

**OFFICIAL PROCEEDINGS
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF
JUNE 29, 2012**

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

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
June 29, 2012 - 9:30 a.m.

Council President Johnson in the Chair.

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

Lilligren moved adoption of the agenda. Seconded.

Vice President Lilligren assumed the Chair.

Johnson moved to amend the agenda to include under Committee of the Whole an item relating to the Stadium Implementation Committee. Seconded.

Adopted upon a voice vote.

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

President Johnson resumed the Chair.

Lilligren moved acceptance of the minutes of the regular meeting of June 15, 2012. Seconded.

Adopted upon a voice vote.

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.

PETITIONS AND COMMUNICATIONS

AUDIT (See Rep):

INTERNAL AUDIT (275784)

Unisys Contract Review Report #2012-04: Report and PowerPoint.

COMMITTEE OF THE WHOLE:

INTERGOVERNMENTAL RELATIONS (275785)

2012 State Legislative Session Update: City Priorities summary; Key legislation enacted summary; Key legislation not enacted summary.

NEIGHBORHOOD AND COMMUNITY RELATIONS (275786)

American Indian Memorandum of Understanding.

Rebuilding Our Communities Fund One Year Report.

COMMITTEE OF THE WHOLE (See Rep):

COORDINATOR (275787)

Performance Measures: Adoption of performance measures developed by the State of Minnesota Council on Local Results & Innovation.

INTERGOVERNMENTAL RELATIONS (275788)

Fiscal Year 2013 Federal Agenda: Amendment relating to opposing the elimination of the American Community Survey.

NEIGHBORHOOD AND COMMUNITY RELATIONS (275789)

FY 2013 Federal Agenda Update: Amend Federal Agenda by adding language to the policy section relating to the DREAM Act and the implementation of the policy directive of July 15th to the Department of

Homeland Security relating to "Deferred Action".

Neighborhood & Community Engagement Commission: Appointments of Ishmael Israel, Gregg Massey, Sacido Shaie, Jeff Martin & Jeffery Strand.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275790)

DeLaSalle High School (One DeLaSalle Dr): Preliminary & final approval to issue bonds for building improvements.

Building Blocks (2201 Golden Valley Rd & 1823 Penn Ave N): Granting of exclusive development rights for mixed use project.

Spirit on Lake Project (1238 E Lake St/2930 13 Ave S): Final approval to issue bonds for multifamily housing development.

Minnesota Housing Community Revitalization Funds: Authorizing applications for three programs; Minneapolis Advantage, Rehab Support & Green Homes North.

Workforce Investment Act: PY 2012 Local Unified Plan authorization.

COMMUNITY DEVELOPMENT and PSC&H:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275791)

Vikings Stadium: Update report 20120619.

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275792)

Fiscal Year 2012 HOME Budget.

City-owned Property at 1001 W Broadway: Accept donation of services & materials from Headwinds & other City partners; authorize right of entry agreement.

Transportation-Oriented Development Grants: Acceptance & appropriation of Metropolitan Council's Livable Communities Demonstration Account and Tax Base Revitalization Account Contamination Cleanup grants & Hennepin County Corridors of Opportunity Challenge Fund grant.

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

EMERGENCY MANAGEMENT (275793)

Acceptance of Homeland Security and Emergency Management 2011 Port Security Grant, and approval of appropriation.

POLICE DEPARTMENT (275794)

Gopher Football Game Security: Approve contract agreement with the University of Minnesota for the services of the Bomb Unit and Canine Unit for security for 2012 home football games at the TCF Bank Stadium, and approve appropriation.

PUBLIC WORKS AND ENGINEERING (275795)

Donation: Approve donation of used fire truck, #71550, a 1988 International Pumper fire truck, to the City of Eldoret, Kenya, for use by their fire department.

REGULATORY, ENERGY AND ENVIRONMENT (See Rep):

LICENSES AND CONSUMER SERVICES (275796)

Graves 601 Hotel, 601 1st Ave N: Grant Expansion of Premises License.

Camden Tavern & Grill, 4601 Lyndale Ave N: Grant On-Sale Liquor Class E with Sunday Sales License.

Primebar, 3001 Hennepin Ave: Grant On-Sale Liquor Class E with Sunday Sales License.

Rusty Taco, 522 E Hennepin Ave: Grant On-Sale Liquor Class E with Sunday Sales License.

LICENSES AND CONSUMER SERVICES (275797)

Licenses: Grant applications recommended for approval.

LICENSES AND CONSUMER SERVICES (275798)

Little Tijuana Cafe, 17 E 26th St: Grant On-Sale Liquor Class E with Sunday Sales License.

Sporty's Pub & Grill, 2124 Como Ave SE: Grant On-Sale Liquor Class D with Sunday Sales License, subject to conditions.

Tollefson Family Pork, 45658 County Rd 52, Gaylord: Approve Business License Operating Conditions relating to Mobile Food Vehicle Vendor License.

REGULATORY SERVICES (275799)

Rental Dwelling License at 1942 Xerxes Ave N: Approve reinstatement of license to be held by Fred Wherland.

Liquor Licensing/Outdoor Areas: Ordinance allowing entertainment in outdoor areas up to Class D on private property on street level.

REGULATORY SERVICES (275800)

Rental Dwelling License at 2431 Chicago Ave: Revoke license held by Abdulaziz Sheikh.

REGULATORY SERVICES (275801)

Rental Dwelling License at 4255 Penn Ave N: Revoke license held by Andrea Walker/Complete Real Estate Mortgage Solutions, Inc.

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

COORDINATOR (275802)

Homegrown Minneapolis: Accept \$40,000 from General Mills Foundation to provide funds for a Homegrown Minneapolis Coordinator; Amend professional services contract with Jane Shey, in an amount not to exceed \$40,000, to provide support to Homegrown Minneapolis through January 31, 2013; and Approve appropriation.

FINANCE DEPARTMENT (275803)

Currie Maintenance Facility Solar Photovoltaic System Installation: Execute Change Order #1 to contract with Able Energy to increase the amount by \$2,839.04 to move an existing disconnect switch to a new location as required by Xcel Energy.

Solar Powered Lighting of Bus Shelters: Approve up to \$60,000 of Minnesota Department of Commerce Office Grant for solar installations within the Energy Innovation Corridor to be used for solar powered lighting on Metro Transit Bus Shelters.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (275804)

Bicycle Advisory Committee: Appointments/Reappointments.

Pedestrian Advisory Committee: Appointments/Reappointments.

2012 Graffiti Prevention Micro Grant Program: Recipients.

Mattress Collection and Recycling: Agreement with Project for Pride in Living (PPL).

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

PUBLIC WORKS AND ENGINEERING (275805)

6th Ave N Street Resurfacing Project No 5237: Project approval and assessment public hearing.

28th Ave S Street Resurfacing Project No 5242: Project approval and assessment public hearing.

38th St E Street Resurfacing Project No 5238: Project approval and assessment public hearing.

PUBLIC WORKS AND ENGINEERING (275806)

Ballpark Area Pedestrian Improvements Project: Project close-out and reallocate excess revenue.

I-35W and Lake St Transit Station and Access Improvement Project: Cooperative Agreement with Hennepin County.

Midtown Greenway Lighting: Agreement with Hennepin County; and increase appropriation.

Railroad Crossing Surface Upgrades: Agreement with Minnesota Commercial Rail Road.

Bid: OP 7625, Low bid of Building Restoration Corporation for exterior stabilization for Fridley Filtration Plant and Pump Station No 5.

Single-Sort Recycling Program: Cab and Chassis purchase from Midwest Diesel & ABM Equipment & Supply.

Traffic Management Center: Agreement with State of Minnesota.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (275807)

Legal Settlements:

Demetris Robinson v. City of Minneapolis

Master Express v. RW Farms et al

Marvin Taylor

Blythe Davis v. City of Minneapolis

The Travelers Casualty Insurance Company of America v. City of Minneapolis

Dawn Westermann v. City of Minneapolis & ABM Industries v. City of Minneapolis

No-Fault Claim of Jonathon C. Voth

Chafoxey Marie Mitchner v. City of Minneapolis.

ATTORNEY (275808)

Travel Expense Donation: Accept funds from Women's Foundation of Minnesota for Susan Segal to travel to Washington, DC, as part of a delegation advocating on issues related to prevention of sex trafficking of juveniles.

COMMUNICATIONS (275809)

Utility Billing Insert: Approve August 2012 insert on behalf of Sustainability and the Minneapolis Park and Recreation Board regarding watering boulevard trees.

CONVENTION CENTER (275810)

Contract Increase: Approve contract increase and extension of C-35300 with Progressive Associates for consulting services relating to a number of sustainability initiatives.

CONVENTION CENTER and PROCUREMENT (275811)

BID OP 7650: Accept low responsive bid of Central Roofing Company for the Domes Re-Roofing project for the Minneapolis Convention Center.

COORDINATOR (275812)

Minneapolis Foundation Fund for The 35W Bridge Project: Approve establishment of Minneapolis Foundation as the fiscal agent for The 35W Bridge Project, and exhibition and memorial event to be held on the occasion of the 5th anniversary of the collapse of the I-35W bridge.

FINANCE DEPARTMENT (275813)

4207 12th Ave S: Remove 2011 special assessment of \$6,036.78 for unpaid utility charges from the Hennepin County property tax records to allow for the right to a public hearing on the assessments.

FINANCE DEPARTMENT (275814)

Contracting for Board up Services: Report back on staff direction issued March 26, 2012, requiring Finance and Fire Departments to examine and bring back to the committee options on bridging the gap between revenues and expenses for programs funded by regulatory and license fees in the Fire Department that are not self-sustaining.

FINANCE DEPARTMENT (275815)

Gift Acceptance: Approve acceptance of gifts to the City of Minneapolis valued under \$15,000 for the 3rd & 4th Quarters of 2011 and 1st and 2nd Quarters of 2012.

FINANCE DEPARTMENT (275816)

Lease Amendment: Authorize negotiation and execution of an amendment to current lease agreement with Canal Street Ltd Partnership for office space at the Crown Roller Mill building located at 105 5th Ave S.

HUMAN RESOURCES (275817)

Ratification of collective bargaining agreements between the City of Minneapolis and the following labor units: Trades Inspectors Unit, Minneapolis Building and Construction Trades Council, AFL-CIO, and Convention Center Production Technicians Unit, International Alliance of Theatrical Stage Employees and Motion Picture Machine operators of the United States and Canada, Local Union No. 13, AFL-CIO.

HUMAN RESOURCES (275818)

Request for proposal: Authorize RFP for life and long term disability insurance coverage effective January 1, 2013, and authorize proper City officers to enter into contract negotiations with selected vendor.

ZONING AND PLANNING (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275819)

38th Street LRT Station Area Plan Rezoning Study/East of Hiawatha Ave: Ordinance rezoning property within a portion of the study area that is east of Hiawatha Ave; and Find that obtaining consent signatures for the rezoning of properties from residential to commercial would be impractical.

Trader Joe's, 2700, 2708, 2712, 2716 and 2720/2724 Lyndale Ave S: Deny petition to rezone the properties from the C1 Neighborhood Commercial District to the C2 Neighborhood Corridor Commercial District to allow a new 14,299 square foot Trader Joe's, including a wine and beer shop and underground parking; and Direct City Attorney's Office to draft Findings of Fact in support of the Committee's decision.

FILED:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (275820)

Vacate alley way that abuts 3112 6th St. Alley access to properties at 4th St N facing 31st Ave N will be provided.

MAYOR (275821)

Director of Community Planning and Economic Development: Nomination of Jeremy Hanson Willis to complete the term ending December 31, 2012.

The following reports were signed by Mayor Rybak on July 2, 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/IGR - Your Committee recommends that the City's Fiscal Year 2013 Federal Legislative Agenda, adopted February 24, 2012, be further amended by adding the following language to the end of the Policy Initiatives Section, opposing the elimination of the American Community Survey or making the survey voluntary:

American Community Survey

The U.S. Census Bureau annually conducts the American Community Survey (ACS). The ACS is a nationwide survey that asks approximately 3.0 million persons questions related to, but not limited to, household composition, employment, transportation patterns and income. Responding to the survey is mandatory and the Census Bureau follows up with potential respondents to complete the form. Federal law includes a monetary penalty for not completing the form. And the same law classifies the answers as confidential.

The ACS began nationwide in 2005 and is a replacement for the decennial census' long form which requested similar information. The ACS unlike the long form which was used every ten years is an annual survey whose results are published as descriptive narratives, maps and tables. The survey information is used by public entities as well as private businesses. The City of Minneapolis uses the data to develop housing, public health and development programs. ACS information has been used by businesses to assist, for example, in decisions related to investments, facility location, expansion of existing facilities and marketing plans.

In debating the federal fiscal year (FY) 2013 budget the House eliminated funding for the ACS. The need to make domestic spending reductions coupled with some members citing "government intrusion into the lives of individuals" and questioning the constitutionality of the ACS are some of the reasons cited for the House action. In the Senate the ACS will probably be funded but there is concern that FY 2013 appropriations bill could make the ACS voluntary. In fact, legislation has been introduced in the House and Senate to make most of the survey voluntary. A voluntary survey raises concerns about costs to obtain a representative and valid number of responses and the validity of the data.

The City of Minneapolis supports the continuation of the American Community Survey. The City opposes efforts to make the survey voluntary.

Adopted.

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 June 28, 2012, regarding the adoption of performance measures developed by the State of Minnesota Council on Local Results and Innovation at this meeting. Seconded.

Adopted by unanimous consent.

Comm of the Whole - Your Committee, having under consideration the adoption of performance measures developed by the State of Minnesota Council on Local Results and Innovation, now recommends passage of the accompanying resolution declaring the City of Minneapolis' commitment to a) using and reporting out to the public the ten city performance measures created by the State of Minnesota Council on Local Results and Innovation; b) continued usage of a performance measurement system; and c) continued surveying of residents on key services as defined by the State of Minnesota Council on Local Results and Innovation.

Adopted.

Approved by Mayor Rybak 6/29/2012.

(Published 7/3/2012)

Resolution 2012R-353, adopting continued commitment to a performance measurement system that collects and reports the performance measures developed by the State of Minnesota Council on Local Results and Innovation, 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-353

By Lilligren

Adopting continued commitment to a performance measurement system that collects and reports the performance measures developed by the State of Minnesota Council on Local Results and Innovation.

Whereas, the City of Minneapolis has previously adopted the Performance Measures developed by the State of Minnesota Council on Local Improvements and Innovation in Resolution 2011R-297; and

Whereas, the Council on Local Improvements and Innovation has created a comprehensive performance measurement system for cities to implement in 2012;

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

- That it has implemented a local performance measurement system (*Results Minneapolis*) as developed by the State of Minnesota Council on Local Results and Innovation,

That it has historically and will survey its residents by the end of the calendar year on the services included in the performance benchmarks,

That the City has adopted, implemented and will report the results of the 10 performance measures developed by the State of Minnesota Council on Local Results and Innovation before the end of the year via the City's website:

General

1. Rating of the overall quality of services provided by your city
2. Percent change in the taxable property market value
3. Citizens' rating of the overall appearance of the city

Police Services

4. Part I and II crime rates

Fire Services

5. Citizens' rating of the quality of fire protection services

Streets

6. Average city street pavement condition rating
7. Citizens' rating the quality of snowplowing on city streets

Water

8. Citizens' rating of the dependability and quality of city water supply

Sanitary Sewer

9. Citizens' rating of the dependability and quality of city sanitary sewer service

Parks and Recreation

10. Citizens' rating of the quality of city recreational programs and facilities (parks, trails, park buildings).

Adopted.

Approved by Mayor Rybak 6/29/2012.

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 June 28, 2012, regarding Neighborhood and Community Engagement Commission appointments at this meeting. Seconded.

Adopted by unanimous consent.

Comm of the Whole - Your Committee recommends approval of the following appointments to the Neighborhood and Community Engagement Commission, for two year terms, beginning 7/1/2012-6/30/2014, unless otherwise noted:

Mayoral appointments:

Ishmael Israel, replacing Crystal Johnson

Gregg Massey, replacing Matt Perry for a term 7/1/2012-6/30/2013

City Council appointments:

Saciido Shaie, replacing Tony Anastasia

Jeff Martin, replacing Ed Newman

Jeffrey Strand (reappointment).

Adopted.

Approved by Mayor Rybak 6/29/2012.

(Published 7/3/2012)

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 June 28, 2012, regarding amending the City's Fiscal Year 2013 Federal Legislative Agenda relating to the DREAM Act. Seconded.

Adopted by unanimous consent.

Comm of the Whole/IGR - Your Committee recommends that the City's Fiscal Year 2013 Federal Legislative Agenda, adopted February 24, 2012, be further amended by including the following language in the Policy Section:

- On June 15th, 2012 President Obama announced that the Department of Homeland Security will stop deporting young immigrants who meet certain conditions. In mid-August anywhere from 5,000 – 27,000 people in Minnesota will be able to submit an application to the US Customs and Immigration Service for "Deferred Action". Approved applicants will be able to qualify for what is known as "Deferred Action" based on the Department of Homeland Security's prosecutorial discretion measures. This means applicants will be eligible for a work permit, a social security

number, and some protection against being deported. Applications will need to be renewed every two years.

- This is a major initiative that could, if fully implemented, prevent the unjust and unnecessary deportation of hundreds of thousands of young people who have lived in the United States for years, are productive members of our communities, and call America home. The policy directive is in lieu of the lack of congressional action on the federal DREAM Act.
- The City of Minneapolis recommends that in implementing the policy directive the Secretary of Homeland Security:

- **Commit to complying with the implementation date of August 13, 2012.**

In the June 15, 2012 memo from Secretary of Homeland Security Janet Napolitano, Immigration and Customs Enforcement (ICE) and U.S. Citizenship and Immigration Services are directed to begin implementing the new prosecutorial discretion process within 60 days of the date of the memorandum. Complying with the August 13, 2012 implementation date will allow the young people affected by this new policy to make the proper decisions about their education options before the 2012-13 academic year begins.

- **Commit to the broadest and most inclusive interpretation of the “deferred action” requirements.**

It is understood that the Obama Administration is currently working to finalize the details of the requirements that will define who can and cannot be eligible for the deferred action policy. This is a critical time for the City of Minneapolis to weigh in on the decision-making process to ensure that all instructions and requirements be written and interpreted with deference and with the broadest, most inclusive interpretation possible to ensure wide eligibility and participation by the intended DREAMer population.

- The City of Minneapolis also recommends the passage of the federal DREAM Act.

Further, that staff be directed to seek out governmental and non-governmental partners that would be impacted by this action.

Adopted.

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 June 28, 2012, relating to appointing additional representatives to the Stadium Implementation Committee at this meeting. Seconded.

Adopted by unanimous consent.

Comm of the Whole/IGR - Your Committee recommends passage of the accompanying resolution appointing additional representatives to the Stadium Implementation Committee, and related actions.

Johnson moved to amend the resolution to add Jesse Winkler, member of the Downtown Neighborhood Association, as a representative to the Stadium Implementation Committee. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Resolution 2012R-354, appointing additional representatives to the Stadium Implementation Committee and related actions, 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-354

By Johnson

Appointing additional representatives to the Stadium Implementation Committee and related actions.

Whereas, the City Council adopted a resolution approving the Minneapolis Convention Center Special Law and related amendments contained in Laws 2012, Chapter 299 (Stadium Law); and

Whereas, Article 1, Section 20, Subdivision 6 of the Stadium Law relates to creation of a Stadium Implementation Committee within 30 days of local approval of the Special Law (June 29, 2012); and

Whereas, the Stadium Implementation Committee is charged with making recommendations to the Planning Commission on planning and land use issues for a new stadium on the current Metrodome site within certain time frames and to make recommendations on the design plans submitted for the stadium, infrastructure and related improvements; and

Whereas, the City Council on June 15, 2012 appointed the following City representatives to the Stadium Implementation Committee: Mayor Rybak, Council President Johnson and Council Members Reich, Hofstede, Colvin Roy and Hodges and appointed David Wilson and Tom Fisher as co-chairs;

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

That the City Council appoints the following additional representatives to the Stadium Implementation Committee:

- Peter McLaughlin, Hennepin County Commissioner
- Chris Ferguson, Entrepreneur and owner of Dairy Queen franchise in Stadium Village; member of the Central Corridor's Corridors of Opportunity Committee
- Tim Baylor, Developer and member of the Sports Facilities Commission
- Clint Hewitt, Retired landscape architect and former U of M planner
- Craig Taylor, Executive Director, U of M's office of business and community economic development
- Peggy Lucas, Developer and member of the Sports Facilities Commission
- Rolf Engh, Vice President and General Counsel, Valspar
- Cathy Rydell, Executive Director, American Academy of Neurology
- Wade Luneburg, Secretary-Treasurer, UNITE-HERE Local 17
- Tom Meyer, Architect and Downtown East resident
- David Fields, Community Development Coordinator, Elliot Park Neighborhood Association
- Cory Merrifield, Founder, Save the Vikes
- Russ Adams, Executive Director, Alliance for Metropolitan Stability
- Judith Yates Borger, Downtown East resident
- Hussein Ahmed, Executive Director, West Bank Community Coalition
- Sarah Harris, Executive Director, Downtown Improvement District transitioning to University of Minnesota Foundation
- Jesse Winkler, Member, Downtown Neighborhood Association

Be It Further Resolved that each of the public members serves a one year term commencing on July 1, 2012 and ending on June 30, 2013.

Adopted.

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev – Your Committee, having under consideration the issuance of revenue bonds on behalf of the DeLaSalle High School Project to be used to finance various building improvements at One DeLaSalle Dr, now recommends passage of the accompanying resolution giving preliminary and final approval to the issuance of up to \$1,200,000 in Bank Qualified Bank Direct Tax-exempt 501(c)(3) Minneapolis Community Development Agency (MCDA) Revenue Bonds, Series 2012, for said project.

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

Adopted.

Resolution 2012R-355, giving preliminary and final approval to and authorizing the financing of a project on behalf of DeLaSalle High School at One DeLaSalle Dr, and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefor, 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-355

By Goodman

Giving preliminary and final approval to and authorizing the financing of a project on behalf of De La Salle High School (the "Company"), and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefor.

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended ("Chapter 595"), the City Council of the City of Minneapolis, Minnesota (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue obligations for various purposes; and

Whereas, it has been proposed that the Agency issue a revenue bond in an amount not to exceed \$1,200,000 (the "Bond") to finance various building improvements, including the construction of increased classroom space, for the Company's educational facilities located at One De La Salle Drive in the City (the "Project"); and

Whereas, the property included in the Project will be owned by the Company, which is a Minnesota nonprofit corporation; and

Whereas, the Agency expects to give final approval to the issuance of the Bond by a resolution to be adopted on the date hereof; and

Whereas, the Bond shall bear interest at an interest rate expected to not exceed 4.50% per annum, shall have a final maturity date not later than December 1, 2020, and shall have such other terms as required or permitted by the Agency's resolution, which terms are to be incorporated herein by reference;

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

That the City Council hereby gives preliminary and final approval to the issuance by the Agency of the Bond in a principal amount not to exceed \$1,200,000 for the purpose of financing the Project.

Be It Further Resolved that the Bond is hereby designated as a "Program Bond" and is determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted.

Comm Dev - Your Committee recommends that exclusive development rights be granted to Building Blocks for 12 months, with a possible 6 month administrative extension if significant progress has been made developing this project, for 2 City-owned parcels at 2201 Golden Valley Rd and 1823 Penn Ave N.

Adopted.

Comm Dev - Your Committee, having under consideration the issuance of revenue bonds for the Spirit on Lake housing project at 1238 E Lake St/2930 13th Ave S, now recommends passage of the accompanying resolution giving final approval to the issuance of up to \$5,500,000 in Tax-exempt Multifamily Housing Entitlement Revenue bonds for said project.

Adopted.

Resolution 2012R-356, relating to the City of Minneapolis, Minnesota Multifamily Housing Revenue Bonds for the Spirit on Lake Project at 1238 E Lake St/2930 13th Ave S, Series 2012A and 2012B; authorizing the issuance thereof pursuant to Minnesota Statutes, Chapter 462C, 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-356

By Goodman

Relating to the City of Minneapolis, Minnesota Multifamily Housing Revenue Bonds (Spirit on Lake Project) Series 2012A and 2012B; authorizing the issuance thereof pursuant to Minnesota Statutes, Chapter 462C.

Resolved by The City Council of The City of Minneapolis:

Section 1. Definitions.

1.01. In this Resolution the following terms have the following respective meanings unless the context hereof or use herein clearly requires otherwise:

“Act” means Minnesota Statutes, Chapter 462C, as amended;

“Agreement” means the Loan Agreement to be entered into among the City and the Borrower relating to the Bond;

“Assignment” means the Assignment of Mortgage from the City to the Holder relating to the Bonds;

“Bonds” means the Multifamily Housing Revenue Bonds (Spirit on Lake Project) Series 2012A and 2012B, to be issued by the City pursuant to this resolution in the principal amount of up to \$5,500,000;

“Bond Documents” means the Agreement, the Regulatory Agreement, the Pledge Agreement, the Assignment and the Bonds;

“Borrower” means Spirit on Lake Limited Partnership, a Minnesota limited partnership, its successors and assigns;

“Holder” means U.S. Bank National Association, as holder of the Bonds, and its successors and assigns;

“Pledge Agreement” means the Pledge Agreement to be entered into among the City and the Holder relating to the Agreement and the Bonds;

“Project” means the multifamily housing development to be financed with the proceeds of the Bonds, as further defined in the Agreement;

“Regulatory Agreement” means the Regulatory Agreement to be entered into among the City, the Holder and the Borrower relating to the Project;

“Resolution” means this resolution of the City.

Section 2. Findings.

2.01. It is hereby found and declared that:

(a) based upon representations made to the City by representatives of the Borrower as to the nature of the Project as described in the Agreement, the Project constitutes a project authorized by the Act;

(b) the purpose of the Project is and the effect thereof is to promote the provision of decent, sanitary and safe housing accommodations for low and moderate income persons;

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

(d) it is desirable that the Bonds be issued by the City upon the terms set forth herein and that the City pledge its interest in the Agreement and grant a security interest therein to the Holder as security for the payment of the principal of, premium, if any, and interest on the Bonds;

(e) the loan payments contained in the Agreement are fixed and are required to be revised from time to time as necessary, so as to produce income and revenue sufficient to provide for prompt payment of the principal of, premium, if any, and interest on the Bonds when due, and the Agreement also provides that the Borrower is required to pay all expenses of the operation and maintenance of the Project, including, but not limited to, adequate insurance thereon and all taxes and special assessments levied upon or with respect to the Project and payable during the term of the Agreement;

(f) under the provisions of the Act, the Bonds are not to be payable from nor charged upon any funds of the City other than the revenue pledged to the payment thereof; the City is not subject to any liability thereon; no Holder of the Bonds shall ever have the right to compel any exercise of the taxing power of the City to pay the Bonds or the interest thereon nor to enforce payment thereof against any property of the City; the Bonds, premium, if any, and interest thereon shall not constitute an indebtedness of the City within the meaning of any constitutional, charter or statutory limitation and shall not constitute or give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers and shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City other than its interest in the Project;

(g) the execution and delivery of the Bond Documents shall not conflict with or constitute, on the part of the City, a breach of or a default under any existing agreement, indenture, mortgage, lease or other instrument to which the City is subject or is a party or by which it is bound; provided that this finding is

made solely for the purpose of estopping the City from denying the validity of the Bond Documents by reason of the existence of any facts contrary to this finding;

(h) no litigation is pending or, to the best knowledge of the members of this City Council, threatened against the City questioning the organization of the City or the right of any officer of the City to hold his or her office or in any manner questioning the right and power of the City to execute and deliver the Bonds or otherwise questioning the validity of the Bonds or the execution, delivery or validity of the Bond Documents or questioning the pledge of revenues to payment of the Bonds or the right of the City to loan the proceeds of the Bonds to the Borrower;

(i) all acts and things required under the Constitution and the laws of the State of Minnesota to make the Bond Documents the valid and binding obligations of the City in accordance with their terms shall have been done upon adoption of this Resolution and execution of the Documents; provided that this finding is made solely for the purpose of estopping the City from denying the validity of the Bond Documents by reason of the existence of any facts contrary to this finding; and

(j) the City is duly organized and existing under the Constitution and the laws of the State of Minnesota and is authorized to issue the Bonds in accordance with the Act.

Section 3. Authorization and Sale.

3.01. Authorization. The City is authorized by the Act to issue revenue bonds and loan the proceeds thereof to finance the acquisition, construction and installation of facilities constituting a "multifamily housing development" as defined in the Act, and to make all contracts, execute all instruments and do all things necessary or convenient in the exercise of such authority.

3.02. Approval of Documents. Pursuant to the foregoing, there have been prepared copies of the following documents, all of which are now or shall be placed on file in the office of the Minneapolis Community Planning and Economic Development Department:

- (a) the Agreement;
- (b) the Pledge Agreement;
- (c) the Bonds;
- (d) the Regulatory Agreement; and
- (e) the Assignment.

The forms of the documents listed above are approved, with such variations, insertions and additions as are deemed appropriate by the parties and approved by the City.

Section 4. Authorizations.

4.01. Upon the completion of the Bond Documents approved in Section 3.02 hereof and the execution thereof by the other parties thereto, the Finance Officer (or Assistant Finance Officer) shall execute the same on behalf of the City, and the foregoing person and other officers of the City shall execute such other certifications, documents or instruments as bond counsel shall require, subject to the approval of the City, and all certifications, recitals and representations therein shall constitute the certificates, recitals and representations of the City. Execution of any instrument or document by one or more appropriate officers of the City shall constitute and shall be deemed the conclusive evidence of the approval and authorization by the City and the City Council of the instrument or document so executed.

Section 5. The Bonds.

5.01. Form and Authorized Amount. The Bonds shall be issued substantially in the form described above with such appropriate variations, omissions and insertions as are permitted or required by this Resolution. The terms of the Bonds are set forth therein, and such terms, including, but not limited to, provisions as to interest rate, dates and amount of payment of principal and interest and prepayment privileges, are incorporated by reference herein. The initial interest rate on the Bonds (until the Tender Date as defined in the Bonds) shall not exceed an annual rate of 7.00%.

5.02. Execution. The Bonds shall be executed on behalf of the City by the persons described in Section 4.01 hereof. In case any officer whose signature shall appear on the Bonds shall cease to be such officer before the delivery thereof, such signature shall, nevertheless, be valid and sufficient for all purposes.

5.03. Delivery and Use of Proceeds. Prior to delivery of the Bonds, the documents referred to in Section 3.02 hereof shall be completed and executed in form and substance as approved by the City.

The City shall thereupon deliver to the holder the Bonds together with a certified copy of this Resolution and such closing certificates as are required by bond counsel.

Section 6. Limitations of the City's Obligations.

6.01. Notwithstanding anything contained in the Bond Documents, the Bonds, premium, if any, and interest thereon shall not constitute an indebtedness of the City within the meaning of any constitutional, charter or statutory limitation and shall not constitute or give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers and shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City other than its interest in the Project, and no Holder of the Bonds shall ever have the right to compel any exercise of the taxing power of the City to pay the Bonds or the interest thereon or to enforce payment thereof against any property of the City other than its interest in the Project. The agreement of the City to perform the covenants and other provisions contained in this Resolution or the Bond Documents shall be subject at all times to the availability of revenues furnished by the Borrower sufficient to pay all costs of such performance or the enforcement thereof, and neither the City nor any of its officers, employees or agents shall be subject to any personal or pecuniary liability thereon.

Section 7. City Representative.

7.01. The Finance Officer or Assistant Finance Officer of the City is hereby designated and authorized to act on behalf of the City for purposes of the Bond Documents.

Section 8. Governmental Program.

8.01. The Bonds are hereby designated as "Program Bonds" and are determined to be within the "Housing Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted.

Comm Dev - Your Committee recommends that the proper City officers be authorized to apply to the Minnesota Housing Finance Agency for \$300,000 in Community Revitalization Funds to provide support to the Minneapolis Advantage Program.

Adopted.

Comm Dev - Your Committee recommends that the proper City officers be authorized to apply to the Minnesota Housing Finance Agency for \$300,000 in Community Revitalization Funds to provide support to the Rehab Support Program.

Adopted.

Comm Dev - Your Committee recommends that the proper City officers be authorized to apply to the Minnesota Housing Finance Agency for \$500,000 in Community Revitalization Funds to provide support to the Green Homes North Program in 2012 and 2013.

Adopted.

Comm Dev - Your Committee recommends that Mayor R.T. Rybak be authorized to sign the Program Year 2012 Local Unified Plan for the Workforce Investment Act for the period 7/1/2012-6/30/2013.

Adopted.

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

Comm Dev & W&M/Budget - Your Committee recommends approval of the Fiscal Year 2012 HOME Budget, as set forth in the Department of Community Planning & Economic Development staff report.

Adopted.

Comm Dev & W&M/Budget - Your Committee, having under consideration the City-owned property at 1001 W Broadway, now recommends that the proper City officers be authorized to accept donation of

services and materials from Headwinds and other City partner organizations for beautification, and to execute an Empty Lot Beautification Right of Entry Agreement with annual renewals and adjustments to the scope of the temporary improvements as the Department of Community Planning & Economic Development Director deems appropriate, provided the arrangements are acceptable to both parties, until the property is sold for redevelopment.

Adopted.

Comm Dev & W&M/Budget – Your Committee, having under consideration receipt of 2012 Transportation-Oriented Development (TOD) grant awards, now recommends that the proper City officers be authorized to accept and appropriate the following awards and to execute such grant, sub-recipient, loan, subordination and other agreements as may be necessary to implement the Metropolitan Council Livable Communities Demonstration Account (LCDA) and Tax Base Revitalization Account (TBRA) Contamination Cleanup grants with the Metropolitan Council, the Cornerstone Group, Lupe Development Partners, Nolan Properties Group and PRG (or affiliated entities):

a) Metropolitan Council LCDA grants of \$2,000,000 for the Prospect Park Station Boeser site; \$1,536,100 for the Penn and Broadway project; and \$100,000 in pre-development funds for the Linden Yards project;

b) Metropolitan Council TBRA Contamination Cleanup grants of \$720,307 for the Prospect Park Station Boeser site; \$463,900 for the Penn and Broadway project; \$499,380 for the 700 Central project; and \$318,632 for the Spirit on Lake project; and

c) Hennepin County Corridors of Opportunity Challenge Fund grant of \$275,000 for the Prospect Park Station Boeser Site.

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

Adopted.

RESOLUTION 2012R-357
By Goodman and Hodges

Amending the 2012 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

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

a) Increasing the appropriation in the Department of Community Planning and Economic Development (CPED) Agency in the Grants Other Fund (01600-8900220) by \$5,538,319 and increasing the revenue source (01600-8900900-321513) by \$5,638,319;

b) Increasing the CPED Agency in the Grants Other Fund (01600-8900320) by \$100,000;

c) Increasing the CPED Agency in the Grants Other Fund (01600-8900220) by \$275,000 and increasing the revenue source (01600-8900900-322002) by \$275,000.

Adopted.

The ELECTIONS Committee submitted the following report:

Elections - Your Committee recommends passage of the accompanying resolution establishing the use of an absentee ballot board to receive and process absentee ballots for City, State, and Federal Elections held in the City of Minneapolis.

Adopted.

Approved by Mayor Rybak 6/29/2012.

(Published 7/3/2012)

Resolution 2012R-358, establishing an absentee ballot board for elections held in the City of Minneapolis, 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-358
By Gordon

Establishing an absentee ballot board for elections held in the City of Minneapolis.

Whereas, the City of Minneapolis is authorized by the provisions of Minnesota Statutes, Chapter 203B.121 to establish an Absentee Ballot Board; and

Whereas, the absentee ballot board shall receive and process absentee ballots in accordance to Minnesota Election Laws; and

Whereas, the board shall consist of a sufficient number of election judges appointed as provided in sections 204B.19 subd. 5 and 204C.15;

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

That we permanently establish the use of an absentee ballot board to receive and process absentee ballots for City, State, and Federal Elections held in the City of Minneapolis.

Adopted.

Approved by Mayor Rybak 6/29/2012.

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

PSC&H & W&M/Budget - Your Committee, having under consideration the 2011 Port Security Grant from the U.S. Department of Homeland Security, now recommends acceptance of the grant award in the amount of \$252,000 to prevent, respond and recover from major incidents in ports and along river corridors.

Further, passage of the accompanying resolution increasing the appropriations in the Office of Emergency Management agency fund to reflect receipt of said grant funds, and increasing the revenue budget.

Adopted.

RESOLUTION 2012R-359
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:

a) Increasing the Office of Emergency Management Department appropriation in the Grants - Federal Fund (01300-8440100) by \$252,000; and

b) Increasing the revenue source for the Office of Emergency Management Department in the Grants - Federal fund (01300-8440100) by \$252,000.

Adopted.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a contract with the University of Minnesota to receive \$15,000 for the provision of security services by the Police Department's Bomb and Canine Units for 2012 Gopher football games at TCF Bank Stadium.

Further, passage of the accompanying resolution appropriating \$15,000 to the Police Department.

Adopted.

RESOLUTION 2012R-360
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 Police Department Special Revenue Fund (01211-4002700) by \$15,000.

Adopted.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to donate Unit #71550, a 1988 International Pumper Fire Truck, to the City of Eldoret, Kenya (a sister city to the City of Minneapolis) for use by their fire department.

Adopted.

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

RE&E - Your Committee, to whom was referred an ordinance amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: In General*, allowing entertainment in outdoor areas up to Class D on private property on street level, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted.

Ordinance 2012-Or-039 amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: In General*, amending Section 360.100 to allow entertainment in outdoor areas up to Class D on private property on street level, 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-039
By Schiff
Intro & 1st Reading: 4/27/2012
Ref to: RE&E
2nd Reading: 6/29/2012

Amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to Liquor and Beer: In General.

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

Section 1. That Section 360.100 of the above-entitled ordinance be amended to read as follows:

360.100. Regulation of outdoor areas in on-sale liquor, wine, and beer establishments.

The following regulations shall apply to all outdoor areas in on-sale liquor, wine, and beer establishments, including establishments holding sidewalk cafe permits:

(a) Every outdoor area must be approved as part of the original licensed premises or by the granting of an application for expansion of the licensed premises. Any expansion of the outdoor area of a licensed premises shall require a public hearing and notification as described in section 265.300 of this Code.

(b) Entertainment:

- (1) Every outdoor area shall be deemed presumptively to be licensed as Class E, unless a higher class of license has been expressly granted to the outdoor area by the city council in the manner required by this Code.
- (2) In the ~~downtown and eastbank~~ central commercial district described in section ~~362.430~~ 360.10, the city council may grant a license to an outdoor area in any class.
- (3) Outside the ~~downtown and eastbank~~ central commercial district described in section ~~362.430~~ 360.10, no outdoor area shall be granted a license higher than Class ~~E~~ D and entertainment shall only be permitted on private property on street level.
- (4) Regardless of the class of license issued to an outdoor area, the city council may further restrict the days, hours, nature, volume, and other aspects of entertainment in any outdoor area, including a prohibition against all forms of nonlive music, radio,

television, and other entertainment, to protect the safety, repose, and welfare of residents, businesses and other uses near the establishment.

- (5) The city council may authorize an establishment to conduct entertainment not otherwise allowed under its license in an outdoor area by permit temporarily for special events. Application for such permit shall be filed with the department of licenses and consumer services on a form prescribed by the director. The fee for a temporary entertainment permit shall be as established in Appendix J, License Fee Schedule.

(c) Service and capacity restrictions outside the downtown/eastbank commercial district. It is the policy of the city council that outdoor areas, located outside the downtown and eastbank commercial district described in section 360.10, are intended primarily for the service of patrons at tables and for the consumption of alcoholic beverages in conjunction with food service. Outside the downtown and eastbank commercial district described in section 360.10, no bar shall be located in an outdoor area except a service bar for the exclusive use of employees. Service shall be provided only at tables, however, this shall not prohibit patrons from carrying beverages from an inside area to the outdoor area. Customers shall not be allowed to occupy the outdoor area in greater numbers than the seating or service area capacity permits. An exemption to the service bar requirement of this subsection may be granted to an establishment which demonstrates that it regularly maintained a bar open for service to customers in its outdoor area prior to April 1, 1989.

(d) The licensee shall provide food service in all outdoor areas during all hours of operation. Food service may consist of less than the full menu, but shall at all times offer a substantial choice of main courses, other food items, and nonalcoholic beverages.

(e) All new and remodeled outdoor areas shall be handicap accessible. All existing outdoor areas shall comply with building codes relating to handicap accessibility. No outdoor area shall reduce existing handicap accessibility.

(f) The city council may restrict the hours of operation of an outdoor area based upon proximity of the area to residential dwelling units, and upon considerations relating to the safety, repose, and welfare of residents, businesses, and other uses near the establishment.

(g) The city council may require that access to and egress from an outdoor area only be through the door connecting it to the remainder of the premises, or to property controlled by the licensee.

(h) The licensee shall be responsible for picking up trash and litter generated by the operation of the outdoor area within a reasonable distance from the area.

(i) The city council may review the operation of any outdoor area in connection with the renewal of the on-sale license for the establishment, or at any other time for good cause. Violation of the terms and conditions of this section shall be grounds for revocation, suspension, or refusal to renew the on-sale license for that portion of the licensed premises pertaining to the outside area.

(j) All special restrictions relating to the hours of operation and types of entertainment in an outdoor area shall be endorsed on an addendum to the license certificate and posted in the establishment with the license certificate.

(k) In any on-sale liquor, wine, and beer establishment where the licensee has city council approval to operate an outdoor area, and which is located within the Central Commercial District, as defined in section 360.10, the licensee is prohibited from serving any alcoholic malt beverage or non-alcoholic beverage in an original container manufactured from glass after 11:00 p.m. In addition to the prohibition on serving alcoholic malt beverages or non-alcoholic beverages in original containers manufactured from glass, the licensee shall not allow patrons to carry such beverage containers from an indoor area into an outdoor area.

Adopted.

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

- a) Graves 601 Hotel, 601 1st Ave N (Expansion of Premises for outdoor patio area located on private property)
- b) Primebar, 3001 Hennepin Ave (new business)
- c) Camden Tavern & Grill, 4601 Lyndale Ave N (new business)
- d) Little Tijuana Cafe, 17 E 26th St (new business)

e) Rusty Taco, 522 E Hennepin Ave (new business).

Hofstede moved that the resolution be amended to include the following license condition for the Rusty Taco:

"The owner of the Rusty Taco shall sponsor and maintain a trash receptacle on the corner of Central Avenue and 6th Street NE." Seconded.

Lost. Yeas, 5; Nays, 8 as follows:

Yeas – Tuthill, Samuels, Gordon, Hofstede, Johnson.

Nays - Schiff, Lilligren, Colvin Roy, Quincy, Glidden, Goodman, Hodges, Reich.

The report was adopted.

Approved by Mayor Rybak 6/29/2012.

(Published 7/3/2012)

Resolution 2012R-361, granting Liquor Licenses to Graves 601 Hotel, 601 1st Ave N; Prime Bar, 3001 Hennepin Ave; Camden Tavern & Grill, 4601 Lyndale Ave N; Little Tijuana Cafe, 17 E 26th St; and the Rusty Taco, 522 E Hennepin 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-361
By Glidden

Granting Liquor 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

Graves Hospitality Corp, dba Graves 601 Hotel, 601 1st Ave N (expansion of premises)

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

Prime Bar Minneapolis LLC, dba Prime Bar, 3001 Hennepin Ave #1200 (new business)

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

Waldos in Camden LLC, dba Camden Tavern & Grill, 4601 Lyndale Ave N (new business)

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

Little Tijuana Restaurant Inc, dba Little Tijuana Cafe, 17 E 26th St (new business)

Frank Taco Northeast LLC, dba Rusty Taco, 522 E Hennepin Ave (new business).

Adopted.

Approved by Mayor Rybak 6/29/2012.

RE&E - Your Committee recommends passage of the accompanying resolution granting the application of Sporty's Pub & Grill, 2124 Como Ave SE, for an On-Sale Liquor Class D with Sunday Sales License, subject to conditions.

Adopted.

Approved by Mayor Rybak 6/29/2012.

(Published 7/3/2012)

Resolution 2012R-362, granting the application of Sporty's Pub & Grill, 2124 Como Ave SE, for an On-Sale Liquor Class D 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-362
By Glidden

Granting the application of Sporty's Pub & Grill, 2124 Como Ave SE, for an On-Sale Liquor Class D with Sunday Sales License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by T & C Restaurant Concepts Inc, dba Sporty's Pub & Grill, 2124 Como Ave SE, for an On-Sale Liquor Class D with Sunday Sales License (new proprietor) to expire July 1, 2013, subject to the following conditions:

1. The licensee will collect all litter within 100 feet of the exterior of the building housing the licensed premises on a daily basis in compliance with Minneapolis Ordinance 259.125.
2. The licensee will post a prominent sign requesting customers to be respectful of the neighbors.
3. The licensee will not operate the outdoor seating area after 9 p.m. on a daily basis.
4. The licensee will strictly enforce Minneapolis Ordinance 364.30 and Minnesota Statute 340A.502, Sales to obviously intoxicated persons. No person may sell, give, furnish, or in any way procure for another alcoholic beverages for the use of an obviously intoxicated person.
5. The licensee will not permit drinking games on the licensed premises which require or compel participant to drink.
6. The licensee will prevent noise levels generated by the licensed premises from violating Minneapolis noise ordinances, Chapter 389 of the Minneapolis Code of Ordinances.
7. The licensee will provide adequate containers for cigarettes beside each door.
8. Final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted.

Approved by Mayor Rybak 6/29/2012.

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Mobile Food Vendor License held by Tollefson Family Pork, 45658 County Road 52, Gaylord.

Adopted.

Resolution 2012R-363, approving Business License Operating Conditions relating to the Mobile Food Vendor License held by Tollefson Family Pork, 45658 County Road 52, Gaylord, 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-363

By Glidden

Approving Business License Operating Conditions relating to the Mobile Food Vendor License held by Tollefson Family Pork, 45658 County Road 52, Gaylord.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Mobile Food Vendor License held by Tollefson Family Pork, 45658 County Road 52, Gaylord:

1. Trailer jacks must be placed on moving pads and planks as needed to protect the sidewalk surface.
2. Surface under the trailer must be protected by an impervious barrier (i.e. tarp) to protect the sidewalk surface from slippery or corrosive materials.
3. On Nicollet Mall, vendors may not set up or remove their vehicles between the hours of 7 a.m. to 9 a.m. and 4 p.m. to 5:30 p.m. Monday through Friday.
4. Vendors on Nicollet Mall are limited to vehicles or trailers no larger than 8 feet by 10 feet.
5. Farmers Market has priority on location site. Vendors on Nicollet Mall must coordinate with Farmers Market on site location or not operate.
6. There may be other sidewalk vendor licenses granted near your site. When setting up, you are required to coordinate with other vendors to ensure proper clearances for pedestrian traffic.

Adopted.

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

Adopted.

Resolution 2012R-364, granting applications for Liquor, Wine 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-364
By Glidden**

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 275797):

Off-Sale Liquor, to expire July 1, 2013

Metro Liquor Warehouse Inc, dba Lake Wine & Cheese, 404 W Lake St

Sorella Wine & Spirits Inc, dba Sorella Wine & Spirits, 1010 Washington Ave

Michalaur LLC, dba Hum's Liquor Store, 2126 Lyndale Ave S

Kick's Liquor Store Inc, dba Broadway Liquor Outlet, 2201 W Broadway

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

Trimark Hotel Corporation, dba Millenium Hotel, 1313 Nicollet Mall

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

Radisson Minneapolis Corporation, dba Radisson Plaza Minneapolis, 35 S 7th St (new corp officer)

Radisson Minneapolis Corporation, dba Radisson Plaza Minneapolis, 35 S 7th St (new manager)

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

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

Inception Entertainment LLC, dba Bootleggers, 323 1st Ave N

Minnesota Historical Society, dba Mill City Museum, 704 S 2nd St

Food and Drink, Inc, dba Barfly, 711 Hennepin Ave

I&E Inc, dba Bunker's, 761 Washington Ave N, 1st floor

900 Washington Hotel LLC, dba Aloft Hotel Minneapolis, 900 Washington Ave S

Varisty Arts LLC, dba Varsity Theater, 1308 4th St SE

Midest Latino Ent & Talent Inc, dba El Nuevo Rodeo Restaurant, 2709 E Lake St

Pepito's, dba Pepitos, 4820 Chicago (70/30)

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

Crowne Plaza Northstar, dba Crowne Plaza Northstar, 618 2nd Ave S

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

Sirian Enterprises, dba Lee's Liquor Bar, 101 Glenwood Ave

Loring Pasta Bar LLC, dba Loring Pasta Bar, 327 14th Ave SE

Sam Ventures Inc, dba Imperial Room, 417 1st Ave N

Brothers of Minneapolis Inc, dba Brothers, 430 1st Ave N Suite 100

Cedar Point Inc, dba Palmers Bar, 500 Cedar Ave S

One Eyed Dog LTD, dba Triple Rock, 629 Cedar Ave S

Last Cowboy LLC, dba Bar Abilene, 1300 Lagoon Ave

FH Bill Inc, dba The Corner Bar, 1501 Washington Ave

Hexagon Inc, dba Hexagon, 2600 27th Ave S

Ballentnie VFW Post 246, dba James Ballentine VFW Post 246, 2916 Lyndale Ave S

Noras Calhoun Inc, dba Tryg's, 3118 Lake St W

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

Westbank Productions Co LLC, dba 400 Bar, 400 Cedar Ave S

On-Sale Liquor Class C-2 with Sunday Sales to expire July 15, 2012

Mr. Susie Inc, dba Barbette, 1600 Lake St W (temporary expansion July 15, 2012, 2:00 p.m. to 10:00 p.m., Bastille Day)

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

Hubert's Inc, dba Huberts Bar & Grill, 601 Chicago Ave

Pier Group CMT LLC, dba Chiang Mai Thai Restaurant, 3001 Hennepin Ave

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

Bramare LLC, dba Toast Wine Bar & Café, 415 1st St N #1

FCA Restaurant Company LLC, dba Rare, 615 2nd Ave S

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

FCA Restaurant Co LLC, dba Rare, 615 2nd Ave S (new corporate officer)

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

Starmac Inc, dba Champions Saloon & Eatery, 105 W Lake St

Michael Anthony Inc, dba Runyon's, 107 Washington Ave N

Peer House LLC, dba The Bachelor Farmer and Marvel I, 200 1st St N

Delta House Entertainment, dba Goodsports Bar and Grill, 200 W Broadway

Atlas Restaurants LLC, dba Atlas Restaurant, 200 6th St #175

Stadium Pizza and Diner LLC, dba Stadium Pizza, 207 Washington Ave N

Phoenix Catering Inc, dba Joseph Catering, 336 Hoover St NE

Modern Cafe Inc, dba Modern Cafe, 337 13th Ave NE

Largo Enterprises Inc, dba Whitey's World Famous Saloon, 400 E Hennepin Ave

Complete Beverage Service Inc, dba Darby O'Ragens, 401 3rd St N

Ramez Enterprises Inc, dba Arone's Bar, 500 Central Ave NE

510 Groveland Assoc, MN Cooperative, dba La Belle Vie, 510 Groveland Ave

Capital Grille Holdings Inc, dba Capital Grille, 801 Hennepin Ave

Buca (Minneapolis) Inc, dba Buca Di Beppo, 1204 Harmon Pl #1

Darbar India Grill Inc, dba Darbar India Grill, 1221 W Lake St #105

Blue Plate Restaurant Company Inc, dba The Lowry, 2112 Hennepin Ave

Tiger Sushi II LLC, dba Tiger Sushi, 2841 Lyndale Ave S

Capital Runner LLC, dba The Lyndale, 2937 Lyndale Ave S

Thao Brothers LLC, dba Sushi Tango, 3001 Hennepin Ave

G & A Fa Da Inc, dba Wakame Sushi & Asian Bistro, 3070 Excelsior Blvd #206

Al Vento Incorporated, dba Al Vento, 5001 34th Ave S

On-Sale Liquor Class E, to expire July 1, 2013

Sanctuary Restaurant LLC, dba Sanctuary Restaurant, 903 Washington Ave S

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

Bon Appetit Management Company, dba Cafe Target, 1000 Nicollet Mall (new corporate officer)

Temporary On-Sale Liquor

GLBT Pride – Twin Cities, dba GLBT Pride, 1382 Willow St (June 22 – 24, 2012, Pride Festival)

Patrick's Cabaret, dba Patrick's Cabaret, 3010 Minnehaha Ave (July 14, 2012, 1:00 p.m. to 9:00 p.m.,

Patricks Cabaret, 3010 Minnehaha Ave)

Liquor Catering Services, to expire August 1, 2013

Phoenix Catering Inc, dba Joseph Catering, 336 Hoover St NE

Miss Jimmy Inc, dba Red Stag Supperclub, 509 1st Ave NE

Create Catering and Consulting LLC, dba Create Catering & Consulting,

1121 Jackson St NE

Mr. Susie Inc, dba Barbette, 1600 W Lake St

Metro Bar & Grill, dba Metro Bar & Grill, 1183 University Ave, St. Paul

FCA Restaurant Company LLC, dba FCA Restaurant Company, 2902 Corporate Pl, Chanhassen

Great Waters Brewing Co, dba Great Waters Brewing, 426 Saint Peter St, St. Paul

Off-Sale Beer, to expire April 1, 2013

Camden Grocery & Tobacco, 4151 Fremont Ave N (new business)

Temporary On-Sale Beer, to expire September 23, 2012

St. Maron Maronite Catholic Church, dba St. Maron Maronite Catholic Church, 600 University Ave NE (September 22 & 23, 2012, 11:00 a.m. to 8:00 p.m., annual parish fundraiser).

Adopted.

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

Adopted.

Resolution 2012R-365, 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-365
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 6/29/2012 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 275797):

Dancing School; Dry Cleaning & Laundry Pickup Station; Extended Hours; Caterers; Food Market Distributor; Farm Produce Permits; Grocery; Institutional Food Service; Food Manufacturer; Mobile Food Vendor; Restaurant; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Heating, Air Conditioning & Ventilating Class B; Motor Vehicle Dealer – Cycles & Motorbikes; Motor Vehicle Dealer – New & Used; Motor Vehicle Dealer – Used Only; Motor Vehicle Dealer – Additional Lot; Motor Vehicle Repair Garage; Motor Vehicle Used Parts Dealer; Peddler – Foot; Pet Shop; Precious Metal Dealer; Rental Halls; Secondhand Goods Class A; Secondhand Goods Class B; Antique Dealer Class A; Antique Dealer Class B; Antique Mall Operator Class B; Solicitor - Company; Solicitor – Individual; Swimming Pool – Public; Tattooist/Body Piercer Establishment; Taxicab Service Company; Taxicab Vehicle Fuel Efficient; Taxicab Vehicle Wheelchair Access; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Tree Servicing; Tobacco Dealer.

Adopted.

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

Adopted.

Resolution 2012R-366, 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-366
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 275797):

Gambling Exempt

Global Biomass Network, dba Global Biomass Network, 208 2nd Ave N, Grand Forks, ND (Raffle June 6, 2012, Minneapolis Convention Center)

CES of Minneapolis, dba CES of Minneapolis, 1900 11th Ave S (Raffle June 21, 2012, Community Emergency Service)

U of M Amplatz Children's Hospital, dba U of M Amplatz Children's Hospital, 2450 Riverside Ave (Raffle June 21, 2012 – Rain Date June 22, 2012)

Minnesota Security Dealers Association, dba Minnesota Security Dealers Association, 5858 Park Ave (Raffle July 12, 2012, Brits Pub)

JDRF, dba JDRF, 3001 Metro Dr, Suite 100, Bloomington (Raffle July 28, 2012, Target Field)

Laker Educational Foundation, dba Laker Educational Foundation, PO Box 840, Prior Lake (Raffle August 18, 2012, Epic).
Adopted.

RE&E - Your Committee, having under consideration the Rental Dwelling License for the property located at 1942 Xerxes Ave N, and having received an acceptable management plan for the property and verification that said property is now in compliance with rental licensing standards, now recommends concurrence with the recommendation of the Director of Regulatory Services to approve the reinstatement of said license to be held by Fred Wherland.
Adopted.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Abdulaziz Sheikh for the property located at 2431 Chicago Ave, 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-2012-27 which are hereby made a part of this report by reference.
Lilligren moved that the report be postponed. Seconded.
Adopted upon a voice vote.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Andrea Walker, Complete Real Estate Mortgage Solutions, Inc., for the property located at 4255 Penn Ave N, and a hearing having been held before Administrative Hearing Officer Fabian Hoffner who issued Findings of Fact, Conclusions and a Recommendation that the rental dwelling license be revoked, now recommends approval of the recommendation to revoke said license 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-2012-28 which are hereby made a part of this report by reference.
Adopted.

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

RE&E & W&M/Budget - Your Committee, having under consideration the Homegrown Minneapolis Program, now recommends that the proper City officers be authorized to:

- a) Accept \$40,000 from General Mills Foundation to provide funding for the Homegrown Minneapolis Coordinator; and
- b) Execute an amendment to the professional services contract with Jane Shey, in an amount not to exceed \$40,000, to provide support to Homegrown Minneapolis through January 31, 2013.

Your Committee further recommends passage of the accompanying resolution appropriating \$40,000 to the City Coordinator's Office.
Adopted.

**RESOLUTION 2012R-367
By Glidden 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 - Other Fund (01600-8400200) by \$40,000 and increasing the revenue estimate for the City Coordinator's Office (01600-8400200) by \$40,000.
Adopted.

RE&E & W&M/Budget - Your Committee, having under consideration the installation of a solar photovoltaic system at the Currie Maintenance Facility, now recommends that the proper City officers be authorized to execute Change Order No 1 to Contract No C-35061 with Able Energy to increase the contract by \$2,839.04, for a revised contract total of \$189,734.56, to move an existing disconnect switch to a new location as required by Xcel Energy.

Adopted.

RE&E & W&M/Budget - Your Committee, having under consideration the Minnesota Department of Commerce Office of Energy Security (formerly the Office of Energy Security) Grant for solar installations within the Energy Innovation Corridor, now recommends the installation of solar powered lighting in bus shelters along the Energy Innovation Corridor if funds from the grant can be used for said installation.

Adopted.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee recommends the following appointments to the Minneapolis Bicycle Advisory Committee for terms beginning June 1, 2012 and expiring May 31, 2014:

Ward	Appointee
1	Ciara Schlichting
2	Robert Hain (<i>reappointment</i>)
3	Georgianna Yantos (<i>reappointment</i>)
4	Jim Skoog (<i>reappointment</i>)
5	Billy Binder (<i>reappointment</i>)
6	Ethan Fawley (<i>reappointment</i>)
7	Richard Anderson (<i>reappointment</i>)
8	Marin Byrne (<i>reappointment</i>)
9	Hökan (<i>reappointment</i>)
10	Lisa Bender (<i>reappointment</i>)
11	Paul Frenz (<i>reappointment</i>)
12	Nick Mason (<i>reappointment</i>)
13	William Dooley (<i>reappointment</i>)

Adopted.

T&PW - Your Committee recommends the following appointments to the Minneapolis Pedestrian Advisory Committee for terms beginning July 1, 2012 and expiring June 30, 2014:

Ward	Appointee
11	Stephan Bossert
8	Jennifer Edwards
11	Jacqueline Knight
1	Peter Janelle
3	Donna Hemp
8	Neal Baxter (<i>reappointment</i>)
8	Dan Herber (<i>reappointment</i>)
9	Scott Engel (<i>reappointment</i>)

Adopted.

T&PW - Your Committee, having under consideration the 2012 Innovative Graffiti Prevention Micro Grant Program, now recommends that the proper City officers be authorized to negotiate and execute agreements with the following recipients, as set forth in Petn No 275804, to receive grants to be used for prevention, eradication, and education regarding the negative effects of graffiti and gang involvement:

- a) Brian Coyle Center of Pillsbury United Communities;
- b) El Colegio Charter School;
- c) Hawthorne Community Council;
- d) Longfellow Community Council;
- e) Main Street Project, Hope Community and Waite House Youth Programs;
- f) Mentoring Peace Through Art;

- g) Powderhorn Park Neighborhood Association;
- h) St. Paul's Lutheran Church;
- i) Volunteers of America Southwest Center; and
- j) West Bank Business Association.

Schiff moved that staff be directed to add additional points when scoring and awarding future Innovative Graffiti Prevention Micro Grant proposals that include projects on public property that will save the City graffiti removal costs. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

T&PW - Your Committee recommends that the proper City officers be authorized to execute a Mattress Collection and Recycling Agreement with Project for Pride in Living (PPL) for a three (3) year term, with the option to extend the contract on an annual basis for two (2) additional years, as set forth in Petn No 275804.

Adopted.

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

T&PW & W&M/Budget - Your Committee, having under consideration the 6th Ave N Street Resurfacing Project, Special Improvement of Existing Street No 5237, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

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

Adopted.

Resolution 2012R-368, ordering the work to proceed and adopting the special assessments for the 6th Ave N Street Resurfacing Project No 5237, 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-368
By Colvin Roy and Hodges**

**2012 STREET RESURFACING PROGRAM
6TH AVE N STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5237**

Ordering the work to proceed and adopting the special assessments for the 6th Ave N Street Resurfacing Project.

Whereas, a public hearing was held on June 19, 2012 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2012R-232, passed April 27, 2012, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2012R-232, passed April 27, 2012.

Be It Further Resolved that the proposed special assessments in the total amount of \$128,673.61 for the 6th Ave N Street Resurfacing Project, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be

charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2013 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2013 real estate tax statements.

Adopted.

Resolution 2012R-369, requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of street improvements in the 6th Ave N Street Resurfacing Project No 5237, 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-369
By Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$128,675 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the 6th Ave N Street Resurfacing Project, Special Improvement of Existing Street No 5237, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in five (5) successive annual installments payable in the same manner as real estate taxes.

Adopted.

T&PW & W&M/Budget - Your Committee, having under consideration the 28th Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5242, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

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

Adopted.

Approved by Mayor Rybak 6/29/2012.

(Published 7/3/2012)

Resolution 2012R-370, ordering the work to proceed and adopting the special assessments for the 28th Ave S Street Resurfacing Project No 5242, 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-370
By Colvin Roy and Hodges

2012 STREET RESURFACING PROGRAM
28TH AVE S STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5242

Ordering the work to proceed and adopting the special assessments for the 28th Ave S Street Resurfacing Project.

Whereas, a public hearing was held on June 19, 2012 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2012R-265, passed May 11, 2012, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2012R-265, passed May 11, 2012.

Be It Further Resolved that the proposed special assessments in the total amount of \$143,794.37 for the 28th Ave S Street Resurfacing Project, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2013 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2013 real estate tax statements.

Adopted.

Approved by Mayor Rybak 6/29/2012.

Resolution 2012R-371, requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of street improvements in the 28th Ave S Street Resurfacing Project No 5242, 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-371
By Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$143,800 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the 28th Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5242, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in five (5) successive annual installments payable in the same manner as real estate taxes.

Adopted.

Approved by Mayor Rybak 6/29/2012.

T&PW & W&M/Budget - Your Committee, having under consideration the 38th St E Street Resurfacing Project, Special Improvement of Existing Street No 5238, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

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

Adopted.

Approved by Mayor Rybak 6/29/2012.

(Published 7/3/2012)

Resolution 2012R-372, ordering the work to proceed and adopting the special assessments for the 38th St E Street Resurfacing Project No 5238, 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-372
By Colvin Roy and Hodges**

**2012 STREET RESURFACING PROGRAM
38TH ST E STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5238**

Ordering the work to proceed and adopting the special assessments for the 38th St E Street Resurfacing Project.

Whereas, a public hearing was held on June 19, 2012 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2012R-306, passed May 25, 2012 to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2012R-306, passed May 25, 2012.

Be It Further Resolved that the proposed special assessments in the total amount of \$172,397.72 for the 38th St E Street Resurfacing Project, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2013 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2013 real estate tax statements.

Adopted.

Approved by Mayor Rybak 6/29/2012.

Resolution 2012R-373, requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of street improvements in the 38th St E Street Resurfacing Project No 5238, 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-373
By Colvin Roy and Hodges**

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$172,400 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the 38th St E Street Resurfacing Project, Special Improvement of Existing Street No 5238, to be assessed against

benefited properties as estimated by the City Council, which assessments shall be collectible in five (5) successive annual installments payable in the same manner as real estate taxes.

Adopted.

Approved by Mayor Rybak 6/29/2012.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying resolution receiving and accepting the final costs for the Ballpark Area Pedestrian Improvements Project, decreasing the appropriation for the project by \$75,000 thereby closing the project, and reallocating excess revenue to the I-35W and Lake Street Interchange Project.

Adopted.

Resolution 2012R-374, receiving and accepting the final costs of the Ballpark Area Pedestrian Improvements Project, adjusting the capital appropriations as necessary thereby closing the project, and reallocating excess revenue to the I-35W and Lake Street Interchange Project, 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-374
By Colvin Roy and Hodges

Receiving and accepting the final costs of the Ballpark Area Pedestrian Improvements Project, adjusting the capital appropriations as necessary thereby closing the project, and reallocating excess revenue to the I-35W and Lake Street Interchange Project.

Resolved by The City Council of The City of Minneapolis:

That the final costs of all work in the Ballpark Area Pedestrian Improvements Project (04100-9010943-CTR018) in the amount of \$1,500,000 be received and accepted and that the capital appropriation be decreased by \$75,000 thereby closing the project.

Be It Further Resolved that excess revenue in the amount of \$75,000 be reallocated from the Ballpark Area Pedestrian Improvements Project (04100-9010943-CTR018) to the I-35W and Lake Street Interchange Project (04100-9010937-CPV008).

Adopted.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Amendment No 1 to the existing Cooperative Agreement with Hennepin County for cost participation to a 30% level in the design of the I-35W and Lake Street Transit Station and Access Improvement Project, increasing the City's share by \$11,333 to cover additional work to be performed by the project consultant. Funding will come from the close-out of the Ballpark Area Pedestrian Improvements Project (CTR018), as set forth in Resolution 2012R-374, passed June 29, 2012.

Adopted.

T&PW & W&M/Budget - Your Committee, having under consideration the installation of pathway lights along the Midtown Greenway from Hennepin Ave to James Ave S, now recommends passage of the accompanying resolutions:

a) Authorizing the proper City officers to execute a Cooperative Agreement with Hennepin County for the installation of the pathway lights; and

b) Increasing the appropriation for the project by \$34,000, to be reimbursed by Hennepin County (\$14,000) and East Isles Neighborhood Revitalization Program Funds (\$20,000).

Adopted.

Resolution 2012R-375, authorizing execution of a Cooperative Agreement with Hennepin County for the installation of pathway lights along the Midtown Greenway from Hennepin Ave to James Ave S, 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-375
By Colvin Roy and Hodges

Authorizing execution of a Cooperative Agreement with Hennepin County for the installation of pathway lights along a portion of the Midtown Greenway.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to execute a Cooperative Agreement with Hennepin County for the installation of pathway lights along the Midtown Greenway from Hennepin Ave to James Ave S, upon satisfactory review by the City Attorney's Office.

Adopted.

RESOLUTION 2012R-376
By Colvin Roy and Hodges

Amending The 2012 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW-Transportation Capital Agency in the Permanent Improvement Fund (04100-9010943-CTR1222SG108) by \$34,000 to be 100% reimbursed by Hennepin County (\$14,000) and East Isles Neighborhood Revitalization Program Funds (\$20,000).

Adopted.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute an agreement with Minnesota Commercial Rail Road, as set forth in Petn No 275805, for the installation of crossing surface upgrades in conjunction with the 33rd Ave SE Street Reconstruction Project. The cost for the work, to be performed by Minnesota Commercial Rail Road, was included in the original project budget.

Adopted.

Approved by Mayor Rybak 6/29/2012.

(Published 7/3/2012)

T&PW & W&M/Budget - Your Committee, having under consideration the Single Sort Recycling Program, now recommends that the proper City officers be authorized to exercise the option offered by Midwest Diesel & ABM Equipment & Supply to order four (4) cab and chassis, seven (7) packer bodies, and seven (7) sets of cart tippers at 2011 prices for a total of \$1,287,424. Funds are available in the current budget and no additional appropriation is required.

Adopted.

T&PW & W&M/Budget - Your Committee, having under consideration the Traffic Management Center Upgrades and Enhancements Project, now recommends passage of the accompanying resolution authorizing the proper City officers to execute an Agency Agreement with the State of Minnesota Department of Transportation appointing the Commissioner of Transportation as Agent of the City and allowing the State to act as the City's agent in accepting and disbursing federal funds and allowing federal aid participation in the force account project.

Adopted.

Resolution 2012R-377, appointing the Commissioner of Transportation as agent of the City of Minneapolis and entering into an agreement to accept federal aid funds for eligible transportation-related 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-377
By Colvin Roy and Hodges

RESOLUTION FOR AGENCY AGREEMENT

Appointing the Commissioner of Transportation as agent of the City of Minneapolis and entering into an agreement to accept federal aid funds for eligible transportation-related projects.

Resolved by The City Council of The City of Minneapolis:

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

Be It Further Resolved that the proper City officers are hereby authorized and directed, for and on behalf of the City of Minneapolis, to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No 00973", a copy of which said agreement was before the City Council and which is made a part hereof by reference.

Adopted.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7625 from Building Restoration Corporation, for an estimated total expenditure of \$218,912.00, to furnish and deliver all labor, materials, equipment, and incidentals necessary to accomplish the Exterior Stabilization for the Fridley Filtration Plant and Pump Station No 5 for the Water Treatment and Distribution 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.

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.

Resolution 2012R-378, authorizing settlement of legal matters of *Demetris Robinson v. City of Minneapolis et al*, *Master Express v. RW Farms, et al*, *Marvin Taylor*, Civil Service Commission Appeal of Discharge & U.S. EEOCA Charge of Discrimination, *Blythe Davis v. City of Minneapolis*, *The Travelers Casualty Insurance Company of America v. City of Minneapolis*, *Dawn Westermann v. City of Minneapolis et al*, *ABM Industries v. City of Minneapolis et al*, No-Fault Claim of *Jonathon C. Voth*, and *Chafoxey Marie Mitchner v. City of Minneapolis and Brooks*, was adopted 2/11/2011 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-378
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) *Demetris Robinson v. City of Minneapolis et al*, by payment of \$30,000 to Demetris Robinson and his attorneys, from the Internal Service Self Insurance Fund (06900-1500100-145400);

b) *Master Express v. RW Farms, et al*, by payment of \$26,000 to Master Express and its attorneys at Lapp, Libra, Thomsen, Stoebner & Pusch, from the Internal Service Self Insurance Fund (06900-1500100-145664);

c) Marvin Taylor, Civil Service Commission Appeal of Discharge & U.S. EEOCA Charge of Discrimination, by payment of \$34,003.63 to Marvin Taylor from the Internal Service Self Insurance Fund (06900-1500100-145300);

d) *Blythe Davis v. City of Minneapolis*, by payment of \$34,500 to Blythe Davis and her attorneys, Sawicki & Phelps, from the Internal Service Self Insurance Fund (06900-1500100-145675);

e) *The Travelers Casualty Insurance Company of America v. City of Minneapolis*, by payment of \$47,500 to The Travelers Casualty Insurance Company of America, from the Internal Service Self Insurance Fund (06900-1500100-145690);

f) *Dawn Westermann v. City of Minneapolis et al*, by payment of \$33,000 to Dawn Westermann and her attorneys, Woods & Thompson, from the Internal Service Self Insurance Fund (06900-1500100-145650);

g) *ABM Industries v. City of Minneapolis et al*, by payment of \$20,000 to ABM Industries, from the Internal Service Self Insurance Fund (06900-1500100-145650);

h) No-Fault Claim of Jonathon C. Voth, by authorizing submission of all current and ongoing bills relating to no-fault claimant Jonathon C. Voth directly to the City Finance Officer for payment from the Internal Service Self Insurance Fund (06900-1500100-145664); and

i) *Chafoxey Marie Mitchner v. City of Minneapolis and Brooks*, by payment of \$16,000 to Chafoxey Marie Mitchner and her attorneys, Sawicki & Phelps, from the Internal Service Self Insurance Fund (06900-1500100-145607).

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

Adopted.

W&M/Budget – Your Committee recommends passage of the accompanying resolution accepting the donation of travel expenses for City Attorney Susan Segal to participate in a delegation advocating on issues relating to the prevention of sex trafficking of juveniles.

Adopted.

Resolution 2012R-379, accepting the donation of travel expenses for the City Attorney to advocate on issues related to the prevention of sex trafficking of juveniles, 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-379

By Hodges

Accepting the donation of travel expenses for the City Attorney to advocate on issues related to the prevention of sex trafficking of juveniles.

Resolved by The City Council of The City of Minneapolis:

That proper City officers be authorized to accept the donation of travel-related expenses from the Women's Foundation of Minnesota for City Attorney Susan Segal to participate as part of a delegation traveling to Washington, DC, June 25 - 27, 2012, to position Minnesota as the national model in the anti-juvenile sex trafficking movement and to advocate for legislation and agency policies that could help steer resources to Minnesota.

Adopted.

W&M/Budget - Your Committee recommends approval of the August 2012 utility billing insert on behalf of Sustainability and the Minneapolis Park and Recreation Board providing information about watering trees. (Petn No 375809)

Adopted.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend Contract C-35300 with Progressive Associates to extend the term through August 31, 2012, and increase the contract total by \$30,000 to a total of \$78,500, for consulting, training and educational services relating to a number of sustainability initiatives in progress and transitioning to successful vendors from the consultant pool.

Action is within existing Convention Center Operating budget; no additional appropriation required.
Adopted.

W&M/Budget - Your Committee recommends acceptance of the low responsive bid received by the Convention Center and Procurement Departments on OP No 7650 from Central Roofing Company in the amount of \$3,945,500.00 to furnish and deliver all labor, materials, equipment and incidentals necessary for the Domes Re-Roofing project for the Minneapolis Convention Center.

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

Adopted.

Abstained - Goodman.

Approved by Mayor Rybak 6/29/2012.

(Published 7/3/2012)

W&M/Budget – Your Committee recommends passage of the accompanying resolution authorizing the acceptance of the 2011 (3rd and 4th Quarter) and 2012 (1st and 2nd Quarter) list of donations valued under \$15,000, as set forth in Petn No 275815 on file in the Office of the City Clerk.

Adopted.

Resolution 2012R-380, authorizing the acceptance of donations made to the City of Minneapolis, valued under \$15,000, 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-380

By Hodges

Authorizing the acceptance of donations made to the City of Minneapolis, valued under \$15,000.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to accept the donations made in to the City of Minneapolis as follows:

a) 2011 (3rd and 4th Quarter); and

b) 2012 (1st and 2nd Quarter).

Adopted.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to negotiate and execute an amendment to the current lease agreement, Contract C-9610431, with Canal Street Ltd. Partnership, for office space at the Crown Roller Mill Building, 105 5th Avenue S, to reduce the rentable square foot obligation pad by the City by approximately 6652 square feet, through a buy-out option for Suite 450, subject to an identified new tenant signing a lease with building ownership. The net savings of

the amended lease agreement will reduce the annual operating expenditure for the Community Planning and Economic Development, Fund 01GEN Department 8900110.

Adopted.

Approved by Mayor Rybak 6/29/2012.

(Published 7/3/2012)

W&M/Budget - Your Committee recommends removal of a \$6,036.78 special assessment for unpaid utility charges from the Hennepin County Property Tax records for the property located at 4207 12th Ave S, in order to grant the property owner the right to a public hearing on the assessment.

Adopted.

W&M/Budget - Your Committee recommends the proper City officers be authorized to a) issue a request for proposal for life and long term disability insurance coverage effective January 1, 2013, and b) enter into contract negotiations with the selected vendor.

Adopted.

W&M/Budget - Your Committee recommends passage of the accompanying resolutions approving terms of the collective bargaining agreements with: a) the Minneapolis Building and Construction Trades Council, Trades Inspectors Unit, effective January 1, 2011 through December 31, 2012; and b) IATSE Local #13 - Convention Center Production Technicians Unit, effective January 1, 2012 through December 31, 2013.

Adopted.

Resolution 2012R-381, approving a 24-month labor agreement with Minneapolis Building and Construction Trades, AFL-CIO, Trades Inspectors Unit, 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-381

By Hodges

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

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the Minneapolis Building and Construction Trades, AFL-CIO, Trades Inspectors Unit, (Petn No 275817), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted.

Resolution 2012R-382, approving a 24-month labor agreement with International Alliance of Theatrical Stage Employees, Local Union No. 13, AFL-CIO, Convention Center Production Technicians Unit, 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-382

By Hodges

Approving the terms of a collective bargaining agreement with the International Alliance of Theatrical Stage Employees, Local Union No. 13, AFL-CIO, Convention Center Production Technicians Unit, and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the International Alliance of Theatrical Stage Employees, Local Union No. 13, AFL-CIO, Convention Center Production Technicians Unit, (Petn No 275817), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted.

W&M/Budget - Your Committee, having under consideration recommendations from the Regulatory Services, Fire, and Finance Departments for implementing changes to the City's board-up program for vacant properties, now recommends approval to transition the provisioning of this activity back to a contracted service in lieu of the Fire Department performing the activities, beginning in 2013. Further, approving adjusting the per-board charge to match the charge from the contractor plus administration costs, to be collected by Regulatory Services, with Fire and Regulatory Services working with Finance to incorporate the financial impact of this recommendation into the 2013 budget process.

Adopted.

W&M/Budget - Your Committee recommends the proper City officers be authorized to enter into a Memorandum of Understanding with the Minneapolis Foundation to establish a separate fund within the Minneapolis Foundation to be known as The 35W Bridge Project fund, and to permit the Minneapolis Foundation to act as the fiscal agent for the project, accepting contributions and making distributions from said fund.

Adopted.

Approved by Mayor Rybak 6/29/2012.

(Published 7/3/2012)

The ZONING & PLANNING Committee submitted the following reports:

Z&P - Your Committee, to whom was referred the recommendations of the Planning Commission to: a) approve with the amendments indicated in the memo dated June 13, 2012, prepared by Planning Staff and included in the staff report on file in the Office of the City Clerk an ordinance amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, to implement the Transit Station Area policies of *The Minneapolis Plan for Sustainable Growth* as articulated in the adopted *38th Street Station Area Plan*; and b) find that obtaining consent signatures would be impractical for the rezoning of properties from Residential to Commercial Districts; now recommends that said ordinance and finding be **sent forward without recommendation**.

Schiff moved that the table contained in the ordinance approved by the City Planning Commission on May 21, 2012 be amended as follows:

2425 LAKE ST E
(Betw 33rd St & 34th St)

CPC Recommendation: I1/I2
Schiff Motion: R1A, Remove PO

2811 34TH ST E

CPC Recommendation: R5

	Schiff Motion: R5, Remove PO
2817 35TH ST E	CPC Recommendation: OR3 Schiff Motion: R1A
2900 36TH ST E	CPC Recommendation: OR3 Schiff Motion: I2 – ILOD
2904 35TH ST E	CPC Recommendation: Remove PO Schiff Motion: add ILOD, Remove PO
2905 35TH ST E	CPC Recommendation: R5 Schiff Motion: I1 – ILOD, Remove PO
2929 36TH ST E	CPC Recommendation: C3A Schiff Motion: R1A
3001 37TH ST E	CPC Recommendation: C3A Schiff Motion: I2 – ILOD
3047 38TH ST E	CPC Recommendation: R5 Schiff Motion: R1A
3048 39th ST E	CPC Recommendation: R5 Schiff Motion: R1A
3049 40th ST E	CPC Recommendation: R5 Schiff Motion: R1A
3104 37TH ST E	CPC Recommendation: R5 Schiff Motion: I1 – ILOD
3108 37TH ST E	CPC Recommendation: R5 Schiff Motion: I1 – ILOD
3112 37TH ST E	CPC Recommendation: R5 Schiff Motion: I1 - ILOD
3230 40TH ST E	CPC Recommendation: R5 Schiff Motion: R1A
3233 40TH ST E	CPC Recommendation: R5 Schiff Motion: I1 - ILOD
3320 41ST ST E	CPC Recommendation: R5 Schiff Motion: I1 - ILOD
3329 41ST ST E	CPC Recommendation: R5 Schiff Motion: R1A
3340 42ND ST E	CPC Recommendation: R5 Schiff Motion: R1A
3400 SNELLING AVE	CPC Recommendation: R5 Schiff Motion: R5, Remove PO

3400 DIGHT AVE	CPC Recommendation: No change Schiff Motion: Remove PO
3400 42ND ST E	CPC Recommendation: R5 Schiff Motion: I1 to I1 – ILOD
3404 SNELLING AVE	CPC Recommendation: I1 to R5 Schiff Motion: R5, Remove PO
3408 SNELLING AVE	CPC Recommendation: R5 Schiff Motion: R5, Remove PO
3410 SNELLING AVE	CPC Recommendation: R5 Schiff Motion: R5, Remove PO
3414 SNELLING AVE	CPC Recommendation: R5 Schiff Motion: R5, Remove PO
3418 SNELLING AVE	CPC Recommendation: R5 Schiff Motion: R5, Remove PO
3420 SNELLING AVE	CPC Recommendation: R5 Schiff Motion: R5, Remove PO
3426 SNELLING AVE	CPC Recommendation: R5 Schiff Motion: R5, Remove PO
3432 SNELLING AVE	CPC Recommendation: R5 Schiff Motion: R5, Remove PO
3434 SNELLING AVE	CPC Recommendation: R5 Schiff Motion: R5, Remove PO
3438 SNELLING AVE	CPC Recommendation: Remove PO Schiff Motion: I1 – ILOD, Remove PO
3442 SNELLING AVE	CPC Recommendation: Remove PO Schiff Motion: I1 – ILOD, Remove PO
3446 SNELLING AVE	CPC Recommendation: Remove PO Schiff Motion: I1 – ILOD, Remove PO
3450 SNELLING AVE	CPC Recommendation: Remove PO Schiff Motion: I1 – ILOD, Remove PO
3454 SNELLING AVE	CPC Recommendation: R5 Schiff Motion: R5, Remove PO
3500 SNELLING AVE	CPC Recommendation: R5 Schiff Motion: I1 – ILOD, Remove PO
3501 HIAWATHA AVE	CPC Recommendation: I1 – ILOD Schiff Motion: I2 – ILOD
3508 SNELLING AVE	CPC Recommendation: I1 Schiff Motion: I1 – ILOD, Remove PO

3512 SNELLING AVE	CPC Recommendation: I1 Schiff Motion: I1 – ILOD, Remove PO
3516 SNELLING AVE	CPC Recommendation: I1 Schiff Motion: I1 – ILOD
3532 DIGHT AVE (Betw 34th St & 35th St)	CPC Recommendation: Keep existing zoning Schiff Motion: R1A, Remove PO
3532 DIGHT AVE (Betw 35th St & 37th St)	CPC Recommendation: OR3 Schiff Motion: R1A
3532 DIGHT AVE (Betw 37th St & 38th St)	CPC Recommendation: C3A Schiff Motion: R1A
3534 SNELLING AVE	CPC Recommendation: I1 Schiff Motion: I1 – ILOD
3536 SNELLING AVE	CPC Recommendation: R5 Schiff Motion: I1 – ILOD, Remove PO
3540 SNELLING AVE	CPC Recommendation: R5 Schiff Motion: I1 – ILOD, Remove PO
3544 SNELLING AVE	CPC Recommendation: I1 – ILOD Schiff Motion: I1 – ILOD, Remove PO
3547 DIGHT AVE	CPC Recommendation: R5 Schiff Motion: I1 – ILOD, Remove PO
3548 SNELLING AVE	CPC Recommendation: I1 – ILOD Schiff Motion: I1 – ILOD, Remove PO
3556 SNELLING AVE	CPC Recommendation: I1 – ILOD Schiff Motion: I1 – ILOD, Remove PO
3556 DIGHT AVE	CPC Recommendation: OR3 Schiff Motion: R1A
3600 DIGHT AVE	CPC Recommendation: OR3 Schiff Motion: I2 – ILOD
3601 HIAWATHA AVE	CPC Recommendation: OR3 Schiff Motion: I2 – ILOD
3716 DIGHT AVE	CPC Recommendation: Keep existing zoning Schiff Motion: I2 – ILOD
3745 HIAWATHA AVE	CPC Recommendation: I1 – ILOD Schiff Motion: I2 - ILOD
3800 DIGHT AVE	CPC Recommendation: R5 Schiff Motion: R1A
3961 HIAWATHA AVE	CPC Recommendation: I1, Remove PO Schiff Motion: I1 – ILOD, Remove PO

4008 DIGHT AVE

CPC Recommendation: R5

Schiff Motion: I1 – ILOD

4121 HIAWATHA AVE

CPC Recommendation: R5

Schiff Motion: R1A. Seconded.

Adopted by unanimous consent.

Schiff further moved that the report be amended by deleting the language “that said ordinance and finding be sent forward without recommendation” and inserting in lieu thereof “that said ordinance be given its second reading for amendment and passage and that the finding be adopted”. Seconded.

Adopted by unanimous consent.

The report, with amended ordinance, was adopted.

Ordinance 2012-Or-040 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and maps Generally*, rezoning property within a portion of the study area that is east of Hiawatha Ave, 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 20012-Or-040
By Schiff
1st and 2nd Readings: 6/29/2012**

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

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

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning districts for the parcels of land listed below and identified on Zoning District Plates 17, 33, and 34 (38th Street Light Rail Transit station area), pursuant to MS 462.357:

PID	Address		Existing Primary Zoning	New Primary Zoning	ILOD Change	PO Change
0102824120126 (Between 33rd St and 34th St)	2425	LAKE ST E	I1/I2	R1A		Remove PO
0102824130080	2701	33RD ST E				Remove PO
0102824130081	2800	34TH ST E				Remove PO
0102824140057	2801	33RD ST E				Remove PO
0102824410062	2811	34TH ST E	I1	R5		Remove PO
0102824410143	2817	35TH ST E	I2	R1A		
0102824410078	2900	36TH ST E	I2	I2	Add ILOD	
0102824410072	2904	35TH ST E	I1	I1	Add ILOD	Remove PO
0102824410081	2905	35TH ST E	I2	I1	Add ILOD	Remove PO
1202824110001	2929	36TH ST E	I2	R1A		
0102824440014	3001	36TH ST E	R1A	R5		

PID	Address		Existing Primary Zoning	New Primary Zoning	ILOD Change	PO Change
0102824440093	3001	37TH ST E	I2	I2	Add ILOD	
0702823230086 (north of 40th St)	3047	38TH ST E	I2	R1A		
0702823230086 (between 40th St and 41st St)	3048	39th ST E	I2	R1A		
0702823230086 (between 41st St and 42nd St)	3049	40th ST E	I1	R1A		
0102824440087	3101	37TH ST E	I1	I1	Add ILOD	
0102824440028	3104	37TH ST E	I1	I1	Add ILOD	
0102824440029	3108	37TH ST E	I1	I1	Add ILOD	
0102824440030	3112	37TH ST E	I1	I1	Add ILOD	
0702823220004	3115	38TH ST E	I2	C3A		
0602823330128	3116	38TH ST E	R1A	C3A		
0702823220032	3117	38TH ST E	R1A	C3A		
0702823220031	3121	38TH ST E	R1A	C3A		
0602823330153	3205	37TH ST E				Remove PO
0602823330111	3212	37TH ST E				Remove PO
0602823330132	3217	37TH ST E				Remove PO
0702823220085	3230	40TH ST E	I2	R1A		
0702823220050	3232	40TH ST E	I2	I1	Add ILOD	
0702823230010	3233	40TH ST E	I2	I1	Add ILOD	
0102824130079	3300	SNELLING AVE				Remove PO
0102824140056	3307	SNELLING AVE				Remove PO
0102824140058	3308	SNELLING AVE				Remove PO
0702823220022	3308	39TH ST E				Remove PO
0102824140055	3311	SNELLING AVE				Remove PO
0702823220021	3312	39TH ST E				Remove PO
0102824140054	3315	SNELLING AVE				Remove PO
0102824140060	3316	SNELLING AVE				Remove PO
0102824140061	3320	SNELLING AVE				Remove PO

PID	Address		Existing Primary Zoning	New Primary Zoning	ILOD Change	PO Change
0702823230012	3320	41ST ST E	I2	I1	Add ILOD	
0102824140062	3328	SNELLING AVE				Remove PO
0702823230084	3329	41ST ST E	I1	R1A		
0702823230069	3333	41ST ST E	I1	R5		
0102824140063	3336	SNELLING AVE				Remove PO
0102824140064	3340	SNELLING AVE				Remove PO
0702823240199	3340	42ND ST E	I1	R1A		
0102824140066	3344	SNELLING AVE				Remove PO
0102824140065	3346	SNELLING AVE				Remove PO
0102824140067	3348	SNELLING AVE				Remove PO
0102824130007	3351	HIAWATHA AVE				
0102824410061	3400	SNELLING AVE	I1	R5		Remove PO
0102824410074	3400	DIGHT AVE				Remove PO
0702823240014	3400	42ND ST E	I1	I1	Add ILOD	
0102824420172	3401	HIAWATHA AVE				
0702823240105	3401	41ST ST E	I1	R5		
0102824410135	3404	SNELLING AVE	I1	R5		Remove PO
0102824410136	3408	SNELLING AVE	I1	R5		Remove PO
0102824410130	3410	SNELLING AVE	I1	R5		Remove PO
0702823240017	3410	42ND ST E	I1	R5		
0102824410131	3414	SNELLING AVE	I1	R5		Remove PO
0102824420171	3415	HIAWATHA AVE				
0702823240056	3415	40TH ST E				Remove PO
0102824410065	3418	SNELLING AVE	I1	R5		Remove PO
0702823240055	3419	40TH ST E				Remove PO
0102824410066	3420	SNELLING AVE	I1	R5		Remove PO
0102824410067	3426	SNELLING AVE	I1	R5		Remove PO
0102824410068	3432	SNELLING AVE	I1	R5		Remove PO

PID	Address		Existing Primary Zoning	New Primary Zoning	ILOD Change	PO Change
0102824410132	3434	SNELLING AVE	I1	R5		Remove PO
0102824410133	3438	SNELLING AVE	I1	I1	Add ILOD	Remove PO
0102824420001	3441	HIAWATHA AVE				
0102824410070	3442	SNELLING AVE	I1	I1	Add ILOD	Remove PO
0102824410144	3446	SNELLING AVE	I1	I1	Add ILOD	Remove PO
0102824410145	3450	SNELLING AVE	I1	I1	Add ILOD	Remove PO
0102824410073	3454	SNELLING AVE	I1	R5		Remove PO
0102824410140	3463	HIAWATHA AVE				
0102824410080	3500	SNELLING AVE	I2	I1	Add ILOD	Remove PO
0102824410142	3501	HIAWATHA AVE	I2	I2	Add ILOD	
0102824410134	3508	SNELLING AVE	I2	I1	Add ILOD	Remove PO
0102824410084	3512	SNELLING AVE	I2	I1	Add ILOD	Remove PO
0102824410137	3516	SNELLING AVE	I2	I1	Add ILOD	
0102824440092 (Between 34th St and 35th St)	3532	DIGHT AVE	I1/I2	R1A		Remove PO
0102824440092 (Between 35th St and 37th St)	3532	DIGHT AVE	I2	R1A		
0102824440092 (Between 37th St and 38th St)	3532	DIGHT AVE	I2	R1A		
0102824410088	3534	SNELLING AVE	I2	I1	Add ILOD	
0102824410089	3536	SNELLING AVE	I2	I1	Add ILOD	Remove PO
0102824410091	3540	SNELLING AVE	I2	I1	Add ILOD	Remove PO
0102824410092	3544	SNELLING AVE	I2	I1	Add ILOD	Remove PO
0102824410090	3547	DIGHT AVE	I2	I1	Add ILOD	Remove PO
0102824410093	3548	SNELLING AVE	I2	I1	Add ILOD	Remove PO
0102824410094	3556	SNELLING AVE	I2	I1	Add ILOD	Remove PO
0102824410138	3556	DIGHT AVE	I2	R1A		
0102824410079	3600	DIGHT AVE	I2	I2	Add ILOD	

PID	Address		Existing Primary Zoning	New Primary Zoning	ILOD Change	PO Change
0102824440002	3600	MINNEHAHA AVE				Remove PO
0102824440090	3600	SNELLING AVE	R1A	R5		
0102824440012	3601	SNELLING AVE				Remove PO
0102824440031	3601	HIAWATHA AVE	I2	I2	Add ILOD	
0602823330097	3601	MINNEHAHA AVE				Remove PO
0102824440091	3604	SNELLING AVE	R1A	R5		
0602823330098	3604	MINNEHAHA AVE				Remove PO
0102824440015	3608	SNELLING AVE	R1A	R5		
0602823330099	3608	MINNEHAHA AVE				Remove PO
0102824440011	3609	SNELLING AVE				Remove PO
0102824440010	3611	SNELLING AVE				Remove PO
0102824440016	3612	SNELLING AVE	R1A	R5		
0602823330100	3612	MINNEHAHA AVE				Remove PO
0102824440009	3615	SNELLING AVE				Remove PO
0102824440017	3616	SNELLING AVE	R1A	R5		
0602823330101	3616	MINNEHAHA AVE				Remove PO
0102824440008	3619	SNELLING AVE				Remove PO
0102824440018	3620	SNELLING AVE	R1A	R5		
0602823330102	3620	MINNEHAHA AVE				Remove PO
0102824440007	3623	SNELLING AVE				Remove PO
0102824440019	3624	SNELLING AVE	R1A	R5		
0102824440006	3627	SNELLING AVE				Remove PO
0102824440020	3628	SNELLING AVE	R1A	R5		
0602823330103	3628	MINNEHAHA AVE				Remove PO
0102824440005	3631	SNELLING AVE				Remove PO
0102824440021	3632	SNELLING AVE	R1A	R5		

PID	Address		Existing Primary Zoning	New Primary Zoning	ILOD Change	PO Change
0102824440004	3633	SNELLING AVE				Remove PO
0102824440022	3636	SNELLING AVE	R1A	R5		
0602823330104	3636	MINNEHAHA AVE				Remove PO
0102824440003	3639	SNELLING AVE				Remove PO
0102824440023	3640	SNELLING AVE	R1A	R5		
0602823330105	3640	MINNEHAHA AVE				Remove PO
0602823330117	3643	SNELLING AVE				Remove PO
0102824440024	3644	SNELLING AVE	R1A	R5		
0602823330106	3644	MINNEHAHA AVE				Remove PO
0602823330116	3647	SNELLING AVE				Remove PO
0102824440103	3648	SNELLING AVE	I1	I1	Add ILOD	
0602823330107	3648	MINNEHAHA AVE				Remove PO
0602823330115	3651	SNELLING AVE				Remove PO
0602823330114	3655	SNELLING AVE				Remove PO
0602823330155	3656	MINNEHAHA AVE				Remove PO
0602823330113	3659	SNELLING AVE				Remove PO
0602823330110	3662	MINNEHAHA AVE				Remove PO
0602823330112	3663	SNELLING AVE				Remove PO
0602823330156	3675	MINNEHAHA AVE				Remove PO
0602823330131	3700	MINNEHAHA AVE				Remove PO
0602823330024	3701	MINNEHAHA AVE				Remove PO
0602823330133	3704	MINNEHAHA AVE				Remove PO
0102824440088	3708	SNELLING AVE	I1	I1	Add ILOD	
0602823330154	3709	MINNEHAHA AVE				Remove PO
0602823330134	3710	MINNEHAHA AVE				Remove PO
0602823330152	3715	SNELLING AVE				Remove PO

PID	Address		Existing Primary Zoning	New Primary Zoning	ILOD Change	PO Change
0102824440086	3716	DIGHT AVE	I2	I2	Add ILOD	
0602823330118	3716	SNELLING AVE	I1	I1	Add ILOD	
0602823330151	3719	SNELLING AVE				Remove PO
0602823330119	3720	SNELLING AVE	R1A	R5		
0602823330135	3720	MINNEHAHA AVE				Remove PO
0602823330120	3724	SNELLING AVE	R1A	R5		
0602823330121	3728	SNELLING AVE	R1A	R5		
0602823339000	3729	SNELLING AVE				Remove PO
0602823330122	3732	SNELLING AVE	R1A	R5		
0602823330123	3736	SNELLING AVE	R1A	C3A		
0602823330149	3739	SNELLING AVE				Remove PO
0602823330124	3740	SNELLING AVE	R1A	C3A		
0602823330148	3743	SNELLING AVE				Remove PO
0602823330125	3744	SNELLING AVE	R1A	C3A		
0102824440094	3745	HIAWATHA AVE	I2	I2	Add ILOD	
0602823330126	3748	SNELLING AVE	R1A	C3A		
0602823330127	3752	SNELLING AVE	R1A	C3A		
0602823330129	3756	SNELLING AVE	R1A	C3A		
0602823330130	3760	SNELLING AVE	R1A	C3A		
0702823220005	3800	DIGHT AVE	I2	R1A		
0702823220030	3800	SNELLING AVE	R1A	C3A		
0702823220033	3804	SNELLING AVE	R1A	C3A		
0702823220034	3808	SNELLING AVE	R1A	C3A		
0702823220035	3812	SNELLING AVE	R1A	C3A		
0702823220036	3816	SNELLING AVE	R1A	C3A		
0702823220037	3820	SNELLING AVE	R1A	C3A		

PID	Address	Existing Primary Zoning	New Primary Zoning	ILOD Change	PO Change
0702823220038	3824 SNELLING AVE	R1A	R5		
0702823220039	3828 SNELLING AVE	R1A	R5		
0702823220081	3830 DIGHT AVE	I2	R5		
0702823220040	3832 SNELLING AVE	R1A	R5		
0702823220041	3836 SNELLING AVE	R1A	R5		
0702823220029	3839 SNELLING AVE				Remove PO
0702823220016	3840 MINNEHAHA AVE				Remove PO
0702823220042	3840 SNELLING AVE	R1A	R5		
0702823220028	3843 SNELLING AVE				Remove PO
0702823220017	3844 MINNEHAHA AVE				Remove PO
0702823220043	3844 SNELLING AVE	R1A	R5		
0702823220027	3847 SNELLING AVE				Remove PO
0702823220018	3848 MINNEHAHA AVE				Remove PO
0702823220044	3848 SNELLING AVE	R1A	R5		
0702823220026	3851 SNELLING AVE				Remove PO
0702823220019	3852 MINNEHAHA AVE				Remove PO
0702823220045	3852 SNELLING AVE	R1A	R5		
0702823220025	3855 SNELLING AVE				Remove PO
0702823220046	3856 SNELLING AVE	R1A	R5		
0702823220024	3859 SNELLING AVE				Remove PO
0702823220020	3860 MINNEHAHA AVE				Remove PO
0702823220047	3860 SNELLING AVE	R1A	R5		
0702823220023	3865 SNELLING AVE				Remove PO
0702823210122	3867 MINNEHAHA AVE				Remove PO
0702823229000	3900 MINNEHAHA AVE				Remove PO
0702823210162	3907 MINNEHAHA AVE				Remove PO

PID	Address		Existing Primary Zoning	New Primary Zoning	ILOD Change	PO Change
0702823210161	3911	MINNEHAHA AVE				Remove PO
0702823210219	3912	MINNEHAHA AVE				Remove PO
0702823220003	3915	HIAWATHA AVE	I2	I1	Add ILOD	
0702823210220	3920	MINNEHAHA AVE				Remove PO
0702823210221	3924	MINNEHAHA AVE				Remove PO
0702823210222	3930	MINNEHAHA AVE				Remove PO
0702823210001	3936	MINNEHAHA AVE				Remove PO
0702823210002	3940	MINNEHAHA AVE				Remove PO
0702823210003	3944	MINNEHAHA AVE				Remove PO
0702823210004	3946	MINNEHAHA AVE				Remove PO
0702823210005	3948	MINNEHAHA AVE				Remove PO
0702823210006	3950	MINNEHAHA AVE				Remove PO
0702823210007	3960	MINNEHAHA AVE				Remove PO
0702823220002	3961	HIAWATHA AVE	I2	I1	Add ILOD	Remove PO
0702823210008	3962	MINNEHAHA AVE				Remove PO
0702823210148	3965	MINNEHAHA AVE				Remove PO
0702823240054	4000	MINNEHAHA AVE				Remove PO
0702823230013	4001	HIAWATHA AVE	I2	I1	Add ILOD	Remove PO
0702823240057	4004	MINNEHAHA AVE				Remove PO
0702823230011	4008	DIGHT AVE	I2	I1	Add ILOD	
0702823240058	4008	MINNEHAHA AVE				Remove PO
0702823240051	4009	MINNEHAHA AVE				Remove PO
0702823240059	4012	MINNEHAHA AVE				Remove PO
0702823240053	4015	MINNEHAHA AVE				Remove PO
0702823240060	4016	MINNEHAHA AVE				Remove PO
0702823240052	4019	MINNEHAHA AVE				Remove PO

PID	Address		Existing Primary Zoning	New Primary Zoning	ILOD Change	PO Change
0702823240061	4020	MINNEHAHA AVE				Remove PO
0702823240062	4032	MINNEHAHA AVE				Remove PO
0702823230014	4041	HIAWATHA AVE	I2	I1	Add ILOD	Remove PO
0702823240012	4110	DIGHT AVE	I1	R5		
0702823230064	4111	HIAWATHA AVE	I1	I1	Add ILOD	
0702823240011	4116	DIGHT AVE	I1	R5		
0702823230076	4121	HIAWATHA AVE	I1	R1A		
0702823230083	4121 1/2	HIAWATHA AVE	I1	I1	Add ILOD	
0702823240010	4122	DIGHT AVE	I1	R5		
0702823240190	4124	DIGHT AVE	I1	R5		
0702823240188	4130	DIGHT AVE	I1	R5		
0702823240189	4134	DIGHT AVE	I1	R5		
0702823230066	4135	HIAWATHA AVE	I1	I1	Add ILOD	
0702823240013	4136	DIGHT AVE	I1	R5	Remove ILOD	
0702823240015	4140	DIGHT AVE	I1	R5	Remove ILOD	
0702823249000	4150	DIGHT AVE	I1	R5	Remove ILOD	
0702823240016	4152	DIGHT AVE	I1	R5	Remove ILOD	
0702823230072	4159	HIAWATHA AVE	I1	I1	Add ILOD	

Section 2. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district boundaries so that they follow the centerline of public rights-of-way in a manner identified on maps accompanying the 38th Street Station Area Rezoning Study, recommended for approval by the Planning Commission on May 21, 2012.

Adopted.

Z&P – Your Committee, having under consideration the application of TOLD Development Company, on behalf of Geurts Family, LLC and Trader Joe’s, (BZZ-5555) to rezone the properties at 2700, 2708, 2712, 2716, and 2720/2724 Lyndale Ave S from the C1 Neighborhood Commercial District to the C2 Neighborhood Corridor Commercial District to allow for a new 14,299 square foot grocery store, to include a small wine and beer shop and underground parking, now recommends that said application be denied, notwithstanding the recommendations of Planning Department staff and the Planning Commission.

Your Committee further recommends that the City Attorney’s Office be directed to draft Findings of Fact in support of the Committee’s decision.

Schiff moved that the report be amended to include adoption of the findings as drafted by the City Attorney. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

The AUDIT Committee submitted the following report:

Audit - The Minneapolis Audit Committee, having reviewed and ordered published the audit entitled "*Unisys Contract Review, Report # 2012-04*" on June 27, 2012, hereby transmits said report to the City Council.

Hofstede moved to refer the "*Unisys Contract Review, Report # 2012-04*" to the Ways & Means/Budget Committee for further review and input on the audit findings and costs to implement the audit findings. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

RESOLUTION

Resolution 2012R-383, honoring 2012 Neighborhoods, USA "Neighborhood Newsletter" Award Recipients, 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-383

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

2012 Neighborhoods, USA "Neighborhood Newsletter" Award Recipients

Whereas, Neighborhoods, USA is a national non-profit organization committed to building and strengthening neighborhood organizations and was created in 1975 to share information and experiences toward building stronger communities; and

Whereas, NUSA now continues to encourage networking and information sharing to facilitate the development of partnerships between neighborhood organizations, government and the private sector; and

Whereas, The Neighborhoods, USA (NUSA) Newsletter Competition acknowledges excellence in neighborhood newsletters — a vital communication tool that can often determine a neighborhood's success; and

Whereas, The Newsletter competition featured three categories — neighborhood organizations, government entity and nonprofit organization or agency — with gold, silver and bronze level awards; and

Whereas, each entry was evaluated by a jury panel using a list of criteria including content, lay-out, and overall appearance; and

Whereas, the announcement of the Neighborhood Newsletter Competition award winners were made during NUSA's annual conference in Indianapolis, Indiana, May 23-26, 2012; and

Whereas, In the Newsletter Competition, Gold Winners included the Minneapolis neighborhoods of;

- Lyndale Lyndale Neighborhood Association, and
- Standish Ericsson Standish Ericsson Neighborhood Association;

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

That the Minneapolis City Council would like to acknowledge the FANTASTIC work of these neighborhoods and congratulate them on bringing home the GOLD for a second year in a row!

Adopted.

UNFINISHED BUSINESS

RE&E - Your Committee, to whom was referred an ordinance amending Title 14, Chapter 362 relating to *Liquor and Beer: Liquor Licenses*, allowing 12 days of temporary events annually for licensees, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends that staff from the Department of Regulatory Services be directed to report back to Council Members with recommendations relating to the following:

- a) how to use the described resolution power within the ordinance for identifying specific businesses that would go through an approval process individually; and
- b) how to work with those businesses that are very close to residential property.

Adopted.

Ordinance 2012-Or-041 amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Liquor Licenses*, amending Section 362.36 to allow 12 days of temporary events annually for licensees, 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-041
By Schiff
Intro & 1st Reading: 4/15/2011 and 4/27/2012)
Ref to: RE&E
2nd Reading: 6/15/2012

Amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Liquor Licenses.

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

Section 1. That Section 362.36 of the above-entitled ordinance be amended to read as follows:

362.36. Temporary expansion of license. (a) On-sale liquor, wine and beer establishments may obtain a temporary expansion of license for premises directly adjacent and contiguous to a permanently licensed premises and for entertainment not otherwise allowed under the establishment's permanent license.

- (1) Application for a temporary expansion of license shall be made on forms provided by the director and shall contain the following:
 - a. The name and addresses of the on-sale license holder and its owners, officers or partners.
 - b. A specific description and diagram of the area in which the temporary expansion activity is to occur. This area must be compact and contiguous to the permanently licensed premises, and be contained by physical enclosure devices.
 - c. Written consent of the owner or manager of the premises, or a person or group with lawful responsibility for the premises.
 - d. The purpose for which the temporary expansion is sought, and a detailed description of the planned activities including projected attendance, entertainment, food and beverage service, security plans, and hours of operation.
 - e. Proof that auxiliary permits for purposes of amplified music, short term food, block event, temporary structures, temporary utilities, etc., Have been obtained.
 - f. Such other information as the director may deem necessary.
- (2) ~~No individual licensee shall be granted such temporary expansion license for more than four (4) events in any twelve-month period, of which the duration of each event is not more than two (2) consecutive days. If the permanently licensed premises is located within either of the following two (2) defined areas, the~~ An individual licensee may be granted up to such number of temporary expansion licenses for any the duration of not more than two (2) consecutive days so as not to exceed twelve (12) days in any twelve-month period.
 - a. ~~An area commencing at the point where University Avenue SE intersects 25th Avenue SE; thence northeasterly along the centerline of 25th Avenue SE to the centerline of 6th Street SE; thence northwesterly along the center line of 6th Street SE to the centerline of Oak Street SE; thence southwesterly and southeasterly along the centerline of Oak Street SE to the centerline of University Avenue SE; thence northwesterly along the centerline of University Avenue SE to the centerline of Walnut Street SE; thence~~

~~southwesterly and southerly along Walnut Street SE to Delaware Street SE, thence easterly along the centerline of Delaware Street SE extended to the centerline of 25th Avenue SE, thence northeasterly along the centerline of 25th Avenue SE to the point of beginning.~~

- ~~b. An area commencing at the point where the Interstate Highway 35W right-of-way intersects South Seventh Street; thence northwesterly along the centerline of South Seventh Street to the centerline of Park Avenue South; thence northeasterly to the centerline of Washington Avenue South; thence southeasterly to the point where Washington Avenue South intersects with the Interstate Highway 35W right-of-way; thence southwesterly along said right-of-way to the point of beginning.~~
- (3) The applicant shall file proof that the liability insurance required by this code of ordinances and by Minnesota Statutes Chapter 340A apply to the expanded area.
 - (4) The hours of operation of a temporary expansion of license shall not exceed those hours authorized at the permanent premises, or any lesser hours specified as a condition of the temporary expansion of premises license.
 - (5) The fees for a temporary expansion license shall be as established in Appendix J, License Fee Schedule.
 - (6) The city council may deny, revoke, suspend a license for any of the following reasons:
 - a. The existence of a temporary expansion disturbs the peace, quiet or repose of surrounding residential or commercial areas.
 - b. The existence of a temporary expansion contributes to crime, disorderly behavior, noise, traffic, litter or parking problems in the area near the establishment.
 - c. Any violation of the laws relating to the sale or service of alcoholic beverages.
 - d. Any violation of the terms of this section.
 - e. Any other good cause related to the operation of the establishment.
 - (7) Licenses issued under this section are subject to all laws and ordinances governing the sale of intoxicating liquor except those laws and ordinances which by their nature are not applicable.
 - (8) Director of licenses and consumer services to grant temporary expansion license in certain instances. When an application for a license for temporary expansion license has been filed too late to be considered on the regular agendas of the public safety and regulatory services committee and the city council prior to the scheduled date of the event, the director of licenses and consumer services may issue the license if the application is filed and complete, the fee including a fifty (50) percent late fee has been paid, and the required conditions listed above have been met. The director may also deny, suspend or revoke those licenses which he/she has issued based on the reasons listed above for which the city council may deny, suspend or revoke such licenses. The issuance of a temporary expansion license is subject to compliance with all applicable health and safety laws.
- (b) Director of licenses and consumer services to grant temporary expansion of premises and temporary entertainment licenses in certain places. When an application for a permit for temporary expansion of premises has been filed fewer than thirty (30) days prior to the scheduled date of the event or too late to be considered on the regular agendas of the public safety and regulatory services committee and the city council prior to the scheduled date of the event, the director of licenses and consumer services may issue the permit if the following conditions have been met:
- (1) The application form has been completed and filed.
 - (2) The fee, including a fifty (50) percent late fee has been paid.
 - (3) The applicant has not been denied an application for temporary expansion of premises by the city council since any temporary expansion granted within the previous eighteen (18) months.
 - (4) The premises have not been designated by resolution of the city council pursuant to subsection 362.36(c) as requiring city council approval for a temporary expansion of premises.
- (c) The city council may by resolution establish a list of premises for which a temporary expansion of premises must be approved by the city council and for which the director may not issue a permit for a temporary expansion under subsection 362.36(b).

Adopted.

Pursuant to notice, Colvin Roy moved to introduce the subject matter of an ordinance amending Title 20, Chapter 535 of the Minneapolis Code of Ordinances relating to *Zoning Code: Regulations of General Applicability*, for first reading and referral to the Zoning & Planning Committee (lifting the prohibition on chain link fences with slats as a prohibited fence material and to permit chain link fences with certain durable slats, that are resistant to breakage and held securely in place). Seconded.

Adopted upon a voice vote.

Pursuant to notice, Hofstede moved to introduce the subject matter of an ordinance amending Title 13 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations*, for first reading and referral to the Regulatory, Energy & Environment Committee (creating a new Chapter 306 entitled *Commercial Pedal Cars*). Seconded.

Adopted upon a voice vote.

NEW BUSINESS

Samuels moved to introduce the subject matter of an ordinance amending Title 7, Chapter 141 of the Minneapolis Code of Ordinances relating to *Civil Rights: Administration and Enforcement*, for first reading and referral to the Public Safety, Civil Rights and Health Committee (providing for Civil Rights Commissioner appointments to end on December 31 instead of August 31 and providing that such appointments shall be made under the open appointments process). Seconded.

Adopted by unanimous consent.

Schiff 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: Rental Dwelling Licenses* (amending provisions regulating posting and display of license certificate and required information posting).

Schiff gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances relating to *Zoning Code: Introductory Provisions* (amending the definition of mural).

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 13, Chapter 305 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Pedicabs (allowing electric-assist bicycles to be used as pedicabs).

Lilligren moved to adjourn. Seconded.

Adopted upon a voice vote.

Casey Joe Carl,
City Clerk

Unofficial Posting: 7/3/2012
Official Posting: 7/6/2012
Corrections: 7/23/2012