

OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

REGULAR MEETING OF MAY 10, 2013

(Published May 18, 2013, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
May 10, 2013 - 9:30 a.m.

Vice President Lilligren in the Chair.

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

Absent – Council President Johnson.

Colvin Roy moved adoption of the agenda. Seconded.

Adopted upon a voice vote.

Absent – Hofstede, Johnson.

Colvin Roy moved acceptance of the minutes of the regular meeting of April 26, 2013. Seconded.

Adopted upon a voice vote.

Absent – Hofstede, Johnson.

Colvin Roy moved referral of petitions, communications, and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote.

Absent – Hofstede, Johnson.

PETITIONS AND COMMUNICATIONS

COMMITTEE OF THE WHOLE:

CARNEY JR, BOB (276467)

Transit Revolution: Preliminary and initial plan for five minute van transit for all Minneapolitans.

INTERGOVERNMENTAL RELATIONS (276468)

State Legislative Update.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276469)

Land Sale (2618 Knox Ave N, 2114 Irving Ave N, 1012 29th Ave N, 2900 Dupont Ave N, 2923 Bryant Ave N & 2956 Bryant Ave N): To Urban Homeworks, Inc.

Minneapolis Housing Replacement Tax Increment Financing District III: Resolution adding 69 parcels to & deleting 14 parcels from the District.

Alliance Housing Inc (re 2600-2606 17th Ave S): Extension of exclusive development rights.

Great Streets Business District Support Contracts.

Year 2014 Low Income Housing Tax Credit Procedural Manual & Qualified Allocation Plan.

Educational Properties Inc (re Yinghua Academy, 1616 Buchanan St NE): Resolution giving preliminary & final approval to issue bonds for purchase & renovation of educational facility.

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

HEALTH DEPARTMENT (276470)

City of Minneapolis Healthy Housing Policy.

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276471)

2012 Green Homes North Program.

Minnesota Department of Employment & Economic Development: Accept grant award for West Broadway Curve project, 1926-2022 W Broadway Ave.

Greater Twin Cities United Way: Accept grant award re hiring of consultant re regional manufacturing sector project.

GRANTS AND SPECIAL PROJECTS (276472)

2013 Department of Housing & Urban Development Housing Opportunities for Persons with AIDS Funding Approval.

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

HEALTH DEPARTMENT (276473)

Recreational Fires: Ordinance amending Title 9, Chapter 178 re prohibiting recreational fires during an air pollution public health advisory for particulate matter.

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

HEALTH DEPARTMENT (276474)

Meadowlark Institute: Accept grant funds for youth violence prevention activities.

Minnesota Coalition for Battered Women: Accept grant funds for participation in Project Connect.

REGULATORY SERVICES (276475)

Minneapolis Animal Care & Control: In-kind donations of dog and cat food and supplies; Contract with U of M for veterinarian services.

REGULATORY, ENERGY AND ENVIRONMENT (See Rep):

LICENSES AND CONSUMER SERVICES (276477)

Bread & Pickle, 4135 W Lake Harriet Pkwy: Grant On-Sale Wine Class E with Strong Beer License; Comments.

LICENSES AND CONSUMER SERVICES (276478)

Licenses: Grant licenses recommended for approval.

LICENSES AND CONSUMER SERVICES (276479)

Lure, 725 Hennepin Ave: Deny renewal of On-Sale Liquor Class A with Sunday Sales and Tobacco Dealer Licenses due to delinquent taxes owed to the State of Minnesota.

LICENSES AND CONSUMER SERVICES (276480)

Nightingale, 2551 Lyndale Ave S: Grant Permanent Expansion of Premises and Sidewalk Cafe Licenses.

Tangletown Crossfit, 383 W 60th St: Grant Extended Hours License to allow opening at 5:00 a.m. daily.

Zaad Food, 1510 W Broadway: Approve Business Licensing Operating Conditions relating to a Grocery License.

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

HEALTH DEPARTMENT (276476)

Healthy Homes Thriving Communities Project: Amend contract with Project for Pride in Living.

Mississippi Watershed Management Organization: Grant agreement.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (276481)

National Pollutant Discharge Elimination System (NPDES) and State Disposal System Permit: Set public hearing for June 18, 2013 to receive public comment on Stormwater Management Program.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (276482)

Sidewalk Repair Assessment Cancellation: Cancel assessment for 5220 3rd Ave S and refund \$744.99.

Tyler St NE Street Improvement Project No 5256: Project designation and acceptance of petition and appeal waiver.

2013 Alley Resurfacing Program No AL013: Project designation.

46th St W Street Reconstruction Project No 6751: Project designation.

2013 Innovative Graffiti Prevention Micro Grant Program: Agreements with ten (10) grant recipients.

7th St Exit Ramp from Westbound I-94: Funding applications to Minnesota Department of Transportation (MnDOT) through Corridor Investment Management Strategies (CIMS) and/or Transportation Economic Development (TED) Programs.

Car Sharing Pilot Program: Negotiate two-year agreement with Car2go N.A., LLC.

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

PUBLIC WORKS AND ENGINEERING (276483)

Mississippi Watershed Management Organization: Grant agreement; and Approve appropriation.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (276484)

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

CITY CLERK (276485)

Bid: OP No 7779 - accept single bid of Finance and Commerce for a three year contract in an annual amount of \$70,000 for legally required official publications for the City.

COMMUNICATIONS (276486)

Utility Billing Insert: Approve insert for June 2013 on behalf of Public Works and the Police Department asking for help preventing recyclables theft.

COORDINATOR (276487)

Homegrown Minneapolis Consulting Services: Authorize increase to contract C-35480 with Shey Associates in the amount of \$50,000 and extend the term through March 1, 2014.

Gift acceptance: Accept gift from National Resources Defense Council and Institute for Market Transformation of travel and related expenses for an employee to attend the city Energy Project Summit on May 20, 2013 in Philadelphia, Pennsylvania.

EXECUTIVE COMMITTEE (276488)

2013 Salary Adjustments: Approve adjustments, including step progressions, for: Appointed employees; and Non-represented employees.

New Appointed Position: Approve new appointed position of Director, Environmental Health.

ZONING AND PLANNING (See Rep):

MAYOR (276489)

Planning Commission Appointments: Approve appointments of Matthew Brown, Alissa Luepke Pier, and Ted Tucker.

PLANNING COMMISSION/DEPARTMENT (276490)

301 Walnut (700 Washington Ave SE): Appeal of land use applications filed by Juno Investment Corporation, and related rezoning.

PLANNING COMMISSION/DEPARTMENT (276491)

South Quarter (1920 & 1928 Portland Ave; 1923 & 1925 5th Ave S; and 500 & 510 E Franklin Ave): Approve rezoning and vacation associated with the property.

Regulations for Blood/Plasma Collection Facilities - Zoning Code Text Amendment.

2635 4th Street SE: Approve vacation of drainage and utility easements on the subject property.

PLANNING COMMISSION/DEPARTMENT (276492)

6th Street Northeast Redevelopment (Totino's Building) (514 1st Avenue NE; 519-523 Central Avenue NE): Appeal filed by Lazaros Christoforides on land use applications, and related rezoning.

NEW BUSINESS:

ATTORNEY (276493)

State of Minnesota by the City of Minneapolis v. Metropolitan Airports Commission: First Amendment to Consent Decree.

FILED:

CHARTER COMMISSION (276494)

Plain Language Charter Draft 13A.

Plain Language Charter Draft 13A - Redlined.

Plain Language Charter Amendment: Proposed Communications Plan.

LAKE COUNTRY SCHOOL--MONTESSORI LEARNING ENVIRONME (276495)

Vacation vic of 38th St W between Pleasant Ave S and Pillsbury Ave S

MINNESOTA SPORTS FACILITIES AUTHORITY (276496)

Vacate corner lot between 11th Ave S and 5th St S.

Vacate vic of 5th St S, 6th St S, between Kirby Puckett Place and 11th Ave S.

Vacate vic of 5th St S between Park Ave and Kirby Puckett Place.

The following reports were signed by Mayor Rybak on May 14, 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 COMMITTEE OF THE WHOLE submitted the following report:

Comm of the Whole/IGR - Your Committee, to whom was referred from the Minneapolis Charter Commission a recommended ordinance amending Chapter 2, Section 13 of the Minneapolis City Charter relating to *Officers – Elections: Filing for Election*, specifying the filing fee for candidates for election at any City election, and having conducted a public hearing thereon in accordance with Minnesota Statutes, now recommends that said ordinance be denied.

Adopted.

Absent – Johnson.

The following is the complete text of the denied ordinance.

Amending Chapter 2, Section 13 of the Minneapolis City Charter relating to Officers – Elections: Filing for Election, amending to specify the filing fee for candidates for election at any city election.

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

Section 1. That Chapter 2, Section 13 of the Minneapolis City Charter be amended to read as follows:

Section 13. Filing for Election. (a) All candidates for election at any city election shall file their affidavit for such, election and pay their fee therefor, in the same manner as provided in the general election laws of the State of Minnesota, except only that such filing shall be made with, and such fee paid to the City Clerk instead of the County Auditor.

(b) The fee for filing an application or affidavit of candidacy for city office is based on the office to which the candidate seeks election as follows:

(1) Mayor \$250.

(2) Council Member \$100.

(3) Board of Estimate and Taxation Member \$20.

(4) Park and Recreation Commissioner \$50.

Filing fees in this section will be adjusted at the beginning of each year ending in zero to reflect changes in the cost of living since the prior adjustment, rounded to the nearest ten dollars, all as determined by the City Council. The candidate is not required to pay the specified filing fee if the candidate files a petition or if a nominating petition is filed on behalf of the candidate and the petition meets the requirements of applicable Minnesota law.

Denied.

Absent – Johnson.

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the properties at 2618 Knox Ave N, 2114 Irving Ave N, 1012 29th Ave N, 2900 Dupont Ave N, 2923 Bryant Ave N and 2956 Bryant Ave N for \$1.00 each to Urban Homeworks, Inc, subject to the following conditions:

a) Land sale closings must occur or before 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 closings do 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 – Johnson.

Resolution 2013R-188, authorizing sale of land Neighborhood Stabilization Program Disposition Parcels 3L-015 (2618 Knox Ave N), 2N-170 (2114 Irving Ave N), 3R-018 (2923 Bryant Ave N), 3R-017 (2956 Bryant Ave N) and Vacant Housing Recycling Program Parcels TF-785 (1012 29th Ave N) and TF-810 (2900 Dupont 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-188

By Goodman

Authorizing sale of land Neighborhood Stabilization Program Disposition Parcels 3L-015 (2618 Knox Ave N), 2N-170 (2114 Irving Ave N), 3R-018 (2923 Bryant Ave N), 3R-017 (2956 Bryant Ave N) and Vacant Housing Recycling Program Parcels TF-785 (1012 29th Ave N) and TF-810 (2900 Dupont Ave N).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcels 3L-015, 2N-170, TF-785, TF-810, 3R-018, and 3R-017 in the Jordan and Hawthorne neighborhoods, from Urban Homeworks, Inc., hereinafter known as the Redeveloper, the Parcels 3L-015, 2N-170, TF-785, TF-810, 3R-018, and 3R-017, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTIONS:

3L-015; 2618 Knox Avenue North: Lot 12, Block 1, On the Heights, an Addition to Minneapolis;

2N-170; 2114 Irving Avenue North: Lot 6, Block 14, Forest Heights, Hennepin County, Minnesota;

TF-785; 1012 29th Avenue North: Lot 16, except the West 64 feet thereof, Block 4, Harmony Terrace;

TF-810; 2900 Dupont Avenue North: The West 64 feet of Lot 16, Block 4, Harmony Terrace;

3R-018; 2923 Bryant Avenue North: Lot 10, Block 3, Harmony Terrace;

3R-017; 2956 Bryant Avenue North: Lot 30, Block 2, Harmony Terrace; and

Whereas, the Redeveloper has offered to pay the sum of \$1.00 each, for Parcels 3L-015, 2N-170, TF-785, TF-810, 3R-018, and 3R-017; the offers 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 values reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, April 19, 2013, a public hearing on the proposed sale was duly held on April 30, 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 values, for uses in accordance with the Neighborhood Stabilization Program and the Vacant Housing Recycling Program plans, as amended, are hereby estimated to be the sum of \$11,000 for Parcel 3L-015, \$2.00 for Parcel 2N-170, \$12,000 for Parcels TF-785 and TF-810 combined, \$16,000 for Parcel 3R-018 and \$26,000 for Parcel 3R-017, however, in accordance with public purpose consideration including extraordinary rehabilitative expenses, the City is selling Parcels 3L-015, 2N-170, TF-785, TF-810, 3R-018, and 3R-017 for the sum of \$1.00 each.

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 – Johnson.

Comm Dev - Your Committee recommends passage of the accompanying resolution adding 69 parcels to, and deleting 14 parcels from, the Minneapolis Housing Replacement Tax Increment Financing District III.

Adopted.

Absent – Johnson.

Resolution 2013R-189, approving the addition and deletion of parcels in Housing Replacement Tax Increment Financing District III, 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-189

By Goodman

Approving the addition and deletion of parcels in Housing Replacement Tax Increment Financing District III.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals

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

1.2. Whereas, Laws of Minnesota 1995, Chapter 264, Article 5, Sections 44 through 47, as amended by Laws of Minnesota 1996, Chapter 471, Article 7; Laws of Minnesota 1997, Chapter 231, Article 10; Laws of Minnesota 2002, Chapter 377, Article 7; Laws of Minnesota

2008, Chapter 154, Article 9; Laws of Minnesota 2008, Chapter 366, Article 5; Laws of Minnesota 2010, Chapter 216, Sections 45 and 46; and Laws of Minnesota First Special Session 2011, Chapter 7, Article 5, Section 11 (collectively, the “Special Legislation”) authorizes the City to establish housing replacement tax increment financing districts.

1.3. Whereas, by Resolution 95R-397 duly adopted December 29, 1995, Resolution 2008R-275 duly adopted July 11, 2008, and Resolution 2011R-491 duly adopted October 7, 2011, the City approved the Special Legislation.

1.4. Whereas, by Resolution 96R-210 duly adopted August 9, 1996, the City approved the Housing Replacement District Plan and created a Housing Replacement TIF District. By Resolution 2003R-386 duly adopted August 22, 2003, the City approved the Housing Replacement District II Plan and created Housing Replacement TIF District II. By Resolution 2009R-602 duly adopted December 18, 2009, the City approved the Housing Replacement District III Plan (collectively with the Housing Replacement District Plan and the Housing Replacement District II Plan, the “Plans”) and created Housing Replacement TIF District III (collectively with the Housing Replacement TIF District and Housing Replacement TIF District II, the “Districts”).

1.5. Whereas, special legislation (2011 Laws of Minnesota First Special Session, Chapter 7, Article 5, Section 11) authorized the City to designate for inclusion in the Districts up to 200 parcels, on a onetime basis, within the area of the City of Minneapolis designated by the Presidential declaration of major disaster FEMA-1990-DR and the City added parcels to Housing Replacement TIF District III under that authority.

1.6. Whereas, the Special Legislation and the Plans specify the procedures whereby parcels may be added to and deleted from the Districts. Parcels may be added or deleted by a resolution adopted by the City Council.

1.7. Whereas, it is proposed that the City add 69 parcels to Housing Replacement TIF District III.

1.8. Whereas, it is proposed that the City delete 14 parcels from Housing Replacement TIF District III.

Section 2. Findings

2.1. The Council hereby finds, determines and declares that the following 69 parcels are to be added to Housing Replacement TIF District III and that the properties are either vacant land, vacant housing, or substandard housing and will be sold for the development of new or rehabilitated market rate housing:

Property ID No.	Address
01-028-24-14-0094	3217 29th Avenue South
01-028-24-22-0021	3009 19th Avenue South
01-028-24-22-0022	3011 19th Avenue South
01-028-24-22-0106	3132 Longfellow Avenue
01-028-24-43-0201	3712 28th Avenue South
02-028-24-32-0126	3532 Chicago Avenue
04-029-24-12-0040	4238 Fremont Avenue North
08-029-24-11-0152	3434 Sheridan Avenue North

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08-029-24-41-0110	2934 Queen Avenue North
08-029-24-41-0138	3030 Russell Avenue North
08-029-24-44-0052	2707 Russell Avenue North
09-029-24-12-0087	3450 Humboldt Avenue North
09-029-24-13-0103	1012 29th Avenue North
09-029-24-21-0017	3504 James Avenue North
09-029-24-24-0019	3218 Irving Avenue North
09-029-24-32-0074	3022 Morgan Avenue North
09-029-24-32-0075	3026 Morgan Avenue North
09-029-24-34-0043	2720 James Avenue North
09-029-24-34-0051	2611 James Avenue North
09-029-24-34-0058	2618 Knox Avenue North
09-029-24-41-0057	2956 Bryant Avenue North
09-029-24-41-0067	2923 Bryant Avenue North
09-029-24-41-0072	2901 Bryant Avenue North
09-029-24-41-0104	2900 Dupont Avenue North
09-029-24-41-0107	2914 Dupont Avenue North
09-029-24-41-0109	2922 Dupont Avenue North
09-029-24-42-0004	3111 Dupont Avenue North
09-029-24-42-0174	2905 Dupont Avenue North
09-029-24-43-0063	2637 Emerson Avenue North
09-029-24-44-0113	2822 Bryant Avenue North
09-029-24-44-0121	2803 Bryant Avenue North
09-029-24-44-0156	2650 Colfax Avenue North
09-029-24-44-0169	2608 Colfax Avenue North
10-029-24-32-0077	3020 6th Street North
10-029-24-32-0154	423 30th Avenue North
11-028-24-24-0225	4149 10th Avenue South
11-118-21-34-0119	4551 Russell Avenue North
12-028-24-21-0033	3901 22nd Avenue South
12-118-21-12-0032	5217 6th Street North
12-118-21-22-0129	5207 Girard Avenue North
12-118-21-31-0214	4831 Colfax Avenue North
14-029-24-31-0133	421 6th Avenue Northeast
15-029-24-22-0006	2317 3rd Street North
16-029-24-12-0105	2321 Fremont Avenue North
16-029-24-12-0106	2317 Fremont Avenue North
16-029-24-13-0074	2126 Fremont Avenue North
16-029-24-21-0028	2514 James Avenue North
16-029-24-21-0157	2301 Irving Avenue North
16-029-24-24-0114	2046 James Avenue North
16-029-24-42-0012	1811 Girard Avenue North
16-029-24-42-0069	1803 Emerson Avenue North
17-029-24-14-0093	2018 Sheridan Avenue North
17-029-24-14-0095	2026 Sheridan Avenue North
17-029-24-41-0063	1818 Sheridan Avenue North
17-029-24-42-0014	1701 Thomas Avenue North
17-029-24-44-0056	1418 Sheridan Avenue North
17-029-24-44-0178	1526 Thomas Avenue North
19-028-23-11-0163	5549 43rd Avenue South
20-029-24-41-0134	2214 4th Avenue North

21-029-24-32-0091	401 Logan Avenue North
34-029-24-42-0157	2726 Stevens Avenue South
34-029-24-42-0158	2728 Stevens Avenue South
35-029-24-13-0094	2446 15th Avenue South
35-029-24-14-0132	2540 Cedar Avenue North
35-029-24-24-0026	2406 11th Avenue South
35-029-24-24-0085	2542 12th Avenue South
35-029-24-41-0147	2623 17th Avenue South
35-029-24-42-0118	1403 26th Street East
36-029-24-23-0020	1863 E M Stately Street

2.2. That the Council hereby further finds, determines and declares that the following 14 parcels are to be deleted from Housing Replacement TIF District III:

Property ID No.	Address
03-028-24-13-0087	3329 Nicollet Avenue
08-029-24-41-0093	2933-35 Penn Avenue North
08-029-24-41-0098	2915 Penn Avenue North
09-029-24-33-0107	2712-14 Penn Avenue North
09-029-24-33-0110	2724 Penn Avenue North
09-029-24-33-0223	2622 Penn Avenue North
09-029-24-33-0224	2624 Penn Avenue North
09-029-24-43-0042	2648 Emerson Avenue North
12-118-21-31-0046	4700 Bryant Avenue North
16-029-24-22-0037	2522 Penn Avenue North
16-029-24-23-0079	2100 Penn Avenue North
17-029-24-11-0154	2413 Penn Avenue North
17-029-24-11-0192	2301 Penn Avenue North
26-029-24-43-0061	1911 14th Avenue South

Section 3. Implementation

3.1. Be It Further Resolved, as provided under Minnesota Statutes, Section 469.178, Subdivision 7, this Council hereby authorizes the advance of revenues from other available development revenues of the City in the principal amount needed to offset any negative fund balances incurred with respect to the Districts as a result of expenditures incurred prior to or in excess of the collection of tax increment revenue. The interest rate paid on such advances shall be equal to the rate of interest those revenues would have generated in their fund. In no event will the rate of interest charged on the advance exceed the statutory maximum set forth at Minnesota Statutes, Section 469.178, Subdivision 7. The term of this advance shall end upon the termination of the Districts, although as revenues are available in the funds for the Districts, the advance shall be offset by such amounts.

Adopted.

Absent – Johnson.

Comm Dev - Your Committee, having under consideration the City-owned properties at 2600 and 2606 17th Ave S, now recommends that the 12-month exclusive development rights granted to Alliance Housing Incorporated (AHI) be extended through November 15, 2013, with an optional administrative six month extension to May 15, 2014, only if 100% of the project

funding has been secured on or before November 15, 2013, to finalize the implementation of a redevelopment plan on the four residential parcels.

Adopted.

Absent – Johnson.

Comm Dev - Your Committee, having under consideration Great Streets Neighborhood Business District Program, now recommends that the proper City officers be authorized to negotiate contracts for business district support activities, consistent with the recommendations contained in the Department of Community Planning & Economic Development staff report, as follows:

Proposer	Amount Recommended:
50th & France Business and Professional Association	\$2,650
Lake Street Council	\$28,366
Latino Economic Development Center	\$28,250
Longfellow Business Association	\$1,964
Neighborhood Development Center/Midtown Global Market	\$50,000
Nicollet-East Harriet Business Association	\$26,500
Northeast Minneapolis Chamber of Commerce with NECDC and NEMAA	\$25,000
Project for Pride in Living/ Lowry Corridor Business Association	\$43,000
Seward Civic and Commerce Association	\$8,240
Seward Redesign	\$43,000
Stadium Village Commercial Association	\$45,575
Warehouse District Business Association	\$3,700
West Bank Business Association	\$27,890
West Broadway Business and Area Coalition	\$50,000
West of the Rail Business Association	\$5,925
Whittier Alliance	\$6,958

Adopted.

Absent – Johnson.

Comm Dev - Your Committee recommends approval of the Low Income Housing Tax Credit (LIHTC) Procedural Manual and Qualified Allocation Plan, as set forth in the Department of Community Planning & Economic Development staff report, and that staff be authorized to proceed with a Request for Proposals.

Adopted.

Absent – Johnson.

Comm Dev – Your Committee, having under consideration the issuance of revenue bonds on behalf of Educational Properties Inc, for the purchase of 1616 Buchanan St NE, occupied by The Yinghua Academy, now recommends forwarding without recommendation the accompanying resolution giving preliminary and final approval to the issuance of up to \$15,000,000 in Tax-exempt 501 (c)(3) Revenue Bonds for said project.

Goodman moved that the report be amended by deleting the language, "forwarding without recommendation" and inserting in lieu thereof, "passage of". Seconded.

Adopted by unanimous consent.

Absent – Johnson.

The report, as amended, was adopted.
Absent – Johnson.
Approved by Mayor Rybak 5/10/2013.
(Published 5/14/2013)

Resolution 2013R-190, authorizing the issuance, sale, and delivery of Charter School Lease revenue Bonds for the Yinghua Academy Project at 1616 Buchanan St NE, Series 2013, in one or more series; Approving the form of and authorizing the execution and delivery of the bonds and related documents; Providing for the security, rights, and remedies with respect to the bonds; and Granting approval for certain other actions with respect thereto, 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-190
By Goodman

Authorizing the issuance, sale, and delivery of Charter School Lease revenue Bonds (Yinghua Academy Project, Series 2013, in one or more series; Approving the form of and authorizing the execution and delivery of the bonds and related documents; Providing for the security, rights, and remedies with respect to the bonds; and Granting approval for certain other actions with respect thereto.

Resolved by The City Council of The City of Minneapolis:

1. STATUTORY AUTHORIZATION. The City of Minneapolis, a home rule city and political subdivision duly organized and existing under its Charter and the Constitution and laws of the State of Minnesota (the “City”), is authorized by the Minnesota Municipal Industrial Development Act, Minnesota Statutes, Sections 469.152-469.1651, as amended (the “Act”), to carry out the public purposes described therein and contemplated thereby. Under applicable provisions of the Act, the City is authorized to issue revenue bonds to finance, in whole or in part, the cost of the acquisition, construction, reconstruction, improvement, betterment, or extension of a project comprised of any properties, real or personal, used or useful in connection with a revenue-producing enterprise, or any combination of two or more such enterprises engaged in any business. In connection with the issuance of such revenue bonds, the City is further authorized to enter into a revenue agreement with a contracting party under which the contracting party agrees to make payments as necessary to provide for the prompt payment of the principal of and interest on such revenue bonds. The contracting party is authorized to mortgage or otherwise encumber or grant a security interest in any project and its revenues to secure the timely payment of the revenue bonds issued by the City under the Act.

2. THE COMPANY AND THE FACILITY. Educational Properties Yinghua, LLC, a Minnesota limited liability company (the “Company”), the sole member of which is Educational Properties, Inc., a Delaware nonprofit corporation (the “Member”), Yinghua Academy, a Minnesota nonprofit corporation (the “School”), and Yinghua Building Corporation, a Minnesota nonprofit corporation (the “Corporation”), have requested that the City issue revenue bonds under the terms of the Act to finance: (i) the acquisition of an approximately 45,280 square-foot, existing school facility located at 1616 Buchanan Street NE in the City of (the “Schoolhouse”); (ii) the construction and equipping of an approximately 38,000 square foot addition to the Schoolhouse (the “Project”); (iii) the funding of a reserve fund to secure the timely payment of

the bonds; (iv) the payment of a portion of the interest on the bonds; and (v) the payment of a portion of the costs of issuing the bonds. The Schoolhouse and the Project (collectively, the "Facilities") will be owned by the Company (or an affiliate, related entity, or successor) or the Corporation and the School will operate a public charter school for grades K-8 in the Facilities. The Facilities comprise a "project" for purposes of the Act.

3. ISSUANCE OF SERIES 2013 BONDS. To finance the acquisition, construction, and equipping of the Facilities and related costs, the City shall issue the following obligations: (i) Charter School Lease Revenue Bonds (Yinghua Academy Project), Series 2013A (the "Series 2013A Bonds"); and (ii) Taxable Charter School Lease Revenue Bonds (Yinghua Academy Project), Series 2013B (the "Series 2013B Bonds"). The Series 2013A Bonds and the Series 2013B Bonds are hereinafter referred to collectively as the "Series 2013 Bonds." The Series 2013 Bonds shall be issued in the original aggregate principal amount not to exceed \$15,000,000. The Series 2013 Bonds shall be issued under the terms and conditions of this resolution and an Indenture of Trust, dated on or after May 1, 2013 (the "Indenture"), between the City and a trustee to be selected by the Company (the "Trustee"). The City hereby authorizes the Series 2013A Bonds to be issued as tax-exempt bonds the interest on which is not includable in gross income for federal and State of Minnesota income tax purposes. The City hereby authorizes the Series 2013B Bonds to be issued as taxable revenue bonds the interest on which is includable in gross income for federal and State of Minnesota income tax purposes. The Series 2013 Bonds, substantially in the forms set forth in the Indenture now on file with the City, are hereby approved with the amendments referenced herein. The Series 2013 Bonds shall be special, limited obligations of the City that: (i) shall be payable solely from the revenues pledged therefor under the Loan Agreement; (ii) shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation; (iii) shall not constitute nor give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers; (iv) shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City other than the City's interest in the Loan Agreement; and (v) shall not constitute a general or moral obligation of the City.

All of the provisions of the Series 2013 Bonds, when executed as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Series 2013 Bonds shall bear interest at the rates, shall be designated, shall be numbered, shall be dated, shall mature, shall be in the aggregate principal amount, shall be subject to redemption prior to maturity, shall be in such forms, and shall have such other terms, details, and provisions as are prescribed in the Indenture, in the forms now on file with the City, which forms are hereby approved, with such necessary and appropriate variations, omissions, and insertions (including changes to the aggregate principal amount of the Series 2013 Bonds, the stated maturities of the Series 2013 Bonds, the interest rates on the Series 2013 Bonds, and the terms of redemption of the Series 2013 Bonds) as the Finance Officer, in his discretion, shall determine. The execution of the Series 2013 Bonds with the manual or facsimile signature of the Finance Officer and the delivery of the Series 2013 Bonds by the City shall be conclusive evidence of such determination.

4. THE LOAN AND SECURITY FOR THE LOAN. The proceeds of the Series 2013 Bonds shall be loaned to the Company pursuant to the terms of a Loan Agreement, dated on or after May 1, 2013 (the "Loan Agreement"), between the City and the Company. The repayment of the loan under the terms of the Loan Agreement and the payment of the principal of, premium, if any, and interest on the Series 2013 Bonds shall be secured by: (i) a Mortgage, Security Agreement and Assignment of Rents, dated on or after May 1, 2013 (the "Mortgage"),

from the Company to the Trustee; (ii) an Assignment of Lease, dated on or after May 1, 2013 (the "Assignment of Lease"), from the Company, as assignor, to the Trustee, as assignee; (iii) a Pledge and Covenant Agreement, dated on or after May 1, 2013 (the "Pledge Agreement"), between the School and the Trustee; and (iv) an Account Control Agreement, dated on or after May 1, 2013 (the "Account Control Agreement"), between the Trustee, the School, and a depository bank selected by the School. The Mortgage, the Assignment of Lease, the Pledge Agreement, and the Account Control Agreement shall be substantially in the forms now on file with the City with such necessary and appropriate variations, omissions, and insertions as do not materially change the substance thereof, or as the parties to such documents, in their discretion, shall determine, and the execution thereof by such parties shall be conclusive evidence of such determination.

5. OBLIGATIONS OF THE CITY. The City acknowledges, finds, determines, and declares that the issuance of the Series 2013 Bonds is authorized by the Act and is consistent with the purposes of the Act and that the issuance of the Series 2013 Bonds, and the other actions of the City under this resolution, the Indenture, and the Loan Agreement constitute a public purpose and are in the interests of the City.

6. THE INDENTURE. The Indenture is hereby approved. All of the provisions of the Indenture, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Indenture shall be substantially in the form now on file with the City with such necessary and appropriate variations, omissions, and insertions as do not materially change the substance thereof, or as the Finance Officer, in his discretion, shall determine, and the execution thereof by the Finance Officer shall be conclusive evidence of such determination.

7. THE LOAN AGREEMENT. The Loan Agreement is hereby approved. All of the provisions of the Loan Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Loan Agreement shall be substantially in the form now on file with the City, with such necessary and appropriate variations, omissions, and insertions as do not materially change the substance thereof, or as the Finance Officer, in his discretion, shall determine, and the execution thereof by the Finance Officer shall be conclusive evidence of such determination. Except for certain reserved rights, the interests of the City in the Loan Agreement shall be assigned to the owners of the Series 2013 Bonds pursuant to the terms of the Indenture.

8. DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT. The City has prepared an Application for Approval of Industrial Development/Revenue Bond Project (the "Application") to the Minnesota Department of Employment and Economic Development ("DEED") for approval of the financing of the Facilities and related costs pursuant to the requirements of Section 469.154 of the Act. Pursuant to Section 469.154, subdivision 4, of the Act, prior to submitting the Application to DEED for approval of the financing of the Facilities and related costs, the City Council conducted a public hearing on the proposal to undertake the financing of the Facilities and related costs, as authorized under the terms of the Act. The submission of the Application to DEED by the employees, officers, and agents of the City is hereby ratified and approved.

9. OTHER CITY DOCUMENTS. A Bond Purchase Agreement, dated on or after May 1, 2013 (the "Purchase Agreement"), between the City and Piper Jaffray & Co., as original

purchaser of the Series 2013 Bonds (the "Underwriter"), acknowledged and agreed to by the Company and the School, is hereby approved. All of the provisions of the Bond Purchase Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Bond Purchase Agreement shall be substantially in the form now on file with the City, with such necessary and appropriate variations, omissions, and insertions as do not materially change the substance thereof, or as the Finance Officer, in his discretion, shall determine, and the execution thereof by the Finance Officer shall be conclusive evidence of such determination. The Finance Officer is hereby authorized to execute and deliver, on behalf of the City, such other documents and certificates as are necessary or appropriate in connection with the issuance, sale, and delivery of the Series 2013 Bonds, including various certificates of the City, an Information Return for Tax-Exempt Private Activity Bond Issues, Form 8038, with respect to the Series 2013 Bonds, a certificate as to arbitrage and rebate, and similar documents, and all other documents and certificates as shall be necessary and appropriate in connection with the issuance, sale, and delivery of the Series 2013 Bonds. The City hereby authorizes Kennedy & Graven, Chartered, as bond counsel, to prepare, execute, and deliver its approving legal opinions with respect to the Series 2013 Bonds.

10. TRUSTEE DOCUMENTS. The City hereby approves the Mortgage, the Assignment of Lease, the Pledge Agreement, and the Account Control Agreement, all substantially in the respective forms of such documents now on file with the City. The City hereby approves a Disbursing Agreement, dated on or after May 1, 2013 (the "Disbursing Agreement"), between the Company, the Trustee, and a disbursing agent to be selected by the Company; and a Tax Regulatory Agreement, dated on or after May 1, 2013 (the "Tax Regulatory Agreement"), between the Company, the School, and the Trustee, substantially in the respective forms of such documents now on file with the City. The Trustee is hereby authorized to execute the Mortgage, Assignment of Lease, Pledge Agreement, Account Control Agreement, Disbursing Agreement, and Tax Regulatory Agreement substantially in the forms now on file with the City with such necessary and appropriate variations, omissions, and insertions as do not materially change the substance thereof, or as the Trustee, in its discretion, shall determine.

11. DISCLOSURE DOCUMENTS. The City shall not participate in the preparation of a preliminary official statement, an official statement, or other disclosure documents relating to the offer and sale of the Series 2013 Bonds (the "Disclosure Documents"), and shall make no independent investigation with respect to the information contained in the Disclosure Documents, including the appendices thereto, and the City assumes no responsibility for the sufficiency, accuracy, or completeness of such information. The City hereby consents to the distribution of the Disclosure Documents by the Company and the Underwriter to potential purchasers of the Series 2013 Bonds.

12. SUBSEQUENT AMENDMENTS. On any date subsequent to the date of issuance of the Series 2013 Bonds, the Finance Officer is hereby authorized to execute and deliver any amendments or supplements to any of the documents referred to in this resolution or other documents executed and delivered in connection with the issuance of the Series 2013 Bonds if, after review by bond counsel and the City Attorney, the Finance Officer determines that the execution and delivery of such amendment or supplement is in the interests of the City. The Finance Officer may impose any terms or conditions on his execution and delivery of any such amendment or supplement as the Finance Officer deems appropriate.

13. LIMITATIONS OF LIABILITY. No covenant, stipulation, obligation, or agreement herein contained or contained in the aforementioned documents shall be deemed to be a covenant, stipulation, obligation, or agreement of any member of the City Council of the City, or any officer, agent, or employee of the City in that person's individual capacity, and neither the City Council of the City nor any officer or employee executing the Series 2013 Bonds shall be personally liable on the Series 2013 Bonds or be subject to any personal liability or accountability by reason of the issuance thereof. No provision, covenant, or agreement contained in the aforementioned documents, the Series 2013 Bonds, or in any other document relating to the Series 2013 Bonds, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to a general or moral obligation of the City or any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants, and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the Loan Agreement which are to be applied to the payment of the Series 2013 Bonds, as provided therein.

Except as herein otherwise expressly provided, nothing in this resolution or in the aforementioned documents expressed or implied, is intended or shall be construed to confer upon any person or firm or corporation, other than the City, and any holders of the Series 2013 Bonds issued under the provisions of this resolution, any right, remedy, or claim, legal or equitable, under and by reason of this resolution or any provisions hereof, this resolution, the aforementioned documents, and all of their provisions being intended to be and being for the sole and exclusive benefit of the City, and any holders from time to time of the Series 2013 Bonds issued under the provisions of this resolution.

14. SEVERABILITY. In case any one or more of the provisions of this resolution, other than the provisions limiting the liability of the City, or of the aforementioned documents, or of the Series 2013 Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, or of the aforementioned documents, or of the Series 2013 Bonds, but this resolution, the aforementioned documents, and the Series 2013 Bonds shall be construed and endorsed as if such illegal or invalid provisions had not been contained therein.

15. VALIDITY OF THE SERIES 2013 BONDS. The Series 2013 Bonds, when executed and delivered, shall contain a recital that they are issued pursuant to the Act, and such recital shall be conclusive evidence of the validity of the Series 2013 Bonds and the regularity of the issuance thereof, and that all acts, conditions, and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Series 2013 Bonds, and to the execution of the aforementioned documents to happen, exist, and be performed precedent to the execution of the aforementioned documents have happened, exist, and have been performed as so required by law.

16. ADDITIONAL ACTIONS. The officers of the City, bond counsel, the City Attorney, other attorneys, engineers, and other agents or employees of the City are hereby authorized to do all acts and things required of them by or in connection with this resolution, the aforementioned documents, and the Series 2013 Bonds, for the full, punctual, and complete performance of all the terms, covenants, and agreements contained in the Series 2013 Bonds, the aforementioned documents, and this resolution.

17. DESIGNATION AS PROGRAM BONDS. The Series 2013 Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development

Program” and the “Program,” all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 1997R-402 of the City adopted December 12, 1997.

18. EFFECTIVE DATE. This resolution shall take effect and be in force from and after its approval and publication. Pursuant to Chapter 4, Section 9, of the Charter of the City, only the title of this resolution and a summary of this resolution conforming to Minnesota Statutes, Section 331A.01, subdivision 10, shall be published in the official paper of the City.

Adopted.

Absent – Johnson.

Approved by Mayor Rybak 5/10/2013.

The COMMUNITY DEVELOPMENT and PUBLIC SAFETY, CIVIL RIGHTS & HEALTH Committees submitted the following report:

Comm Dev & PSC&H - Your Committee, having under consideration the proposed City of Minneapolis Healthy Housing Policy, now recommends approval of said Policy, and that the Director of Housing Policy and Development be authorized to make changes to the methods of compliance with Minneapolis Healthy Housing Policy to most effectively promote healthy housing; to reflect changes in Minnesota Housing Finance Agency standards identified in the Minnesota Overlay to the Enterprise Green Communities Criteria; and to exempt a program or development from the policy when compliance would exceed cost reasonableness standards as identified within each program.

Your Committee further directs Department of Community Planning & Economic Development staff to report back to the Community Development Committee in February, 2014, to report on the impact of the Healthy Housing Policy, including

- a) the proportion of projects that applied for City funds that met Green Communities Healthy Housing Mandatory Criteria and Optional Criteria;
- b) the proportion of projects funded by the City that met Green Communities Healthy Housing Mandatory Criteria and Optional Criteria; and
- c) if for any reason anything is waived.

Adopted.

Absent – Johnson.

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

Comm Dev & W&M/Budget - Your Committee, having under consideration the Green Homes North Program, now recommends approval of the following recommendations:

- a) Re-allocation of \$500,000 in Minnesota Housing Finance Agency Community Revitalization Fund grant funds from the Rehab Support Program to the Green Homes North Program along with approval of appropriations and that the proper City officers be authorized to execute agreements as may be necessary to implement such reallocation;
- b) Staff authorized to request a \$500,000 Community Revitalization Fund grant from Minnesota Housing Finance Agency for the Green Homes North Program Round Three;

c) Staff authorized to request a \$200,000 grant from the Family Housing Fund for the Green Homes North Program Round Two.

Adopted.

Absent – Johnson.

Approved by Mayor Rybak 5/10/2013.

(Published 5/14/2013)

Comm Dev & W&M/Budget – Your Committee, having under consideration receipt of a Minnesota Department of Employment and Economic Development (DEED) grant award, now recommends that the proper City officers be authorized to accept and appropriate the award of \$140,000 for the West Broadway Curve project, and to execute grant, sub-recipient and/or disbursement and related documents and agreements for this grant.

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

Adopted.

Absent – Johnson.

**RESOLUTION 2013R-191
By Goodman 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 Department of Community Planning and Economic Development Agency in the Grants Other Fund (01600-8900220) by \$140,000 and increasing the revenue source (01600-8900900-321504) by \$140,000.

Adopted.

Absent – Johnson.

Comm Dev & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept grant funds from Greater Twin Cities United Way in the amount of \$50,000 to support the hiring of a consultant to lead a nine-month regional manufacturing sector project. Further, passage of the accompanying resolution appropriating said funds to the Department of Community Planning and Economic Development.

Adopted.

Absent – Johnson.

**RESOLUTION 2013R-192
By Goodman 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 Department of Community Planning and Economic Development Agency in

the Grants Other Fund (01600-8900610) by \$50,000 and increasing the revenue source (01600-8900610-372001) by \$50,000.

Adopted.

Absent – Johnson.

Comm Dev & W&M/Budget - Your Committee, having under consideration 2013 Department of Housing & Human Development (HUD) Housing Opportunities for Persons with AIDS (HOPWA) applications for funding approval, now recommends approval of the following recommendations:

a) Funding from the HUD HOPWA grant to Metropolitan Council Housing and Redevelopment Authority (Metro HRA) not to exceed \$500,000, and Minnesota AIDS Project (MAP) not to exceed \$520,000;

b) A maximum of \$150,000 to be allocated to Clare Lowry NE Minneapolis new 36-unit development, and \$100,000 allocated to Robbinsdale Clare Terrace 33-unit development, from available HOPWA funds, provided the following conditions are met by each construction development project on or before 4/1/14, 4/1/15, and 4/1/16: Applicants will achieve progress and an ultimate successful commitment from necessary funding resources, including those identified in their applications, to undertake and complete the respective projects, based on City of Minneapolis Department of Community Planning & Economic Development review to determine either project's viability on those dates; and

c) That the proper City officers be authorized to execute the contracts necessary for
1) the service contracts with Metro HRA and MAP;

2) either or both construction development projects, provided stated conditions are met, to contract with Clare Housing, Inc., or affiliates or designees of Clare Housing, Inc., to spend available HOPWA grant funds appropriated through 2016 from HUD through the City of Minneapolis, with any unallocated funds to be included in a Request For Proposals.

Adopted.

Absent – Johnson.

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

PSC&H - Your Committee, to whom was referred an ordinance amending Title 9, Chapter 178 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection: Recreational Fires*, prohibiting recreational fires during an air pollution public health advisory for particulate matter, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted.

Absent – Johnson.

Ordinance 2013-Or-047 amending Title 9, Chapter 178 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection: Recreational Fires*, amending Section 178.20 to prohibit recreational fires during any period of time for which the Minnesota Pollution Control Agency has issued an Air Pollution Health Advisory for Particulate Matter for an area encompassing the City of Minneapolis, 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-047
By Gordon and Samuels
Intro & 1st Reading: 12/14/2012
Ref to: PSC&H
2nd Reading: 5/10/2013

Amending Title 9, Chapter 178 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Recreational Fires.

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

That Section 178.20 of the above-entitled ordinance be amended to read as follows:

178.20. Applicable rules. Every person starting, engaging in, conducting or hosting a recreational fire shall observe and comply with the following regulations, which are reflected in or are in addition to those imposed by the Minnesota State Fire Code:

- (1) The total fuel area being burned in any recreational fire shall not exceed three (3) feet in diameter and two (2) feet in height.
- (2) Recreational fires shall not be conducted within twenty-five (25) feet of a structure or combustible material.
- (3) A surrounding fire barrier of non-combustible material that is at least six (6) inches in height must be used.
- (4) Only approved materials may be burned in a recreational fire.
- (5) Recreational fires shall be constantly attended by at least one competent person eighteen (18) years of age or older and shall be completely extinguished before being abandoned.
- (6) On-site fire-extinguishing equipment - such as operable garden hoses, sand and shovels, water buckets or barrels, or a portable fire extinguisher with a minimum 4-A rating - shall be readily available for use at recreational fires.
- (7) Recreational fires shall only be conducted between the hours of 9:00 a.m. and 10:00 p.m.
- (8) Recreational fires shall not be conducted if prevailing wind conditions exceed ten m.p.h. or during any period of time for which the Minnesota Pollution Control Agency has issued an Air Pollution Health Advisory for Particulate Matter (PM_{2.5}) for an area encompassing the City of Minneapolis.

Adopted.

Absent – Johnson.

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 Sarah Jones, Dena Thorson, Nancy Driver, Kamaria Lukisha Tucker, Toni Yeamans, Michael Faris and MACC Volunteer.

Adopted.

Absent – Johnson.

Resolution 2013R-193, approving donations of dog and cat food and treats from Sarah Jones, Dena Thorson, Nancy Driver, Kamaria Lukisha Tucker, Toni Yeamans, Michael Faris and MACC Volunteer, 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-193
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:

Sarah Jones: 3 Crazy Circles (playtoy for cats) and 50 plastic lattice balls for cats;
Dena Thorson: Cat toys;
Nancy Driver: 2 pouches Newman's Own dog treats, and 2 cat treat pouches;
Kamaria Lukisha Tucker: 1 bag Alpo dog food (14 lb);
Toni Yeamans: 2 boxes (1 lb) Milk-Bone Gravy Bones, 2 boxes (15 oz) Milk-Bone Maro Snacks, and 1 box (64 oz) Meaty Bones;
Michael Faris: Cat toys, blankets;
MACC Volunteer: 100 plastic cat toys and 2 Crazy Circles; and

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

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

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

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

Adopted.

Absent – Johnson.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a non-standard contract with the University of Minnesota on an annual basis for less than \$50,000, for veterinarian services as needed for Minneapolis Animal Care & Control, for the period 6/1/2012 to 12/31/2013. The contract will be reviewed annually by the City Attorney's Office.

Adopted.

Absent – Johnson.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept grant funds from the Meadowlark Institute in the amount of \$3,000, for youth violence prevention activities. Further, passage of the accompanying resolution appropriating said funds to the Health Department.

Adopted.

Absent – Johnson.

**RESOLUTION 2013R-194
By Samuels 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 for the Health Department Agency in the Grants Other Fund (01600-8600111) by \$3,000 and increasing the revenue source (01600-8600111-372001) by \$3,000.

Adopted.

Absent – Johnson.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept grant funds from the Minnesota Coalition for Battered Women in the amount of \$5,000, for participation in Project Connect to assist youth experiencing intimate partner violence. Further, passage of the accompanying resolution appropriating said funds to the Health Department.

Adopted.

Absent – Johnson.

**RESOLUTION 2013R-195
By Samuels 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 for the Health Department Agency in the Grants Other Fund (01600-8600152) by \$5,000 and increasing the revenue source (01600-8600152-372001) by \$5,000.

Adopted.

Absent – Johnson.

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

RE&E - Your Committee, having under consideration the application of Bread & Pickle LLC, dba Bread & Pickle, 4135 W Lake Harriet Pkwy, for an On-Sale Wine Class E with Strong Beer License (new business), to expire April 1, 2014, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted.

Absent – Johnson.

Approved by Mayor Rybak 5/10/2013.

(Published 5/14/2013)

RE&E - Your Committee, having under consideration the application of GMHG LLC, dba Nightingale, 2551 Lyndale Ave S, for an On-Sale Liquor Class E with Sunday Sales License (Permanent Expansion of Premises) to expire July 1, 2013 and a Sidewalk Cafe License (new business), to expire April 1, 2014, and having held a public hearing thereon, now recommends that said licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted.

Absent – Johnson.

RE&E - Your Committee, having under consideration the application of Fitneighbor LLC, dba Tangletown Crossfit, 383 W 60th St, for an Extended Hours License to expire May 1, 2014 to operate a fitness center Sunday through Thursday, 5:00 a.m. to 10:00 p.m. and Friday and Saturday, 5:00 a.m. to 11:00 p.m., and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted.

Absent – Johnson.

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Grocery License held by Zaad Food, 1510 W Broadway Ave.

Adopted.

Absent – Johnson.

Resolution 2013R-196, approving Business License Operating Conditions relating to the Grocery License held by Zaad Food, 1510 W Broadway Ave, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2013R-196

By Glidden

Approving Business License Operating Conditions relating to the Grocery License held by Zaad Food, 1510 W Broadway Ave.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Grocery License held by Larazaad Inc, dba Zaad Food, 1510 W Broadway Ave:

1. "No Trespassing" and "No Loitering" signs will be clearly posted on the exterior of the business. Staff will immediately ask people that are observed loitering anywhere on the premises to leave. If loitering activity persists, staff will call 911 and request police assistance to alleviate the loitering activity. The business agrees to cooperate fully in the prosecution of criminal activity. Minneapolis Ordinance 259.250(1)(l) and Minnesota Statute 609.605.

2. The business agrees to actively address security concerns to include loitering, drug activity, and trespassing. The business will develop a written policy for trespassing complete with pictures of trespassed people.

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

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

5. The business agrees to remove all litter and debris within 100 feet of the property line three (3) times per day.

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

7. The business agrees to keep all exterior and interior lights illuminated and functioning properly. Minneapolis Ordinance 259.250(8).

8. The business agrees to notify Business Licensing prior to any future changes in the status or structure of leasing or ownership in the business.

Adopted.

Absent – Johnson.

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

Adopted.

Absent – Johnson.

Resolution 2013R-197, 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-197
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 276478):

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

Bryant Lake Restaurants Inc, dba Bryant Lake Bowl, 810 W Lake St
Minikahda Club, dba Minikahda Club, 3205 Excelsior Blvd

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

Rail Minneapolis LLC, dba Brass Rail, 422 Hennepin Ave

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

P J Hafiz Club Management Inc, dba Sneaky Pete's Bar & Grill, 14 5th St N

On-Sale Liquor Class E with Sunday Sales, to expire June 12, 2013

Blue Plate Restaurant Co, dba Longfellow Grill, 2990 W River Pkwy (Patio Party
June 12, 2013, 5:00 p.m. - 9:00 p.m.)

On-Sale Liquor Class E with Sunday Sales, to expire July 10, 2013

Blue Plate Restaurant Co, dba Longfellow Grill, 2990 W River Pkwy (Patio Party
July 10, 2013, 5:00 p.m. - 9:00 p.m.)

On-Sale Liquor Class E with Sunday Sales, to expire August 14, 2013

Blue Plate Restaurant Co, dba Longfellow Grill, 2990 W River Pkwy (Patio Party
August 14, 2013, 5:00 p.m. - 9:00 p.m.)

On-Sale Liquor Class E with Sunday Sales, to expire September 11, 2013

Blue Plate Restaurant Co, dba Longfellow Grill, 2990 W River Pkwy (Patio Party
September 11, 2013, 5:00 p.m. - 9:00 p.m.)

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

Four Sun Investment Group LLC, dba Devil's Advocate, 89 10th St S
Wild Bohemians Inc, dba Keys at the Foshay Bar & Grill, 114 9th St S
Bramare LLC, dba Toast Wine Bar & Cafe, 415 1st St N
Trans Global T Inc, dba Bombay Bistro, 820 Marquette Ave
Muddy Waters LLC, dba Muddy Waters, 2933 Lyndale Ave S

Temporary On-Sale Liquor

Church of the Annunciation, dba Church of the Annunciation, 525 54th St W (Silent
Auction Fund Raiser May 18, 2013, 6:30 p.m. - 11:59 p.m.)

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

Ballet of the Dolls Inc, dba Ritz Theater Presents, 343 13th Ave NE

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

Kramarczuk Sausage Co Inc, dba Kramarczuk Sausage, 215 Hennepin Ave E

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

Wagner Brothers LLC, dba North East Social Club, 359 13th Ave NE

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

The Lowry Cafe Inc, dba The Lowry Cafe, 2207 Lowry Ave N

La Chaya Inc, dba La Chaya Bistro, 4537 Nicollet Ave

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

Marisqueria El Nayarita LLC, dba Marisqueria El Nayarita, 730 E Lake St

Chindian Inc, dba Chindian Cafe, 1500 Hennepin Ave E

Sunny Park International Enterprise Inc, dba Green Spoon, 2600 University Ave SE

La Belle LLC, dba Harriet, 2724 43rd St W

Katar River Restaurant & Bakery LLC, dba Katar River Restaurant & Bakery,
2751 Minnehaha Ave

Ice Scream Inc, dba Mosaic Cafe, 3019 Minnehaha Ave

My Burger Operations LLC, dba My Burger, 3100 Excelsior Blvd

Bruce Boe Inc, dba Cedar Inn, 4155 Cedar Ave S

Town Hall Tap LLC, dba Town Hall Tap, 4810 Chicago Ave

Off-Sale Beer, to expire April 1, 2014

A & R Fuel Inc, dba Lowry Handy Stop, 700 Lowry Ave NE

Holiday Stationstores Inc, dba Holiday Stationstores #335, 1331 Industrial Blvd

Holiday Stationstores Inc, dba Holiday Stationstores #2, 2124 Franklin Ave E

Latino Groceries Inc, dba Supermercado Latino, 2312 Central Ave NE

Marissa's Inc, dba Marissa's Supermarket, 2750 Nicollet Ave

Holiday Stationstores Inc, dba Holiday Stationstores #25, 5444 Nicollet Ave

Kar Business Investments LLC, dba Crosstown Qwik N Serve BP, 6004 Penn Ave S.

Adopted.

Absent – Johnson.

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

Adopted.

Absent – Johnson.

Resolution 2013R-198, 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-198

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 May 10, 2013 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 276478):

Bowling Alley; Place of Entertainment; Extended Hours; Food Caterers; Food Confectionery; Food Market Distributor; Farm - Produce Permits; Food Grocery; Institutional Food Service; Mobile Food Vehicle Vendor; Food Manufacturer; Food Market Manufacturer; Mobile Food Vendor; Food Restaurant; Short-Term Food Permit; Seasonal Short-Term Food Permit; Sidewalk Cafe; Sidewalk Cart Food Vendor; Vending Machine; Wholesale Sausage Manufacturing & Distribution; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory; Pet Shop; Public Market; Residential Specialty Contractor; Solicitor - Individual; Solid Waste Hauler; Swimming Pool - Public; Tattooist/Body Piercer Establishment; Taxicab Vehicle - Fuel Efficient; Taxicab Vehicle - Wheelchair Access; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Theater Zone 1; Tree Servicing; Valet Parking; Tobacco Dealer.

Adopted.

Absent – Johnson.

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

Adopted.

Absent – Johnson.

Resolution 2013R-199, 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-199
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 276478):

Gambling Exempt

Blain Soccer Club, dba Blaine Soccer Club, 1467 101st Ave, Blaine (Raffle April 6, 2013 MSFC Metrodome)

All Gods Children MCC, dba All Gods Children MCC, 3100 Park Ave S (Bingo April 20, 2013)

Minnesota Stroke Association, dba Minnesota Stroke Association, 34 13th Ave NE (Raffle May 11, 2013, Target Field)

North Memorial Foundation, dba North Memorial Foundation, 3300 Oakdale Ave N, Robbinsdale (Raffle May 18, 2013, Hilton Minneapolis)

Twins Community Fund, dba Twins Community Fund, 1 Twins Way (Raffle May 18, 2013, Target Field)

Twins Community Fund, dba Twins Community Fund, 1 Twins Way (Raffle June 29, 2013, Target Field)

Twins Community Fund, dba Twins Community Fund, 1 Twins Way (Raffle August 17, 2013, Target Field)

The Southern Theater, dba The Southern Theater, 1420 Washington Ave S (Raffle August 24, 2013)

Cheerful Givers, dba Cheerful Givers, 1287 Berry Ridge Rd, Eagan (Raffle September 7, 2013, Target Field).

Adopted.

Absent – Johnson.

RE&E - Your Committee, having under consideration the On-Sale Liquor Class A with Sunday Sales and Tobacco Dealer Licenses held by Skyway Ventures, LLC, dba Lure, 725 Hennepin Ave, and having received notification from the State of Minnesota Department of Revenue that Lure has an outstanding tax liability, now recommends that the renewal of said licenses be denied.

Adopted.

Absent – Johnson.

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

RE&E & W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend Contract No 35940 with Project for Pride in Living to add \$350,000 funding, for a new total of \$400,000, and extend the termination date to December 31, 2014, for funding for the second half of the three-year Healthy Homes Thriving Communities Grant Project.

Adopted.

Absent – Johnson.

RE&E & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a grant agreement in the amount of \$19,200 from the Mississippi Watershed Management Organization to continue to fund two intern positions with Environmental Services to assist in erosion control enforcement.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation to the Health Department by \$19,200.

Adopted.

Absent – Johnson.

**RESOLUTION 2013R-200
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 for the Health and Family Support Agency in the Grants-Other Fund (01600-8600115) by \$19,200 and increasing the Revenue Estimate (01600-8600155-Revenue Code 372001) by \$19,200.

Adopted.

Absent – Johnson.

The **TRANSPORTATION & PUBLIC WORKS Committee** submitted the following reports:

T&PW - Your Committee recommends passage of the accompanying resolution directing the Hennepin County Auditor to cancel the levied 5-year sidewalk repair special assessment against the property located at 5220 3rd Ave S for taxes payable in 2013 and subsequent years due to full prepayment of the special assessment.

Your Committee further recommends that the proper City officers be authorized to refund to the property owner the principal and interest installments collected through the 2010, 2011, and 2012 property taxes in the total amount of \$744.99.

Adopted.

Absent – Johnson.

Approved by Mayor Rybak 5/10/2013.

(Published 5/14/2013)

Resolution 2013R-201, directing the Hennepin County Auditor to cancel the special assessment for sidewalk repair improvements for payable 2013 and subsequent years' tax files for the property located at 5220 3rd 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-201

By Colvin Roy

**CANCELLATION OF MINNEAPOLIS PUBLIC WORKS
SIDEWALK REPAIR SPECIAL ASSESSMENT**

Directing the Hennepin County Auditor to cancel the special assessment for sidewalk repair improvements for payable 2013 and subsequent years' tax files described hereinafter.

Whereas, in accordance with Chapter 10 of the Minneapolis City Charter, the City Council of the City of Minneapolis passed Resolutions in 2009 adopting the assessment rolls as prepared by the City Engineer and ordered the transmittal of certified copies of the assessment rolls to the Hennepin County Auditor for collection to begin on the 2010 real estate tax statements; and

Whereas, there is the following described assessment that is erroneously being carried on the real estate tax statement due to a full prepayment of the assessment;

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

That pursuant to the provisions of Chapter 10, Section 15 of the Minneapolis City Charter, the Hennepin County Auditor is hereby directed to cancel the following levied 5-year term special assessments from the 2013 and subsequent years' tax statements:

<u>LEVY</u>	<u>PROJECT</u>	<u>PROPERTY ID</u>	<u>ORIGINAL AMT</u>
01052	10S05	15-028-24-43-0012	\$1,086.41.

Adopted.

Absent – Johnson.

Approved by Mayor Rybak 5/10/2013.

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and streets to be improved in the 2013 Street Resurfacing Program, Tyler St NE Street Improvement Project, Special Improvement of Existing Street No 5256.

Your Committee further recommends acceptance of the petition and appeal waiver from the assessed property owner, as set forth in Petn No 276482.

Adopted.

Absent – Johnson.

Resolution 2013R-202, designating the improvement of certain existing streets in the Tyler St NE Street Improvement Project No 5256, 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-202

By Colvin Roy

2013 STREET RESURFACING PROGRAM

**TYLER ST NE STREET IMPROVEMENT PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5256**

Designating the improvement of certain existing streets in the 2013 Street Resurfacing Program at the locations described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by asphalt mill and overlay and including other street resurfacing related improvements as needed:

Tyler St NE, from the south right-of-way line of 13th Ave NE to approximately 18 feet north of the centerline of 14th Ave NE.

Adopted.

Absent – Johnson.

T&PW - Your Committee, having received a cost estimate of \$122,240 for street improvements and a list of benefited properties for certain locations in the Tyler St NE Street Improvement Project, Special Improvement of Existing Street No 5256, as designated by Resolution 2013R-202 passed May 10, 2013, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2013 Uniform Assessment Rates as per Resolution 2012R-605, passed November 16, 2012.

Your Committee further recommends that a public hearing be held on June 4, 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 approving the improvement of the above-designated street locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted.

Absent – Johnson.

T&PW - Your Committee recommends passage of the accompanying resolution designating the locations and alleys to be improved in the 2013 Alley Resurfacing Program, Special Improvement of Existing Alleys No AL013.

Adopted.

Absent – Johnson.

Resolution 2013R-203, designating the locations and alleys to be improved in the 2013 Alley Resurfacing Program No AL013, 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-203

By Colvin Roy

**SPECIAL IMPROVEMENT OF EXISTING ALLEYS NO AL013
2013 ALLEY RESURFACING PROGRAM**

Designating the improvement of the 2013 Alley Resurfacing Program (12 alleys located throughout the City of Minneapolis).

Resolved by The City Council of The City of Minneapolis:

That the following existing alleys within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by overlaying with bituminous material and including other related improvements and work as needed:

1. Between Buchanan St NE and Lincoln St NE from 29th Ave NE to 30th Ave NE;
2. Between Johnson St NE and Ulysses St NE from 31st Ave NE to 32nd Ave NE;
3. Between 6th St N and 4th St N from 31st Ave N to Lowry Ave N;
4. Between Bryant Ave N and Aldrich Ave N from Lowry Ave N to 33rd Ave N;
5. Between Emerson Ave N and Dupont Ave N from 22nd Ave N to 23rd Ave N;
6. Between Girard Ave N and Fremont Ave N from 23rd Ave N to 24th Ave N;
7. Between Park Ave and Columbus Ave from 36th St E to 35th St E;
8. Between 27th Ave S and 28th Ave S from 38th St E to 37th St E;
- 9 & 10. Between 28th Ave S and Hiawatha Ave from 37th St E to 36th St E (both parts of alley);
11. Between 36th Ave S and 37th Ave S from 37th St E to 36th St E; and
12. Between 30th Ave S and Nokomis Ave S from 51st St E to 50th St E.

Adopted.

Absent – Johnson.

T&PW - Your Committee, having received a cost estimate of \$237,962 for alley resurfacing improvements and a list of benefited properties for the 2013 Alley Resurfacing Program, Special Improvement of Existing Alleys No AL013, as designated by Resolution 2013R-203 passed May 10, 2013, now recommends that the City Engineer be directed to prepare a proposed Alley Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2013 Uniform Assessment Rates as per Resolution 2012R-605, passed November 16, 2012.

Your Committee further recommends that a public hearing be held on June 4, 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 approving the resurfacing of the above-designated alley locations and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted.

Absent – Johnson.

T&PW - Your Committee recommends passage of the accompanying resolution designating the location and streets to be improved in the 46th St W Street Reconstruction Project, Special Improvement of Existing Street No 6751.

Adopted.

Absent – Johnson.

Resolution 2013R-204, designating the location and streets to be improved in the 46th St W Street Reconstruction Project No 6751, 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-204

By Colvin Roy

**46TH ST W STREET RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6751**

Designating the improvement of certain existing streets at the location described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by street paving with plant mix asphalt with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

46th St W from Dupont Ave S to Lyndale Ave S.

Adopted.

Absent – Johnson.

T&PW - Your Committee, having received a cost estimate of \$2,575,000 for street construction improvements and a list of benefited properties for the 46th St W (Dupont Ave S to Lyndale Ave S) Street Reconstruction Project, Special Improvement of Existing Street No 6751, as designated by Resolution 2013R-204 passed May 10, 2013, now recommends that the City Engineer be directed to prepare proposed assessments against the list of benefited properties.

Your Committee further recommends that a public hearing be held on June 18, 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 approving the above-designated street reconstruction project, to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City, and to consider the abandonment and removal of areaways in conjunction with the reconstruction project.

Adopted.

Absent – Johnson.

T&PW - Your Committee, having under consideration the 2013 Innovative Graffiti Prevention Micro Grant Program, now recommends that the proper City officers be authorized to negotiate and execute agreements with ten (10) recipients, as set forth in Petn No 276482, to prevent, eradicate, and provide education about the negative effects of graffiti and gang involvement.

Adopted.

Absent – Johnson.

T&PW - Your Committee recommends that the proper City officers be authorized to submit funding applications to the Minnesota Department of Transportation (MnDOT) through the Corridor Investment Management Strategies (CIMS) and/or the Transportation for Economic Development (TED) Programs for the construction of a new 7th St exit ramp from westbound I-94 into Downtown Minneapolis.

Adopted.

Absent – Johnson.

T&PW - Your Committee recommends that the proper City officers be authorized to negotiate terms for a two-year agreement with Car2Go N.A., LLC, for a city-wide Car Sharing Pilot Program. Staff will return to the Transportation & Public Works Committee with the finalized terms to request authorization to enter into a contract for the pilot program.

Majority Leader Schiff assumed the Chair.

Lilligren and Hodges moved that Public Works staff be directed to expand the Car Sharing Pilot Program to include multiple vendors for use of on-street reserved parking, limiting the vendors considered to those firms that had recently submitted proposals for the program. Staff is further directed to return to the Transportation & Public Works Committee in June 2013 with recommendations. Seconded.

Adopted upon a voice vote.

Absent - Johnson.

The report, as amended, was adopted.

Absent - Johnson.

Approved by Mayor Rybak 5/10/2013.

(Published 5/14/2013)

Vice President Lilligren resumed the Chair.

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

T&PW & W&M/Budget - Your Committee, having under consideration Mississippi Watershed Management Organization (MWMO) funds available for projects which improve surface water quality and meet MWMO goals, now recommends passage of the following resolutions:

a) Authorizing the execution of a Mississippi Watershed Management Organization Grant Agreement for Water Quality Improvements included in the Riverside Ave Street Reconstruction Project; and

b) Amending the 2013 Capital Improvement Appropriation Resolution to reflect the grant funding for these improvements.

Adopted.

Absent – Johnson.

Resolution 2013R-205, authorizing the execution of a Mississippi Watershed Management Organization Grant Agreement for water quality improvements included in the Riverside Ave Street Reconstruction 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-205
By Colvin Roy and Hodges**

RESOLUTION FOR AGENCY AGREEMENT

Entering into an agreement to accept a grant from the Mississippi Watershed Management Organization for water quality improvements on the Riverside Ave Reconstruction Project.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to enter into and execute a Mississippi Watershed Management Organization (MWMO) Grant Agreement for water quality improvements on the Riverside Ave Reconstruction Project.

Adopted.

Absent – Johnson.

**RESOLUTION 2013R-206
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:

a) Increasing the PW-Sewer Construction Agency in Fund 07300 (07300-9010932 Project PV062) by \$436,512 and increasing the transfer in from Fund 01600 Revenue Source

382601 (07100-270100) by \$436,512 to be reimbursed by the Mississippi Watershed Management Organization grant to be deposited into fund 01600; and

b) Decreasing the PW-Paving Construction Agency in Fund 04100 (04100-9010937 Project PV062) by \$436,512.

Adopted.

Absent – Johnson.

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

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

Adopted.

Absent – Johnson.

Resolution 2013R-207, authorizing settlement of *John Zasada 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-207

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 *John Zasada v. City of Minneapolis*, by payment of \$5,000 to John Zasada and his attorney, from the Internal Service Self Insurance Fund (06900-1501500-145865).

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

Adopted.

Absent – Johnson.

W&M/Budget - Your Committee recommends acceptance of the single bid received on OP No 7779 from Finance and Commerce, Inc. in the estimated annual amount of \$70,000 to furnish and deliver official advertising for the City of Minneapolis for a three year period, through March 31, 2016, with the option to extend for up to two additional one year periods at the sole discretion of the City.

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.

Absent – Johnson.

Approved by Mayor Rybak 5/10/2013.

(Published 5/14/2013)

W&M/Budget - Your Committee recommends an increase to contract C-35480 with Shey Associates for consulting services related to Homegrown Minneapolis in the amount of \$50,000, for a revised contract total of \$140,000. Further, that the term of the contract be extended through March 1, 2014.

Adopted.

Absent – Johnson.

W&M/Budget - Your Committee recommends passage of the accompanying resolution accepting the gift of travel and related expenses to the City Energy Project Summit for one employee.

Adopted.

Absent – Johnson.

Resolution 2013R-208, accepting donation of fees related to attendance at the City Energy Project Summit meeting from National Resources Defense Council and Institute for Market Transformation, 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-208
By Hodges

Accepting donation of fees related to attendance at the City Energy Project Summit meeting from National Resources Defense Council and Institute for Market Transformation.

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 for the below to the City:

<u>Name of Donor</u>	<u>Gift</u>
National Resources Defense Council and Institute for Market Transformation	Associated travel and expenses a staff person to attend meeting

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

Whereas, all such donations have been contributed to assist the City in improving its sustainability goals as allowed by law; and

Whereas, the City Council finds that it is appropriate to accept the donation 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 public purpose of achieving the City's sustainability goals.

Adopted.

Absent – Johnson.

W&M/Budget - Your Committee recommends approval of the June 2013 utility billing insert on behalf of Public Works and the Police Department asking for help preventing recyclables theft.

Adopted.

Absent – Johnson.

W&M/Budget - Your Committee, having under consideration the 2013 salary adjustment for appointed employees (Petn No 276488), now recommends that the salaries and schedules be adjusted as follows:

1. All appointed employees who meet the criteria for step progression as described in the adopted appointed employee's salary plan will receive a step progression, subject to satisfactory or better performance.
2. Effective at the start of the pay period that includes April 1, 2013, increase the Appointed Salary Schedules 2.4%.

Adopted.

Absent – Johnson.

W&M/Budget - Your Committee, having under consideration the 2013 salary adjustment for non-represented employees (Petn No 276488), now recommends the following:

1. Effective January 1, 2013, all non-represented employees eligible for step progression will receive their normal step progression, subject to satisfactory or better performance
2. Effective the first day of the payroll period that includes April 1, 2013, increase all salary and longevity steps 2.3%.

Adopted.

Absent – Johnson.

W&M/Budget - Your Committee recommends concurrence with the Executive Committee in approving the new appointed position of Director, Environmental Health, (grade 12 with 583 points), effective March 19, 2013, as set forth in Petn No 276488 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.

Absent – Johnson.

Ordinance 2013-Or-048 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, establishing the salary for the appointed position of Director, Environmental Health, 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-048
By Hodges
1st & 2nd Readings: 5/10/2013

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 19, 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, Environmental Health	583	12	A	\$88,165	\$92,805	\$95,590	\$97,446

Adopted.
 Absent – Johnson.

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 John Errigo with Aeon, on behalf of Franklin Portland Gateway Phase IV LP (BZZ-5968) to rezone the properties at 1920 and 1928 Portland Avenue, 1923 and 1925 5th Avenue S, and 500 and 510 E Franklin Avenue from C1 to the R6 Multiple-family District, retaining the NP North Phillips Overlay District, to permit Phase Four of the Franklin-Portland Planned Unit Development including 90 additional dwelling units in two new buildings 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.
 Absent – Johnson.

Ordinance 2013-Or-049 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the properties at 1920 and 1928 Portland Avenue, 1923 and 1925 5th Avenue S, and 500 and 510 E Franklin Avenue to the R6 Multiple-family District, retaining the NP North Phillips 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-049
By Schiff
1st & 2nd Readings: 5/10/2013

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, 3 and 4, Block 1, A.M. Jerome's Addition to Minneapolis, the S 1/2 of Lot 14, Block 1, A.M. Jerome's Addition to Minneapolis, the N 40 feet of Lot 15, Block 1, A.M. Jerome's Addition to Minneapolis, the W 103 feet of Lot 16 and the S 10 feet of Lot 15, Block 1, A.M. Jerome's Addition to Minneapolis and the E 25 feet of Lot 16 and the S 10 feet of Lot 15, Block 1, A.M. Jerome's Addition to Minneapolis (1920 and 1928 Portland Avenue, 1923 and 1925 5th Avenue S, and 500 and 510 E Franklin Avenue - Plate 20) to the R6 District.

Adopted.

Absent – Johnson.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of John Errigo with Aeon, on behalf of Franklin Portland Gateway Phase IV LP, to vacate the public alley located on the block bounded by E Franklin Avenue, 5th Avenue S, E 19th Street, and Portland Avenue (#1613), subject to retention of easement rights by Comcast, CenturyLink, and Xcel Energy, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

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

Adopted.

Absent – Johnson.

Resolution 2013R-209, vacating all of the alley dedicated in Block 1, A. M. Jerome's Addition, bounded by Franklin Ave E, 5th Ave S, 19th St E, and Portland Ave (Vacation 1613), 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-209

By Schiff

Vacating all of the alley dedicated in Block 1, A. M. Jerome's Addition, bounded by Franklin Ave E., 5th Ave S, 19th St E, and Portland Ave (Vacation 1613).

Resolved by The City Council of The City of Minneapolis:

All of the alley as dedicated in Block 1, A. M. Jerome's Addition to Minneapolis, according to the recorded plat thereof, Hennepin County, Minnesota, which lies northerly of a line drawn from the southeast corner of Lot 16, said Block 1, to the southwest corner of Lot 1, said Block 1 and which lies southerly of a line from the northwest corner of Lot 8, said Block 1, to the northeast corner of Lot 9, said Block 1 is hereby vacated except that such vacation shall not affect the existing authority of Comcast, CenturyLink or Xcel Energy, their successors and assigns, to enter upon that portion of the aforescribed alley which is described in regard to each of said corporations as follows, to wit:

Comcast, subject to an easement over the entire area to be vacated.

CenturyLink, subject to an easement over the entire area to be vacated.

Xcel Energy, subject to an easement over the entire area to be vacated.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named

corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said easement upon or within the above-described areas without first obtaining the written approval of the corporation(s) having utility facilities located within the area involved authorizing them to do so.

Adopted.

Absent – Johnson.

Z&P - Your Committee, to whom was referred ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to *Zoning Code*, amending regulations for blood/plasma collection facilities, now concurs in the recommendation of the Planning Commission that the related findings be adopted and that the following ordinances be given their second reading for amendment and passage:

- a) Chapter 536 relating to *Specific Development Standards*;
- b) Chapter 547 relating to *Office Residence Districts*;
- c) Chapter 548 relating to *Commercial Districts*; and
- d) Chapter 549 relating to *Downtown Districts*.

Further, that Chapters 520, 541, and 550 be returned to author.

Adopted.

Absent – Johnson.

(Republished 6/20/2014)

Ordinance 2013-Or-050 amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to *Zoning Code: Specific Development Standards*, amending Section 536.20 to add specific development standards for blood/plasma collection facilities, 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-050
By Gordon
Intro & 1st Reading: 12/14/2012
Ref to: Z&P
2nd Reading: 5/10/2013

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

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

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

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

Blood/plasma collection facility.

- (1) Trash receptacles shall be located at the public entrance(s), and the premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.
- (2) The facility shall include a waiting area and departure lounge of a size large enough to accommodate all donors within the building, but not less than five hundred (500) square feet in area.
- (3) The operator shall submit a management plan for the facility and a floor plan showing the waiting area and departure lounge and number of donor beds.

Adopted.

Absent – Johnson.

Ordinance 2013-Or-051 amending Title 20, Chapter 547 of the Minneapolis Code of Ordinances relating to *Zoning Code: Office-Residence Districts*, amending Table 547-1 to add blood/plasma collection facilities to the table, 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-051
By Gordon
Intro & 1st Reading: 12/14/2012
Ref to: Z&P
2nd Reading: 5/10/2013

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

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

Section 1. That Table 547-1 of the above-entitled ordinance be amended by amending or adding thereto the following use to read as follows:

Table 547-1 Principal Uses in the Office Residence Districts

Use	OR1	OR2	OR3	Specific Dev. Standards
Medical Facilities				
Birth center	C	P	P	✓
<u>Blood/plasma collection facility</u>			<u>P</u>	✓
Hospital			C	✓

Adopted.

Absent – Johnson.

Ordinance 2013-Or-052 amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to *Zoning Code: Commercial Districts*, amending Table 548-1 to add

blood/plasma collection facilities to the table, 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-052
By Gordon
Intro & 1st Reading: 12/14/2012
Ref to: Z&P
2nd Reading: 5/10/2013

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

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

Section 1. That Table 548-1 of the above-entitled ordinance be amended by amending or adding thereto the following use to read as follows:

Table 548-1 Principal Uses in the Commercial Districts

Use	C1	C2	C3A	C3S	C4	Specific Development Standards
Medical Facilities						
Birth center	P	P	P	P	P	✓
Blood/plasma collection facility					CP	✓
Clinic, medical or dental	P	P	P	P	P	

Adopted.
 Absent – Johnson.

Ordinance 2013-Or-053 amending Title 20, Chapter 549 of the Minneapolis Code of Ordinances relating to *Zoning Code: Downtown Districts*, amending Table 549-1 to add blood/plasma collection facilities to the table, 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-053
By Gordon
Intro & 1st Reading: 12/14/2012
Ref to: Z&P
2nd Reading: 5/10/2013

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

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

Section 1. That Table 549-1 of the above-entitled ordinance be amended by amending or adding thereto the following use to read as follows:

Table 549-1 Principal Uses in the Commercial Districts

Use	B4	B4S	B4C	B4N	Specific Development Standards
Medical Facilities					
Birth center	P	P	P	P	✓
Blood/plasma collection facility			CP		✓
Clinic, medical or dental	P	P	P	P	

Adopted.
Absent – Johnson.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Fountain Residential Partners to vacate drainage and utility easements on the eastern portion of the property at 2635 4th Street SE (#1617), 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 drainage and utility easements.

Adopted.
Absent – Johnson.

Resolution 2013R-210, vacating drainage and utility easements in Lot 1, Block 1, Parten Addition to Minneapolis, addressed as 2635 4th Street SE, (Vacation File No. 1617), 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-210
By Schiff**

Vacating drainage and utility easements in Lot 1, Block 1, Parten Addition to Minneapolis, addressed as 2635 4th Street SE. (Vacation File No. 1617).

Resolved by The City Council of The City of Minneapolis:

All of the Drainage and utility easements in Lot 1, Block 1, Parten Addition, as shown on and dedicated by the plat of Parten Addition, recorded January 16, 1990, in the office of the Hennepin County Recorder as Document No. 5616757 and recorded January 11, 1990, in the office of the Hennepin County Registrar of Titles as Document No. 2066502 are hereby vacated.

Adopted.

Absent – Johnson.

Z&P – Your Committee, having held a public hearing, recommends concurrence with the Mayor on the following appointments to the Minneapolis City Planning Commission:

- a) Matthew Brown, Ward 1 (replacing Erika Carter to fill an unexpired term ending January 31, 2014; and
- b) reappointing Alissa Luepke-Pier, Ward 3, and Ted Tucker, Ward 3, to new terms ending January 31, 2015.

Adopted.

Absent – Johnson.

Z&P - Your Committee, having under consideration the appeal filed by Juno Investment Corporation from the decision of the Planning Commission granting applications for

- 1) a conditional use permit to increase maximum building height; and
- 2) a variance to reduce the rear yard requirement; both at 700 Washington Avenue SE as part of the proposed project known as 301 Walnut,

now recommends that said appeal be denied, and that the related findings prepared by the Community Planning & Economic Development staff be adopted.

Further, concurring in the recommendation of the Planning Commission in granting the related petition (BZZ-5981) to rezone the property at 700 Washington Avenue SE from C1 to the C3A Community Activity Center District, and passage of the accompanying ordinance amending the Zoning Code.

Adopted.

Absent – Johnson.

Ordinance 2013-Or-054 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 700 Washington Avenue SE to the C3A Community Activity Center 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-054
By Schiff
1st & 2nd Readings: 5/10/2013

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 the following land situated in the County of Hennepin and State of Minnesota: Parcel 1: The North 44 feet of the West 110 feet of Lot 6, Block 32, St. Anthony City; Parcel 2: That part of Lots 6 and 7 lying East of the West 110 feet thereof except the West 5 feet of the South 44 feet of said part of Lot 7, Block 32, St. Anthony City; and Parcel 3: The West 110 feet of that part of Lot 6 lying South of the North 44 feet of Lot 6; The West 115 feet of the South 44 feet of Lot 7; The West 110 feet of that part of Lot 7 lying North of the South 44 feet of Lot 7, All in Block 32, St. Anthony City (700 Washington Avenue SE - Plate 22) to the C3A District.

Adopted.

Absent – Johnson.

Z&P - Your Committee, having under consideration the appeal filed by Lazaros Christoforides, on behalf of Pontus Properties, from the decision of the Planning Commission granting applications for:

1) a conditional use permit to increase maximum building height from 4 stories, 56 feet, to 7 stories, 81 feet, subject to conditions;

2) a variance to reduce the interior side yard requirement from 15 feet to 0 feet, subject to conditions;

3) a variance to reduce the minimum lot area requirement from 287 square feet per dwelling unit to 282 square feet per dwelling unit; and

4) site plan review, subject to conditions; all to allow for a mixed use building with 130 dwelling units and ground floor commercial uses at 514 1st Avenue NE; and 519-523 Central Avenue NE,

now recommends that said appeal be denied, and that the related findings prepared by the Community Planning & Economic Development staff, including the revised findings presented to the committee dated May 2, 2013, be adopted.

Further, concurring in the recommendation of the Planning Commission in granting the related petition (BZZ-5964) to rezone the property at 514 First Avenue NE and 519 Central Avenue NE from C2 to the C3A Community Activity Center District and passage of the accompanying ordinance amending the Zoning Code.

Hofstede moved that the report be postponed one cycle to the May 24, 2013 City Council meeting. Seconded.

Adopted upon a voice vote.

Absent – Johnson.

MOTIONS

Hodges moved that the regular payrolls for all City employees under City Council jurisdiction for the month of June, 2013 be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted upon a voice vote.

Absent – Johnson.

UNFINISHED BUSINESS

By unanimous consent the following report was postponed:

RE&E - Your Committee, having under consideration the Rental Dwelling License for the property located at 3355 Upton Ave N, and having received an acceptable management plan for the property and verification that said property is now in compliance with rental licensing standards, now recommends concurrence with the recommendation of the Interim Director of Regulatory Services to approve the reinstatement of said license to be held by Robert Kramer - GairByat, LLC.

Pursuant to notice on April 26, 2013, Gordon moved to introduce the subject matter of an ordinance amending Title 10, Chapter 203 of the Minneapolis Code of Ordinances relating to *Food Code: Grocery Stores and Specialty Food Stores*, which was given its first reading and referred to the Regulatory, Energy & Environment Committee (amending various provisions including those related to exemptions and standards). Seconded.

Adopted upon a voice vote.

Absent – Johnson.

Pursuant to notice on April 26, 2013, Gordon moved to introduce the subject matter of an ordinance amending Title 13, Chapter 295 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Groceterias and Portable Stores*, which was given its first reading and referred to the Regulatory, Energy & Environment Committee (amending provisions including those related to place of sale and permitted foods). Seconded.

Adopted upon a voice vote.

Absent – Johnson.

NEW BUSINESS

Pursuant to City Council Rule 2 (A) at the request of Council Member Hofstede who was absent through the Public Safety, Civil Rights & Health portion of the meeting, Lilligren moved that Hofstede be recorded as voting “aye” on those roll call votes where she was absent from the announced vote. Seconded.

Adopted upon a voice vote.

Absent – Johnson.

Colvin Roy moved to adjourn to Room 315 City Hall to consider the *State of Minnesota by City of Minneapolis, et al. v. Metropolitan Airports Commission* lawsuit. Seconded.

Adopted upon a voice vote.

Absent – Johnson.

ADJOURNED SESSION

Room 315 City Hall
Minneapolis, Minnesota
May 10, 2013 – 10:37 a.m.
The Council met pursuant to adjournment.
Vice President Lilligren in the Chair.

MAY 10, 2013

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

Absent - Council President Johnson.

Deputy City Attorney Peter Ginder stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the *State of Minnesota by City of Minneapolis, et al. v. Metropolitan Airports Commission* lawsuit.

At 10:38 a.m., Glidden moved that the meeting be closed. Seconded.

Adopted upon a voice vote.

Absent – Hofstede, Colvin Roy, Johnson.

Present – Council Members Reich, Hofstede (In at 10:47 a.m.), Schiff, Colvin Roy (In at 10:44 a.m.), Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, Gordon, Vice President Lilligren.

Absent – Council President Johnson.

Also present – Susan Segal, City Attorney; Peter Ginder, Deputy City Attorney; Corey Conover, Assistant City Attorney; Jennifer O'Rourke, Mayor's Chief of Staff; Casey Joe Carl, City Clerk; and Jackie Hanson, City Clerk's Office.

Conover summarized the *State of Minnesota by City of Minneapolis, et al. v. Metropolitan Airports Commission* lawsuit from 10:39 a.m. to 11:00 a.m.

At 11:00 a.m., Schiff moved that the meeting be opened. Seconded.

Adopted upon a voice vote.

Absent – Johnson.

Colvin Roy moved that the City Council approve a first amendment to the 2007 Consent Decree which was issued in that litigation known as State of Minnesota by the City of Minneapolis et al. v. Metropolitan Airports Commission, et al., and authorize the City Attorney to sign, on behalf of the City, the "First Amendment To Consent Decree" and any other documentation reasonably necessary to implement the terms of the "First Amendment To Consent Decree" (Petn No 276493). Seconded.

Adopted.

Absent – Johnson.

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

Tuthill moved to adjourn. Seconded.

Adopted upon a voice vote.

Absent – Johnson.

Casey Joe Carl
City Clerk

Official Posting: 5/17/2013
Corrections: 6/20/2014