

OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

REGULAR MEETING OF MARCH 29, 2013

(Published April 6, 2013, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
March 29, 2013 - 9:30 a.m.

Council President Johnson in the Chair.

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

Lilligren moved adoption of the agenda. Seconded.
Adopted upon a voice vote.

Lilligren moved acceptance of the minutes of the regular meeting of March 7, 2013 and the adjourned session held March 7, 2013. Seconded.
Adopted upon a voice vote.
(Republished 4/11/2013)

Lilligren moved referral of petitions, communications, and reports of the City officers to the proper Council committees and departments. Seconded.
Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

AUDIT:

INTERNAL AUDIT (276375)
2012 Annual Report.

AUDIT (See Rep):

INTERNAL AUDIT (276376)

Application Security Review: Transmittal of report to the City Council that the following management action plans and associated funding costs be referred to the Ways & Means/Budget Committee for its consideration:

- a) Application Security Policy;
- b) Segregation of Duties and Framework and Monitoring;
- c) Additions and Separated Employee Process; and
- d) Compass and HRIS Super Users.

COMMUNITY DEVELOPMENT:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276377)

Two Percent Loan Program & Two Percent Commercial Corridor/Commercial Node Loan Program: Year-End 2012 Status Report.

Alternative Finance Program: Year-End 2012 Status Report.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276378)

Land Sales:

1522 Hillside Ave N (to Detroit Renovations, LLC);

3113 6th St N Easement (to PPL Homes LLC).

Calhoun Place Housing Improvement Area: Technical corrections to establishing ordinance passed 2/8/2013.

Metropolitan Consortium of Community Developers: Contract to extend partnership in 2013.

Saks Ground Lease, Parking Agreement & Sale Agreement: Extension of lease & agreements for Gaviidae I.

Community Housing Development Corporation (re 501 Girard Terrace): Preliminary & final approval to issue bonds to refinance existing debt balance.

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

CIVIL RIGHTS (276379)

Sex Offenders: Resolution supporting actions to prevent concentration of sex offenders in Mpls.

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

FINANCE DEPARTMENT (276380)

Blue Sky Veterinary Services, LLC: Amend & extend contract for least of Mpls Animal Care & Control facility, 212 17th Ave N.

POLICE DEPARTMENT (276381)

Morpho Trak: Agreement for LiveScan fingerprint system.

REGULATORY SERVICES (276382)

Animal Care & Control Donations: Acceptance of in-kind donations of dog & cat food & supplies.

REGULATORY, ENERGY AND ENVIRONMENT:

LICENSES AND CONSUMER SERVICES (276383)

Rental Dwelling License Conditions: Set public hearing for April 4, 2013 re amendments to Title 12, Chapter 244: Housing: Maintenance Code; and Housing Inspection Standard Operating Procedures.

Flea Markets: Set public hearing for April 4, 2013 re amendments to Title 13, Chapter 321: Licenses and Business Regulations: Secondhand Dealers.

REGULATORY, ENERGY AND ENVIRONMENT (See Rep):

HEALTH DEPARTMENT (276384)

Energy Efficiency Work: License Agreement with Don Bailey.

Energy Star Portfolio Manager Training: License Agreement with Center for Energy and Environment (CEE).

LICENSES AND CONSUMER SERVICES (276385)

Aqua City Motel, 5739 Lyndale Ave S: Approve Business License Operating Conditions relating to Hotel/Motel License.

Metro Inn Motel, 5637 Lyndale Ave S: Approve Business License Operating Conditions relating to Hotel/Motel License.

LICENSES AND CONSUMER SERVICES (276386)

Aster Cafe, 125 Main St SE: Grant Expansion of Premises License to increase current outdoor patio area; Comments.

The 1029 Bar, 1029 Marshall St NE: Grant Expansion of Premises License to increase current outdoor patio area; Comments.

LICENSES AND CONSUMER SERVICES (276387)

Licenses: Grant licenses recommended for approval.

REGULATORY SERVICES (276388)

Housing Board of Appeals: Appoint Lisa Smestad as Environmental Health Designee.

REGULATORY SERVICES (276389)

Property at 2501 Golden Valley Rd: Authorize demolition to be stayed for 6 months subject to proof of sale to qualified entity and proof of financing for rehabilitation.

REGULATORY SERVICES (276390)

Rental Dwelling License at 729 16th St E: Reinstate license of Channing Scott.

REGULATORY SERVICES (276391)

Rental Dwelling License at 3151 Arthur St NE: Revoke license held by Julie Boie; Comments.

Rental Dwelling License at 237 26th Ave NE: Revoke license held by Desta Foghe.

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

COORDINATOR (276392)

Solar Activities: Contract with State of Minnesota for reimbursement for solar activities.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (276393)

Downtown Business Improvement Special Service District: Set assessment public hearing to consider re-adoption of 2013 service charges/assessments.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (276394)

Municipal State Aid (MSA) Street System Revision: Request addition to MSA System.

46th St W Street Reconstruction Project: Layout approval.

Self-Managed Special Service Districts: Policy.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET:

PUBLIC WORKS AND ENGINEERING (276395)

Page Area and 54th St E Street Resurfacing Project: Project approval and assessment public hearing; Comments.

Oak Lake Ave N and 10th Ave N Street Resurfacing Project: Project approval and assessment public hearing.

2013 Capital Budget Amendment: Increase appropriation for Water Treatment and Distribution Services.

Water Contract Amendments: Amend contracts with City of Edina, City of Columbia Heights, and Metropolitan Airports Commission.

Special Service Districts: Amend contract with Custom Products and Services for sidewalk snow clearing and ice control.

University Ave NE Renovation: Cooperative Agreement with MnDOT.

Park and Portland Ave Bridges over I-94: Cooperative Agreement with MnDOT.

Bids: a) OP 7756, Low responsive bid of Advanced Waterjet Technologies, LLC for a water blaster unit; b) OP 7759, Low bid of Commercial Asphalt Company for hot mix asphalt; c) OP 7763, Low bid of Fischer Mining, LLC for fine aggregate; and d) OP 7767, Single bid of Whipps, Inc for stop logs, slide gates and associated equipment.

WAYS AND MEANS BUDGET:

INFORMATION TECHNOLOGY (276396)

Funding and Staffing for Major IT Projects: Receive and file report on resource allocations for major technology projects in 2013 in response to the staff direction issued as footnote "k" in the 2013 budget, adopted December 12, 2012.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (276397)

Legal Settlement: Authorize settlement of Teflon Edwards v. City of Minneapolis (\$5,000).

Adult Correctional Facility Per Diem Charges: Authorize extension of contract with Hennepin County for up to three years through December 31, 2015 for payment of these charges.

CITY CLERK (276398)

Interim Assistant Clerk Appointment: Approving interim designation of Jackie Hanson as Assistant City Clerk for the period of April 3 - 15, 2013.

CONVENTION CENTER (276399)

Bid: OP 7737, accept low responsive bid of Honeywell Building Solutions in the amount of \$330,000 for the repair and maintenance of the HVAC system at the Minneapolis Convention Center through December 31, 2014.

Lodging Tax: Approve payment of 2012-13 proceeds of the 1% City lodging tax to Meet Minneapolis in the amount of \$129,635.53, and appropriation of funds.

EXECUTIVE COMMITTEE (276400)

New Appointed Position: Approve new position of Director, Police Conduct Review (Civil Rights), grade 12, 545 points.

FINANCE DEPARTMENT (276401)

2012 Reappropriation: Amendment to the 2013 appropriation resolution to increase budgets in funds as directed as part of the rollover/reappropriation from 2012 to the 2013 operating budget.

INFORMATION TECHNOLOGY (276402)

Safari Books Online Contract: Authorize one-year subscription to online training resources for IT employee training and professional development in an amount not to exceed \$15,686 using Safari's agreement form with customized liability terms and conditions.

FirstWatch Contract: Authorize five-year contract in the amount of \$225,000 for software maintenance and support services through December 31, 2017, as part of the 911 emergency communications and computer aided dispatch system.

Fifth Avenue High Rises Wireless Community Account: Approve application.

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (276403)

Rezoning:

The Broadway (945 Broadway St NE; 1120 Tyler St NE; & 1121 Central Ave NE): To add the IL Industrial Living Overlay District.

The Bridges (918 & 928 University Ave SE; and 211, 215, & 219 10th Ave SE): To rezone to the OR3 Institutional Office Residence District.

Zoning Code Text Amendment:

Nicollet Franklin Area Pedestrian Oriented Overlay District Regulations: Amending Title 20, Chapter 551 revising the regulations.

Vacation:

Five15 On the Park (formerly Currie Park Lofts) (1500, 1506 & 1514 6th St S; 1500, 1501, 1506, 1507 & 1515 5th St S; & 1505 & 1509 4th St S): Approve vacation of sidewalk easements 2 and 3.

FILED:

MISSISSIPPI WATERSHED MANAGEMENT ORGANIZATION (276404)

Vacate alley running between 22nd Avenue NE and 23rd Avenue NE between Monroe St NE and Quincy St NE.

UPPER MIDWEST ORGAN PROCUREMENT ORGANIZATION (276405)

Vacated 23rd Avenue North, vacate easements located within.

The following reports were signed by Mayor Rybak on April 4, 2013, 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 COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 1522 Hillside Ave N to Detroit Renovations, LLC for \$2.00, subject to the following conditions:

- a) Land sale closing must occur no later than 90 days from the date of City Council approval; and
- b) Payment of holding costs of \$300 per month (or portion thereof) if land sale closing does not occur on or before the closing deadline.

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

Adopted.

Absent – Tuthill.

Resolution 2013R-107, authorizing sale of land Vacant Housing Recycling Program Disposition Parcel VH-486 at 1522 Hillside Ave N, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2013R-107
By Goodman

Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel VH-486 at 1522 Hillside Ave N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel VH-486 in the Jordan neighborhood, from Detroit Renovations, LLC, hereinafter known as the Redeveloper, the Parcel VH-486, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of VH-486; 1522 Hillside Avenue North: All of Lot 30, Block 15, Forest Heights, and also parts of Lots 29 and 31, said Block 15, adjacent to said Lot 30, and also part of vacated alley in said Block 15, more particularly described as follows: Beginning at a point on Southerly boundary line of Lot 29, being the Northerly boundary line of Hillside Avenue in the City of Minneapolis, said point being 8.3 feet Easterly from the Southwesterly corner of said Lot 29; thence Northwesterly along the said Northerly boundary line of said Hillside Avenue and along the Southerly boundary line of Lots 29, 30 and 31, to a point in said boundary line of Lot 31, 5.07 feet Northwesterly from the southeasterly corner of said Lot 31, thence Northeasterly in a straight line to a point in the Northerly boundary line of Lot 31, 2.46 feet Westerly from the Northeasterly corner of said Lot 31, thence Northeasterly on an extension of said straight line a further distance of 33 feet, more or less, to a point on the Southerly line of alley in said Block, now laid out by the City Council, thence running Southeasterly along the Southerly boundary line of said alley a distance of 44 feet, more or less to the Northerly corner of a parcel of land conveyed to Charlotte Y. Voegeli by Warranty Deed, Book 589 of Deeds, Page 59 and also by Quit Claim Deed to said Voegeli in Book 568 of Deeds, Page 586, thence Southwesterly along the Westerly line of the land conveyed to Charlotte Y. Voegeli, aforesaid, to the place of beginning, Hennepin County, Minnesota; and

Whereas, the Redeveloper has offered to pay the sum of \$2, for Parcel VH-486; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

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

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

Whereas, pursuant to due notice thereof published in Finance and Commerce on Saturday, March 9, 2013, a public hearing on the proposed sale was duly held on March 19, 2013, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value, for uses in accordance with the Redevelopment Plan and/or Program, is hereby estimated to be the sum of \$2, for Parcel VH-486.

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

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$300.00 per month (or portion thereof) if the land sale closing does not occur on or before the closing deadline.

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

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

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

Adopted.

Absent – Tuthill.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing conveyance of a permanent driveway easement over the southern 14 feet of property at 3113 6th St N to PPL Homes LLC for \$1,155 to support adjacent housing developments.

The terms of the easement agreement will be approved by the Director of the Department of Community Planning & Economic Development (CPED) consistent with the terms of the CPED staff report.

Adopted.

Absent – Tuthill.

Approved by Mayor Rybak 4/1/2013.

(Published 4/2/2013)

Resolution 2013R-108, authorizing Conveyance of a Permanent Driveway Easement over a portion of West Lowry Redevelopment Project Disposition Parcel WL-1 at 3113 6th St N, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2013R-108
By Goodman

Authorizing Conveyance of a Permanent Driveway Easement over a portion of West Lowry Redevelopment Project Disposition Parcel WL-1 at 3113 6th St N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received a request for the conveyance of an interest in City-owned land in the form of a permanent private driveway easement to support housing development projects at 31st Avenue and 6th Street North over a part of Disposition Parcel WL-1, in the Hawthorne neighborhood, from PPL Homes LLC, hereinafter known as the Redeveloper, with Parcel WL-1, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of WL-1; 3113 6th Street North: Lot 4, Block 8, Morrison's Addition to North Minneapolis.

Portion to be conveyed as a driveway easement: The South 14 feet of Lot 4, Block 8, Morrison's Addition to North Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$1,155, for Parcel WL-1 to the City for the conveyance of the permanent private driveway easement, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

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

Whereas, the City has had the re-use value established pursuant to the findings of an appraisal expert, using accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on March 8, 2013, a public hearing on the proposed sale was duly held on March 19, 2013, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the West Lowry Redevelopment Project plan, as amended, is hereby estimated to be the sum of \$1,155 for Parcel WL-1.

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

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a conveyance agreement for a permanent private driveway easement.

Be It Further Resolved that the conveyance agreement conditions will be approved by the Community Planning & Economic Development Director consistent with the City Council Report approving and this Resolution authorizing the grant of the permanent driveway easement.

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

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

Adopted.

Absent – Tuthill.

Approved by Mayor Rybak 4/1/2013.

Comm Dev - Your Committee, to whom was referred an ordinance correcting internal references in Sections 421.20, 421.40 and 421.100 of Ordinance No. 2013-Or-006, passed February 8, 2013, which amended Title 16 of the Minneapolis Code of Ordinances relating to *Planning and Development*, by adding a new Chapter 421 authorizing Housing Improvement Areas and establishing Article 1 entitled, "Calhoun Place Housing Improvement Area," now recommends that the following corrected ordinance be given its second reading for amendment and passage.

Adopted.

Absent – Tuthill.

Ordinance 2013-Or-034 correcting internal references found in Sections 421.20, 421.40 and 421.100 of Ordinance No. 2013-Or-006, passed 2/8/2013, which amended Title 16 of the Minneapolis Code of Ordinances relating to *Planning and Development* by adding a new Chapter 421 authorizing Housing Improvement Areas and establishing Article 1 entitled "Calhoun Place Housing Improvement Area," 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 2013-Or-034
By Goodman and Hodges
Intro & 1st Reading: 12/14/2012
Ref to: Comm Dev and W&M/Budget
2nd Reading: 2/8/2013 and 3/29/2013

Amending Title 16 of the Minneapolis Code of Ordinances relating to *Planning and Development* by adding a new Chapter 421 authorizing Housing Improvement Areas and establishing Article 1 entitled "Calhoun Place Housing Improvement Area."

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

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 421 to read as follows:

CHAPTER 421. HOUSING IMPROVEMENT AREAS

The City of Minneapolis ("City") is authorized under Minnesota Statutes, Sections 428A.11 to 428A.21 (the "Housing Improvement Act") to establish by ordinance housing improvement areas within which housing improvements are made or constructed and the costs of the improvements are paid in whole or in part from fees imposed within the area.

ARTICLE 1. - CALHOUN PLACE HOUSING IMPROVEMENT AREA

421.10 Calhoun Place Housing Improvement Area. (a) The City has determined a need to establish the Calhoun Place Housing Improvement Area as further defined herein, in order to facilitate certain improvements to property known as the "Calhoun Place Condominium," all in accordance with the Housing Improvement Act.

(b) The City has consulted with the Calhoun Place Condominium Association (the "Association") and with residents in the Calhoun Place Housing Improvement Area regarding the establishment of such area and the housing improvements to be constructed and financed under this ordinance.

421.20. Findings. (a) The Council finds that, in accordance with Section 428A.12 of the Housing Improvement Act and the City's Housing Improvement Area policy, owners of at least 75 percent of the housing units within the Calhoun Place Improvement Area have filed a petition with the City Clerk requesting a public hearing regarding establishment of such housing improvement area.

(b) The Council has on January 29, 2013 conducted a public hearing, duly noticed in accordance with the Housing Improvement Act, regarding adoption of this ordinance at which all persons, including owners of property with the Calhoun Place Housing Improvement Area were given an opportunity to be heard.

(c) The Council finds that, without establishment of the Calhoun Place Housing Improvement Area, the Housing Improvements (as hereinafter defined) could not be made by the Association or the housing unit owners.

(d) The Council further finds that designation of the Calhoun Place Housing Improvement Area is needed to maintain and preserve the housing units within such area.

(e) For the purpose of providing full disclosure of public expenditures and financing arrangements for the Calhoun Place Housing Improvement Area (as required under Section 428A.13, subd. 1a(1) of the Housing Improvement Act), the Council determines that the City expects to finance Housing Improvements by issuing general obligation bonds primarily secured by the housing improvement fee imposed on unit owners within the Calhoun Place Housing Improvement act, and also secured by the City's full faith and credit and taxing powers, as further described in ~~Section 6~~ Section 421.50 hereof.

(f) In accordance with Section 428A.13, subd. 1a(2) of the Housing Improvement Act, the Council determines that the Association will contract for construction of the Housing Improvements.

421.30. Housing Improvement Area Defined. (a) The Calhoun Place Housing Improvement Area is hereby defined as the area of the City legally described as follows: Common Interest Community Number 1227, Lots 16, 17, 18, 19, 20, 21 and 27 Auditor's Subdivision Number 164, Hennepin County, Minnesota, according to the recorded plat thereof, on file and of record in the Office of the Registrar of Titles in and for Hennepin County, Minnesota.

(b) The Calhoun Place Housing Improvement Area contains 107 housing units as of the date of adoption of this ordinance, along with common areas.

421.40. Housing Improvements Defined. (a) For the purposes of this ordinance and the Calhoun Place Housing Improvement Area, the term "Housing Improvements" shall mean the following improvements to housing units and common areas within the Calhoun Place Housing Improvement Area:

(1) Complete replacement of the Exterior Insulation and Finishing System (EFIS), including the sheathing below it.

(2) Replacement of all the windows and balcony doors, including lowering the balcony door thresholds down to the level of the balconies.

(3) Repainting the balcony railings and all of the other metal components of the balconies and their support systems.

(4) Resurface balcony decks.

(5) Repairs to the balcony decks and the posts of the balcony railings, as needed.

(b) Housing Improvements shall also be deemed to include:

(1) All costs of architectural and engineering services, overhead, and all similar soft costs in connection with the activities described in ~~Section 4.04~~ Section 421.40 (a), including without limitation costs of a professional construction manager.

(2) All administration, legal and consultant costs in connection with the Calhoun Place Housing Improvement Area; ~~and~~.

(3) Costs of financing the Housing Improvements under the Housing Improvement Act, whether through issuance of bonds or through advances of City funds, including the amount of any debt service reserve fund and City process expenses or other expenses deemed reasonable and necessary by the City in connection with such bonds and the financing described herein.

421.50. Housing Improvement Fee. (a) The City may, by resolution adopted in accordance with the petition, hearing and notice procedures required under the Housing Improvement Act, impose a fee on the housing units within the Calhoun Place Housing Improvement Area, at a rate, term or amount sufficient to produce revenues required to provide the Housing Improvements (hereinafter referred to as the "Housing Improvement Fee"), subject to the terms and conditions set forth in this Section.

(b) Any Housing Improvement Fee shall be imposed on the basis of each unit's share of common expenses as defined in the Declaration for Calhoun Place Condominium Common Interest Community Number 1227 (the "Declaration"). The Council specifically finds that such allocation is more fair and reasonable than a fee based upon the tax capacity or square footage of each housing unit, because the Association and unit owners themselves have determined that the percentage share for each unit set forth in the Declaration is an equitable means of allocating common costs such as the Housing Improvements.

(c) The Housing Improvement Fee shall be imposed and payable for a period no greater than 19 years from January first of the first year fees are due and payable.

(d) Any Housing Improvement Fee shall not be prepayable except as otherwise specified in the resolution imposing the Housing Improvement Fee.

(e) The resolution imposing the Housing Improvement Fee may provide that any fee not prepaid by the housing unit owner shall be deemed to include interest on unpaid Housing Improvements costs at a rate to be calculated at the time of bond closing by the City Finance Officer.

(f) The Housing Improvement Fee shall be collected at the same time and in the same manner as provided for payment and collection of ad valorem taxes, in accordance with Section 428A.15 of the Housing Improvement Act and Minnesota Statutes, Section 428A.05. As set forth in Section 428A.14, subd. 2 of the Housing Improvement Act, the Housing Improvement Fee is not included in the calculation of levies or limits on levies imposed under any law or charter.

(g) The Housing Improvement Fee shall not exceed the maximum annual amount specified in the notice of public hearing regarding the approval of such fee; provided, however, that the Housing Improvement Fee may be reduced after approval of the resolution setting the Housing Improvement Fee, based on the actual bond issuance terms in the manner specified in such resolution.

421.60. Issuance of Bonds. At any time after the effective date of this ordinance and after the Association completes construction of the Housing Improvements as determined by the City, the Council may issue bonds in the principal amount necessary to finance the cost of the Housing Improvements that have not been prepaid together with up to \$350,000 of financing costs including capitalized interest, debt service reserve, costs of issuance of the bonds and city processing fee, provided that the principal amount of the bonds will not exceed \$2,350,000. Such bonds shall be issued pursuant to and in accordance with Section 428A.16 of the Housing Improvement Act.

421.70. Annual Reports. (a) On August 15, 2013 and each August 15 thereafter until the Housing Improvement Fee and all interest thereon is paid in full and all Housing Improvement Fee revenues have been expended, the Association (and any successor in interest) shall be required to submit to the Minneapolis Department of Community Planning and Economic Development a copy of the Association's audited financial statements.

(b) The Association (and any successor in interest) shall also submit to the City any other reports or information at the times and as required by any contract entered into between that entity and the City.

421.80. Notice of Right to File Objections. Within five days after the adoption of this ordinance, the Department of Finance and Property Services is authorized and directed to mail to the owner of each housing unit in the Calhoun Place Housing Improvement Area: a summary of this ordinance; notice that owners subject to the proposed Housing Improvement Fee have a right to veto this ordinance if owners of at least 45 percent of the housing units within the Calhoun Place Housing Improvement Area file an objection with the City Clerk before the effective date of this ordinance; and notice that a copy of this ordinance is on file with the City Clerk for public inspection.

421.90. Amendment. This ordinance may be amended by the Council upon compliance with the public hearing and notice requirements set forth in Section 428A.13 of the Housing Improvement Act.

421.100. Effective Date. This ordinance shall be effective 60 days after the later of adoption hereof, or the date of publication of this ordinance, subject to the veto rights of housing unit owners under Section 428A.18 of the Housing Improvement Act and ~~Section 8.04~~ Section 421.80 hereof.

Adopted.

Absent – Tuthill.

Comm Dev - Your Committee recommends that the proper City officers be authorized to execute a contract in the amount of \$50,000 with the Metropolitan Consortium of Community Developers to extend the small business loan program partnership in 2013.

Adopted.

Absent – Tuthill.

Comm Dev - Your Committee, having under consideration the request of Brookfield LLC for an extension of the Saks Ground Lease, Parking Agreement, and Sale Agreement as relates to the Gaviidae I property, now recommends that the proper City and/or Minneapolis Community Development Agency officers be authorized to extend the lease, parking and sale agreement to the earlier of the date on which the project is sold, or December 19, 2013.

Your Committee further recommends that the subject matter be forwarded to the Minneapolis Community Development Agency (MCDA) Board of Commissioners.

Adopted.

Absent – Tuthill.

Comm Dev – Your Committee, having under consideration the request of Community Housing Development Corporation Limited Partnership I (in which all interests are owned by Community Housing Development Corporation), to refinance the remaining debt balance of the Series 1993 bonds for the final seven years of the original bond term for the Olson Townhomes Project at 501 Girard Terrace, now forwards without recommendation the accompanying resolution giving preliminary and final approval to the issuance of up to \$1,780,000 in Tax-exempt 501(c)(3) Bank Qualified Bank Direct Minneapolis Community Development Agency (MCDA) Revenue Bonds, Series 2013 for Community Housing Development Corporation Limited Partnership I and authorizing the re-subordination of \$368,284 of Department of Community Planning & Economic Development Affordable Housing Trust Fund financing, secured by a sixth place mortgage, provided by the City of Minneapolis in 2009 and the re-subordination of \$555,000 of Neighborhood Revitalization Program Affordable Housing Reinvestment Funds financing, secured by a third place mortgage, provided in 2003.

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

Goodman moved that the report be deleted. Seconded.

Adopted upon a voice vote.

Absent – Tuthill.

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

PSC&H - Your Committee recommends passage of the accompanying resolution supporting actions to prevent concentration of sex offenders in Minneapolis.

Adopted.

Resolution 2013R-109, supporting actions to prevent concentration of sex offenders in 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 2013R-109

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

Supporting actions to prevent concentration of sex offenders in Minneapolis.

Whereas, when a sex offender is released from confinement, or a residential facility, s/he may reside in the community pursuant to certain release conditions and proximity of the residence to other predatory offenders and schools; and

Whereas, on January 1, 2013, there were 2,522 registered sex offenders that live, work, or go to school in Minneapolis; and

Whereas, the concentration of registered sex offenders occurs in areas of the city populated mainly by non-majority peoples or areas in which many of the residents live at or below the poverty line; and

Whereas, registered sex offenders are concentrated in the Minneapolis neighborhoods of Camden, Near North, North Loop, Phillips and Powderhorn; and

Whereas, in the areas where sex offenders are concentrated there exists other complex social and economic pressures which tend to further isolate these vulnerable communities from more affluent areas of the city and the resources contained therein; and

Whereas, the *Results Minneapolis: State of Youth* progress report states that more than 135,000 youth under the age of 24 reside in Minneapolis; and

Whereas, in 2012, of approximately 600 persons suspected or arrested for Criminal-Sexual-Conduct-Rape (CSCR), or crimes related to a CSCR, 33 percent were unknown to the victim and 5 percent were known by a partial name only; and

Whereas, defining concentration as the number of sex offenders relative to the population of the vulnerable community is meant to control the density of sex offenders, and the exposure of the community to these potentially problematic populations; and

Whereas, 15 percent of the Minnesota population resides in Hennepin County which includes the City of Minneapolis, yet 50 percent of the State's sex offenders are concentrated in Hennepin County; and

Whereas, 40 percent of sex offenders concentrated in Hennepin County which includes Minneapolis, committed their offense in a state other than Minnesota; and

Whereas, equity regarding the issue of the concentration of sex offenders in vulnerable Minneapolis neighborhoods demands an even-handing dealing in every circumstance in which a corrections institution or a residential facility contemplates the release of such an offender;

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

That the concentration of sex offenders in distressed areas of the city contributes to the degradation of the community, increases risk of violence towards youth and other vulnerable persons, and injures the welfare of the community.

Be It Further Resolved that the City of Minneapolis supports the creation of a Statewide coordinated plan for dealing with sex offenders released from prison that addresses the overall concentration of offenders located within the City of Minneapolis and Hennepin County and especially mitigates the concentration of sex offenders within vulnerable neighborhoods.

Be It Further Resolved that the City of Minneapolis will work with its partners in the County, State and Federal governments to ensure equitable distribution of sex offenders, by supporting the need to fund additional housing options and placement of half-way houses throughout the metropolitan region and State and by supporting the requirement that the county of commitment must bear financial responsibility for released offenders.

Be It Further Resolved that the City of Minneapolis supports legislation and programs to address the problem of concentration of sex offenders in vulnerable neighborhoods where such legislation will provide incentives for sentencing counties to provide services within their county lines.

Be It Further Resolved that the City Council directs staff in the Office of the City Attorney, the Regulatory Services Department, the Community Planning and Economic Development Department, the Intergovernmental Relations Office, the Health Department, the Minneapolis Police Department, and any others to work together and with their partners in the County, State and Federal governments to address the problem of concentration of predatory offenders in Minneapolis.

Adopted.

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

PSC&H & W&M/Budget - Your Committee recommends passage of the accompanying resolution accepting in-kind donations of dog and cat food and supplies from Alan Millstein, Andrew Hodge, Niki Bohne, Colleen Mueller, Chuck & Don's Pet Food Outlet, Royal Canine dog

food company, Rachel James/Life Time Fitness, Robbin Hedlund, Melissa Ray, Deb & Juliet Morgan, Melvin Weston, Jr., Maia Rumpho-Stellflug, Izzy Bailey-Seiler and Toni Yeamans.

Adopted.

Resolution 2013R-110, approving donations of dog and cat food and treats from Alan Millstein, Andrew Hodge, Niki Bohne, Colleen Mueller, Chuck & Don's Pet Food Outlet, Royal Canine dog food company, Rachel James/Life Time Fitness, Robbin Hedlund, Melissa Ray, Deb & Juliet Morgan, Melvin Weston, Jr., Maia Rumpho-Stellflug, Izzy Bailey-Seiler and Toni Yeamans, 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 2013R-110
By Samuels and Hodges

Approving donations of dog and cat food and treats.

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

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

Alan Millstein - Hills Science diet dog food, 4 cans wet dog food
Andrew Hodge - 7 x 12 oz cans cat and kitten food
Niki Bohne - Beneful (12 package), Cesar wet dog food (24 cans), and dog biscuits
Colleen Mueller - Dog Food (50 lb)
Chuck & Don's Pet Food Outlet - 40 bags Royal Canine dog and cat food
Royal Canine dog food company- 40 bags Royal Canine dog and cat food
Rachel James/Life Time Fitness - 10 winter dog coats, dog biscuits, dog food
Robbin Hedlund - Fromm's Large Breed Puppy food (33 lb), Fancy Feast cat food (48 cans/8 oz), 1 Petmate XL dog crate
Melissa Ray - 100 x 6 oz bags Purina Cat Chow food
Deb & Juliet Morgan - miscellaneous towels
Melvin Weston, Jr. - 50 lb dog food
Maia Rumpho-Stellflug - 2 x 20 lb bags Kaytee bird seed and guinea pig pet food
Izzy Bailey-Seiler - 14 fleece cat blankets, toys, and 1 box Frontline (cats)
Toni Yeamans - 6 boxes Milk Bones and 1 box Meaty Bones dog biscuits

Whereas, all such donations have been contributed to assist the city in providing Animal Care and meeting our goals of Responsible Pet Ownership, as allowed by law; and

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

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

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

Adopted.

PSC&H & W&M/Budget- Your Committee recommends that the proper City officers be authorized to enter into a one-year agreement with MorphoTrak for \$9,385 for maintenance and support of the LiveScan fingerprint system in the Police Crime Laboratory, and to increase the contract maximum to a total of \$11,000 to include the maintenance agreement cost and anticipated repair costs not covered by the maintenance agreement.

Adopted.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend and extend the current lease with Blue Sky Veterinary Services, LLC for one additional year (3/15/13-3/14/14) in conjunction with the Minnesota Spay and Neuter Assistance Program, for use of laboratory and parking spaces at Minneapolis Animal Care and Control, 212 17th Ave N, to provide low cost spay and neutering services.

Adopted.

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

RE&E - Your Committee recommends approval of the appointment of Lisa Smestad to the Housing Board of Appeals as the Environmental Health Department designee for a term to expire December 31, 2013, filling the seat being vacated by Becky McIntosh.

Adopted.

RE&E - Your Committee recommends that the proper City officers be authorized to enter into a license agreement with Don Bailey to grant to the City a perpetual, non-exclusive, assignable, and royalty-free license agreement to permit the City and its assigns to conduct energy efficiency work related to an Environmental Assistance Grant from the Minnesota Pollution Control Agency.

Adopted.

RE&E - Your Committee, having under consideration the Minneapolis Commercial Building Rating and Disclosure Policy requiring building owners and operators to report energy and water use information using the Energy Star Portfolio Manager benchmarking tool, now recommends that the proper City officers be authorized to enter into a license agreement with the Center for Energy and Environment (CEE) by which the City will grant to CEE a perpetual, non-exclusive, and royalty-free license to permit CEE to conduct additional Energy Star Portfolio manager training related to training materials developed by CEE and which are owned by the City and paid for through an Environmental Assistance Grant from the Minnesota Pollution Control Agency.

Adopted.

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

- a) Aster Cafe, 125 Main St SE; and
- b) The 1029 Bar, 1029 Marshall St NE.

Adopted.

Resolution 2013R-111, granting applications for Liquor 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 2013R-111
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 C2 with Sunday Sales, to expire January 1, 2014

Aster Pictures Corporation, dba Aster Cafe, 125 Main St SE (Permanent Expansion of Premises)

On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2014

Fossland-Olson Inc, dba The 1029 Bar, 1029 Marshall St NE (Permanent Expansion of Premises).

Adopted.

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

Adopted.

Resolution 2013R-112, 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 2013R-112
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 276387):

Off-Sale Liquor, to expire April 1, 2014

D'Amico Catering LLC, dba D'Amico Catering at the Atrium, 275 Market St

Medich Ventures Inc, dba Valu Liquors, 901 Washington Ave SE

Mickys Liquor Store Inc, dba Mickys Liquor Store, 1104 Plymouth Ave N

Lund Beverages LLC, dba Lunds Wine and Spirits, 1208 Harmon Pl

Stinson Wine, Beer & Spirits LLC, dba Stinson Wine & Spirits, 2315 18th Ave NE

MGM Wine & Spirits Inc, dba MGM Wine & Spirits, 3058 Excelsior Blvd

Allen & Allen LLC, dba Falls Liquor, 4504 Minnehaha Ave

Cork Dork Wine Co LLC, dba Cork Dork Wine Co, 4726 Cedar Ave S

South Lyndale Liquors Inc, dba South Lyndale Liquors, 5300 Lyndale Ave S

On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2014

Empire Entertainment LLC, dba The Pourhouse, 10 S 5th St
Seville Operations LLC, dba The Seville Club, 15 Glenwood Ave
The After Midnight Group VII LLC, dba Cowboy Jacks, 126 5th St N
The McCallum Group Inc, dba Three Sons Signature Cuisine, 219 Main St SE
Rooftop Inc, dba Macy's at Downtown Minneapolis Store 12, 700 Nicollet Mall
Culinaire International Inc, dba Guthrie Theater - Culinaire, 818 S 2nd St
Into the Mystic Production Inc, dba Brave New Workshop, 824 Hennepin Ave
View Restaurant & Lounge LLC, dba Urban Eatery, 2730 W Lake St
Brinda-Heilicher of Minneapolis Inc, dba Williams Uptown Pub & Peanut Bar,
2911 Hennepin Ave

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2014

HEI Minneapolis LLC, dba Westin Minneapolis, 88 S 6th St
19th Hole LLC, dba Jackson's Hole, 106 3rd St N
Swanky Entertainment Inc, dba Elixer Lounge, 322 1st Ave N
Fourth Street Saloon Inc, dba Fourth Street Saloon, 328 W Broadway
Arthurs Riverfront Properties Inc, dba Moose on Monroe, 356 Monroe St NE
The Appian Way Company LLC, dba The Crooked Pint Alehouse, 501 Washington Ave S
Minneapolis Club Inc, dba Minneapolis Club, 729 2nd Ave S
Crave Restaurant LLC, dba Crave, 825 Hennepin Ave
T K K Inc, dba Knight Cap, 1500 4th St NE
Jax Cafe, Inc, dba Jax Cafe, 1922 University Ave NE
Stardust Lanes Inc, dba Memory Lanes, 2520 26th Ave S
Icehouse Inc, dba Icehouse, 2528 Nicollet Ave
American Swedish Institute, dba American Swedish Institute, 2500 Park Ave
C & H Inc, dba U Garden Restaurant, 2725 University Ave SE
Lake & Hennepin BBQ and Blues Inc, dba Famous Dave's BBQ & Blues,
3001 Hennepin Ave
Prom Management Group Inc, dba Prom Catering, 3300 Central Ave NE

On-Sale Liquor Class C-1 with Sunday Sales, to expire April 1, 2014

Strolling Waters LLC, dba Wilde Roast Cafe, 65 Main St SE
K & K Hospitality LLC, dba Erte & Peacock Lounge at Erte, 1304 University Ave NE
Market Bar-B-Que Inc, dba Market Bar B Que, 1414 Nicollet Ave
B B & D Inc, dba Leaning Tower of Pizza, 2324 Lyndale Ave S

On-Sale Liquor Class C-2 with Sunday Sales, to expire April 1, 2014

Brinda-Heilicher Riverfront Inc, dba Vics Restaurant, 201 Main St SE
Landmarc Hospitality Group LLC, dba Normandy Kitchen, 405 S 8th St
Mr Susie LLC, dba Barquette, 1600 W Lake St
Sam Ventures, Inc, dba The Hole Sports Lounge, 2501 University Ave SE
Chowgirls Inc, dba Chowgirls, 1222 2nd St NE
1328 Uptown Inc, dba Bar Louie, 1348 Lagoon Ave

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2014

Haza Charters Inc, dba 19 Bar, 19 15th St W
Pizza Luce' Inc, dba Picca Luce', 119 4th St N
Brinda Investments Inc, dba Tugg's on the River, 219 Main St SE

MARCH 29, 2013

Nami LLC, dba Nami Restaurant, 251 1st Ave N
The Butcher Block LLC, dba The Butcher Block, 308 E Hennepin Ave
M S & R I LLC, dba Masu Sushi & Robata, 328 E Hennepin Ave
Take One Enterprises Inc, dba Big 10 Restaurant & Bar, 606 Washington Ave SE
Spoonriver LTD, dba Spoonriver, 750 S 2nd St
Rosvold Enterprises Inc, dba Campus Pizza, 825 Washington Ave SE
Lafayette Cafe LLC, dba Vincent, 1100 Nicollet Mall
Lucia Watson Entr, dba Lucia's Restaurant, 1432 31st St W
Victoria Enterprises Inc, dba Amore Victoria, 1601 W Lake St
Joes Garage Inc, dba Joes Garage, 1610 Harmon Pl
Pizza Luce IV Inc, dba Pizza Luce, 2200 Franklin Ave E
Mannings Cafe Inc, dba Mannings Cafe, 2200 Como Ave SE
Namaste Natural Products LLC, dba Namaste Cafe, 2512 Hennepin Ave
Peninsula Malaysian Cuisine LLC, dba Peninsula Malaysian Cuisine, 2608 Nicollet Ave
Rainbow Chinese Restaurant Inc, dba Rainbow Chinese Restaurant, 2739 Nicollet Ave
Burger Jones LLC, dba Burger Jones, 3200 W Lake St
Satellite Productions Inc, dba Craftsman, 4300 E Lake St

On-Sale Wine Class A with Strong Beer, to expire April 1, 2014

Illusion Theater & School Inc, dba Illusion Theater, 528 Hennepin Ave
Augsburg College, dba Augsburg College, 2211 Riverside Ave
Brave New Institute, dba Brave New Workshop, 2605 Hennepin Ave
The Jungle Theater, dba Jungle Theater, 2951 Lyndale Ave S

On-Sale Wine Class B with Strong Beer, to expire April 1, 2014

Lucky Dragon Restaurant Inc, dba Lucky Dragon Restaurant, 1827 Riverside Ave

On-Sale Wine Class C-2 with Strong Beer, to expire April 1, 2014

New Bohemia NE LLC, dba New Bohemia Sausage & Bier Haus, 233 E Hennepin Ave
G & D Foods Inc, dba Kafe 421, 421 14th Ave SE
Lowertown Hospitality Group Inc, dba Savoy Uptown, 2329 Hennepin Ave
Cardinal Bar Inc, dba Cardinal Bar, 2920 38th St E
Little Taj Mahal Corporation, dba Gandhi Mahal, 3009 27th Ave S

On-Sale Wine Class D with Strong Beer, to expire April 1, 2014

What Rob Wants Inc, dba Chris & Robs Chicagos Taste Authority, 3101 42nd St E
Birchwood Cafe Inc, dba Birchwood Cafe, 3311 25th St E
Cupcake Inc, dba Cupcake, 3338 University Ave SE
Blackbird Inc, dba Blackbird Cafe, 3800 Nicollet Ave
MDC Foods Inc, dba Curran's Restaurant, 4201 Nicollet Ave
France 44 Foods Inc, dba France 44 Cheese Shop, 4351 France Ave S
First Course Inc, dba First Course, 5607 Chicago Ave

On-Sale Wine Class E with Strong Beer, to expire April 1, 2014

Matador Coffee Inc, dba Bad Waitress Breakfast Joint/Coffee Shop, 2 E 26th St
Manaslu Group LLC, dba Gorkha Palace, 23 4th St NE
Isna Group Inc, dba Element Pizza, 96 Broadway St NE
Hibachi Buffet Inc, dba Hibachi Buffet, 111 E Lake St
Civitali Restaurant Corp, dba Punch Neapolitan Pizza, 208 E Hennepin Ave

MARCH 29, 2013

Jon and Amor Incorporated, dba Sparks, 230 Cedar Lake Rd S
The Noodle Shop Co - Minnesota Inc, dba Noodles & Company, 300 E Hennepin Ave
The Anchor Fish & Chips LLC, dba The Anchor, 302 13th Ave NE
Vescio's Inc, dba Vescio's Italian Care, 406 14th Ave SE
Black Sheep Coal Fired Pizza LLC, dba Black Sheep Coal Fired Pizza,
600 Washington Ave N
Punch Neapolitan Pizza, dba Punch Neapolitan Pizza, 802 Washington Ave SE
George and the Dragon LLC, dba George and the Dragon, 813 50th St W
The Noodle Shop Co - Minnesota Inc, dba Noodles & Company, 820 Washington Ave SE
Ventnor Partners LLC, dba Gigi's Cafe, 824 W 36th St
Kitchen Holdings LLC, dba Kitchen in the Market, 920 E Lake St
Delights of India LLC, dba Tadka Indian Bistro, 1123 W Lake St
Davanni's Inc, dba Davanni's Pizza & Hot Hoagies, 1242 Hennepin Ave
Shuang Cheng Inc, dba Shuang Cheng Restaurant, 1320 4th St SE
Asian Pan Inc, dba Pagoda, 1417 4th St SE
Obento-Ya LLC, dba Obento-Ya Japanese Bistro, 1510 Como Ave SE
Guayaquil Restaurant Inc, dba Guayaquil Restaurant, 1526 E Lake St
JJ's Lake Calhoun, dba JJ's Coffee & Wine Bistro, 1806 W Lake St
Foodcrafters LLC, dba Victory 44, 2203 44th Ave N
La Gran Colombia Inc, dba La Colonia Restaurant, 2205 Central Ave NE
Molly's Inc, dba Broders Cucina Italiana, 2308 W 50th St
Oven Door Eatery LLC, dba Citizen Cafe, 2403 38th St E
Kar Ta Thai Inc, dba Karta Thai, 2411 Central Ave NE
Caravelle Restaurant Inc, dba Caravelle-Pho 79 Restaurant, 2529 Nicollet Ave
Lowry Hills Cafes Inc, dba French Meadow Bakery and Cafe, 2610 Lyndale Ave S
Christos Inc, dba Christos, 2632 Nicollet Ave
World Street Kitchen LLC, dba World Street Kitchen, 2743 Lyndale Ave S
Nuff Said LLC, dba Nuff, 2851 Johnson St NE
Good Cheer Hospitality LLC, dba Hazel's Northeast, 2859 Johnson St NE
Pizza Joints Inc, dba Galactic Pizza, 2917 Lyndale Ave S
Alternative Concepts Inc, dba Kitchen Window, 3001 Hennepin Ave
China Pavilion Inc, dba Szechuan Spice, 3016 Lyndale Ave S
Nguyen-Vu Family Corp Inc, dba Saigon Uptown Restaurant, 3035 Lyndale Ave S
The Noodle Shop Co - Minnesota Inc, dba Noodles & Company, 3040 Excelsior Blvd
Pizza Luce II Inc, dba Pizza Luce, 3200 Lyndale Ave S
Civitali Restaurant Corp, dba Punch Neapolitan Pizza, 3226 W Lake St
Crema Cafe Ltd, dba Crema Cafe, 3403 Lyndale Ave S
Nelmatt LLC, dba Matt's Bar, 3500 Cedar Ave S
Jakeeno's Inc, dba Jakeeno's Pizza and Pasta, 3555 Chicago Ave
Niki Mu Inc, dba Victors 1959 Cafe, 3756 Grand Ave S
Cocina Latina Inc, dba Cocina Latina, 3764 Nicollet Ave
Lo Borrega Negra Inc, dba Rincon 38, 3801 Grand Ave S
Under Grand Cafe Inc, dba Grand Cafe, 3804 Grand Ave S
Dogwood Lake LLC, dba Parka, 4023 E Lake St
Busters on 28th Inc, dba Busters on 28th, 4204 28th Ave S
Lowbrow Inc, dba Lowbrow, 4244 Nicollet Ave
The Chestnut Tree Inc, dba Piccolo, 4300 Bryant Ave S
Parkway Pizza Inc, dba Parkway Pizza, 4457 42nd Ave S
Great Wall Incorporated, dba Great Wall Chinese Restaurant, 4515 France Ave S

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Sunstreet Breads Inc, dba Sun Street Breads, 4600 Nicollet Ave
Crystal Garden Inc, dba Crystal Garden, 4711 Hiawatha Ave
Tumdee LLC, dba Ba Gu Restaurant, 4741 Chicago Ave
Sea Salt Eatery LLP, dba Sea Salt Eatery, 4801 Minnehaha Ave
Karim Inc, dba Adrian's Tavern, 4812 Chicago Ave
Molly's Inc, dba Broders Pasta Bar, 5000 Penn Ave S
Arezzo Ristorante Inc, dba Arezzo Ristorante, 5057 France Ave S
Hot Plate LLC, dba Hot Plate, 5204 Bloomington Ave
Neighborhood Food LLC, dba Prima Pasta Salads Panini, 5325 Lyndale Ave S
Spring Is Here Dining LLC, dba In Season, 5416 Penn Ave S
Haralamos Best Steak Inc, dba Best Steak House, 5455 Nicollet Ave
Pizzeria Lola LLC, dba Pizzeria Lola, 5557 Xerxes Ave S

Off-Sale Beer to expire April 1, 2014

Northern Tier Retail LLC (Superamerica), dba Superamerica #4388, 101 Grant St W
Northern Tier Retail LLC (Superamerica), dba Superamerica #4056, 300 Broadway St NE
Laurel B Enterprises Inc, dba House of Hanson, 433 14th Ave SE
Rod Petroleum Inc, dba Broadway Winner, 626 W Broadway
Diamond Lake 1994 LLC, dba Cub Foods - Broadway, 701 W Broadway
Northern Tier Retail LLC (Superamerica), dba Superamerica #4060, 801 W Lake St
Liu Qing & Zhou Fuliang, dba Kyle's Market, 826 W 36th St
RBF LLC of Wisconsin, dba Rainbow Foods, 1104 Lagoon Ave
Twins Stop Inc, dba Twins Stop-N-Go, 1122 Spring St NE
Bobby and Steves Auto World II LLP, dba Bobby & Steve's Autoworld,
1221 Washington Ave S
Los Arcos Imports, dba Los Arcos Imports, 1515 E Lake St
RBF LLC of Wisconsin, dba Rainbow Foods, 1540 New Brighton Blvd
Crown Coco Inc, dba Broadway E-Z Stop Store, 1617 Broadway St NE
Crown Coc Inc, dba Old Colony EZ Stop, 1624 Washington Ave N
Northern Tier Retail LLC (Superamerica), dba Superamerica #4185, 1820 37th Ave NE
Simona Inc, dba Joe's Market & Deli, 1828 Como Ave SE
Awajjane Assad E, dba B-Line Market, 1901 Fillmore St NE
Northern Tier Retail LLC (Superamerica), dba Superamerica #4034, 2200 Lyndale Ave S
Rod Petroleum Inc, dba Hark's Nicollet, 2401 Nicollet Ave
Northern Tier Retail LLC (Superamerica), dba Superamerica #4378, 2445 Bloomington Ave
Northern Tier Retail LLC (Superamerica), dba Superamerica #4024, 2501 Hennepin Ave
2606 Penn LLC, Penn Gas Stop, 2606 Penn Ave N
Lambert & Lambert Ent Inc, dba Metro Petro, 2700 University Ave SE
Good Choice Inc, dba Los Amigos, 2746 Blaisdell Ave
RBF LLC of Wisconsin, dba Rainbow Foods, 2919 26th Ave S
Sunshine Foods, dba Sunshine Foods, 3300 4th Ave S
Jova Foods Inc, dba Nokomis Market, 3319 54th St E
Latino Groceries Inc, dba Panamericano Market, 3408 Cedar Ave S
Northern Tier Retail LLC (Superamerica), dba Superamerica #4232, 3453 Nicollet Ave
Holiday/Cedar Avenue LLC, dba Holiday Stationstore #407, 3550 Cedar Ave S
Northern Tier Retail LLC (Superamerica), dba Superamerica #4382, 3744 Chicago Ave
P & R Group Inc, dba Tesoro EZ Stop, 3800 Bloomington Ave
Northern Tier Retail LLC (Superamerica), dba Superamerica #4172, 3806 W Lake St
Northern Tier Retail LLC (Superamerica), dba Superamerica #4135, 4001 Lyndale Ave S
Marathon on Lyndale, dba Marathon on Lyndale, 4101 Lyndale Ave N
Northern Tier Retail LLC (Superamerica), dba Superamerica #4021, 4320 E Lake St

Kabalan Co, dba Pump and Munch, 4401 Nicollet Ave
Haddad Co, dba Pump-N-Munch on Lyndale, 4501 Lyndale Ave N
Northern Tier Retail LLC (Superamerica), dba Superamerica #4161, 4740 Cedar Ave S
Northern Tier Retail LLC (Superamerica), dba Superamerica #4165, 5101 34th Ave S
Diamond Lake 1994 LLC, dba Cub Foods, 5937 Nicollet Ave
Penn Super USA LLC, dba Penn Super USA, 5965 Penn Ave S
Northern Tier Retail LLC (Superamerica), dba Superamerica #4166, 6000 Portland Ave

On-Sale Beer Class E to expire April 1, 2014

Davanni's Inc, dba Davanni's Pizza & Hot Hoagies, 1414 W Lake St
Kinhdo Plus Corporation, dba Kinhdo Restaurant, 2755 Hennepin Ave

Temporary On-Sale Beer to expire January 21, 2013

The Metropolis Foundation, dba The Metropolis Foundation 527 Marquette Ave (Pond Hockey 1/17/2013-1/20/2013)
Adopted.

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

Resolution 2013R-113, 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 2013R-113
By Glidden**

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the office of the City Clerk under date of March 29, 2014 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 276387):

Dry Cleaner - Non-Flammable; Dry Cleaning & Laundry Pickup Station; Laundry; Place of Entertainment; All Night Special Food; Boarding House; Food Caterers; Food Confectionary; Food Distributor; Farm - Produce Permits; Grocery; Ice Producer-Dealer/Wholesale; Indoor Food Cart; Institutional Food Service; Mobile Food Vehicle Vendor; Food Manufacturer; Food Market Manufacturer; Meat Market; Food Mobile Vendor; Restaurant; Food Shelf; Short-Term Food Permit; Seasonal Short Term Food Permit; Sidewalk Cafe; Sidewalk Cart Food Vendor; Vending Machine; Gas Fitter Class A; Commercial Parking Lot Class A; Plumber; Rental Halls; Residential Specialty Contractor; Sign Hanger; Solicitor - Individual; Taxicab Vehicle-Fuel Efficient; Taxicab Vehicle-Wheelchair Access; Taxicab Vehicle; Taxicab Vehicle-Non-Transferable; Combined Trades; Tree Servicing; Tobacco Dealer.

Adopted.

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

Adopted.

Resolution 2013R-114, 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 2013R-114
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 276387):

Gambling Exempt

St. Paul Jaycees Charitable Foundation, dba St Paul Jaycees Charitable Foundation, 1 W Water St, Saint Paul (Raffle March 22, 2013, 275 Market St)

Ducks Unlimited, dba Ducks Unlimited, 7838 67th St Ct S, Cottage Grove (Raffle March 24, 2013, Minneapolis Convention Center)

Greater Twin Cities United Way, dba Greater Twin Cities United Way, 404 8th St S (Raffle April 4, 2013, Loring Pasta Bar)

Holy Rosary Church, dba Holy Rosary Church, 2424 18th Ave S (Raffle April 7, 2013)

The Minnesota Hundred Club, dba The Minnesota Hundred Club, PO Box 18784 Minneapolis (Raffle April 18, 2013, Jax Cafe)

Pope John Paul II Catholic School, dba Pope John Paul II Catholic School, 1630 4th St NE (Raffle April 19, 2013, St Maron Catholic Church)

Smile Network International, dba Smile Network International, 211 N +1st St (Raffle April 20, 2013, Aria at the Jeune Lune)

Our Lady of Victory Catholic Church, dba Our Lady of Victory Catholic Church 5155 Emerson Ave N (Raffle May 4, 2013)

The Playwright's Center, dba The Playwright's Center, 2301 Franklin Ave E (Raffle May 4, 2013, Uppercut Boxing Gym).

Adopted.

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Hotel/Motel License held by Aqua City Motel, 5739 Lyndale Ave S.

Adopted.

Resolution 2013R-115, approving Business License Operating Conditions relating to the Hotel/Motel License held by Aqua City Motel, 5739 Lyndale 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 2013R-115
By Glidden**

Approving Business License Operating Conditions relating to the Hotel/Motel License held by Aqua City Motel, 5739 Lyndale Ave S.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Hotel/Motel License held by Aqua City Motel, 5739 Lyndale Ave S:

1. The lobby and parking lot area shall be monitored by security cameras attached to recording devices; these cameras shall operate 24 hours a day and have the capability to store the recorded images for 30 days. Motel management shall provide a copy of the images in a commonly used format from the security system within eight hours of a request from the City of Minneapolis's License and Consumer Services or the Minneapolis Police Department. Motel management shall maintain in proper working order its outside security lighting. Rear security lighting shall be angled in such a way as to not intrude on the privacy of neighbors. Motel management shall post in a conspicuous location inside the lobby and the exterior signs that state that the property is under camera surveillance.

2. The motel management agrees to retain an on-site off-duty Minneapolis Police Officer for four hours per week. Due to the close proximity to one another, the Metro Inn and Aqua City Motel may share the off-duty police officer.

3. During the time an off-duty Minneapolis Police officer is not present, motel staff shall make rounds every two hours between 7:00 a.m. and 11:00 p.m. on weeknights and 7:00 a.m. and 1:00 a.m. on weekends.

4. Security logs shall be kept on-site and available to the Minneapolis Police Department, SAFE Unit, and Licenses and Consumer Services Division on request.

5. Signage displaying motel management and community expectations of guests shall be displayed in the motel lobby. The check-in list and signage in each room shall notify guests that a violation of this rule will result in eviction.

6. The motel management agrees to continue not to accept Hennepin County vouchers or referrals from homeless shelters.

7. The owner agrees to attend the Windom Neighborhood Association meeting at least twice a year.

8. Guests shall not be allowed to cook in their rooms unless equipped with kitchens.

9. The Licensee shall train all employees to recognize signs of sex trafficking and report such related activities at their premises to the Minneapolis Police Department.

10. The License and Consumer Services Division requires the motel management to provide a business plan that sets forth, in detail, the manner in which the motel will be operated.
Adopted.

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Hotel/Motel License held by Metro Inn Motel, 5637 Lyndale Ave S.

Adopted.

Resolution 2013R-116, approving Business License Operating Conditions relating to the Hotel/Motel License held by Metro Inn Motel, 5637 Lyndale 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 2013R-116
By Glidden

Approving Business License Operating Conditions relating to the Hotel/Motel License held by Metro Inn Motel, 5637 Lyndale Ave S.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Hotel/Motel License held by Metro Inn Motel, 5637 Lyndale Ave S:

1. The lobby and parking lot area shall be monitored by security cameras attached to recording devices; these cameras shall operate 24 hours a day and have the capability to store the recorded images for 30 days. Motel management shall provide a copy of the images in a commonly used format from the security system within eight hours of a request from the City of Minneapolis License and Consumer Services or the Minneapolis Police Department. Motel management shall maintain outside security lighting in proper working order. Rear security lighting shall be angled in such a way as to not intrude on the privacy of neighbors. Motel management shall post in a conspicuous location inside the lobby and the exterior signs that state that the property is under camera surveillance.

2. Motel management agrees to retain an on-site off-duty Minneapolis Police Officer for four hours per week. Due to close proximity to one another, the Metro Inn and Aqua City Motel may share the off-duty police officer.

3. During the time an off-duty Minneapolis Police Officer is not present, motel staff shall make rounds every two hours between 7:00 a.m. and 11:00 p.m. on weeknights and 7:00 a.m. and 1:00 a.m. on weekends.

4. Security logs shall be kept on-site and available to the Minneapolis Police Department, SAFE Unit, and Licenses and Consumer Services Division on request.

5. Motel management agrees not to allow vehicles posted "For Sale" to park in the parking lot.

6. Signage displaying motel management and community expectations of guests shall be displayed in the motel lobby. The check-in list and signage in each room shall notify guests that a violation of this rule will result in eviction.

7. Motel management agrees to continue not to accept Hennepin County vouchers or referrals from homeless shelters.

8. The owner agrees to attend the Windom Neighborhood Association meeting at least twice a year.

9. Guests shall not be allowed to cook in their rooms unless equipped with kitchens.

10. The Licensee shall train all employees to recognize signs of sex trafficking and report such related activities at their premises to the Minneapolis Police Department.

11. The License and Consumer Services Division requires the motel management to provide a business plan that sets forth, in detail, the manner in which the motel will be operated.
Adopted.

RE&E - Your Committee, having under consideration the Rental Dwelling License for the property located at 729 16th St E, 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 Interim Director of Regulatory Services to approve the reinstatement of said license to be held by Channing Scott.
Adopted.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Julie Boie for the property located at 3151 Arthur St NE 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 Interim Director of Regulatory Services that said license be revoked for failure to meet licensing standards pursuant to Section 244.1910 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-2013-15 which are hereby made a part of this report by reference.
Adopted.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Desta Foghe for the property located at 237 26th Ave NE 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 Interim Director of Regulatory Services that said license be revoked for failure to meet licensing standards pursuant to Section 244.1910 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-2013-16 which are hereby made a part of this report by reference.
Adopted.

RE&E - Your Committee, having under consideration the property located at 2501 Golden Valley Rd, which has been determined by the Department of Regulatory Services to constitute a nuisance under the Minneapolis Code of Ordinances, and a Director's Order to Demolish the property having been issued to the property owner which was subsequently appealed to the Nuisance Condition Process Review Panel, now recommends concurrence with the recommendation of the Panel that said property be demolished and that the Order to Demolish be stayed for a period of six months subject to the following: a) proof of sale to a qualified entity; and b) proof of financing for rehabilitation of the property, in accordance with the Findings of Fact on file in the office of the City Clerk as FOF-2013-17.

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

Samuels moved that the report be postponed for two cycles. Seconded.
Adopted upon a voice vote.

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

RE&E & W&M/Budget - Your Committee recommends that the proper City officers be authorized to enter into a contract with the Minnesota Department of Commerce to accept reimbursement of up to \$3,593 for staff time related to solar activities.

Further, passage of the accompanying resolution appropriating up to \$3,593 for said solar activities.

Adopted.

**RESOLUTION 2013R-117
By Glidden and Hodges**

Amending The 2013 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the City Coordinator Department (01300-8400200) by up to \$3,593.00 and increasing the revenue estimate in Grant's-Federal Fund in the City Coordinator Department (01300-8400200) in an amount not to exceed \$3,593.00.

Adopted.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee recommends passage of the accompanying resolution adopting an addition to the Municipal State Aid Street System within the City of Minneapolis.

Adopted.

Resolution 2013R-118, adopting an addition to the Municipal State Aid Street System within 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 2013R-118
By Colvin Roy

Adopting an addition to the “Municipal State Aid Street System” within the City of Minneapolis.

Whereas, it appears to the City Council of the City of Minneapolis that the street hereinafter described should be added to the system of “Municipal State Aid Streets” under the provisions of Minnesota Statutes of 1983, Chapter 162; and

Whereas, it is the desire of said City Council that said street be added to the system of “Municipal State Aid Streets” as previously established;

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

That the street described and numbered as follows be designated as a “Municipal State Aid Street” of said City subject to the approval of the Commissioner of Transportation of the State of Minnesota:

- MSA Route 431, 28th Ave S from 58th St E to eastbound ramp of TH 62 (0.07 miles).
Adopted.

T&PW - Your Committee, having under consideration the reconstruction of 46th St W between Dupont Ave S and Lyndale Ave S, now recommends approval of the project layout as set forth in Petn No 276394.

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 Page Area Street Resurfacing Project, Special Improvement of Existing Street No 5248 and the 54th St E Street Resurfacing Project, Special Improvement of Existing Street No 5249, 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 projects; and
- b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of the street improvements.
Adopted.

Resolution 2013R-119, ordering the work to proceed and adopting the special assessments for the Page Area and the 54th St E Street Resurfacing 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.

MARCH 29, 2013

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

**RESOLUTION 2013R-119
By Colvin Roy and Hodges**

**2013 STREET RESURFACING PROGRAM
PAGE AREA STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5248
AND
54TH ST E RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5249**

Ordering the work to proceed and adopting the special assessments for the Page Area and 54th St E Street Resurfacing Projects.

Whereas, a public hearing was held on March 19, 2013 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 2013R-049, passed February 8, 2013 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 2013R-049, passed February 8, 2013.

Be It Further Resolved that the proposed special assessments in the total amounts of \$624,285.33 for the Page Area Project No 5248 and \$107,631.06 for the 54th St E Project No 5249 Street Resurfacing Projects, 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 2014 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that 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 2014 real estate tax statements.

Adopted.

Resolution 2013R-120, requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of the street improvements in the Page Area and the 54th St E Street Resurfacing 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 2013R-120
By Colvin Roy and Hodges**

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds 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 costs of street improvements 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 for the following projects and in the following amounts:

- \$624,290 for the Page Area Street Resurfacing Project, Special Improvement of Existing Street No 5248; and
- \$107,365 for the 54th St E Street Resurfacing Project, Special Improvement of Existing Street No 5249.

Adopted.

T&PW & W&M/Budget - Your Committee, having under consideration the Oak Lake Ave N and 10th Ave N Street Resurfacing Project, Special Improvement of Existing Street No 5246, 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 the street improvements.

Adopted.

Resolution 2013R-121, ordering the work to proceed and adopting the special assessments for the Oak Lake Ave N and 10th Ave N Street Resurfacing 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 2013R-121
By Colvin Roy and Hodges**

**2013 STREET RESURFACING PROGRAM
OAK LAKE AVE N AND 10TH AVE N STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5246**

Ordering the work to proceed and adopting the special assessments for the Oak Lake Ave N and 10th Ave N Street Resurfacing Project.

Whereas, a public hearing was held on March 19, 2013 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 2013R-050,

passed February 8, 2013 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 2013R-050, passed February 8, 2013.

Be It Further Resolved that the proposed special assessments in the total amount of \$170,986.67 for the Oak Lake Ave N and 10th Ave N Street Resurfacing Project No 5246, 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 2014 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that 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 2014 real estate tax statements.

Adopted.

Resolution 2013R-122, requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of the street improvements in the Oak Lake Ave N and 10th Ave N Street Resurfacing 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 2013R-122
By Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$170,990 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 costs of street improvements in the Oak Lake Ave N and 10th Ave N Street Resurfacing Project, Special Improvement of Existing Street No 5246, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collected in five (5) successive annual installments, payable in the same manner as real estate taxes.

Adopted.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying resolution amending the 2013 Capital Budget by increasing the Water Revenue appropriation by \$1,750,000 to fund three additional projects in the Water Treatment and Distribution Services Division.

Adopted.

**RESOLUTION 2013R-123
By Colvin Roy and Hodges**

Amending The 2013 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 Water Enterprise Fund in the Water Capital Department (07400-9010950-WTR23) by \$1,750,000 from 2012 revenues exceeding budget to fund three additional capital projects in the Water Treatment and Distribution Services Division.

Adopted.

T&PW & W&M/Budget - Your Committee, having under consideration contracts for the sale of water to the City of Edina, City of Columbia Heights, and the Metropolitan Airports Commission, now recommends that the proper City officers be authorized to amend said contracts as follows:

- a) Contract No C-26961 with the City of Edina for the purpose of changing the ownership of the water meter;
- b) Contract No C-20603 with the City of Columbia Heights for the purpose of rebuilding the Columbia Heights meter and changing the ownership of the meter; and
- c) Contract No C-26824 with the Metropolitan Airports Commission for the purpose of changing the ownership of the water meters.

Adopted.

T&PW & W&M/Budget - Your Committee, having under consideration 2012-13 snowfalls exceeding the contract base bids for the clearing of sidewalk snow and ice control in Special Service Districts, now recommends that the proper City officers be authorized to amend Contract C-36415 with Custom Products and Services, increasing the contract by \$262,452, for a revised contract total of \$449,920, to allow continued sidewalk snow clearing and ice control through the remainder of the winter season for six Special Service Districts. No additional appropriation required.

Adopted.

T&PW & W&M/Budget - Your Committee, having under consideration the Minnesota Department of Transportation's (MnDOT) renovation of University Ave NE, from Central Ave NE to 27th Ave NE during the 2013 construction season, now recommends that the proper City officers be authorized to negotiate and execute a Cooperative Agreement with MnDOT in the amount of \$27,081.32 for the City's share of the cost for concrete paving and the bituminous mill and overlay of parking areas and construction engineering associated with the renovation. No additional appropriation required.

Adopted.

T&PW & W&M/Budget - Your Committee, having under consideration the Minnesota Department of Transportation's (MnDOT) reconstruction of the Park Ave and Portland Ave Bridges over I-94, now recommends that the proper City officers be authorized to negotiate and execute a Cooperative Agreement with MnDOT in the amount of \$299,133 for the City's share of the cost for pedestrian level street lighting, traffic signal equipment, signal timing work, construction engineering, and decorative railings associated with the rehabilitation of the bridges. No additional appropriation required.

Adopted.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low responsive bid submitted to the Public Works Department on OP No 7756 from Advanced Waterjet Technologies, LLC, in the amount of \$65,095.00, to furnish and deliver a water blaster unit to the Public Works Equipment Division.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service in accordance with City specifications.

Adopted.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7759 from Commercial Asphalt Company, for an estimated annual expenditure of \$5,783,925.00, to furnish and deliver hot mix asphalt as needed through March 31, 2014.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service in accordance with City specifications.

Adopted.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7763 from Fischer Mining, LLC, for an estimated annual expenditure of \$145,000.00, to furnish and deliver fine aggregate to the Public Works Paving Division through March 31, 2014.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service in accordance with City specifications.

Adopted.

T&PW & W&M/Budget - Your Committee recommends acceptance of the single bid submitted to the Public Works Department on OP No 7767 from Whipps, Inc, for an estimated annual expenditure of \$128,000.00, to furnish and deliver stop logs, slide gates, and associated equipment to 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 in accordance with City specifications.

Adopted.

Approved by Mayor Rybak 4/1/2013.

(Published 4/2/2013)

T&PW - Your Committee recommends adoption of the Self-Managed Special Service District Policy to guide the formation and management of new and existing Self-Managed Special Service Districts, with the exception of the Downtown Business Improvement Special Service District (DID), which is governed by a separate ordinance.

Gordon moved that Section III of the Self-Managed Special Service District Policy be amended to read as follows:

“III. ADVISORY BOARD-MANAGED SSD WITH SERVICE PROVIDER MODEL

16) Governance

The District shall be governed by a City-appointed Advisory Board. The Advisory Board shall have a minimum of five (5) members selected and appointed via the City’s standard open appointment process. A minimum of three-fifths (3/5ths) of the Advisory Board shall own property or represent property owner(s) that are required to pay into the District. The remaining board member positions may include representatives other District stakeholders, including but not limited to, nonprofit, residential and institutional property owners. Multiple board members may not represent or have an affiliation with the same property or property owner(s). The City shall make best efforts to appoint board members which represent a cross-section of property owners including, but not limited to, geographic location within the District, property type and property size. A quorum shall be at least 50% of board members plus one and shall be required for all board actions.

To ensure impartiality and prevent conflicts of interest, ~~there shall be no overlap in no more than 50% of the membership between or~~ of the Advisory Board shall be and members of the board and/or employees of the District’s Service Provider. No employees of the District’s Service Provider shall be members of the Advisory Board. This shall include, but is not limited to, individuals and their affiliations to property owner entities, businesses and/or organizations.”
Seconded.

Adopted upon a voice vote.

The report was 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 2013R-124, authorizing settlement of *Teflon Edwards v. 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 2013R-124
By Hodges**

Authorizing legal settlement.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlement of *Teflon Edwards v. City of Minneapolis*, by payment of \$5,000 to Teflon D. Edwards and his attorney from the Internal Service Self Insurance Fund (06900-1500100-145400).

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

Adopted.

W&M/Budget - Your Committee recommends the proper City officers be authorized to extend the contract with Hennepin County for the payment of Adult Correctional Facility per diem charges for a period of up to three years, through December 31, 2015.

Adopted.

W&M/Budget - Your Committee, having under consideration the City Clerk's designation of Jackie Hanson as Interim Assistant City Clerk for the period April 3 - 15, 2013, now recommends that the City Council confirm her appointment.

Adopted.

W&M/Budget - Your Committee recommends acceptance of the low responsive bid received on OP No 7737 from Honeywell Building Solutions in the amount of \$330,000 to furnish and deliver all labor, equipment, and incidentals necessary for the repair and maintenance of the HVAC system at the Minneapolis Convention Center through December 31, 2014.

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.

W&M/Budget - Your Committee recommends approval of payment of the 2012-2013 proceeds of the 1% City lodging tax increase to Meet Minneapolis in the amount of \$129,635.53 as part of their 2013 operating budget.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation to Meet Minneapolis in the Convention Center Operations Fund by \$129,635.53.

Adopted.

RESOLUTION 2013R-125
By Hodges

Amending The 2013 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 Meet Minneapolis in the Convention Center Operations Fund (01760-8650200) by \$129,635.53.

Adopted.

W&M/Budget - Your Committee recommends authorizing the proper City officers to execute a contract with Safari Books Online, LLC, for a one-year subscription to online training resources not to exceed \$15,686 using Safari's contract agreement form. Further, that the liability terms and conditions be customized to stipulate that the maximum liability for Safari shall be the amount of the actual payments made through the subscription term, and that any disputes that result in claims will be resolved in Minnesota courts. No additional appropriation required.

Adopted.

W&M/Budget - Your Committee recommends authorizing the proper City officers to execute a five-year contract with FirstWatch for \$225,000 for software maintenance and support services through December 31, 2017, as part of the 911 emergency communications and computer aided dispatch system. No additional appropriation required.

Adopted.

W&M/Budget - Your Committee recommends approval of an application for a free Wireless Community account for Fifth Avenue High Rises.

Adopted.

W&M/Budget - Your Committee recommends concurrence with the Executive Committee in approving the new appointed position of Director, Police Conduct Review (Civil Rights), (grade 12 with 545 points), effective March 22, 2013, as set forth in Petn No 276400 on file in the Office of the City Clerk.

Your Committee further recommends passage of the accompanying Salary Ordinance establishing the salary for said appointed position.

Adopted.

Ordinance 2013-Or-035 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, establishing the salary for the appointed position of Director, Police Conduct Review (Civil Rights), 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 2013-Or-035
By Hodges
1st & 2nd Readings: 3/29/2013

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

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

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

Appointed Officials (CAP)

Effective: March 22, 2013

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A Start rate	Step B After 1 "A" year	Step C After 2 "B" years	Step D After 3 "C" years
E	1	Director Police Conduct Review (Civil Rights)	545	12	A	\$82,289	\$86,260	\$89,218	\$90,951

Adopted.

W&M/Budget - Your Committee recommends passage of the accompanying resolution amending the 2013 General Appropriation Resolution to increase the budgets in the funds and agencies recommended by the Finance Officer in Appendix A of the staff report on file in the office of the City Clerk in order to provide for reappropriation of 2012 remaining budget to 2013.

Adopted.

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Resolution 2013R-126, approving the reappropriation of 2012 remaining budget to 2013, 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 2013R-126 By Hodges

Amending The 2013 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended to reflect the following reappropriation of 2012 funds:

<i>Fund</i>	<i>Department #</i>	<i>Dept/Div</i>	<i>Appropriation</i>
00100			
	1400000	City Attorney	\$360,150
	2400000	Council	\$173,795
	2800000	Fire	\$223,849
	3750000	Mayor's Office	\$111,433
	4000000	Police	\$414,476
	8150000	Human Resources	\$348,497
	8350000	Regulatory Services	\$19,120
	8430000	Internal Audit	\$53,000
	8440000	Emergency Mgmt	\$350,000
	8600100	Health & Family Services	\$29,100
	8900160	CPED	\$400,000
		<i>Total General Fund</i>	\$2,083,420
01260			
	8700000	Target Center	\$1,834,373
		<i>Total Arena-Reserve Fund</i>	\$1,834,373
01760			
	8650000	MCC	\$2,307,796
		<i>Total Convention Center Operations Fund</i>	\$2,307,796
06100			
	6750000	Fleet	\$2,593,562
		<i>Total Equipment, Internal Service Fund</i>	\$2,593,562
06400			
	8150000	Human Resources	\$60,110
	8800000	IT	\$352,273
		<i>Total Information Technology Fund</i>	\$412,383
06200			
	8200100	Finance & Prop Serv	\$583,000
		<i>Total Property Services Fund</i>	\$583,000

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06900	8150000	Human Resources	\$252,345
	1400000	City Attorney	\$276,467
		<i>Total Self Insurance Fund</i>	\$528,812
07300	63000000	Stormwater	\$63,382
		<i>Total Stormwater Fund</i>	\$63,382
07700	66400000	Solid Waste	\$773,724
		<i>Total Solid Waste-Enterprise Fund</i>	\$773,724

Adopted.

W&M/Budget – Your Committee recommends passage of the accompanying resolution amending the 2013 General Appropriation Resolution to increase the Communications department appropriation by \$50,000, decrease the City Coordinator department appropriation by \$50,000, and direct Communications to allocate \$50,000 of general appropriation to the MTN contract.

Adopted.

Declining to vote – Colvin Roy.

**RESOLUTION 2013R-127
By Hodges**

Amending The 2013 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by decreasing the expense appropriation for the City Coordinator agency (00100-8420000) by \$50,000 and increasing the expense appropriation for the Communications department agency (00100-8400000) by \$50,000.

Adopted.

Declining to vote – Colvin Roy.

The ZONING & PLANNING Committee submitted the following reports:

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Melissa Gorman, on behalf of First & First, LLC, (BZZ-5913) to rezone the properties at 945 Broadway Street NE, 1120 Tyler Street NE, and 1121 Central Avenue NE to add the IL Industrial Living Overlay District to expand the number of uses allowed and adopting the related findings prepared by the Department of Community Planning & Economic Development.

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

Adopted.

Ordinance 2013-Or-036 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the properties at 945 Broadway Street NE, 1120 Tyler Street NE, and 1121 Central Avenue NE to add the IL Industrial Living Overlay District, 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 2013-Or-036
By Schiff
1st & 2nd Readings: 3/29/2013

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

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

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

Lots 8 to 10 inclusive, Block 1, and that part of the East ½ of the vacated alley in said Block 1, lying between extensions Westward of the South line of Lot 7, said Block 1, and the South line of said Lot 10, Chute Bros. Central Ave. Addition to Minneapolis, Hennepin County, Minnesota (1120 Tyler Street NE - Plate 10);

Lots 11 through 14 inclusive, Block 1, “Chute Bros. Central Ave. Addition to Minneapolis”, Hennepin County, Minnesota; those parts of Lots 15 through 20 inclusive, said Block 1, and that part of the vacated alley, dedicated in said Block 1 lying Southerly of the extensions across said vacated alley of the North lines of said Lots 11 and 20; which lie Northerly and Easterly of the Highway right-of-way line described in Registrar of Titles Document No. 1952465 according to the recorded plat thereof (945 Broadway Street NE - Plate 10); and

Those parts of Lots 21 to 23, inclusive, Block 1, lying Easterly of the highway right-of-way line described in Registrar of Titles Document No. 1952465 and also that part of the West Half of the vacated alley in said Block 1, lying between extensions Eastward of the South line of said Lot 21 and the North line of said Lot 23, “Chute Bros. Central Ave. Addition to Minneapolis”, Hennepin County, Minnesota (1121 Central Avenue NE - Plate 10); all to add the IL Industrial Living Overlay District.

Adopted.

Z&P - Your Committee, to whom was referred an ordinance amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to *Zoning Code: Overlay Districts*, (to revise regulations related to parking lots in the Nicollet Franklin area Pedestrian Oriented Overlay District) now concurs in the recommendation of the Planning Commission that the related findings be adopted and that said ordinance be given its second reading for amendment and passage.

Lilligren moved that Section 551.155 of the above-entitled ordinance be amended by adding the following language to subsections (11) and (12), to read as follows:

(11) *Site plan review requirements.* The minimum landscaping requirement for all uses subject to site plan review under Chapter 530, *Site Plan Review*, shall be increased to not less than thirty (30) percent of the site not occupied by buildings. The city planning commission may approve exceptions to this requirement upon finding that

the proposal will allow a site plan of exceptional design that includes amenities such as public seating, public art, green walls, an outdoor plaza or transit shelter, that will enhance the area or that is more consistent with the character of the area or where the planning commission finds that strict adherence to the requirements is impractical because of site location or conditions.

(12) Off-street parking dimensions. Parking lots shall be limited to not more than forty (40) feet of street frontage, excluding any required landscaping or screening. Seconded.

Adopted upon a voice vote.

The report, with amended ordinance, was adopted.

Ordinance 2013-Or-037 amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to *Zoning Code: Overlay Districts* amending Section 551.155 to revise the regulations related to parking lots in the Nicollet Franklin area Pedestrian Oriented Overlay District, 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 2013-Or-037
By Lilligren
Intro & 1st Reading: 3/8/2012
Ref to: Z&P
2nd Reading: 3/29/2013

Amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to Zoning Code: Overlay Districts.

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

Section 1. That Section 551.155 of the above-entitled ordinance be amended to read as follows:

551.155. - Nicollet Franklin area. The following additional regulations shall govern development within the PO Overlay District along Nicollet Avenue from ~~Franklin Avenue~~ 14th Street on the north to the Midtown Greenway/Hennepin County Regional Railroad Authority right-of-way on the south, and generally from the alley to the east to the alley on west unless otherwise shown; Franklin Avenue between LaSalle Avenue and I35W; and 26th Street between Nicollet Avenue and the alley between Stevens Avenue and 2nd Avenue S., as shown on the official zoning map:

- (1) *Travel demand management plan.* All development containing more than ten thousand (10,000) square feet of new or additional commercial gross floor area or more than seventy-five (75) residential units, shall include a travel demand management plan (TDM) that addresses the transportation impacts of the development on air quality, parking and roadway infrastructure. The planning director, in consultation with the city engineer, shall conduct the administrative review of the TDM. The planning director shall recommend to the zoning administrator any mitigating measures deemed reasonably necessary, who shall include such recommendation as a condition of the issuance of any building permit, zoning certificate or other approval required by this zoning ordinance or other applicable law. All findings and decisions of the planning director shall be final, subject to appeal to

the city planning commission, as specified in Chapter 525, Administration and Enforcement.

- (2) *Building alteration or replacement.* The alteration of an existing building shall not result in a reduction of the existing number of stories (e.g., a two-story building shall not be reduced to a one-story building or be replaced by less than a two-story building).
- (3) *Minimum floor area.* New development in Commercial, OR2 and OR3, and Industrial districts shall be subject to a minimum floor area ratio requirement of one (1.0). Individual phases of a phased development may be less than this minimum, provided the entire development meets the minimum requirement. This requirement shall not apply to the expansion of buildings existing on the effective date of this section.
- (4) *Corner cuts.* New development on the corner of two (2) street rights-of way shall have a setback at the sidewalk level on the corner of the building. This setback shall be no less than two (2) feet and no greater than eight (8) feet from the corner of the property.
- (5) *Linear frontage of one (1) use.* No single commercial use in one (1) building shall extend along more than one hundred and twenty (120) linear feet of the first floor façade fronting any street.
- (6) *Prohibited uses.* Principal parking lots shall be prohibited in the Nicollet Franklin area.
- (7) *Off-street parking.* Nonresidential uses shall not be required to provide accessory off-street parking facilities.
- (8) *Bicycle Parking.* Nonresidential uses required to provide bicycle parking by Chapter 541, Off-Street Parking and Loading, shall provide a minimum of four (4) bicycle parking spaces or one (1) space per 2,000 square feet of gross floor area, whichever is greater. Public bicycle parking spaces may contribute to compliance with required bicycle parking when located adjacent to the property in question.
- (9) *Off-site parking.* Notwithstanding any other provision to the contrary, off-site parking serving nonresidential uses in the Nicollet Franklin area may be located in any commercial or downtown district and may be located in the residence and office residence districts. In the residence and office residence districts the off-site parking area shall be accessory to an institutional or public use and shall be existing on May 1, 2013.
- (10) *Vehicular access.* Curb cuts for vehicles shall be consolidated wherever possible. In the case of a corner lot, curb cuts shall be discouraged along Nicollet Avenue.
- (11) *Site plan review requirements.* The minimum landscaping requirement for all uses subject to site plan review under Chapter 530, Site Plan Review, shall be increased to not less than thirty (30) percent of the site not occupied by buildings. The city planning commission may approve exceptions to this requirement upon finding that the proposal will allow a site plan of exceptional design that includes amenities such as public seating, public art, green walls, an outdoor plaza or transit shelter, that will enhance the area or that is more consistent with the character of the area or where

the planning commission finds that strict adherence to the requirements is impractical because of site location or conditions.

(12) Off-street parking dimensions. Parking lots shall be limited to not more than forty (40) feet of street frontage, excluding any required landscaping or screening.

Adopted.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Doran University V, LLC (BZZ-5932) to rezone the properties at 918 and 928 University Avenue SE, and 211/215 and 219 10th Avenue SE from C2 to the OR3 Institutional Office Residence District, retaining the UA and MR Overlay Districts, to permit a new 9 to 11 story multi-family residential development and adopting the related findings prepared by the Department of Community Planning & Economic Development.

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

Adopted.

Ordinance 2013-Or-038 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the properties at 918 and 928 University Avenue SE, and 211/215 and 219 10th Avenue SE from C2 to the OR3 Institutional Office Residence District, retaining the UA and MR Overlay Districts, 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 2013-Or-038
By Schiff
1st & 2nd Readings: 3/29/2013

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

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

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

That part of Lots 1, 2, 9 and 10; That part of Lots 3 and 8 lying Southeasterly of the Southeasterly right of way line of Interstate Highway No. 35 as described in Final Certificate, Document No. 1073213; All in Block 30, Saint Anthony Falls.

EXCEPT:

That part of Tract A described below:

Tract A, Lots 1, 2, 9 and 10, and that part of Lots 3 and 8 lying southeasterly of the southeasterly right of way line of Trunk Highway No. 35W as described in Final Certificate Document No. 1073213, all in Block 30, Saint Anthony Falls, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota; the title thereto being registered as evidenced by Certificate of Title No. 1045495;

Which lies northwesterly of Line 1 described below:

Line 1. Beginning at a point on the southwesterly line of said Lot 8, Block 30, distant 26.00 feet southeasterly of the southwesterly corner thereof; thence northerly to a point distant 24.00 feet southeasterly (measured at right angles) of a point on the northwesterly line of said Lot 8, distant 44.00 feet northeasterly of said southwesterly lot corner; thence northeasterly to a point distant 32.00 feet southeasterly (measured at right angles) of a point on said northwesterly lot line, distant 76.00 feet northeasterly of said southwesterly lot corner; thence northeasterly to the point of termination of Line 2 described below and there terminating.

Line 2. Beginning at the northwesterly corner of said Lot 3, Block 30; thence southeasterly along the northeasterly line thereof for 40.00 feet; thence southwesterly at right angles for 30.00 feet to a point of inflection on the northwesterly line of Tract A hereinbefore described; thence southwesterly along said northwesterly line of Tract A for 46.00 feet and there terminating. (Torrens Property, Certificate of Title No. 1045495) Hennepin County, Minnesota (918 and 928 University Avenue SE, and 211/215 and 219 10th Avenue SE - Plate 15) to the OR3 District, maintaining the UA and MR Overlay Districts.

Adopted.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Fine Associates on behalf of Currie Park Developments, LLC, to vacate two of three sidewalk easements, II and III, (#1608), subject to retention of easement rights by CenturyLink, and maintain sidewalk easement I, all running through the property located at 1500, 1506 and 1514 6th Street S; 1500, 1501, 1506, 1507 and 1515 5th Street S; and 1505 and 1509 4th Street S, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

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

Adopted.

Resolution 2013R-128, vacating two sidewalk easements in the Cedar-Riverside area, as described in Easement Deed Document 4059543, 1097179, and 4063712, Exhibit A, Easements II and III (Vacation File No. 1608), 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 2013R-128
By Schiff

Vacating two sidewalk easements in the Cedar-Riverside area. Easements are as described in Easement Deed Document 4059543, 1097179, and 4063712, Exhibit A, Easements II and III (Vacation File No. 1608).

Resolved by The City Council of The City of Minneapolis:

That all parts of the sidewalk easements as described as follows:

Easement 2 (sidewalk from 6th Street toward the SW wall of Riverside Plaza's Ramp): that part of Lot 4, Block 11, Atwater's Addition to the Town of Minneapolis, described as follows: Beginning at a point in the Southwesterly line of said Block 11, a distance 180.5 feet

Southeasterly of the most Westerly corner of said Block 11; thence Southeasterly along said Southwesterly line 5 feet; thence at a right angle Northeasterly 113.5 feet; thence at a right angle Northwesterly 5 feet; thence at a right angle Southwesterly 113.5 feet to the point of beginning;

Easement 3 (sidewalk continuing from Easement 2 up to the SW wall of Riverside Plaza's Ramp): that part of Lots 4 and 9, Block 11, Atwater's Addition to the Town of Minneapolis, described as follows: Commencing at the most Westerly corner of said Block 11; thence Southeasterly along the Southwesterly line of said Block 11, a distance of 175.5 feet; thence at a right angle Northeasterly 113.5 feet to the actual point of beginning of tract of land to be described; thence continuing Northeasterly along an extension of last described course 71 feet; thence at a right angle Southeasterly 23 feet; thence at a right angle Southwesterly 71 feet; thence at a right angle Northwesterly 23 feet to the actual point of beginning, Hennepin County, Minnesota, is hereby vacated except that such vacation shall not affect the existing easement right and authority of Centurylink, their successors and assigns, to enter upon that portion of the aforescribed sidewalk easement, which is described in regard to said corporations as follows, to wit:

As to Centurylink: An easement of the entire described area to be vacated;

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

Adopted.

The AUDIT Committee submitted the following report:

Audit - The Minneapolis Audit Committee hereby transmits the audit entitled Application Security Review, which was received and ordered published on March 27, 2013, with the recommendation that the City Council refer the following management action plans and associated funding costs for implementing the recommendations to the Ways & Means/Budget Committee for its consideration:

- a) Finance Department \$35,400 (one time) and \$6,760 (annually):
 - i. \$7,800 for Application Security Policy
 - ii. \$22,400 (one time) & \$2,080 (annually) for Segregation of Duties Framework and Monitoring
 - iii. \$5,200 (one time) & \$3,120 (annually) for Additions and Separated Employee Process
 - iv. \$1,560 (annually) for Compass and HRIS Super Users.

- b) Department of Human Resources \$14,400 (one time):
 - i. \$5,400 (one time) for Application Security Policy
 - ii. \$5,400 (one time) for Segregation of Duties Framework and Monitoring
 - iii. \$1,800 (one time) & \$3,120 (annually) for Additions and Separated Employee Process
 - iv. \$1,800 (annually) for Compass and HRIS Super Users.

- c) Information Technology Department \$410,000 (one time) and \$230,000 (annually):
 - i. \$10,000 for Application Security Policy
 - ii. \$200,000 (one time) for Additions and Separated Employee Process
 - iii. \$200,000 (one time) for Compass and HRIS Super Users.

Adopted.

UNFINISHED BUSINESS

Pursuant to notice on March 7, 2013, Gordon moved to introduce the subject matter of an ordinance amending Title 8.5, Chapter 167 of the Minneapolis Code of Ordinances relating to *Elections: Municipal Elections: Rules of Conduct*, for first reading and referral to the Elections Committee (amending rules of conduct for municipal elections in the City of Minneapolis). Seconded.

Adopted upon a voice vote.

NEW BUSINESS

Recommended ordinance from the Charter Commission amending Chapter 2, Section 13 of the Minneapolis Code of Ordinances relating to *Officers – Elections: Filing for Election*, specifying the filing fee for candidates for election at any city election.

Gordon moved that the ordinance be referred to the Committee of the Whole, Intergovernmental Relations Subcommittee. Seconded.

Adopted upon a voice vote.

Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code* (amending requirements for rental property owner contact information and response).

ANNOUNCEMENTS

A Certificate of Special Commendation was presented to Police Commander Lucy Gerold.

A Certificate of Special Commendation was presented to the Little Earth Thunderhawks U16 Basketball Team.

Lilligren moved to adjourn to Room 315 City Hall to consider the matters of *Keten, et al v. City of Minneapolis* and *Lemon v. City of Minneapolis*. Seconded.

Adopted upon a voice vote.

ADJOURNED SESSION

Room 315 City Hall

Minneapolis, Minnesota

March 29, 2013 – 10:49 a.m.

The Council met pursuant to adjournment.

Council President Johnson in the Chair.

Present – Council Members Samuels, Gordon, Reich, Hofstede, Schiff, Lilligren, Tuthill, Quincy, Glidden, Goodman, President Johnson.

Absent – Hodges, Colvin Roy.

Deputy City Attorney Peter Ginder stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the *Keten, et al v. City of Minneapolis* and *Lemon v. City of Minneapolis* lawsuits.

At 10:50 a.m., Lilligren moved that the meeting be closed. Seconded.

Adopted upon a voice vote.

Absent – Hodges, Colvin Roy.

Present – Hodges (In at 10:52 a.m.), Samuels, Gordon, Reich, Hofstede, Schiff, Lilligren, Colvin Roy (In at 10:52 a.m.), Tuthill, Quincy, Glidden, Goodman, President Johnson.

Also present – Susan Segal, City Attorney; Peter Ginder, Deputy City Attorney; Tom Miller and Andrea Naef, Assistant City Attorneys; Travis Glampe, Police Department (Out at 11:07 a.m.); John Fruetel, Fire Chief (In at 11:07 a.m.); Casey Joe Carl, City Clerk; and Jackie Hanson, City Clerk's Office.

Ginder summarized the *Keten, et al v. City of Minneapolis* lawsuit from 10:50 a.m. to 11:07 a.m. and the *Lemon v. City of Minneapolis* lawsuit from 11:07 a.m. to 11:27 a.m.

At 11:27 a.m., Lilligren moved that the meeting be opened. Seconded.

Adopted upon a voice vote.

Colvin Roy moved that the claims asserted against the City of Minneapolis and City employees in the James Keten and Aisha Keten, individually and o/b/o minor child, K.K.K., United States District Court File No. 11-cv-1520, be settled in the amount of \$225,000 payable to James Keten and Aisha Keten, and their attorneys in a distribution to be determined by the City Attorney's Office, from Fund/Org 06900-1500100-145400, and to authorize the City Attorney's Office to execute any documents necessary to effectuate the settlement. Seconded.

Adopted.

Goodman moved the following:

a) that the claims asserted against the City of Minneapolis in *Kristina Lemon v. City of Minneapolis*, venued in the Hennepin County District Court, be settled in the amount of \$100,000, payable to the trust account of her attorneys Baillon Thome Jozwiak & Wanta LLP from Fund/Org 06900-1500100-145400, and to authorize the City Attorney's Office to execute any documents necessary to effectuate the settlement.

b) that the claims asserted in *Kristina Lemon's* workers' compensation claim, under Claim WID: 9302472, be settled in the amount of \$350,000, payable to *Kristina Lemon* and her attorneys from Fund/Org 06900-1500100-145280, and to authorize the City Attorney's Office to execute any documents necessary to effectuate the settlement. Seconded.

Adopted.

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

MARCH 29, 2013

Lilligren moved to adjourn to April 10, 2013 at Noon at the Walker Art Center, McGuire Theater, 1750 Hennepin Ave, for the purpose of receiving Mayor Rybak's 2013 State of the City address and to conduct any other business deemed necessary at that time, and that such meeting be and is hereby declared to be an adjourned session of the regular meeting of March 29, 2013. Seconded.

Adopted upon a voice vote.

Casey Joe Carl,
City Clerk

Official Posting: 4/5/2013
Corrections: 4/10/2013