

**OFFICIAL PROCEEDINGS
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING
OF JANUARY 27, 2012**

(Published February 4, 2012, in *Finance and Commerce*)

Council Chamber
Room 317 City Hall
350 South 5th Street
Minneapolis, Minnesota
January 27, 2012 - 9:30 a.m.

Council President Johnson in the Chair.

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

Lilligren moved adoption of the agenda. Seconded.

Schiff moved to amend the agenda to include under "New Business" a staff direction relating to the Minneapolis Animal Care and Control Division of the Regulatory Services Department. Seconded.

Adopted upon a voice vote.

Samuels moved to amend the agenda to include under "Resolutions" a resolution honoring retiring Fire Chief Alex Jackson. Seconded.

Adopted upon a voice vote.

Lilligren moved adoption of the agenda, as amended. Seconded.

Adopted upon a voice vote 1/27/2012.

Lilligren moved acceptance of the minutes of the organization and regular meeting of January 13, 2012. Seconded.

Adopted upon a voice vote 1/27/2012.

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 1/27/2012.

PETITIONS AND COMMUNICATIONS

COMMITTEE OF THE WHOLE:

ATTORNEY (275424)

Ethics Officer Report pursuant to Minneapolis Code of Ethics, Section 15.40 (b)(4).

COMMITTEE OF THE WHOLE (See Rep):

COORDINATOR (275425)

Resolution supporting reestablishment of remittances to Somalia.

INTERGOVERNMENTAL RELATIONS (275426)

Minnehaha-Hiawatha Community Works Policy Steering Committee: Approve appointments to Council Members Colvin Roy & Schiff.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275427)

Land Sales:

3428 Cedar Ave S (to David May);

2928-18th Ave S (to Patricia Forestal-Ortiz);

1100-2nd St S (to River Road Holdings, LLC, an entity affiliated with Izzy's Ice Cream).

Grain Belt Office & Housing Parcel (1215 & 1219 Marshall St NE): Selection of Everwood Development as developer.

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275428)

Penn Avenue North Redevelopment Plan (re bounded by 33rd Ave N, 12th Ave N, Queen Ave N & Oliver & Logan Aves N).

West Broadway Hub Project (block bounded by 21st, Girard Irving Aves N & W Broadway): Modification No. 9 to West Broadway Redevelopment Plan & Modification No. 118 to the Common Plan.

Currie Park Lofts Phase I Project (15th Ave S between 4th & 6th Sts S): Preliminary approval to issue bonds & project analysis authorization for tax increment financing.

Minnesota Department of Employment & Economic Development Minnesota Investment Fund (re Unison/Greenheck Group Expansion Project, 60 - 28th Ave N): Application for equipment loan.

Wells Fargo Foundation: Acceptance of grant for Affordability Assistance Loan program.

2011 Metropolitan Council Livable Communities Demonstration Account Grants.

Upper Harbor Terminal Operating Budget for 2012.

PUBLIC SAFETY, CIVIL RIGHTS & HEALTH:

REGULATORY SERVICES (275429)

Minneapolis Animal Care & Control: Report on proposed changes to shelter and field service hours as a result of the adopted 2012 budget.

PUBLIC SAFETY, CIVIL RIGHTS & HEALTH (See Rep):

EAST GATEWAY PARTNERSHIP (275430)

Fire Chief: Comments in support of the appointment of John Fruetel as Fire Chief.

PUBLIC SAFETY, CIVIL RIGHTS & HEALTH and RE&E (See Rep):

COORDINATOR (275431)

Sustainability Indicators and Targets: Approve revisions.

PUBLIC SAFETY, CIVIL RIGHTS & HEALTH and WAYS & MEANS/BUDGET (See Rep):

FIRE DEPARTMENT (275432)

Animal Care Donations: Approve donations of dog and cat supplies for the care of animals at Minneapolis Animal Care & Control.

FIRE DEPARTMENT (275433)

Assistance to Firefighter Grant: Accept federal grant of \$308,000 from Federal Emergency Management Agency for purchase of hydraulic tool sets and training for the Fire Department; and Approve appropriation.

HEALTH AND FAMILY SUPPORT (275434)

Healthy Eating Minnesota Grant: Execute contract with Hennepin County to accept \$8,000 in support of the Food Council; and Approve appropriation.

Community Transformation Grant: Execute contract with Hennepin County to accept \$239,493 to prevent heart attacks, strokes, cancer, and other leading causes of death; and Approve appropriation.

In-Home Asthma Education and Intervention Program: Execute agreement with Minnesota Department of Health to accept \$49,980 for in-home visits to children with poorly controller asthma living in Section 8 multi-family housing in Minneapolis; and Approve appropriation.

POLICE DEPARTMENT (275435)

Minnesota Financial Crimes Task Force: Accept \$100,000 and execute grant agreement with Minnesota Department of Public Safety to support one investigator to investigate identity theft and fraud cases; and Approve appropriation.

Police K-9 Service Dogs: Execute agreement with University of Minnesota, College of Veterinary Medicine, to provide health care services for K-9 dogs.

DWI Enforcement: Execute agreement with Minnesota Bureau of Criminal Apprehension to accept two breath testing instruments.

Data Search Services: Execute contract with West Publishing Corporation - West Government Services to provide access to database searches for the Police Department for investigative purposes during calendar year 2012.

REGULATORY, ENERGY AND ENVIRONMENT (See Rep):

LICENSES AND CONSUMER SERVICES (275436)

Butcher & The Boar, 1121 Hennepin Ave: Grant On-Sale Liquor Class B with Sunday Sales License.

Harriet Brewing Company, 3036 Minnehaha Ave: Grant On-Sale Liquor Class C-1 (Brewer Taproom) License.

Tao Natural Foods, 2200 Dupont Ave S: Grant On-Sale Wine Class E with Strong Beer License.

LICENSES AND CONSUMER SERVICES (275437)

Licenses: Grant applications recommended for approval.

LICENSES AND CONSUMER SERVICES (275438)

The Brick, 111 5th St N: Grant On-Sale Liquor Class A with Sunday Sales License.

Camden Grocery & Tobacco, 4151 Fremont Ave N: Approve Business License Operating Conditions relating to Grocery License.

North Loop Wine and Spirits, 218 Washington Ave N: Approve License Settlement Conference recommendations relating to Off-Sale Liquor License.

REGULATORY SERVICES (275439)

Northern Metals LLC, 2800 Pacific St N: Approve submission of comments to Minnesota Pollution Control Agency relating to Draft Air Emission Permit No 05300480-003 with regard to proposed feedstock changes and increased emission limits at its Pacific Street scrapyard.

REGULATORY SERVICES (275440)

Rental Dwelling License at 3028 Cedar Ave S: Revoke license held by Aray, LLC - Samnira and Hamoudi Sabri.

REGULATORY SERVICES (275441)

Rental Dwelling License at 2717 18th Ave S: Revoke license held by Khatra Yusuf and Construction Consultant Minneapolis, Metro.

REGULATORY SERVICES (275442)

Rental Dwelling License at 804-06 Oliver Ave N: Revoke license held by Mitchell B. Austin.

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

REGULATORY SERVICES (275443)

Lead Analytical Services: Increase contract with Medtox Laboratories Inc and extend the contract through July 1, 2012 for laboratory services; and Issue Request for Proposals for lead analytical services for lead in dust wipe, soil, paint chips, and water.

Conversion Inspection Requirements: Ordinance amending point-of-conversion inspection requirements by reducing the fee charged provided the rental property owner attends a recognized course in the fundamentals of rental property management.

Administrative Fine Schedule: Amend the fine schedule to increase the base fine amount for violations of a provision of Title 12 of the Minneapolis Code of Ordinances from \$200 to \$250.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (275444)
36th St & W River Rd Stormwater Outfall: Update.
Traffic Zones, Restrictions, and Controls: 4th Quarter 2011 report.
2011 City of Minneapolis Bicycling Account: 2011 accomplishments.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET:

PUBLIC WORKS AND ENGINEERING (275446)
Nicollet Ave Reconstruction & Street Lighting Project No 6713: Project approval and assessment public hearing.
Waste Disposal Services: Contract renewal with Hennepin County.
Pioneers & Soldiers Memorial Cemetery Fence Restoration Project: a) Accept \$20,000 grant from American Express Partners in Preservation Program, and increase appropriation; and b) Increase contract with Terra General Contractors.
Bike Walk Ambassador Program: Increase contract to reflect receipt of federal grant; increase appropriation.
Amendments to 2012 Capital Budget Paving Program and Report of Projects proposed with Expanded Program.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (275445)
Special Service Districts: Extend management agreement with Urban Works, Inc.
Riverside Ave Street Reconstruction and Street Lighting Projects No 6746, Phase 2: Project designation.
1st St S Street Resurfacing Project No 5233: Project designation.
11th Ave S Street Resurfacing Project No 5232: Project designation.
39th St W Street Resurfacing Project No 5227: Project designation.

WAYS AND MEANS BUDGET:

ATTORNEY (275447)
Public Hearing to receive comments on proposed appointments to the Ethical Practices Board.
ETHICAL PRACTICES BOARD (275448)
2011 Annual Report of the Minneapolis Ethical Practices Board.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (275449)
Legal Settlements:
Peloquin Lee LLC v. City of Minneapolis
Joseph McClennon v. Matthew Alan Kipke et al
BUSINESS INFORMATION SERVICES (BIS) (275450)
Civil Rights Contract Compliance Data Management System: Execute contract with B2Gnow/AskReply Inc.
EXECUTIVE COMMITTEE (275451)
2011 Pay Equity Implementation Report: Direct staff to submit report to the Minnesota Department of Management and Budget.
Ratify collective bargaining agreements between the City of Minneapolis and:
a) International Union of Operating Engineers, Local 49;
b) Teamsters Local 320, Convention Center Unit.
HUMAN RESOURCES (275452)
Medical Plan Options for Medicare Eligible Retirees: Execute contracts with HealthPartners, Medica and Ucare.

MAYOR (275453)

Accept \$50,000 grant from The Minneapolis Foundation for efforts focused on youth and learning.

ZONING AND PLANNING (See Rep):

HERITAGE PRESERVATION COMMISSION (275454)

Historic Variances:

Application by Minnesota African American Museum and Cultural Center - Amos B. Coe House (1700 3rd Ave S)

COA Appeals:

Daniel Oberpriller of CPM Development, LLC (401 8th Ave SE & 414 7th Ave SE)

Daniel Oberpriller of CPM Development, LLC (414 7th Ave SE)

PLANNING COMMISSION/DEPARTMENT (275455)

Environmental Assessment Worksheet determination:

Linden Corner (4242, 4246, 4246 1/2, 4250 and 4264 Upton Ave S)

The following reports were signed by Mayor Rybak on January 31, 2012, 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 reports:

Comm of the Whole - Your Committee, having under consideration appointments to the Minnehaha-Hiawatha Community Works Policy Steering Committee, now recommends the appointment of Council Members Sandy Colvin Roy and Gary Schiff.

Adopted 1/27/2012.

Comm of the Whole - Your Committee, having under consideration remittances to Somalia, now recommends passage of the accompanying resolution supporting reestablishment of those remittances.

Adopted 1/27/2012.

Resolution 2012R-014, supporting the reestablishment of remittances to Somalia, was adopted 1/27/2012 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 2012R-014

**By Lilligren, Schiff, Gordon, Reich, Hofstede, Johnson,
Samuels, Goodman, Glidden, Tuthill, Quincy, Colvin Roy, Hodges**

Supporting the Somali-American Communities' Ability to Continue Remittances to the Horn of Africa.

Whereas, Minneapolis is proud to be home of the largest concentration of Somali-Americans in the United States; and

Whereas, Minneapolis recognizes the strong bond between its residents here and their loved ones in the Horn of Africa; and

Whereas, millions of Somalis rely on remittances from the diaspora as their only means of income and support; and

Whereas, Somalia lacks any functioning banking system and is currently suffering the most severe famine on Earth since 1984; and

Whereas, the majority of remittances are small amounts of money sent to family and friends; and
Whereas, Somali-American money transfer businesses are not accused of breaking any city, state or federal laws; and

Whereas, the Somali-American community in Minneapolis cooperates with law enforcement and strongly denounces terrorism; and

Whereas, the Somali community in Minneapolis provides significant financial support to their relatives in Somalia that provide basic needs like food, shelter, clothing and education; and

Whereas, the halting of those funds causes great hardship to many people in need in Somalia;

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

That we stand shoulder to shoulder with our Somali-American colleagues, neighbors and constituents in their desire to support their loved ones in the Horn of Africa and across the globe.

Be It Further Resolved that we strongly urge all concerned parties to find an amicable solution that facilitates the normal flow of remittances without compromising the safety and security of the United States.

Adopted 1/27/2012.

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 3428 Cedar Ave S to David May for \$5,000, subject to the following conditions:

- a) Land sale closing must occur no later than April 15, 2012;
- b) Payment of holding costs of \$300 per month (or portion thereof) if land sale closing does not occur on or before the closing deadline.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 1/27/2012.

Resolution 2012R-015, authorizing sale of land Vacant Housing Disposition Parcel No VH-422 at 3428 Cedar Ave S, was adopted 1/27/2012 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 2012R-015

By Goodman

Authorizing sale of land Vacant Housing Disposition Parcel No VH-422 at 3428 Cedar Avenue South.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel VH-422, in the Powderhorn Park neighborhood, from David May, hereinafter known as the Redeveloper, the Parcel VH-422, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of VH-422; 3428 Cedar Avenue South: Lot 8, Block 1, Monroe Bros. Addition to Minneapolis, Hennepin County, Minnesota; and

Whereas, the Redeveloper has offered to pay the sum of \$5,000, for Parcel VH-422 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

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

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on January 6, 2012, a public hearing on the proposed sale was duly held on January 17, 2012, at the regularly scheduled

Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Vacant Housing plan, as amended, is hereby estimated to be the sum of \$5,000 for Parcel VH-422.

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

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur no later than April 15, 2012 and 2) payment of holding costs of \$300.00 per month (or portion thereof) if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

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

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

Adopted 1/27/2012.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 2928 - 18th Ave S to Patricia Forestal-Ortiz for \$600, subject to the following conditions:

- a) Land sale closing must occur on or before 90 days from date of City Council approval;
- b) Payment of holding costs of \$300 per month (or portion thereof) from the date of City Council approval to the date of closing if land sale closing does not occur on or before the closing deadline;
- c) A conservation easement will be placed on the parcel to preserve its use as green space.

Sale conditions "a" and "b" may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 1/27/2012.

Resolution 2012R-016, authorizing Sale of Land Disposition Parcel No. MC 267-16 at 2928 18th Ave S, was adopted 1/27/2012 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 2012R-016
By Goodman

Authorizing Sale of Land Disposition Parcel No. MC 267-16 at 2928 18th Ave S.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase Disposition Parcel MC 267-16, in the East Phillips neighborhood, from Patricia Forestal-Ortiz, hereinafter known as the Purchaser, Parcel MC 267-16, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of MC 267-16; 2928 18th Avenue South: Lot 1, Block 3, Belle Plain Addition to Minneapolis. Also that part of Niagara Street as originally platted in Heatons Addition to Minneapolis described as follows: Beginning at the Northeast corner of Lot 1, Block 1, Dorsey's Addition to Minneapolis running thence West on North line of said Lot 1 to the Northwest corner of said Lot 1; thence

at right angles North 30 feet; thence at right angles East to a point North of the 30 feet distant from point of beginning; thence at right angles South to place of beginning; and

Whereas, the Purchaser has offered to pay the sum of \$600 to the City for Parcel MC 267-16; and

Whereas, the City has determined the offer of \$600 to be in accordance with the re-use value reviewed by an appraisal expert, and consistent with the City's accepted methods in determining re-use values; and

Whereas, the City's Real Estate Disposition Policy provided in Section 2.2.13 for the sale of land for sideyard; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on January 6, 2012, a public hearing on said proposal and proposed sale and the provisions thereof, was duly held on January 17, 2012, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for Parcel MC 267-16 is hereby estimated to be the sum of \$600.

Be It Further Resolved that the acceptance of the offer and Purchaser's proposal is hereby determined to be in accordance with the City's approved disposition policy.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the following conditions; 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City; 2) payment of holding costs of \$300.00 per month (or portion thereof) if the land sale closing does not occur on or before the closing deadline; and 3) a conservation easement will be placed on the parcel to preserve its use as green space.

Be It Further Resolved that the sale conditions 1 and 2 described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

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

Adopted 1/27/2012.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 1100 - 2nd St S for \$437,850 to River Road Holdings, LLC, an entity affiliated with Izzy's Ice Cream, for development of an ice cream making facility, administrative office and retail outlet.

Further, that the proper City officers be authorized to enter into a redevelopment contract and related documents in accordance with the terms set forth in the Department of Community Planning & Economic Development staff report, including the Term Sheet.

Adopted 1/27/2012.

Resolution 2012R-017, authorizing sale of land Industry Square Redevelopment Project Disposition Parcel No. Outlot C at 1100 2nd St S, was adopted 1/27/2012 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 2012R-017

By Goodman

Authorizing sale of land Industry Square Redevelopment Project Disposition Parcel No. Outlot C at 1100 2nd Street South.

Whereas, the City of Minneapolis (the City) has received an offer to purchase and develop Disposition Parcel Outlot C (Outlot C), in the Downtown East neighborhood, from River Road Holdings, LLC (the Redeveloper), Outlot C being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of Outlot C; 1100 2nd Street South: That part of Outlot C, Eleventh Avenue 2nd Addition[, to be replatted as Lot 1, Block 1, Eleventh Avenue 3rd Addition], Hennepin County,

Minnesota, which lies above, but not below, a horizontal plane having an elevation of 790 feet above sea level according to the National Geodetic Datum 1929 Adjustment; and

Whereas, the Redeveloper has offered to pay the sum of \$437,850 to the City for Outlot C and the Redeveloper's proposal is in accordance with the Industry Square Redevelopment Plan, as amended; and

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

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on January 6, 2012, a public hearing on the proposed sale was duly held on January 17, 2012, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Industry Square Redevelopment Plan, as amended, is hereby estimated to be the sum of \$437,850 for Outlot C.

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

Be It Further Resolved that, to the extent the permitted uses and other land use requirements in the Redevelopment Plan, as amended, are inconsistent with the current zoning and land use controls, it is in the best interests of the Project and the City and will contribute to achievement of the objectives of the Redevelopment Plan to apply current official controls.

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

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

Adopted 1/27/2012.

Comm Dev - Your Committee, having under consideration the Request for Proposals for developers for the housing parcel and office building at the Grain Belt Marshall Street site, now recommends:

a) Approval of the selection of Everwood Development as the developer of the Grain Belt Housing Parcel (1219 Marshall St NE) and the Grain Belt Office Building (1215 Marshall St NE) and granting of 12-month development rights for both parcels, with a possible extension of up to 6 months approvable by administrative action;

b) That the proper City officers be authorized to negotiate the terms for contracts for redevelopment and sale of land with Everwood Development or its affiliates.

Adopted 1/27/2012.

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

Comm Dev & W&M/Budget – Your Committee, having under consideration the Penn Avenue North Redevelopment Plan which establishes the Penn Avenue North Redevelopment Project as part of the City's overall strategy for responding to the damage caused by the tornado that struck north Minneapolis

(for the area bounded generally by 33rd Ave N, 12th Ave N, Queen Ave N and Oliver & Logan Aves N), now recommends passage of the accompanying resolution approving said Plan.

Adopted 1/27/2012.

Resolution 2012R-018, approving the Penn Avenue North Redevelopment Plan, was adopted 1/27/2012 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 2012R-018
By Goodman and Hodges**

Approving the Penn Avenue North Redevelopment 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 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 caused to be prepared, and this Council has investigated the facts with respect to, the Penn Avenue North Redevelopment Plan (the "Plan"). The Plan creates a new redevelopment project area (the "Project Area"), states the City's objectives, describes proposed development activity, indicates a description of proposed land uses, and identifies property that may be acquired by the City to facilitate redevelopment of the Project Area, 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 Plan, including, but not limited to, a review of the proposed Plan by the affected neighborhood groups and the City Planning Commission, and the holding of a public hearing after published notice as required by law.

Section 2. Findings

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

2.2. The Council further finds, determines and declares that the land in the Project Area would not be redeveloped by private enterprise or made available for redevelopment without the financial aid and public assistance identified in the Plan or to be sought after approval of the Plan.

2.3. The Council further finds, determines and declares that the Plan will afford maximum opportunity, consistent with the sound needs of the city as a whole, for the redevelopment of the Project Area by private enterprise.

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

2.5. The Council further finds, determines and declares that the Penn Avenue North Redevelopment Project is a redevelopment project pursuant to Minnesota Statutes, Section 469.002, Subdivisions 14 and 16 and that the Project Area is a "blighted area" pursuant to Minnesota Statutes, Section 469.002, Subdivision 11.

2.6. The Council further finds, determines and declares that the reasons and facts supporting the findings in this Resolution are described in the Plan.

2.7. 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 Plan.

Section 3. Approval of the Plan

3.1. Based upon the findings set forth in Section 2 hereof, the Plan presented to the Council on this date is hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plan

4.1. After passage and publication of this Resolution, 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 Plan, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further modifications, plans, resolutions, documents and contracts necessary for this purpose.

Adopted 1/27/2012.

Comm Dev & W&M/Budget – Your Committee, having under consideration Modification No. 9 to the West Broadway Redevelopment Plan and Modification No. 118 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan which adds parcels to the list of property that may be acquired and updates the land use map, provisions and requirements to facilitate site assembly for a project by Ackerberg Group (West Broadway Hub project), with the sole tenant being Hennepin County, to be located on the block bounded by 21st Ave N, Girard Ave N, W Broadway Ave and Irving Ave N within the West Broadway Redevelopment Project, now recommends denial of the staff recommendation to adopt a resolution approving said Modifications.

Adopted 1/27/2012.

Comm Dev & W&M/Budget - Your Committee, having under consideration the Currie Park Lofts Phase I Project, a development proposed by Currie Park Developments, LLC, an affiliate of Fine Associates, LLC, for a 256-unit mixed income housing project at 515 15th Ave S between 4th and 6th Sts S, now recommends:

- a) Passage of the accompanying resolution giving preliminary approval to the issuance of up to \$27,000,000 of Tax-Exempt Multi-family Housing Entitlement Revenue Bonds for said project; and
- b) That the proper City officers be directed and authorized to continue analysis of said project proposal to determine if tax increment financing (TIF) assistance is appropriate and justifiable; negotiate the terms and conditions of a redevelopment contract with Currie Park Developments, LLC or an affiliated entity; and prepare redevelopment and TIF plans for the project as needed. All such terms and conditions, plans, and other provisions would be subject to City Council review, discussion, and approval or denial.

Adopted 1/27/2012.

Resolution 2012R-019, giving preliminary approval to the issuance of tax-exempt multifamily housing revenue bonds under Minnesota Statutes, Chapter 462C, for the purpose of financing a housing program consisting of the acquisition and construction of a multifamily rental housing development at 515 15th Ave S between 4th and 6th Sts S, for the benefit of Currie Park Developments, Limited Partnership, a Minnesota limited partnership, was adopted 1/27/2012 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 2012R-019
By Goodman and Hodges**

Giving preliminary approval to the issuance of tax-exempt multifamily housing revenue bonds under Minnesota Statutes, Chapter 462C, for the purpose of financing a housing program consisting of the acquisition and construction of a multifamily rental housing development for the benefit of Currie Park Developments, Limited Partnership, a Minnesota limited partnership.

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

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

Whereas, representatives of Currie Park Developments, Limited Partnership, a Minnesota limited partnership, its affiliates or assigns (the "Borrower"), have requested that the City adopt a multifamily housing development program (the "Program") to provide for the issuance of tax-exempt multifamily housing revenue bonds in an aggregate principal amount of approximately \$27,000,000 (the "Bonds") for the purpose of loaning the proceeds thereof to the Borrower to finance the acquisition and construction of an approximately 270-unit multifamily rental housing development and facilities functionally related and subordinate thereto, located at 15th Avenue South, between 4th and 6th Streets South in the City, to be owned by Borrower (the "Project"). A parking ramp -financing is available to pay the capital costs of the Project only on a limited basis and at such high costs of borrowing that the scope of the Project and the economic feasibility of its operations would be significantly affected; and

Whereas, the United States Department of the Treasury has promulgated final regulations governing the use of the proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City or a borrower from the City for project expenditures paid prior to the date of issuance of such bonds. Those regulations, Treasury Regulations, Section 1.150-2 (the "Regulations"), require that the City adopt a statement of official intent to reimburse an original expenditure not later than sixty (60) days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and the reimbursement allocation made from the proceeds of the bonds occur within eighteen (18) months after the later of: (i) the date the expenditure is paid; or (ii) the date the project is placed in service or abandoned, but in no event more than three (3) years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds; and

Whereas, the City reasonably expects to reimburse the Borrower for the expenditures made for costs of the Project from the proceeds of the Bonds after the date of payment of a portion of the costs of the Project. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the Bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations and also qualifying expenditures under the Act; and

Whereas, based on representations by the Borrower, no expenditures for the Project have been made by the Borrower more than sixty (60) days before the date of adoption of this resolution other than: (i) expenditures to be paid or reimbursed from sources other than the Bonds; (ii) expenditures permitted to be reimbursed under prior regulations pursuant to the transitional provision contained in Section 1.150-2(j)(2)(i)(B) of the Regulations; (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations; or (iv) expenditures in a "de minimus" amount (as defined in Section 1.150-2(f)(1) of the Regulations); and

Whereas, based on representations by the Borrower, as of the date hereof, there are no funds of the Borrower reserved, allocated on a long term-basis, or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside) to provide permanent financing for the expenditures related to the Project to be financed from proceeds of the Bonds, other than pursuant to the issuance of the Bonds. This resolution, therefore, is determined to be consistent with the budgetary and financial circumstances of the Borrower as they exist or are reasonably foreseeable on the date hereof; and

Whereas, the Bonds shall not constitute debt of the City within the meaning of any state constitutional provision or statutory limitation, the Bonds shall not constitute general or moral obligations of the City or give rise to a charge against the general credit or taxing powers of the City, the Bonds shall not constitute or give rise to a pecuniary liability of the City, and the Bonds shall be payable solely out of any funds and properties expressly pledged as security therefor;

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

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

Be It Further Resolved that the issuance of the Bonds pursuant to the Program in an aggregate principal amount of approximately \$27,000,000 is hereby preliminarily approved.

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

Be It Further Resolved that this resolution shall constitute an official intent to reimburse original expenditures with respect to the Project paid on or after the date sixty (60) days prior to the date of adoption of this resolution.

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

Adopted 1/27/2012.

Comm Dev & W&M/Budget – Your Committee, recommends that the proper City officers be authorized to apply for and accept an award from the Minnesota Department of Employment and Economic Development Minnesota Investment Fund for a \$500,000 equipment loan related to the Unison/Greenheck Group expansion project at 60 - 28th Ave N, and to execute any necessary agreements to implement the transactions described in the Department of Community Planning & Economic Development (CPED) staff report.

Your Committee further recommends passage of the accompanying resolution increasing the CPED appropriation to reflect the receipt of said grant funds subject to loan approval.

Adopted 1/27/2012.

**RESOLUTION 2012R-020
By Goodman and Hodges**

Amending the 2012 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the Department of Community Planning and Economic Development Agency in the Grants Other Fund (01600-8900320) by \$500,000 and increasing the revenue budget (01600-8900900-321515) by \$500,000.

Adopted 1/27/2012.

Comm Dev & W&M/Budget - Your Committee, having under consideration receipt of grant funds from Wells Fargo Foundation and approval of a loan program, now recommends:

- a) That the proper City officers be authorized to accept a grant from Wells Fargo Foundation in the amount of \$100,000 for the City's Minneapolis Advantage Program;
- b) Approval of Guidelines for the Wells Fargo Foundation funded Affordability Assistance Loan;
- c) Passage of the accompanying resolution increasing the CPED appropriations to reflect the receipt of said grant funds; and
- d) That the proper City officers be authorized to amend the Community Reinvestment Fund contract to add \$20,000 to cover servicing costs.

Adopted 1/27/2012.

**RESOLUTION 2012R-021
By Goodman and Hodges**

Amending the 2012 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 Department of Community Planning and Economic Development (CPED) Agency revenue budget in the Grants Other Fund (01600-8900900-321404) by \$100,000;
- b) Increasing the appropriation in the CPED Agency Grants Other Fund (01600-8900000-8900220) by \$100,000; and
- c) Increasing the appropriation in the CPED Agency Residential Finance Fund (01SRF-08900000-8900220) by \$100,000 from available fund balance.

Adopted 1/27/2012.

Comm Dev & W&M/Budget – Your Committee, having under consideration receipt of Metropolitan Council Livable Communities Demonstration Account (LCDA) grant awards, now recommends that the proper City officers be authorized to accept and appropriate awards of \$488,170 for the Emanuel Housing project, \$400,000 for the ArtCube/Artspace project, \$433,771 for the Currie Park Lofts project, and \$100,000 in pre-development funds for the West Bank Station Development Parcel project, and to execute grant and sub-recipient agreements and any agreements as may be necessary to implement the LCDA grants with the Metropolitan Council, RS Eden, Artspace, Fine Associates (or affiliated entities).

Your Committee further recommends passage of the accompanying resolution increasing the Department of Community Planning & Economic Development appropriation to reflect the receipt of said grant funds.

Adopted 1/27/2012.

**RESOLUTION 2012R-022
By Goodman and Hodges**

Amending the 2012 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

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

a) Increasing the appropriation in the Department of Community Planning and Economic Development Agency in the Grants Other Fund (01600-8900220) by \$1,321,941 (\$488,170 for the Emanuel Hosing project; \$400,000 for the ArtCube/Artspace project; and \$433,771 for the Currie Park Lofts project);

b) Increasing the appropriation in the CPED Grants Other Fund (01600-8900320) by \$100,000 (West Bank Station Development Parcel project); and

c) Increasing the CPED revenue budget in the Grants Other Fund (01600-8900900-321513) by \$1,421,941.

Adopted 1/27/2012.

Comm Dev & W&M/Budget - Your Committee recommends approval of the Upper Harbor Terminal Operating Budget for 2012, as set forth in the Department of Community Planning & Economic Development report.

Adopted 1/27/2012.

The PUBLIC SAFETY, CIVIL RIGHTS & HEALTH Committee submitted the following report:

PSC&H - Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the appointment of John Fruetel to serve as Fire Chief for a term beginning March 1, 2012, now recommends approval of said appointment.

Adopted 1/27/2012.

The PUBLIC SAFETY, CIVIL RIGHTS & HEALTH and REGULARY, ENERGY & ENVIRONMENT Committees submitted the following report:

PSC&H & RE&E – Your Committee, having under consideration revisions to the City's Sustainability Indicators and Targets (Petn No 275431), now recommends passage of the accompanying resolution, as follows:

PSC&H - approving revisions as recommended by staff, including the following change to the Employment and Poverty Indicator Targets:

Work toward eliminating race/ethnicity disparities in unemployment for Minneapolis residents with a benchmark of a 25% reduction by 2016.

Work toward eliminating race/ethnicity disparities in poverty rate for Minneapolis residents by reducing the percentage of Minneapolis minority residents living in poverty by 25% by 2016.

RE&E – approving revisions as recommended by staff.

Samuels moved that the report be amended to approve the Public Safety, Civil Rights & Health Committee recommendation and to delete the Regulatory, Energy & Environment Committee recommendation. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 1/27/2012.

Resolution 2012R-023, amending Resolution 2009R-471 entitled "Adopting the Minneapolis Sustainability Indicators", passed October 16, 2009 relating to Sustainability Indicators and Approving Revisions to Sustainability Targets, was adopted 1/27/2012 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 2012R-023
By Samuels and Glidden**

Amending Resolution 2009R-471 entitled "Adopting the Minneapolis Sustainability Indicators", passed October 16, 2009 relating to Sustainability Indicators and Approving Revisions to Sustainability Targets.

Whereas, City Council Resolution 2003R-133 called for the creation of a Minneapolis Sustainability Plan that will embrace and enhance ongoing environmental initiatives and help coordinate the City's planning, policymaking, and budget process in a more coherent whole, and further specified that the Plan will help integrate the three E's – Environment, Economy, and Equity (including social justice) into City operations; and

Whereas, City Council Resolution 2005R-251 adopted Sustainability Indicators based on community involvement of over 100 City residents, City staff, and community leaders; and

Whereas, some of the Sustainability Indicators and Targets were revised in 2007 and new Indicators were added in 2008 and 2009 relating to Green Jobs and Local Foods; and

Whereas, the City Council has adopted numerical targets for most of the 26 Sustainability Indicators in order to provide transparency on progress towards our sustainability goals; and

Whereas, the City annually releases its Sustainability Report and Greenprint Report based on these Indicators and Targets and it is appropriate that there be an evaluation of the Sustainability Indicators and Targets; and

Whereas, City staff, the Citizens Environmental Advisory Committee, the Tree Advisory Committee and the Bicycle Advisory Committee have recommended approval of changes to the Sustainability Indicators and Targets;

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

That Sustainability Indicators relating to Stormwater, Healthy Lakes, Waste Reduction and Recycling, Part I Violent Crimes, and Community Engagement, Arts and the Economy be approved.

Be It Further Resolved that Sustainability Targets relating to Lead Poisoning, Climate Change, Renewable Energy, Air Quality, Tree Canopy, Biking, Stormwater, Healthy Lakes, Waste Reduction and Recycling, Part I Violent Crimes, Community Engagement and Arts and the Economy, and Employment and Poverty be amended, as fully set forth in Petn No 275431 on file in the Office of the City Clerk.

Adopted 1/27/2012.

The PUBLIC SAFETY, CIVIL RIGHTS & HEALTH and WAYS & MEANS/BUDGET Committees submitted the following reports:

PSC&H & W&M/Budget - Your Committee, having under consideration the Healthy Eating Minnesota Grant Program which supports the goals of increasing access to healthy foods, now recommends that the proper City officers be authorized to execute a contract with Hennepin County to accept \$8,000 in grant funds to provide support for the Food Council. Further, passage of the accompanying resolution appropriating \$8,000 to the Department of Health & Family Support.

Adopted 1/27/2012.

**RESOLUTION 2012R-024
By Samuels and Hodges**

Amending The 2012 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Department of Health & Family Support Agency in the Grants –Other Fund (01600-8600120) by \$8,000 and increasing the revenue estimate (01600-8600120-372001) by \$8,000.

Adopted 1/27/2012.

PSC&H & W&M/Budget - Your Committee, having under consideration the Community Transformation Grant which focuses on tobacco-free living, active living and healthy eating, and the prevention and control of high blood pressure and high cholesterol, now recommends that the proper City officers be authorized to execute a contract with Hennepin County to accept \$239,493 for the first year of a five-year federal grant to provide funds to prevent heart attacks, strokes, cancer, and other leading causes of death or disability through evidence and practice-based policy, environmental, and infrastructure strategies, and strategies that improve access to programs and improve health. Further, passage of the accompanying resolution appropriating \$239,493 to the Department of Health & Family Support.

Adopted 1/27/2012.

**RESOLUTION 2012R-025
By Samuels and Hodges**

Amending The 2012 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Department of Health & Family Support Agency in the Grants – Federal Fund (01300-8600120) by \$239,493 and increasing the revenue estimate (01300-8600120-321007) by \$239,493.

Adopted 1/27/2012.

PSC&H & W&M/Budget - Your Committee, having under consideration the provision of an In-Home Asthma Education Program, now recommends that the proper City officers be authorized to execute an agreement with the Minnesota Department of Health to accept \$49,980 in federal grant funds to provide home visits to children with poorly controlled asthma living in Section 8 multi-family housing in Minneapolis, and provide interventions for environmental triggers of asthma, along with data collection on the effectiveness of the interventions. Further, passage of the accompanying resolution appropriating \$49,980 to the Department of Health & Family Support.

Adopted 1/27/2012.

**RESOLUTION 2012R-026
By Samuels and Hodges**

Amending The 2012 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Department of Health & Family Support Agency in the Grants – Federal Fund (01300-8600123) by \$49,980 and increasing the revenue estimate (01300-8600123-321008) by \$49,980.

Adopted 1/27/2012.

PSC&H & W&M/Budget - Your Committee, having under consideration the City's participation in the Minnesota Financial Crimes Task Force, now recommends that the proper City officers be authorized to accept \$100,000 and execute a grant agreement with the Minnesota Department of Public Safety, Bureau of Criminal Apprehension, to provide funds to the Police Department to support one investigator for a two-year period to investigate identity theft and cases of fraud. Further, passage of the accompanying resolution appropriating \$100,000 to the Police Department.

Adopted 1/27/2012.

**RESOLUTION 2012R-027
By Samuels and Hodges**

Amending The 2012 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants – Other Fund (01600-4003100) by \$100,000 and increasing the revenue estimate (01600-4003100-321509) by \$100,000.

Adopted 1/27/2012.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a contract with the University of Minnesota, College of Veterinary Medicine, in the amount of \$35,000, to provide health care for the Police Department's K-9 service dogs.

Adopted 1/27/2012.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute an agreement with the Minnesota Department of Public Safety, Bureau of Criminal Apprehension, for the Police Department to accept two breath testing instruments from the BCA, valued at \$6,200 each, for DWI enforcement.

Adopted 1/27/2012.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a contract with West Publishing Corporation – West Government Services, in an amount not to exceed \$50,000, to provide access to database searches for the Police Department for investigative purposes during calendar year 2012.

Adopted 1/27/2012.

PSC&H & W&M/Budget - Your Committee, having submitted an application to the Assistance to Firefighters Grant Program seeking Fiscal Year 2011 funding to purchase up to 10 hydraulic tool sets for the Fire Department, now recommends that the proper City officers be authorized to accept the grant awarded from the Federal Emergency Management Agency of which the federal share is 80% or \$308,000 of the approved amount and the local share is 20% or \$77,000. Further, passage of the accompanying resolution appropriating \$308,000 to the Fire Department.

Adopted 1/27/2012.

**RESOLUTION 2012R-028
By Samuels and Hodges**

Amending The 2012 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Fire Department Agency in the Grants – Federal Fund (01300-2800700) by \$308,000 and increasing the revenue source (01300-2800700-321015) by \$308,000.

Adopted 1/27/2012.

PSC&H & W&M/Budget - Your Committee passage of the accompanying resolution approving donations of dog and cat supplies for the care of animals at Minneapolis Animal Care & Control.
Adopted 1/27/2012.

RESOLUTION 2012R-029
By Samuels and Hodges

Approving donations of dog and cat supplies for the care of animals at Minneapolis Animal Care & Control.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set forth below to the city:

- a) Amber Johnson: 13 Kongs (dog enrichment toys), 2 x 64 oz box meaty bone dog treats, 2 x 15 oz box milk bone crunchy dog treat, 2 x 19 oz box milk bone gravy bones, and 1 box 32 oz Alpo dog snaps.
- b) Jon E. Huber: 31.1 lb bag Beneful dog food, 10 lb milk bones dog treats, 1 dual action flea and tick collar, 12.5 oz can Blue brand wet dog food, 6 oz bag Nutro Natural choice dog treats.
- c) Mary Wick: 1 bottle brush (to clean Kong toys).
- d) Mary Britton Clouse: 2 Chicken Run Rescue 2012 calendars.
- e) Mirium Segal: 3 containers cat litter, 3 food/water dishes, 2 cat litter boxes.
- f) H.A. Pafford: 5 fleece blankets and bath towels.

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the City in providing animal care and meeting our goals of responsible pet ownership, as allowed by law; and

Whereas, the City Council finds that it is appropriate to accept the donations offered;

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

That the donations described above are accepted and shall be used for the animals cared for at Minneapolis Animal Care and Control.

Adopted 1/27/2012.

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

RE&E - Your Committee, having under consideration the application of F & B Associates of Minnesota LLC, dba The Brick, 111 5th St N, for an On-Sale Liquor Class A with Sunday Sales License (new business) to expire January 1, 2013, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 1/27/2012.

RE&E - Your Committee, having under consideration the application of Hennepin Ave Restaurant LLC, dba Butcher & The Boar, 1121 Hennepin Ave, for an On-Sale Liquor Class B with Sunday Sales License (new business) to expire January 1, 2013, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Further, that staff be directed to work with the business owner to develop license conditions reflecting parameters for the outdoor patio area, to be reviewed at the Committee of the Whole Meeting.

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

Adopted by unanimous consent.

RE&E - Your Committee, having under consideration the application of Hennepin Ave Restaurant LLC, dba Butcher & The Boar, 1121 Hennepin Ave, for an On-Sale Liquor Class B with Sunday Sales

License, and having held a public hearing thereon, now recommends passage of the accompanying resolution granting said license, subject to conditions.

Adopted 1/27/2012.

Approved by Mayor Rybak 1/30/2012.

(Published 2/1/2012)

Resolution 2012R-030, granting the application of Butcher & The Boar, 1121 Hennepin Ave, for an On-Sale Liquor Class B with Sunday Sales License, subject to conditions, was adopted 1/27/2012 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 2012R-030

By Glidden

Granting the application of Butcher & The Boar, 1121 Hennepin Ave, 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 Hennepin Ave Restaurant LLC, dba Butcher & The Boar, 1121 Hennepin Ave, for an On-Sale Liquor Class B with Sunday Sales License (new business) to expire January 1, 2013, subject to the following conditions:

1. Butcher & The Boar shall not provide music and/or amplified sound in the outdoor patio later than 10:00 p.m. daily.

2. Butcher & The Boar shall meet with a representative of the City's Environmental Management Division prior to operating the outdoor patio to undergo a sound/noise evaluation to review strategies to determine and minimize unwanted sound emanating from the outdoor patio.

3. Butcher & The Boar shall implement reasonable strategies recommended by Environmental Management prior to operating the outdoor patio to avoid potential violations of the City's noise ordinance and to minimize unwanted noise prior to opening the outdoor patio for business.

4. Butcher & The Boar shall not allow any patrons or staff to occupy the outdoor patio one-half hour before the restaurant closes on a daily basis.

5. Butcher & The Boar shall offer food service in the outdoor patio during a substantial portion of the hours of operation. Food service may consist of less than the full menu, but shall at all times offer a substantial choice of main courses, other food items, and non-alcoholic beverages.

6. Butcher & The Boar shall monitor the outdoor patio to ensure guests are not becoming boisterous and that patrons are contained within the boundaries of the outdoor patio.

7. Butcher & The Boar shall monitor the front sidewalk to assist in crowd dispersal and to prevent loitering.

8. Butcher & The Boar shall post signs near all exits reminding patrons to be respectful of neighbors when leaving the premises.

9. Butcher & The Boar shall at all times keep an accurate occupancy count of both the interior of the premises and the outdoor patio and immediately share such figures upon the request to any official of the City of Minneapolis. Butcher & The Boar shall not allow more than 202 patrons inside of the establishment or more than 251 patrons in the outdoor patio.

10. Butcher & The Boar shall comply with all aspects of the Police Department security plan review at all times.

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

Adopted 1/27/2012.

Approved by Mayor Rybak 1/27/2012.

RE&E - Your Committee, having under consideration the application of Harriet Brewing Company LLC, dba Harriet Brewing Company, 3036 Minnehaha Ave, for an On-Sale Liquor Class C-1 License (Taproom - new business) to expire October 1, 2012, and having held a public hearing thereon, now

recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 1/27/2012.

RE&E - Your Committee, having under consideration the application of Tao Enterprises Inc, dba Tao Natural Foods, 2200 Dupont Ave S, for an On-Sale Wine Class E with Strong Beer License (new business) to expire April 1, 2012, and having held a public hearing thereon, now recommends that said license application be **sent forward without recommendation**.

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

Adopted by unanimous consent.

The report, as amended, was adopted 1/27/2012.

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Grocery License held by Camden Grocery & Tobacco, 4151 Fremont Av N.

Adopted 1/27/2012.

Resolution 2012R-031, approving Business License Operating Conditions relating to the Grocery License held by Camden Grocery & Tobacco, 4151 Fremont Av N, was adopted 1/27/2012 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 2012R-031
By Glidden

Approving Business License Operating Conditions relating to the Grocery License held by Camden Grocery & Tobacco, 4151 Fremont Av N.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Grocery License held by Camden Grocery & Tobacco, 4151 Fremont Av N:

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

2. The business agrees to actively address security concerns to include loitering, panhandling, drug activity, and trespassing.

3. The business agrees to participate with their Neighborhood Association and attend at least one meeting on a quarterly basis.

4. The business understands that any vehicle that parks on their business property, and the occupants are not making a purchase, shall be trespassed. Employee and the owner's vehicles are exempt from this condition.

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

6. The business agrees to remove all litter and debris within 100 feet of the property line four times per day. The business shall maintain a log of when litter/trash is monitored for pick up and the log shall list date and times of monitoring.

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

Adopted 1/27/2012.

RE&E - Your Committee recommends passage of the accompanying resolution granting applications for Liquor and Beer Licenses.
Adopted 1/27/2012.

Resolution 2012R-032, granting applications for Liquor and Beer Licenses, was adopted 1/27/2012 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 2012R-032
By Glidden

Granting Liquor and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 275437):

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2013

M T Bottles LLC, dba Spill The Wine, 1101 Washington Ave S
Hyatt Corporation, dba Hy7att Regency Minneapolis, 1300 Nicollet Mall
BW Entertainment LLC, dba Uncle Bucks, 26 5th St N
RCI Entertainment (Minnesota) Inc, dba Rick's Cabaret, 300 S 3rd St
Grand Group Entertainment, dba Envy Nightclub, 400 1st Ave N
Graves Hospitality Corporation, dba Graves 601 Hotel, 601 1st Ave N
SHP DT Bevflow Inc, dba Doubletree Minneapolis, 1101 LaSalle Ave
Hyatt Corporation, dba Hyatt Regency Minneapolis, 1300 Nicollet Mall

On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2012

Radisson Minneapolis Corporation, dba Radisson Plaza Minneapolis, 35 S 7th St

On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2013

Murray's Inc, dba Murray's, 24 S 6th St, 1st floor
River Jakes Inc, dba Nye's Polonaise Room, 112 E Hennepin Ave
Campus Club of the University of Minnesota, dba Campus Club of the University of Minnesota, 300 Washington Ave SE

Spring Street Tavern LLC, dba Spring Street Tavern and Club, 355 Monroe St NE
Fleming Clarence G, dba Terminal Bar, 409 E Hennepin Ave
Conga Corporation, dba Conga Latin Bistro, 501 E Hennepin Ave
Lush LLC, dba Lush, 990 Central Ave NE

DG Restaurant LLC, dba Dancing Ganesha Restaurant, 1100 Harmon Pl
Shaw's Bar & Grill Inc, dba Shaw's Bar & Grill, 1528 University Ave NE
Katabays Corporation, dba Blue Nile, 2027 E Franklin Ave

On-Sale Liquor Class B with Sunday Sales, to expire October 1, 2012

The Library IV, Ltd, LLP, dba The Library Minneapolis, 1301 4th St SE (internal transfer of shares)
Library IV Ltd LLP, dba The Library Minneapolis, 1301 4th St SE

On-Sale Liquor Class C-1 with Sunday Sales, to expire January 1, 2013

HRS Enterprises Inc, dba Red Sea Bar & Restaurant, 320 Cedar Ave S
8th Street Garage Inc, dba 8th Street Grill & Tavern, 800 Marquette Ave
Jaeger Corporation, dba Clubhouse Jaeger, 915 Washington Ave N

On-Sale Liquor Class C-2 with Sunday Sales, to expire January 1, 2013

I & K Enterprises, dba Pancho Villa's Grill, 2539 Nicollet Ave
Merlins Rest LLC, dba Merlins Rest, 3601 E Lake St

On-Sale Liquor Class D with Sunday Sales, to expire January 1, 2013

Amazing Thailand LLC, dba Amazing Thailand, 3024 Hennepin Ave

On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2013

Jasmine 26 Inc, dba Jasmine 26 Restaurant & Bar, 8 E 26th St #C102
Haute Dish LLC, dba Haute Dish, 119 Washington Ave N

Lame Duk LLC, dba Rachel's, 222 E Hennepin Ave
Frog Eyes LLC, dba McNamara's Sports Bar, 312 Central Ave NE
M T Bottles LLC, dba Spill The Wine, 1101 Washington Ave S
Kinsen Inc, dba Kinsen Noodle Shop and Bar, 1300 Lagoon Ave #150
1312 W Lake St LLC, dba Cowboy Slims, 1320 W Lake St

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 2012

Ike's LLC, dba Ike's Food & Cocktails, 50 S 6th St (new shareholder)

Off-Sale Beer, to expire April 1, 2013

Haddad Co, dba Pump-N-Munch on Lyndale, 4501 Lyndale Ave N (new proprietor).

Adopted 1/27/2012.

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

Adopted 1/27/2012.

Resolution 2012R-033, granting applications for Business Licenses, was adopted 1/27/2012 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 2012R-033
By Glidden**

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of January 27, 2012 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 275437):

Amusement Devices; Dry Cleaner-Flammable; Dry Cleaner – Non-Flammable; Dry Cleaning & Laundry Pickup Station; Laundry; Short-Term Food Permit; Gasfitter Class A; Heating, Air Conditioning & Ventilating Class A; Heating, Air Conditioning & Ventilating Class B; Motor Vehicle Repair Garage; Plumber; Refrigeration Systems Installer; Rental Halls; Residential Specialty Contractor; Secondhand Goods Class A; Taxicab Service Company; Taxicab Vehicle - Field Efficient; Taxicab Vehicle – Wheelchair Access; Taxicab Vehicle; Taxicab Vehicle – Non-Transferable; Theater Zone I; Combined Trades; Tree Servicing; Pawnbroker Class A.

Adopted 1/27/2012.

RE&E - Your Committee recommends that the following gambling application be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 275437):

Gambling Exempt

Pope John Paul II Catholic School, dba Pope John Paul II Catholic School, 1630 4th St NE (Raffle April 13, 2012, St. Maron Catholic Church).

Adopted 1/27/2012.

RE&E - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Off-Sale Liquor License held by North Loop Wine and Spirits, 218 Washington Ave N.

Adopted 1/27/2012.

Resolution 2012R-034, approving License Settlement Conference recommendations relating to the Off-Sale Liquor License held by North Loop Wine and Spirits, 218 Washington Ave N, was adopted 1/27/2012 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 2012R-034
By Glidden

Approving License Settlement Conference recommendations relating to the Off-Sale Liquor License held by North Loop Wine and Spirits, 218 Washington Ave N.

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

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded the following:

a) on two separate occasions within a period of less than 24 months, employees of North Loop Wine & Spirits sold alcohol to persons under the age of 21, in violation of the Minneapolis Code of Ordinances, State Statutes, and the established compliance check policy and procedures of the City of Minneapolis;

b) the licensee has paid the \$500 and \$1,000 administrative fines related to the above stated compliance check failures;

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

That, based on the evidence presented at the hearing, the following conditions and adverse license actions be approved for the license issued to North Loop Wine & Spirits, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

1. In lieu of a suspension of the liquor license, the City shall impose a \$1,500 sanction; \$1,000 will be stayed for a period of one year and \$500 will be due 30 days from the day the City Council approves this agreement.

Adopted 1/27/2012.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Khatra Yusuf and Construction Consultant Minneapolis, Metro for the property located at 2717 18th Ave S; and the licensee having been notified of the City's intent to revoke the license and not having filed an appeal, now recommends approval of the recommendation of the Director of Housing Inspections that said license be revoked for failure to meet licensing standards pursuant to Section 244.1910 (11) and (19) of the Minneapolis Code of Ordinances, as more fully set forth in the Findings of Fact on file in the Office of the City Clerk as FOF-2012-02 which are hereby made a part of this report by reference.

Adopted 1/27/2012.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Mitchell B. Austin for the property located at 804-06 Oliver Ave N; and the licensee having been notified of the City's intent to revoke the license and not having filed an appeal, now recommends approval of the recommendation of the Director of Housing Inspections that said license be revoked for failure to meet licensing standards pursuant to Section 244.1910 (8) of the Minneapolis Code of Ordinances, as more fully set forth in the Findings of Fact on file in the Office of the City Clerk as FOF-2012-03 which are hereby made a part of this report by reference.

Adopted 1/27/2012.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Aray, LLC – Samrina and Hamoudi Sabri for the property located at 3028 Cedar Ave S; and the licensee having been notified of the City's intent to revoke the license and not having filed an appeal, now recommends approval of the recommendation of the Director of Housing Inspections that said license be revoked for failure to meet licensing standards pursuant to Section 244.1910 (8) and (11) of the Minneapolis Code of Ordinances, as more fully set forth in the Findings of Fact on file in the Office of the City Clerk as FOF-2012-04 which are hereby made a part of this report by reference.

Adopted 1/27/2012.

RE&E - Your Committee, having under consideration an application by Northern Metals LLC to operate a hammermill metal shredder at 2800 Pacific St N, and having already submitted comments to the Minnesota Pollution Control Agency on the draft Environmental Assessment Worksheet, and staff

having drafted comments relating to Draft Air Emission Permit No 05300480-003 relating to proposed feedstock changes and increased emission limits at its Pacific Street scrapyard in Minneapolis, now recommends that the comments set forth in Petn No 275439 on file in the office of the City Clerk be approved and submitted to the MPCA.

Adopted 1/27/2012.

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

RE&E & W&M/Budget - Your Committee, to whom was referred an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, amending point-of-conversion inspection requirements by reducing the fee charged by \$250, provided that the rental property owner attends a recognized course in the fundamentals of rental property management, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 1/27/2012.

Ordinance 2012-Or-005 amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, amending Section 244.1870 to amend point-of-conversion inspection requirements by reducing the fee charged by \$250, provided that the rental property owner attends a recognized course in the fundamentals of rental property management, was adopted 1/27/2012 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 2012-Or-005
By Schiff
Intro & 1st Reading: 11/18/2011
Ref to: RE&E
2nd Reading: 1/27/2012

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 244.1870 of the above-entitled ordinance be amended to read as follows:

244.1870. Point-of-conversion or change of ownership inspection. (a) A license or provisional license issued hereunder is nontransferable. A new license application shall be required for each change of ownership of a rental dwelling and whenever a dwelling is converted to rental usage.

(b) Whenever a dwelling is converted to rental usage or when a rental dwelling changes ownership, the dwelling or dwellings shall be promptly inspected for compliance with the minimum standards set forth in section 244.1855 of this article. The fee for the inspection required by this section shall be one thousand dollars (\$1,000.00) for the inspection of any dwelling converted to rental usage and four hundred fifty dollars (\$450.00) for the inspections of a rental dwelling which has a change of ownership and which has not been inspected in the past six (6) months. This fee shall be in addition to the annual license fee. If, upon application for a license for any dwelling converted to rental usage, the owner or other natural person as defined in section 244.1840(3) provides proof of prior attendance and successful completion within five (5) years prior to the date of application of a recognized fundamentals of rental property management course approved by the director of regulatory services, the fee for the inspection required by this section shall be reduced to seven hundred fifty dollars (\$750.00). This provision shall not apply to condominium buildings containing six (6) or more dwelling units nor to any rental building containing more than four (4) dwelling units, nor to any rental dwelling owned by a nonprofit entity, as that term is defined in this title. The director of inspections may waive this provision if a property received a certificate of occupancy within three (3) years of the application date.

(1) Conversion shall be defined as single dwelling buildings and buildings/units with separate PID numbers (condominium or townhouse with two (2) to five (5) dwelling units) that have been unlicensed for the previous twelve (12) months for which the owners are applying for a rental dwelling license.

(c) Noncompliance with written orders duly issued pursuant to the inspection required under this section shall constitute cause for the imposition of adverse license action, including but not limited to license denial.

(d) If the licensee discontinues rental use and re-occupies the converted dwelling as an owner occupant within twelve (12) months of paying the inspection fee, the owner may be eligible for a fifty (50) percent refund of the inspection fee, upon written application. The provisions of this section shall apply to any property re-converted to rental use after application for this refund.

Adopted 1/27/2012.

RE&E & W&M/Budget - Your Committee, having under consideration the Administrative Fine Schedule Resolution, now recommends passage of the accompanying resolution amending the fine schedule to increase the base fine amount for violations of a provision of Title 12 of the Minneapolis Code of Ordinances from \$200 to \$250.

Adopted 1/27/2012.

Resolution 2012R-035, amending Resolution 2011R-351 entitled "Approving the adoption of a consolidated and amended schedule of civil fines for administrative offenses", passed July 1, 2011, to amend the schedule of civil fines for administrative offenses to increase the base fine amount for violations of a provision of Title 12 of the Minneapolis Code of Ordinances from \$200 to \$250, was adopted 1/27/2012 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 2012R-035
By Schiff, Glidden and Hodges

Amending Resolution 2011R-351 entitled "Approving the adoption of a consolidated and amended schedule of civil fines for administrative offenses", passed July 1, 2011, to amend the schedule of civil fines for administrative offenses to increase the base fine amount for violations of a provision of Title 12 of the Minneapolis Code of Ordinances from \$200 to \$250.

Whereas, the City Council has enacted Chapter 2 of the Minneapolis Code of Ordinances (hereinafter "Code") which establishes an administrative enforcement and hearing process for certain violations of the Code; and

Whereas, Section 2.40 of the Code provides that violations of certain provisions of the Code are administrative offenses that may be subject to the administrative enforcement and hearing process; and

Whereas, Section 2.60 of the Code provides for the imposition of a civil fine for administrative offenses; and

Whereas Section 2.70 of the Code provides that the City Council will adopt by Resolution a schedule of civil fines for administrative offenses; and

Whereas Resolution 2004R-367 of this Council has established a fine schedule for administrative offenses; and

Whereas this Council has, from time to time, previously amended that fine schedule according to the authority it is granted to it in Section 2.70 of the Code; and

Whereas the City Council wishes to amend the fine schedule to increase the base fine amount for violations of a provision of Title 12 of the Minneapolis Code of Ordinances from \$200 to \$250;

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

That the updated Schedule of Civil Fines, as herein amended, be adopted, to read as follows:

SCHEDULE OF CIVIL FINES FOR ADMINISTRATIVE OFFENSES

Adopted on 1/27/2012 by Resolution 2012R-035

Unless otherwise specified in the following schedule, the civil fine for an administrative offense enforced pursuant to Chapter 2 of the Minneapolis Code of Ordinances is \$250 for an offense of a provision of Title 12 of the Code of Ordinances and \$200 for an offense of any other title thereunder.

A second or subsequent violation of the same type by the same person or entity in a twenty-four (24) month period of time shall be subject to a fine that is double the amount of the fine imposed for the previous violation, up to a maximum of \$2000 per violation.

Description of Violation	Code Citation	Fine
Title 3 – Air Pollution and Environmental Protection		
Prohibited connections	56.70	\$750
Title 4 – Animals and Fowl		
License Required (dogs and cats)	64.10	\$100
Collars and Tags Required	64.20	\$25
Leashing and tethers	64.50(a) & 64.50(b)	\$75
Feces clean up	64.50(c)	\$100
Off leash dog areas; permits and regulations	64.55	\$100
Dogs and cats in heat	64.60	\$75
Maximum number animals of the dog, cat, ferret, or rabbit kind	64.100	\$50
License required (ferrets)	65.10	\$50
Vaccinations of dogs required	66.10	\$100
Vaccination of cats required	66.20	\$100
Vaccinations of ferrets required	66.25	\$50
Permit required (Fowl, pigeons, and other small animals)	70.10	\$50
Unattended animals in streets, alleys, sidewalks, public places	74.10	\$50
Attachment of animals to trees, posts prohibited	74.20	\$50
Failure to provide adequate feed, shelter, exercise and space	74.60	\$500
Failure to provide adequate veterinarian care	74.60	\$1,000
Failure to follow security plan	74.60	\$500
Failure to provide required information	74.60	\$500
Keeping of honeybees	74.80	\$50
Animal Cruelty	64.170	\$500

Title 10 – Food Code		
Conducting or Operating a Food Establishment without a License	188.160	\$250
No Glass Outside After 11 PM in Downtown	188.540 (9)	\$100
Title 11 – Health and Sanitation		
Dumping debris on the property of another	225.10	\$1,000
Possessing Drug Paraphernalia in a Public Place	223.235	\$240
Public Urination	227.180	\$80
Title 12 – Housing		
Graffiti – Defacement of Property	244.495 (a)	\$240
Light and ventilation	244.410	\$500
Prohibited uses	244.640	\$500
Required space in dwelling units	244.810	\$500
Dwelling unit to be occupied by one family	244.820	\$500
Basement space may be habitable	244.850	\$500
Attic rooms	244.940	\$500
Restricted attic use	244.945	\$500
Condemnation authorized; requiring vacating	244.1450	\$1,000
Operating a rental property without a rental license	244.1840(1)(a)	\$500
Second Offense Operating a rental without a license	244.1840 (1)(a)	\$2,000
Occupy property after rental license revocation without approval	244.1970	\$2,000
Title 13 – Licenses and Business Regulations		
Operating a Business without a Required License (excluding Pawnshops and Precious Metal Dealers)	Chapters. 266 - 350 excluding Chapters 322, 324	\$250
Operating as a Precious Metal Dealer without a Required License	322.20	\$500
Operating as a Pawnshop without a Required License	324.30	\$500
Taxi – Violation of Driver Prohibited Acts	341.250	\$250
Taxi – No Driver’s Licenses	341.340	\$250
Taxi – Operate a Taxi without a License	341.480	\$250
Taxi – Defective / Unsealed Meter	341.790	\$250
Sell tobacco to minor by a Tobacco Dealer establishment	281.50	\$200
Sell tobacco to minor by an individual	281.50	\$50

Gambling		
Failure to display ID tag by employee	268.80(s)	\$100
Failure to display compulsive gambling hotline	268.80(bb)	\$100
Failure to display statement "Illegal Gambling is Prohibited"	268.80(cc)	\$100
Failure to accurately complete prize receipt	268.80(t)	\$100
Failure to deface winning pull tab tickets	268.80(u)	\$100
Mechanical meter in dispensing device not displaying current or accurate information	268.80(ii)	\$500
The lessor and/or immediate family prohibited from purchasing pull tabs on site	268.80(y)	\$500
Lawful gambling prohibited at any times other than during lawful business hours	268.80(n)	\$500
Gambling employees prohibited from purchasing pull tabs on site	268.80(x)	\$500
Persons under 18 prohibited from lawful gambling	268.80(jj)	\$500
Sale of pull tabs for cash only	268.80(nn)	\$500
Prohibited activities during operating times of lawful gambling	268.80(dd)	\$500
Serial numbers of the game in play must match the game flare	268.80(kk)	\$500
All last sale prized offered are posted, by the distributor, on the game flare	260.80(mm)	\$500
The game flare does not display the State of Minnesota symbol or bar code is not displayed	268.80(ll)	\$500
All fines to be paid must originate from the gambling organization's general fund	268.80(pp)	\$500
Failure to maintain a valid gambling manager's license	268.80(z)	\$500
Refuse inspection by police	268.80(oo)	\$500
Fail to display state registration stamp dispensing device	268.80 (qq)	\$500
Failure to maintain lease for dispensing device on site	268.80 (rr)	\$500

Title 14 – Liquor and Beer		
No Business License – License Required		\$500
Liquor License Required	362.10	
Wine License Required	363.20	
Beer License Required	366.10	
Premises to be Open to Inspection	362.490	\$500
Furnishing Liquor to Minors, not Large Venues or Special Events	364.10	\$500
Sales to Obviously Intoxicated Parties	364.30	\$500
Consumption in Public	364.40	\$80

Loitering in Possession of an Open Bottle	364.45	\$80
Consumption in on sale -hours regulated	364.85	\$500
Unauthorized Persons on Premises between 2:30 and 5:00 a.m.		\$500
"On Sale" Liquor License	364.100	
Wine or Beer License	368.70	
"Spiking" Prohibited	368.20	\$250
Club Sales to Non-Members	368.50	\$250
Sale of Liquor to a Minor	370.10 and 364.10	\$500
Sales or Service by a Minor	370.20	\$500
Possession/Consumption by a Minor	370.400	\$160

Large Venue and Special Events		*Each Incident (I)
Special Events: 1 to 10 points of sale (1 incident/sale to minor to be a violation/compliance failure)	370.10	\$500
Special Events: 11 or more points of sale (2 incidents/sales to minor to be a violation/compliance failure)	370.10	\$500 x I
Large Venues: 30 to 50 points of sale (2 incidents/sales to minor to be a violation/compliance failure)	370.10	\$500 x I
Large Venues: 51 to 75 points of sale (3 incidents/sales to minor to be a violation/compliance failure)	370.10	\$500 x I
Large Venues: 76 to 100 points of sale (4 incidents/sales to minor to be a violation/compliance failure)	370.10	\$500 x I
Large Venues: 101 to 150 points of sale (5 incidents/sales to minor to be a violation/compliance failure)	370.10	\$500 x I
Large Venues: 151 to 200 points of sale (6 incidents/sales to minor to be a violation/compliance failure)	370.10	\$500 x I
Large Venues: 201 or more points of sale (7 incidents/sales to minor to be a violation/compliance failure)	370.10	\$500 x I

*"I" signifies incidents of sales to underage parties.

Title 15 – Offenses – Miscellaneous		
Loitering	385.50	\$240
Aggressive Solicitation	385.60	\$80
Lurking	385.80	\$240
Noise – Amplified Sound from Vehicles	389.65 (c)(6)	\$80
Noisy/Unruly Assembly; Participating in, Conducting, Visiting, Remaining at or Permitting	389.65(c)(1)	\$150
Noisy/Unruly Assembly; Owner, Rental License Holder or Landlord	389.65(c)(1)(c)	\$200
Noise – No Amplified Sound Permit	389.105	\$250
Title 17 – Streets and Sidewalks		
Littering	427.30	\$80
Title 18 – Traffic Code		
Vehicles Displayed for Sale on Public Street	478.70	\$50
Violations as found in Chapter 478 and Chapter 482		Fees as approved by 4th Court District, including surcharges. All other violations \$42
Title 20 - Zoning Code		
Prohibited Home Occupation	535.460	\$250
Commercial Vehicle Parked in Residential Zone	546.80	\$50
Business Open After Hours		\$250
Residence Districts	546.60	
Office Residence Districts	547.60	
C1 Neighborhood Commercial Districts	548.240	
C2 Neighborhood Corridor Commercial Districts	548.300	
C3A Community Activity Center District	548.360	
C3S Community Shopping Center District	548.420	
C4 General Commercial District	548.480	
Downtown Districts	549.60	
Industrial Districts	550.90	

Adopted 1/27/2012.

RE&E & W&M/Budget – Your Committee, having under consideration the provision of lead analytical services, now recommends that the proper City officers be authorized to extend contract #C-28971 with Medtox Laboratories Inc through June 1, 2012, and increase the amount by \$15,000 for a total contract of \$65,000, to provide laboratory services.

Your Committee further recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for lead analytical services for lead in dust wipe, soil, paint chips and water.

Adopted 1/27/2012.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee, having under consideration professional services related to the management of Special Service Districts, now recommends that the proper City officers be authorized to execute a second extension to Standard Agreement Contract No C-28221 with Urban Works, Inc., increasing the contract by \$40,000, for a revised contract total of \$170,000, and extending the contract end date from November 30, 2011 to February 29, 2012.

Adopted 1/27/2012.

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the Riverside Ave Street Reconstruction Project, Phase II, Special Improvement of Existing Street No 6746.

Adopted 1/27/2012.

Resolution 2012R-036, designating the locations and streets to be improved in the Riverside Ave Street Reconstruction Project No 6746, Phase II, was adopted 1/27/2012 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 2012R-036
By Colvin Roy**

**RIVERSIDE AVE STREET RECONSTRUCTION PROJECT, PHASE II
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6746**

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 and concrete, with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

Riverside Ave from Cedar Ave S to 23rd Ave S.

Adopted 1/27/2012.

T&PW - Your Committee, having received a cost estimate of \$5,850,000 for street construction improvements and a list of benefited properties for certain locations in the Riverside Ave Street Reconstruction Project, Phase II, Special Improvement of Existing Street No 6746, as designated by Resolution 2012R-036, passed January 27, 2012, now recommends that the City Engineer be directed to prepare a proposed Street Construction Special Improvement Assessment against the list of benefited properties by applying the 2012 Uniform Assessment Rates as per Resolution 2011R-571, passed November 4, 2011.

Your Committee further recommends that a public hearing be held on February 28, 2012, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above-designated street

location, to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City, and to consider the abandonment and removal of areaways in conflict with the project.

Adopted 1/27/2012.

T&PW - Your Committee, having under consideration the Riverside Ave Street Reconstruction Project, Phase II, Special Improvement of Existing Street No 6746, as designated by Resolution 2012R-036, passed January 27, 2012, now recommends that the proper City officers be authorized to acquire permanent easements for sidewalk expansion and ADA ramp expansion in conjunction with the project.

Adopted 1/27/2012.

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the Riverside Ave Street Lighting Project, Phase II, Special Improvement of Existing Street No 6746L.

Adopted 1/27/2012.

Resolution 2012R-037, designating the locations and streets to be improved in the Riverside Ave Street Lighting Project No 6746L, Phase II, was adopted 1/27/2012 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 2012R-037

By Colvin Roy

**RIVERSIDE AVE STREET LIGHTING PROJECT, PHASE II
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6746L**

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 installing low-level pedestrian scale street lighting and high level lights at selected locations within the following boundary:

Riverside Ave from Cedar Ave S to 23rd Ave S.

Adopted 1/27/2012.

T&PW - Your Committee, having received a cost estimate of \$272,800 for improvements and a list of benefited properties for the Riverside Ave Street Lighting Project, Phase II, Special Improvement of Existing Street No 6746L, as designated by Resolution 2012R-037, passed January 27, 2012, now recommends that the City Engineer be directed to prepare proposed assessments against the list of benefited properties.

Your Committee further recommends that a public hearing be held on February 28, 2012, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of street lighting at the above-designated street location, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted 1/27/2012.

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the 1st St S Street Resurfacing Project, Special Improvement of Existing Street No 5233.

Adopted 1/27/2012.

Resolution 2012R-038, designating the locations and streets to be improved in the 1st St S Street Resurfacing Project No 5233, was adopted 1/27/2012 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 2012R-038
By Colvin Roy**

**2012 STREET RESURFACING PROGRAM
1ST ST S STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5233**

Designating the improvement of certain existing streets in the 2012 Street Resurfacing Program 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 8 of the Minneapolis City Charter, by asphalt mill and overlay and including other street resurfacing related improvements as needed:

1st St S from Hennepin Ave to 3rd Ave S.

Adopted 1/27/2012.

T&PW - Your Committee, having received a cost estimate of \$145,456 for street resurfacing improvements and a list of benefited properties for certain locations in the 1st St S Street Resurfacing Project, Special Improvement of Existing Street No 5233, as designated by Resolution 2012R-038 passed January 27, 2012, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2012 Uniform Assessment Rates as per Resolution 2011R-571, passed November 4, 2011.

Your Committee further recommends that a public hearing be held on February 14, 2012 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the resurfacing 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.

Adopted 1/27/2012.

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the 11th Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5232.

Adopted 1/27/2012.

Resolution 2012R-039, designating the locations and streets to be improved in the 11th Ave S Street Resurfacing Project No 5232, was adopted 1/27/2012 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 2012R-039
By Colvin Roy**

**2012 STREET RESURFACING PROGRAM
11TH AVE S STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5232**

Designating the improvement of certain existing streets in the 2012 Street Resurfacing Program 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 8 of the Minneapolis City Charter, by asphalt mill and overlay and including other street resurfacing related improvements as needed:

11th Ave S from 8th St S to 24th St E.

Adopted 1/27/2012.

T&PW - Your Committee, having received a cost estimate of \$451,980 for street resurfacing improvements and a list of benefited properties for certain locations in the 11th Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5232, as designated by Resolution 2012R-039 passed January 27, 2012, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2012 Uniform Assessment Rates as per Resolution 2011R-571, passed November 4, 2011.

Your Committee further recommends that a public hearing be held on February 14, 2012 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the resurfacing 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.

Adopted 1/27/2012.

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the 39th St W Street Resurfacing Project, Special Improvement of Existing Street No 5227.

Adopted 1/27/2012.

Resolution 2012R-040, designating the locations and streets to be improved in the 39th St W Street Resurfacing Project No 5227, was adopted 1/27/2012 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 2012R-040

By Colvin Roy

**2012 STREET RESURFACING PROGRAM
39TH ST W STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5227**

Designating the improvement of certain existing streets in the 2012 Street Resurfacing Program 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 8 of the Minneapolis City Charter, by asphalt mill and overlay and including other street resurfacing related improvements as needed:

39th St W from France Ave S to Sheridan Ave S.

Adopted 1/27/2012.

T&PW - Your Committee, having received a cost estimate of \$232,680 for street resurfacing improvements and a list of benefited properties for certain locations in the 39th St W Street Resurfacing Project, Special Improvement of Existing Street No 5227, as designated by Resolution 2012R-040 passed January 27, 2012, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2012 Uniform Assessment Rates as per Resolution 2011R-571, passed November 4, 2011.

Your Committee further recommends that a public hearing be held on February 14, 2012 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the resurfacing 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.

Adopted 1/27/2012.

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

T&PW & W&M/Budget - Your Committee, having under consideration the Nicollet Ave Street Reconstruction Project, Special Improvement of Existing Street No 6713 (Lake St to 40th St), and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the street reconstruction project; and
- b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of the street reconstruction project.

Adopted 1/27/2012.

Resolution 2012R-041, ordering the work to proceed and adopting the special assessments for the Nicollet Ave Street Reconstruction Project No 6713, was adopted 1/27/2012 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 2012R-041
By Colvin Roy and Hodges**

**NICOLLET AVE (LAKE ST TO 40TH ST) STREET RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6713**

Ordering the work to proceed and adopting the special assessments for the Nicollet Ave (Lake St to 40th St) Street Reconstruction Project.

Whereas, a public hearing was held on January 17, 2012 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2011R-648, passed December 9, 2011, to consider the proposed special assessments on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2011R-648, passed December 9, 2011.

Be It Further Resolved that the proposed special assessments in the total amount of \$1,695,433.90, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as assessment bonds are sold for, with collection of the special assessments to begin on the 2014 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for, with collection of the special assessments to begin on the 2014 real estate tax statements.

Adopted 1/27/2012.

Resolution 2012R-042, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the Nicollet Ave Street Reconstruction Project No 6713, was adopted 1/27/2012 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 2012R-042
By Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$1,695,435 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Nicollet Ave (Lake St to 40th St) Street Reconstruction Project, Special Improvement of Existing Street No 6713, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted 1/27/2012.

T&PW & W&M/Budget - Your Committee, having under consideration the Nicollet Ave Street Lighting Project, Special Improvement of Existing Street No 6713L (Lake St to 36th St), and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the street lighting project; and
- b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of the street lighting project.

Adopted 1/27/2012.

Resolution 2012R-043, ordering the work to proceed and adopting the special assessments for the Nicollet Ave Street Lighting Project No 6713L, was adopted 1/27/2012 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 2012R-043
By Colvin Roy and Hodges

NICOLLET AVE (LAKE ST TO 36TH ST) STREET LIGHTING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6713L

Ordering the work to proceed and adopting the special assessments for the Nicollet Ave (Lake St to 36th St) Street Lighting Project.

Whereas, a public hearing was held on January 17, 2012 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2011R-649, passed December 9, 2011, to consider the proposed special assessments on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2011R-649, passed December 9, 2011.

Be It Further Resolved that the proposed special assessments in the total amount of \$324,000, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as assessment bonds are sold for, with collection of the special assessments to begin on the 2014 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for, with collection of the special assessments to begin on the 2014 real estate tax statements.

Adopted 1/27/2012.

Resolution 2012R-044, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the Nicollet Ave Street Lighting Project No 6713L, was adopted 1/27/2012 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 2012R-044
By Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$324,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Nicollet Ave (Lake St to 36th St) Street Lighting Project, Special Improvement of Existing Street No 6713L, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted 1/27/2012.

T&PW & W&M/Budget - Your Committee, having under consideration the contract with Hennepin County for Solid Waste Disposal Services, now recommends that the proper City officers be authorized to negotiate and execute a two-year contract with Hennepin County, from January 1, 2012 to December 31, 2013, for the processing and disposal of solid wastes collected in the City, with a tipping (disposal) fee of \$47/ton.

Adopted 1/27/2012.

T&PW & W&M/Budget - Your Committee, having under consideration the Pioneers and Soldiers Memorial Cemetery Fence Restoration Project, now recommends:

a) Passage of the accompanying resolution accepting a \$20,000 grant from the American Express Partners in Preservation Program to be used for the Pioneers and Soldiers Memorial Cemetery Fence Rehabilitation Project and authorizing the proper City officers to execute the necessary documents to accept the grant;

b) Passage of the accompanying resolution increasing the appropriation for the project by \$20,000;

c) Authorizing an amendment to Contract No C-28308 with Terra General Contractors, increasing the contract by \$182,000, for a revised contract total of \$425,517.05, to allow for Change Order No 2 to restore 13 additional sections of fence; and

d) Authorizing the proper City officers to proceed with Phase II of the project.

Adopted 1/27/2012.

Resolution 2012R-045, accepting a \$20,000 grant from the American Express Partners in Preservation Program and authorizing the proper City officers to execute the necessary documents to accept the grant, was adopted 1/27/2012 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 2012R-045
By Colvin Roy and Hodges

Authorizing the acceptance of a grant in the amount of \$20,000 from the American Express Partners In Preservation Program to be used for the Pioneers and Soldiers Memorial Cemetery Fence Restoration Project.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to accept a \$20,000 grant from the American Express Partners in Preservation Program, a partnership of the National Trust for Historic Preservation and the American Express Foundation, to be used for the purpose of the Pioneers and Soldiers Memorial Cemetery Fence Rehabilitation Project.

Be It Further Resolved that the proper City officers be authorized to execute the necessary documents to accept the grant funds.

Adopted 1/27/2012.

RESOLUTION 2012R-046
By Colvin Roy and Hodges

Amending The 2012 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 and revenue for the Capital Improvements Fund/Department (04100-09010923-8015-CPSD12) by \$20,000 to reflect a grant received from American Express Partners in Preservation Program.

Adopted 1/27/2012.

T&PW & W&M/Budget - Your Committee, having under consideration the Bike Walk Ambassador Program with staff recommendations as follows:

a) That the proper City officers be authorized to amend Contract C-25183 (Mn/DOT Agreement 92071) for the Bike Walk Ambassador Program to reflect an increase in grant funding in the amount of \$220,000 to accomplish Year 4 efforts and adding new federal language in compliance with the Fair Reporting Act;

b) Passage of the accompanying resolution increasing the appropriation for the program by \$220,000; and

c) Passage of the accompanying resolution appointing the Commissioner of Transportation as agent of the City to accept the federal aid funds;

now recommends:

T&PW - Approval.

W&M/Budget - Approval, with the addition of the 13th Avenue Business Association and the Northeast Business Association to the list of partner community and business organizations as part of TLC's *Bike, Walk, Move* Campaign in Northeast Minneapolis.

Colvin Roy moved that the report be amended to approve the Ways & Means/Budget Committee recommendation and to delete the Transportation & Public Works Committee recommendation. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 1/27/2012.

**RESOLUTION 2012R-047
By Colvin Roy and Hodges**

Amending The 2012 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW-Transportation Capital Agency in the Grants-Federal Fund (01300-9010943-G3901AMBYR4) by \$220,000 and increasing the Revenue Source (01300-9010943-321900) by \$220,000, to be reimbursed from the Non-Motorized Transportation Pilot Program (SP141-091-03, 141-091-11, 141-091-12).

Adopted 1/27/2012.

Resolution 2012R-048, appointing the Commissioner of Transportation as agent of the City to accept federal aid funds, was adopted 1/27/2012 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 2012R-048
By Colvin Roy and Hodges**

Appointing the Commissioner of Transportation as agent of the City of Minneapolis and entering into an agreement to accept the grants for the Non-Motorized Transportation Pilot Program.

Resolved by The City Council of The City of Minneapolis:

That pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the City of Minneapolis to accept as its agent federal aid funds which may be made available for eligible transportation-related projects.

Be It Further Resolved that the proper City officers are hereby authorized and directed for and on behalf of the City of Minneapolis to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation, as set forth and contained in "Minnesota Department of Transportation Agency Agreement No 92071, a copy of which said agreement was before the City Council and which is made a part hereof by reference.

Adopted 1/27/2012.

T&PW & W&M/Budget - Your Committee, having under consideration the 2012-2016 Five Year Capital Program which included additional Net Debt Bond funding in each year for infrastructure improvements and the direction that Public Works report back to the Transportation & Public Works Committee by January 31, 2012 with proposed specific projects for the Expanded 2012 Capital Budget Paving Program, now recommends:

a) Approval of the list of proposed specific projects for the Expanded 2012 Capital Budget Paving Program, as detailed in the staff report;

b) Passage of the accompanying resolution amending Resolution 2011R-660, the 2012-2016 Five Year Capital Program, by increasing and decreasing Net Debt Bond, MSA, Assessment Bond, and Hilton Trust Fund appropriations for various projects;

c) Passage of the accompanying resolution amending Resolution 2011R-662 by increasing total Assessment Bonds sold by \$415,000, deleting the Street Renovation and Unpaved Alley Construction Programs for 2012, and increasing the appropriation for the Asphalt Pavement Resurfacing and High Volume Corridor Reconditioning Programs; and

d) Passage of the accompanying resolution amending Resolution 2011R-663 by shifting allocations of Net Debt Bonds from the Street Renovation, Unpaved Alley Construction, and Traffic Signals Programs to the Asphalt Pavement Resurfacing, Trunk Highway 55 Signals, and City Street Light Renovations Programs, resulting in no change in the total amount of bonds to be issued.

Adopted 1/27/2012.

Resolution 2012R-049, amending Resolution 2011R-660 entitled “Adopting the 2012 - 2016 Five Year Capital Program and fixing the maximum amounts for 2012 to be expended by the various funds under the jurisdiction of the City Council”, passed December 14, 2011 by increasing and decreasing Net Debt Bond, MSA, Assessment Bond, and Hilton Trust Fund appropriations for various capital projects, was adopted 1/27/2012 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 2012R-049
By Colvin Roy and Hodges**

Amending Resolution 2011R-660 entitled “Adopting the 2012 - 2016 Five Year Capital Program and fixing the maximum amounts for 2012 to be expended by the various funds under the jurisdiction of the City Council”, passed December 14, 2011.

Resolved by The City Council of The City of Minneapolis:

That Resolution 2011R-660, the Five Year Capital Program for 2012-2016, is hereby amended and that the maximum appropriation amounts for 2012 that are appropriated out of the monies of the City Treasury and revenues of the City applicable to specifically named funds and revenue sources be amended as follows:

9010937 STREET PAVING CAPITAL

PV003 Street Renovation (PV1203)	-1,175,000	Net Debt Bonds
PV003 Street Renovation (PV1203)	-325,000	Assessment Bonds
PV056 Asphalt Pavement Resurfacing Program (PV1256)	+1,255,000	Net Debt Bonds
PV056 Asphalt Pavement Resurfacing Program (PV1256)	-500,000	Municipal State Aid
PV056 Asphalt Pavement Resurfacing Program (PV1256)	+390,000	Assessment Bonds
PV061 High Volume Corridor Reconditioning Program (PV1261)	+70,000	Net Debt Bonds
PV061 High Volume Corridor Reconditioning Program (PV1261)	+500,000	Municipal State Aid
PV061 High Volume Corridor Reconditioning Program (PV1261)	+500,000	Assessment Bonds
PV063 Unpaved Alley Construction (PV1263)	-150,000	Net Debt Bonds
PV063 Unpaved Alley Construction (PV1263)	-150,000	Assessment Bonds

9010943 TRAFFIC CAPITAL

TR021 Traffic Signals (TR1221)	-800,000	Net Debt Bonds
TR023 Trunk Highway 55 Signal Improvements	+108,000	Net Debt Bonds
TR011 City Street Light Renovation (TR1211)	+692,000	Net Debt Bonds
TR011 City Street Light Renovation (TR1211)	-92,000	Hilton Trust Funds
TR021 Traffic Signals (TR1221)	+92,000	Hilton Trust Funds

Adopted 1/27/2012.

Resolution 2012R-050, amending Resolution 2011R-662 entitled “Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$5,380,000 for certain purposes other than the purchase of public utilities” passed December 14, 2011 by increasing total Assessment Bonds sold by \$415,000 and adjusting various capital project appropriations, was adopted 1/27/2012 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 2012R-050
By Colvin Roy and Hodges

Amending Resolution 2011R-662 entitled “Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$5,380,000 for certain purposes other than the purchase of public utilities” passed December 14, 2011.

Resolved by The City Council of The City of Minneapolis:

That Resolution 2011R-662 requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis assessment bonds be amended to increase the amount by \$415,000 from \$5,380,000 to \$5,795,000 and that the specific project amounts be amended as follows:

PV003	Street Renovation Program (PV1203)	-325,000
PV063	Unpaved Alley Construction (PV1263)	-150,000
PV056	Asphalt Pavement Resurfacing Program (PV1256)	+390,000
PV061	High Volume Corridor Reconditioning Program (PV126)	+500,000

Adopted 1/27/2012.

Resolution 2012R-051, amending Resolution 2011R-663 entitled “Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$26,000,000 for certain purposes other than the purchase of public utilities”, passed December 14, 2011 by shifting Net Debt Bond allocations among various capital projects resulting in no change in the total amount of bonds to be issued, was adopted 1/27/2012 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 2012R-051
By Colvin Roy and Hodges

Amending Resolution 2011R-663 entitled “Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$26,000,000 for certain purposes other than the purchase of public utilities”, passed December 14, 2011.

Resolved by The City Council of The City of Minneapolis:

That Resolution 2011R-663, as amended, be further amended by changing specific project amounts with no change in the total amount of bonds to be issued, as follows:

PV003	Street Renovation Program (PV1203)	-1,175,000
PV063	Unpaved Alley Construction (PV1263)	-150,000
PV056	Asphalt Pavement Resurfacing Program (PV1256)	+1,255,000
PV061	High Volume Corridor Reconditioning Program (PV1261)	+70,000
TR021	Traffic Signals (TR1221)	-800,000
TR023	Trunk Highway 55 Signals	+108,000
TR011	City Street Light Renovation (TR1211)	+692,000

Adopted 1/27/2012.

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 1/27/2012.

Resolution 2012R-052, authorizing settlement of *Peloquin Lee LLC v. City of Minneapolis*, and *Joseph McClennon v. Matthew Alan Kipke et al*, was adopted 1/27/2012 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 2012R-052
By Hodges

Authorizing legal settlements.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlement of:

- a) *Peloquin Lee LLC v. City of Minneapolis*, by payment of \$53,000 to Peloquin Lee LLC, from the Internal Service Self Insurance Fund (06900-1500100-145690); and
- b) *Joseph McClennon v. Matthew Alan Kipke et al*, by payment of \$5,000 to Joseph McClennon and his attorneys, from the Internal Service Self Insurance Fund (06900-1500100-145400).

Further, authorize the City Attorney's Office to execute any documents necessary to effectuate the above settlements.

Adopted 1/27/2012.

W&M/Budget - Your Committee, having under consideration a contract with B2Gnow/AskReply, Inc., now recommends that proper City officers be authorized to execute a 3 year contract not to exceed \$150,000 for software, licensing and support for the Civil Rights Department contract compliance data management system through 2014. No additional appropriation is required.

Adopted 1/27/2012.

W&M/Budget - Your Committee, having under consideration medical plan options for Medicare-eligible retirees, now recommends that proper City officers be authorized to execute two-year contracts effective January 1, 2012, with HealthPartners, Medica and UCare to provide community-rated Medicare supplement options for retired employees over age 65, with an option to extend the contracts for up to two additional one-year periods. No appropriation is required.

Adopted 1/27/2012.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to accept a grant in the amount of \$50,000 from The Minneapolis Foundation for use in efforts focused on youth and learning.

Further, passage of the accompanying resolution appropriating funds to the Mayor's Office.

Adopted 1/27/2012.

RESOLUTION 2012R-053
By Hodges

Amending The 2012 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 Office of the Mayor (0600-375-3760-5130) by \$50,000.

Adopted 1/27/2012.

W&M/Budget - Your Committee, having under consideration compliance with the State of Minnesota's Pay Equity Law, now recommends authorizing staff to submit the City's Pay Equity Implementation Report (Petn No 275451) to the Minnesota Department of Management and Budget.

Adopted 1/27/2012.

W&M/Budget - Your Committee recommends passage of the accompanying resolutions approving terms of the following collective bargaining agreements:

- a) International Union of Operating Engineers, Local 49, effective January 1, 2011 through December 31, 2012; and
- b) Teamsters Local 320, Convention Center Unit, effective January 1, 2011 through December 31, 2012.

Adopted 1/27/2012.

Resolution 2012R-054, approving a 24-month labor agreement with the International Union of Operating Engineers, Local 49, was adopted 1/27/2012 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 2012R-054
By Hodges

Approving the terms of a collective bargaining agreement with the International Union of Operating Engineers, Local 49 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 International Union of Operating Engineers, Local 49 (Petn No 275451), 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 1/27/2012.

Resolution 2012R-055, approving a 24-month labor agreement with the Teamsters Local 320, Convention Center Unit, was adopted 1/27/2012 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 2012R-055
By Hodges

Approving the terms of a collective bargaining agreement with the Teamsters Local 320, Convention Center 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 Teamsters Local 320, Convention Center Unit (Petn No 275451), 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 1/27/2012.

The ZONING & PLANNING Committee submitted the following reports:

Z&P - Your Committee concurs in the recommendation of the Heritage Preservation Commission to grant the petition of the Minnesota African American Museum and Cultural Center for historic variances for the property at 1700 3rd Ave S, an individual landmark - the Amos B. Coe House, to 1) reduce the minimum required lot area for a museum to 15,962 square feet, and to 2) reduce the minimum required

on-site parking to 4 spaces, and to adopt the findings prepared by the Department of Community Planning & Economic Development staff.

Adopted 1/27/2012.

Z&P - Your Committee, having under consideration the appeal filed by Daniel Oberpriller of CPM Development, LLC, from the decision of the Heritage Preservation Commission denying an application for a Certificate of Appropriateness for development of a six-story apartment building with a church at 401 8th Ave SE and 414 7th Ave SE, now recommends that the appeal be denied, and that the findings prepared by the Department of Community Planning & Economic Development staff be adopted.

Adopted 1/27/2012.

Z&P - Your Committee, having under consideration the appeal filed by Daniel Oberpriller of CPM Development, LLC, from the decision of the Heritage Preservation Commission denying an application for a Certificate of Appropriateness for a two-story rooftop addition to the historic St. Andrews Hospital building at 414 7th Ave SE, now recommends that the appeal be denied, and that the findings prepared by the Department of Community Planning & Economic Development staff be adopted.

Adopted 1/27/2012.

Z&P - Your Committee, having under consideration the determination of the need for an Environmental Assessment Worksheet for the proposed Linden Corner project located at 4242, 4246, 4246 1/2, 4250 and 4264 Upton Ave S, now recommends that the petition for an EAW be denied, and that the Findings of Fact and Record of Decision set forth in the Department of Community Planning and Economic Development staff report be adopted.

Adopted 1/27/2012.

RESOLUTIONS

Resolution 2012R-056, honoring the 2012 Rev. Dr. Martin Luther King, Jr. Essay Contest Winners, was adopted 1/27/2012 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 2012R-056

**By Reich, Gordon, Hofstede, Johnson, Samuels, Lilligren,
Goodman, Glidden, Schiff, Tuthill, Quincy, Colvin Roy, and Hodges**

Honoring the 2012 Rev. Dr. Martin Luther King, Jr. Essay Contest Winners.

Whereas, the Minneapolis Commission on Civil Rights was established in 1975 to implement Civil Rights policies through public information, education, mediation, conciliation and adjudication; and

Whereas, the Commission provides leadership in the areas of civil rights and carries forward the policies of the City through the prevention and elimination of bias and discrimination; and

Whereas, the Rev. Dr. Martin Luther King, Jr. believed that liberty, justice and freedom were the 'inalienable rights' of all men, women and children, and that all people were equal in the sight of God and deserving of dignity and self-worth; and

Whereas, the Rev. Dr. Martin Luther King, Jr., a recipient of the Nobel Prize, became a national hero whose birthday has been declared a national holiday by his nation's government; and

Whereas, Rev. Dr. Martin Luther King Jr. inspired people and nations world-wide to strive in non-violent manners for the human rights, civil liberties, and economic guarantees rightfully due people of all races; and

Whereas, the Minneapolis Commission on Civil rights established the Annual Rev. Dr. Martin Luther King, Jr. Essay Contest in 2005 as an opportunity to continue and renew this endeavor through education; and

Whereas, all sixth, seventh and eighth grade students who reside in Minneapolis were eligible to participate by submitting one essay with their answers to this topic: "Compare and contrast the human rights that young people of your age in your community might take for granted that may not be as readily available to young people in other areas of the United States and around the world;" and

Whereas, the Minneapolis Commission on Civil Rights selected the following prize winners from each grade level:

8th Grade:

- 1st place** – *Conlan Olson – Anthony Middle School*
- 2nd place** – *Kulle Basha – Anne Sullivan School*
- 3rd place** – *Virginia Rendler – Anthony Middle School*

7th Grade:

- 1st place** – *Giselle Durand – Anthony Middle School*
- 2nd place** – *Emily Van Ryn – Anthony Middle School*
- 3rd Place** – *Fartun Hassan– Anne Sullivan School*

6th Grade:

- 1st place** – *Shukri Isse– Learning for Leadership*
- 2nd place** – *Naimo Hussein– Learning for Leadership*
- 3rd place** – *Saabiriin Mohamed– Learning for Leadership;*

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

That the Minneapolis City Council honors and appreciates all of those students who participated in the 2012 Martin Luther King, Jr. Essay Contest, and gives special recognition to those who won 1st, 2nd and 3rd places.

Adopted 1/27/2012.

Resolution 2012R-057, honoring Kent Robbins for his 31 years of service to the City of Minneapolis, was adopted 1/27/2012 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 2012R-057

**By Goodman, Reich, Gordon, Hofstede, Johnson, Samuels,
Lilligren, Glidden, Schiff, Tuthill, Quincy, Colvin Roy, and Hodges**

Honoring Kent Robbins for his 31 years of service to the City of Minneapolis.

Whereas, Kent Robbins has worked for the Minneapolis Public Works Department, Minneapolis Urban Corp, and Minneapolis Housing and Redevelopment Authority, in addition to serving as Policy and Operations staff to the Minneapolis City Council for 16 years beginning his service in March 1984 then continuing as the Business and Special Projects Coordinator with Minneapolis Community Planning and Economic Development Department until January, 2012; and

Whereas, Kent has served as primary staff for over 900 City Council meetings and Council Study Sessions from 1984 to 2000; and

Whereas, Kent has helped develop the membership and organizational structure for the City's 20 year Neighborhood Revitalization Implementation Committee in 1988-89, has served as the Council's representative on numerous NRP staff committees for the past decade, and has also helped facilitate the NRP Phase II planning process; and

Whereas, Kent has authored numerous reports to the City Council on National Housing and Tax policy including the 1986 Tax Reform Act Effects on Minneapolis Housing, National housing legislation, and the effects of Savings & Loan Bailout legislation on Minneapolis housing programs; and

Whereas, Kent has served the City Council as its staff representative on various committees such as the: Downtown Central Library Task Force, Near North side Implementation Committee, Minneapolis Community Development Agency Review Committee, Common Project Review Committee, City-Wide Comprehensive Grant Committee for Public Housing Improvements, and Affordable Housing Task Force; and

Whereas, Kent has represented Minneapolis as a speaker and panelist at numerous National League of Cities and Association of Local Housing Finance Agencies' conferences; and

Whereas, Kent was one of the original members of the Downtown Marketing Committee that developed the Holidazzle Parade in 1991 and has appeared as Captain Hook in the first parade of the season for many years; and

Whereas, Kent has served as host of the City cable television show "City Council Recap" for the past 17 1/2 years during which he has interviewed over 200 elected officials and city staff and highlighted the actions and programs of Minneapolis city government; and

Whereas, Kent has represented the Minneapolis Community Planning and Development Department at the Central Corridor Light Rail Joint DBE/AA Oversight Meetings, Construction Partnering Programs, and MnDOT DBE & Workforce Collaboratives; and

Whereas, Kent was the primary City staff in the implementation of the State Business Subsidy Act and the development of the Minneapolis City's Living Wage Ordinance; and

Whereas, Kent directed the Minneapolis Business Service Pilot Program and authored a report describing its accomplishments to the Minnesota Department of Employment and Economic Development; and

Whereas, Kent has negotiated, drafted and monitored nine workforce plans between private businesses and City government that connected economic development construction, totaling more than one billion dollars, with local employment opportunities; and

Whereas, Kent has conducted aggressive business service initiatives including on-site visits to hundreds of Minneapolis businesses and by surveying hundreds of job linkage companies to encourage local hiring; and

Whereas, Kent has been an expert liaison between private developers and government entities in developing strategies governing hiring agreements for special subsidy programs;

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

That the City Council and Mayor express their appreciation and thanks to Kent Robbins for his exceptional service to the City of Minneapolis and residents of Minneapolis.

Be It Further Resolved that the Council and Mayor extend their sincere wishes for many more years of fulfilling opportunities to remain constructively engaged in the community and enjoying time with family.

Adopted 1/27/2012.

Resolution 2012R-058, honoring retiring Fire Chief Alex Jackson, was adopted 1/27/2012 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 2012R-058

**By Reich, Gordon, Hofstede, Johnson, Samuels, Lilligren,
Goodman, Glidden, Schiff, Tuthill, Quincy, Colvin Roy, and Hodges**

Honoring retiring Fire Chief Alex Jackson.

Whereas, Alex Jackson joined the Minneapolis Fire Department in August 1980; and

Whereas, Alex Jackson worked his way through the ranks of the Minneapolis Fire Department, from Firefighter to Fire Motor Operator to Captain; and

Whereas, Alex Jackson officially began to assist the Fire Administration in their recruitment efforts beginning in January 2000; and

Whereas, Alex Jackson was promoted to Administrative Deputy and Assistant Chief of the Fire Department in 2003 and 2007; and

Whereas, Alex Jackson was appointed Chief of the Minneapolis Fire Department on July 25, 2008, the first African American to serve in that capacity in the long history of the Minneapolis fire Department; and

Whereas, Alex Jackson was actively engaged in the early efforts to expand diversity in the Minneapolis Fire Department; and

Whereas, Alex Jackson served as the president of the Black Firefighters Association from 1992 to 1996; and

Whereas, as Chief of the Department, Alex Jackson continued to pursue excellence in service delivery to residents of the City; and

Whereas, as Chief of the Department, Alex Jackson had as his highest priority the safety and well-being of the firefighters under his direction;

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

That the City Council and Mayor express their appreciation and thanks to Alex Jackson for his exceptional service to the City of Minneapolis and residents of Minneapolis.

Adopted 1/27/2012.

UNFINISHED BUSINESS

Pursuant to notice, Reich moved to introduce the subject matter of an ordinance amending Title 3, Chapter 46 of the Minneapolis Code of Ordinances relating to *Air Pollution and Environmental Protection: Hazardous Waste Generation, Handling, Storage and Disposal*, for first reading & referral to the Regulatory, Energy & Environment Committee (regulating the removal & disposal of asbestos shingles). Seconded.

Adopted upon a voice vote 1/27/2012.

Pursuant to notice, Gordon moved to introduce the subject matter of an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, for first reading & referral to the Regulatory, Energy & Environment Committee (amending provisions related to composting). Seconded.

Adopted upon a voice vote 1/27/2012.

Pursuant to notice, Glidden moved to introduce the subject matter of an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, for first reading & referral to the Regulatory, Energy & Environment Committee (amending provisions providing for period of ineligibility for persons holding or possessing an interest in any rental dwelling license upon the occurrence of a second revocation or cancellation). Seconded.

Adopted upon a voice vote 1/27/2012.

Pursuant to notice, Tuthill moved to introduce the subject matter of an ordinance amending Title 9, Chapter 174 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Minneapolis Fire Department; Fire Prevention Bureau, for first reading & referral to the Regulatory, Energy & Environment Committee (updating the Commercial Hood and Exhaust Cleaning Article to more equitably distribute the costs of the inspection program). Seconded.

Adopted upon a voice vote 1/27/2012.

NEW BUSINESS

Schiff moved that the Minneapolis Animal Care and Control Division of the Regulatory Services Department continue its current hours of operation and level of service until the City Council decides how 2011 "roll-over" money is to be spent; and

That the Regulatory Services Department is directed to request 2011 roll-over money sufficient to fund a position to staff the Minneapolis Animal Care and Control window through 2012. Seconded.
Adopted 1/27/2012.

Lilligren moved to adjourn. Seconded.
Adopted upon a voice vote 1/27/2012.

Casey Joe Carl,
City Clerk.

Unofficial Posting: 1/31/2012
Official Posting: 2/3/2012
Correction: 2/15/13