OFFICIAL PROCEEDINGS
MINNEAPOLIS CITY COUNCIL

REGULAR MEETING
OF MARCH 30, 2012

(Published April 7, 2012, in *Finance and Commerce*)

Council Chamber
Room 317 City Hall
350 South 5th Street
Minneapolis, Minnesota
March 30, 2012 - 9:30 a.m.
Council President Johnson in the Chair.

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

Absent – Council Member Reich.

Lilligren moved adoption of the agenda. Seconded.

Schiff moved to amend the agenda to include under "New Business" a notice of intent to refer the subject matter of a finance package for sales tax generated in Minneapolis to support a new Vikings stadium and other economic activity to the Intergovernmental Relations Subcommittee, Community Development Committee, and Ways & Means/Budget Committee. Seconded.

Adopted upon a voice vote.
Absent - Reich.

The agenda, as amended, was adopted upon a voice vote.
Absent - Reich.

Lilligren moved acceptance of the minutes of the regular meeting of March 8, 2012. Seconded.
Adopted upon a voice vote.
Absent - Reich.

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.
Absent - Reich.

PETITIONS AND COMMUNICATIONS

AUDIT (See Rep):

INTERNAL AUDIT (275543)
Grant Management Process Review internal audit report.

COMMITTEE OF THE WHOLE (See Rep):

NEIGHBORHOOD AND COMMUNITY RELATIONS (275544)
Community Participation Program Guidelines: Approval of revisions to guidelines and funding formula allocation.

NEIGHBORHOOD AND COMMUNITY RELATIONS (275545)
Heading Home Hennepin:
Receive and file 5 year update.
Authorize fiscal agent agreement with Family Housing Fund for Project Homeless Connect.

COMMITTEE OF THE WHOLE and WAYS & MEANS/BUDGET (See Rep):

NEIGHBORHOOD AND COMMUNITY RELATIONS (275546)
Community Connections Conference: Report to the Community and acceptance of in-kind donations and financial contributions from conference sponsors.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275547)

Land Sales:

2814 Aldrich Ave N: Sale to Urban Homeworks, Inc;

424 & 428 31st Ave N: Sale to Twin Cities Habitat for Humanity, Inc.;

1215 & 1219 Marshall St NE: Sale to Everwood Development LLC.

Impact Mailing Tax Increment Financing District No. 77: Decertification.

Disposition of Land-Banked Lots: Marketing & sale of properties acquired under NSP 1, 2 & 3 programs.

Alliance Housing Inc (re 2600 & 2606 17th Ave S): Twelve-month extension of exclusive development rights.

Minnesota Department of Employment & Economic Development/Office of Workforce Development: Grant funding application.

U.S. Department of Labor: Grant funding application for Young Adult Ex-Offenders.

Metropolitan Consortium of Community Developers: Extension of partnership for Small Business Loan Programs in 2012.

COMMUNITY DEVELOPMENT and T&PW and W&M/Budget (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275548)

Seward Community Bike Walk Center: Authorizing the City to serve as fiscal agent for Non-Motorized Transportation Pilot Program funding award.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275549)

Public Facilities Staff Time report.

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275550)

Ambassador Press (1400 Washington Ave N): Preliminary approval to issue bonds.

ELECTIONS (See Rep):

CITY CLERK (275551)

Ward Boundary Plan: Adopted by the Minneapolis Charter Commission.

CITY CLERK (275552)

Election Precincts: Designating precinct boundaries in the wards of the City of Minneapolis.

PUBLIC SAFETY, CIVIL RIGHTS & HEALTH:

CIVIL RIGHTS (275553)

Complaint Investigations Program: 2011 Semi-Annual Report.

Contract Compliance Unit: 2011 Fourth Quarter Report.

Civilian Police Review Authority: 2011 Fourth Quarter Report.

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

CIVIL RIGHTS (275554)

Civil Rights Department Travel Donation: Accept conference travel costs donation for Karen Francois to attend the "Building the Bridge between Equity and the Economy Conference" on April 3 & 4, 2012 in Washington, DC.

2012 Construction Workforce Goals: Approve local minority and women workforce goals to become effective May 1, 2012.

HEALTH AND FAMILY SUPPORT (275555)

School Based Clinic Program: Execute site agreement with Minneapolis Campus Compact to act as a 2012-2013 host site for a College Health Corps AmeriCorps VISTA volunteer to support peer education in the School Based Clinics.

Public Health Advisory Committee: Approve City Council appointment of Autumn Chmielewski representing Ward 12.

POLICE DEPARTMENT (275556)

2013 Presidential Inauguration Security Detail: Authorize 40 sworn Minneapolis Police Department officers to travel to Washington, DC to provide security for the 57th Presidential Inauguration ceremonies.

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

CIVIL RIGHTS (275557)

Summer Clerkship Program/Department of Civil Rights: Accept grant of $4,500 from the Minnesota Justice Foundation for the Complaint Investigations Unit to participate to hire a summer clerk as a host agency employer; and Approve appropriation.

COORDINATOR (275558)

Port Security Grant: Execute amendment to grant agreement with Minnesota Department of Public Safety Homeland Security and Emergency Management to complete the Port Wide Risk Management and Mitigation Plan; and Approve appropriation.

HEALTH AND FAMILY SUPPORT (275559)

The VOICE Project: Execute agreement with the Minnesota Department of Health to accept $15,000 in support of the Valuing Our Individual Cultures through Engagement Project story based community dialogues in support of the Department's work on obesity prevention; and Approve appropriation.

POLICE DEPARTMENT (275560)

Bomb Disposal Unit: Execute grant agreement with Minnesota Homeland Security and Emergency Management to accept $33,000 for use by the Bomb Unit for planning, exercises, training and equipment; and Approve appropriation.

Auto Theft Prevention Program: Accept $200,392 and execute grant agreement with the Minnesota Department of Commerce to support prosecution of auto thieves over a two-year period and dissemination of information to deter auto theft crimes; and Approve appropriation.

REGULATORY, ENERGY AND ENVIRONMENT:

REGULATORY SERVICES (275561)

R & H Foods Inc, 2118 W Broadway: Request by the Minnesota Department of Revenue to revoke Food Manufacturer License due to outstanding tax liability.

REGULATORY SERVICES (275562)

Tobacco Sampling: Report and accompanying attachments and citations to authority as a supplemental and additional record to be incorporated into and made a part of the official City Council record supporting the adoption of Section 281.56 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Tobacco Dealers - Sampling, passed July 1, 2011.

REGULATORY, ENERGY AND ENVIRONMENT (See Rep):

LICENSES AND CONSUMER SERVICES (275563)

Licenses: Applications.

LICENSES AND CONSUMER SERVICES (275564)

Super More Value, 2747 Bloomington Ave: Approve Business License Operating Conditions relating to Grocery License.

Auto Repair Businesses at 2812 University Ave SE: Approve Business License Operating Conditions relating to Motor Vehicle Repair Garage Licenses for the following businesses -- Africa Affordable Auto Repair; Ethio Auto Repair; G M Auto Repair; Masafara Auto Body; Fleming Towing.

Chicago Food & Deli, 2500 Chicago Ave: Approve License Settlement Conference recommendations relating to Grocery License.

LICENSES AND CONSUMER SERVICES (275565)

The Jeune Lune, 105 1st St N: Grant On-Sale Liquor Class A with Sunday Sales License.

Krungthep Thai Cuisine, 2523 Nicollet Ave: Grant On-Sale Wine Class E with Strong Beer License.

George and the Dragon, 813 W 50th St: Grant On-Sale Wine Class E with Strong Beer License.

Corner Table, 4257 Nicollet Ave: Grant On-Sale Wine Class E with Strong Beer License.

Profile Event Center, 2630 University Ave SE: Grant On-Sale Liquor Class B with Sunday Sales License, subject to conditions.

REGULATORY SERVICES (275566)

Chapter 249 Property at 1126 6th St NE: Authorize demolition of property.

REGULATORY SERVICES (275567)

Pandora's Box Veterinary Clinic, 1220 37th Ave N: Revoke Pet Shop License at the request of the Minnesota Department of Revenue due to an outstanding tax liability.

REGULATORY SERVICES (275568)

Rental Dwelling License at 302 E 48th St: Revoke license held by Jeffrey Whalen.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (275569)

Mississippi Watershed Management Organization (MWMO): Revised Joint and Cooperative Agreement.

4th Ave N Construction: Settlement agreement with Knutson Construction.

Critical Parking Area No 3: Amend to include 2100, 2200, 2300 blocks of Elliot Ave S; 800 block of 22nd St E; 2400 block of 10th Ave S; and 2400 block of 11th Ave S.

Near North (South Portion), Grant Area, and Olson Memorial Hwy Frontage Rd N Street Resurfacing Projects: a) Combine projects into Near North and Grant Area Street Resurfacing Project No 2990; and b) Project designation.

N Cedar Lake Rd Street Resurfacing Project No 5240: Project designation.

8th Ave NE Street Resurfacing Project No 2953: Project designation.

2nd St NE Street Resurfacing Project No 5243: Project designation.

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

PUBLIC WORKS AND ENGINEERING (275570)

Bassett Creek Shoreline Restoration: a) Accept grant from Basset Creek Watershed Management Commission; b) Appropriate funds; and c) Agreements with Bassett Creek Watershed Management Organization and Minneapolis Park and Recreation Board.

Downtown Minneapolis Public Realm Conservancy: Contribution to feasibility study.

Capital Project Close-Outs: Close-out of various Bike, Bridge, Lighting, Paving, Non-Department, Parking and Traffic Operations project/program work and reallocation of excess revenue and net debt bonds.

Bids: a) OP 7574, Low responsive bid of Tiller Corporation (d/b/a Commercial Asphalt Company), for bituminous mixtures; b) OP 7575, Low bid of Fischer Mining, LLC for fine aggregate; c) OP 7576, Low bid of Martin Marietta Materials for gray/black class “A” aggregate; d) OP 7582, Low bid of Graymont (WI), LLC quick lime; e) OP 7588, Low bid of Thomas and Sons Construction, Inc. for Nicollet Ave Reconstruction Project; and f) OP 7590, Low bid of Cemstone Products Company for Ready Mix Concrete and concrete equipment.

WAYS AND MEANS BUDGET:

PUBLIC WORKS AND ENGINEERING (275571)

Graffiti on City Infrastructure: Report.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (275572)

Legal Settlements: a) Dorian Hay v. Adam Lewis and Michael Williams; and b) Nicholas Dahl v. Peter Ritschel and the City of Minneapolis.

CITY CLERK (275573)

Council Ward Budget Guidelines: Adopt.

CONVENTION & VISITORS ASSOCIATION OF GREATER MPLS (275574)

Architectural, Engineering and Design services: RFP to generate consultant pool.

COORDINATOR/911 (275575)

CenterPoint Energy Community Partnership Grant: Accept funds for Public Safety Equipment, towards expansion of the First Watch Situational Awareness tool.

FINANCE DEPARTMENT (275576)

Capital Long-Range Improvement Committee (CLIC) Appointments: Alexander Tsatsoulis to fulfill the unexpired term of Becca Vargo Daggett; and Jacob Frey filling vacancy.

FIRE DEPARTMENT and REGULATORY SERVICES (275577)

Board Up Services: Memorandum of Understanding.

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (275578)

Vacations:

Street - CenterPoint Energy (Aldrich Ave N & Bryant Ave N south of Linden Ave W)

Alley - Walker Branch, Hennepin County Library (2880 Hennepin Ave)

Right-of-way - City Walk Uptown (1312 Lake St W)

Alley - Sarah Dietrich (3032, 3034 & 3038 30th Ave S)

Alley - Habitat for Humanity (2200-2212 Irving Ave N).

PLANNING COMMISSION/DEPARTMENT (275579)

Zoning Code Text Amendments:

Land Use application, inspection, and subdivision fees, Title 20, Chapters 525 & 598.

PLANNING COMMISSION/DEPARTMENT (275580)

Zoning Code Text Amendments:

Urban Agriculture Policy Plan implementation, Title 20, Chapters 520, 530, 535, 536, 537, 541, 543, 546, 547, 548, 549, and 550.

FILED:

CHARTER COMMISSION (275581)

Redistricting: a) Public Comments rec'd 3/26 & 3/27; b) Park Board maps and stats; c) Resolution approving ward boundaries; d) Final City ward maps and stats; e) City Clerk Receipt of Resolution; f) Email from Redistricting Group Member Thaden; and g) Email from Charter Commissioner Lazarus.

The following reports were signed by Mayor Rybak on April 3, 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 recommends that the Neighborhood and Community Relations Director be authorized to execute the necessary agreement between the City of Minneapolis and Hennepin County for the Family Housing Fund to serve as the fiscal agent for Project Homeless Connect.

Adopted.

Absent - Reich.

Comm of the Whole - Your Committee, having under consideration revisions to the Community Participation Program Guidelines and Funding Allocation formula, now recommends:

a) approval of the revised Community Participation Program Guidelines and Funding Allocation Formula as outlined in Petn No. 275544 on file in the Office of the City Clerk;

b) approval of up to $5.7 million for the next cycle of Community Participation Program neighborhood funding allocations for the period July, 2012 through December, 2013; and

c) authorizing appropriate City staff to enter into any necessary contracts consistent with the approved guidelines.

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

Adopted by unanimous consent.

Absent - Reich.

Comm of the Whole - Your Committee, having under consideration revisions to the Community Participation Program Guidelines and Funding Allocation formula, now recommends:

a) approval of the revised Community Participation Program Guidelines and Funding Allocation Formula as outlined in Petn No. 275544 on file in the Office of the City Clerk;

b) approval of up to $5.7 million for the next cycle of Community Participation Program neighborhood funding allocations for the period July, 2012 through December, 2013;

c) approval of an additional $860,000 for those neighborhoods that lost dollars in budget action from December 2010 and are not able to access at least 70% of their original (April 2004) Phase II NRP allocation; and

d) authorizing appropriate City officials to enter into contracts consistent with the approved guidelines.

Adopted.

Absent - Reich.

Lilligren moved to find under Council Rule 4 that the regular Council cycle is not adequate, and to consider the action of the Committee of the Whole from March 29, 2012, regarding Special Legislation SF 2408 and HF 2871 at this meeting. Seconded.

Adopted.

Absent - Reich.

Comm of the Whole/IGR - Your Committee recommends passage of the accompanying resolution supporting Special Legislation SF 2408 and HF 2871, of the Minnesota 2012 Legislative Session.

Adopted.

Absent - Reich.

Resolution 2012R-136, supporting Special Legislation SF 2408 and HF 2871, of the Minnesota 2012 Legislative Session, was adopted 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-136
By Samuels

Supporting Special Legislation SF 2408 and HF 2871, of the Minnesota 2012 Legislative Session.

Whereas, the North Minneapolis tornado of 2011 caused considerable damage to Kick's Liquor Store Inc, doing business as Broadway Liquor Outlet, leaving their building no longer structurally sound; and

Whereas, the existing location of the business at 2201 West Broadway has nonconforming rights and is not subject to the 5 acre requirement under City Charter; and

Whereas, the business owner would like to rebuild and to seize a unique opportunity to build a superior commercial corridor and this new development would not meet requirements under the City Charter; and

Whereas, the Minnesota State Legislature is considering a bill authorizing the City of Minneapolis to issue an off sale intoxicating liquor license to Kick's Liquor Store Inc, doing business as Broadway Liquor Outlet at a temporary location at 2201 West Broadway and at a location at 2220 West Broadway; and

Whereas, the Minnesota State Legislature has requested this resolution and an affirmative vote of a majority of the members of the City Council;

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

That the said legislative action is now supported by this resolution.

Adopted.

Absent - Reich.

Comm of the Whole & W&M/Budget - Your Committee recommends passage of the accompanying resolution accepting in-kind donations and financial contributions from sponsors for the First Annual Community Connections Conference - Building Better Communities.

Adopted.

Absent - Reich.

Resolution 2012R-137, accepting in-kind donations and financial contributions from sponsors for the First Annual Community Connections Conference - Building Better Communities, was adopted 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-137
By Lilligren

Accepting in-kind donations and financial contributions from sponsors for the First Annual Community Connections Conference - Building Better Communities.

That the proper City officers be authorized to accept the donations from the following entities for use in covering the cost of the event center, keynote speaker, and technical support from PolicyLink for the First Annual Community Connections Conference - Building Better Communities Through Neighborhoods:

Allina Hospitals & Clinics	$5,000 direct contribution
St. Mary's University Event Center	$4,650 in-kind donation for use of space
McKnight Foundation	$3,000 to PolicyLink to help cover travel expenses for Angela Glover Blackwell.

Adopted.

Absent - Reich.

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 2814 Aldrich Ave N to Urban Homeworks Inc for $10,818.42 plus reimbursement of additional acquisition and holding costs, 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.

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

Adopted.

Absent - Reich.

Resolution 2012R-138, authorizing sale of land Neighborhood Stabilization Program Disposition Parcel No. NSP 3R003 at 2814 Aldrich Ave N, was adopted 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-138
By Goodman

Authorizing sale of land Neighborhood Stabilization Program Disposition Parcel No. NSP 3R003 at 2814 Aldrich Avenue North.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel NSP 3R003 in the Hawthorne Neighborhood, from Urban Homeworks Inc., hereinafter known as the Redeveloper, the Parcel NSP 3R003, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of NSP 3R003; 2814 Aldrich Avenue North: Lot 11, Block 1, Fairmount Park Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of $10,000.00 plus $818.42 in City paid acquisition costs, plus reimbursement of any additional acquisition and holding costs for Parcel NSP 3R003; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the 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 accepted methods of 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 Friday, March 9, 2012, a public hearing on the proposed sale was duly held on March 20, 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 uses in accordance with the Neighborhood Stabilization Program plan, as amended, is hereby estimated to be the sum of $10,000.00, for Parcel NSP 3R003.

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 on or before 90 days from the date this Resolution is approved by the City 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 CPED 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 official of the City.

Adopted.

Absent - Reich.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the properties at 424 and 428 31st Ave N to Twin Cities Habitat for Humanity, Inc, for $3,100 each, 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.

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

Adopted.

Absent - Reich.

Resolution 2012R-139, authorizing sale of land Neighborhood Stabilization Program Disposition Parcels 3R004 and 3R005 at 424 31st Ave N and 428 31st Ave N, was adopted 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-139
By Goodman

Authorizing sale of land Neighborhood Stabilization Program Disposition Parcels 3R004 and 3R005 at 424 31st Avenue North and 428 31st Avenue North.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcels 3R004 and 3R005, in the Hawthorne neighborhood, from Twin Cities Habitat for Humanity, Inc., hereinafter known as the Redeveloper, the Parcels 3R004 and 3R005, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION:

3R004; 424 31st Avenue North: The West 82 feet of Lots 7 and 8, Block 7, Morrison's addition to North Minneapolis, except the West 41 feet thereof;

3R005; 428 31st Avenue North: The West 41 feet of Lots 7 and 8, Block 7, Morrison's Addition to North Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of $3,100 each, for Parcels 3R004, and 3R005 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 values reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcels; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on March 9, 2012, a public hearing on the proposed sale was duly held on March 20, 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 Neighborhood Stabilization Program plan, as amended, is hereby estimated to be the sum of $3,100 each for Parcels 3R004, and 3R005.

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 on or before 90 days from the date this Resolution is approved by the City and 2) payment of holding costs of $300.00 per month per parcel (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.

Absent - Reich.

Comm Dev - Your Committee, having under consideration sale of the Grain Belt Marshall Street site, now recommends passage of the accompanying resolutions approving the sale of 1215 Marshall St NE for $150,000 to Everwood Development LLC or to an affiliated, single asset entity for rehabilitation and commercial reuse and approving the sale of 1219 Marshall St NE for $1.4 million to Everwood Development LLC or to an affiliated, single asset entity for the development of a new rental apartment development, and that the proper City officers be authorized to enter into a redevelopment contract(s) and related documents in accordance with the terms contained in the Department of Community Planning & Economic Development staff report.

Adopted.

Absent - Reich.

Resolution 2012R-140, authorizing sale of land Grain Belt Brewery Redevelopment Plan Disposition Parcel No GB 2 & 3A at 1215 Marshall St NE, was adopted 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-140
By Goodman

Authorizing sale of land Grain Belt Brewery Redevelopment Plan Disposition Parcel No GB 2 & 3A at 1215 Marshall Street Northeast.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel GB 2 & 3A in the Sheridan Neighborhood, from Everwood Development LLC or an affiliated, single asset entity, hereinafter known as the Redeveloper, the Parcel(s) GB 2 & 3A, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of GB 2 & 3A; 1215 Marshall Street NE: Lot 1, Block 1, Minneapolis Brewing Company Addition Being Registered Land as evidenced by Certificate of Title No. 1316435; and

Whereas, the Redeveloper has offered to pay the sum of $150,000, for Parcel GB 2 & 3A; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the 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 accepted methods of 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 Friday, March 9, 2012, a public hearing on the proposed sale was duly held on March 20, 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 uses in accordance with the Grain Belt Brewery Redevelopment Plan, as amended, is hereby estimated to be the sum of $150,000, for Parcel GB 2 & 3A.

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

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that 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 official of the City.

Adopted.

Absent - Reich.

Resolution 2012R-141, authorizing sale of land Grain Belt Brewery Redevelopment Plan Disposition Parcel No GB 2, 3B, 11 & 14 at 1219 Marshall St NE, was adopted 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-141
By Goodman

Authorizing sale of land Grain Belt Brewery Redevelopment Plan Disposition Parcel No GB 2, 3B, 11 & 14 at 1219 Marshall Street Northeast.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel GB 2, 3B, 11 & 14, in the Sheridan Neighborhood, from Everwood Development LLC or an affiliated, single asset entity, hereinafter known as the Redeveloper, the Parcel GB 2, 3B, 11 & 14 being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION GB 2, 3B, 11 & 14; 1219 Marshall Street NE: Outlot A, Minneapolis Brewing Company Addition, Being Registered Land in part as evidenced by Certificate of Title No. 1316435; and

Whereas, the Redeveloper has offered to pay the sum of $1,400,000, for Parcel GB 2, 3B, 11 & 14 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

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

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on March 9, 2012, a public hearing on the proposed sale was duly held on March 20, 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 Grain Belt Brewery Redevelopment Plan, as amended, is hereby estimated to be the sum of $1,400,000 for Parcel GB 2, 3B, 11 & 14.

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

possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that 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.

Absent - Reich.

Comm Dev - Your Committee recommends passage of the accompanying resolution approving the formal decertification of the Impact Mailing Tax Increment Financing (TIF) District No. 77.

Adopted.

Absent - Reich.

Resolution 2012R-142, approving decertification of Impact Mailing Tax Increment Financing District No. 77, was adopted 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-142
By Goodman

Approving Decertification of Impact Mailing Tax Increment Financing District.

Whereas, on April 25, 1997, the City Council of the City of Minneapolis adopted a resolution establishing the Impact Mailing TIF District No. 77 (the “District”) and approving the TIF Plan relating thereto, as well as a modification to the Camden Redevelopment Plan and the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan; and

Whereas, as of May 19, 2001, representing four years from the date of certification of the original value of the District, qualifying activities had not occurred on the individual parcels within the District, resulting in all parcels being knockdown from the District pursuant to Minnesota Statutes, Sections 469.174 through 469.179, as amended (the “TIF Act”); and

Whereas, all obligations of the City with respect to the District have been satisfied; and

Whereas, no tax increment revenue was received from the County since 2003 and all revenue collected has been used to pay qualifying costs of the District and the Common Project; and

Whereas, action must be taken by the City Council to formally decertify the District;

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

That the Impact Mailing Tax Increment Financing District No. 77 be decertified as of December 31, 2003.

City staff is directed to prepare and submit to the Office of the State Auditor and Hennepin County the documentation necessary to formalize this decertification.

Adopted.

Absent - Reich.

Comm Dev - Your Committee, having under consideration the disposition of land-banked lots acquired under the Neighborhood Stabilization Program (NSP), now recommends that the proper City officers be authorized to begin marketing and sale of properties acquired under the Land Banking strategy of the City's NSP 1, 2 and 3 programs using the City's normal disposition policies and procedures for development parcels.

Goodman moved that the report be postponed. Seconded.

Adopted upon a voice vote.

Absent - Reich.

Comm Dev - Your Committee recommends that the 12-month exclusive development rights on the City-owned properties at 2600 and 2606 – 17th Ave S granted to Alliance Housing Incorporated be extended for an additional 12 months, through March 2013, to finalize the implementation of a redevelopment plan on four residential parcels at 2600 – 2606 17th Ave S.

Adopted.

Absent - Reich.

Comm Dev - Your Committee recommends that the proper City officers be authorized to apply for grants in excess of $250,000 from the Minnesota Department of Employment and Economic Development, Office of Workforce Development, for expansion of the current RENEW Minneapolis program.

Adopted.

Absent - Reich.

Comm Dev - Your Committee recommends that the proper City officers be authorized to apply for grants in excess of $250,000 from the U.S. Department of Labor Funds for Serving Young Adult (ages 18-21) Ex-Offenders.

Adopted.

Absent - Reich.

Comm Dev - Your Committee recommends that the proper City officers be authorized to execute a contract extending the partnership with the Metropolitan Consortium of Community Developers for 2012 for the Small Business Loan Programs.

Adopted.

Absent - Reich.

The COMMUNITY DEVELOPMENT, TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following report:

Comm Dev, T&PW & W&M/Budget - Your Committee, having under consideration a federal Non-Motorized Transportation Pilot (NTP) Program funding award, now recommends:

a) Passage of the accompanying resolution authorizing the City to serve as fiscal agent pass-through for the NTP Program funding award to the Seward Community Bike Walk Center and appointing State of Minnesota Department of Transportation (MnDOT) to serve as City agent to accept the federal funds;

b) Passage of the accompanying resolution accepting and appropriating the federal NTP funding award of $380,000 to the Department of Community Planning & Economic Development for the Seward Community Bike Walk project; and

c) That the proper City officers be authorized to execute such Agency, Project Development and Funding Agreements with MnDOT and Seward Neighborhood Group, Inc. or a related entity, that are necessary to implement the Seward Community Bike Walk Center with NTP Pilot project funds.

Goodman moved to amend paragraph "b" of the report and the accompanying resolution accepting the federal funding award and authorizing City of Minneapolis to serve as Fiscal Agent for Seward Community Bike Walk Center to reflect grant award funding, wherever it appears, in an amount up to $380,000 in lieu of the figure $380,000. Seconded.

Adopted upon a voice vote.

Absent - Reich.

The report, as amended, was adopted.

Absent - Reich.

Approved by Mayor Rybak 3/30/2012.

(Published 4/3/2012)

Resolution 2012R-143, accepting federal funding award and authorizing City of Minneapolis to serve as Fiscal Agent for Seward Community Bike Walk Center, was adopted 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-143
By Goodman, Colvin Roy, Hodges

Accepting federal funding award and authorizing City of Minneapolis to serve as Fiscal Agent for Seward Community Bike Walk Center.

Whereas, under the federal SAFETY-LU Transportation Act enacted in 2005, Minneapolis and adjoining communities have been allocated funds under the Non-Motorized Transportation Pilot (NTP) Program; and

Whereas, the Non-Motorized Transportation Pilot Program is designed to test how infrastructure improvements, combined with planning, public education and promotion, can increase the number of people bicycling and walking and reduce driving; and

Whereas, the Federal Highway Administration (FHWA) has designated Transit for Livable Communities and its affiliate Bike Walk Twin Cities (BWTC) to administer the Non-Motorized Transportation Pilot Program funds; and

Whereas, Seward Neighborhood Group prepared and submitted to BWTC an application for Non-Motorized Transportation Pilot Program funding that identified a comprehensive program of targeted marketing, educational, training and encouragement programs, activities and services to be implemented by the Seward Community Bike Walk Center to increase the mode share of walking and biking in the community, especially among under-represented low income, minority or new immigrant populations; and

Whereas, Transit for Livable Communities and Bike Walk Twin Cities are administering the federal Non-Motorized Transportation Pilot Program and have awarded through a competitive solicitation process Seward Neighborhood Group, Inc. an amount up to $380,000 over two years to create and operate the Seward Community Bike Walk Center; and

Whereas, the federal Non-Motorized Transportation Pilot Program requires that a local taxing authority accept the Federal Funds that have been awarded to Seward Neighborhood Group, Inc. and enter into agreements with the Minnesota Department of Transportation and Seward Neighborhood Group, Inc. to serve as fiscal agent pass-through for the Seward Community Bike Walk Center; and

Whereas, the City of Minneapolis desires that the Commissioner of Transportation of the State of Minnesota be appointed as an agent of the City of Minneapolis to accept as its agent federal aid funds which may be made available for an eligible transportation-related project, and

Whereas, the Seward Neighborhood Group, Inc. is a designated neighborhood organization within the City of Minneapolis and a Minnesota Nonprofit Corporation to whom the City desires to pass through funds, management and responsibilities to implement this transportation and neighborhood revitalization project; and

Whereas, the City supports the final authorization of the federal funds by the Federal Highway Administration (FHWA) and Minnesota Department of Transportation for the Seward Community Bike Walk Center;

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

That pursuant to Minnesota Statutes, Section 161.36 the Commissioner of Transportation be appointed as Agent of Minneapolis to accept as its agent, federal aid funds in an amount up to $380,000 which may be made available for eligible transportation-related projects.

Be It Further Resolved that the City of Minneapolis may act as fiscal agent for Seward Neighborhood Group, Inc. for the Seward Community Bike Walk Center project for federal NTP funding if the funding is authorized.

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 Agency agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation.

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 a Project Development and Funding agreement with Seward Neighborhood Group, Inc. to pass through the federal funds, management and responsibilities to implement the Seward Community Bike Walk Center project.

Adopted.

Absent - Reich.

Approved by Mayor Rybak 3/30/2012.

RESOLUTION 2012R-144
By Goodman, Colvin Roy, 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 & Economic Development (CPED) Agency 01300 – Other Grants – Federal Fund (01300-890320) by $380,000 and increasing the revenue budget (01300-8900900-321014) by $380,000.

Adopted.

Absent - Reich.

Approved by Mayor Rybak 3/30/2012.

(Published 4/3/2012)

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

Comm Dev & W&M/Budget – Your Committee, having under consideration the issuance of revenue bonds for the Ambassador Press expansion project at 1400 Washington Ave N, now recommends passage of the accompanying resolution giving preliminary approval to the issuance of up to $6,000,000 in Tax-exempt Limited Tax Supported Development Revenue Bonds, Common Bond Fund Series 2012, for Ambassador Press to be issued through the Common Bond Fund and designating the bonds as bonds entitled to the security provided by Ordinance No. 87-OR-084, Chapter 424, Tax Reserve and Pledge Ordinance.

Adopted.

Absent - Reich.

Resolution 2012R-145, giving preliminary approval to a project on behalf of Ambassador Press, Inc. at 1400 Washington Ave N and authorizing the issuance of revenue bonds or notes of the City of Minneapolis therefor; referring the proposed project to the Department of Employment and Economic Development for approval; and authorizing the preparation of necessary documents, was adopted 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-145
By Goodman and Hodges

Giving preliminary approval to a project on behalf of Ambassador Press, Inc. at 1400 Washington Avenue North and authorizing the issuance of revenue bonds or notes of the City of Minneapolis therefor; referring the proposed project to the Department of Employment and Economic Development for approval; and authorizing the preparation of necessary documents.

Whereas, under Sections 469.152 through 469.1651 of the Minnesota Statutes, as amended (the "Act"), the City of Minneapolis, Minnesota (the "City") is authorized to issue revenue bonds or notes for the purpose of providing financing for the acquisition, construction, rehabilitation and installation of projects consisting of real and personal properties used or useful in connection with a revenue- producing enterprise engaged in any business; and

Whereas, the City has assumed the obligations of the Minneapolis Community Development Agency (the "Agency") with respect to a certain common bond fund and intends to continue to issue revenue bonds to be secured thereby (the "Common Fund Bonds"); and

Whereas, the City has authority to issue Common Fund Bonds and is the successor to the Common Fund Bonds issued by the Agency; and

Whereas, in enacting the Act, the Legislature found that the welfare of the State of Minnesota requires the active promotion, attraction, encouragement and development of economically sound industry and commerce to prevent, as far as possible, the emergence of blight and areas of chronic unemployment and to prevent economic deterioration; and

Whereas, other factors necessitating such active promotion and development of industry and commerce within the City are the increasing movement of population and business to suburban areas, the steady and rapid increase in the amount and cost of governmental services required to meet the needs of the central City area and the need for more intensive development and use of land within the City to provide an adequate tax base to finance these costs; and

Whereas, the promotion, attraction, encouragement and development of economically sound industry and commerce provides employment opportunities for residents of the City and encourages land development, thereby increasing the tax base of the City and overlapping taxing districts; and

Whereas, Ambassador Press, Inc., a Minnesota corporation, or an affiliate thereof (the "Company"), has proposed to expand and equip a manufacturing facility located at 1400 Washington Avenue North in the City (hereinafter, the "Project"), to be used in the operation of its commercial printing business; and

Whereas, the Company has proposed that the City issue one or more series of its Common Fund Bonds (the "Bonds"), for the purpose of financing the Project, including certain incidental expenses thereto, in an approximate principal amount of $6,000,000 and the proposal calls for the proceeds realized upon the sale of the Bonds to be applied by the Company pursuant to a revenue agreement wherein the Company will be obligated to expand and equip the Project and to make payments under the revenue agreement at the times and in the amounts sufficient to provide for the prompt payments of principal of, premium, if any, and interest on the Bonds and all costs and expenses of the City incident to the issuance and sale of the Bonds; and

Whereas, the City has been advised by representatives of the Company that conventional, commercial financing to pay the capital cost of the Project has not been obtained and is available only on a limited basis and at such high costs and on such terms of borrowing that the economic feasibility of the Project would be significantly impaired, such that the Project would not be undertaken but for the availability of industrial development bond financing under the Act; and

Whereas, the City Council has been advised that the proposed bond issue has been submitted to the Mayor and the Planning Commission of the City at least fourteen (14) days prior to consideration hereof; and

Whereas, it is proposed that the Bonds would be further secured by Chapter 424 of the City Code of Ordinances; and

Whereas, the proposed Project consists of real and/or personal properties to be used in a revenue-producing enterprise engaged in business, as authorized by the Act; and

Whereas, the undertaking of the proposed Project and the issuance of the Bonds to finance the cost thereof will further promote the public purposes and legislative objectives of the Act by encouraging the location and retention of revenue-producing enterprises within the City, by increasing the tax base of the

City and overlapping taxing jurisdictions, by providing additional or retaining existing employment opportunities for residents of the City and surrounding area or by stimulating the development and redevelopment of marginal lands within the City; and

Whereas, except as may be authorized by Chapter 424 of the City Code of Ordinances, the full faith and credit of the City will not be pledged or responsible for the Project or for the payment of the principal of, premium, if any, and interest on the Bonds;

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

A. That it is hereby found and determined that the Project might not be undertaken but for the availability of industrial development bond financing under the Act.

B. That the undertaking of the Project and the issuance by the City of its Bonds pursuant to the Act in an approximate aggregate principal amount of $6,000,000 or such other amount approved by the City not exceeding such sum by more than ten percent (10%), to finance the costs thereof, all as referred to above, is hereby authorized and approved by the City, subject to the approval of the Project by the Department of Employment and Economic Development of the State of Minnesota (the "Department") under the Act, and to the agreement of the City, the Company and the purchaser or purchasers of the Bonds on the detailed terms and conditions on which the Project will be expanded and equipped and the Bonds will be issued, sold and secured.

C. That in accordance with Sections 469.152 through 469.1651, Minnesota Statutes, staff of the City is hereby authorized and directed to submit the proposal for undertaking the Project to the Department requesting approval of the Project. The Finance Officer, the City Attorney and other officers, employees and agents of the City are hereby authorized to provide the Department such preliminary information as may be required for this purpose. The City Attorney is also authorized, in cooperation Gray, Plant, Mooty, Mooty & Bennett, P.A., as bond counsel, to initiate preparation of such documents as may be appropriate to the Project in order that, when and if the Project is approved by the Department, it may be carried forward expeditiously.

D. That the adoption of this resolution by the City does not constitute a guarantee or a firm commitment that the City will issue the Bonds as requested by the Company. The City reserves the right, in its sole discretion, to withdraw from participation and accordingly not issue any Bonds to finance the Project at any time prior to the adoption of the resolution authorizing the issuance of such Bonds should the City so determine.

E. That the City shall not adopt a resolution authorizing the issuance of the Bonds until all persons and entities, including the Company, involved in the operations or ownership of the Project have complied with all requirements of and had their respective affirmative action plans and equal opportunity requirements approved by the affirmative action office of the City.

F. That if and when the Bonds are issued by the City such Bonds shall be designated by the City Council of the City as bonds entitled to the security provided by Chapter 424 of the City Code of Ordinances and that the Bonds hereby requested to be designated shall not exceed $6,000,000 or such other amount approved by the City not exceeding such sum by more than ten percent (10%).

G. This Resolution shall constitute the official intent of the City to reimburse expenditures by the Company with respect to the Project, within the meaning of Section 1.150-2 of the Treasury Regulations.

Adopted.

Absent - Reich.

The ELECTIONS Committee submitted the following reports:

Ward and precinct maps, as adopted, are available in the office of the City Clerk and online at the City of Minneapolis: http://www.minneapolismn.gov/elections/index.htm .

Elections - Your Committee recommends passage of the accompanying resolution designating election precincts and boundaries thereof in the several Wards of the City of Minneapolis.

Further, that the City Clerk be authorized and directed to make the updated technical clarifications and present for final approval by the Council on Friday, March 30, 2012.

Adopted.

Absent - Reich.

Approved by Mayor Rybak 3/30/2012.

(Published 4/3/2012)

RESOLUTION 2012R-146
By Gordon

Relating to and designating and prescribing election precincts and the boundaries thereof in the several Wards of the City of Minneapolis.

Resolved by The City Council of The City of Minneapolis:

That the election precincts and boundaries thereof in the several Wards of the City of Minneapolis be and they hereby are as designated and prescribed on the map on file and of record in the office of the City Clerk (Petn No 275552), pursuant to Minnesota Statutes §204B.14, subd. 3(d), and Chapter 2, Section 7 of the Minneapolis City Charter.

Adopted.

Absent - Reich.

Approved by Mayor Rybak 3/30/2012.

(Published 4/3/2012)

Elections - Your Committee, having under consideration the City of Minneapolis Ward Boundary Plan as adopted by the Minneapolis Charter Commission at a Special Charter Commission meeting held on March 27, 2012, now recommends that the City Council receive and file said plan, set forth in the office of the City Clerk (Petn 275551).

Your Committee further directs the City Clerk to file said plan with Hennepin County.

Adopted.

Absent - Reich.

Approved by Mayor Rybak 3/30/2012.

(Published 4/3/2012)

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

PSC&H – Your Committee, having under consideration a request that the Minneapolis Police Department provide a security detail to assist the Washington DC Police Department and National Agencies with the 57th Presidential Inauguration ceremonies to be held in Washington, DC in January 2013, now recommends that 40 sworn Minneapolis Police Department officers be authorized to travel to Washington, DC, with the expectation that salary and other expenses will be reimbursed.

Adopted.

Absent – Reich.

PSC&H – Your Committee recommends passage of the accompanying resolution accepting conference travel costs donation for an employee of the Department of Civil Rights (Karen Francois) to attend a conference sponsored by the Living Cities organization entitled “Building the Bridge between Equity and the Economy Conference” on April 3 & 4, 2012 in Washington, DC.

Adopted.

Absent – Reich.

Resolution 2012R-147, accepting conference travel costs donation for an employee of the Department of Civil Rights (Karen Francois) to attend a conference sponsored by the Living Cities organization entitled “Building the Bridge between Equity and the Economy Conference” on April 3 & 4, 2012 in Washington, DC, 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-147
By Samuels

Accepting Conference Travel Costs Donation for the Department of Civil Rights.

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 Living Cities organization of New York City, NY, has offered to reimburse the City through the Minneapolis Department of Civil Rights for the travel, lodging and expense costs for a City employee to travel to Washington DC to attend the Living Cities sponsored conference focused on Transit Oriented Development being held on April 3-4, 2012; and

Whereas, the conference's overarching focus is on bridging equity and the economy in transit corridors; and

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

Whereas, this donation will assist the city in furthering staff understanding of the range of tools available through economic development, finance and workforce development strategies to assist the City in building the bridge between equity and the economy in transit corridors, 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 to reimburse the City through the Minneapolis Department of Civil Rights for the travel, lodging and expense costs for a City employee to travel to Washington, DC to attend the Living Cities sponsored conference focused on Transit Oriented Development being held on April 3 & 4, 2012.

Adopted.

Absent – Reich.

PSC&H - Your Committee recommends that the proper City officers be authorized to execute a site agreement with the Minnesota Campus Compact to act as a 2012-2013 host site for a College Health Corps AmeriCorps VISTA (Volunteers In Service To America) volunteer to work in the School Based Clinic program in support of peer education. Expenses for the volunteer, including incidental costs, shall not exceed $7,000 and shall be paid out of School Based Clinic patient revenue.

Adopted.

Absent – Reich.

Approved by Mayor Rybak 3/30/2012.

(Published 4/3/2012)

PSC&H - Your Committee recommends approval of the City Council appointment of Autumn Chmielewski, representing Ward 12, to the Public Health Advisory Committee for a two-year term to expire December 31, 2013.

Adopted.

Absent – Reich.

PSC&H - Your Committee recommends approval of the following 2012 Construction Workforce Goals that shall become effective May 1, 2012, for participation by contractors in the City of Minneapolis:

a) 32 percent goal for skilled and unskilled minority trade workers; and

b) 6 percent goal for women.

Adopted.

Absent – Reich.

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

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a grant agreement with the Minnesota Department of Homeland Security and Emergency Management to accept $33,000 for use by the Police Department's Bomb Disposal Unit for planning, exercises, training and equipment. Further, passage of the accompanying resolution appropriating $33,000 to the Police Department.

Adopted.

Absent – Reich.

RESOLUTION 2012R-148
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 - Federal Fund (01300-4002700) by $33,000 and increasing the revenue estimate (01300-4002700-321010) by $33,000.
Adopted.
Absent – Reich.

PSC&H & W&M/Budget – Your Committee, having under consideration the Police Department's Auto Theft Prevention Program, now recommends that the proper City officers be authorized to accept $200,392 as an amendment to the 2011 State Auto Theft Prevention Program Grant, and to execute a contract with the Minnesota Department of Commerce, to provide support for the prosecution of auto thieves over a two-year period, along with the dissemination of information regarding the Department's bait vehicles" and general information about auto theft prevention to deter auto theft crimes. Further, passage of the accompanying resolution appropriating $200,392 to the Police Department.
Adopted.
Absent – Reich.

RESOLUTION 2012R-149
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 $200,392 and increasing the revenue estimate (01600-4003100-321513) by $200,392.
Adopted.
Absent – Reich.

PSC&H & W&M/Budget - Your Committee, having under consideration the Department of Civil Rights Complaint Investigations Unit's participation in the Minnesota Justice Foundation (MJF) Summer Clerkship Program, now recommends that the proper City officers be authorized to accept a grant in the amount of $4,500 from MJF to hire a summer clerk. Further, passage of the accompanying resolution appropriating $4,500 to the Department of Civil Rights.
Adopted.
Absent – Reich.

RESOLUTION 2012R-150
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 Civil Rights Agency in the Grants - Other Fund (01600-3000200) by $4,500 and increasing the revenue estimate (01600-3000200-372001) by $4,500.
Adopted.
Absent – Reich.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute amendment #2 to the 2008 Port Security Grant agreement with the Minnesota Department of Public Safety Homeland Security and Emergency Management to complete the annual update of the Port

Wide Risk Management and Mitigation Plan. Further, passage of the accompanying resolution appropriating $64,974 to the Office of the Division of Emergency Management, Office of the City Coordinator.

Adopted.

Absent – Reich.

RESOLUTION 2012R-151
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 City Coordinator Agency in the Grants - Federal Fund (00100-8440100) by $64,974 and increasing the revenue estimate (00100-8440100) by $64,974.

Adopted.

Absent – Reich.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a grant agreement with Minnesota Department of Health to accept $15,000 in support of the VOICE Project (Valuing Our Individual Cultures through Engagement) story based community dialogues in support of the Department's work on obesity prevention. Further, passage of the accompanying resolution appropriating $15,000 to the Department of Health and Family Support.

Adopted.

Absent – Reich.

RESOLUTION 2012R-152
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 and Family Support Agency in the Grants – Federal Fund (01300-8600120) by $15,000 and increasing the revenue estimate (01300-8600120-321007) by $15,000.

Adopted.

Absent – Reich.

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

RE&E - Your Committee recommends passage of the accompanying resolution granting Liquor and Wine Licenses to the following businesses:

a) The Jeune Lune, 105 1st St N
b) Krungthep Thai Cuisine, 2523 Nicollet Ave
c) George and the Dragon, 813 W 50th St
d) Corner Table, 4257 Nicollet Ave.

Adopted.

Absent – Reich.

Approved by Mayor Rybak 3/30/2012.

(Published 4/3/2012)

Resolution 2012R-153, granting Liquor and Wine Licenses to The Jeune Lune, 105 1st St N; Krungthep Thai Cuisine, 2523 Nicollet Ave; George and the Dragon, 813 W 50th St; and Corner Table, 4257 Nicollet Ave, was adopted 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-153
By Glidden

Granting Liquor and Wine Licenses.

Resolved by The City Council of The City of Minneapolis:
That the following applications for licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:
On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2013
Aria at the Jeune Lune LLC, dba The Jeune Lune, 105 1st St N (new business)
On-Sale Wine Class E with Strong Beer, to expire April 1, 2013
Krungthep Thai Cuisine Inc, dba Krungthep Thai Cuisine, 2523 Nicollet Ave (new business)
George and the Dragon LLC, dba George and the Dragon, 813 W 50th St (new business)
Twist Davis LLC, dba Corner Table, 4257 Nicollet Ave (new business).
Adopted.
Absent – Reich.
Approved by Mayor Rybak 3/30/2012.

RE&E - Your Committee recommends passage of the accompanying resolution granting the application of Profile Event Center, 2630 University Ave SE, for an On-Sale Liquor Class B with Sunday Sales License, subject to conditions.
Adopted.
Absent – Reich.
Approved by Mayor Rybak 3/30/2012.
(Published 4/3/2012)

Resolution 2012R-154, granting the application of Profile Event Center, 2630 University Ave SE, for an On-Sale Liquor Class B with Sunday Sales License, subject to conditions, was adopted 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-154
By Glidden

Granting the application of Profile Event Center, 2630 University Ave SE, 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 Profile Music Management LLC, dba Profile Event Center, 2630 University Ave SE, for an On-Sale Liquor Class B with Sunday Sales License (new business) to expire January 1, 2013, subject to the following conditions:
1. Profile will not build a new bar area or add on to any existing bar area.
2. Profile will not include hard liquor in any drink specials.
3. Profile will comply with a minimum standard of gross sales revenue during each fiscal year from the sale of food and beverages not containing alcohol in an amount of not less than sixty (60) percent of its total gross revenue. The licensee will report this by two (2) weeks after the first six (6) months of operation with the On-Sale Liquor License.
4. Profile will not advertise hard liquor on the outside of their building.
5. Profile will not advertise happy hour specials on its property viewable from the outside of the building, including happy hour special signs on its property outside.
6. With the exception of banquets, Profile will end all drink specials before Midnight. Profile will also offer non-alcoholic beverage and food specials to compliment drink specials.
7. No media advertisement (including broadcast media and handbills) put out by Profile will focus exclusively on alcohol.

8. With the exception of banquets, Profile will not serve alcohol to an individual or a party without serving food.

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

Adopted.

Absent – Reich.

Approved by Mayor Rybak 3/30/2012.

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Grocery License held by Super More Value, 2747 Bloomington Ave.

Adopted.

Absent – Reich.

Resolution 2012R-155, approving Business License Operating Conditions relating to the Grocery License held by Super More Value, 2747 Bloomington Ave, was adopted 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-155
By Glidden

Approving Business License Operating Conditions relating to the Grocery License held by Super More Value, 2747 Bloomington Ave.

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 Super More Value, 2747 Bloomington Ave:

1. "No Trespassing" signs will be clearly posted on the exterior of the business, including the rear parking area. The grocery store staff will immediately ask people that are observed loitering in the immediate vicinity of the store to leave. If the loitering 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 will create a system for issuing and tracking 90-day no trespassing notices complete with pictures of trespassed people. The business will work with the Police Department crime prevention specialist to initiate this system.

3. The business shall have two staff people working at the business from 2 p.m. to the close of business seven days a week.

4. The business agrees not to sell items which are commonly used by drug users and drug dealers. These items include:

a. pipes
b. scales
c. steel wool products without soap as an ingredient
d. small zip lock bags as known as jewelry bags
e. paper rolling devices
f. single use tobacco products including rolling papers
g. "set ups" – bags with a small amount of steel wool, matches, pipes, and other drug paraphernalia.

The business agrees not to supply matches to non-tobacco customers.

5. Super More Value, Inc agrees that the initial shareholder, Abdulla Abdulla shall not be involved with or possess interest in the ownership or management of the licensed establishment. Furthermore, Abdulla Abdulla shall not be employed by or at the licensed establishment nor derive or share in any financial benefit associated with the operation of the establishment. Additionally, Abdulla Abdulla shall be permitted by any agent, employee or member of Super More Value, Inc to be present or remain on the licensed premises for any purpose whatsoever. Should Abdulla Abdulla appear on the licensed premises for any purpose the license holder and its employees or agents shall have an affirmative duty to immediately order the prohibited individual to depart from the premises and immediately request police assistance in the event the individual fails to comply with such order. A trespass order shall be issued to either individual should they fail to comply with the order to leave the premises.

6. The business understands their legal hours of operation are Sunday to Thursday 6:00 a.m. to 10:00 p.m.; and Friday and Saturday 6:00 a.m. to
11:00 p.m.

7. The business agrees not to sell single cigars and cigarettes.

8. The business agrees that payphones will not be installed on the interior or exterior of the business.

9. The business has been given a business license information bulletin entitled "Common Violations". This outlines common city ordinances that the business must comply with in order to be in good standing with their business license. The business understands that violations of these ordinances can result in adverse license action.

Adopted.

Absent – Reich.

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the following Motor Vehicle Repair Garage Licenses located at 2812 University Ave SE:

a) Africa Affordable Auto Repair, Stall #3, 4 & 5
b) Ethio Auto Repair, Stall #18 & 19
c) G M Auto Repair, Stall #17
d) Masafara Auto Body
e) Fleming Towing, Stall #10 & 11.

Adopted.

Absent – Reich.

Resolution 2012R-156, approving Business License Operating Conditions relating to the following Motor Vehicle Repair Garage Licenses for Africa Affordable Auto Repair; Ethio Auto Repair; G M Auto Repair; Masafara Auto Body; and Fleming Towing, which are located at 2812 University Ave SE, was adopted 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-156
By Glidden

Approving Business License Operating Conditions relating to Motor Vehicle Repair Garage Licenses located at 2812 University Ave SE.

Resolved by The City Council of The City of Minneapolis:

That the following Business License Operating Conditions be approved for Motor Vehicle Repair Garage Licenses held by Africa Affordable Auto Repair; Ethio Auto Repair; G M Auto Repair; Masafara Auto Body; and Fleming Towing located at 2812 University Ave SE:

1. The business will maintain a placard system to control the number of vehicles maintained by the business at any one time. The total number of placards is detailed in the lease. Placards will be placed on all vehicles parked outside of the enclosed service garage.

2. The business will not store inoperable vehicles or any vehicle parts outside of enclosed service garage.

3. The business will ensure all owners and employees wear name tags that will include the name of the company and the garage stall designator assigned to that business.

4. The business will adhere to Minneapolis Code of Ordinances
317.160 (e) that states the use of the City right-of-way to park, store, or repair customer motor vehicles is cause for adverse license action.

Adopted.

Absent – Reich.

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

Adopted.

Absent – Reich.

Resolution 2012R-157, granting applications for Liquor and Beer Licenses, was adopted 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-157
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 275563):
Off-Sale Liquor, to expire April 1, 2013
Washington Avenue Liquors LLC, dba North Loop Wine and Spirits, 218 Washington Ave N
R H M Inc, dba Gopher Liquor Store, 335 Monroe St NE
Cedar Riverside Liquor Store Inc, dba Cedar Riverside Liquor Store, 619 Cedar Ave S
Mickys Liquor Store Inc, dba Mickys Liquor Store, 1104 Plymouth Ave N
Cork Dork Wine Co LLC, dba Cork Dork Wine Co, 4726 Cedar Ave S
On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2013
Seville Operations LLC, dba The Seville Club, 15 Glenwood Ave
Davenport Inc, dba 400 Sound Bar, 400 3rd Ave N
Yendor Corp, dba Augies Cabaret, 424 Hennepin Ave
Culinaire International Inc, dba Guthrie Theater – Culinaire, 818 S 2nd St, Tract E
Minneapolis Society of Fine Arts, dba Artscafe, 2400 3rd Ave S
On-Sale Liquor Class A with Sunday Sales, to expire May 5, 2012
Midwest Latino Entertainment and Talent, dba El Nuevo Rodeo, 2709 E Lake St (temporary expansion May 5, 2012, 1:00 p.m. to 8:00 p.m., Cinco De Mayo Celebration)
On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2013
D'Amico Catering LLC, dba D'Amico Catering at the Atrium, 275 Market St, Suite C25
Arthurs Riverfront Properties Inc, dba Moose on Monroe, 356 Monroe St NE
Twin Cities Entertainment Inc, dba Aqua Nightclub, 400 1st Ave N, #110
Minneapolis Club Inc, dba Minneapolis Club, 729 2nd Ave S
D'Amico Catering LLC, dba D'Amico Catering at the Walker, 1750 Hennepin Ave
Jax Cafe Inc, dba Jax Cafe, 1922 University Ave NE
Stardust Lanes Inc, dba Memory Lanes, 2520 26th Ave S
Off-Sale Beer, to expire April 1, 2013
Northern Tier Retail LLC (SuperAmerica), dba SuperAmerica #4388, 101 W Grant St
Rahn William T & Deborah, dba Oak Grove Grocery, 218 Oak Grove St
Northern Tier Retail LLC (SuperAmerica), dba SuperAmerica #4056, 300 Broadway St NE
Dawood Lalji Inc, dba Centre Village Shop, 700 5th Ave S
Northern Tier Retail LLC (SuperAmerica), dba SuperAmerica #4060, 801 W Lake St
RBF LLC of Wisconsin, dba Rainbow Foods, 1104 Lagoon Ave
RBF LLC of Wisconsin, dba Rainbow Foods, 1540 New Brighton Blvd
Northern Tier Retail LLC (SuperAmerica), dba SuperAmerica #4185, 1820 37th Ave NE
Northern Tier Retail LLC (SuperAmerica), dba SuperAmerica #4034, 2200 Lyndale Ave S
Northern Tier Retail LLC (SuperAmerica), dba SuperAmerica #4378, 2445 Bloomington Ave
Northern Tier Retail LLC (SuperAmerica), dba SuperAmerica #4024, 2501 Hennepin Ave
Twin Cities Gas Inc, dba Riverside Winner, 2517 Riverside Ave
Marissa's Inc, dba Marissa's Supermarket, 2750 Nicollet Ave
3N Investments Inc, dba Dokken's Superette, 2809 E 42nd St
Fatima Inc, dba Flag Food, 2820 E 42nd St
Easy Way Food Inc, dba Easy Way Food, 2820 Johnson St NE
RBF LLC of Wisconsin, dba Rainbow Foods, 2919 26th Ave S
Aldi Foods, dba Aldi Foods #68, 3120 Penn Ave N
Jova Foods Inc, dba Nokomis Market, 3319 E 54th St
Northern Tier Retail LLC (SuperAmerica), dba SuperAmerica #4173, 3357 University Ave SE
Northern Tier Retail LLC (SuperAmerica), dba SuperAmerica #4232, 3453 Nicollet Ave

Northern Tier Retail LLC (SuperAmerica), dba SuperAmerica #4382, 3744 Chicago Ave
Northern Tier Retail LLC (SuperAmerica), dba SuperAmerica #4172, 3806 W Lake St
Northern Tier Retail LLC (SuperAmerica), dba SuperAmerica #4135, 4001 Lyndale Ave N
Northern Tier Retail LLC (SuperAmerica), dba SuperAmerica #4021, 4320 E Lake St
Northern Tier Retail LLC (SuperAmerica), dba SuperAmerica #4161, 4740 Cedar Ave S
Northern Tier Retail LLC (SuperAmerica), dba SuperAmerica #4165, 5101 34th Ave S
Paul's Bobby & Steve's Auto World LLC, dba Paul's Bobby & Steve's Auto World, 5801 Nicollet Ave
Northern Tier Retail LLC (SuperAmerica), dba SuperAmerica #4166, 6000 Portland Ave
On-Sale Beer Class E, to expire April 1, 2013
Minh Le Corp, dba Bona Restaurant, 815 Washington Ave SE
Lemanczik Enterprises Inc, dba T-Shoppe Bar, 4154 Fremont Ave N
Minneapolis Park & Recreation Board, dba Hiawatha Golf Course, 4553 Longfellow Ave
John-Fred Co Inc, dba Sunrise Inn, 4563 34th Ave S
Temporary On-Sale Beer
Mission Haiti Inc, dba Mission Haiti, 509 W 54th St (February 25, 2012, 6:00 p.m. to 9:00 p.m.).
Adopted.
Absent – Reich.

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

Resolution 2012R-158, granting applications for Business Licenses, was adopted 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-158
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 March 30, 2012 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 275563):
Bowling Alley; Dance Hall; All Night Special Food; Caterers; Confectionery; Food Distributor; Food Market Distributor; Grocery; Ice Producer-Dealer/Wholesale; Indoor Food Cart; Institutional Food Service; Mobile Food Vehicle Vendor; Food Manufacturer; Food Market Manufacturer; Meat Market; Mobile Food Vendor; Drive In Food; Restaurant; Food Shelf; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Sidewalk Cart Food Vendor; Vending Machine; Gasfitter Class A; Motor Vehicle Repair Garage; Towing Class A; Municipal Market; Plumber; Public Market; Rental Halls; Residential Specialty Contractor; Antique Dealer Class A; Sign Hanger; Swimming Pool – Public; Taxicab Service Company; Taxicab Vehicle – Fuel Efficient; Taxicab Vehicle Wheelchair Access; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Combined Trades; Tree Servicing; Valet Parking; Wrecker of Buildings Class A; Tobacco Dealer.
Adopted.
Absent – Reich.

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

Resolution 2012R-159, granting applications for Gambling Licenses, was adopted 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-159
By Glidden

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 275563):

Gambling Exempt

Boys & Girls Clubs of the Twin Cities, dba Boys & Girls Clubs of the Twin Cities, 690 Jackson St (Raffle February 24, 2012, Accenture Tower)

St. Paul Jaycees, dba St. Paul Jaycees, 1 W Water St, Suite 275, St. Paul (Raffle March 23, 2012, International Market Square)

Our Lady of Victory Catholic Church, dba Our Lady of Victory Catholic Church, 5155 Emerson Ave N (Raffle March 24, 2012, Parish Hall)

Greater Twin Cities United Way, dba Greater Twin Cities United Way, 404 S 8th St (Raffle March 28, 2012, The Varsity Theater)

All God's Children MCC, dba All God's Children MCC, 3100 Park Ave S (Bingo March 31, 2012, All God's Children MCC)

The Minnesota Hundred Club, dba The Minnesota Hundred Club, PO Box 18784 (Raffle April 12, 2012, Jax Cafe)

Boys & Girls Clubs of the Twin Cities, dba Boys & Girls Clubs of the Twin Cities, 690 Jackson St, St. Paul (Raffle April 24, 2012, Target Center)

Memorial Blood Centers of Minnesota, dba Memorial Blood Centers of Minnesota, 737 Pelham Blvd, St. Paul (Raffle April 26, 2012, TCF Bank Stadium)

Lake Nokomis Lutheran Church, dba Lake Nokomis Lutheran Church, 5011 31st Ave S (Raffle April 28, 2012, Lake Nokomis Lutheran Church)

Edison Community & Sports Foundation, dba Edison Community & Sports Foundation, 200 22nd Ave NE (Raffle and Bingo May 7, 2012, Jax Cafe)

Philanthrofund Foundation, dba Philanthrofund Foundation, 1409 Willow St, Suite 109 (Raffle May 12, 2012, Five Event Center)

Minneapolis Police Activities League, dba Minneapolis Police Activities League, 4119 Dupont Ave N (Raffle May 18, 2012, 323 1st Ave N)

Alzheimers Association-Minnesota North-Dakota Chapter, dba Alzheimers Association, 7900 W 78th St Suite 100 (Raffle May 19, 2012, The Depot)

Church of St. Hedwig, dba Church of St. Hedwig, 129 29th Ave NE (Raffle June 3, 2012, Church of St. Hedwig)

Washburn Center for Children, dba Washburn Center for Children, 2430 Nicollet Ave S (Raffle June 18, 2012, Minikahda Club).

Adopted.

Absent – Reich.

RE&E - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Grocery License held by Chicago Food & Deli, 2500 Chicago Ave.

Adopted.

Absent – Reich.

Resolution 2012R-160, approving License Settlement Conference recommendations relating to the Grocery License held by Chicago Food & Deli, 2500 Chicago Ave, was adopted 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-160
By Glidden

Approving License Settlement Conference recommendations relating to the Grocery License held by Chicago Food & Deli, 2500 Chicago Ave.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on February 15, 2012 with the licensee; and

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded the licensee violated the Minneapolis Code of Ordinances by:

a) failing to have a working surveillance camera from July 2011 to January 2012; and

b) failing to comply with its business license operating conditions;

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

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

The City of Minneapolis will impose a sanction, in the amount of $1,500, for failing to have a working surveillance camera; $1,000 of the sanction will be stayed for a period of one year for no further violations of the surveillance camera ordinance. The remaining sanction must be paid upon signature of this agreement.

Adopted.

Absent – Reich.

RE&E - Your Committee, having under consideration the Pet Shop License held by Pandora's Box Veterinary Clinic, 1220 37th Ave N, and having received notification from the State of Minnesota Department of Revenue that Pandora's Box Veterinary Clinic has an outstanding tax liability, now recommends that said license be revoked and the licensee immediately discontinue business within the City of Minneapolis until a tax clearance certificate is obtained from the State.

Adopted.

Absent – Reich.

RE&E - Your Committee, having under consideration the property located at 1126 6th St NE, which has been determined by the Department of Regulatory Services to constitute a nuisance under the Minneapolis Code of Ordinances; and a Director's Order to Demolish the property having been issued to the property owner, which was subsequently appealed to the Nuisance Condition Process Review Panel, now recommends concurrence with the recommendation of the Panel that said Order be upheld and that the structure located at 1126 6th St NE be demolished, in accordance with the Findings of Fact on file in the Office of the City Clerk as FOF-2012-09, which are hereby made a part of this report by reference.

Adopted.

Absent – Reich.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Jeffrey Whalen for the property located at 302 E 48th St; 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) 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-2012-10 which are hereby made a part of this report by reference.

Adopted.

Absent – Reich.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee recommends that the proper City officers be authorized to execute a revised Joint and Cooperative Agreement for the Mississippi Watershed Management Organization (MWMO) in order to include the cities of Fridley, Columbia Heights, and Hilltop with no new fiscal impact to existing members and to remove the section of the agreement pertaining to the ability to request members to contribute to the MWMO operating budget as all of the MWMO's administrative, program, and project funds are provided for by levy under the authority of Minnesota Statues, Sections 275.066 (21), 103B.211, and 103B.241. (Petn 275569)

Adopted.

Absent - Reich.

T&PW - Your Committee, having under consideration a request from residents to be added to Critical Parking Area No 3, as set forth in Petn 275569, the Department of Public Works having verified that the petitions submitted represent more than 75 percent of the residents of the affected properties, and the City having determined that the findings are met thereby meeting the requirements for a Critical Parking Area, now recommends passage of the accompanying Ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to *Traffic Code: Parking, Stopping and Standing*, amending Critical Parking Area No 3, No Parking 10 am to 6 pm, Except by Permit to add the following locations:

- 2100, 2200, 2300 blocks of Elliott Ave S;
- 800 block of 22nd St E;
- 2400 block of 10th Ave S; and
- 2400 block of 11th Ave S.

Adopted.

Absent - Reich.

Ordinance 2012-Or-013 amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to *Traffic Code: Parking, Stopping and Standing*, amending Critical Parking Area No 3, was adopted 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-013
By Colvin Roy
Intro & 1st & 2nd Readings: 3/30/2012

Amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to Traffic Code: Parking, Stopping and Standing.

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

Section 1. That Section 478.730 of the above-entitled ordinance be amended by amending Critical Parking Area No 3 by adding thereto the following locations to be signed No Parking 10 am to 6 pm, Except by Permit;

No 3699 - East side of Elliot Ave S between 21st St E and 24th St E (Critical Parking Area #3) (No Parking 10 am to 6 pm, Except by Permit);

No 3700 - South side of 22nd St E between Chicago and Elliot (Critical Parking Area #3) (No Parking 10 am to 6 pm, Except by Permit);

No 3701 - East side of 10th Ave S between 24th St E and 25th St E (Critical Parking Area #3) (No Parking 10 am to 6 pm, Except by Permit); and

No 3702 - East side of 11th Ave S between 24th St E and 25th St E (Critical Parking Area #3) (No Parking 10 am to 6 pm, Except by Permit).

Adopted.

Absent - Reich.

T&PW - Your Committee, having under consideration the construction of 4th Ave N between Dupont Ave N and Bryant Ave N by Knutson Construction, following which tests were performed which showed that portions of the new roadway did not meet specifications, now recommends that the proper City officers be authorized to accept an up-front payment in the amount of $11,000 to be used for deferred street maintenance of this roadway in future years and to execute a settlement agreement with Knutson Construction as set forth in Petn 275569. The settlement amount will be dedicated to the 4100-9010937-9373 Street Construction Fund/Org.

Adopted.

Absent - Reich.

T&PW - Your Committee, having under consideration the following street resurfacing projects designated for improvement by City Council action on February 10, 2012:

- Olson Memorial Hwy Frontage Rd N Street Resurfacing Project No 5235
- Grant Area Street Resurfacing Project No 5234
- Near North (South Portion) Street Resurfacing Project No 2990

and having determined that the above-named street resurfacing project areas are adjacent and contiguous and it is desirable and cost effective to combine these projects into one project area, now recommends:

a) Passage of the accompanying resolution rescinding resolutions 2012R-079, 2012R-080, and 2012R-081, passed February 10, 2012 and their accompanying committee reports designating said projects; and

b) Passage of the accompanying resolution designating the locations and streets to be improved in the combined Near North and Grant Area Street Resurfacing Project, Special Improvement of Existing Street No 2990.

Adopted.

Absent - Reich.

RESOLUTION 2012R-161
By Colvin Roy

Rescinding Resolutions 2012R-079 entitled "Olson Memorial Hwy Frontage Rd N Street Resurfacing Project Special Improvement of Existing Street No 5235", 2012R-080 entitled "Grant Area Street Resurfacing Project Special Improvement of Existing Street No 5234", and 2012R-081 entitled "Near North (South Portion) Street Resurfacing Project Special Improvement of Existing Street No 2990", passed February 10, 2012.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolutions relating to the 2012 Street Resurfacing Program be and are hereby rescinded.

Adopted.

Absent - Reich.

Resolution 2012R-162, designating the locations and streets to be improved in the combined Near North and Grant Area Street Resurfacing Project No 2990, was adopted 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-162
By Colvin Roy

2012 STREET RESURFACING PROGRAM
NEAR NORTH AND GRANT AREA STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 2990

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:

Project 2990

Oliver and Newton Aves N from Olson Memorial Hwy Frontage Rd N to 12 1/2 Ave N;
Morgan and Logan Aves N from Olson Memorial Hwy Frontage Rd N to Plymouth Ave;
Knox and James Aves N from Oak Park Ave to Plymouth Ave;
James Ave N from Elwood Ave N to Olson Memorial Hwy Frontage Rd N;
Elwood Ave N from Oak Park Ave to James Ave N and to Humboldt Ave N;
Irving Ave N from Elwood Ave N to Plymouth Ave N;
Thomas Pl N from Logan Ave N to Elwood Ave N;
12th Ave N from Penn Ave N to Knox Ave N;
11th Ave N from Knox Ave N to Humboldt Ave N;
Oak Park Ave from Penn Ave N to Irving Ave N;
8th Ave N from Penn Ave N to Humboldt Ave N;
Barnes Pl from Irving Ave N to Humboldt Ave N;
Humboldt Ave N from Plymouth Ave to 7th Ave N;
Emerson Ave N from 11th Ave N to Van White Memorial Blvd;
12th Ave N from Fremont Ave N to Van White Memorial Blvd;
7th Ave N from Elwood Ave N to Van White Memorial Blvd;
Olson Memorial Hwy Frontage Rd N from approximately mid-block between Penn Ave N and Queen Ave N east to Logan Ave N; and
Olson Memorial Hwy Frontage Rd N from Elwood Ave N east to its intersection with Olson Memorial Hwy (State Hwy No 55).

Adopted.
Absent - Reich.

T&PW - Your Committee, having received a cost estimate of $1,350,624 for street resurfacing improvements and the lists of benefited properties for certain locations in the combined Near North and Grant Area Street Resurfacing Project, Special Improvement of Existing Street No 2990, as designated by Resolution 2012R-162, passed March 30, 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 rescheduled public hearing be held on April 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 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.
Absent - Reich.

T&PW - Your Committee recommends passage the accompanying resolution designating the locations and streets to be improved in the 2012 Street Resurfacing Program, N Cedar Lake Rd Street Resurfacing Project, Special Improvement of Existing Street No 5240.
Adopted.
Absent - Reich.

Resolution 2012R-163, designating the locations and streets to be improved in the 2012 Street Resurfacing Program, N Cedar Lake Rd Street Resurfacing Project No 5240, was adopted 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-163
By Colvin Roy

2012 STREET RESURFACING PROGRAM
N CEDAR LAKE RD STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5240

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:
N Cedar Lake Rd from the bridge south of W Chestnut Ave to Glenwood Ave.
Adopted.
Absent - Reich.

T&PW - Your Committee, having received a cost estimate of $385,000 for street resurfacing improvements and a list of benefited properties for certain locations in the N Cedar Lake Rd Street Resurfacing Project, Special Improvement of Existing Street No 5240, as designated by Resolution 2012R-163 passed March 30, 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 May 1, 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.
Absent - Reich.

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the 2012 Street Resurfacing Program, 8th Ave NE Street Resurfacing Project, Special Improvement of Existing Street No 2953.
Adopted.
Absent - Reich.

Resolution 2012R-164, designating the locations and streets to be improved in the 2012 Street Resurfacing Program, 8th Ave NE Street Resurfacing Project No 2953, was adopted 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-164
By Colvin Roy

2012 STREET RESURFACING PROGRAM
8TH AVE NE STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 2953

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:

8th Ave NE from University Ave NE to 6th St NE; and

6th St NE from 8th Ave NE to 7th Ave NE.

Adopted.

Absent - Reich.

T&PW - Your Committee, having received a cost estimate of $98,790 for street resurfacing improvements and a list of benefited properties for certain locations in the 8th Ave NE Street Resurfacing Project, Special Improvement of Existing Street No 2953, as designated by Resolution 2012R-164 passed March 30, 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 May 1, 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.

Absent - Reich.

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the 2012 Street Resurfacing Program, 2nd St NE Street Resurfacing Project, Special Improvement of Existing Street No 5243.

Adopted.

Absent - Reich.

Resolution 2012R-165, designating the locations and streets to be improved in the 2012 Street Resurfacing Program, 2nd St NE Street Resurfacing Project No 5243, was adopted 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-165
By Colvin Roy

2012 STREET RESURFACING PROGRAM
2ND ST NE STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5243

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:

2nd St NE from Hennepin Ave to 1st Ave NE;
2nd St NE from 3rd Ave NE to Broadway St NE; and
2nd St NE from 17th Ave NE to Lowry Ave NE.

Adopted.
Absent - Reich.

T&PW - Your Committee, having received a cost estimate of $1,605,000 for street resurfacing improvements and a list of benefited properties for certain locations in the 2nd St NE Street Resurfacing Project, Special Improvement of Existing Street No 5243, as designated by Resolution 2012R-165 passed March 30, 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 May 1, 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.
Absent - Reich.

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

T&PW & W&M/Budget - Your Committee, having under consideration the Bassett Creek Watershed Management Commission Streambank Restoration Project between Irving Ave N in Minneapolis to Golden Valley Rd in the city of Golden Valley, as set forth in Petn No 275570, now recommends:

a) That the proper City officers be authorized to accept a grant in the amount of $856,000 from the Bassett Creek Watershed Management Commission for the project;

b) Passage of the accompanying resolution increasing the appropriation for the project by $856,000;

c) That the proper City officers be authorized to negotiate and execute an agreement with the Bassett Creek Watershed Management Organization for funding for Bassett Creek shoreline restoration, terms of which will include that the City, acting through its Park & Recreation Board serving as its contractor, is to design, award, and administer construction of the project, perform all necessary investigations of site contamination, and secure all necessary permits required, and require that the contractor defend, indemnify, protect and hold harmless the Commission and the City, their agents, officers, and employees from all claims or actions arising from negligent acts, errors, or omissions of the contractor; that the City will enter into agreements with the Minneapolis Park & Recreation Board and the City of Golden Valley to address all issues related to the fact that the project is located partially in Golden Valley on land owned by the City acting through the Minneapolis Park & Recreation Board, and that upon completion of the project the City, acting through its Park & Recreation Board, will assume responsibility for its maintenance; and

d) That the proper City officers be authorized to negotiate and execute an agreement with the Minneapolis Park & Recreation Board to carry out Bassett Creek shoreline restoration work, terms of which will be consistent with Recommendation C above.

Adopted.

Absent - Reich.

RESOLUTION 2012R-166
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 Stormwater Fund (Fund 07300-9010932-CSW004 Project CSW1204STBCRK) by $856,000 and increasing the revenue source (07300-9010932 - Source 3225) by $856,000.

Adopted.

Absent - Reich.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying resolution identifying the City of Minneapolis as a partner with the Minneapolis Downtown Council's Greening Non-Profit Organization Feasibility Study, and that the City of Minneapolis contribute $5,000 to the Minneapolis Downtown Improvement District (fiscal agent for the study) toward the project cost.

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

Adopted upon a voice vote.

Absent - Reich.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying resolutions:

a) Receiving and accepting the final costs of various Bike, Bridge, Lighting, Paving, Non-Department, Parking, and Traffic Operations project and program work, adjusting the capital appropriations as necessary to close the specified projects, and reallocating excess revenue and Net Debt Bonds to other capital projects; and

b) Requesting concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds.

Adopted.

Absent - Reich.

Resolution 2012R-167, receiving and accepting the final costs of various Bike, Bridge, Lighting, Paving, Non-Department, Parking, and Traffic Operations project and program work, adjusting the capital appropriations as necessary to close the specified projects, and reallocating excess revenue and Net Debt Bonds to other capital projects, was adopted 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-167
By Colvin Roy and Hodges

Receiving and accepting the final costs of various bike, bridge, lighting, paving, non-department, parking and traffic operations project and program work, adjusting the capital appropriations as necessary thereby closing the projects and programs, and reallocating excess revenue and Net Debt Bonds to other capital projects and programs.

Resolved by The City Council of The City of Minneapolis:

That the final costs of all work in the bike, bridge, lighting, paving, non-department, parking and traffic operations projects described in Schedules A, B, and C below be received and accepted, and that the capital appropriations be adjusted as specified thereby closing the projects. The funds for projects with excess revenues should be designated as identified in schedules A and B. The 04100 fund balance should be designated to projects requiring additional revenue.

SCHEDULE A
PROJECTS

SCHEDULE A Capital Project Closeout

04100 FUND CAPITAL PROJECTS to be CLOSED		Appropriation Adjustment				
Description	Fund/Project	Excess Revenue Available for Reallocation	Excess Revenue reallocated to Fund Bal or Projects	Fund Balance Designated to Project	Unspent Net Debt Bonds Available for Reallocation	Re-allocate Unspent Net Debt Bonds
Midtown Exchange Bike Station	04100-9010943-CBIK19			163,077.36		
NE Diagonal Trail	04100-9010943-CBIK07			561,052.33		
Hennepin/1st Ave NE Bike Lanes	04100-9010943-CBIK18				100,000.00	
Henn/Lyn Bike Project - Loring Bikeway	04100-9010943-CA7014			515,449.13		
Heritage Park Project	04100-9010970-CNNRTH1			8,920,900.98		
SEMI Phase 2 24th to Kasota	04100-9010937-C27507			25,715.37		
Como Avenue SE	04100-9010937-CPV017			169,482.32		
Glenwood Ave (2nd Ave N) Reconstruction	04100-9010937-CPV041	41,513.95				
54TH ST W (Upton Ave S-Penn Ave S) (PV043)	04100-9010937-CPV043			159,671.60		
2nd Avenue Double Width Transit Lanes	04100-9010937-CPV053	452,042.31	212,000.00			
54TH ST W (Upton Ave S-Penn Ave S) (PV043)	04100-9010943-CPV843	1,813.35				
Marquette Ave Shelters/Central Ave TSP	04100-9010943-CPV053			106,315.28		
LRT Northstar Corridor Project	04100-9010943-CTR916			56,093.86		
LRT TOD Improvements	04100-9010943-CTR614					
LRT TOD Improvements	04100-9010943-CTR914					
Victory Memorial Parkway Street Lighting	04100-9010943-CTR1016					
E. Franklin Lghtng/Chicago -16th Av (Contractor Only)	04100-9010943-CB5086			19,877.18		
Cedar Riverside Station Area	04100-9010943-CLT009			223,500.00		
Como Ave SE Street Light	04100-9010943-CPV017SL			22,544.86		
Chicago Avenue S Street Lighting	04100-9010943-CTRCHICAGO					
Hiawatha Facilities Project	04100-9010923-CPSD02			303,259.25		221,450.33
New Fire Station 17	04100-9010923-PSDFIR02				121,450.33	
Subtotal Programs to be Closed		495,369.61	212,000.00	11,246,939.52	221,450.33	221,450.33
04100 FUND CAPITAL PROJECTS/PROGRAMS to remain OPEN/ Increase Appropriation						
I-35W & LAKE ST INTERCHANGE RECONSTRUCT	04100-9010937-CPV008		175,000.00			
Cedar Lake Bike Trail	04100-9010943-CBIK01		108,369.61			
ADA Transition Plan	04100-6070100-607ADA12			212,000.00		
Subtotal Remain open/increase appropriation		-	283,369.61	212,000.00	-	-
TOTAL		$ 495,369.61	$ 495,369.61	$ 11,458,939.52	$ 221,450.33	$ 221,450.33

SCHEDULE B
PROGRAMS

	SCHEDULE B Capital Project Closeout					
		Appropriation Adjustment				
04100 FUND CAPITAL PROGRAMS to be CLOSED		Excess	Reallocate	Fund Balance	Unspent Net Debt	Reallocate
		Revenue Available	Excess	Designated	Bonds Available	Unspent Net
Description	Fund/Program	for Reallocation	Revenue	to Program	for Reallocation	Debt Bonds
2010 Parkway Paving	04100-9010937-CPV1001	128,809.16			100,000.00	
2010 Lynhurst Renovation	04100-9010937-CPV1003	472,418.42			1,675,000.00	
2010 Alley Renovation	04100-9010937-CPV1006	125,331.40				
2011 Parkway Paving	04100-9010937-CPV1101	46,980.39				
Major Bike Maintenance Program	04100-9010943-CBIK924					
2010 Major Bike Maintenance Program	04100-9010943-CBIK1024	79,225.96				
2011 Major Bike Maintenance Program	04100-9010943-CBIK1124	13,359.40				
Parkway Street Light Replacement 2010	04100-9010943-CTR1008			84,286.93		
City Street Light Renovation	04100-9010943-CTR911SL				207,800.13	
City Street Light Renovation 2010	04100-9010943-CTR1011					15,306.63
City Street Light Renovation 2011	04100-9010943-CTR1111			62,647.87		
Parkway Street Light Replacement 2011	04100-9010943-CTR1108			94,210.79		
Railroad Crossing Safety Improvements	04100-9010943-CTR613	29,497.34				
Railroad Crossing Safety Improvements	04100-9010943-CTR713	154,633.33				
2008 Railroad Crossing Safety Improvements	04100-9010943-CTR813					
Railroad Crossing Safety Improvements (TR013)	04100-9010943-CTR913SG	253.14			97,127.87	
2008 RESURFACING PROGRAM - BLOOMINGTON AVE S,NICOLLET AVE S	04100-9010943-CPV056SG	75,199.21				
Lynhurst Renovation	04100-9010943-CPV603SG				30,244.23	
2006 PRIORITY VEHICLE CONTROL SYSTEM	04100-9010943-CTR606			134,126.33		
2007 CONTROLLER CONVERSION	04100-9010943-CTR705				68,717.06	
2008 CONTROLLER CONVERSION (TR005)	04100-9010943-CTR805	116,569.38				
TRAFFIC & PEDESTRIAN SAFETY IMPROVEMENT	04100-9010943-CTR907				145,465.47	
LED Replacement Program 2009	04100-9010943-CTR903SG				185,777.86	
Facilities - Repair and Improvements 2006	04100-9010923-PSD0106					
Facilities - Repair and Improvements 2008	04100-9010923-PSD0108					
Facilities - Repair and Improvements 2009	04100-9010923-PSD0109					
Facilities - Improvements 2007	04100-9010923-PSD0307					
Facilities - Improvements 2008	04100-9010923-PSD0308					
Facilities - Improvements 2009	04100-9010923-PSD0309					
Subtotal Programs to be Closed		1,242,277.13	-	375,271.92	2,510,132.62	15,306.63
04100 FUND CAPITAL PROGRAMS to remain OPEN/ Increase Appropriation						
Cedar Lake Bike Trail	04100-9010943-CBIK01		547,001.44	1,996,239.96		2,494,825.99
2012 Parkway Paving	04100-9010937-CPV1201		275,789.55			
2012 Alley Renovation	04100-9010937-CPV1202		125,331.40			
Major Bike Maintenance Program	04100-9010937-CPV1203		92,585.36			
2012 Traffic Safety Improvements	04100-9010943-CTR1222		116,569.38			
Parade Parkway Reconstruction	14300-9101000-910AP572010		85,000.00			
Subtotal Remain open/increase appropriation		-	1,242,277.13	1,996,239.96	-	2,494,825.99
TOTAL		$ 1,242,277.13	$ 1,242,277.13	$ 2,371,511.88	$ 2,510,132.62	$ 2,510,132.62

SCHEDULE C
PROGRAMS

07500 FUND CAPITAL PROGRAMS			Excess	Fund Balance	Re-allocate
		Current	Revenue Designated	Designated	Unspent Net
Description	Fund/Project	Appropriation	to Fund Balance	to Project	Debt Bonds
Ramp Repairs & Improvements	07500-9010946-RMP01	$1,700,000.00	0.00	0.00	0.00
Parking Facilities - Repair & Improvement	07500-9010946-RP701	$1,700,000.00	0.00	0.00	0.00
Parking Facilities - Repair & Improvement	07500-9010946-CRP801	$1,700,000.00	0.00	0.00	0.00
Parking Facilities - Repair & Improvement	07500-9010946-CRP901	$1,700,000.00	0.00	0.00	0.00
Total		$ 6,800,000.00			

Be It Further Resolved that as a result of the project close-outs described in the schedules above, excess Net Debt Bonds and revenue become available for re-allocation as follows:

a) Decrease the Net Debt Bond (NDB) appropriation by $100,000.00 in 04100-9010943-CBIK18 and close this project; increase appropriation and reallocate to 04100-9010923-CPSD02;

b) Decrease the NDB appropriation by $121,450.33 in 04100-9010923-PSDFIR02 and close this project; increase appropriation and reallocate to 04100-9010923-CPSD02, and close project'

c) Decrease the Revenue of 04100-9010937-CPV041 by $41,513.95 and close this project; increase appropriation and reallocate Revenue to 04100-9010943-CBIK01;

d) Decrease the Revenue of 04100-9010937-CPV053 by $452,042.31 and close this project; increase appropriation and reallocate $175,000.00 of Revenue to 04100-9010937-CPV008; increase appropriation and reallocate $65,042.31 of Revenue to 04100-9010943-CBIK01; remaining $212,000 reallocate to fund balance; increase appropriation and reallocate $212,000 of fund balance to 04100-6070100-607ADA12;

e) Decrease the Revenue of 04100-9010937-CPV843 by $1,813.35 and close this project; increase appropriation and reallocate Revenue to 04100-9010943-CBIK01;

f) Decrease the appropriation of 04100-9010937-CPV1001 by $228,809.16 and close this project; increase appropriation and reallocate NDB in the amount of $84,693.37 to 04100-9010937-CBIK01; increase appropriation and reallocate $15,306.63 NDB to 04100-9010937-CTR1011 and close this project; increase appropriation and reallocate Revenue of $128,809.16 to 04100-9010937-CPV1201;

g) Decrease the appropriation of NDB for 04100-9010937-CPV1003 by $1,675,000.00 and Revenue by $472,418.42 and close this project; increase appropriation and reallocate NDB $1,675,000 and $287,418.42 Revenue to 04100-9010943-CBIK01. Increase appropriation and reallocate $100,000 revenue to 04100-9010937-CPV1201. Increase appropriation and reallocate $85,000 to 14300-9101000-910AP572010;

h) Decrease the Net Debt Bond (NDB) appropriation by $207,800.13 in 04100-9010943-CTR911SL and close this project; increase appropriation and reallocate $207,800.13 to 04100-9010943-CBIK01;

i) Decrease the Revenue of 04100-9010937-CPV1006 by $125,331.40 and close this project; increase appropriation and reallocate Revenue to 04100-9010937-CPV1206;

j) Decrease the Revenue of 04100-9010937-CPV1101 by $46,980.39 and close this project; increase appropriation and reallocate Revenue to 04100-9010937-CPV1201;

k) Decrease the Revenue of 04100-9010943-CBIK1024 by $79,225.96 and close this project; increase appropriation and reallocate $79,225.96 of Revenue to 04100-9010943-CBIK1224;

l) Decrease the Revenue of 04100-9010943-CBIK1124 by $13,359.40 and close this project; increase appropriation and reallocate $13,359.40 of Revenue to 04100-9010943-CBIK1224;

m) Decrease the Revenue of 04100-9010943-CTR613 by $29,497.34 and close this project; increase appropriation and reallocate Revenue to 04100-9010943-CBIK01;

n) Decrease the Revenue of 04100-9010943-CTR713 by $154,633.33 and close this project; increase appropriation and reallocate Revenue to 04100-9010943-CBIK01;

o) Decrease the Revenue of 04100-9010943-CTR913SG by $253.14 and Decrease the NDB appropriation by $97,127.87 and close this project; increase appropriation and reallocate Revenue and NDB to 04100-9010943-CBIK01;

p) Decrease the Revenue of 04100-9010943-CPV056SG by $75,199.21 and close this project; increase appropriation and reallocate Revenue to 04100-9010943-CBIK01;

q) Decrease the NDB appropriation by $30,244.23 in 04100-9010943-CPV603SG and close this project; increase appropriation and reallocate to 04100-9010943-CBIK01;

r) Decrease the NDB appropriation by $68,717.06 in 04100-9010943-CTR705 and close this project; increase appropriation and reallocate to 04100-9010943-CBIK01;

s) Decrease the Revenue of 04100-9010943-CTR805 by $116,569.38 and close this project; increase appropriation and reallocate Revenue to 04100-9010943-CTR1222;

t) Decrease the NDB appropriation by $145,465.47 in 04100-9010943-CTR907 and close this project; increase appropriation and reallocate NDB to 04100-9010943-CBIK01;

u) Decrease the NDB appropriation by $185,777.86 in 04100-9010943-CTR903SG and close this project; increase appropriation and reallocate NDB to 04100-9010943-CBIK01; and

v) Increase appropriation and designate fund balance to 04100-9010943-CBIK01 in the amount of $1,996,240 for anticipated final payments.

Adopted.

Absent - Reich.

Resolution 2012R-168, requesting concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds, was adopted 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-168
By Colvin Roy and Hodges

Requesting concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to concur with the reallocation of already issued Net Debt Bonds from various Capital Projects and Programs, as set forth in Resolution 2012R-167, adopted March 30, 2012, as follows:

a) Decrease the Net Debt Bond (NDB) appropriation by $100,000.00 in 04100-9010943-CBIK18 and close this project; increase appropriation and reallocate to 04100-9010923-CPSD02;

b) Decrease the NDB appropriation by $121,450.33 in 04100-9010923-PSDFIR02 and close this project; increase appropriation and reallocate to 04100-9010923-CPSD02, and close project;

c) Decrease the appropriation of 04100-9010937-CPV1001 by $228,809.16 and close this project; increase appropriation and reallocate NDB in the amount of $84,693.37 to 04100-9010937-CBIK01; increase appropriation and reallocate $15,306.63 NDB to 04100-9010937-CTR1011 and close this project; increase appropriation and reallocate Revenue of $128,809.16 to 04100-9010937-CPV1201;

d) Decrease the appropriation of NDB for 04100-9010937-CPV1003 by $1,675,000.00 and Revenue by $472,418.42 and close this project; increase appropriation and reallocate NDB $1,675,000 and $287,418.42 Revenue to 04100-9010943-CBIK01. Increase appropriation and reallocate $100,000 revenue to 04100-9010937-CPV1201. Increase appropriation and reallocate $85,000 to 14300-9101000-910AP572010;

e) Decrease the Net Debt Bond (NDB) appropriation by $207,800.13 in 04100-9010943-CTR911SL and close this project; increase appropriation and reallocate $207,800.13 to 04100-9010943-CBIK01;

f) Decrease the Revenue of 04100-9010943-CTR913SG by $253.14 and Decrease the NDB appropriation by $97,127.87 and close this project; increase appropriation and reallocate Revenue and NDB to 04100-9010943-CBIK01;

g) Decrease the NDB appropriation by $30,244.23 in 04100-9010943-CPV603SG and close this project; increase appropriation and reallocate to 04100-9010943-CBIK01;

h) Decrease the NDB appropriation by $68,717.06 in 04100-9010943-CTR705 and close this project; increase appropriation and reallocate to 04100-9010943-CBIK01;

i) Decrease the NDB appropriation by $145,465.47 in 04100-9010943-CTR907 and close this project; increase appropriation and reallocate NDB to 04100-9010943-CBIK01; and

j) Decrease the NDB appropriation by $185,777.86 in 04100-9010943-CTR903SG and close this project; increase appropriation and reallocate NDB to 04100-9010943-CBIK01.

Adopted.

Absent - Reich.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low responsive bid submitted to the Public Works Department on OP No 7574 from Tiller Corporation (d/b/a Commercial Asphalt Company), for an estimated annual expenditure of $5,500,000.00, to furnish and deliver bituminous mixtures as needed through December 31, 2012.

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

Adopted.

Absent - Reich.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7575 from Fischer Mining, LLC, for an estimated annual expenditure of $145,000.00, to furnish and deliver fine aggregate to the Paving Division as needed through March 31, 2013.

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

Adopted.

Absent - Reich.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7576, from Martin Marietta Materials, for an estimated annual expenditure of $149,250.00, to furnish and deliver gray/black class “A” aggregate to the Paving Division through December 31, 2012.

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

Adopted.

Absent - Reich.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7582 from Graymont (WI), LLC, for an estimated annual expenditure of $2,000,000.00, to furnish and deliver quick lime to the Water Works Division.

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

Adopted.

Absent - Reich.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7588 from Thomas and Sons Construction, Inc., for an estimated expenditure of $4,914,162.20, to furnish and deliver all labor, materials, equipment, and incidentals necessary to complete the Nicollet Ave Reconstruction Project.

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

Adopted.

Absent - Reich.

Approved by Mayor Rybak 3/30/2012.

(Published 4/3/2012)

T&PW & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7590 from Cemstone Products Company, for an estimated annual expenditure of $745,715.00, to furnish and deliver Ready Mix Concrete and concrete equipment as needed through March 31, 2013.

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

Adopted.

Absent - Reich.

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.

Absent - Reich.

Resolution 2012R-169, authorizing settlement of *Dorian Hay v. Adam Lewis and Michael Williams;* and *Nicholas Dahl v. Peter Ritschel and the City of Minneapolis,* was adopted 3/30/2012 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-169
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) *Dorian Hay v. Adam Lewis and Michael Williams,* by payment of $6,500 to Dorian Hay through the Law Office of David Shulman PLLC Trust Account, from the Internal Service Self Insurance Fund (06900-1500100-145400); and

b) *Nicholas Dahl v. Peter Ritschel and the City of Minneapolis*, by payment of $8,500 to Nicholas Dahl and his attorney, 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.

Absent - Reich.

W&M/Budget - Your Committee, having under consideration the City Council Ward Budget Guidelines, as set forth in Petn No 275573 on file in the Office of the City Clerk, now recommends approval.

Adopted.

Absent - Reich.

W&M/Budget - Your Committee recommends that the proper City Officers be authorized to issue a Request for Proposals (RFP) to generate a consultant pool of pre-qualified firms for Architectural, Engineering and Design services at the Convention Center and Target Center to be used over a 3-year period.

Adopted.

Absent - Reich.

W&M/Budget - Your Committee, having under consideration (1) Council appointment and (1) Mayoral appointment to the Capital Long-Range Improvement Committee (CLIC), now recommends the following appointees for a term from March 26, 2012 through December 31, 2012:

a) Council appointee, Alexander Tsatsoulis (Ward 2) to fulfill the term of Becca Vargo Daggett; and

b) Mayoral appointee, Jacob Frey (Ward 3) to fulfill vacancy.

Adopted.

Absent - Reich.

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing the acceptance of grant funds in the amount of $2,500 from CenterPoint Energy Community Partnership Grant. The grant requires a 50% match that will be made from existing 911 general fund operating dollars and will go towards the expansion of the First Watch Situational Awareness tool scheduled to be installed this summer.

Adopted.

Absent - Reich.

RESOLUTION 2012R-170
By Hodges

Accepting funds from CenterPoint Energy Community Partnership Grant.

Resolved by The City Council of The City of Minneapolis:

That proper City officers be authorized to accept grant funds in the amount of $2,500 from CenterPoint Energy Community Partnership Grant. The grant requires a 50% match that will be made from existing 911 general fund operating dollars.

Adopted.

Absent - Reich.

W&M/Budget - Your Committee, having under consideration the 2012 budget footnote “ee”, directing staff to report on a renegotiated Memorandum of Understanding (MOU) between Regulatory Services and the Minneapolis Fire Department for 2012 and beyond regarding the City’s board-up services, now recommends approval of the proposed MOU as described in the staff report.

Your Committee further directs the Finance Department and the Minneapolis Fire Department to bring back to the Ways & Means/Budget Committee by April 30, 2012, the amount difference expected in 2012 and options on how they will pay for those differences.

Adopted.

Absent - Reich.

The ZONING & PLANNING Committee submitted the following reports:

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of CenterPoint Energy to vacate portions of Aldrich Ave N and Bryant Ave N, south of Linden Ave W currently utilized by CenterPoint Energy located at 700 West Linden Avenue as part of an existing employee surface parking lot (#1595), subject to retention of easement rights by the City of Minneapolis and Xcel Energy, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

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

Adopted.

Absent - Reich.

Resolution 2012R-171, vacating portions of Aldrich Avenue North and Bryant Avenue North, south of Linden Avenue West (Vacation File No. 1595 A and B), was adopted 3/30/2012 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-171
By Schiff

Vacating portions of Aldrich Avenue North and Bryant Avenue North, south of Linden Avenue West (Vacation File No. 1595 A and B).

Resolved by The City Council of The City of Minneapolis:

Parcel 1595-A:

That part of Aldrich Avenue North as dedicated in the plat of Groveland Addition to Minneapolis, which lies between Lots 11 and 12, Block 2; and Lots 1 and 2, Bock 20 of said Groveland Addition to Minneapolis, described as lying southerly of the southerly right of way line of Linden Avenue West, and lying northerly of the northerly right of way line of Interstate Highway Number 394, is hereby vacated except that such vacation shall not affect the existing easement rights and authority of the City of Minneapolis and Xcel Energy, their successors and assigns, to enter upon that portion of the aforedescribed street which is described in regard to each of said corporations as follows, to wit:

As to the City of Minneapolis: A utility easement of the west 41 feet of the entire described area to be vacated.

AND

As to Xcel Energy: An easement of the entire described area to be vacated.

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

Parcel 1595-B:

That part of Bryant Avenue North as dedicated in the plat of Groveland Addition to Minneapolis, which lies between Lots 10, 11 and 12, Block 20; and Lots 2 and 3, Bock 23 of said Groveland Addition to Minneapolis, described as lying southerly of the southerly right of way line of Linden Avenue West, and lying northerly of the northerly right of way line of Interstate Highway Number 394, is hereby vacated except that such vacation shall not affect the existing easement right and authority of Xcel Energy, its successors and assigns, to enter upon that portion of the aforedescribed street, which is described in regard to said corporation as follows, to wit:

As to Xcel Energy: An easement of the entire described area to be vacated.

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

Adopted.

Absent - Reich.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Hennepin County to vacate the north-south alley not previously vacated adjacent to the Walker Branch Hennepin County Library at 2880 Hennepin Ave (#1598), subject to retention of easement rights by Xcel Energy and CenturyLink, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

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

Adopted.

Absent - Reich.

Resolution 2012R-172, vacating the north-south alley not previously vacated adjacent to the Walker Branch, Hennepin County Library located at 2880 Hennepin Avenue on the block bounded by Hennepin Avenue on the east, vacated Holmes Avenue on the west, The Mall on the north and Lagoon Avenue on the south (Vacation File No. 1598), was adopted 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-172
By Schiff

Vacating the north-south alley not previously vacated adjacent to the Walker Branch, Hennepin County Library located at 2880 Hennepin Avenue on the block bounded by Hennepin Avenue on the east, vacated Holmes Avenue on the west, The Mall on the north and Lagoon Avenue on the south (Vacation File No. 1598).

Resolved by The City Council of The City of Minneapolis:

That part of the dedicated public alley not previously vacated in Block 1, Dean's Addition to Minneapolis, described as lying between the westerly extension of the north line of Lot 4 said Block 1 and the westerly extension of the south line of Lot 7, said Block 1, is hereby vacated except that such vacation shall not affect the existing easement right and authority of Xcel Energy and CenturyLink, their successors and assigns, to enter upon that portion of the aforedescribed alley, which is described in regard to said corporations as follows, to wit:

As to Xcel Energy and CenturyLink: An easement of the entire described area to be vacated.

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

Adopted.

Absent - Reich.

Z&P - Your Committee, to whom was referred ordinances amending Titles 20 and 22 of the Minneapolis Code of Ordinances relating to *Zoning Code* and *Land Subdivision,* to amend the fee schedule for land use applications and subdivisions in recognition of the costs of services performed and work and materials furnished, now concurs in the recommendation of the Planning Commission that the related findings be adopted and that the following ordinances be given their second reading for amendment and passage:

a. Amending Chapter 525 relating to *Administration and Enforcement*; and

b. Amending Chapter 598 relating to *Land Subdivision Regulations.*

Adopted.

Absent - Reich.

Ordinance 2012-Or-014 amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to *Zoning Code: Administration and Enforcement*, amending Sections 525.160 and 525.570 to amend fees for land use applications, was adopted 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-014
By Schiff
Intro & 1st Reading: 12/16/2011
Ref to: Z&P
2nd Reading: 3/30/2012

Amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement.

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

Section 1. That Section 525.160 of the above-entitled ordinance be amended to read as follows:

525.160. Fees. (a) *Established.* In recognition of the cost of services performed and work and materials furnished, persons who desire to avail themselves of the privileges granted them under the zoning ordinance shall pay fees in the amount listed in Table 525-1, Fees.

Table 525-1 Fees

Application Type	*Fee (dollars)*
Administrative reviews of communication towers, antennas, and base units	~~200~~210
Administrative reviews of donation collection bins	~~100~~105
Administrative reviews to increase height or floor area of accessory structures	~~250~~260
Administrative reviews to increase height or floor area of single and two-family dwellings	~~150~~155
Administrative reviews of plazas	~~400~~415
Appeals of the ruling of the board of adjustment or city planning commission	~~350~~365
Appeals of the ruling of the zoning administrator, planning director or other official involved in the administration or the enforcement of this zoning ordinance	~~350~~365
Certificates of nonconforming use	~~600~~620
Conditional use permits	
0--9,999 square feet of lot area	~~575~~600
10,000--43,559 square feet of lot area	~~800~~825
43,560 square feet of lot area or more	~~1,000~~1,035
Conditional use permits for the following uses, regardless of lot area	
Signs	~~550~~570
Planned unit developments	~~2,250~~2,330
Wind energy conversion systems	~~550~~570

Environmental reviews	~~500~~520 or the actual costs of environmental review processes as determined by the planning director, whichever is greater
Expansion or change of nonconforming use	~~600~~620
Floor area ratio premiums	~~1,000~~1,035
Future Land Use Map amendments 0--9,999 square feet of lot area 10,000--43,559 square feet of lot area 43,560 square feet of lot area or more	 ~~650~~675 ~~900~~930 ~~1,100~~1,140
Interim uses 0--9,999 square feet of lot area 10,000--43,559 square feet of lot area 43,560 square feet of lot area or more	 ~~450~~465 ~~650~~675 ~~850~~880
Shared parking	~~125~~130
Site plan review 0--9,999 square feet of lot area 10,000--43,559 square feet of lot area 43,560, square feet of lot area or more	 ~~800~~825 ~~1,200~~1,245 ~~1,600~~1,660
Site plan review, Administrative 0--9,999 square feet of lot area 10,000--43,559 square feet of lot area 43,560 square feet of lot area or more	 ~~425~~440 ~~650~~675 ~~850~~880
Site plan review, Administrative, for single and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units	~~425~~440
Temporary uses	~~125~~130
Transfer of development rights	~~350~~365
Travel demand management plans	~~550~~570
Variances 0--9,999 square feet of lot area 10,000--43,559 square feet of lot area 43,560 square feet of lot area or more	 ~~425~~440 ~~650~~675 ~~850~~880
Variances involving residential uses on reverse corner lots or through lots having less than 10,000 square feet of lot area	~~150~~155
Waiver of restrictions of interim ordinances	~~350~~365
Zoning amendments 0--9,999 square feet of lot area 10,000--43,559 square feet of lot area 43,560 square feet of lot area or more	 ~~700~~725 ~~950~~985 ~~1,200~~1,245

(b) *Postage and publication.* For applications requiring notice of a public hearing to affected property owners, the applicant shall pay the cost of first class postage based on the number of property owners to be notified. In addition, for applications requiring publication in a newspaper of general circulation, the applicant shall pay a fee of twenty-five dollars ($25.00).

(c) *Continuance.* After notification of a public hearing has taken place, a request by the applicant to continue an application to a subsequent public hearing of the city planning commission or board of adjustment shall be charged a fee totaling one hundred fifty dollars ($150.00) when such request is granted. The fee shall be applied on a project-by-project basis and only when the continuance was requested by the applicant for the sole benefit of the applicant and when the zoning administrator determines that substantial staff time is required to review the project.

(d) *Forms and payment of fees.* The zoning administrator shall provide applicants with forms, designating therein the amount of fees to be paid. All fees shall be payable to the city finance officer.

(e) *Refund of fees.*

(1) *Incomplete applications*. If an applicant fails to provide a complete application and the application is withdrawn by the applicant or is deemed withdrawn and returned pursuant to section 525.140(d), the city shall retain the first one hundred dollars ($100.00) of the total fees paid for the project. Any sum paid over the amount to be retained shall be refunded.

(2) *Complete applications*. If an applicant withdraws a complete application before the scheduled public hearing, or in the case of an application for administrative review, before the application is decided by the planning director or zoning administrator, the city shall retain the first one hundred dollars ($100.00) of the total application fees paid for the project, exclusive of postage and publication fees, or such proportion of the fee paid as determined by the costs to the city to process the application up to the time it was withdrawn compared to the costs to completely process the application, whichever is greater. Any sum paid over the amount to be retained shall be refunded. If the scheduled public hearing is held, or if the application is decided by the planning director or the zoning administrator, no fees shall be refunded, whether or not the application is withdrawn, approved or denied.

(3) *Exception*. The city shall refund the total amount of fees paid for any application that was accepted by the zoning administrator in error.

Section 2. That Section 525.570 of the above-entitled ordinance be amended to read as follows:

525.570. Fees for reinspection of property to determine abatement. *(a) Initial inspection and first reinspection*. There shall be no fee charged for an initial inspection to determine the existence of a zoning ordinance violation, nor any fee for the first reinspection to determine compliance with an order to correct a zoning ordinance violation.

(b) Subsequent reinspections. A ~~one hundred fifty~~ two hundred dollar ($~~150~~200) fee shall be charged for each subsequent reinspection occurring after the due date for compliance with an order.

Adopted.

Absent - Reich.

Ordinance 2012-Or-015 amending Title 22, Chapter 598 of the Minneapolis Code of Ordinances relating to *Land Subdivision: Land Subdivision Regulations*, amending Section 598.180 to amend fees due at application for subdivision applications, was adopted 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-015
By Schiff
Intro & 1st Reading: 12/16/2011
Ref to: Z&P
2nd Reading: 3/30/2012

Amending Title 22, Chapter 598 of the Minneapolis Code of Ordinances relating to Land Subdivision: Land Subdivision Regulations.

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

Section 1. That Section 598.180 of the above-entitled ordinance be amended to read as follows:

598.180. Subdivision application. (a) *Preliminary conference*. In order to provide for the orderly and expeditious processing of subdivision applications, each subdivider of land is encouraged to confer with city staff before preparing the subdivision application to become familiar with the requirements of these land subdivision regulations and with the applicable regulations of the zoning ordinance and the policies of the comprehensive plan affecting the area in which the proposed subdivision lies.

(b) *Content of application*. All applications for subdivision and minor subdivision shall be processed by the zoning administrator and shall contain the following information:

(13) Fees due at the time of application, as follows:

a. Preliminary and final plat: One thousand thirty-five dollars ($1,0~~00~~35).
b. Preliminary and final registered land survey: One thousand thirty five dollars ($1,0~~00~~35).
c. Minor subdivision: Three hundred ~~fifty~~sixty-five dollars ($~~350~~365).

Adopted.
Absent - Reich.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Uptown Gassen, LLC, to vacate 22 feet of Lagoon Ave right-of-way at 1312 Lake St W (#1582), subject to retention of easement rights by Xcel Energy and CenturyLink, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying resolution vacating said right-of-way.

Schiff moved that the report be postponed. Seconded.
Adopted.
Absent - Reich.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Sarah Dietrich to vacate part of an unplatted alley west of the properties of 3032, 3034 and 3038 30th Ave S (#1530), subject to retention of easement rights by Xcel Energy, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

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

Schiff moved a substitute resolution that eliminates the provision of a utility easement to Xcel Energy. Seconded.
Adopted by unanimous consent.
Absent - Reich.
The report, as amended, was adopted.
Absent - Reich.

Resolution 2012R-173, vacating part of the alley on the block bounded by Lake Street East, 30th Avenue South, 31st Street East, and 29th Avenue South (Vacation File No. 1530), was adopted 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-173
By Schiff

Vacating part of the alley on the block bounded by Lake Street East, 30th Avenue South, 31st Street East, and 29th Avenue South (Vacation File No. 1530).

Resolved by The City Council of The City of Minneapolis:

All that portion of an un-platted alley located west of and adjacent to Lots 9, 10, and 11, Block 4, Lake Street Addition to Minneapolis, more particularly described as: Beginning at the northwest corner of Lot 9, Block 4, Lake Street Addition to Minneapolis, then south to the southwest corner of Lot 11, said Addition, thence west 25.17 feet on a line extended from the south line of Lot 11, said Addition thence north on an assumed bearing to the southwest corner of Lot 2, Block 1, V.G. Hush's Addition to Minneapolis, thence east to the point of beginning; all according to the plats of record at the Hennepin County (MN) Recorders office, and City of Minneapolis Special Street Acquisition and Improvement No. 2318, dated May 10, 1946, is hereby vacated.

Adopted.

Absent - Reich.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Twin Cities Habitat for Humanity to vacate the southerly part of the 14-foot north-south alley in the block bounded by Girard Ave N on the east, Irving Ave N on the west, 22nd Ave N on the south, and 23rd Ave N on the north (#1599), subject to retention of easement rights by Xcel Energy and CenturyLink, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

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

Adopted.

Absent - Reich.

Resolution 2012R-174, vacating the southerly 170.56 feet of the alley in Block 13, Forest Heights Addition on the block bounded by Girard Avenue North, Irving Avenue North, 22nd Avenue North and 23rd Avenue North (Vacation File No. 1599), was adopted 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-174
By Schiff

Vacating the southerly 170.56 feet of the alley in Block 13, Forest Heights Addition on the block bounded by Girard Avenue North, Irving Avenue North, 22nd Avenue North and 23rd Avenue North (Vacation File No. 1599).

Resolved by The City Council of The City of Minneapolis:

That part of the dedicated alley in Block 13, Forest Heights Addition to Minneapolis, lying between the north right of way line of 22nd Avenue North and the easterly extension of the North line of Lot 5, said Block 13 is hereby vacated except that such vacation shall not affect the existing easement rights and authority of Xcel Energy and CenturyLink, their successors and assigns, to enter upon that portion of the aforedescribed alley which is described in regard to each of said corporations as follows, to wit:

As to Xcel Energy: A utility easement in favor of Northern States Power Company, a Minnesota corporation d.b.a. Xcel Energy, described as an easement over, under, and across that part of the 14 foot wide north-south alley in the block bounded by Girard Ave. N. on the east, Irving Ave. N. on the west, 22nd Ave. N. on the south, and 23rd Ave. N. on the north, more particularly described as lying east of and adjacent to Lots 5, 6, 7, and 8, Block 13, of Forest Heights Addition, Hennepin County, Minnesota The sidelines of said easement are to be prolonged or shortened to terminate on the easterly extensions of the north line of said Lot 5 and the south line of said Lot 8, Forest Heights Addition, containing 0.06 acres, more or less, of that portion to be vacated.

AND

As to CenturyLink: A utility easement in favor of CenturyLink Communications for telecommunication purposes over, under and across that part of the east 7.00 feet of the alley dedicated adjacent to Block 13, Forest Heights Addition, Hennepin County, Minnesota, lying

southerly of the north line of Lot 5, said Block 13, extended easterly to the east line of said alley of that portion to be vacated.

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

Adopted.

Absent - Reich.

Z&P - Your Committee, to whom was referred ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to *Zoning Code,* to implement policies of the Urban Agriculture Policy Plan, now concurs in the recommendation of the Planning Commission that the related findings be adopted and that the following ordinances be given their second reading for amendment and passage:

a. Amending Chapter 520 relating to *Introductory Provisions*;
b. Amending Chapter 530 relating to *Site Plan Review*;
c. Amending Chapter 535 relating to *Regulations of General Applicability;*
d. Amending Chapter 536 relating to *Specific Development Standards;*
e. Amending Chapter 537 relating to *Accessory Uses and Structures*;
f. Amending Chapter 541 relating to *Off-Street Parking and Loading;*
g. Amending Chapter 543 relating to *On-Premise Signs;*
h. Amending Chapter 546 relating to *Residence Districts*;
i. Amending Chapter 547 relating to *Office Residence Districts*;
j. Amending Chapter 548 relating to *Commercial Districts*;
k. Amending Chapter 549 relating to *Downtown Districts;* and
l. Amending Chapter 550 relating to *Industrial Districts*.

Further, that Chapters 525, 527 and 551 be returned to author.

Your Committee also recommends that Planning staff be directed to ensure that the application for a Temporary Use Permit for a Farmstand include a requirement that prospective Farmstand operators notify near neighbors, neighborhood groups and council offices, and that the contact information for the operator of the Farmstand be visible on the outside of the Farmstand during operation.

Schiff moved to amend the ordinance amending Chapter 537 in Section 537.110 by:

a) adding language for animal coops, pens or other structures used to house small animals or fowl, such as a chicken, turkey, duck or pigeon to allow the use accessory to a school, K-12, to read as follows:

Animal coops, pens or other structures used to house small animals or fowl, such as a chicken, turkey, duck or pigeon. Animal coops, pens or other structures used to house small animals or fowl, such as a chicken, turkey, duck or pigeon shall be allowed accessory to a dwelling **or a school, K-12,** subject to the following:

(1) The use shall be located not less than twenty (20) feet from any habitable building on an adjacent property.
(2) The use shall be visually screened from any adjacent residential use.
(3) The use shall be constructed of durable materials and shall be compatible with the principal structure and adjacent residential properties.
(4) The use shall be located entirely to the rear of the principal residential structure.
(5) The use shall comply with the requirements of Chapter 70, Fowl, Pigeons and Other Small Animals, of the Minneapolis Code of Ordinances.

b) adding language for animal runs to allow the use accessory to a school, K-12, to read as follows:

Animal runs. Animal runs used to exercise small animals or fowl, such as a chicken, turkey, duck or pigeon. Animal runs shall be allowed accessory to a dwelling **or a school, K-12,** subject to the following:

(1) The use shall be located not less than twenty (20) feet from any habitable building on an adjacent property.
(2) The use must be fenced or otherwise enclosed to keep the animals confined to the designated area.
(3) The use shall be located entirely to the rear of the principal structure.
(4) The use shall comply with the requirements of Chapter 70, Fowl, Pigeons and Other Small Animals, of the Minneapolis Code of Ordinances.

and, c) adding language for Fowl, pigeons and other small animals to allow the use accessory to a school, K-12, to read as follows:

Fowl, pigeons and other small animals. Fowl, pigeons and other small animals, such as a chicken, turkey, duck or pigeon, shall be allowed accessory to a permitted or conditional residential use **or a school, K-12,** subject to the following:

(1) The use shall comply with the requirements of Chapter 70, Fowl, Pigeons and Other Small Animals, of the Minneapolis Code of Ordinances.
(2) Live slaughter shall be prohibited.
(3) Fowl, pigeons and other small animals, such as a chicken, turkey, duck or pigeon, accessory to or a school, K-12, shall be limited to not more than three (3) animals per zoning lot.
(4) An animal coop, pen or other structures used to house small animals shall be provided and must be securely enclosed to prevent tampering when the structure is unmonitored.

Seconded.

Vice President Lilligren assumed the Chair.

Johnson called the question.
Adopted by unanimous consent.
Absent – Reich.

President Johnson resumed the Chair.

The Schiff motion lost upon a voice vote.
Absent - Reich.

Tuthill moved to amend the ordinance amending Chapter 536 by:
a) adding language to Section 536.20 for community gardens to require soil testing:
Community garden.

(7) Prior to the establishment of a community garden, soil testing is required to measure nutrients, heavy metals and any other harmful contaminants that may be present. The soil testing results shall be posted on-site at all times.

b) adding language to Section 536.20 for market gardens to require soil testing:
Market gardens.

(7) Prior to the establishment of a market garden, soil testing is required to measure nutrients, heavy metals and any other harmful contaminants that may be present. The soil testing results shall be posted on-site at all times.

and, c) adding language to Section 536.20 for urban farms to require soil testing:
Urban farm.

(5) Prior to the establishment of an urban farm, soil testing is required to measure nutrients, heavy metals and any other harmful contaminants that may be present. The soil testing results shall be posted on-site at all times.

Seconded.
Lost upon a voice vote.
Absent - Reich.

Gordon moved to amend the report to include a direction to Planning staff to develop zoning code text amendments addressing anaerobic digesters and composting businesses, beginning once the Minnesota Pollution Control Agency has finalized its proposed changes to its composting rules. These amendments should identify the industrial zoning districts in which anaerobic digesters and composting businesses may operate and a set of conditions for such uses. Seconded.

Adopted upon a voice vote.

Absent - Reich.

Tuthill moved to amend the ordinances amending Chapters 536 and 550 to delete the language relating to anaerobic digester facilities from:

a) Section 536.20, as follows:

536.20. Specific development standards. The uses listed below are subject to the following specific development standards, in addition to all other applicable regulations:

~~*Anaerobic Digester Facility.* All anaerobic digester facilities shall provide the following with any application for conditional use permit:~~

~~(1) A vicinity plan that includes the following:~~

~~a. Mechanized equipment similar in scale to that designed for household use shall be permitted. Use of larger mechanized farm equipment is generally prohibited; provided, however, that during the initial preparation of the land heavy equipment may be used to prepare the land between 7:00 a.m. and 7:00 p.m.~~

~~b. A description of the proposal and how it compares to land uses within three hundred fifty (350) feet of the site.~~

~~c. A description of any potential environmental hazard due to existing or proposed land uses, including soil, water and air contamination.~~

~~(2) An air quality plan describing stationary and mobile source air emissions, their quantities and composition, and indicating conformance with all applicable air quality regulations.~~

~~(3) A dust management plan describing dust emission sources, their quantity and composition, and how dust will be collected, managed and disposed of, and indicating conformance with all applicable dust emission regulations.~~

~~(4) A sound attenuation plan describing sources of sound and indicating conformance with all applicable sound and noise regulations.~~

~~(5) A vibration dampening plan describing sources of vibration and indicating conformance with all applicable vibration regulations.~~

~~(6) A drainage plan for stormwater management and runoff.~~

~~(7) A landscape plan showing compliance with the requirements of Chapter 530, Site Plan Review.~~

~~(8) A traffic plan describing the number of truck trips the proposal will generate and the principal access routes to the facility, including a description of the facility's traffic impact on the surrounding area.~~

and, b) Table 550-1, as follows:

Table 550-1 Principal Uses in the Industrial Districts

Use	*I1*	*I2*	*I3*	*Specific Dev. Standards*
INDUSTRIAL USES				
Specific Industrial Uses				
~~Anaerobic Digester~~			~~C~~	~~✓~~

Seconded.
Adopted upon a voice vote.
Absent - Reich.

Samuels moved to amend the report to refer to the Zoning & Planning Committee the subject matter of the text of Schiff's motion relating to amending Chapter 537 in Section 537.110 by:
a) adding language for animal coops, pens or other structures used to house small animals or fowl, such as a chicken, turkey, duck or pigeon to allow the use accessory to a school, K-12;
b) adding language for animal runs to allow the use accessory to a school, K-12; and,
c) adding language for Fowl, pigeons and other small animals to allow the use accessory to a school, K-12. Seconded.
Adopted upon a voice vote.
Absent - Reich.
The report, as amended, was adopted.
Absent - Reich.
Approved by Mayor Rybak 4/2/2012.

Ordinance 2012-Or-016 amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances relating to *Zoning Code: Introductory Provisions*, amending Section 520.160 to add definitions relating to implementing the Urban Agriculture Policy Plan, was adopted 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-016
By Gordon
Intro & 1st Reading: 5/27/2011
Ref to: Z&P
2nd Reading: 3/30/2012

Amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances relating to Zoning Code: Introductory Provisions.

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

Section 1. That Section 520.160 of the above-entitled ordinance be amended by adding thereto the following definitions in alphabetical sequence to read as follows:

520.160. Definitions. Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. Additional definitions may be found within specific chapters of this zoning ordinance. All words and phrases not defined shall have their common meaning.

Apiary. The assembly of one (1) or more colonies of honeybees at a single location.

Aquaculture. The cultivation, maintenance, and harvesting of aquatic species.

Aquaponics. The combination of aquaculture and hydroponics to grow food or ornamental crops and aquatic species together in a recirculating system without any discharge or exchange of water.

Arbor. A landscape structure consisting of an open frame with horizontal and/or vertical latticework often used as a support for climbing food or ornamental crops. An arbor may be freestanding or attached to another structure.

Cold frame. An unheated outdoor structure built close to the ground, typically consisting of, but not limited to, a wooden or concrete frame and a top of glass or clear plastic, used for protecting seedlings and plants from cold weather.

Community garden: A use in which land managed by a group of individuals is used to grow food or ornamental crops for donation or for use by those cultivating the land and their households. Community gardens may be divided into separate plots for cultivation by one (1) or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

Community supported agriculture drop-off/pick up. Location where a farmer delivers or distributes farm shares and individuals pick up their shares at a set time weekly, biweekly or monthly.

Composting. The natural degradation of organic material, such as yard and food waste, into soil.

Farmstand. A temporary structure for the display and sale of food or ornamental crops grown on-site at a community garden, market garden or urban farm.

Greenhouse: A structure that is constructed primarily of glass, glass-like or translucent material which is devoted to the protection or cultivation of food or ornamental crops.

Greenhouse, lawn and garden supply store. An establishment where products related to the planting, maintaining, or harvesting of trees, shrubs, plants, grasses or sod, fertilizers, soils, chemicals or other goods and related products are sold in small quantity to the public.

Greenhouse, wholesale: An establishment where products related to the planting, maintaining, or harvesting of trees, shrubs, plants, grasses or sod, fertilizers, soils, chemicals or other goods and related products are sold primarily to greenhouse, lawn and garden supply stores, landscape contractors or other retail outlets.

Hoop house. A temporary or permanent structure typically made of, but not limited to, piping or other material covered with translucent material for the purposes of growing food or ornamental crops. A hoop house is considered more temporary than a greenhouse.

Hydroponics. The growing of food or ornamental crops, in a water and fertilizer solution containing the necessary nutrients for plant growth.

Market garden. An establishment where food or ornamental crops are grown on the ground, on a rooftop or inside a building, to be sold or donated.

Mini-Market. A type of farmers market, limited to five (5) or fewer market vendors, whose primary purpose is to improve access to locally grown agricultural products.

Produce and craft market. A recurring event, held outdoors or in another defined place, on designated days and times, where market vendors consisting of agricultural producers, home processors, food market manufacturers, food market distributors and craft producers that manufactures or crafts non-food goods by the force of their own labor, are organized for the purpose of selling their products directly to the public. A minimum of thirty (30) percent of market vendors in produce and craft markets shall be

food market vendors (agricultural producers, food market manufacturers, food market distributors, or home processors).

Urban farm. An establishment where food or ornamental crops are grown or processed to be sold or donated that includes, but is not limited to, outdoor growing operations, indoor growing operations, vertical farms, aquaponics, aquaculture, hydroponics and rooftop farms.

Adopted.
Absent - Reich.
Approved by Mayor Rybak 4/2/2012.

Ordinance 2012-Or-017 amending Title 20, Chapter 530 of the Minneapolis Code of Ordinances relating to *Zoning Code: Site Plan Review*, amending Section 530.180 to add edible landscaping to approved landscaping of certain areas, was adopted 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-017
By Gordon
Intro & 1st Reading: 5/27/2011
Ref to: Z&P
2nd Reading: 3/30/2012

Amending Title 20, Chapter 530 of the Minneapolis Code of Ordinances relating to Zoning Code: Site Plan Review.

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

Section 1. That Section 530.180 of the above-entitled ordinance be amended to read as follows:

530.180. Landscaping of other areas. All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs, ~~or~~ trees or edible landscaping.

Adopted.
Absent - Reich.
Approved by Mayor Rybak 4/2/2012.

Ordinance 2012-Or-018 amending Title 20, Chapter 535 of the Minneapolis Code of Ordinances relating to *Zoning Code: Regulations of General Applicability*, amending Table 535-1 and Sections 535.360 and 535.450 to implement aspects of the Urban Agriculture Policy Plan relating to permitted obstructions in required yards, permitted temporary uses and structures, and home occupation standards, was adopted 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-018
By Gordon
Intro & 1st Reading: 5/27/2011
Ref to: Z&P
2nd Reading: 3/30/2012

Amending Title 20, Chapter 535 of the Minneapolis Code of Ordinances relating to Zoning Code: Regulations of General Applicability.

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

Section 1. That Table 535-1 of the above-entitled ordinance be amended by adding thereto the following types of obstructions in alphabetical sequence to read as follows:

Table 535-1 Permitted Obstructions in Required Yards

Type of Obstruction	*Front or Corner Side Yard*	*Interior Side Yard*	*Rear Yard*
Arbors, or other growing support structures that are not a fence, trellis or pergola, not exceeding twenty (20) square feet in area, including eaves, and not more than eight (8) feet in height. Both the sides and the roof must be at least fifty (50) percent open, or, if latticework is used, shall be less than sixty (60) percent opaque. Such structures shall not be constructed of electrically charged wire, razor wire, chain link, chicken wire, railroad ties, utility poles, plywood or any other similar materials.	P		P
Pergolas, subject to the provisions of Chapter 537, Accessory Uses and Structures, and section 535.280 (d), (e) and (f). In a front or corner side yard pergolas shall not exceed twenty (20) square feet in area, including eaves, and not more than eight (8) feet in height.	P	P	P
Raised planting beds, not exceeding three (3) feet in height. In a front or corner side yard raised planting beds shall not be closer than five (5) feet to a front or corner side property line. Raised planting beds shall be constructed of wood, brick, masonry, landscape timbers, metal, ceramic, or synthetic lumber and shall be compatible with the principal structure and adjacent residential properties. Raised planting beds constructed of wood shall be structurally sound and free of rot. In addition, prefabricated raised planting beds shall be permitted. Raised planting beds shall not be constructed of wire, chicken wire, rope, cable, railroad ties, utility poles, tires, plumbing fixtures or any other similar materials.	P		P

Section 2. That Section 535.360 of the above-entitled ordinance be amended to read as follows

535.360. Permitted temporary uses and structures. The following temporary uses and structures shall be permitted in all zoning districts, except as otherwise specified below, provided such temporary use or structure shall comply with the regulations of the zoning district in which it is located and all other applicable regulations of this ordinance.

(4) *Seasonal outdoor sale of holiday items.* The seasonal outdoor sale of holiday items~~, including but not limited to Christmas trees, wreaths and pumpkins~~ may be allowed as a temporary use. Such temporary use shall not exceed a duration of thirty-five (35) days in one (1) calendar year. In the residence and OR1 districts, such seasonal outdoor sale of holiday items shall be located on institutional and public uses property only.

(5) *Farmers' markets, mini-markets and produce and craft markets*. Farmers' markets, mini-markets and produce and craft markets may be allowed as a temporary use. Such temporary use shall not exceed a duration of seventy-five (75) days in one (1) calendar year. In the residence and OR1 districts, farmers' markets, mini-markets and produce and craft markets shall be located on institutional or public use sites or on zoning lots of not less than twenty thousand (20,000) square feet. Temporary farmers' markets, mini-markets and produce and craft markets shall not be located in the I3 zoning district.

(6) *Promotional activities involving outdoor sales and display.* Outdoor sales and display not otherwise allowed, may be allowed as a temporary use, provided such use shall not be located in a residence or office residence district. Such temporary use shall not exceed a duration of fifteen (15) days in one (1) calendar year.

(7) *Searchlights.* Searchlights may be allowed in the commercial and downtown districts as a temporary use, provided such use shall not exceed a duration of three (3) consecutive days and no more than fifteen (15) days in one (1) calendar year.

(8) *Farmstand.* Farmstands may be allowed as a temporary use provided that such temporary farmstand shall only sell products grown onsite and shall not exceed a duration of fifteen (15) days in one (1) calendar year. Such sales shall be limited to between 7:00 a.m. and 7:00 p.m. Farmstands shall be allowed only accessory to a lawfully established market garden, urban farm or community garden. Farmstands must be removed from the premises or stored inside a structure when not in operation. Only one (1) farmstand is permitted per zoning lot. One (1) temporary sign advertising only products grown on-site may be displayed during sales but must be removed from the premises or stored inside a structure when the farmstand is not in operation. Temporary farmstands shall not be located in the I3 zoning district.

~~(8)~~(9) *Additional temporary uses.* In addition to the temporary uses and structures listed above, the zoning administrator may allow other temporary uses and structures, not exceeding fifteen (15) days ~~(15)~~ in one (1) calendar year, provided the zoning administrator determines that the proposed temporary use or structure is substantially similar to a temporary use or structure listed above in the manner provided for in Chapter 525, Administration and Enforcement, governing determination of substantially similar uses.

Section 3. That Section 535.450 of the above-entitled ordinance be amended to read as follows:

535.450. Home occupation standards. Home occupations shall be subject to the following standards, except that licensed family day care and licensed group family day care shall be exempt from the provisions of sections (2), (6), (11), (12), (13) and (15):

(5) The home occupation shall be conducted only within an enclosed area of the dwelling, except that the growing of food or ornamental crops, to be sold or donated off-site, shall be exempt from this provision. However, beginning in the R4 zoning district, in multiple-family dwellings of five (5) or more units the home occupation may be allowed within a

specific area of the principal building designated for such home occupation by conditional use permit, as provided in Chapter 525, Administration and Enforcement. In addition to the conditional use standards, the planning commission shall consider, but not be limited to, the following factors:

a. Nature of the home occupation and its impacts of noise, light, odor, vibration and traffic.

b. Conformance with applicable zoning requirements, including but not limited to, yards, gross floor area, and specific development standards.

c. History of complaints related to the property.

(6) Outdoor storage or display of materials, goods, supplies, or equipment related to the conduct of a home occupation shall be prohibited, unless associated with the growing of food or ornamental crops to be sold or donated off-site. Any materials associated with the growing of food or ornamental crops shall be located entirely to the rear of the principal structure and shall not be located in a required yard unless stored within a permitted accessory structure.

(7) The required off-street parking area provided for the principal use shall not be reduced or made unusable by the home occupation.

(8) Signage shall be restricted to one (1) non-illuminated, flat wall, identification sign not to exceed one (1) square foot in area. On a corner zoning lot, two (2) such signs, one (1) facing each street, shall be allowed.

(9) No equipment, machinery or materials other than of a type normally found in or compatible with a dwelling shall be allowed.

(10) No retail sale and delivery of products or merchandise to the customer or client shall occur on the premises except where accessory to any services provided (such as hair care products sold accessory to hair cutting or computer disks accessory to accounting services).

(11) No home occupation shall be visible from any public right-of-way, except for allowed signage, unless associated with the growing of food or ornamental crops to be sold or donated off-site. Plantings visible from any public right-of-way that do not change the residential character or appearance of the dwelling, any accessory buildings or the zoning lot shall be permitted.

Adopted.
Absent - Reich.
Approved by Mayor Rybak 4/2/2012.

Ordinance 2012-Or-019 amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to *Zoning Code: Specific Development Standards*, amending Section 536.20 to add specific development standards for anaerobic digester facilities, community gardens, market gardens, and urban farms relating to implementing the Urban Agriculture Policy Plan, was adopted 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-019
By Gordon
Intro & 1st Reading: 5/27/2011
Ref to: Z&P
2nd Reading: 3/30/2012

Amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Specific Development Standards.

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

Section 1. That Section 536.20 of the above-entitled ordinance be amended by amending or adding thereto the following specific development standard in alphabetical sequence to read as follows:

536.20. Specific development standards. The uses listed below are subject to the following specific development standards, in addition to all other applicable regulations:

Community garden.

(1) Overhead lighting shall be prohibited.

~~(2) Signage shall be limited to a single, non-illuminated, flat sign of four (4) square feet.~~

~~(3)~~(2) No more than two (2) vehicles shall be parked on-site, excluding those parked within an enclosed structure.

~~(4)~~(3) No retail sales shall be permitted, except as an approved temporary use, as specified in Chapter 535, Regulations of General Applicability.

(4) The use shall not be located in a required interior side yard.

(5) Outdoor growing associated with a community garden shall be exempt from the enclosed building requirements of the zoning ordinance.

(6) Keeping of animals is prohibited.

Market gardens.

(1) In the Residence and OR1 districts:

a. Mechanized equipment similar in scale to that designed for household use shall be permitted. Use of larger mechanized farm equipment is generally prohibited; provided, however, that during the initial preparation of the land heavy equipment may be used to prepare the land between 7:00 a.m. and 7:00 p.m.

b. No retail sales shall be permitted, except as an approved temporary use, as specified in Chapter 535, Regulations of General Applicability.

c. No more than two (2) vehicles shall be parked on-site, excluding those parked within an enclosed structure.

d. Shipment and delivery of products or supplies shall be limited to between 7:00 a.m. and 7:00 p.m. and shall regularly occur only in single rear axle straight trucks or smaller vehicles normally used to serve residential neighborhoods.

e. Overhead lighting shall be prohibited.

(2) In the C3A and downtown zoning districts market gardens shall be limited to rooftops or indoor operations unless accessory to a principal use located on the same zoning lot.

(3) Any equipment or supplies needed for garden operations shall be enclosed or otherwise screened from the street and any adjacent residential uses.

(4) The use shall not be located in a required interior side yard.

(5) Keeping of animals is prohibited.

(6) Outdoor growing associated with a market garden shall be exempt from the enclosed building requirements of the zoning ordinance.

Urban farm.

(1) Keeping of animals is prohibited.

(2) Any equipment or supplies needed for farm operations shall be fully enclosed or otherwise effectively screened from the street and any adjacent residential uses.

(3) The use shall not be located in a required interior side yard.

(4) Outdoor growing associated with an Urban Farm shall be exempt from the enclosed building requirements of the zoning ordinance.

Adopted.
Absent - Reich.
Approved by Mayor Rybak 4/2/2012.

Ordinance 2012-Or-020 amending Title 20, Chapter 537 of the Minneapolis Code of Ordinances relating to *Zoning Code: Accessory Uses and Structures*, amending Section 537.110 to add additional allowed accessory uses and structures relating to implementing the Urban Agriculture Policy Plan, was adopted 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-020
By Gordon
Intro & 1st Reading: 5/27/2011
Ref to: Z&P
2nd Reading: 3/30/2012

Amending Title 20, Chapter 537 of the Minneapolis Code of Ordinances relating to Zoning Code: Accessory Uses and Structures

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

Section 1. That Section 537.110 of the above-entitled ordinance be amended by adding thereto the following allowed accessory use or structures and development standards, in alphabetical sequence to read as follows:

537.110. Allowed accessory uses and structures. The following accessory uses and structures shall be allowed, subject to the following development standards:

Animal coops, pens or other structures used to house small animals or fowl, such as a chicken, turkey, duck or pigeon. Animal coops, pens or other structures used to house small animals or fowl, such as a chicken, turkey, duck or pigeon shall be allowed accessory to a dwelling subject to the following:

(1) The use shall be located not less than twenty (20) feet from any habitable building on an adjacent property.

(2) The use shall be visually screened from any adjacent residential use.

(3) The use shall be constructed of durable materials and shall be compatible with the principal structure and adjacent residential properties.

(4) The use shall be located entirely to the rear of the principal residential structure.

(5) The use shall comply with the requirements of Chapter 70, Fowl, Pigeons and Other Small Animals, of the Minneapolis Code of Ordinances.

Animal runs. Animal runs used to exercise small animals or fowl, such as a chicken, turkey, duck or pigeon. Animal runs shall be allowed accessory to a dwelling subject to the following:

(1) The use shall be located not less than twenty (20) feet from any habitable building on an adjacent property.

(2) The use must be fenced or otherwise enclosed to keep the animals confined to the designated area.

(3) The use shall be located entirely to the rear of the principal structure.

(4) The use shall comply with the requirements of Chapter 70, Fowl, Pigeons and Other Small Animals, of the Minneapolis Code of Ordinances.

Apiary. An apiary shall be allowed as an accessory use subject to the following:

(1) The use shall be located not less than twenty (20) feet from any habitable building on an adjacent property.

(2) The use shall comply with the requirements of Title 4, Chapter 74, of the Minneapolis Code of Ordinances.

Aquaponics, aquaculture or hydroponics. Aquaponics, aquaculture or hydroponics shall be allowed accessory to an urban farm or accessory to indoor market gardens located in a commercial or downtown zoning district, subject to the following:

(1) The operator shall maintain any required licensure through the Department of Natural Resources and the Department of Agriculture.

(2) The tanks shall not be connected to the sewer system.

Cold frames or other structures used to cover food or ornamental crops to protect from cold weather. Cold frames or other structures used to cover food or ornamental crops and provide protection from cold weather shall be allowed as an accessory use subject to the following:

(1) The use shall not exceed four (4) feet in height.

(2) The use shall not be located in a required interior side yard.

Community bulletin board. Community Bulletin Boards shall be allowed accessory to institutional and public uses, subject to the following:

(1) A community bulletin board shall not be located in any required yard or within twenty (20) feet of any habitable building on an adjacent property.

(2) Community bulletin boards shall not exceed eight (8) square feet in area and shall not exceed six (6) feet in height.

(3) Landscaping or other decorative materials designed to screen the base of the community bulletin board shall be provided. Such landscape or decorative materials shall be capable of screening the base of the community bulletin board all year and shall be well maintained.

(4) Illumination is prohibited.

Community garden. In addition to the zoning districts in which community gardens are allowed as a principal use, community gardens shall be allowed as an accessory use subject to the provisions of Chapter 536, Specific Development Standards, and the following:

(1) In the residence and OR1 districts, community gardens shall not be allowed accessory to a residential use.

Community supported agriculture drop-off/pick up. Community supported agriculture drop-off/pick up sites shall be allowed as an accessory use.

Compost container. Compost containers shall be allowed as an accessory use, subject to ~~Chapter 244, Housing Maintenance Code, of the Minneapolis Code of Ordinances~~ the following:

(1) The use shall be located not less than twenty (20) feet from any habitable building on an adjacent property.

(2) The use shall comply with the requirements of Chapter 244, Housing Maintenance Code, of the Minneapolis Code of Ordinances and with all applicable rules and statutes as determined by the Minnesota Pollution Control Agency.

Farmstand. Farmstands shall be allowed accessory to a community garden, market garden or urban farm, subject to the provisions of Chapter 535, Regulations of General Applicability.

Fowl, pigeons and other small animals. Fowl, pigeons and other small animals, such as a chicken, turkey, duck or pigeon, shall be allowed accessory to a permitted or conditional residential use subject to the following:

(1) The use shall comply with the requirements of Chapter 70, Fowl, Pigeons and Other Small Animals, of the Minneapolis Code of Ordinances.

(2) Live slaughter shall be prohibited.

Hoop houses or other structures used solely to extend the growing season for food or ornamental crops. Hoop houses or other structures used solely to extend the growing season for food or ornamental crops shall be allowed as an accessory use subject to the applicable district regulations and subject to the following:

(1) In the residence and OR1 districts the use must be located in the rear fifty (50) feet of the lot.

(2) The use shall be located not less than twenty (20) feet from any habitable building on an adjacent property.

(3) The use shall not be located in a required interior side yard.

(4) Notwithstanding the provisions of this chapter, hoop houses, cold frames or other temporary structures used solely to extend the growing season for food or ornamental crops that are accessory to a community garden, market garden or urban farm, shall be exempt from the maximum floor area of all accessory structures, provided that the total size of such temporary structures shall not exceed one thousand (1,000) square feet or fifteen (15) percent of the lot area, whichever is greater, and shall not exceed a duration of one hundred eighty (180) days in a calendar year.

(5) The use shall comply with all applicable requirements of the Minnesota State Fire Code and Minneapolis Fire Department and obtain any required permits.

(6) Notwithstanding the provisions of section 537.50, the maximum height of a hoop house or other structure used solely to extend the growing season for food or ornamental crops shall not exceed six and one half (6 1/2) feet accessory to single and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units and twelve (12) feet accessory to all other uses. The use shall not exceed the maximum height for any accessory structure as specified in section 537.50.

Market garden. In addition to the zoning districts in which market gardens are allowed as a principal use, market gardens shall be allowed as an accessory use subject to the provisions of Chapter 536, Specific Development Standards, and the following:

(1) In the residence and OR1 districts, market gardens shall not be allowed accessory to a residential use.

Adopted.
Absent - Reich.
Approved by Mayor Rybak 4/2/2012.

Ordinance 2012-Or-021 amending Title 20, Chapter 541 of the Minneapolis Code of Ordinances relating to *Zoning Code: Off-Street Parking and Loading*, amending Tables 541-1 and 541-3 to add off-street and bicycle parking requirements for market gardens and urban farms as part of implementing the Urban Agriculture Policy Plan, was adopted 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-021
By Gordon
Intro & 1st Reading: 5/27/2011
Ref to: Z&P
2nd Reading: 3/30/2012

Amending Title 20, Chapter 541 of the Minneapolis Code of Ordinances Relating to Zoning Code: Off-Street Parking and Loading.

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

Section 1. That the following portion(s) of Table 541-1 of the above-entitled ordinance be amended by adding thereto the following in alphabetical sequence to read as follows:

Table 541-1 Specific Off-Street Parking Requirements

Minimum parking requirement, in general. Non-residential uses with one thousand (1,000) square feet or less shall be exempt from minimum off-street parking requirements. All uses over one thousand (1,000) square feet, other than those specified under the heading "Residential Uses" shall provide a minimum of four (4) parking spaces or the amount specified in this table, whichever is greater, except as otherwise provided in this chapter. Multiple-tenant or multiple-use buildings may exempt no more than four (4) uses of one thousand (1,000) square feet or less from the minimum off-street parking requirement. In addition, one (1) parking space shall be provided for each commercial vehicle or vehicle necessary for the operation of the use that is maintained on the premises. Such vehicles may include, but shall not be limited to, tow trucks, taxis, buses, limousines, hearses, commercial trucks or vans, police or fire vehicles or other service vehicles. Maximum parking allowed, in general. Uses subject to a maximum parking requirement may provide parking up to the amount specified below provided that a development with one (1) or more non-residential uses shall not be restricted to fewer than ten (10) total accessory parking spaces on a zoning lot.			
Use	**Minimum Parking Requirement**	**Maximum Parking Allowed**	**Notes (see 541.170)**
COMMERCIAL USES			
Retail Sales and Services			
Market Garden	1 space per 5,000 sq. ft. of growing or storage area	1 space per 2,500 sq. ft. of growing or storage area or as determined by Chapter 536 Specific Development Standards.	1 The minimum requirement of 4 spaces shall not apply
INDUSTRIAL USES			
Specific Industrial Uses			
Urban Farm	1 space per 500 sq. ft. of GFA of office, sales, or display area in excess of 4,000 sq. ft. (minimum of 4 spaces) + 1 space per 5,000 sq. ft. of growing or storage area	1 space per 200 sq. ft. of GFA of office, sales, or display area + 1 space per 2,500 sq. ft. of growing or storage area	1

Section 2. That the following portion(s) of Table 541-3 of the above-entitled ordinance be amended to read as follows:

Table 541-3 Bicycle Parking Requirements

Use	**Minimum Bicycle Parking Requirement**	**Notes (see 541.180)**
Minimum bicycle parking requirement, in general. Non-residential uses having one thousand (1,000) square feet or less shall be exempt from minimum bicycle parking requirements. Unlisted uses do not have a minimum bicycle parking requirement.		
COMMERCIAL USES		
Market Garden	3 spaces	1
INDUSTRIAL USES		
General Use Categories		
Light industrial	2 spaces or 1 space per 20,000 sq. ft. of GFA, whichever is greater, excluding GFA devoted to bulk storage of materials	2
Medium industrial	2 spaces or 1 space per 30,000 sq. ft. of GFA, whichever is greater, excluding GFA devoted to bulk storage of materials	2
General industrial	2 spaces or 1 space per 40,000 sq. ft. of GFA, whichever is greater, excluding GFA devoted to bulk storage of materials	2
Limited production and processing	2 spaces or 1 space per 20,000 sq. ft. of GFA, whichever is greater	2
Specific Industrial Uses		
Urban Farm	3 spaces	1
PUBLIC SERVICES AND UTILITIES		
Passenger transit station	As approved by C.U.P.	1
Post office	3 spaces	1

Adopted.
Absent - Reich.
Approved by Mayor Rybak 4/2/2012.

Ordinance 2012-Or-022 amending Title 20, Chapter 543 of the Minneapolis Code of Ordinances relating to *Zoning Code: On-Premise Signs*, amending Table 543-1 and Section 543.220 to add specific standards for signs for market gardens and farmers' markets as part of implementing the Urban Agriculture Policy Plan, was adopted 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-022
By Gordon
Intro & 1st Reading: 5/27/2011
Ref to: Z&P
2nd Reading: 3/30/2012

Amending Title 20, Chapter 543 of the Minneapolis Code of Ordinances Relating to Zoning Code: On-Premise Signs.

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

Section 1. That the following portion(s) of Table 543-1 of the above-entitled ordinance be amended to read as follows:

Table 543-1 Specific Standards for Signs in the Residence and OR1 Districts

Use	***Sign Standards***
COMMERCIAL USES	
Market Garden	One (1) nonilluminated identification sign not exceeding eight (8) sq. ft. Maximum height of six (6) ft.

Section 2. That Section 543.220 of the above-entitled ordinance be amended to read as follows:

543.220. Farmers' market. Notwithstanding the provisions of Tables 543-1 Specific Standards for Signs in the Residence and OR1 Districts, 543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts, 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4 Specific Standards for Signs in the Industrial Districts, signage accessory to a farmers' market shall be limited to one (1) square foot of signage per one (1) foot of street frontage of the zoning lot. One (1) freestanding sign shall be allowed per zoning lot. Freestanding signs shall not exceed fifty-four (54) square feet in area and ~~fourteen (14)~~ eight (8) feet in height. All other signs shall not exceed forty-five (45) square feet in area and ~~fourteen (14)~~ eight (8) feet in height. ~~Signs for temporary farmers' markets shall not be permanently installed on the site~~ One (1) freestanding sign not exceeding eight (8) square feet in area and six (6) feet in height shall be allowed accessory to temporary farmers' market, mini-market and produce and craft markets and may be permanently installed on the site, provided that such sign shall be removed if the temporary use permit is not reissued.

Adopted.
Absent - Reich.
Approved by Mayor Rybak 4/2/2012.

Ordinance 2012-Or-023 amending Title 20, Chapter 546 of the Minneapolis Code of Ordinances relating to *Zoning Code: Residence Districts*, amending Table 546-1 to add market gardens to commercial uses in residence districts as part of implementing the Urban Agriculture Policy Plan, was adopted 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-023
By Gordon
Intro & 1st Reading: 5/27/2011
Ref to: Z&P
2nd Reading: 3/30/2012

Amending Title 20, Chapter 546 of the Minneapolis Code of Ordinances relating to Zoning Code: Residence Districts.

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

Section 1. That the following portion(s) of Table 546-1 of the above-entitled ordinance be amended to read as follows:

Table 546-1 Principal Uses in Residence Districts

Use	***R1***	***R1A***	***R2***	***R2B***	***R3***	***R4***	***R5***	***R6***	***Specific Development Standards***
COMMERCIAL USES									
Market garden, with a planting area of 10,000 sq. ft. or less	P	P	P	P	P	P	P	P	✓
Market garden, with a planting area greater than 10,000 sq. ft.	C	C	C	C	C	C	C	C	✓

Adopted.
Absent - Reich.
Approved by Mayor Rybak 4/2/2012.

Ordinance 2012-Or-024 amending Title 20, Chapter 547 of the Minneapolis Code of Ordinances relating to *Zoning Code: Office Residence Districts*, amending Table 547-1 to add market gardens to commercial uses in office residence districts as part of implementing the Urban Agriculture Policy Plan, was adopted 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-024
By Gordon
Intro & 1st Reading: 5/27/2011
Ref to: Z&P
2nd Reading: 3/30/2012

Amending Title 20, Chapter 547 of the Minneapolis Code of Ordinances relating to Zoning Code: Office Residence Districts.

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

Section 1. That the following portion(s) of Table 547-1 of the above-entitled ordinance be amended to read as follows:

Table 547-1 Principal Uses in the Office Residence Districts

Use	***OR1***	***OR2***	***OR3***	***Specific Dev. Standards***
COMMERCIAL USES				
Market Garden, with a planting area of 10,000 sq. ft. or less	P	P	P	✓
Market Garden, with a planting area greater than 10,000 sq. ft.	C	P	P	✓

Adopted.
Absent - Reich.
Approved by Mayor Rybak 4/2/2012.

Ordinance 2012-Or-025 amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to *Zoning Code: Commercial Districts*, amending Table 548-1 to add market gardens to commercial uses and urban farms to production, processing and storage uses in commercial districts as part of implementing the Urban Agriculture Policy Plan, was adopted 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-025
By Gordon
Intro & 1st Reading: 5/27/2011
Ref to: Z&P
2nd Reading: 3/30/2012

Amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to Zoning Code: Commercial Districts.

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

Section 1. That the following portion(s) of Table 548-1 of the above-entitled ordinance be amended to read as follows:

Table 548-1 Principal Uses in the Commercial Districts

Use	*C1*	*C2*	*C3A*	*C3S*	*C4*	*Specific Development Standards*
COMMERCIAL USES						
Retail Sales and Services						
Market Garden	P	P	P	P	P	✓
PRODUCTION, PROCESSING AND STORAGE						
Urban Farm					C	✓

Adopted.
Absent - Reich.
Approved by Mayor Rybak 4/2/2012.

Ordinance 2012-Or-026 amending Title 20, Chapter 549 of the Minneapolis Code of Ordinances relating to *Zoning Code: Downtown Districts*, amending Table 549-1 to add market gardens to commercial uses in downtown districts as part of implementing the Urban Agriculture Policy Plan, was adopted 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-026
By Gordon
Intro & 1st Reading: 5/27/2011
Ref to: Z&P
2nd Reading: 3/30/2012

Amending Title 20, Chapter 549 of the Minneapolis Code of Ordinances relating to Zoning Code: Downtown Districts.

The City Council of the City of Minneapolis do ordain as follows:
Section 1. That the following portion of Table 549-1 of the above-entitled ordinance be amended to read as follows:

Table 549-1 Principal Uses in the Downtown Districts

Use	*B4*	*B4S*	*B4C*	*B4N*	*Specific Development Standards*
COMMERCIAL USES					
Retail Sales and Service					
Market Garden	P	P	P	P	✓

Adopted.
Absent - Reich.
Approved by Mayor Rybak 4/2/2012.

Ordinance 2012-Or-027 amending Title 20, Chapter 550 of the Minneapolis Code of Ordinances relating to *Zoning Code: Industrial Districts*, amending Table 550-1 to add urban farms to specific industrial uses in industrial districts as part of implementing the Urban Agriculture Policy Plan, was adopted 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-027
By Gordon
Intro & 1st Reading: 5/27/2011
Ref to: Z&P
2nd Reading: 3/30/2012

Amending Title 20, Chapter 550 of the Minneapolis Code of Ordinances relating to Zoning Code: Industrial Districts.

The City Council of the City of Minneapolis do ordain as follows:
Section 1. That the following portion(s) of Table 550-1of the above-entitled ordinance be amended to read as follows:

Table 550-1 Principal Uses in the Industrial Districts

Use	*I1*	*I2*	*I3*	*Specific Dev. Standards*
INDUSTRIAL USES				
Specific Industrial Uses				
Urban Farm	P	P		✓

Adopted.
Absent - Reich.
Approved by Mayor Rybak 4/2/2012.

REPORT FROM THE AUDIT COMMITTEE

Audit - The Minneapolis Audit Committee hereby transmits the audit entitled "*Grants Management Process Review*," which was received on March 28, 2012, with direction that Council Member Diane Hofstede, Chair of the Audit Committee, introduce the report for consideration at the next City Council meeting of March 30, 2012, with the recommendation that the City Council refer said report to the Ways & Means/Budget Committee.

Hofstede moved that the report be referred to the Ways & Means/Budget Committee. Seconded.

Adopted upon a voice vote.

Absent - Reich.

The report, as amended, was adopted.

Absent - Reich.

MOTIONS

Glidden moved that the report of the RE&E and W&M/Budget Committees adopted March 8, 2012 relating to the Commercial Hood Inspection Program be corrected to include approval of the establishment of the following inspection fee in the Director's Fee Schedule:

$133 per hood cleaning in a commercial cooking food service establishment not to exceed 266 annually per licensed business entity. Seconded.

Adopted upon a voice vote.

Absent - Reich.

RESOLUTIONS

Resolution 2012R-175, honoring Financial Literacy Month, was adopted 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-175

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

Honoring Financial Literacy Month.

Whereas, 15,000 Minneapolis households lack a relationship with a mainstream financial institution and are therefore unbanked; and

Whereas, lacking a bank account, the unbanked must use alternative financial service establishments and their expensive fringe financial products; and

Whereas, the average full-time worker without a bank account can spend $40k over the course of their lifetime to cash paychecks; and

Whereas, an unbanked individual is unable to establish a credit and will therefore never qualify for traditional loans, thus making them easy prey for unscrupulous lending practitioners; and

Whereas, without a bank account, the many of the unbanked only carry cash, increasing their likelihood to be targeted victims of theft; and

Whereas, financial security strengthens individuals, families and communities; and by connecting the unbanked with low-cost checking and savings accounts they have a safe place to store their money, grow assets, securely access money in the event of an emergency; and

Whereas, it is important to remove barriers that prevent and impede access to mainstream financial institutions and quality financial education;

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

That the month of April be declared financial literacy month.

Be It Further Resolved that the Minneapolis City Council encourages financial partners in the twin cities to work together for a regional solution to financial literacy for the benefit of unbanked residents in Minneapolis and the twin cities.

Adopted.

Absent - Reich.

UNFINISHED BUSINESS

Pursuant to notice, Gordon moved to introduce the subject matter of an ordinance amending Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to *Heritage Preservation: Heritage Preservation Regulations*, for first reading and referral to the Zoning & Planning Committee (establishing a process to create historic conservation districts). Seconded.

Adopted upon a voice vote.

Absent - Reich.

NEW BUSINESS

Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code* (amending provisions regarding substandard dwellings and providing requirements inclusive of mandatory training for rental dwelling license holders in certain circumstances).

Hodges moved to introduce the subject matter of an ordinance amending Title 21 of the Minneapolis Code of Ordinances relating to *Interim Ordinances,* for first reading and referral to the Zoning & Planning Committee (adding a new Chapter 588 providing for a moratorium on large-scale development within neighborhood commercial nodes and along community corridors in the Linden Hills Neighborhood to protect the small area planning process that has commenced in Linden Hills). Seconded.

Adopted by unanimous consent.

Absent - Reich.

Goodman and Schiff gave notice of intent to refer the subject matter of a finance package for sales tax generated in Minneapolis to support a new Vikings stadium and other economic activity to the Intergovernmental Relations Subcommittee, Community Development Committee, and Ways & Means/Budget Committee.

Lilligren moved to adjourn to Room 315 City Hall to consider the matter of the *Claim of Gar White* and thereafter to adjourn to Wednesday, April 11, 2012, at 10:00 a.m. at the Capri Theater, 2027 W Broadway Ave, Minneapolis, for the purpose of receiving Mayor R.T. Rybak's 2012 Minneapolis State of the City Address, and that such meeting be and is hereby declared to be an adjourned session of the regular meeting of March 30, 2012. Seconded.

Adopted upon a voice vote.

Absent – Reich.

Council Chamber
Room 315 City Hall
350 South 5th Street
Minneapolis, Minnesota
March 30, 2012 – 11:55 a.m.

The Council met pursuant to adjournment.

Council President Johnson in the Chair.

Present – Council Members Goodman, Hodges, Gordon, Hofstede, Lilligren, Tuthill, Quincy, Glidden, Johnson.

Absent - Council Members Samuels, Reich, Schiff, Colvin Roy.

Segal stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the *Claim of Gar White*.

At 11:56 a.m., Lilligren moved that the meeting be closed. Seconded.
Adopted upon a voice vote.
Absent - Samuels, Reich, Schiff, Colvin Roy.

Present – Goodman, Hodges, Gordon, Hofstede (in at 11:59a.m.), Lilligren, Tuthill (in at 12:01p.m.), Quincy, Glidden, Johnson.
Absent - Samuels, Reich, Schiff, Colvin Roy.
Also Present – Susan Segal, City Attorney; Peter Ginder, Deputy City Attorney; Jim Moore, Assistant City Attorney; Greg Sautter, Assistant City Attorney; Steve Kotke, Director, Public Works; Jon Wertjes, Public Works; Atif Saeed, Public Works; Casey Carl, City Clerk; and Anne Roth, City Clerk's Office.

Jim Moore, Assistant City Attorney summarized the *Claim of Gar White* from 11:58 a.m. to 12:01 p.m.

At 12:02 p.m., Lilligren moved that the meeting be opened. Seconded.
Adopted upon a voice vote.
Absent - Samuels, Reich, Schiff, Colvin Roy.

Lilligren moved to adjourn. Seconded.
Adopted upon a voice vote.
Absent - Samuels, Reich, Schiff, Colvin Roy.

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

Casey Joe Carl,
City Clerk.

Unofficial Posting: 4/4/2012
Official Posting: 4/6/2012
Correction: 2/15/13