Finance Officer

Approved as to form:

_____
Assistant City Attorney

EXHIBIT A TO NOTE

Description of the Property

Lot 1, Block 2 of VC Court, according to the recorded plat thereof, and situate in Hennepin County, Minnesota.

2. Be It Further Resolved that the form of the Note is hereby approved and shall be executed by the Finance Officer in substantially the form on file, with such changes therein not inconsistent with law as the Finance Officer may approve, which approval shall be conclusively evidenced by the execution thereof.

3. Be It Further Resolved that all actions of the members, employees and staff of the City heretofore taken in furtherance of the issuance of the Note are hereby approved, ratified and confirmed.

4. Be It Further Resolved that the sale of said Note to the Developer is hereby approved, and the Note is hereby directed to be sold to the Developer, upon the terms and conditions set forth in the Redevelopment Contract.

5. Be It Further Resolved that the Finance Officer is hereby authorized and directed to execute such other documents, agreements and certificates as may be required in connection with the Note.

6. Be It Further Resolved that no provision, covenant or agreement contained in the aforementioned documents, the Note or in any other document related to the Note, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the tax increment revenues which are to be applied to the payment of the Note, as provided therein and in the Redevelopment Contract. The Note shall not constitute a charge, lien or encumbrance, legal or equitable upon any property or funds of the City except that revenue and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holders of the Note shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Note or the interest thereon, or to enforce payment hereon against any property of the City. The Note shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.

7. Be It Further Resolved that the Note, when executed and delivered, shall contain a recital that it is issued pursuant to the TIF Act, and such recital shall be conclusive evidence of the validity of the Note and the regularity of the issuance thereof, and that all acts, conditions and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Note and to the execution of the aforementioned documents to happen, exist and be performed precedent

to and in the enactment of this resolution, and precedent to issuance of the Note and precedent to the execution of the aforementioned documents have happened, exist and have been performed as so required by law.

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

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-222, authorizing the issuance of a tax increment limited revenue note in a principal amount not exceeding $415,000 in connection with the Van Cleve Apartments East Housing Project (vicinity of 917 - 13th Ave SE), was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-222
By Ostrow

Authorizing the issuance of a tax increment limited revenue note in substantially the form recited herein in a principal amount not exceeding $415,000 in connection with the Van Cleve Apartments East Housing Project.

Whereas, the City of Minneapolis (the "City"), acting pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, has certain powers, including without limitation the powers set forth in Minnesota Statutes, Sections 469.001 through 469.047, as amended (the "HRA Act") and Minnesota Statutes, Sections 469.174 through 469.179, as amended (the "TIF Act); and

Whereas, in furtherance of the objectives of the HRA Act, the City has undertaken programs for the clearance and reconstruction or rehabilitation of blighted, deteriorated, deteriorating, vacant, unused, underused or inappropriately used, areas of the City, and the development of housing for persons of low and moderate incomes, and in this connection the City is carrying out a housing development project known as the Van Cleve Apartments East Housing Project (the "Project") pursuant to the Van Cleve Redevelopment Plan dated March 16, 2007, and adopted May 11, 2007(the "Redevelopment Plan"); and

Whereas, pursuant to the TIF Act and in furtherance of the Redevelopment Plan, the City has approved the Van Cleve Apartments East Tax Increment Finance Plan dated March 16, 2007 and adopted May 11, 2007 (the "TIF Plan"); and

Whereas, pursuant to the TIF Plan and the TIF Act, specifically Minnesota Statutes, Section 469.178, subd. 4, the City is authorized to issue its tax increment limited revenue note(s) to finance the public redevelopment costs of the Project; and

Whereas, the City has entered or will enter into a redevelopment contract (the "Redevelopment Contract") with Van Cleve Apartments East, LLC, a Minnesota limited liability company (the "Developer"), pursuant to which the City will provide tax increment financing assistance and the Developer will develop a 35-unit rental housing project, with 35 affordable housing units, and related site and public improvements;

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

1. That it is desirable that the City issue a tax increment limited revenue note (the "Note") in substantially the following form:

[FORM OF NOTE]

UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF HENNEPIN
CITY OF MINNEAPOLIS

TAX INCREMENT LIMITED REVENUE NOTE
(Van Cleve Apartments East Project)

The City of Minneapolis (the "City"), hereby acknowledges itself to be obligated and, for value received, promises to pay to the order of Van Cleve Apartments East, LLC, a Minnesota limited liability company (the "Developer"), solely from the source, to the extent, and in the manner hereinafter provided, the principal amount of this Note, being Four Hundred Fifteen Thousand and No/100 Dollars ($415,000.00) or such lesser amount as may equal the certified Public Costs, with interest at the Note Rate, in the installments specified in this Note, on the Payment Dates.

Capitalized terms not defined elsewhere in this Note shall have the meanings below:

"Approximately" means give or take a difference of not more than 10% of the number of Units or parking spaces.

"Available Tax Increment" means the Tax Increment received by the City during the period preceding each Payment Date, less (i) the amount of Tax Increment, if any, which the City must pay to the school district, the county and the state pursuant to *Minnesota Statutes*, Sections 469.177, Subds. 9, 10, and 11; 469.176, Subd. 4h; and 469.175, Subd. 1a, as the same may be amended from time to time; and (ii) actual administrative costs of the City in an amount not to exceed 10% of the Tax Increment.

"Certificate of Completion" means a Certificate issued by the City to the Developer pursuant to Section 5.04 of the Contract certifying that Minimum Improvements have been substantially completed.

"Contract" means that certain Redevelopment Contract by and between the City and the Developer dated *[insert date],* 2007.

"***Declaration of Restrictive Covenants"*** means the Declaration of Restrictive Covenants executed by the Developer in favor of the City dated _____, 2007 that is filed against the property.

"Development Project" means the Van Cleve Development Project, which includes the Property.

"District" means the Van Cleve Apartments East Tax Increment Financing District within the Development Project.

"Maturity Date" means the earlier of (i) February 1 of the year following the final year of Tax Increment collection from the District; and (ii) the date when the principal and interest amount of this Note has been paid in full.

"Minimum Improvements" means Approximately new construction of 35 rental housing units, including one level of underground parking with 38 parking stalls and related improvements as described in the Contract.

"Note Rate" means six and one half percent (6.5%) per annum.

"Payment Date" means August 1 of the year of first increment collection from the District and each August 1 and February 1 thereafter until the Maturity Date, provided that in no event will any payment date occur before the City's issuance of the Certificate of Completion under the terms of the Contract.

"Property" means the real property legally described in the attached **Exhibit A**, upon which the Minimum Improvements will be constructed.

"Public Costs" means actual Public Costs as defined in the Contract, not in excess of $415,000 related to the Minimum Improvements and which are approved by the City pursuant to the Contract.

"***Public Costs Certification*"** means a certificate in substantially the form attached to the Contract, by which the City certifies the Public Costs pursuant to the terms of the Contract.

"Tax Increment" means that portion of the property taxes generated by the Property and Minimum Improvements that is actually remitted to the City as tax increment under the Tax Increment Act.

"Tax Increment Act" means *Minnesota Statutes*, Section 469.174-469.1799, as amended, or any successor statutes applicable to the District.

On each Payment Date, the City shall pay the Developer an installment equal to the lesser of (i) the Available Tax Increment or (ii) the amount necessary to pay the accrued unpaid interest and the unpaid principal amount of this Note in full. If, after issuance of the Certificate of Completion the Developer is in default under the Contract or Declaration of Restrictive Covenants, and, after notice by the City to the Developer as provided in Section 9.02 of the Contract, such default has not been cured within the time period provided in the Contract, then the City may suspend payment on this Note until the default is cured or the City's obligations under this Note are terminated. If payments are suspended due to a Default under the Declaration of Restrictive Covenants, the City is not obligated to pay to the Developer the amount of the suspended payments that would otherwise have been paid to the Developer between the date the payment is suspended and the date the default is cured. Otherwise, if the City suspends payments due under this Note, the City shall make the suspended payments to the Developer within ten (10) business days after the Developer's cure of the Default to the City's satisfaction. In no event is the City obligated to pay interest on the amount of the suspended payments between the date the payment is suspended and the last date on which the City is obligated to make the suspended payment to the Developer. To the extent that on any Payment Date there is insufficient Available Tax Increment to make a scheduled payment, such failure to make a scheduled payment shall not constitute a default under this Note. If the Developer or other Minimum Improvements' owner fails to pay all or a portion of the property taxes due and owing on the Minimum Improvements, then upon such failure to pay, no interest as required by the Note shall accrue on an amount equal to the amount of the Available Tax Increment that would have been paid to the City had such property tax amounts been paid.

Interest shall accrue on the initial principal amount of this Note from the date of issue of the Public Costs Certification. Each payment under this Note, whether a scheduled payment or any other payment, shall be applied first to current interest, then to accrued unpaid interest and then to the unpaid principal amount of this Note.

On the Maturity Date, this Note shall be deemed paid in full and the City shall have no further obligation under this Note even if the aggregate of the Available Tax Increment that has actually been paid to the Developer on the Payment Dates is less than the full principal and interest amount of this Note. The obligation of the City to make any scheduled payment shall terminate if and to the extent that the full principal and interest amount of this Note has been paid in full. This Note may be prepaid in full or in part at any time without penalty.

Each payment on this Note is payable in any coin or currency of the United States of America which on the date of such payment is legal tender for public and private debts and shall be made by wire transfer, check or draft made payable to the Developer and mailed to the Developer at 1115 Second Avenue South, , Minneapolis, MN 55403, or such other address as the Developer shall provide in writing to the City's notice address as set forth in the Contract.

The Note is a special and limited obligation and not a general obligation of the City, which has been issued by the City pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including *Minnesota Statutes*, Section 469.178, subdivision 4, to aid in financing a "project", as therein defined, of the City consisting generally of defraying certain public redevelopment costs incurred by the Developer within and for the benefit of the Project.

THE NOTE IS NOT A DEBT OF THE STATE OF MINNESOTA (THE "STATE"), OR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE CITY OF MINNEAPOLIS, MINNESOTA, EXCEPT THAT THE CITY SHALL BE OBLIGATED TO MAKE PAYMENTS FROM AVAILABLE TAX INCREMENT AS SET FORTH HEREIN, AND NEITHER THE STATE NOR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE CITY, SHALL BE LIABLE ON THE NOTE, EXCEPT FOR THE CITY'S OBLIGATION TO MAKE PAYMENTS FROM AVAILABLE TAX INCREMENT AS SET FORTH HEREIN, NOR SHALL THE NOTE BE PAYABLE OUT OF ANY FUNDS OR PROPERTIES OTHER THAN AVAILABLE TAX INCREMENT AS SET FORTH HEREIN.

This Note shall not be transferred to any person, unless the City has been provided with an opinion of counsel acceptable to the City that such transfer is exempt from registration and official statement delivery requirements of federal and applicable state securities law and an investment letter reasonably acceptable to the City.

This Note shall not be payable from or constitute a charge upon any funds of the City, and the City shall not be subject to any liability hereon or be deemed to have obligated itself to pay hereon from any funds except the Available Tax Increment, and then only to the extent and in the manner herein specified.

The Developer shall never have or be deemed to have the right to compel any exercise of any taxing power of the City or of any other public body, and neither the City nor any person executing or registering this Note shall be liable personally hereon by reason of the issuance of registration thereof or otherwise.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and the laws of the State of Minnesota to be done, to have happened, and to be performed precedent to and in the issuance of this Note have been done, have happened, and have been performed in regular and due form, time, and manner as required by law; that this Note is issued pursuant to the Tax Increment Act; and that this Note together with all other indebtedness of the City outstanding on the date hereof and on the date of its actual issuance and delivery, does not cause the indebtedness of the City to exceed any constitutional or statutory limitation thereon.

IN WITNESS WHEREOF, the City of Minneapolis, by action of its City Council, has caused this Note to be executed by the manual signature of its Finance Officer, and has caused this Note to be dated _____, 2007.

CITY OF MINNEAPOLIS

By _____

Patrick Born
Its Finance Officer

Approved as to form:

_____
Assistant City Attorney

EXHIBIT A TO NOTE

Description of the Property

Lot 1, Block 1 of VC Court, according to the recorded plat thereof, and situate in Hennepin County, Minnesota.

2. Be It Further Resolved that the form of the Note is hereby approved and shall be executed by the Finance Officer in substantially the form on file, with such changes therein not inconsistent with law as the Finance Officer may approve, which approval shall be conclusively evidenced by the execution thereof.

3. Be It Further Resolved that all actions of the members, employees and staff of the City heretofore taken in furtherance of the issuance of the Note are hereby approved, ratified and confirmed.

4. Be It Further Resolved that the sale of said Note to the Developer is hereby approved, and the Note is hereby directed to be sold to the Developer, upon the terms and conditions set forth in the Redevelopment Contract.

5. Be It Further Resolved that the Finance Officer is hereby authorized and directed to execute such other documents, agreements and certificates as may be required in connection with the Note.

6. Be It Further Resolved that no provision, covenant or agreement contained in the aforementioned documents, the Note or in any other document related to the Note, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to any pecuniary liability of

the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the tax increment revenues which are to be applied to the payment of the Note, as provided therein and in the Redevelopment Contract. The Note shall not constitute a charge, lien or encumbrance, legal or equitable upon any property or funds of the City except that revenue and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holders of the Note shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Note or the interest thereon, or to enforce payment hereon against any property of the City. The Note shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.

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

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

Adopted 5/11/2007.

Absent - Benson.

Comm Dev & W&M/Budget - Your Committee, having under consideration park dedication fees, now recommends approval of the following directives to staff:

a) The City Attorney is directed to review legal issues related to:

1) The definition of “nexus”

2) Eligibility of use of Park Dedication Fees for park development, rehabilitation/maintenance of existing park infrastructure, streetscape improvements, storm water retention, and other types of open space

3) The definition of eligible users of the Park Dedication Fee. Does it include the City of Minneapolis and governmental entities other than the Park Board?

4) If the Park Dedication Fee is used by the Park Board or another governmental entity, are City project approvals necessary?

5) Prepare comparison on proposed park dedication fees from other cities of comparable size and built form as Minneapolis, including but not limited to Saint Paul, which includes how the fee is collected and disbursed and how it compares to the proposal advanced by the Park Board.

b) The Minneapolis Park & Recreation Board is requested to:

1) Provide information to the City on the relationship of a Park Dedication Fee to the City’s Comprehensive Plan, including the future land use map and parks and open space policies and implementation steps, and the Park Board’s Master Plan both currently under development

2) Address the issue of donations of green space in lieu of Park Dedication Fees. In this case, who has ownership and responsibility for ongoing maintenance?

c) The Department of Community Planning & Economic Development is directed to:

1) Review the potential impact of a Park Dedication Fee on new residential development, except that affordable housing development would be excluded from such fees and analysis

2) Prepare materials showing opportunity areas for new housing development and work with the Park Board staff to show the proximity of these areas to current and planned parks and open space

d) The Finance staff is directed to review the potential impact of a park dedication fee on new commercial, industrial and tax-exempt properties.

Staff is further directed to prepare a report that will be presented to the Community Development and Ways & Means/Budget Committees in four cycles.

Adopted 5/11/2007.

Absent - Benson.

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

PS&RS - Your Committee, having under consideration the application of Temple Bar & Restaurant Inc, dba Temple Bar & Restaurant, 1201 Harmon Pl, for a Sidewalk Cafe License (new business) to expire April 1, 2008, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection by the Traffic Engineer and compliance with all provisions of applicable codes and ordinances.

Adopted 5/11/2007.

Absent - Benson.

PS&RS - Your Committee, having under consideration the application of Bedlam Theatre, dba Bedlam Theatre, 1501 S 6th St, for an On-Sale Wine Class A with Strong Beer License (new business) to expire April 1, 2008, and having held a public hearing thereon, now recommends that said license be granted, subject to the following conditions:

a. The licensee will not allow any activities to occur on its premises which include or involve nude or semi-nude dancing, revealing or inappropriate employee attire, mud wrestling, wet T-shirt contests, employee wrestling with customers or sexually suggestive touching, and other similar types of activities. Violation of these terms shall provide a basis for revocation of the Class A Wine License.

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

Adopted 5/11/2007.

Absent - Benson.

Approved by Mayor Rybak 5/14/2007.

(Published 5/15/2007)

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of Red Stag Supperclub, 509 1st Av NE, for an On-Sale Liquor Class B with Sunday Sales License, subject to conditions.

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-223, granting the application of Red Stag Supperclub, 509 1st Av NE, for an On-Sale Liquor Class B with Sunday Sales License, subject to conditions, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-223
By Samuels

Granting the application of Red Stag Supperclub, 509 1st Av NE, for an On-Sale Liquor Class B with Sunday Sales License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Miss Jimmy Inc, dba Red Stag Supperclub, 509 1st Av NE, for an On-Sale Liquor Class B with Sunday Sales License (new business) to expire January 1, 2008, subject to the following conditions:

1. The licensee will develop and implement food safety standards and submit a written plan of action for maintaining food safety standards.

2. The licensee acknowledges that its license is subject to the requirement that a minimum of 60% of total gross receipts shall be for the sale of food and non-alcoholic beverages. The licensee agrees to diligently work toward ensuring that the restaurant meets this requirement. The License Division requires the licensee to provide verification of compliance with this requirement for the first three months of operation, in addition to the verification required at the time of renewal of the on-sale liquor license

application. The licensee acknowledges that failure to comply with this sales requirement is grounds for adverse license action.

3. The licensee acknowledges that the holding of a business or liquor license in the City is both a privilege and a responsibility, and that a license holder is responsible to ensure that its business operates in compliance with all applicable laws, ordinances and regulations.

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

Adopted 5/11/2007.

Absent - Benson.

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of Bryant Avenue Market, 3200 Bryant Av S, for Grocery and Tobacco Dealer Licenses, subject to conditions.

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-224, granting the application of Bryant Avenue Market, 3200 Bryant Av S, for Grocery and Tobacco Dealer Licenses, subject to conditions, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-224
By Samuels

Granting the application of Bryant Avenue Market, 3200 Bryant Av S, for Grocery and Tobacco Dealer Licenses, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Bryant Avenue Market, dba Bryant Avenue Market, 3200 Bryant Av S, for Grocery and Tobacco Dealer Licenses (new proprietor) to expire April 1, 2008, subject to the following conditions:

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

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

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

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

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

Adopted 5/11/2007.

Absent - Benson.

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of Janine's Foods, 1510 W Broadway, for Grocery and Tobacco Dealer Licenses, subject to conditions.

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-225, granting the application of Janine's Foods, 1510 W Broadway, for Grocery and Tobacco Dealer Licenses, subject to conditions, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-225
By Samuels

Granting the application of Janine's Foods, 1510 W Broadway, for Grocery and Tobacco Dealer Licenses, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Yousef Inc, dba Janine's Foods, 1510 W Broadway, for Grocery and Tobacco Dealer Licenses (new proprietor) to expire April 1, 2008, subject to the following conditions:

1. "No Trespassing" signs will remain clearly posted on the exterior of the business. Store staff will immediately ask people that are observed loitering in the immediate vicinity of the store to leave. If the loitering activity persists, staff will call 911 and request police assistance to alleviate the loitering activity. The business agrees to cooperate fully in the prosecution of criminal activity.
2. The licensee agrees not to sell single cigars or cigarettes.
3. The licensee agrees not to sell items which are commonly used by drug users and drug dealers. These items include glass pipes (sometimes with roses inside), Brillo Pads or Chore Boy products, tobacco pipes, small zip lock bags also known as jewelry bags, and single use tobacco products to include rolling papers. The licensee also agrees not to supply matches to non-tobacco customers.
4. The licensee agrees to keep all exterior and interior lights illuminated and functioning properly.
5. All windows will be free of signs and other items that block the view in and out, in accordance with Section 543.350 of the Minneapolis Code of Ordinances.
6. The licensee shall comply with the Surveillance Camera Odinance, Section 259.230 of the Minneapolis Code of Ordinances.
7. The licensee agrees not to install temporary advertising banners or signs on the exterior of the premises, including the walls, sidewalks or other fixtures of the property.
8. The licensee agrees to clean the property, and all areas within 100 feet of the property line of litter and trash twice daily. The licensee shall maintain a litter receptacle in front of the business that is convenient for customer use.
9. Refuse shall be stored in a regularly serviced, closed container (dumpster) that shall be maintained screened from view as is required by Minneapolis Codes. At no time shall this refuse container be overfilled so that the cover cannot be completely closed at all times.
10. Final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 5/11/2007.

Absent - Benson.

PS&RS - Your Committee, having under consideration the application of Veronica Powell, dba Big Mommas Candy Shop, 3401 Penn Av N, for a Confectionery License (new business) to expire April 1, 2008, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Samuels moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote 5/11/2007.

Absent - Benson.

PS&RS - Your Committee, having under consideration the application of Midwest Latino Entertainment & Talent, dba El Nuevo Rodeo Nightclub & Restaurant, 2709 E Lake St, for a Valet

Parking License to expire April 1, 2008, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Samuels moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote. 5/11/2007.

Absent - Benson.

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

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-226, granting Liquor, Wine and Beer Licenses, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-226
By Samuels

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

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

On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2008

Cabooze Enterprises Inc, dba Cabooze, 913 Cedar Av S, 1st floor (new manager)

On-Sale Wine Class E with Strong Beer, to expire April 1, 2008

2558 Lyndale Inc, dba Common Roots Cafe, 2558 Lyndale Av S (change in ownership)

Maharaja Indian Cuisine Inc, dba Mysore Cafe, 2819 Hennepin Av (new business).

Adopted 5/11/2007.

Absent - Benson.

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

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-227, granting applications for Business Licenses, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-227
By Samuels

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of May 11, 2007 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 271984):

Place of Entertainment; Boarding House; Caterers; Confectionery; Food Distributor; Food Market Distributor; Grocery; Indoor Food Cart; Food Manufacturer; Food Market Manufacturer; Meat Market; Milk & Grocery Delivery Vehicle; Mobile Food Vendor; Drive In Food - Restricted; Restaurant; Food Shelf; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Sidewalk Cart Food Vendor; Vending Machine; Wholesale Sausage Manufacturer & Distributor; Horse and Carriage; Liquid Waste Hauler; Motor Vehicle Repair Garage; Public Market; Swimming Pool - Public; Tattooist/Body Piercer; Theater Zone I; Tobacco Dealer; Tree Servicing; Valet Parking.

Adopted 5/11/2007.

Absent - Benson.

PS&RS - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the On-Sale Liquor License held by Blarney's Irish Pub & Grill, 412 14th Av SE.

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-228, approving License Settlement Conference recommendations relating to the On-Sale Liquor License held by Blarney's Irish Pub & Grill, 412 14th Av SE, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-228
By Samuels

Approving License Settlement Conference recommendations relating to the On-Sale Liquor License held by Blarney's Irish Pub & Grill, 412 14th Av SE.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on March 2, 2007 with the licensee; and

Whereas, the City alleges that on at least four different occasions in 2005 minors were served alcohol on the premises of the licensed establishment in violation of Minnesota Statutes and the Minneapolis Code of Ordinances; and

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

That in lieu of further civil enforcement action against the licensee, the parties agree that conditions should be placed on the On-Sale Liquor Class C-2 with Sunday Sales License issued to MORE Inc, dba Blarney's Irish Pub & Grill, as follows:

1. This License Settlement Agreement may not be entered into evidence in any criminal proceeding, and it may be utilized solely for administrative and civil licensing purposes.

2. The licensee will pay a $20,000 civil fine to the City of Minneapolis. Of that fine, $5,000 must be paid upon approval of the License Settlement Agreement (this date, hereinafter the "effective date" of this Agreement, shall be defined as the date on which the City Council action adopting this Agreement is officially published in *Finance & Commerce)* and the remaining balance shall be paid according to the following schedule:

   a. $5,000 within 90 days of the effective date of this Agreement.
   b. $5,000 within 180 days of the effective date of this Agreement.
   c. $5,000 within 270 days of the effective date of this Agreement.

3. The referenced business license shall be suspended for a period of 60 days, with 30 days of the suspension stayed on the condition that there be no violations of the terms of the License Settlement Agreement, and that there be no same or similar violations committed for a period of two years from the effective date of this Agreement. The 30 executed days of license suspension shall be served according to the following schedule:

a. July 1, 2007 through and including July 16, 2007 (16 total days).

b. Each Monday from and including April 16, 2007 through and including June 25, 2007 (11 total days).

c. Each Monday from and including July 23, 2007 through and including August 6, 2007 (3 total days).

4. The licensee agrees to submit a suitable business plan within 30 days of the effective date of this Agreement that addresses the manner in which the business will comply with all statutes, rules and ordinances related to the sale and service of beverage alcohol. This business plan must be approved by the Division of Licenses and Consumer Services. The Division of Licenses and Consumer Services agrees that the approval of any business or security plan required under this provision of any subsequent provision of this Agreement shall not be unreasonably withheld.

5. The licensee shall obtain and maintain at all times proper evidence of liquor liability insurance as required by Minnesota Statutes and the Minneapolis Code of Ordinances.

6. In the event that the licensee conducts "All Ages" events after the hour of 9:00 p.m., all alcohol sales and consumption shall be confined solely to the second floor of the premises. All persons under the age of 21 must have a permanent marker "X" conspicuously marked on both hands during such all age events.

7. The licensee shall refuse admission into the premises of any prospective patron under the age of 21 years with any noticeable, detectible or suspected presence of alcohol in their system or on their breath.

8. The licensee shall hire and train uniformed security staff to address alcohol compliance and shall submit a suitable security plan for approval by the Division of Licenses and Consumer Services within 30 days of the effective date of this Agreement.

9. The licensee shall purchase, install and utilize an electronic identification card reader that must have the following capabilities:

a. Recognize and read U.S. state-government issued driver's licenses or state-government issued identification cards.

b. The ability to indicate whether the above identification is valid.

c. The ability to differentiate between valid and counterfeit identification.

d. Display the age and date of birth, as should be displayed on the identification, for the purposes of assuring the identification has not been altered.

10. The licensee or an operational manager of record shall be physically present at the establishment during all hours of operation. The licensee shall provide the Minneapolis Division of Licenses and Consumer Services with application and work history materials for its operational managers.

11. The licensee shall have adequate security based on the occupancy level set by the Minneapolis Fire Department, and shall submit a plan for approval to meet these requirements to the Division of Licenses and Consumer Services within 30 days of the effective date of this Agreement.

12. The licensee shall be subject to a higher level of compliance checks with regard to youth access to alcohol. The licensee shall be checked by the Minneapolis Police Department no less than twice within the next 12 months. In addition, if the licensee is not in compliance with any of these conditions or with restricting alcohol access to minors, the Division of Licenses and Consumer Services may institute adverse license proceedings seeking any of the stayed sanctions in this Agreement and/or any additional sanctions as it deems appropriate.

13. MORE Inc understands that the holding of a business or liquor license in the City of Minneapolis is both a privilege and a responsibility, and as such, it is understood that there is a minimum standard that shall be met in order to hold such a license. Furthermore, it is understood that a license holder is responsible to ensure that its business operates in compliance with all applicable laws, ordinances, and regulations. It is further understood that compliance with the above recommendations is a requirement for continuing to hold a license and that failure to comply with any of these conditions may result in additional adverse license action.

Adopted 5/11/2007.

Absent - Benson.

PS&RS - Your Committee, having under consideration the Wrecker of Buildings Class B License held by Keith Carlson, dba C & H Excavating Co, 1900 W 105th St, Bloomington, and having held a License Hearing to consider whether the licensee has complied with the agreed upon recommendations from a Technical Advisory Committee, signed by the licensee on September 7, 2001, now recommends that the Wrecker of Buildings License be revoked.

Samuels moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote 5/11/2007.

Absent - Benson.

PS&RS - Your Committee, to whom was referred an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Building Code*, requiring holders of rental dwelling licenses to conspicuously post approved informational material provided by the Director of Inspections, to be inclusive of information on Minneapolis 311, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 5/11/2007.

Absent - Benson.

Ordinance 2007-Or-032 amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, amending Section 244.2000 requiring holders of rental dwelling licenses to conspicuously post approved informational material provided by the Director of Inspections, to be inclusive of information on Minneapolis 311, was adopted 5/11/2007 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2007-Or-032
By Schiff
Intro & 1st Reading: 3/30/2007
Ref to: PS&RS
2nd Reading: 5/11/2007

Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code.

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

Section 1. That Section 244.2000 (a) of the above-entitled ordinance be amended to read as follows:

244.2000. Duties of licensee. Every holder of a rental dwelling license or provisional license shall:

(a) Post his or her license certificate, along with any other required informational posting as approved by the director of inspections, when the certificate or required informational posting is received from the director of inspections. The certificate and required informational posting shall be conspicuously posted in a frame with transparent cover in a public corridor, hallway, or lobby of the dwelling for which it is issued. For other than multiple dwellings, the certificate shall be prominently posted at or near the front entrance of the building.

Adopted 5/11/2007.

Absent - Benson.

PS&RS - Your Committee, to whom was referred back on April 13, 2007 a report relating to the Police Department's Five Year Business Plan, now recommends approval of the 2007-2011 Business Plan, as amended, as set forth in Petn No 271987 on file in the Office of the City Clerk.

Adopted 5/11/2007.

Absent - Benson.

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

PS&RS & W&M/Budget - Your Committee, to whom was referred an ordinance amending Title 5, Chapter 108 of the Minneapolis Code of Ordinances relating to *Building Code: Parking Ramps*, allowing for cost recovery on parking ramp registrations; streamlining of the insurance processes; establishing a process for administrative penalties for violations, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends that the proper City officers be authorized to adjust the Director's Fee Schedule to increase the registration fee for obtaining a parking ramp operating certificate from $86 to $190, with the understanding that the applicable ordinance allows for annual inflationary increases.

Adopted 5/11/2007.

Absent - Benson.

Ordinance 2007-Or-033 amending Title 5, Chapter 108 of the Minneapolis Code of Ordinances relating to *Building Code: Parking Ramps*, amending Sections 108.20; 108.60; 108.70; 108.80; 108.90; 108.100; 108.110; 108.120; and 108.130 to allow for cost recovery on parking ramp registrations; to streamline the insurance processes; and to establish a process for administrative penalties for violations, was adopted 5/11/2007 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2007-Or-033
By Ostrow
Intro & 1st Reading: 3/30/2007
Ref to: PS&RS
2nd Reading: 5/11/2007

Amending Title 5, Chapter 108 of the Minneapolis Code of Ordinances relating to Building Code: Parking Ramps.

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

Section 1. That Section 108.20 of the above-entitled ordinance be amended to read as follows:

108.20. Certificate required. No person, firm, corporation, governmental entity or other entity shall own or operate a parking ramp which has been in operation for five (5) years or more, without having first applied for and obtained an operating certificate. Such certificate shall be granted by the director of inspections as provided in this chapter.

Section 2. That Section 108.60 of the above-entitled ordinance be amended to read as follows:

108.60. Affidavit and engineer's report required. ~~Not later than October first of each year~~ Upon application for or renewal of the required operating certificate, the owner or operator of a parking ramp shall file with the director an affidavit stating that the parking ramp has been inspected in accordance with section 108.50 of this chapter by a qualified civil or structural engineer. The owner or operator shall file with the affidavit a copy of the engineer's inspection report. The report shall contain the engineer's findings and shall indicate whether the structure is capable of supporting the loads for which it is used. The report shall contain a statement by the engineer whose field of practice is civil or structural engineering and that he or she carries ~~the insurance coverage required by section 108.80 of this chapter.~~ professional liability insurance in the amount of two hundred fifty thousand dollars ($250,000.00).

Section 3. That Section 108.70 of the above-entitled ordinance be amended to read as follows:

108.70. Certificate revocation; nonrenewal; penalties. (a) No operating certificate shall be issued or renewed unless the owner or operator of the parking ramp has obtained the annual inspections required by section 108.50 and filed the annual affidavits and reports required by section 108.60.

(b) If the owner or operator of a parking ramp fails to file the annual affidavit and report required by section 108.60, ~~the city council shall after notice and hearing revoke the operating certificate~~ the

director of inspections may revoke the certificate. A decision to revoke the certificate may be appealed in writing to the City Council within twenty-one (21) days of mailing of the director's decision.

~~(c) A penalty fee of fifty dollars ($50.00) shall be assessed to the owner or operator of a parking ramp for the late filing of an annual affidavit and report required by section 108.60 or the late filing of an application for renewal required by section 108.40.~~

Section 4. That Section 108.80 of the above-entitled ordinance be and is hereby repealed.

~~**108.80. Insurance requirement for civil or structural engineer.** A qualified civil or structural engineer, as defined in this chapter, shall maintain professional liability insurance with an insurance company authorized to do business in the State of Minnesota in the sum of two hundred fifty thousand dollars ($250,000.00). Proof of such insurance coverage shall be filed with the department in the form of a certificate of insurance, which shall be submitted annually with the engineer's report.~~

Section 5. That Section 108.90 of the above-entitled ordinance be amended to read as follows:

108.90. Insurance required for parking ramp operation. No operating certificate shall be granted unless the owner or operator shall carry liability insurance with an insurance company authorized to do business in the State of Minnesota. The liability insurance for the premises and operations of the ramp, which shall include coverage for any injury or loss caused by explosion or collapse, shall be in the sum of at least one million five hundred thousand dollars ($1,500,000.00).

The owner or operator of an automobile service facility which provides less than one hundred (100) parking spaces in the service facility structure, shall carry liability insurance with an insurance company authorized to do business in the State of Minnesota. The liability insurance for the premises and operation of the ramp, which shall include coverage for any injury or loss caused by explosion or collapse, shall be in the sum of at least one million dollars ($1,000,000.00).

If the owner takes possession of the keys, and has care, custody and control of a vehicle, then the owner shall also provide garagekeepers legal liability insurance in the sum of at least three thousand five hundred dollars ($3,500.00) per stall, or two hundred fifty thousand dollars ($250,000.00) as minimum policy limits. ~~The City of Minneapolis shall be named as an additional insured in said policy for claims made by third parties. This section shall not serve to bar recovery by the city for losses arising out of the use, operation or maintenance of the parking ramp.~~

~~A certificate of insurance on a form provided by the director of inspections, evidencing the above minimum insurance coverages, shall be filed with the director of inspections at the time of making application for certification or renewal of the annual operating certificate. No cancellation of any insurance policy shall be valid except upon thirty (30) days prior written notice to the director of inspections.~~ The required certificates of insurance shall be kept current and valid at the corporate headquarters and copies shall be maintained at each parking ramp office. Such certificates shall be produced immediately upon demand of the director of inspections or the director's designee, or any member of the public. Self-insured government entities shall be exempt from the requirements of this section.

Section 6. That Section 108.100 of the above-entitled ordinance be amended to read as follows:

108.100. Operating certificate to be posted. Every owner or operator of a parking ramp required to obtain an operating certificate shall post said certificate in a conspicuous location in the office or main collection booth of the parking ramp. In the event such notice is not posted, the director or ~~his duly authorized agent~~ the director's designee may require that all motor vehicles be removed from the parking ramp and that no further parking of vehicles be allowed until the required operating certificate has been obtained and posted.

Section 7. That Section 108.110 of the above-entitled ordinance be amended to read as follows:

108.110. Penalty for failure to obtain or renew operating certificate. Should any person, firm, corporation, governmental entity or other entity operate a parking ramp without first having a valid operating certificate as required by this chapter, the owner or operator shall, when subsequently securing such certificate, be required to pay double the fee provided in section 108.30. The director of inspections or the director's designee may also issue or cause to be issued an administrative citation to the owner or operator for violation of any of the provisions of this chapter.

Section 8. That Section 108.120 of the above-entitled ordinance be and is hereby repealed.

~~**108.120. Compliance schedule.** (a) Parking ramps constructed before November 1, 1959, shall obtain operating certificates on or before November 1, 1985.~~

~~(b) Parking ramps constructed between November 1, 1959, and November 1, 1969, shall obtain operating certificates on or before November 1, 1986.~~

~~(c) Parking ramps constructed on or after November 1, 1969, shall obtain operating certificates on or before November 1, 1987.~~

Section 9. That Section 108.130 of the above-entitled ordinance be and is hereby repealed.

~~**108.130. Governmental agencies.** This chapter shall apply to parking ramps owned or operated by a government or governmental agency; provided, however, that the government or governmental agency owning or operating the parking ramp shall be exempt from the following:~~

~~(1) The requirement that the civil or structural engineer making the inspection carry insurance as required by section 108.80, if said civil or structural engineer is not employed in his profession for compensation by a person or persons other than the government or governmental agency which owns or operates the parking ramp; and~~

~~(2) That the owner carry insurance as required by section 108.90.~~

Adopted 5/11/2007.

Absent - Benson.

PS&RS & W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing the acceptance of recumbent bikes for the Fire Department.

Adopted 5/11/2007.

Absent - Benson.

RESOLUTION 2007R-229
By Samuels and Ostrow

Authorizing the acceptance of recumbent bikes for the Fire Department.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to accept the donation of 17 recumbent bikes, valued at $17,000, from Bally Total Fitness Corporation, to be distributed to the Fire Stations.

Adopted 5/11/2007.

Absent - Benson.

PS&RS & W&M/Budget - Your Committee, having under consideration the Minneapolis Community Emergency Response Team (CERT) Program, now recommends that the proper officers of the Fire Department be authorized to seek corporate and business donations in Minneapolis and the immediate surrounding metropolitan area cities to assist with financial support for CERT.

Adopted 5/11/2007.

Absent - Benson.

PS&RS & W&M/Budget - Your Committee, having under consideration a request by the Police Department for overtime funding (buyback) to provide officers on patrol in areas of high crime or community concern, now recommends passage of the accompanying resolution transferring $750,000 to the Police Department from Contingency funds to support safety initiatives downtown, with $250,000 to be used in Precincts 2, 3, 4 and 5 to address hot spots identified in community plans.

Adopted 5/11/2007.

Absent - Benson.

RESOLUTION 2007R-230
By Samuels and Ostrow

Amending The 2007 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

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

a. increasing the appropriation for the Police Department Agency in the General Fund (010-400-4000) by $750,000.

b. decreasing the Contingency Agency in the General Fund (010-175-1750) by $750,000.

Adopted 5/11/2007.

Absent - Benson.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee recommends that the proper City officers be authorized to execute Amendment No 1 to Agreement C-20514 with Walker Parking Consultants, increasing the contract by $7,000, for a revised contract total of $77,000, to allow for added inspection requirements, as well as inflationary cost increases. No additional appropriation required.

Adopted 5/11/2007.

Absent - Benson.

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the 27th Av S (E Lake St to Minnehaha Av) Street Reconstruction Project, Special Improvement of Existing Street No 6217.

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-231, designating the locations and streets to be improved in the 27th Av S (E Lake St to Minnehaha Av) Reconstruction Project, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-231
By Colvin Roy

27th AVENUE SOUTH (E LAKE ST TO MINNEHAHA AV)
STREET RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6217

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:

27th Av S from approximately 20 feet south of Lake St through the 31st St E intersection with Minnehaha Av.

Adopted 5/11/2007.

Absent - Benson.

T&PW - Your Committee, having received a cost estimate of $837,630 for street reconstruction improvements and a list of benefited properties for certain locations in the 27th Av S (E Lake St to Minnehaha Av) Reconstruction Project, Special Improvement of Existing Street No 6217, as designated by Resolution 2007R-231 passed May 11, 2007, now recommends that the City Engineer be directed to prepare a proposed Street Reconstruction Special Improvement Assessment against the list of benefited properties by applying the 2007 Uniform Assessment Rates, as per Resolution 2007R-095, passed February 23, 2007.

Your Committee further recommends that a public hearing be held on June 19, 2007 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the reconstruction of the above-designated street locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Your Committee further recommends approval of the 27th Av S (E Lake St to Minnehaha Av) Street Reconstruction layout, dated April 12, 2007, and authorizes Public Works staff to negotiate with private property owners to acquire and execute easements and additional right-of-way, as necessary.

Adopted 5/11/2007.

Absent - Benson.

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the 27th Av S (E Lake St to Minnehaha Av) Streetscape Project, Special Improvement of Existing Street No 6217.

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-232, designating the locations and streets to be improved in the 27th Av S (E Lake St to Minnehaha Av) Streetscape Project, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-232
By Colvin Roy

27th AV S (E LAKE ST TO MINNEHAHA AV) STREETSCAPE PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6217

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 street within the City of Minneapolis is hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6 of the Minneapolis City Charter, by installing pedestrian level street lighting, trees and tree grates, scored sidewalk, together with all the necessary appurtenances and work related to the above-described improvements:

27th Av S from approximately 20 feet south of Lake Street through the 31st St E intersection with Minnehaha Av.

Adopted 5/11/2007.

Absent - Benson.

T&PW - Your Committee, having received a cost estimate of $117,600 for streetscape improvements and a list of benefited properties for certain locations in the 27th Av S (E Lake St to Minnehaha Av) Streetscape Project, Special Improvement of Existing Street No 6217, as designated by Resolution 2007R-232 passed May 11, 2007, now recommends that the City Engineer be directed to prepare a proposed Streetscape Special Improvement Assessment against the list of benefited properties.

Your Committee further recommends that a public hearing be held on June 19, 2007 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the above-designated streetscape project and to consider the amount proposed to be assessed to each benefited property.

Adopted 5/11/2007.

Absent - Benson.

T&PW - Your Committee reports that, in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to the establishment of street lighting districts (said Chapter 431 defining such street lighting district as an area wherein lighting in excess of minimum street lighting is provided and further providing that the City's costs over and above said minimum lighting shall be paid by the benefited property owners), the City Engineer has presented to your Committee the details required by said Chapter 431 in connection with proposed Street Lighting District 1330 for assessment of the maintenance and operation costs on additional street lighting for the convenience and safety of the area delineated generally as 27th Av S (E Lake St to Minnehaha Av) (streets to receive lighting are as designated in the 27th Av S (E Lake St to Minnehaha Av) Streetscape Project, Special Improvement of Existing Street No 6217).

The amount to be assessed is approximately $650 a year, estimated. Chapter 431 provides for a lineal frontage method of assessing these costs.

Your Committee recommends that if there should be an increase in the cost of street lighting in the future, that the increased cost be reflected in the assessment.

Your Committee further recommends that a public hearing be held on June 19, 2007, in accordance with the provisions of Chapter 431 of the Minneapolis Code of ordinances, to consider the establishment of said proposed Street Lighting District No 1330.

Adopted 5/11/2007.

Absent - Benson.

T&PW - Your Committee recommends approval of the Public Works Department 2007-2011 Business Plan, as set forth in Petn No 271958.

Adopted 5/11/2007.

Absent - Benson.

T&PW - Your Committee, having under consideration the first step in the process to establish an organized solid waste collection system for one-half of the City's residential dwelling units, as outlined in Section 115A.94, Subd 4 of Minnesota Statutes, now recommends that the City Council declare the conclusion of the 90-day Planning Period and the beginning of the 90-day Discussion Period to discuss possible organized collection arrangements with all licensed collectors operating in the City who have expressed interest.

Your Committee further recommends adoption of the following Organized Collection Goals to be used to evaluate collection methods proposed during the 90-day Discussion Period:

1) Maintain or exceed the current high level of customer satisfaction for solid waste and recycling services;

2) Provide solid waste and recycling collection services in the most cost-effective manner possible while meeting Clean City objectives;

3) Recognize the need for a comprehensive waste collection program that meets the unique physical and demographic challenges of a core urban city;

4) Protect the health and safety of city residents and visitors by minimizing disruption of collection services due to natural events, labor disputes, incidents of national significance, or change of haulers; and

5) Comply with city policies on small and minority-owned businesses, living wage and domestic partner benefits, and anti-discrimination requirements.

Adopted 5/11/2007.

Absent - Benson.

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

T&PW & W&M/Budget - Your Committee recommends approval of the installation of a pair of speed humps along 15th Av S between 40th and 41st St E.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation and revenue for the project by $4,500, to be reimbursed by the Bancroft Neighborhood Association.

Adopted 5/11/2007.

Absent - Benson.

RESOLUTION 2007R-233
By Colvin Roy and Ostrow

Amending The 2007 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the PW-Transportation Capital Agency in the Capital Improvements Fund (4100-943-9440) by $4,500, and increasing the revenue source (4100-943-9440 - Source 3845) by $4,500.

Adopted 5/11/2007.

Absent - Benson.

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

a) OP 6754, Accept low bids, as estimated below, to furnish all labor, materials, equipment, and incidentals necessary for the construction of sidewalks, alleys, driveways, curbs, and gutters, as needed and directed through December 31, 2007:

- District No 1	Standard Sidewalk, Inc.	$699,899.75
- District No 2	TiZack Concrete, Inc.	$725,152.50
- District No 3	Concrete Ideas, Inc.	$780,930.50;

b) OP 6785, Accept low bid of Ace Electrical Contractors, Inc., in the amount of $638,400, to furnish and deliver all labor, materials, equipment, and incidentals necessary to accomplish the installation of standby generators for Minneapolis Water Works Pump Station No 5; and

c) OP 6791, Accept low responsive bid of Topline Advertising, Inc., in the amount of $82,594, to furnish and deliver new parking ramp signs.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said services, all in accordance with City specifications and contingent upon approval of the Civil Rights Department (Petn No 271994).

Adopted 5/11/2007.

Absent - Benson.

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

W&M/Budget - Your Committee recommends passage of the accompanying Resolution authorizing the settlement of legal matters, as recommended by the City Attorney.

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-234, authorizing settlement of the legal claim of Walter Childs v. James Burns, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-234
By Ostrow

Authorizing legal settlement.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlement of Walter Childs v. James Burns, by payment of $75,000 plus post-judgment interest, payable to Walter Childs and his attorneys, Flynn, Gaskins & Bennett; and, approve payment of costs and reasonable attorneys' fees to be determined by the Court or agreement of counsel. Further, authorize execution of any documents necessary to effectuate the resolution of this lawsuit, payable from the Self Insurance Fund (6900-150-1500-4000).

Adopted 5/11/2007.

Absent - Benson.

W&M/Budget - Your Committee recommends concurrence with the recommendation of the City Attorney, to approve the initial authorization to submit all current and ongoing bills relating to the no-fault claimant Wence Edwards directly to the City Finance Officer for payment following review and signature by the city attorney's designee pursuant to the procedures set forth in Article XIII, Section 16.1120 of the Minneapolis Code of Ordinances, payable from the Self Insurance Fund (6900-150-1500-4000).

Adopted 5/11/2007.

Absent - Benson.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) to establish a new administrative hearing officer and enforcement panel, providing legal services to the Department of Regulatory Services for conducting code enforcement hearings and issuing orders.

Adopted 5/11/2007.

Absent - Benson.

W&M/Budget - Your Committee recommends that the proper City officers be authorized on behalf of the City of Minneapolis, to join in the appeal being filed by other interested communities across the country of the Federal Communications Commission's Report and Order.

Adopted 5/11/2007.

Absent - Benson.

W&M/Budget - Your Committee, having under consideration the Minnesota Court Information System (MNCIS), now recommends authorizing the City's Chief Information Officer and the City Attorney, or their designees, to enter into any agreements with the State of Minnesota, and/or Hennepin County, that are necessary for integration of the City's systems with MNCIS or that are necessary to give City employees access to MNCIS.

Adopted 5/11/2007.

Absent - Benson.

W&M/Budget - Your Committee recommends approval of the June 2007 utility billing insert on behalf of Blooming Gardens (a Committee on Urban Environment program) providing information regarding the special summer "Rain Garden Workshops" and the 2007 Minneapolis Blooms Awards nomination form sponsored by Minneapolis Blooms.

Adopted 5/11/2007.

Absent - Benson.

W&M/Budget - Your Committee recommends authorizing an increase in the contract with Short Elliott Hendrickson, Inc. (SEH), in the amount of $5,200 to increase the size of the study area in the Midtown Greenway Land Use and Development Plan, to include one-half block area north of the Midtown Greenway from Blaisdell Avenue S. to 11th Avenue S.

Adopted 5/11/2007.

Absent - Benson.

W&M/Budget – Your Committee, having received a recommendation from the Finance Department regarding Capital Long-Range Improvement Committee (CLIC) Appointments, now recommends passage of the accompanying Resolution approving the City Council appointments of John Bernstein (Ward 7), Mary Watson (Ward 6), and Jennifer Day Anderson (Ward 5) for the term expiring January 31, 2009.

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-235, approving City Council appointments to the Capital Long-Range Improvement Committee (CLIC), was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-235
By Ostrow

Approving City Council Appointments to the Capital Long-Range Improvements Committee (CLIC).

Resolved by The City Council of The City of Minneapolis:

Name	Appointed by	Council Ward #
John Bernstein	Council	7
Mary Watson	Council	6
Jennifer Day Anderson	Council	5

Adopted 5/11/2007.

Absent - Benson.

W&M/Budget - Your Committee, having under consideration the City's Minneapolis Employees Retirement Fund (MERF), now recommends passage of the accompanying Resolution requesting that after coordination with the Finance Officer on the terms and conditions of sale, that the Board of Estimate and Taxation is requested to incur indebtedness and issue and sell City of Minneapolis taxable General Obligation Pension Bonds up to $44,000,000 for certain purposes other than the purchase of public utilities.

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-236, requesting the Board of Estimate and Taxation to issue and sell bonds in the amount of $44,000,000 for the purpose of funding a portion of the City's pension obligation to the Minneapolis Employees Retirement Fund, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-236
By Ostrow

Requesting that after coordination with the Finance Officer on the terms and conditions of sale the Board of Estimate and Taxation is requested to incur indebtedness and issue and sell City of Minneapolis taxable general obligation pension bonds up to $44,000,000 for certain purposes other than the purchase of utilities.

Resolved by The City Council of The City of Minneapolis:

That after coordination with the Finance Officer on the terms and conditions of the sale that the Board of Estimate and Taxation is requested to incur indebtedness and issue and sell City of Minneapolis taxable general obligation pension bonds up to $44,000,000, the proceeds of which are to be used for payment of a portion of the City's obligation to the Minneapolis Employee Retirement Fund (MERF).

Adopted 5/11/2007.

Absent - Benson.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to apply for a three-year grant to the United States Department of Health and Human Services seeking up to $600,000 to investigate methods to increase the number of young men who take advantage of reproductive health services offered by the school-based clinics operated by the Department of Health and Family Support.

Adopted 5/11/2007.

Absent - Benson.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to enter into a Master Contract with Way to Grow for the period of April 1, 2007 to December 31, 2010, for the provision of health and human services, and for a total amount not to exceed $3,000,000.

Adopted 5/11/2007.

Absent - Benson.

W&M/Budget – Your Committee recommends that the Department of Health & Family Support be authorized to hire 1.0 FTE Medical Technologist I position to be added to the public health laboratory, to be paid out of revenue from Hennepin County for lab services.

Adopted 5/11/2007.

Absent - Benson.

W&M/Budget - Your Committee, having under consideration the City of Minneapolis Minneflex Plan, now recommends approval of said plan, as amended and restated effective January 1, 2007, as set forth in Petn No 272001 on file in the Office of the City Clerk.

Adopted 5/11/2007.

Absent - Benson.

W&M/Budget - Your Committee, having under consideration the Minneapolis Community Development Agency Retirement Plan, now recommends passage of the accompanying Resolution approving amendments to said plan, as set forth in Petn No 272001 on file in the Office of the City Clerk.

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-237, amending the Minneapolis Community Development Agency Retirement Plan, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-237
By Ostrow

Amending the MCDA Retirement Plan.

Whereas, the Minneapolis Community Development Agency ("MCDA") established the Minneapolis Community Development Agency Retirement Plan (the "Plan") effective as of October 1, 1960, and maintained the Plan continuously until August 24, 2003; and

Whereas, pursuant to Resolution 2003R-358 adopted by the Minneapolis City Council on August 8, 2003, the City Council transferred the Plan from the MCDA to the City effective August 24, 2003; and

Whereas, on August 8, 2003, the City Council adopted a report of the Community Development Committee that recommended the Plan be amended to reflect an increase in the employer's and employees' contribution rates to equal the employer's and employees' contribution rates for the PERA pension plan; and

Whereas, the rates of contribution to the Plan increased effective August 24, 2003, to equal the contribution rates for the PERA pension plan at that time; and

Whereas, subsequent to August 24, 2003, the contribution rates for the PERA pension plan have further increased, but the contribution rates under the Plan have not; and

Whereas, it is understood that it was the Community Development Committee's intent that contribution rates under the Plan should match the rates for the PERA pension plan; and

Whereas, on September 13, 2006, the Internal Revenue Service, Tax Exempt and Government Entities Division, issued a Private Letter Ruling related to the MCDA Retirement Plan and the election of former MCA employees to transfers their pension account balances to the Public Employees Retirement Association (PERA) Coordinated Plan; and

Whereas, the Internal Revenue Code has been amended to impose certain requirements on mandatory distributions from plans such as the Plan; and

Whereas, the City has operated the Plan in compliance with the Internal Revenue Service rules applicable to mandatory distributions by entering into an agreement with a provider of individual retirement accounts to automatically rollover mandatory distributions exceeding $1,000.00 in certain circumstances; and

Whereas, the City Council deems it appropriate to amend the Plan to reflect to transfer of the Plan to the City, the increase in contributions, and the new procedure regarding mandatory distributions; and

Whereas, the City Council deems it appropriate to amend the Plan to reflect the Community Development Committee's intent regarding contribution rates on a going forward basis; and

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

That the City Council hereby authorizes an amendment to the Plan attached hereto as Exhibit A and authorizes any and all filings with the Internal Revenue Services as may be necessary to ensure the Plan is compliant with applicable law.

Be It Further Resolved that the Council hereby authorizes and directs the City's Human Resources Director to act on behalf of the City in accomplishing the amendment of the Plan, including, but not limited to, executing this amendment and adopting any clarifying changes which may be required in order to receive Internal Revenue Service approval for the amendment, and in accomplishing any necessary filings with the Internal Revenue Service, including, but not limited to, executing all IRS forms and documents related to such filings.

Adopted 5/11/2007.

Absent - Benson.

W&M/Budget - Your Committee recommends that the proper City Officers be authorized to issue a Request for Proposals (RFP) for providing an integrated ticketing system solution for a preferred service ticketing operation at the Minneapolis Convention Center (MCC) for an initial two-year period beginning January 1, 2008 with three one-year renewal options.

Adopted 5/11/2007.

Absent - Benson.

W&M/Budget - Your Committee recommends passage of the accompanying Resolutions as follows:

a) Authorizing the acceptance of Non-profit Convention Events funds to Meet Minneapolis for expenses incurred for qualifying events; and

b) Increasing the appropriation to the Meet Minneapolis agency to reflect receipt of said funds.

Adopted 5/11/2007.

Absent - Benson.

RESOLUTION 2007R-238
By Ostrow

Authorizing the acceptance of Non-profit Convention Events funds to Meet Minneapolis.

Resolved by The City Council of The City of Minneapolis:
That the proper City officers be authorized to accept Non-profit Convention Events funds in the amount of $165,000 to provide payment to Meet Minneapolis for expenses incurred for qualifying events.
Adopted 5/11/2007.
Absent - Benson.

RESOLUTION 2007R-239
By Ostrow

Amending The 2007 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:
That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the Meet Minneapolis Agency in the Convention Center Related Fund (0760-864-8642) by $165,000; and increasing the Meet Minneapolis revenue source (0760-864-8642 - Source 3720) by $165,000.
Adopted 5/11/2007.
Absent - Benson.

W&M/Budget - Your Committee recommends passage of the accompanying Resolution approving the terms of a 12 month labor agreement with the Minneapolis Building and Construction Trades, AFL-CIO Inspectors Unit effective January 1, 2007 through December 31, 2007.
Adopted 5/11/2007.
Absent - Benson.

Resolution 2007R-240, approving the terms of a 12 month labor agreement with the Minneapolis Building and Construction Trades, AFL-CIO Inspectors Unit, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-240
By Ostrow

Approving the terms of a collective bargaining agreement with the Minneapolis Building and Construction Trades, AFL-CIO Inspectors Unit and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:
That the executive summary of the collective bargaining agreement between the City of Minneapolis and the Minneapolis Building and Construction Trades, AFL-CIO Inspectors Unit, as set forth in Petn No 272001, be approved.
Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.
Adopted 5/11/2007.
Absent - Benson.

W&M/Budget - Your Committee recommends concurrence with the Empowerment Zone Governance Board's recommendation to approve a grant in the amount of $165,000 to Juxtaposition Arts for the redevelopment of space at 1100 West Broadway.

Adopted 5/11/2007.

Absent - Benson.

The WAYS & MEANS/BUDGET and ZONING & PLANNING Committees submitted the following report:

W&M/Budget & Z&P – Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for consultant services for development of an update to the "Make Central Avenue Great" Plan (Petn No 271998), contingent upon approval by the Permanent Review Committee.

Adopted 5/11/2007.

Absent - Benson.

The ZONING & PLANNING Committee submitted the following report:

Z&P - Your Committee, having under consideration the appeal filed by Brian Bushay from the decision of the Planning Commission approving the following applications by PSA Building Co: a) conditional use permit to allow a K-12 school; b) conditional use permit to increase the maximum allowed height of a building from 2.5 stories to 3 stories and 35 feet to 39 feet; c) variance to increase the maximum floor area ratio from 0.5 to 1.13; d) variance to reduce the rear yard requirement adjacent to the alley from 5 feet to 0 feet to allow a loading area; e) variance to reduce the loading space requirement from 1 to 0; and f) site plan review, all to allow a grade school serving K-8 students at 1801 Dupont Ave N, now recommends that said appeal be granted and the applications be denied.

Your Committee further recommends that the Findings prepared by the City Attorney and on file in the Office of the City Clerk be adopted and made a part of this report by reference.

Adopted 5/11/2007.

Absent - Benson.

MOTIONS

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

Adopted 5/11/2007.

Absent - Benson.

Schiff introduced the subject matter of the following ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, which were given their first reading and referred to the Zoning & Planning Committee (limiting the size of food and beverages uses in Industrial Districts):

a. Chapter 550 relating to Industrial Districts;
b. Chapter 551 relating to Overlay Districts.

Schiff introduced the subject matter of the following ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, which were given their first reading and referred to the Zoning & Planning Committee (revising regulations related to planned unit developments):

a. Chapter 520 relating to Introductory Provisions;
b. Chapter 525 relating to Administration and Enforcement;
c. Chapter 535 relating to Regulations of General Applicability;
d. Chapter 536 relating to Specific Development Standards;

e. Chapter 546 relating to Residence Districts;
f. Chapter 547 relating to Office Residence Districts;
g. Chapter 548 relating to Commercial Districts;
h. Chapter 549 relating to Downtown Districts;
i. Chapter 550 relating to Industrial Districts;
j. Chapter 551 relating to Overlay Districts.

Samuels introduced the subject matter of an ordinance amending Title 16, Chapter 423 of the Minneapolis Code of Ordinances relating to Planning and Development: Small and Underutilized Business Enterprise Program, which was given its first reading and referred to the Health, Energy & Environment Committee (continuing the SUBP Program for 18 months to allow for completion of a disparities study).

Ostrow introduced the subject matter of an ordinance amending Title 15, Chapter 385 of the Minneapolis Code of Ordinances relating to Offenses—Miscellaneous: In General, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (amending Section 385.60 entitled Aggressive Solicitation, adding reasonable time, place and manner restrictions).

RESOLUTIONS

Resolution 2007R-241, honoring Bill Beck for his service and dedication to the City of Minneapolis, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-241
By Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden, Schiff, Remington, Benson, Colvin Roy and Hodges.

Honoring Bill Beck for his service and dedication to the City of Minneapolis.

Whereas, Bill Beck dedicated more than six years to the City of Minneapolis and is retiring from his position as Deputy Chief Information Officer and Director of Business Development in the Business Information Services Department; and

Whereas, Bill's formidable management skills led to the successful implementation of the Chief Information Officer's vision for professional project management, the outsourcing of information technology services, and Wireless Minneapolis; and

Whereas, Bill's extraordinary negotiation skills have saved the City large amounts of money and provided benefits to the community; and

Whereas, Bill and his team partnered with departments and vendors to deliver technology that meets business needs and to make on-time and on-budget the norm rather than the exception; and

Whereas, Bill successfully brought enterprise GIS to the City of Minneapolis, laying the foundation for critical and popular applications such as "Where do I park in a snow emergency" and "Where do I vote?"; and

Whereas, Bill was instrumental in the success of projects to bring Case Management technology to the Office of the City Attorney, improved Computer Aided Dispatch to Emergency Communications, and state-of-the-art software to the City's 311 service; and

Whereas, Bill approaches each challenge and new initiative with a "can do" attitude and tackles each responsibility with a sense of urgency; and

Whereas, Bill will be remembered also for his passion for motorcycles and boats, as well as his active role in the community through his involvement with his church;

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

That the City Council recognizes Bill Beck's outstanding service and excellent contributions to the City of Minneapolis.

Be It Further Resolved that we wish Bill much happiness and fulfillment in all of his new ventures.

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-242, declaring the week of May 20, 2007 as National Public Works Week, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-242
By Colvin Roy, Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden, Schiff, Remington, Benson, and Hodges

Declaring the week of May 20, 2007 as National Public Works Week.

Whereas, the United States Senate resolved in 1960 to affirm the first National Public Works Week to be held the third full week in May; and

Whereas, National Public Works Week is a celebration of men and women in North America who provide and maintain the infrastructure and services collectively known as public works; and

Whereas, the Minneapolis City Council seeks to recognize its skilled and knowledgeable Public Works employees who serve residents and other city departments every day with dedication, in the interest of the public good; and

Whereas, Public Works employees operate and maintain a safe transportation system with the City traffic signals, signage, lighting, streets, bridges, sidewalks, and a nationally recognized bicycle transit system, and

Whereas, Public Works employees operate a state-of-the-art ultrafiltration water treatment facility to provide and maintain a high quality water supply to nearly 500,000 residents in the metro area, and

Whereas, Public Works employees continue to make environmentally friendly improvements to sanitary and stormwater sewer systems; and

Whereas, Public Works employees provide the highest rated service in the most recent resident satisfaction survey – a cost-effective and efficient removal of municipal solid waste, yard waste, and recyclables; and

Whereas, Public Works employees efficiently provide equipment and property and building services and have recently played an important role in the implementation of the Leadership in Energy and Environmental Design (LEED) green building standard;

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

That the City Council acknowledges the significant daily contribution that the employees within the Public Works Department of the City of Minneapolis provide to the citizens and businesses throughout the City, during National Public Works Week.

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-243, honoring the Lake Harriet Community School Chess Club on winning the 2007 state championship, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-243
By Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden, Schiff, Remington, Benson, Colvin Roy, and Hodges

Honoring the Lake Harriet Community School Chess Club on Winning the 2007 State Championship.

Whereas, the Lake Harriet Community School Chess Club had 10 players competing at the State Chess Tournament: Sophie Breen, Peter Bertel, Wes Cannon, Will Cannon, Kai Anders-Macleod, Nathaniel Larson, Ben Lane, Louis Thompson, Isaiah Paguyo, Erik Peterson; and

Whereas, the game of chess instills patience, sportsmanship, and strategic thinking skills in participants of all ages; and

Whereas, the team is coached by Alex Adams and Jiten Patel; and

Whereas, on the weekend of April 21-22 the state tournament was held at Washburn High School with more than 440 competitors and 72 teams from throughout the State of Minnesota; and

Whereas, using openings such as Ruy Lopez, the Queen's Gambit and the Sicilian Defense; and

Whereas, in seven rounds the Lake Harriet Team earned 23 points to win the State Elementary Chess Championships ahead of the second place team from Capitol Hill in St. Paul with 21 points; and

Whereas, individual trophy winners were Isaiah Paguyo – Twin Cities' Champ, Peter Bertel – 11th place overall, Wes Cannon – 5th place, and Will Cannon – 4th place;

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

That the City of Minneapolis congratulates the Lake Harriet Chess Team for this great accomplishment by a Minneapolis Public School and commends the players and their coach for their dedication to the unique and challenging game of chess.

Adopted 5/11/2007.

Absent - Benson.

Resolution 2007R-244, congratulating the Minneapolis Southwest School Chess Team on winning its second consecutive national championship, was adopted 5/11/2007 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2007R-244
By Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden, Schiff, Remington, Benson, Colvin Roy, and Hodges

Congratulating the Minneapolis Southwest High School Chess Team on Winning its Second Consecutive National Championship.

Whereas, the members of the Southwest High School Chess Team are fostering a culture of chess in their school and community; and

Whereas, the game of chess instills patience, sportsmanship, and strategic thinking skills in participants of all ages; and

Whereas, the Southwest High School Chess Club with its 9 players: Christopher Geach, Nick Graves, Zachary Adams, Laura Howard, Claire Richards, Brian Hedberg, Evan Krause, Eric Weiner, and Elliot Altbaum won the State Championship on March 18, 2007; and

Whereas, the team is coached by Alex Adams; and

Whereas, the Southwest chess team played in the second toughest U1500 Division of the National High School Chess Championship tournament held April 13-15 in Kansas City; and

Whereas, the team inspired their classmates by again winning the national championship trophy for the school;

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

That the City of Minneapolis congratulates the Minneapolis Southwest High School chess team on winning its second consecutive national championship and commends the players and their coach for their dedication to the unique and challenging game of chess.

Adopted 5/11/2007.

Absent - Benson.

The meeting was adjourned by unanimous consent 5/11/2007.

Absent - Benson.

Merry Keefe,
City Clerk.

Unofficial Posting: 5/11/2007
Official Posting: 5/18/2007
Corrections: 8/17/2007; 11/19/2007