

# OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

## REGULAR MEETING OF OCTOBER 18, 2013

(Published October 26, 2013, in *Finance and Commerce*)

Council Chamber  
350 South 5th Street  
Minneapolis, Minnesota  
October 18, 2013 - 9:30 a.m.

Council President Johnson in the Chair.

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

Absent – Council Member Reich.

Schiff moved adoption of the agenda. Seconded.

Adopted upon a voice vote.

Absent – Reich, Lilligren.

Schiff moved acceptance of the minutes of the regular meeting of October 4, 2013. Seconded.

Adopted upon a voice vote.

Absent – Reich, Lilligren.

Schiff 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 – Reich, Lilligren.

## PETITIONS AND COMMUNICATIONS

### AUDIT:

INTERNAL AUDIT (276795)

2014 Audit Plan Options: Senior Auditor Project Hourly Rate.

State of MN/Office of State Auditor Management & Compliance Report: City of Mpls and Mpls Park & Recreation Board Reports.

Construction Contracts-Final Payment & Closing Project Process Review.

2013 Audit Plan Update.

### COMMITTEE OF THE WHOLE (See Rep):

NEIGHBORHOOD AND COMMUNITY RELATIONS (276796)

Rebuilding Our Communities Fund: Receive & File report; and Direct Neighborhood and Community Relations staff as follows: Reserve \$75,000 for damaged tree/stump removal work

on private property and \$25,000 each for the Willard Hay, Jordan, Folwell, Webber-Camden and McKinley neighborhoods to dedicate staff time or loan programs to deal with properties that have remaining tornado damage.

**COMMUNITY DEVELOPMENT (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276797)

Greenway Heights Family Housing Project (2845 Bloomington Ave S): Preliminary approval to issue bonds with related actions.

CD West Broadway Limited Partnership (re West Broadway Curve Project, 2022 W Broadway): Final approval to issue bonds for development of apartment complex.

Heritage Park (Phase II) Project (1101 7th St N): Authorize amend, re-subordinate the Housing Revenue Bond and Affordable Housing Trust Fund (AHTF) loan documents & extend the AHTF loan maturity date.

Classification of Tax-forfeited Land: Resolutions requesting actions with respect to the conveyance of certain tax-forfeited land & approving the classification of certain tax-forfeited land as non-conservation and the conveyance thereof.

Prospect Park Light Rail Transit Station Phased Development Plan.

Seward Square Apartments (2121 9th St S): Final approval to issue bonds.

Lowry Avenue Corridor (Stinson Blvd NE west to Theodore Wirth Pkwy) and the Penn Avenue North Corridor (49th Ave N and Osseo Road south to I-394): Authorize Memorandum of Understanding with Hennepin County for multijurisdictional coordination of redevelopment efforts.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276798)

Financial Inclusion Leadership Team: Directions to staff to continue staffing work of team.

2013 Emergency Solutions Grant (ESG) Funding Recommendations.

2014 Low Income Housing Tax Credits (LIHTC): Preliminary reserve of funds.

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276799)

2013 Affordable Housing Trust Fund (AHTF) Project Recommendations.

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

HEALTH DEPARTMENT (276800)

HEALTHIA Exchange Contract: Authorize contract with Optum Inc for use of its insurance eligibility verification service for health care providers.

Minneapolis Health Advisory Committee: City Council appointments of Tamara Ward & Sarah Dutton.

Minneapolis Blueprint for Action to Prevent Youth Violence Update.

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

POLICE DEPARTMENT (276801)

Police Department Leadership Training: Amendment to contract with Partners in Leadership, Inc, increasing by \$11,000.

REGULATORY SERVICES (276802)

Animal Care & Control Donations: In-kind donations of dog and cat food & supplies.

**REGULATORY, ENERGY AND ENVIRONMENT:**

LICENSES AND CONSUMER SERVICES (276803)

Ordinance amending Title 13, Chapter 341 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Taxicabs: Public hearing cancelled; Referred to staff.

Ordinance amending Title 14, Chapter 363 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Wine Licenses: Set public hearing for November 4, 2013.

**REGULATORY, ENERGY AND ENVIRONMENT (See Rep):**

LICENSES AND CONSUMER SERVICES (276804)

Broadway Winner, 626 W Broadway: Business License Operating Conditions relating to Food Grocery, Gasoline Filling Station, Tobacco Dealer, Off-Sale 3.2 Beer, and Ice Producer Licenses.

Emerson Food Market, 2628 Emerson Ave N: Business License Operating Conditions relating to Food Grocery and Tobacco Dealer License.

LICENSES AND CONSUMER SERVICES (276805)

Licenses: Grant licenses recommended for approval.

Radisson Plaza Hotel Minneapolis, 35 7th St S: On-Sale Liquor Class A with Sunday Sales, Hotel, Catering, and Sidewalk Cafe Licenses.

The Rabbit Hole, 920 E Lake St: On-Sale Liquor Class E with Sunday Sales License.

Loose Wiles Freehouse, 701 Washington Ave N: On-Sale Liquor Class E with Sunday Sales and Off-Sale Malt Liquor Licenses; and 2:00 a.m. License issued by the State.

Kyatchi, 3758 Nicollet Ave S: On-Sale Wine Class E with Strong Beer and Sidewalk Cafe Licenses; Comments.

Anytime Fitness, 2104 W Broadway: Extended Hours License.

REGULATORY SERVICES (276806)

Chapter 249 Property at 3434 Dupont Ave N: Approve waiver of 60-day waiting period to implement provisions of Chapter 249.

REGULATORY SERVICES (276807)

Rental Dwelling License at 1500 26th E St: Denial of license to be held by Abdulaziz Sheikh.

REGULATORY SERVICES (276808)

Rental Dwelling License at 2435 Elliot Ave: Revocation of license held by Emma Weatherspoon.

REGULATORY SERVICES (276809)

Rental Dwelling License at 2914 Queen Ave N: Revocation of license held by Kolbe LLC, Pentagon Management Group LLC, Neima Mehran.

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

COORDINATOR (276810)

2014 City Tree Program: Contract with Tree Trust.

**TRANSPORTATION AND PUBLIC WORKS:**

PUBLIC WORKS AND ENGINEERING (276811)

Source-Separated Organics (SSO): Study.

Traffic Zones, Restrictions, and Controls: 3rd Quarter 2013 Report.

**TRANSPORTATION AND PUBLIC WORKS (See Rep):**

**PUBLIC WORKS AND ENGINEERING (276812)**

10th Ave SE Mississippi River Bridge Project: Waive Performance and Payment bond requirement from contract with SRF Consulting Group, Inc.

Zombie Pub Crawl: Approve application of Zombie Productions, LLC for a Large Business District Block Event Permit for October 12, 2013.

Reconveyance of Tax Forfeited Parcel to State of Minnesota: 213 17th Ave NE.

Cleaning and Lining of Cast Iron Water Mains: Contract amendment with Heitkamp, Inc.

Critical Parking Area No 24: Amend to include Drew Ave S from 49th to 50th St W and Chowen Ave S from 49th to 50th St W.

**PUBLIC WORKS AND ENGINEERING (276813)**

Uptown (Hennepin-Lake), Dinkytown, Central Ave, Stadium Village, Nicollet Ave S, S Hennepin Ave, 48th St E and Chicago Ave S, and 43rd St W and Upton Ave S (Linden Hills) Special Service Districts: Assessment public hearing; Comments.

Sanitary Sewer Service Availability Charges (SAC): Assessment public hearing.

Water and Sewer Service Line Repairs or Replacements: Assessment public hearing.

Special Assessment Deferment: 3806 Bryant Ave N for water service line repair.

Special Assessment Deferment: 2625 35th Ave S for street resurfacing.

Innovative Graffiti Prevention Micro Grant Utility Box Wrap Installations: Contract amendment with Tangletown Neighborhood Association.

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

**PUBLIC WORKS AND ENGINEERING (276814)**

Cost Sharing Agreement with Hennepin County: Street lighting replacement over 6th St S.

Special Service District Sidewalk Snow Clearing and Ice Control: Contract increase with Custom Products and Services.

Fueling Facility Agreement with Hennepin County through May 31, 2018.

Minnesota Clean Water Land and Legacy Amendment Funds: Application for funds for Lake Nokomis Area Private Storm Water Management Practices.

Linden Hills Street Resurfacing Project No 5226 and 39th St W Street Resurfacing Project No 5227: Postpone levy of assessment for certain parcels.

**WAYS AND MEANS BUDGET (See Rep):**

**ATTORNEY (276815)**

Legal Settlements: Michelle Allen (on behalf of minor, J.A.) vs. City of Minneapolis (\$35,000); BJR by Maria Garcia vs. City of Minneapolis (\$70,000); Morris Klock vs. City of Minneapolis by non-monetary relief; Tahisha Williams-Brewer vs. City of Minneapolis (\$20,000).

Amicus Legal Brief filing re: McCullen v. Coakley.

**COMMUNICATIONS (276816)**

November Utility Billing Insert re: Snow.

**CONVENTION CENTER (276817)**

Convention Center Wall Panel Replacement Project: Contract amendment with Hufcor Minnesota.

**FINANCE DEPARTMENT (276818)**

Pioneers & Soldiers Cemetery Phase IV Fence Restoration Project: Contract with Terra General Contractors, LLC.

Third Quarter 2013 Gift Acceptance.

**MAYOR (276819)**

Mayors Against Illegal Guns (MAIG) Regional Coordinator grant (\$60,000).

Minneapolis Public Schools Education and Outreach Grant (\$25,000).

**ZONING AND PLANNING (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276820)  
Gluek Brewing Tied House, 1500 6th Street South: Demolition of an Historic Resource appeal.

PLANNING COMMISSION/DEPARTMENT (276821)  
Loring Park Neighborhood Master Plan approval.

**FILED:**

CHARTER COMMISSION (276822)  
Plain Language Charter Revision: a) Letter to former Charter Commissioners;  
b) Frequently Asked Questions.

*The following reports were signed by Mayor Rybak on October 21, 2013. 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:**

Lilligren moved to find under Council Rule V, Section 1 (D), that the regular Council cycle is not adequate, and to consider the action of the Committee of the Whole from October 17, 2013 regarding fund allocations related to the Rebuilding Our Communities Fund at this meeting. Seconded.

Adopted.

Absent – Reich.

**Comm of the Whole** – Your Committee, having under consideration a report from the Department of Neighborhood and Community Relations (NCR) relating to the Rebuilding Our Communities Fund, now recommends the following:

a) That the two-year report be received and filed.

b) That NCR staff be directed to reserve \$75,000 of tornado recovery allocation for damaged tree/stump removal work on private property.

c) That NCR staff be directed to allocate \$25,000 each for the following neighborhoods to dedicate staff time or loan programs to deal with the 242 properties that have remaining tornado damage in conjunction with the Department of Community Planning & Economic Development (CPED) and Regulatory Services: Willard Hay, Jordan, Folwell, Webber-Camden, and McKinley.

Adopted.

Absent – Reich.

**The COMMUNITY DEVELOPMENT Committee submitted the following reports:**

**Comm Dev** – Your Committee, having under consideration the Greenway Heights Family Housing Project, to be located on the northeast corner of Bloomington Ave S and the Midtown Greenway, now recommends:

a) Passage of the accompanying resolution giving preliminary approval to the issuance of up to \$6,000,000 in Tax-Exempt Multifamily Housing Revenue Entitlement Bonds;

b) Passage of the accompanying resolution for Hennepin County Housing and Redevelopment Authority to contract directly with the developer of the Greenway Heights Family Housing project to provide Midtown Greenway Community Works 2013 Capital Budget funds (\$225,000) to pay for the cost of promenade improvements adjacent to the Midtown Greenway; and

c) That the proper City officers be authorized to execute any other necessary documents with the Greenway Partners, LLC or an affiliated entity related to the above recommended actions.

Adopted.

Absent – Reich.

Resolution 2013R-430, giving preliminary approval to the issuance of tax-exempt multifamily housing revenue bonds in one or more series under Minnesota Statutes, Chapter 462C for the purpose of financing a housing program consisting of the acquisition and construction of a multifamily rental housing development at 2845 Bloomington Ave S, for the benefit of Greenway Partners, LLC, 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-430**

**By Goodman**

**Giving preliminary approval to the issuance of tax-exempt multifamily housing revenue bonds in one or more series under Minnesota Statutes, Chapter 462C for the purpose of financing a housing program consisting of the acquisition and construction of a multifamily rental housing development for the benefit of Greenway Partners, LLC.**

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

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

Whereas, representatives of Greenway Partners, LLC, a Minnesota limited liability company (the "Borrower"), have requested that the City adopt a multifamily housing development program (the "Program") to provide for the issuance of tax-exempt multifamily housing revenue bonds, in one or more series, in an aggregate principal amount of up to \$6,000,000 (the "Bonds") for the purpose of loaning the proceeds thereof to the Borrower, or its affiliate or assign, to finance the acquisition and construction of an approximately 42-unit rental housing development and facilities functionally related and subordinate thereto, to be located at 2845 Bloomington Avenue South in the City (the "Project"), to be owned by the Borrower; and

Whereas, the Community Development Committee of the Minneapolis City Council, on behalf of the City, held a public hearing on the Program and the proposed issuance of the Bonds; and

Whereas, the public hearing was preceded by the publication of a notice of public hearing in a newspaper of general circulation in the City at least fifteen (15) days prior to the public hearing before the Community Development Committee; and

Whereas, the Program was submitted to the Metropolitan Council for its review and comment in accordance with the requirements of the Act; and

Whereas, the City has been advised by the Borrower that conventional commercial financing is available to pay the capital costs of the Project only on a limited basis and at such high costs of borrowing that the scope of the Project and the economic feasibility of its operations would be significantly affected; and

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

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

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

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

Whereas, the Bonds shall not constitute indebtedness of the City within the meaning of any state constitutional provision or statutory limitation, the Bonds shall not constitute general or moral obligations of the City or give rise to a charge against the general credit or taxing powers of the City, the Bonds shall not constitute or give rise to a pecuniary liability of the City, and the

Bonds shall be payable solely out of any funds and properties expressly pledged as security therefor;

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

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

Be It Further Resolved that the issuance of the Bonds pursuant to the Program, in one or more series and in an aggregate principal amount of up to \$6,000,000, is hereby preliminarily approved.

Be It Further Resolved that the City hereby reserves \$6,000,000 of its 2013 (or carryover) housing revenue bond entitlement authority for the financing of the Project.

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

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

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

Adopted.

Absent – Reich.

Resolution 2013R-431, approving Hennepin County financing to Greenway Partners, LLC, for the Greenway Heights Family Housing project at 2845 Bloomington 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-431  
By Goodman**

**Approving Hennepin County financing to Greenway Partners, LLC, for the Greenway Heights Family Housing project.**

Whereas, the Hennepin County Housing and Redevelopment Authority proposes to provide financial assistance from Hennepin County's Midtown Greenway Community Works 2013 Capital Budget funds in Hennepin County in an amount up to \$225,000 to Greenway Partners, LLC, a Minnesota limited liability company (the "Grantee"), for Midtown Greenway public promenade improvements as part of a housing project to be located at 2845 Bloomington Avenue South in Minneapolis, Minnesota (the "Project"); and

Whereas, Minnesota Statutes, Section 383B.77, Subd 3, requires that this City Council must approve a project undertaken by the Hennepin County Housing and Redevelopment Authority before such a project may be undertaken within this City; and

Whereas, the Project is subject to the approval of this City Council; and

Whereas, it is deemed in the best interest of this community to approve the Hennepin County Housing and Redevelopment Authority's implementation of the Project as an approved project;

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

That pursuant to Minnesota Statutes, Section 383B.77, subd. 3, the City Council approves the Project and approves of the Project assistance to be provided by the Hennepin County Housing and Redevelopment Authority to facilitate the Midtown Greenway public promenade improvements as part of a housing project by the Grantee, subject to the following requirements:

(a) That this City retains its jurisdiction over all issues of local concern relating to zoning, land usage, building code requirements and compliance with all applicable city codes and ordinances.

(b) That repayment of the financing obligations owed the Hennepin County Housing and Redevelopment Authority by the Grantee will be made solely from revenues derived from the project.

(c) That the full faith and credit of this City will not be pledged in any fashion as a source of repayment of said financing obligation owed the Hennepin County Housing and Redevelopment Authority by the Grantee.

Adopted.

Absent – Reich.

**Comm Dev** – Your Committee, having under consideration the issuance of revenue bonds on behalf of CD West Broadway Limited Partnership for the West Broadway Curve multi-family housing project (2022 W Broadway), now recommends passage of the accompanying resolution giving final approval to the issuance of up to \$3.8 million in Tax-Exempt Multi-family Housing Entitlement Revenue Bonds for said project.

Adopted.

Absent – Reich.

(Published 10/22/2013)

Resolution 2013R-432, authorizing the issuance, sale and delivery of multifamily housing revenue bonds for the West Broadway Crescent Apartments Project, 1926-2022 W Broadway, and the execution and delivery of related documents, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2013R-432**

**By Goodman**

**Authorizing the issuance, sale and delivery of multifamily housing revenue bonds for the West Broadway Crescent Apartments Project, 1926-2022 W Broadway, and the execution and delivery of related documents.**

Resolved by The City Council of The City of Minneapolis:

1. The City is authorized by the laws of the State of Minnesota, particularly Minnesota Statutes, Chapter 462C, as amended (the "Act"), to carry out the public purposes described therein by issuing its revenue bonds to finance multifamily rental housing developments and by entering

into any agreements made in connection therewith and pledging them as security for the payment of the principal of and interest on any such bonds.

2. CB West Broadway Limited Partnership, a Minnesota limited partnership (the "Borrower"), has requested the City to issue revenue bonds to finance the acquisition and construction of a 54-unit multifamily rental housing development and facilities functionally related and subordinate thereto, located at 1926-2022 West Broadway, in the City (the "Project").

3. The City proposes to issue its Multifamily Housing Revenue Bonds (West Broadway Crescent Apartments) Series 2013A and Series 2013B (together, the "Bonds") pursuant to the Act, this Resolution, the Program described below, and a Trust Indenture (the "Indenture"), by and between the City and U.S. Bank National Association, as trustee (the "Trustee").

4. The Bonds and the interest thereon shall be payable solely from the revenues pledged thereto under the Indenture. The Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation on indebtedness. The Bonds shall not constitute or give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers and shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City other than the City's interest in the trust estates pledged thereto.

5. In order to comply with certain requirements of the Act, in 2012, following a public hearing for which notice was duly published in accordance with the Act, the City adopted a Program for a Multifamily Housing Development (West Broadway Curve) (the "Program"). Further, to comply with the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the Community Development Committee of the City Council on October 8, 2013, held an additional public hearing for which notice was duly published in accordance with the Code regarding the issuance of the Bonds.

6. For the purpose of financing the Project the City hereby authorizes the issuance of the Bonds. The Bonds shall bear interest at such rates, shall be in such denomination, shall be numbered, shall be dated, shall mature, shall be subject to redemption prior to maturity, shall be in such form, and shall have such other details and provisions as are prescribed by the Indenture. The Bonds shall be special obligations of the City payable solely from the revenues of the Project and other revenues available therefore, in the manner provided in the Indenture. The Bonds do not constitute an indebtedness, liability, general or moral obligation (except to the extent of the trust estate pledged under the Indenture) or a pledge of the faith and credit or any taxing power of the City, Hennepin County (the "County"), the State of Minnesota, or any political subdivision thereof. The City hereby authorizes and directs the execution of the Bonds in accordance with the Indenture, and hereby provides that the Indenture shall provide the terms and conditions, covenants, rights, obligations, duties, and agreements of the bondholders, the City, and the Trustee as set forth therein.

7. The following documents relating to the Bonds have been submitted to the City for approval:

- (a) Indenture;
- (b) Loan Agreement, by and between the City, the Borrower and the Trustee, providing for the loan by the City of proceeds of the Bonds to the Borrower;
- (c) Assignment of Mortgage, by the City in favor of the Trustee; and
- (d) Regulatory Agreement, by and between the City, the Borrower and the Trustee

The documents listed in (a) through (d) above are hereby referred to as the "Documents".

8. The Borrower has negotiated the private placement of the Bonds with Bank of America, N.A. or an affiliate thereof (the "Purchaser"), and the City authorizes the sale and delivery

of the Bonds to the Purchaser at a price equal to the principal amount thereof upon satisfaction of conditions set forth in the Indenture.

9. The City Council hereby authorizes and directs the Finance Officer of the City (the "Finance Officer") to execute and deliver the Documents on behalf of the City. All of the provisions of the Documents, 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 herein and shall be in full force and effect from the date of execution and delivery thereof. The Documents shall be substantially in the forms on file with the City, which are hereby approved, with such necessary or desirable and appropriate variations, omissions and insertions as approved by the Finance Officer, and the execution thereof on behalf of the City shall be conclusive evidence of such approval.

10. The Finance Officer is authorized and directed to execute and deliver any and all certificates, agreements or other documents which are necessary or convenient in connection with the issuance of the Bonds and the delivery of the Documents or any other agreements, certificates or documents which are deemed necessary by bond counsel to evidence the validity or enforceability of the Bonds, the Indenture or the other documents referred to in this Resolution, or to evidence compliance with Section 142(d) of the Internal Revenue Code of 1986, as amended; and all such agreements or representations when made shall be deemed to be agreements or representations, as the case may be, of the City.

11. The Trustee is hereby appointed as Paying Agent and Bond Registrar for the Bonds.

12. No covenant, stipulation, obligation or agreement herein contained or contained in the Documents shall be deemed to be a covenant, stipulation, obligation or agreement of any member of the City Council, or any officer, agent or employee of the City in that person's individual capacity, and neither the City Council nor any officer or employee executing the Bonds shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

No provision, covenant or agreement contained in the Documents, the Bonds or in any other document related to the Bonds, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to 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 the 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 and related security instruments which are to be applied to the payment of the Bonds, as provided therein and in the Indenture.

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 or any holder of the 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 provision 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 holder from time to time of the Bonds issued under the provisions of this resolution.

13. In case any one or more of the provisions of this resolution, or of the Documents, or of the 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 Documents, or of the Bonds, but this resolution, the Documents, and the Bonds shall be construed and endorsed as if such illegal or invalid provision had not been contained therein.

14. The officers of the City and its attorneys, agents and employees are hereby authorized to do all acts and things required of them by or in connection with this resolution, the Documents, and the Bonds for the full, punctual and complete performance of all the terms, covenants and agreements contained in the Bonds, the Documents and this resolution. In the event that for any reason the Finance Officer is unable to carry out the execution of any of the Documents or other acts provided herein, the Acting Finance Officer shall be authorized to act in his capacity and undertake such execution or acts on behalf of the City with full force and effect, which execution shall be valid and binding on the City.

15. This resolution shall be in full force and effect from and after its passage.

Adopted.

Absent – Reich.

**Comm Dev** - Your Committee, having under consideration the request of Sumner Field Phase II, L.P. to amend, extend and re-subordinate existing City financing documents relating to the Heritage Park (Phase II) project at 1101 7th St N, now recommends that the proper City officers be authorized to amend and re-subordinate the Housing Revenue Bond (HRB) and Affordable Housing Trust Fund (AHTF) loan documents and extend the AHTF loan maturity date in accommodation of their Department of Housing & Urban Development (HUD)-insured 1st mortgage refinance.

Adopted.

Absent – Reich.

(Published 10/22/2013)

**Comm Dev** - Your Committee, having under consideration classification of tax-forfeited land, now recommends passage of the accompanying resolutions: a) requesting actions with respect to the conveyance of certain tax-forfeited land located in the City of Minneapolis and authorizing the proper City officers to sign an application for title registration which will be filed pursuant to Minnesota Statutes 508.03(6); and b) approving the classification of certain tax-forfeited land located in the city as non-conservation and the conveyance thereof.

Adopted.

Absent – Reich.

Resolution 2013R-433, requesting actions with respect to the conveyance of certain tax-forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, and the execution and delivery of related documents, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2013R-433**

**By Goodman**

**Requesting actions with respect to the conveyance of certain tax-forfeited land located in the City of Minneapolis, Hennepin County, Minnesota.**

Whereas, the City Council of the City of Minneapolis, Hennepin County, Minnesota, has been advised by the County of Hennepin, Minnesota, that certain parcels of land in said City have become the property of the State of Minnesota under the provision of law declaring the forfeiture of lands to the State for nonpayment of taxes;

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

## OCTOBER 18, 2013

That the parcels listed below contained on the 1671 Conservation/Non Conservation list be designated as non-conservation land, if not previously so designated, and that all the properties listed below be withheld from public and private auction and conveyed to the City of Minneapolis:

<u>PID Number</u>	<u>Target Forfeit Date</u>	<u>Ward</u>	<u>Wide</u>	<u>Lot Size/Sq. Feet</u>		<u>Current Use</u>
<u>Address</u>	<u>Zoning</u>			<u>Depth</u>	<u>Sq. Feet</u>	<u>Legal Description</u>
<b>10 029 24 23 0122</b>	Y	3	44	92	4048	VACANT LAND
613 33RD AVE N	06/20/13			W 44FT OF LOTS 1 AND 2 BLOCK 033 "BAKER'S 4TH ADDITION TO MINNEAPOLIS"		
NON-CONSERVATION	R2B					

Be It Further Resolved that the parcels listed below be designated as non-conservation land if not previously so designated, and that all the properties listed below be withheld from sale for six months:

<u>PID Number</u>	<u>Target Forfeit Date</u>	<u>Ward</u>	<u>Wide</u>	<u>Lot Size/Sq. Feet</u>		<u>Current Use</u>
<u>Address</u>	<u>Zoning</u>			<u>Depth</u>	<u>Sq. Feet</u>	<u>Legal Description</u>
<b>11 118 21 21 0118</b>	Y	4	40	125	5000	VACANT SINGLE FAMILY
5147 PENN AVE N	05/23/13			LOT 004 BLOCK 016 "ENGLEWOOD"		
NON-CONSERVATION	R1A					
<b>02 028 24 44 0029</b>	Y	9	40	124	4960	VACANT SINGLE FAMILY
3604 18TH AVE S	05/23/13			LOT 002 BLOCK 002 BIDLEMAN'S ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R2B					
<b>03 029 24 32 0043</b>	Y	4	40	157	6280	VACANT SINGLE FAMILY
3915 6TH ST N	05/23/13			LOT 012 BLOCK 003 FARNHAM'S ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R2B					
<b>09 029 24 21 0200</b>	Y	4	40	128	5120	VACANT SINGLE FAMILY
3419 JAMES AVE N	05/23/13			LOT 003 BLOCK 008 NIMMONS AND PRATT'S ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R1A					
<b>09 029 24 34 0187</b>	Y	5	42.7	125	5337	DUPLEX - SINGLE FAMILY CONVERSION
2600 IRVING AVE N	05/23/13			LOT 015 BLOCK 001 ADDITION "WOODLAWN"		
NON-CONSERVATION	R1A					
<b>09 029 24 41 0213</b>	Y	3	42	120	5040	VACANT SINGLE FAMILY
1017 31ST AVE N	05/23/13			W 27.56 FT OF LOT 4 AND E 14.44 FT OF LOT 5 BLOCK 10 THE OAKLAND ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R2B					

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<b>09 029 24 43 0165</b>	Y	5	42.6	126	5367	VACANT SINGLE FAMILY
2601 GIRARD AVE N	05/23/13			LOT 007 BLOCK 029 FAIRMOUNT PARK ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R2B					
<b>03 028 24 13 0023</b>	Y	8	46	128	5888	VACANT SINGLE FAMILY
3219 2ND AVE S	06/20/13			LOT 022 BLOCK 009 BAKER'S 2ND ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R2B					
<b>04 029 24 41 0114</b>	Y	4	40	126.9	5076	VACANT SINGLE FAMILY
3950 BRYANT AVE N	06/20/13			LOT 028 BLOCK 002 FARNHAMS 3RD ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R1A					
<b>04 029 24 43 0092</b>	Y	4	40	124.6	4984	VACANT LAND
3719 GIRARD AVE N	06/20/13			LOT 011 BLOCK 008 ADDITION "WALTON PARK"		
NON-CONSERVATION	R1A					
<b>04 029 24 43 0163</b>	Y	4	40	126	5040	VACANT SINGLE FAMILY
3638 GIRARD AVE N	06/20/13			LOT 025 BLOCK 010 "WALTON PARK"		
NON-CONSERVATION	R1A					
<b>05 029 24 11 0100</b>	Y	4	40	126.6	5066	VACANT DUPLEX
4238 THOMAS AVE N	06/20/13			LOT 027 BLOCK 005 ADDITION "HOWE'S" HYLAND HOME ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R1A					
<b>09 029 24 12 0073</b>	Y	4	40	125.6	5024	VACANT SINGLE FAMILY
3411 GIRARD AVE N	06/20/13			LOT 013 BLOCK 003 DEAN PARK		
NON-CONSERVAITON	R1A					
<b>09 029 24 12 0183</b>	Y	4	40	126	5040	VACANT SINGLE FAMILY
3439 EMERSON AVE N	06/20/13			LOT 006 BLOCK 003 ADDITION "LIVINGSTON PARK"		
NON-CONSERVATION	R2B					
<b>09 029 24 21 0176</b>	Y	4	40	126.6	5064	VACANT SINGLE FAMILY
3431 KNOX AVE N	06/20/13			LOT 008 BLOCK 006 ADDITION "NIMMONS AND PRATT'S ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R1A					
<b>09 029 24 32 0062</b>	Y	4	42.7	126.3	5393	VACANT LAND
3027 LOGAN AVE N	06/20/13			LOT 008 ADDITION "HAMISCH'S ADDITION TO MINNEAPOLIS"		
NON-CONSERVATION	R1A					

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<b>09 029 24 33 0103</b>	Y	5	43.6	126	5493.6	OCCUPIED DUPLEX
2701 OLIVER AVE N	06/20/13			LOT 007 BLOCK 004 ADDITION		
NON-CONSERVATION	R1A			"SUPPLEMENT TO FOREST HEIGHTS MINNEAPOLIS"		
<b>09 029 24 33 0158</b>	Y	5	42.6	125.9	5365	VACANT LAND
2635 LOGAN AVE N	06/20/13			LOT 006 BLOCK 008 SUPPLEMENT		
NON-CONSERVATION	R1A			TO FOREST HEIGHTS MINNEAPOLIS		
<b>09 029 24 42 0044</b>	Y	5	45	127	5715	VACANT SINGLE FAMILY
3103 FREMONT AVE N	06/20/13			LOT 006 BLOCK 011 ADDITION		
NON-CONSERVATION	R4			"SILVER LAKE ADDITION"		
<b>09 029 24 42 0098</b>	Y	5	45	127	5715	VACANT SINGLE FAMILY
2915 GIRARD AVE N	06/20/13			LOT 010 BLOCK 013 SILVER LAKE		
NON-CONSERVATION	R2B			ADDITION TO MINNEAPOLIS		
<b>17 029 24 13 0138</b>	Y	5	39.6	113.8	4506	VACANT SINGLE FAMILY
1907 UPTON AVE N	06/20/13			LOT 014 BLOCK 003 "UPLAND		
NON-CONSERVATION	R1A			ADDITION TO MINNEAPOLIS"		
<b>11 029 24 14 0194</b>	Y	1	46	182	8372	LAND ONLY
2609 QUINCY ST NE	07/11/13			LOT 016 BLOCK 017 MENAGES		
NON-CONSERVATION	R2B			SUP TO EAST SIDE ADDN TO MPLS		
<b>07 028 23 21 0059</b>	Y	12	40	127	5080	MISC. GARAGE
3852 37TH AVE S	07/25/13			LOT 014 BLOCK 006 LAWNSDALE		
NON-CONSERVATION	R1A					
<b>02 028 24 32 0181</b>	Y	8	41	118	4838	VAC LAND
3408 OAKLAND AVE	07/25/13			LOT 001 WOLVERTONS RGT LOTS		
NON-CONSERVATION	R2B			BLOCK 4 CHICAGO AVE		
<b>24 028 24 13 0082</b>	Y	11	40	128	5120	VACANT SINGLE FAMILY
5617 25TH AVE S	07/25/13			LOT 026 BLOCK 003 NOKOMIS		
NON-CONSERVATION	R1A			SOUTH SHORE 2ND ADDITION TO MINNEAPOLIS		
<b>04 029 24 43 0061</b>	Y	4	40	126	5040	VACANT SINGLE FAMILY
3743 FREMONT AVE N	07/25/13			LOT 005 BLOCK 007 WALTON PARK		
NON-CONSERVATION	R2B					
<b>04 029 24 44 0091</b>	Y	3	40	126	5040	VACANT SINGLE FAMILY
3722 DUPONT AVE N	07/25/13			LOT 021 BLOCK 004 WALTON PARK		
NON-CONSERVATION	R2B					

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<b>08 029 24 12 0028</b>	Y	4	40	127.4	5096	VACANT LOT W/GARAGE ONLY Recent Demo
3501 THOMAS AVE N	07/25/13			LOT 015 BLOCK 001 BERRYS 1ST ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R1A					
<b>09 029 24 14 0108</b>	Y	3	46	123.4	5676	VACANT LOT
3247 LYNDAL AVE N	07/25/13			LOT 002 BLOCK 034 BAKERS 4TH ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R3					
<b>09 029 24 23 0074</b>	Y	4	39.2	128.4	5033	VACANT LOT
3318 OLIVER AVE N	07/25/13			LOT 020 BLOCK 001 LATIMERS ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R1A					
<b>09 029 24 32 0068</b>	Y	4	42.7	126.2	5388	VACANT LOT
NON-CONSERVATION	R1A					
<b>12 029 24 22 0081</b>	Y	1	46	177	8142	VACANT LOT
2827 CENTRAL AVE NE	07/25/13			LOT 020 BLOCK 003 MENAGES SUP TO EAST SIDE ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	C2					
<b>15 029 24 22 0090</b>	Y	3	43	157	6751	VACANT SINGLE FAMILY
2523 3RD ST N	07/25/13			LOT 003 BLOCK 001 WOODLAND PARK		
NON-CONSERVATION	R2B					
<b>17 029 24 41 0055</b>	Y	5	42	129.8	5451	VACANT LOT
1815 QUEEN AVE N	07/25/13			LOT 028 BLOCK 002 EASTLAWN ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R1A					
<b>09 029 24 33 0198</b>	Y	5	42.6	127.4	5429	VACANT LAND
2615 NEWTON AVE N	07/12/13			LOT 004 BLOCK 011 SUPPLEMENT TO FOREST HEIGHTS MINNEAPOLIS		
NON-CONSERVATION	R1A					
<b>16 029 24 14 0138</b>	Y	3	IRREGULAR	7068		VACANT LAND
2126 DUPONT AVE N	07/12/13			W 117 FT AND THE S 25 FT OF THE E 40 FT LOT 015 BLOCK 019 HIGHLAND PARK ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R2B					
<b>13 029 24 24 0078</b>	Y	1	33	113	3729	VACANT LAND
1128 LINCOLN ST NE	06/21/13			LOT 008 BLOCK 003 MARTINS ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R2B					
<b>21 029 24 43 0075</b>	Y	5	168	150	25200	OCC COMMERCIAL BUILDING
260 FREMONT AVE N	07/25/13			TRACT B REG LAND SURVEY NO 0979 HENNEPIN COUNTY, MINNESOTA		
NON-CONSERVATION	C2					

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Be It Further Resolved that the parcels listed below be designated as non-conservation land if not previously so designated, and that all the properties listed below be released for public auction:

<u>PID Number</u>	<u>Target Forfeit Date</u>	<u>Ward</u>	<u>Wide</u>	<u>Lot Size/Sq. Feet</u>		<u>Current Use</u>
<u>Address</u>	<u>Zoning</u>			<u>Depth</u>	<u>Sq. Feet</u>	<u>Legal Description</u>
<b>03 029 24 44 0061</b>	<b>N</b>	1	36	133	4788	VACANT SINGLE FAMILY
2950 RANDOLPH ST NE	07/11/13			LOT 002 BLOCK 005 "NORTHTOWN ADDITION TO MINNEAPOLIS"		
NON-CONSERVATION	R2B					
<b>09 029 24 33 0179</b>	<b>Y</b>	5	42.6	125.9	5365	VACANT SINGLE FAMILY
2622 MORGAN AVE N	05/23/13			LOT 013 BLOCK 009 SUPPLEMENT TO FOREST HEIGHTS MINNEAPOLIS		
NON-CONSERVATION REPURCHASED	R1A					
<b>20 029 24 11 0059</b>	<b>Y</b>	5	63	128.9	8120	SIDE BY SIDE DUPLEX
1238 SHERIDAN AVE N	05/23/13			LOT 25 AND S 23 FT OF LOT 26 "HOMWOOD, MINNEAPOLIS"		
NON-CONSERVATION REPURCHASED	R1					
<b>03 028 24 12 0008</b>	<b>Y</b>	8	46	127	5842	OCCUPIED DUPLEX
3028 3RD AVE S	06/20/13			LOT 008 BLOCK 001 BAKERS 2ND ADDITION TO MINNEAPOLIS		
NON-CONSERVATION REPURCHASED	R2B					
<b>14 029 24 44 0164</b>	<b>Y</b>	3				CONDO GARAGE STALL
720 3RD AVE NE #G13	06/20/13			ADDITION CIC NO. 1155 ST ANTHONY NORTHEAST CONDOMINIUM UNIT NO G13		
NON-CONSERVATION	R5					
<b>22 029 24 14 0358</b>	<b>N</b>	7				GARAGE/STORAGE
408 1ST ST N #G8	07/11/13			CIC NO 1053 LINDSAY LOFTS PARKING UNIT NO G8		
NON-CONSERVATION	C3A					
<b>35 029 24 41 0097</b>	<b>Y</b>	9	40	123.5	4940	OCCUPIED DUPLEX
2702 16TH AVE S	07/11/13			S 18 16/100 FT OF LOT 1 AND N 21 84/100 Ft Of LOT 2 LOTS 1 AND 2 BLOCK 004 PETERS ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R2B					
<b>02 028 24 11 0222</b>	<b>Y</b>	9	43	122	5246	COMML/CHURCH/INSTITUTION - VBR
3019 17TH AVE S	07/25/13			LOT 009 SUBD J G LENNONS OUTLOTS MINNEAPOLIS BLOCK 16		
NON-CONSERVATION	R2B					
<b>04 028 24 31 0319</b>	<b>N</b>	10				CONDO GARAGE
3540 HENNEPIN AVE #G34	07/25/13			CIC NO 1495 THE GREENHOUSE CONDO		
NON-CONSERVATION	R5					

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<b>10 028 24 12 0037</b>	Y	8	40	131	5240	OCCUPIED DUPLEX
3828 STEVENS AVE S	07/25/13			LOT 008 BLOCK 003 NICOLLET PARK ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R1A					
<b>04 029 24 44 0171</b>	Y	3	40	125	5000	OCCUPIED SINGLE FAMILY HOME
3615 ALDRICH AVE N	07/25/13			LOT 012 BLOCK 015 WALTON PARK		
NON-CONSERVATION	R1A					
<b>10 029 24 33 0027</b>	Y	3	44	157	6908	OCCUPIED SINGLE FAMILY
2701 3RD ST N	07/25/13			LOT 010 BLOCK 003 HOLWAY & TAYLORS ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R2B					
<b>26 029 24 23 0461</b>	Y	7				OCCUPIED CONDO
929 PORTLAND AVE S	07/25/13			UNIT NO 1201 CIC NO 1837 SKYSCAPE		
NON-CONSERVATION	B4N					
REPURCHASED						
<b>12 118 21 31 0010</b>	Y	4	40	127	5080	OCCUPIED SINGLE FAMILY HOME
4723 CAMDEN AVE N	07/12/13			LOT 010 BLOCK 003 CAMDEN HOMES MINNEAPOLIS		
NON-CONSERVATION	R1A					
<b>16 029 24 11 0034</b>	Y	3	40	157	6280	OCCUPIED DUPLEX
2422 ALDRICH AVE N	06/21/13			S 40 FT LOT 013 BLOCK 002 HIGHLAND PARK ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R2B					
REPURCHASED						
<b>16 029 24 12 0145</b>	Y	5	40	89	3560	VACANT DUPLEX
2504 HUMBOLDT AV N	06/21/13			N 40 FT OF S 42 FT OF W 89 FT OF E 179 FT LOT 006 BLOCK 043 HIGHLAND PARK ADDITION TO MINNEAPOLIS		
NON-CONSERVATION	R2B					
REPURCHASED						

Be It Further Resolved that the parcels listed below be designated as non-conservation land if not previously so designated, and that all the property listed below be released for auction to adjacent owners:

<u>PID Number</u>	<u>Target Forfeit Date</u>	<u>Zoning</u>	<u>Ward</u>	<u>Wide</u>	<u>Lot Size/Sq. Feet</u>	<u>Sq. Feet</u>	<u>Current Use</u>	<u>Legal Description</u>
<b>22 028 24 44 0202</b>	N	11	15		132	1980	VACANT LAND	
6140 5TH AVE S	07/25/13				LOT 004 DIAMOND LAKE HIGHLANDS 4TH DIVISION			
NON-CONSERVATION	R1A							

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12 118 21 42 0116	Y	4	30	108.9	3267	VACANT LAND
4859 LYNDAL AVE N	07/12/13			THAT PART OF LOT 1 BLK 1 LYING		
NON-CONSERVATION				WLY OF A LINE BEG AT SE COR		
	C1			THOF TH RUN NLY TO A PT ON N		
				LINE THOF DIST 108.97 FT E OF NW		
				COR THOF LOT 001 BLOCK 001		
				CHAUTAUQUA ADDITION TO		
				MINNEAPOLIS		

Be It Further Resolved that the City is authorized to file an application for title registration on the tax-forfeited properties listed in this resolution for acquisition by the City of Minneapolis signed by the Mayor and the City Clerk pursuant to Minnesota Statutes 508.03(6).

Adopted.

Absent – Reich.

Resolution 2013R-434, approving the classification of certain tax-forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, as non-conservation and the conveyance thereof, 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-434**  
**By Goodman**

**Approving the classification of certain tax-forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, as non-conservation and the conveyance thereof.**

Whereas, the City Council of the City of Minneapolis, Hennepin County, Minnesota, has been advised by the County of Hennepin, Minnesota, that certain parcels of land in said City have become the property of the State of Minnesota under the provision of law declaring the forfeiture of lands to the State for nonpayment of taxes;

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

That all of the parcels listed below be designated as non-conservation land:

11 118 21 21 0118	5147 PENN AVE N
02 028 24 44 0029	3604 18TH AVE S
03 029 24 32 0043	3915 6TH ST N
09 029 24 21 0200	3419 JAMES AVE N
09 029 24 33 0179	2622 MORGAN AVE N
09 029 24 34 0187	2600 IRVING AVE N
09 029 24 41 0213	1017 31ST AVE N
09 029 24 43 0165	2601 GIRARD AVE N

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20 029 24 11 0059	1238 SHERIDAN AVE N
03 028 24 12 0008	3028 3RD AVE S
03 028 24 13 0023	3219 2ND AVE S
04 029 24 41 0114	3950 BRYANT AVE N
04 029 24 43 0092	3719 GIRARD AVE N
04 029 24 43 0163	3638 GIRARD AVE N
05 029 24 11 0100	4238 THOMAS AVE N
09 029 24 12 0073	3411 GIRARD AVE N
09 029 24 12 0183	3439 EMERSON AVE N
09 029 24 21 0176	3431 KNOX AVE N
09 029 24 32 0062	3027 LOGAN AVE N
09 029 24 33 0103	2701 OLIVER AVE N
09 029 24 33 0158	2635 LOGAN AVE N
09 029 24 42 0044	3103 FREMONT AVE N
09 029 24 42 0098	2915 GIRARD AVE N
10 029 24 23 0122	613 33RD AVE N
14 029 24 44 0164	720 3RD AVE NE #G13
17 029 24 13 0138	1907 UPTON AVE N
03 029 24 44 0061	2950 RANDOLPH ST NE
11 029 24 14 0194	2609 QUINCY ST NE
22 029 24 14 0358	408 1ST ST N #G8
35 029 24 41 0097	2702 16TH AVE S
07 028 23 21 0059	3852 37TH AVE S
02 028 24 11 0222	3019 17TH AVE S
02 028 24 32 0181	3408 OAKLAND AVE
04 028 24 31 0319	3540 HENNEPIN AVE #G34
10 028 24 12 0037	3828 STEVENS AVE S
22 028 24 44 0202	6140 5TH AVE S
24 028 24 13 0082	5617 25TH AVE S
04 029 24 43 0061	3743 FREMONT AVE N
04 029 24 44 0091	3722 DUPONT AVE N
04 029 24 44 0171	3615 ALDRICH AVE N
08 029 24 12 0028	3501 THOMAS AVE N

09 029 24 14 0108	3247 LYNDAL AVE N
09 029 24 23 0074	3318 OLIVER AVE N
09 029 24 32 0068	3001 LOGAN AVE N
10 029 24 33 0027	2701 3RD ST N
12 029 24 22 0081	2827 CENTRAL AVE NE
15 029 24 22 0090	2523 3RD ST N
17 029 24 41 0055	1815 QUEEN AVE N
21 029 24 43 0075	260 FREMONT AVE N
26 029 24 23 0461	929 PORTLAND AVE S
12 118 21 31 0010	4723 CAMDEN AVE N
12 118 21 42 0116	4859 LYNDAL AVE N
09 029 24 33 0198	2615 NEWTON AVE N
16 029 24 14 0138	2126 DUPONT AVE N
13 029 24 24 0078	1128 LINCOLN ST NE
16 029 24 11 0034	2422 ALDRICH AVE N
16 029 24 12 0145	2504 HUMBOLDT AVE N

Adopted.

Absent – Reich.

**Comm Dev** - Your Committee, having under consideration the Prospect Park Light Rail Transit Station Phased Development Plan for the purpose of utilizing Sewer Availability Charge (SAC) credits, now recommends:

a) approval of the Prospect Park LRT Station Phased Development Plan as set forth in the Department of Community Planning & Economic Development staff report, and find that it is consistent with the Comprehensive Plan, and

b) that the proper City officers be authorized to submit the Plan to the Metropolitan Council Environmental Services for its approval.

Adopted.

Absent – Reich.

**Comm Dev** – Your Committee, having under consideration the issuance of revenue bonds on behalf of Seward Renewal LLC, for the Seward Square Apartments, a project consisting of the acquisition and rehabilitation of a 81-unit multi-family rental housing development and facilities related thereto at 2121 9th St S, now recommends passage of the accompanying resolution giving final approval to Issue up to \$6,500,000 of Tax Exempt Multi-family Housing Revenue Entitlement Bonds for said project.

Adopted.

Absent – Reich.

Resolution 2013R-435, authorizing the issuance of bonds, in a principal amount not to exceed \$6,500,000 in the form of Housing Revenue Bonds for the Seward Square Apartments Project, 2121 9th St S, Series 2013, and approving and authorizing the execution of various documents in connection therewith, and the execution and delivery of related documents, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2013R-435**  
**By Goodman**

**Authorizing the issuance of bonds, in a principal amount not to exceed \$6,500,000 in the form of Housing Revenue Bonds (Seward Square Apartments Project, 2121 9th St S), Series 2013, and approving and authorizing the execution of various documents in connection therewith.**

Resolved by The City Council of The City of Minneapolis:

1. **STATUTORY AUTHORIZATION.** The City of Minneapolis, Minnesota (the "City"), is a home rule city and political subdivision duly organized and existing under its Charter and the Constitution and laws of the State of Minnesota, and is authorized by Minnesota Statutes, Chapter 462C, as amended (the "Housing Act"), to carry out the public purposes described in the Housing Act by issuing revenue bonds or other revenue obligations to finance multifamily housing developments located within the City. In the issuance of the City's revenue bonds and other revenue obligations and in the making of loans to finance multifamily housing developments, the City may exercise, within its corporate limits, any of the powers that the Minnesota Housing Finance Agency may exercise under Minnesota Statutes, Chapter 462A, as amended, without limitation under the provisions of Minnesota Statutes, Chapter 475, as amended.

2. **THE BORROWER AND THE PROJECT.** Seward Renewal LLC, a Minnesota limited liability company (the "Borrower"), has requested the participation of the City in the financing of the acquisition and rehabilitation of an approximately 81-unit rental housing development and facilities functionally related and subordinate thereto, located at 2121 9<sup>th</sup> Street South in the City to be owned by the Borrower (the "Project").

3. **THE HOUSING PROGRAM.** A Program for a Multifamily Housing Development (the "Housing Program") with respect to the Project and the proposed issuance of revenue obligations to finance the Housing Program and the Project was prepared pursuant to the requirements of Section 462C.03, subdivision 1a, of the Housing Act, and is on file with the City. The Housing Program was submitted to the Metropolitan Council for its review and comments in accordance with the requirements of the Housing Act.

4. **PUBLIC HEARING AND PRELIMINARY RESOLUTION.** The Community Development Committee of the Minneapolis City Council, on behalf of the City, held a public hearing on Tuesday, August 6, 2013, with respect to the Housing Program and the proposed issuance of revenue obligations to finance the Project. The public hearing was conducted at least fifteen (15) days after the publication in a newspaper of general circulation in the City of a notice of such public hearing. At a meeting held on August 16, 2013, the City Council of the City adopted Resolution 2013R-354, which approved and adopted the Housing Program and granted preliminary approval to the issuance of revenue obligations of the City in a principal amount not to exceed \$6,500,000 to finance the Project.

5. THE BONDS. The Borrower has requested that the City issue its Housing Revenue Bonds (Seward Square Apartments Project), Series 2013 (the "Bonds"), in an aggregate principal amount not to exceed \$6,500,000, for the benefit of the Borrower, pursuant to the terms of a Trust Indenture, dated on or after October 1, 2013 (the "Indenture"), between the City and a trustee to be selected by the Borrower (the "Trustee"). The Borrower has requested that the City loan the proceeds derived from the sale of the Bonds to the Borrower pursuant to the terms of a Loan Agreement, dated on or after October 1, 2013 (the "Loan Agreement"), between the City and the Borrower. The Borrower proposes to apply the proceeds of the loan made pursuant to the terms of the Loan Agreement (the "Loan") to the payment of a portion of the costs of the acquisition, rehabilitation, construction, and equipping of the Project and related costs.

6. OBLIGATIONS OF THE CITY. The City acknowledges, finds, determines, and declares that the issuance of the Bonds is authorized by the Housing Act and is consistent with the purposes of the Housing Act and that the issuance of the Bonds, and the other actions of the City under the Indenture, the Loan Agreement, and this resolution constitute a public purpose and are in the interests of the City. In authorizing the issuance of the Bonds for the financing of the Project and related costs, the City's purpose is and the effect thereof will be to promote the public welfare of the City and its residents by providing multifamily housing developments for low or moderate income residents of the City and otherwise furthering the purposes and policies of the Housing Act. The Bonds will be issued pursuant to the terms of the Indenture and this resolution and the Bonds and the interest on the Bonds: (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.

7. ISSUANCE OF THE BONDS. For the purposes set forth above, there is hereby authorized the issuance, sale, and delivery of the Bonds in the maximum aggregate principal amount not to exceed \$6,500,000. The City hereby authorizes the 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 shall allocate a portion of the annual volume cap within the control of the City to the Bonds pursuant to the terms and conditions of Minnesota Statutes, Chapter 474A, as amended, and Section 146 of the Internal Revenue Code of 1986, as amended (the "Code"). The Bonds, substantially in the forms set forth in the Indenture now on file with the City, are hereby approved with the amendments referenced herein. All of the provisions of the 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 Bonds shall bear interest at the rates, shall be designated, shall be numbered, shall be dated, shall mature, shall be issued 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 form now on file with the City, which form is hereby approved, with such necessary and appropriate variations, omissions, and insertions (including changes to the aggregate principal amount of the Bonds, the stated maturities of the Bonds, the interest rates on the Bonds, and the terms of redemption of the Bonds) as the Finance Officer, in his discretion, shall determine. The execution of the Bonds with the manual or facsimile signature of the Finance Officer and the delivery of the Bonds by the City shall be conclusive evidence of such determination.

The Bonds shall be special limited obligations of the City payable solely from the revenues provided by the Borrower pursuant to the terms of the Loan Agreement and from the revenues and security pledged, assigned, and granted pursuant to the Indenture and any other security documents provided by the Borrower to the Trustee. As provided in the Loan Agreement, the Bonds shall not be payable from nor charged upon any funds other than the revenue pledged to their payment, nor shall the City be subject to any liability thereon, except as otherwise provided in this paragraph. No holder of the Bonds shall ever have the right to compel any exercise by the City of any taxing powers of the City to pay the Bonds or the interest or premium thereon, or to enforce payment thereof against any property of the City except the interests of the City in the Loan Agreement and the revenues and assets thereunder, which will be assigned to the Trustee under the terms of the Indenture. The Bonds shall recite that the Bonds are issued pursuant to the Housing Act, and that the Bonds, including interest and premium, if any, thereon, are payable solely from the revenues and assets pledged to the payment thereof, and the Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitations.

8. THE INDENTURE. The Indenture is hereby approved and the Finance Officer is hereby authorized to execute and deliver the Indenture on behalf of the City. 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 and delivery thereof by the Finance Officer shall be conclusive evidence of such determination.

9. THE LOAN AGREEMENT. The Finance Officer is hereby authorized and directed to execute and deliver the Loan Agreement. The loan repayments to be made by the Borrower under the Loan Agreement are to be fixed so as to produce revenues sufficient to pay the principal of, premium, if any, and interest on the Bonds when due. 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 on file with the City which is hereby approved, with such omissions and insertions as do not materially change the substance thereof, and as the Finance Officer, in his discretion, shall determine, and the execution thereof by the Finance Officer shall be conclusive evidence of such determinations.

10. SECURITY. The City hereby approves the execution by the Borrower and delivery to the Trustee of: (i) one or more collateral assignments of the contracts between the Borrower and the architect and contractor with respect to the Project; (ii) one or more indemnity agreements; and (iii) other security documents that are intended to ensure timely payment of the Loan and the Bonds. The City hereby approves a disbursing agreement, between the Borrower, the Trustee, and a disbursing agent to be selected by the Borrower, to provide for the disbursement of the proceeds of the Bonds and the Loan. All such security documents, if any are delivered, shall be substantially in the forms authorized by the Borrower.

11. THE REGULATORY AGREEMENT. To ensure continuing compliance with certain rental and occupancy restrictions imposed by the Housing Act and Section 142(d) of the Code, and to ensure continuing compliance with certain restrictions imposed by the City, the Finance Officer is hereby authorized and directed to execute and deliver a Regulatory Agreement, dated on or after October 1, 2013 (the "Regulatory Agreement"), between the City, the Borrower, and the Trustee. The Regulatory Agreement shall be substantially in the form on

file with the City which is hereby approved, with such 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 determinations. All of the provisions of the Regulatory 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.

12. OTHER CITY DOCUMENTS. 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 Bonds, including a Purchase Contract, dated on or after the pricing date of the Bonds, between the City, the Borrower, and M.R. Beal & Company, as original purchaser of the Bonds, various certificates of the City, an Information Return for Tax-Exempt Private Activity Bond Issues, Form 8038, with respect to the Bonds, a certificate as to arbitrage and rebate, and similar documents, appropriate amendments to the Housing Program, and all other documents and certificates as the Finance Officer shall deem to be necessary or appropriate in connection with the issuance, sale, and delivery of the Bonds. The City hereby authorizes Kutak Rock LLP, as bond counsel to the City ("Bond Counsel"), to prepare, execute, and deliver its approving legal opinions with respect to the Bonds.

13. DISCLOSURE DOCUMENTS. The City will not participate in the preparation of an official statement or other disclosure document relating to the offer and sale of the Bonds (the "Disclosure Document"), and will make no independent investigation with respect to the information contained in the Disclosure Document, including the appendices thereto, and the City assumes no responsibility for the sufficiency, accuracy, or completeness of such information. The City hereby approves the Continuing Disclosure Agreement, dated on or after October 1, 2013 (the "Continuing Disclosure Agreement"), between the Borrower and the Trustee, in the form now on file with the City.

14. SUBSEQUENT AMENDMENTS. On any date subsequent to the date of issuance of the 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 on behalf of the City if, after review by the City Attorney and Bond Counsel, 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.

15. 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 Bonds shall be personally liable on the 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 Bonds, or in any other document relating to the 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 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 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, the Borrower, the Trustee, and registered and beneficial owners from time to time of the Bonds issued under the provisions of this resolution.

16. 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 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 Bonds, but this resolution, the aforementioned documents, and the Bonds shall be construed and endorsed as if such illegal or invalid provisions had not been contained therein.

17. VALIDITY OF THE BONDS. The Bonds, when executed and delivered, shall contain a recital that they are issued pursuant to the Housing Act, and such recital shall be conclusive evidence of the validity of the 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 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.

18. ADDITIONAL ACTIONS. The officers of the City, the City Attorney, Bond Counsel, 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 Bonds, for the full, punctual, and complete performance of all the terms, covenants, and agreements contained in the Bonds, the aforementioned documents, and this resolution.

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

20. FEES AND INDEMNIFICATION. The Borrower has agreed to pay the administrative fees of the City in accordance with the policy and procedures of the City. It is hereby determined that any and all costs incurred by the City in connection with the financing of the Project will be paid by the Borrower. It is understood and agreed by the Borrower that the Borrower shall indemnify the City against all liabilities, losses, damages, costs, and expenses (including attorney's fees and expenses incurred by the City) arising with respect to the Project or the Bonds, as provided for and agreed to by and between the Borrower and the City in the Loan Agreement.

21. 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 – Reich.

**Comm Dev** - Your Committee, having under consideration the cooperative agreement between the Hennepin County Housing and Redevelopment Authority, Hennepin County, and the City of Minneapolis to undertake redevelopment activities in the Lowry Avenue corridor (Stinson Blvd NE west to Theodore Wirth Pkwy) and the Penn Avenue North Corridor (49th Ave N and Osseo Road south to I-394), now recommends that the proper City officers be authorized to enter into a Memorandum of Understanding (MOU) with Hennepin County for multijurisdictional coordination of redevelopment efforts on the Lowry Avenue corridor and the Penn Avenue corridor, and delegate authority to determine compliance with the MOU to the Director of Community Planning and Economic Development.

Adopted.

Absent – Reich.

**Comm Dev** - Your Committee, having under consideration support of Financial Inclusion Leadership Team efforts on advancing financial inclusion and access, now recommends:

a) that the proper City officers be directed to continue staffing the work of the Financial Inclusion Leadership Team's effort to advance financial inclusion initiatives in the metro area; and

b) authorizing a joint communique with the City of St. Paul supporting the work of the Financial Inclusion Leadership Team.

Adopted.

Absent – Reich.

**Comm Dev** - Your Committee, having under consideration 2013 Emergency Solutions Grant (ESG) funding recommendations, now recommends approval of up to \$408,377 of Fiscal Year 2013 ESG funds for the following projects:

a) Up to \$140,000 for Harbor Light Center, 1xxx Currie Ave N, by Salvation Army or an affiliated entity;

b) Up to \$133,377 for Our Saviour's Outreach Ministries, 2xxx Chicago Ave S, by Our Saviour's Outreach Ministries or an affiliated entity; and

c) Up to \$135,000 for The Bridge, 2xxx Emerson Ave S, by The Bridge for Youth or an affiliated entity.

Adopted.

Absent – Reich.

**Comm Dev** - Your Committee, having under consideration allocation of 2014 Low Income Housing Tax Credits (LIHTC), now recommends approval to preliminarily reserve Year 2014 Federal LIHTC totaling \$1,376,364 for the following projects:

a) The Lonoke, 1936 3rd Ave S (\$109,319);

b) PPL DECC, scattered sites (\$744,459); and

c) Ebenezer Towers, 2523 Portland Ave S (\$522,586)

Adopted.

Absent – Reich.

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

**Comm Dev & W&M/Budget** - Your Committee, having under consideration 2013 Affordable Housing Trust Fund (AHTF) project recommendations, now recommends approval of a total up to \$8,218,692 from the AHTF for the following project loans, subject to the availability

of funding at project closing, and that the proper City officers be authorized to execute the necessary documents for said loans:

a) Up to \$1,170,000 for the Anishinabe Bii Gii Wiin project, 1600 19th St E by American Indian Community Development Corporation, PPL, or an affiliated entity;

b) Additional loan up to \$300,000 for the Broadway Flats project, 2220 W Broadway Ave, by Rose Development, LLC. or an affiliated entity, subject to the 27 month timely completion conditions in the 2012 AHTF RFP;

c) Additional loan up to \$199,000 for the Ebenezer Towers Apartments project, 2523 Portland Ave S, by ES Towers Limited Partnership (Ebenezer Society) or an affiliated entity, subject to the 27 month timely completion conditions in the 2012 AHTF RFP;

d) Up to \$1,875,000 for the Hawthorne EcoVillage Apartments project, 3110 Lyndale Ave N, by Project for Pride in Living or an affiliated entity;

e) Up to \$444,692 for the Jordan Apartments project, 2712 Penn Ave N, by Alliance Housing, Inc. or an affiliated entity;

f) Up to \$500,000 for the Little Earth VI project, 2432 and 2434 Cedar Ave S and 2499 18th Ave S by the Little Earth of United Tribes Housing Corporation or an affiliated entity;

g) Up to \$555,000 for the Marshall Flats project, 2525 2nd St NE by Clare Housing or an affiliated entity;

h) Up to \$1,200,000 for the Mill City Quarter project, 300 2nd St S, by Iron Eagle Partners, LLC or an affiliated entity;

i) Up to \$1,975,000 for the 21 building PRG Portfolio scattered site project, 2205-2211 13th Ave S, 3439 15th Ave S, 3200 16th Ave S, 1300-1304 E 23rd St, 3201 Bloomington Ave S, 3205 Bloomington Ave S, 3406-3408 Chicago Ave, 3417-3419 Chicago Ave, 3421-3423 Chicago Ave, 3429-3431 Chicago Ave, 3441-3451 Chicago Ave, 3708 Elliot Ave S, 3633 Elliot Ave S, 3637 Elliot Ave S, 3641 Elliot Ave S, 3645 Elliot Ave S, 3649 Elliot Ave S, 2733 Portland Ave S, 2730 Portland Ave S, by CommonBond Communities or an affiliated entity.

Adopted.

Absent – Reich.

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

**PSC&H** - Your Committee recommends that the proper City officers be authorized to enter into an expenditure contract with Optum Inc. for use of its HEALTHIA exchange, an insurance eligibility verification service for health care providers, at an estimated annual cost of \$5,000, payable from Health Department Fund 01600-8600152.

Adopted.

Absent – Reich.

**PSC&H** - Your Committee recommends approval of the following City Council appointments to the Minneapolis Health Advisory Committee:

Tamara Ward (Ward 5), Member At-Large, for a term which expires 12/31/2014 (replacing Samira Dini);

Sarah Dutton, Minneapolis Public Schools, filling the unexpired term of Julie Young-Burns, which expires 12/31/2013, and for a new two-year term to expire 12/31/2015.

Adopted.

Absent – Reich.

**PSC&H** - Your Committee recommends approval of the updated Minneapolis Blueprint for Action to Prevent Youth Violence, as set forth in the Health Department staff report.

Adopted.

Absent – Reich.

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

**PSC&H & W&M/Budget** - Your Committee recommends passage of the accompanying resolution accepting in-kind donations of dog and cat food and supplies from Toni Yeamans, Sue Bartolluti, Melissa Kinnard, Mary Morgan, Judy Winiecki and LaVerle McAdams.

Adopted.

Absent – Reich.

Resolution 2013R-436, approving donations of dog and cat food and treats from Toni Yeamans, Sue Bartolluti, Melissa Kinnard, Mary Morgan, Judy Winiecki and LaVerle McAdams, 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-436  
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:

Toni Yeamans - 8 boxes Milk Bones dog biscuits;

Sue Bartolluti - cat toys;

Melissa Kinnard - Dog Biscuits (7 lb);

Mary Morgan - 10 dog leashes/collars;

Judy Winiecki and LaVerle McAdams, in honor of their recent nuptials - 2 boxes Milk Bones (14 lb), Pedigree dog food (15 lb), 3 bags Purina One dog food (20 lb), 2 packages Frontline, Dentley's Rawhide (19 oz), Nature's Recipe dog treats (19 oz), 2 bags Nutro dog food and treats (5 lb), NutriScience dog treats (3 oz), BilJac dog treats (10 oz), Charlee Bear dog treats (16 oz); 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 – Reich.

**PSC&H & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to enter into a contract amendment with Partners in Leadership, Inc., increasing by \$11,000, for providing Police Department leadership training for an additional Minneapolis Police Department participants, and to execute any documents necessary to effectuate the agreement. Further, that a waiver to the City Travel Policy be granted, with other travel specifications added to the contract in lieu thereof.

Adopted.

Absent – Reich.

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

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

- a) Loose Wiles Freehouse, 701 Washington Ave N (new business);
- b) Radisson Plaza Hotel Minneapolis, 35 7th St S (new proprietor); and
- c) The Rabbit Hole, 920 E Lake St (new business).

Adopted.

Absent – Reich.

(Published 10/22/2013)

Resolution 2013R-437, granting Licenses to Loose Wiles Freehouse, 701 Washington Ave N; Radisson Plaza Hotel Minneapolis, 35 7th St S; and The Rabbit Hole, 920 E Lake St, 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-437**

**By Glidden**

**Granting Licenses.**

Resolved by The City Council of The City of Minneapolis:

That the following applications for licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

**Off-Sale Malt Liquor, to expire October 1, 2014**

Blue Plate Restaurant Company, Inc, dba Loose Wiles Freehouse, 701 Washington Ave N

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

RB Minneapolis Management LLC, dba Radisson Plaza Hotel Minneapolis, 35 7th St S (to include Hotel and Catering Licenses)

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

Blue Plate Restaurant Company, Inc, dba Loose Wiles Freehouse,  
701 Washington Ave N, and 2:00 a.m. License issued by the State of Minnesota  
Kyu Hospitality Group LLC, dba The Rabbit Hole, 920 E Lake St

**Sidewalk Cafe, to expire April 1, 2014**

RB Minneapolis Management LLC, dba Radisson Plaza Hotel Minneapolis, 35 7th St S.  
Adopted.  
Absent – Reich.

**RE&E** - Your Committee, having under consideration the application of Kyatchi LLC, dba Kyatchi, 3758 Nicollet Ave S, for an On-Sale Wine Class E with Strong Beer License (new business) to expire April 1, 2014 and a Sidewalk Cafe License to expire April 1, 2014 (Sidewalk Cafe Hours: Sunday to Thursday - 4:00 p.m. to 10:00 p.m. and Friday and Saturday - 4:00 p.m. to Midnight), 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 – Reich.

**RE&E** - Your Committee, having under consideration the application of Watson Health and Fitness, Inc., dba Anytime Fitness, 2104 W Broadway, for an Extended Hours License (new business) to operate 24 hours per day, seven days per week to expire May 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 – Reich.

**RE&E** - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Food Grocery, Gasoline Filling Station, Tobacco Dealer, Off-Sale 3.2 Beer, and Ice Producer Licenses held by Broadway Winner, 626 W Broadway.

Adopted.  
Absent – Reich.

Resolution 2013R-438, approving Business License Operating Conditions relating to the Food Grocery, Gasoline Filling Station, Tobacco Dealer, Off-Sale 3.2 Beer, and Ice Producer Licenses held by Broadway Winner, 626 W Broadway, 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-438  
By Glidden**

**Approving Business License Operating Conditions relating to the Food Grocery, Gasoline Filling Station, Tobacco Dealer, Off-Sale 3.2 Beer, and Ice Producer Licenses held by Broadway Winner, 626 W Broadway.**

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Food Grocery, Gasoline Filling Station, Tobacco Dealer, Off-Sale 3.2 Beer, and Ice Producer Licenses held by Rod Petroleum Inc, dba Broadway Winner, 626 W Broadway:

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 people complete with pictures of trespassed people. It will also include a policy for time limits at the gas pumps. This policy will be submitted at the time of the signing of this agreement.

3. The business agrees to continue to conspicuously post "No Trespassing" and "No Loitering" signs and will continue to maintain beautification efforts (i.e. plants and shrubs on property).

4. The business agrees not to sell single cigars. They may sell cigars in multiples of two or more in such a manner that they are affixed together and cannot be sold individually.

5. The business agrees to schedule monthly meetings with their off-duty police and the 4th Precinct MPD to discuss expectations.

6. The business agrees to provide uniforms for all employees. Description and photo of uniforms will be provided at the time of signing of this agreement.

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

8. The Conditional Use Permit allows legal operating hours of 4:00 a.m. to 1:00 a.m. daily under the conditions that off-duty police security be provided daily from 10:30 p.m. to 1:30 a.m.; therefore, the business agrees that on any day when there is no off-duty police security on-site, the business will revert back to the operating hours of 6:00 a.m. to 11:00 p.m.

9. The business will comply with the restricted operating hours of the car wash which are from 6:00 a.m. to 10:00 p.m. daily.

10. The business will have a minimum of two (2) employees working from 1:00 p.m. until 9:30 p.m. on Sunday through Thursday, until an off-duty police officer starts their shift at Broadway Winner. The business will have a minimum of three (3) employees working from 1:00 p.m. until 9:30 p.m. on Friday and Saturday until an off-duty police officer starts their shift at Broadway Winner, for the months of June, July and August each year. At least one (1) employee will be devoted to providing service to the exterior premises of the business to include at least litter collection, pump policy compliance, and greeting of customers.

11. The business will develop a written policy for requiring identification to be checked and or scanned for any credit card purchase.

Adopted.

Absent – Reich.

**RE&E** - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Food Grocery and Tobacco Dealer Licenses held by Emerson Food Market, 2628 Emerson Ave N.

Adopted.

Absent – Reich.

Resolution 2013R-439, approving Business License Operating Conditions relating to the Food Grocery and Tobacco Dealer Licenses held by Emerson Food Market, 2628 Emerson 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-439**  
**By Glidden**

**Approving Business License Operating Conditions relating to the Food Grocery and Tobacco Dealer Licenses held by Emerson Food Market, 2628 Emerson Ave N.**

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Food Grocery and Tobacco Dealer Licenses held by Shams, Inc, dba Emerson Food Market, 2628 Emerson Ave N:

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

3. The business agrees to participate with their Neighborhood Association and attend meetings as requested by the association.

4. The business agrees to not sell single cigars.

5. The business agrees to remove all litter and debris within 100 feet of the property line two (2) times per day. The business shall maintain a log of when litter/trash is monitored for pick-up and the log shall list date and times of monitoring.

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

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

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

Adopted.

Absent – Reich.

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

Adopted.

Absent – Reich.

Resolution 2013R-440, 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-440**

**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 276805):

**Off-Sale Liquor, to expire October 1, 2014**

Minnesota Sportservice LLC, dba Target Field, 353 5th St N

Mourado's Liquors Inc, dba Mourado's Liquors, 2426 2nd St NE

McDonalds Liquor Inc, dba McDonalds Liquor Store, 5010 34th Ave S

**Off-Sale Malt Liquor, to expire October 1, 2014**

Moto I Inc, dba Moto I, 2940 Lyndale Ave S (Sake only)

Northgate Brewing LLC, dba Northgate Brewing, 3134 California St NE (Growler)

**On-Sale Liquor Class A with Sunday Sales, to expire October 26, 2013**

RBP Minneapolis LLC, dba The Commons Hotel, 615 Washington Ave SE (Gopher Football, 9:00 a.m. - 6:00 p.m.)

**On-Sale Liquor Class A with Sunday Sales, to expire November 9, 2013**

RBP Minneapolis LLC, dba The Commons Hotel, 615 Washington Ave SE (Gopher Football, 9:00 a.m. - 6:00 p.m.)

**On-Sale Liquor Class A with Sunday Sales, to expire November 23, 2013**

RBP Minneapolis LLC, dba The Commons Hotel, 615 Washington Ave SE (Gopher Football, 9:00 a.m. - 6:00 p.m.)

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

Minnesota Sportservice LLC, dba Target Field, 353 5th St N (New Corporate Officer)

Minneapolis Sportservice Inc, dba Target Center, 600 1st Ave N (New Corporate Officer)

Minnesota Sportservice LLC, dba Target Field, 353 5th St N

Minneapolis Sportservice Inc, dba Target Center, 600 1st Ave N

Koch Group Mpls LLC, dba 7 Seven, 700 Hennepin Ave

Dakota Cooks LLC, dba Dakota Jazz Club & Restaurant, 1010 Nicollet Mall

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

Moto-I Inc, dba Moto I, 2940 Lyndale Ave S

Uncle Pearle LLC, dba Pat's Tap, 3510 Nicollet Ave

**On-Sale Liquor Class E with Sunday Sales, to expire October 26, 2013**

Rosvold Enterprises Inc, dba Campus Pizza, 825 Washington Ave SE (Temporary Expansion, Gopher Games)

**On-Sale Liquor Class E with Sunday Sales, to expire November 9, 2013**

Rosvold Enterprises Inc, dba Campus Pizza, 825 Washington Ave SE (Temporary Expansion, Gopher Games)

**On-Sale Liquor Class E with Sunday Sales, to expire November 23, 2013**

Rosvold Enterprises Inc, dba Campus Pizza, 825 Washington Ave SE (Temporary Expansion, Gopher Games)

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

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

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

Uptown Brewing Company LLC, dba Herkimer Pub & Brewery, 2922 Lyndale Ave S

**On-Sale Liquor Class E, to expire October 1, 2014**

Bon Appetit Management Co, dba Cafe Target, 1000 Nicollet Mall

**Temporary On-Sale Liquor, to expire October 12, 2013**

De LaSalle High School, dba De LaSalle High School, 1 De LaSalle Dr (Scholarship Gala 5:00 p.m. - 11:00 p.m.)

**Temporary On-Sale Liquor, to expire October 19, 2013**

East Side Neighborhood Services Inc, dba East Side Neighborhood Services, 1700 2nd St NE (Agency Fundraiser, 79 13th Ave NE, 1:00 p.m. - 4:00 p.m.)

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

Big Daddy Inc, dba Riverview Cafe, 3753 42nd Ave S.

Adopted.

Absent – Reich.

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

Adopted.

Absent – Reich.

Resolution 2013R-441, 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-441**

**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 October 18, 2013 be

granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 276805):

Carnival; Dancing School; Extended Hours; Food Caterers; Food Manufacturer; Short-Term Food Permit; Seasonal Short Term Food Permit; Sidewalk Cafe; Gas Fitter Class A; Gasoline Filling Station; Hotel/Motel; Motor Vehicle Repair Garage; Towing Class B; Parking Lot Commercial Class A; Parking Lot Commercial Class B; Antique Dealer Class B; Solicitor - Individual; Solid Waste Hauler; Suntanning Facility; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Theater Zone 1; Theater Zone 3; Valet Parking.

Adopted.

Absent – Reich.

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

Adopted.

Absent – Reich.

Resolution 2013R-442, 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-442**

**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 276805):

**Gambling Exempt**

Angel Foundation, dba Angel Foundation, 700 3rd St S (Raffle October 3, 2013, Graves Hotel)

The Basilica of St Mary, dba The Basilica of St Mary, 88 17th St N (Bingo October 19, 2013)

MN Fraternal Order of Police Foundation, dba MN Fraternal Order of Police Foundation (Raffle October 20, 2013, Moose on Monroe)

St Joan of Arc Catholic Community, dba St Joan of Arc Catholic Community, 4537 3rd Ave S (Raffle, October 25-26, 2013)

Will Steger Foundation, dba Will Steger Foundation 2801 21st Ave S (Raffle September 30, 2013, Indeed Brewery)

Lutheran Good Samaritan Society, dba Lutheran Good Samaritan Society, 4800 57th St W, Sioux Falls SD (Raffle November 8, 2013, U-Garden)

Wiggle Your Toes, dba Wiggle Your Toes, PO Box 385141, Bloomington (Raffles November 9, 2013, Cowboy Jacks)

Church of the Holy Cross, dba Church of the Holy Cross, 1621 University Ave NE (Bingo November 10, 2013)

Care Providers of MN Foundation, dba Care Providers of MN Foundation, 7851 Metro Pkwy, Bloomington (Raffle November 19, 2013, Hyatt Minneapolis)

MN Youth Athletic Services, dba MN Youth Athletic Services, 600 1st Ave N (October 2, 2014, Target Center).

Adopted.

Absent – Reich.

**RE&E** - Your Committee, having under consideration the property located at 3434 Dupont Ave N, and the Director of Regulatory Services having determined that said property constitutes an immediate hazard to the public health and safety pursuant to Section 249.30 of the Minneapolis Code of Ordinances, now recommends concurrence with the determination made and approves a waiver of the 60-day waiting period set forth in Chapter 249, and that the other procedures as set out in Chapter 249 may be implemented immediately.

Adopted.

Absent – Reich.

**RE&E** - Your Committee, having under consideration the Rental Dwelling License held by Kolbe LLC, Pentagon Management Group LLC, Neima Mehran for the property located at 2914 Queen Ave N, and the licensee having been notified of the City's intent to revoke the license and not having filed an appeal, now recommends approval of the recommendation of the Director of Regulatory Services that said license be revoked for failure to meet licensing standards pursuant to Section 244.1910 subd. (11) and (23) of the Minneapolis Code of Ordinances.

Your Committee further recommends adoption of the Findings of Fact drafted by the City Attorney's Office as directed by the Committee in support of the Committee's decision. (FOF-2013-35)

Adopted.

Absent – Reich.

**RE&E** - Your Committee, having under consideration the Rental Dwelling License held by Emma Weatherspoon for the property located at 2435 Elliot Ave, and the licensee having been notified of the City's intent to revoke the license and not having filed an appeal, now recommends approval of the recommendation of the Director of Regulatory Services that said license be revoked for failure to meet licensing standards pursuant to Section 244.2020 of the Minneapolis Code of Ordinances, as more fully set forth in the Findings of Fact on file in the office of the City Clerk as FOF-2013-36 which are hereby made a part of this report by reference.

Adopted.

Absent – Reich.

**RE&E** - Your Committee, having under consideration the Rental Dwelling License application submitted by Abdulaziz Sheikh for the property located at 1500 E 26th St, and the licensee having been notified of the City's intent to deny the license and the applicant not having filed an appeal, now recommends approval of the recommendation of the Director of Regulatory Services to deny the license for failure to meet the licensing standards pursuant to Section 244.1910 subd. (13)(b) and (19) of the Minneapolis Code of Ordinances.

Your Committee further recommends adoption of the Findings of Fact drafted by the City Attorney's Office as directed by the Committee in support of the Committee's decision. (FOF-2013-37)

Adopted.

Absent – Reich.

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

**RE&E & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute an agreement with Tree Trust to manage the City Tree Program in 2014 with an option for one-year contract extensions in 2015, 2016 and 2017. The proper City officers are authorized to negotiate and execute a contract with Tree Trust in an amount not to exceed the budgeted allocation for the City Trees program.

Adopted.

Absent – Reich.

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

**T&PW** - Your Committee recommends passage of the accompanying resolution approving special services, the cost estimates, service charges, and the lists of service charges for 2014 in the Uptown, Central Ave, Nicollet Ave S, Stadium Village, S Hennepin Ave, 48th St E and Chicago Ave S, and 43rd St W and Upton Ave S (Linden Hills) Special Service Districts and directing the City Engineer to proceed with the work.

Adopted.

Absent - Reich.

Resolution 2013R-443, approving special services, the cost estimates, service charges, and the lists of service charges for 2014 in the Uptown, Central Ave, Nicollet Ave S, Stadium Village, S Hennepin Ave, 48th St E and Chicago Ave S, and 43rd St W and Upton Ave S Special Service Districts and directing the City Engineer to proceed with the work, 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-443**

**By Colvin Roy**

**Approving special services, the cost estimates, service charges, and the lists of service charges for 2014 in the Uptown, Central Ave, Nicollet Ave S, Stadium Village, S Hennepin Ave, 48th St E and Chicago Ave S, and 43rd St W and Upton Ave S Special Service Districts and directing the City Engineer to proceed with the work.**

Whereas, public hearings were held on October 8, 2013 in accordance with Laws of Minnesota 1985, Chapter 302, Laws of Minnesota 1993, Chapter 375, Article 5, Sections 35 through 38, Laws of Minnesota 1995, Chapter 264, Article 3, Section 28, Laws of Minnesota 1996, Chapter 471, Article 8, Section 44 and Chapters 438, 444, 446, 448, 450, 452, 454, and 457 of the Minneapolis Code of Ordinances to consider the proposed special services, the proposed service charges, and the proposed lists of service charges as more particularly described in the staff report on file in the office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

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

That the proposed special services, the proposed cost estimate in the total amount of \$368,000 for 2014 and the proposed service charges and the proposed list of service charges (special assessments) for 2014 in the total amount of \$363,972 (amount remaining after

adjusting the cost estimate of \$358,000 for previous years' unexpended balances and additional costs as provided for in Section 438.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the Uptown Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$167,425 for 2014 and the proposed service charges and the proposed list of service charges (special assessments) for 2014 in the total amount of \$115,727 (amount remaining after adjusting the cost estimate of \$167,425 for previous years' unexpended balances and additional costs as provided for in Section 446.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the Central Avenue Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$161,000 for 2014 and the proposed service charges and the proposed list of service charges (special assessments) for 2014 in the total amount of \$180,028 (amount remaining after adjusting the cost estimate of \$161,000 for previous years' unexpended balances and additional costs as provided for in Section 448.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the Nicollet Avenue South Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$104,500 for 2014 and the proposed service charges and the proposed list of service charges (special assessments) for 2014 in the total amount of \$63,611 (amount remaining after adjusting the cost estimate of \$104,500 for previous years' unexpended balances and additional costs as provided for in Section 450.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the Stadium Village Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$120,500 for 2014 and that the proposed service charges and the proposed list of service charges (special assessments) for 2014 in the total amount of \$116,907 (amount remaining after adjusting the cost estimate of \$120,500 for previous years' unexpended balances and additional costs as provided for in Section 454.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the South Hennepin Avenue Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$19,500 for 2014 and that the proposed service charges and the proposed list of service charges (special assessments) for 2014 in the total amount of \$3,486 (amount remaining after adjusting the cost estimate of \$19,500 for previous years' unexpended balances and additional costs as provided for in Section 457.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the 48th Street East and Chicago Avenue South Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$13,000 for 2014 and that the proposed service charges and the proposed list of service charges (special assessments) for 2014 in the total amount of \$16,787 (amount remaining after adjusting the cost estimate of \$13,000 for previous years' unexpended balances and additional costs as provided for in Section 452.70 of the Minneapolis Code of Ordinances) as prepared by the City Engineer and on file in the office of the City Clerk be and hereby are approved for the 43rd Street West and Upton Avenue South Special Service District.

Be It Further Resolved that the City Engineer is hereby directed to proceed with the work.

Be It Further Resolved that the service charges be collected in one (1) installment on the 2014 real estate tax statements in the same manner as special assessments without interest charges and that the City Clerk is hereby directed to transmit certified copies of said lists of service charges to the Hennepin County Auditor.

Adopted.

Absent - Reich.

**T&PW** - Your Committee recommends passage of the accompanying resolution adopting the assessments, levying the assessments, and adopting the assessment roll for unpaid sanitary sewer service availability charges on the list of properties set forth in the staff report on file in the office of the City Clerk.

Adopted.

Absent - Reich.

Resolution 2013R-444, adopting the assessments, levying the assessments, and adopting the assessment roll for sanitary sewer service availability charges (SAC) on the list of properties set forth in the staff report on file in the office of the City Clerk, 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-444**

**By Colvin Roy**

**Adopting the assessments, levying the assessments, and adopting the assessment roll for sanitary sewer service availability charges (SAC) on the list of properties set forth in the staff report on file in the office of the City Clerk.**

Whereas, a public hearing was held on October 8, 2013 in accordance with Minnesota Statutes Section 429.101 by authority of Minnesota Statutes Chapter 473 to consider the proposed assessments as shown on the proposed assessment roll on file in the office of City Clerk and to consider all written and oral objections and statements regarding this matter;

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

That the proposed assessments against the affected properties on the 2013 SAC Fees list updated July 26, 2013, set forth in the staff report on file in the office of the City Clerk, in the total amount of \$52,583.40 as shown on the proposed assessment roll is hereby adopted and levied.

Be It Further Resolved that the assessments be collected in their entirety on the 2014 real estate tax statements with interest charged at the rate of 5%.

Be It Further Resolved that the assessment roll as prepared by the City Engineer be and hereby is adopted and that the City Clerk is hereby directed to transmit certified copies of said assessment roll to the Hennepin County Auditor.

Adopted.

Absent - Reich.

**T&PW** - Your Committee, having under consideration proposed assessments for water and sewer service line repairs or replacements, and having held a public hearing thereon, now recommends that the assessment relating to the property located at 4136 Portland Ave be **sent forward without recommendation**.

Your Committee further recommends passage of the accompanying resolution adopting and levying assessments for water and sewer service line repairs or replacements on the lists of properties set forth in Petn No 276813 on file in the office of the City Clerk.

Glidden moved to amend the report by deleting the phrase "be sent forward without recommendation" and inserting in lieu thereof, "that the Water Service Line Repair Assessment Roll be amended by extending the payment period for the assessment against the property located at 4136 Portland Ave from five (5) to ten (10) years. Seconded.

Adopted upon a voice vote.

Absent - Reich.

Colvin Roy moved that the Water Service Line Repair Assessment Roll be amended as follows:

- a) That the assessment against the property located at 2901 Morgan Ave N be reduced by \$300; and
- b) That the assessment against the property located at 3143 15th Ave S be removed from the assessment roll and postponed until 2014, payable in 2015. Seconded.

Adopted upon a voice vote.

Absent - Reich.

Quincy moved that the Sewer Service Line Repair Assessment Roll be amended by removing the assessment against the property located at 5248 12th Ave S and postponing it until 2014, payable in 2015. Seconded.

Adopted upon a voice vote.

Absent - Reich.

The report, as amended, was adopted.

Absent - Reich.

Resolution 2013R-445, adopting the assessments, levying the assessments, and adopting the assessment rolls for water and sewer service line repairs, or replacements on the lists of properties set forth in the staff report on file in the office of the City Clerk, 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-445**

**By Colvin Roy**

**Adopting the assessments, levying the assessments, and adopting the assessment rolls for water and sewer service line repairs or replacements on the lists of properties set forth in the staff report on file in the office of the City Clerk.**

Whereas, a public hearing was held on October 8, 2013 in accordance with Section 509.465 of the Minneapolis Code of Ordinances to consider the proposed assessments as

shown on the proposed assessment rolls on file in the office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

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

That the proposed water service line assessment in the amount of \$3,550 for the property located at 2901 Morgan Ave N, PID 09-029-24-32-0021 be reduced by \$300 to \$3,250.

That the proposed water service line assessment in the amount of \$4,000 for the property located at 3143 15th Ave S, PID 02-028-24-12-0200 be removed from the assessment roll and postponed to 2014, payable in 2015.

That the proposed sewer service line assessment in the amount of \$8,650 for the property located at 5248 12th Ave S, PID 14-028-24-34-0120 be removed from the assessment roll and postponed to 2014, payable in 2015.

That the proposed assessments against the affected properties on the Water Service Line Repair List, dated October 7, 2013 and set forth on the Public Works staff report, in the total amount of \$412,273.33, reduced from \$418,873.33 due to prepayments, as shown on the proposed assessment roll on file in the office of the City Clerk, be further reduced to \$400,923.33 due to the above adjustments and is hereby adopted and levied.

That the proposed assessments against the affected properties on the Sewer Service Line Repair List, dated October 7, 2013 and set forth on the Public Works staff report in the total amount of \$126,794.29, reduced from \$131,794.29 due to prepayments, as shown on the proposed assessment roll on file in the office of the City Clerk, be further reduced to \$118,144.29 due to the above adjustments and is hereby adopted and levied.

Be It Further Resolved that the assessments be collected in five (5) successive equal annual principal installments beginning on the 2014 real estate tax statements with interest charged at the rate of 5%, except for the property located at 4136 Portland Ave, PID 10-028-24-14-0155 which shall be collected in ten (10) successive equal annual principal installments beginning on the 2014 real estate tax statements.

Be It Further Resolved that the assessment rolls as prepared by the City Engineer be and hereby are adopted and that the City Clerk is hereby directed to transmit certified copies of said assessment rolls to the Hennepin County Auditor.

Adopted.

Absent - Reich.

**T&PW** - Your Committee, having under consideration the special assessment deferment application submitted by Rosalie M. Page (Senior Citizen) to defer the special assessment (Levy 01028, Project 14WTR) for a water service line repair in the original principal amount of \$4,250 for payable 2014 and subsequent years, on the property located at 3806 Bryant Ave N, PID 04-029-24-41-0133, legal description as follows:

Lot 17, Block 3, "Farnham's Third Addition to Minneapolis",

now recommends that the application be approved as provided for in Minnesota Statutes Sections 435.193 through 435.195 and Council Resolutions 80R-365 passed August 8, 1980 and 93R-134 passed April 16, 1993.

Adopted.

Absent - Reich.

**T&PW** - Your Committee, having under consideration the special assessment deferment application submitted by Patricia S. Landis (Senior Citizen) to defer the special assessment (Levy 01027, Project 52523) for a street resurfacing special assessment in the original principal amount of \$1,548 for payable 2014 and subsequent years, on the property located at 2625 35th Ave S, PID 31-029-23-31-0062, legal description as follows:

Lot 11 and the South Half of Lot 10, Block 3, Riverside Short Line Addition to Minneapolis,

now recommends that the application be approved as provided for in Minnesota Statutes, Sections 435.193 through 435.195 and Council Resolutions 80R-365 passed August 8, 1980 and 93R-134 passed April 16, 1993.

Adopted.

Absent - Reich.

**T&PW** - Your Committee recommends that the proper City officers be authorized to amend Contract C-36959 with Tangletown Neighborhood Association to extend the contract expiration date to June 20, 2014 to allow completion of the Innovative Graffiti Prevention Micro Grant Utility Box Wrap installations.

Adopted.

Absent - Reich.

**T&PW** - Your Committee recommends that the proper City officers be authorized to waive the performance and payment bond requirement from Contract C-37288 with SRF Consulting Group, Inc. for bridge rehabilitation engineering services in conjunction with the 10th Ave SE Mississippi River Bridge Project.

Adopted.

Absent - Reich.

**T&PW** - Your Committee, having under consideration the application of Zombie Productions, LLC for a Business District Large Block Event requiring the closure of Cedar Ave S from 2:00 p.m. to Midnight and the closure of 4th St S from 4:00 p.m. to 10:00 p.m. on October 12, 2013 for the Zombie Pub Crawl event, now recommends approval of the application and that the Business District Large Block Event be allowed to operate outside the timeframe allowed under Title 17, Chapter 455 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks: Block Events*.

Adopted.

Absent - Reich.

**T&PW** - Your Committee, having under consideration the City Engineer's declaration of the tax forfeited land parcel located at 213 17th Ave NE as excess land in accordance with the City's Land Disposition Policy, now recommends that the proper City officers be authorized to execute the necessary documents to re-convey said tax forfeited land parcel to the State of Minnesota Department of Revenue.

Adopted.

Absent - Reich.

**T&PW** - Your Committee recommends that the proper City officers be authorized to amend Contract C-30080 with Heitkamp, Inc., increasing the contract by \$15,872.65, for a revised contract total of \$1,724,125.50, for the cleaning and lining of cast iron water mains. No additional appropriation required.

Adopted.

Absent - Reich.

**T&PW** - Your Committee, having under consideration a request from residents to amend Critical Parking Area No 24, as set forth in Petn No 276812, the Department of Public Works having verified that the petitions submitted represent more than 75 percent of the residents of the affected properties, and the City having determined that the findings are met thereby meeting the requirements for a Critical Parking Area, now recommends passage of the accompanying Ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to *Traffic Code: Parking, Stopping and Standing*, amending Critical Parking Area No 24 to add the following locations to be signed "No Parking 4:00 p.m. - 10:00 p.m. Daily, Except by Permit":

- Drew Ave S from 49th St W to 50th St W, both sides of street adjacent to residential uses; and
- Chowen Ave S from 49th St W to 50th St W, west side of street only adjacent to residential uses.

Hodges moved that the report be postponed one Council cycle. Seconded.

Adopted.

Absent – Reich.

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

**T&PW & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to enter into a cost sharing agreement with Hennepin County to replace the existing streetlight fixtures over 6th St S under the Hennepin County Government Center with new LED fixtures. The cost to the City will be \$17,625 of the total project cost of \$35,250. No additional appropriation required.

Adopted.

Absent - Reich.

**T&PW & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to increase Contract C-36415 with Custom Products and Services by \$714,872, for a revised contract total of \$1,208,534, for snow clearing and ice control in six Special Service Districts during the 2013-14 winter season. No additional appropriation required.

Adopted.

Absent - Reich.

**T&PW & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute a Fueling Facility Agreement with Hennepin County to grant the County the authority to use and purchase fuel from the Minneapolis Fueling Facility, located at 1200 Currie Ave, for a period ending May 31, 2018.

Adopted.

Absent - Reich.

**T&PW & W&M/Budget** - Your Committee, having under consideration a contract with Graham Construction Services, Inc. for dewatering plant improvements at 4300 Marshall St NE, Fridley, now recommends that the proper City officers be authorized to execute acceptance of a warranty document (07105 Crystalline Waterproofing) with Graham Construction Services, Inc. on behalf of the City.

Adopted.

Absent - Reich.

**T&PW & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to submit an application for Minnesota Clean Water Land and Legacy Amendment funds in the amount of \$502,200 in the Clean Water Fund administered by the Minnesota Board of Water and Soil Resources to be used for Lake Nokomis Area Private Stormwater Management Practices.

Adopted.

Absent - Reich.

**T&PW & W&M/Budget** - Your Committee, having under consideration the delay in the completion of the Linden Hills Area and the 39th St W Street Resurfacing Projects due to extensive infrastructure work performed in the area by CenterPoint Energy and Metropolitan Council Environmental Services (MCES) which required the postponement of the collection of special assessments against the benefitted properties until 2014, now recommends passage of the accompanying resolutions:

a) Amending Resolution 2012R-094 to adopt special assessments in the amended amount of \$2,421,910.63 for the Linden Hills Street Resurfacing Project and postpone the levy of special assessments for certain parcels in the project area until 2014; and

b) Amending Resolution 2012R-096 to adopt special assessments in the amended amount of \$60,341.88 for the 39th St W Street Resurfacing Project and postpone the levy of special assessments for certain parcels in the project area until 2014.

Adopted.

Absent - Reich.

Resolution 2013R-446, amending Resolution 2012R-094 entitled "Ordering the work to proceed and adopting the special assessments for the Linden Hills Area Street Resurfacing Project", passed February 24, 2012 and amended by Resolution 2012R-545 passed October 19, 2012 to postpone the levy of special assessments for certain parcels in the project area until 2014, 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-446**  
**By Colvin Roy and Hodges**

**Amending Resolution 2012R-094 entitled "Ordering the work to proceed and adopting the special assessments for the Linden Hills Area Street Resurfacing Project", passed February 24, 2012 and amended by Resolution 2012R-545 passed October 19, 2012.**

Whereas, a public hearing was held on February 14, 2012 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2012R-005, passed January 13, 2012 to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

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That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2012R-005, passed January 13, 2012.

Be It Further Resolved that the following properties be removed from the assessment roll for the Linden Hills Area Street Resurfacing Project No 5226:

<u>Property ID No</u>	<u>Special Assessment Amount</u>
08-028-24-14-0038	\$ 869.86
08-028-24-14-0039	1009.31
08-028-24-14-0040	633.73
08-028-24-14-0054	841.92
08-028-24-14-0055	1639.81
08-028-24-14-0056	1205.37
08-028-24-14-0067	27.56
08-028-24-14-0068	415.75
08-028-24-14-0071	1633.40
08-028-24-14-0093	1399.90
08-028-24-14-0094	1031.60
08-028-24-14-0095	472.62
08-028-24-14-0096	77.43
08-028-24-14-0103	33.56
08-028-24-14-0104	729.74
08-028-24-14-0105	882.54
08-028-24-14-0106	791.37
08-028-24-14-0140	907.15
08-028-24-41-0015	719.63
08-028-24-41-0017	331.62
08-028-24-41-0056	949.63
08-028-24-41-0057	596.96
08-028-24-41-0058	823.48
08-028-24-41-0061	3043.22
08-028-24-41-0217	150.50

Be It Further Resolved that the proposed special assessments in the total amount of \$2,521,843.47 for the Linden Hills Area Street Resurfacing Project, as on file in the office of the City Clerk, be reduced by \$21,217.66 to \$2,500,625.81 as a result of the above deletions and that the revised assessment roll is hereby adopted and assessed against the benefited properties.

Be It Further Resolved that the levy of the proposed special assessments in the amount of \$78,715.18 for the following properties be postponed until 2014, to begin collection on the 2015 property tax statements and the total amount of \$2,500,625.81 for the Linden Hills Area Street Resurfacing Project be further reduced to \$2,421,910.63.

<u>Parcel ID No</u>	<u>Amount</u>
0802824220016	91.65
0802824220017	405.45
0802824220018	725.86
0802824220019	1,012.44
0802824220041	1,522.13
0802824220042	932.23

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<u>0802824220043</u>	<u>303.69</u>
<u>0802824220044</u>	<u>370.25</u>
<u>0802824220045</u>	<u>1,115.17</u>
<u>0802824220056</u>	<u>1,039.75</u>
<u>0802824220057</u>	<u>1,465.73</u>
<u>0802824220058</u>	<u>1,325.02</u>
<u>0802824220059</u>	<u>1,387.33</u>
<u>0802824220060</u>	<u>1,040.69</u>
<u>0802824220061</u>	<u>1,040.62</u>
<u>0802824220062</u>	<u>1,040.59</u>
<u>0802824220063</u>	<u>1,040.49</u>
<u>0802824220064</u>	<u>1,040.40</u>
<u>0802824220065</u>	<u>2,044.21</u>
<u>0802824220066</u>	<u>875.90</u>
<u>0802824220067</u>	<u>361.75</u>
<u>0802824220071</u>	<u>1,074.88</u>
<u>0802824220072</u>	<u>1,010.88</u>
<u>0802824220073</u>	<u>1,097.31</u>
<u>0802824220074</u>	<u>1,019.24</u>
<u>0802824220075</u>	<u>980.78</u>
<u>0802824220076</u>	<u>1,011.38</u>
<u>0802824220077</u>	<u>1,051.15</u>
<u>0802824220078</u>	<u>1,035.10</u>
<u>0802824220079</u>	<u>1,033.65</u>
<u>0802824220080</u>	<u>1,040.62</u>
<u>0802824220125</u>	<u>1,617.80</u>
<u>0802824220126</u>	<u>581.07</u>
<u>0802824220127</u>	<u>265.13</u>
<u>0802824220128</u>	<u>725.95</u>
<u>0802824220129</u>	<u>1,200.32</u>
<u>0802824220143</u>	<u>1,165.07</u>
<u>0802824220144</u>	<u>1,022.94</u>
<u>0802824220145</u>	<u>1,000.07</u>
<u>0802824220146</u>	<u>1,168.65</u>
<u>0802824220159</u>	<u>1,654.72</u>
<u>0802824220160</u>	<u>559.46</u>
<u>0802824220172</u>	<u>1,398.78</u>
<u>0802824220173</u>	<u>1,881.14</u>
<u>0802824230040</u>	<u>1,211.33</u>
<u>0802824230058</u>	<u>101.39</u>
<u>0802824230059</u>	<u>556.29</u>
<u>0802824230060</u>	<u>1,000.58</u>
<u>0802824230085</u>	<u>1,108.00</u>
<u>0802824230086</u>	<u>1,104.98</u>
<u>0802824230087</u>	<u>1,078.65</u>
<u>0802824230088</u>	<u>1,074.20</u>
<u>0802824230089</u>	<u>1,062.80</u>
<u>0802824230090</u>	<u>1,082.75</u>
<u>0802824230091</u>	<u>1,070.20</u>
<u>0802824230092</u>	<u>1,104.32</u>
<u>0802824230093</u>	<u>1,073.16</u>

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<u>0802824230094</u>	<u>1,092.37</u>
<u>0802824230095</u>	<u>1,076.53</u>
<u>0802824230096</u>	<u>1,060.79</u>
<u>0802824230099</u>	<u>563.42</u>
<u>0802824230100</u>	<u>209.36</u>
<u>0802824230125</u>	<u>1,595.38</u>
<u>0802824230126</u>	<u>1,646.02</u>
<u>0802824230127</u>	<u>1,063.78</u>
<u>0802824230128</u>	<u>1,107.08</u>
<u>0802824230129</u>	<u>1,064.84</u>
<u>0802824230130</u>	<u>1,096.59</u>
<u>0802824230131</u>	<u>1,089.04</u>
<u>0802824230132</u>	<u>1,058.26</u>
<u>0802824230133</u>	<u>1,058.49</u>
<u>0802824230134</u>	<u>1,088.07</u>
<u>0802824230135</u>	<u>1,082.71</u>
<u>0802824230136</u>	<u>1,059.12</u>
<u>0802824230137</u>	<u>1,132.88</u>
<u>0802824230191</u>	<u>1,081.41</u>
<u>0802824230192</u>	<u>1,082.95</u>
<u>Total</u>	<u>\$78,715.18</u>

Be It Further Resolved that for all the other properties on the assessment roll for the Linden Hills Area Street Resurfacing Project, the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2014 real estate tax statements.

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

Be It Further Resolved that the special assessments will be assessed against the benefited properties at the 2012 Uniform Assessment Rate, as established in Resolution 2011R-571, passed November 4, 2011.

Adopted.

Absent – Reich.

Resolution 2013R-447, amending Resolution 2012R-096 entitled “Ordering the work to proceed and adopting the special assessments for the 39th St W Street Resurfacing Project”, passed February 24, 2012 and amended by Resolution 2012R-546 passed October 19, 2012 to postpone the levy of special assessments for certain parcels in the project area until 2014, 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-447  
By Colvin Roy and Hodges**

**Amending Resolution 2012R-096 entitled “Ordering the work to proceed and adopting the special assessments for the 39th St W Street Resurfacing Project”, passed February 24, 2012 and amended by Resolution 2012R-546 passed October 19, 2012.**

Whereas, a public hearing was held on February 14, 2012 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2012R-040, passed January 27, 2012 to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2012R-040, passed January 27, 2012.

Be It Further Resolved that the proposed special assessments in the total amount of \$80,508.20 for the 39th St W Street Resurfacing Project, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the levy of the proposed special assessments in the amount of \$20,166.32 for the following properties be postponed until 2014, to begin collection on the 2015 real estate tax statements and the total amount of \$80,508.20 for the 39th St W Resurfacing Project be reduced to \$60,341.88.

<b>Parcel ID No</b>	<b>Amount</b>
0802824220016	701.78
0802824220017	643.28
0802824220018	309.49
0802824220019	34.29
0802824220041	38.41
0802824220042	518.01
0802824220043	1,119.30
0802824220044	1,168.92
0802824220045	445.07
0802824220065	36.42
0802824220066	44.36
0802824220067	1,209.80
0802824220091	36.51
0802824220092	448.49
0802824220093	1,224.38
0802824220125	286.64
0802824220126	1,416.44
0802824220127	1,054.66
0802824220128	538.25
0802824220129	90.84
0802824220143	67.78
0802824220144	1,544.63
0802824220145	1,613.99

<u>0802824220146</u>	<u>90.50</u>
<u>0802824220159</u>	<u>303.60</u>
<u>0802824220160</u>	<u>1,382.19</u>
<u>0802824220161</u>	<u>1,096.36</u>
<u>0802824220162</u>	<u>536.44</u>
<u>0802824220163</u>	<u>87.67</u>
<u>0802824220172</u>	<u>1,677.82</u>
<u>Total</u>	<u>\$20,166.32</u>

Be It Further Resolved that for all the other properties on the assessment roll for the 39th St W Street Resurfacing Project, the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2014 real estate tax statements.

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

Be It Further Resolved that the special assessments will be assessed against the benefited properties at the 2012 Uniform Assessment Rate, as established in Resolution 2011R-571, passed November 4, 2011.

Adopted.

Absent - Reich.

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

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

Adopted.

Absent – Reich.

Resolution 2013R-448, authorizing legal settlements, 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-448**

**By Hodges**

**Authorizing legal settlements.**

Resolved by The City Council of The City of Minneapolis:

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

- a) Michelle Allen (on behalf of minor, J.A.) vs City of Minneapolis, et. al. (\$35,000);
- b) BJR by Maria Garcia vs. City of Minneapolis by payment of \$70,000;
- c) Morris Klock vs. City of Minneapolis by non-monetary relief including the removal of the condemnation currently imposed on 1422 Golden Valley Road; and
- d) Tahisha Williams-Brewer vs. City of Minneapolis, et. al. (\$20,000).

Be It Further Resolved that the proper City officers be authorized to execute any documents necessary to effectuate said settlements.

Adopted.

Absent – Reich.

**W&M/Budget** - Your Committee recommends approval of the utility billing insert for November providing information about snow emergencies and snow shoveling.

Adopted.

Absent – Reich.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute an amendment to amend Contract C-35175 with Hufcor Minnesota, increasing the amount by \$12,968.45 for a new total of \$1,258,259.45, and extending the contract to December 1, 2013, to allow close-out and final payment for replacement of the original wall panel system. No additional appropriation required.

Adopted.

Absent – Reich.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to accept the low bid received on OP 7852 and authorize to execute contract with Terra General Contractors, LLC, to furnish and deliver all labor and materials necessary for the Pioneers & Soldiers Cemetery Phase IV Fence Restoration Project, for a total estimated expenditure of \$223,000. No additional appropriation required.

Adopted.

Absent – Reich.

**W&M/Budget** - Your Committee recommends passage of the accompanying resolution authorizing acceptance of the list of donations received in the 3rd Quarter 2013 valued under \$15,000.

Adopted.

Absent – Reich.

Resolution 2013R-449, authorizing acceptance of 3rd Quarter 2013 donations made to the City of Minneapolis valued under \$15,000, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2013R-449**

**By Hodges**

**Authorizing acceptance of 3rd Quarter 2013 donations made to the City of Minneapolis valued under \$15,000.**

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:

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### Donations to Minneapolis Animal Care & Control 3rd Quarter 2013

Date	Amount	LAST NAME	FIRST NAME
07/04/2013	\$1.00	ANAYA	ALEJANDRO
07/03/2013	\$1.00	LAMB	THERESA
08/02/2013	\$1.00	TANGEN	KRISTIN
08/29/2013	\$2.00	CMIEL	THEODORE
08/03/2013	\$2.00	DORST	JESSE
07/20/2013	\$2.00	JOHNSON	ASHLEY
07/19/2013	\$2.00	CLAUD	JEREMY
08/21/2013	\$2.00	LLOYD	SUSAN
08/09/2013	\$3.00	NOVAK	EMILY
08/08/2013	\$3.00	LINES	CAILEE
07/07/2013	\$5.00	YOUNG	KARLENE
07/25/2013	\$5.00	TAVIS	MICHAEL
07/02/2013	\$5.00	GRINNELL	BRENT
07/18/2013	\$5.00	BISMARCK	LEROY
08/02/2013	\$5.00	STOKES	CLAIRE
09/12/2013	\$5.00	LIEDER	HANNAH
07/18/2013	\$5.00	BRANDON	DORENE
07/24/2013	\$5.00	HAUSCHILDT	CLARK
08/22/2013	\$5.00	LARSON	ELLEN
09/12/2013	\$5.00	TOMCZAK	JOANNE
08/12/2013	\$5.00	MOE	ANN
09/24/2013	\$5.00	MISIK	JASON
07/28/2013	\$5.00	MIHAJLOV	JOHN
07/02/2013	\$5.00	BRATVOLD	JENN
09/27/2013	\$5.00	ATKIN	RONDI
07/17/2013	\$5.00	TYLER	MARGARET
07/17/2013	\$5.00	GOIKE	MOLLY
08/18/2013	\$5.00	MONTGOMERY	TYLER
07/11/2013	\$5.00	HORSWILL	CAROL
09/05/2013	\$5.00	ROLLINGS	ROBERT
07/23/2013	\$5.00	NEBY	JENNIFER
08/12/2013	\$5.00	KOTOWSKA	ANNA
08/15/2013	\$5.00	MORALES	JANET
07/07/2013	\$5.00	FASSETT	ERIN
08/30/2013	\$5.00	CANTINE	JENNIFER
07/08/2013	\$5.00	LOPEZ-AREVALO	ROMEL
09/19/2013	\$5.00	PIKKARAINEN	STEPHANIE
07/02/2013	\$5.00	MIKLIK	KASEY
08/07/2013	\$5.00	AHRENS	ALLISON
07/19/2013	\$5.00	VANDEVERE	STARR
08/17/2013	\$5.00	PAULSEN	CYNTHIA
08/08/2013	\$5.00	REASON	INDIA
09/13/2013	\$5.00	ROE	KATHERIAN
07/18/2013	\$5.00	SHEETZ	KATIE
07/10/2013	\$5.00	GEGENFURTNER	JON
07/27/2013	\$5.00	ONEIL	CORINNE
08/04/2013	\$5.00	LARKIN	SUZANNE

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08/31/2013	\$5.00	LISTON	COLLIN
09/06/2013	\$5.00	FREMSTAD	JURENE
07/11/2013	\$5.00	KLASS	BRENDA
07/16/2013	\$5.00	VANPOPERIN	MARY
07/12/2013	\$5.00	CLEMENT	ANNA
07/13/2013	\$5.00	ZELLER	KELLI
07/17/2013	\$5.00	HAYE	JEFF
07/20/2013	\$5.00	VELEZ	CARLA
07/27/2013	\$5.00	KASENO	AUDREY
07/26/2013	\$5.00	BILL	GREG
07/31/2013	\$5.00	GRAFF	AMY
08/01/2013	\$5.00	BUTTZ	KRISTINA
08/03/2013	\$5.00	BEISNER	MEGAN
08/04/2013	\$5.00	BRAUN	TOM
08/08/2013	\$5.00	SMIT	ASHLEY
08/15/2013	\$5.00	HERMAN	CORINNE
08/26/2013	\$5.00	STEVENSON	PAIGE
09/10/2013	\$5.00	OSTRIN	VAARA
09/17/2013	\$5.00	SHARPE	MARISA
09/13/2013	\$5.00	STEWART	SAMANTHA
09/13/2013	\$5.00	MADDEN	LAURA
09/24/2013	\$5.00	ANDERSON	MONICA
09/28/2013	\$5.00	CRANE	BRIAN
09/01/2013	\$10.00	MOSINIAK	MARY
07/15/2013	\$10.00	MORTON	MARJORIE
08/22/2013	\$10.00	ANDERSON	ROBERT
08/05/2013	\$10.00	NIBBE	MICHAEL
07/08/2013	\$10.00	ADAMS	BEVERLY
08/14/2013	\$10.00	SMITH	JOSEPHINE
07/02/2013	\$10.00	HANNAN	MARY
08/24/2013	\$10.00	LAULAINEN	MARK
09/06/2013	\$10.00	NISTLER	ELIZABETH
07/02/2013	\$10.00	SUPANHNAPOM	SAM
08/06/2013	\$10.00	SUTHERLAND	DAVID
08/31/2013	\$10.00	RANDAL	JAN
07/09/2013	\$10.00	HOLZINGER	SUSAN
07/13/2013	\$10.00	NEEDLEMAN	COREY
07/23/2013	\$10.00	SPAWN	DAVID
09/10/2013	\$10.00	KIMBALL-BAKER	KATHLEEN
07/19/2013	\$10.00	CARLSON	SANDRA
08/26/2013	\$10.00	PETERS	ISAAC
08/19/2013	\$10.00	ATHMAN	ROSS
07/12/2013	\$10.00	GRAHAM	REBECCA
08/22/2013	\$10.00	FUREY	KATHLEEN
08/14/2013	\$10.00	ENGQUIST	CHESNEY
07/02/2013	\$10.00	ANDERSEN	DAVID
07/15/2013	\$10.00	MCGRUDER	WYNTER
08/17/2013	\$10.00	SIMER	KURT
09/11/2013	\$10.00	LARSON	STEFANIE
09/15/2013	\$10.00	BRICKMAN	KATE
09/10/2013	\$10.00	BRAUN	SHAWNEE

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07/08/2013	\$10.00	FASCHING	LARRY
08/13/2013	\$10.00	SCOVILLE	SCOTT
07/30/2013	\$10.00	SWAUGER	JUDITH
07/12/2013	\$10.00	JONES	STEPHANIE
07/25/2013	\$10.00	SNETTING	LEE
07/28/2013	\$10.00	SOBOL	JAMES
08/07/2013	\$10.00	STILES	WENDY
08/13/2013	\$10.00	MORET	MARK
08/27/2013	\$10.00	RAHN	WILMA
09/15/2013	\$10.00	EELLS	LINDA
08/02/2013	\$15.00	WORKMAN	CYNTHIA
08/31/2013	\$15.00	WORKMAN	CYNTHIA
07/25/2013	\$15.00	BURGESS	SARAH
07/06/2013	\$15.00	GUENTHER	JEAN
07/08/2013	\$15.00	OTTO	KIRSTEN
09/06/2013	\$15.00	WENTLANDT	CASSANDRA
09/19/2013	\$15.00	JOHNSON	DAVID
08/14/2013	\$20.00	TAYLOR	JEANNE
09/21/2013	\$20.00	PEDERSEN	STEPHANIE
07/27/2013	\$20.00	ANDERS	ELIZABETH
07/18/2013	\$20.00	SULLIVAN	SUSAN
07/15/2013	\$20.00	LOTZ	NORMA
09/20/2013	\$20.00	LINDQUIST	SARAH
07/08/2013	\$20.00	SALISBURY	JOHN
09/05/2013	\$20.00	HANSON JR.	MORRIS
07/19/2013	\$20.00	LAWRASON	KURT
07/30/2013	\$20.00	ARF	GORDON
08/15/2013	\$20.00	JUST	ARLENE
09/05/2013	\$20.00	DAWSON	LANNIE
07/15/2013	\$20.00	REID	DIANE
07/22/2013	\$20.00	GAYLES	VICKI
07/22/2013	\$20.00	KINNARD	MELISSA
07/24/2013	\$20.00	PETERSON	CHEL
07/30/2013	\$20.00	THELL	DANA
08/01/2013	\$20.00	REYNA	TOMANN
08/01/2013	\$20.00	WINGERT	JULIE
08/01/2013	\$20.00	SCHNEIDER	JENNA
08/14/2013	\$20.00	HAUGRUD	VICTORIA
08/15/2013	\$20.00	MEYER	JEFFREY
08/15/2013	\$20.00	PETERSON	CYNTHIA
08/16/2013	\$20.00	STREET	KELLY
08/22/2013	\$20.00	OVERCOTT	ROBERT
09/19/2013	\$20.00	SCHOLTES	NICK
09/20/2013	\$20.00	KLENK	STEPHANIE
07/03/2013	\$25.00	WORKMAN	CYNTHIA
09/21/2013	\$25.00	CHRISTENSEN	BRUCE
09/09/2013	\$25.00	KAMPA	JANET
08/06/2013	\$25.00	JACOBS	DOROTHY
08/25/2013	\$25.00	JONES	LORA
07/15/2013	\$25.00	IMHOLTE	RACHEL
08/15/2013	\$25.00	IMHOLTE	RACHEL

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09/16/2013	\$25.00	IMHOLTE	RACHEL
08/29/2013	\$25.00	DRURY	LINN
08/19/2013	\$25.00	GROTEN KREKULA	HOLLY
07/01/2013	\$25.00	JOHNSON	JUDITH
07/15/2013	\$25.00	LOVEJOY	SAM
08/15/2013	\$25.00	LOVEJOY	SAM
09/16/2013	\$25.00	LOVEJOY	SAM
09/18/2013	\$25.00	HAUGEN	JOEL
07/01/2013	\$25.00	LACHAPELLE	MELODIE
07/13/2013	\$25.00	TAERUD	MARY
08/17/2013	\$25.00	JACKSON	SCOTT
07/16/2013	\$25.00	HOZENY	CAITLIN
07/05/2013	\$25.00	MCCRACKEN	STEPHANIE
07/13/2013	\$25.00	OLSON	MEGHAN
07/18/2013	\$25.00	PARRINO	GEORGE
07/22/2013	\$25.00	SCHLETTY	MEGAN
07/22/2013	\$25.00	ROCKENSTEIN	SARAH
08/01/2013	\$25.00	KOFOID	JANICE
08/07/2013	\$25.00	MALCHOW	KAY
08/14/2013	\$25.00	TRACY	JANA
08/16/2013	\$25.00	CRANE	MANDI
08/18/2013	\$25.00	HIGGINS	MARILEE
08/22/2013	\$25.00	YANG	BEE
08/26/2013	\$25.00	JENSEN	DAWN
09/02/2013	\$25.00	TOTH	JULIE
09/10/2013	\$25.00	BOETTICHER	KRISTIN
09/11/2013	\$25.00	ODONNELL	HENRY
09/20/2013	\$25.00	SOGGE	RAEAN
08/09/2013	\$30.00	EHLER	ERIC
07/19/2013	\$30.00	BRIDELL	JOHN
07/05/2013	\$34.00	BUE	SASHA
07/19/2013	\$35.00	DERELI	NORA
09/11/2013	\$35.00	HOFFMAN	AMY
09/27/2013	\$35.00	BREWER	BRONWYN
07/27/2013	\$35.00	HART	CATHERINE
07/27/2013	\$35.00	AUKEMA	SNOW
07/15/2013	\$40.00	WINNICK	MARDA
08/24/2013	\$40.00	TAUBLIEB	JAYNE
09/21/2013	\$40.00	BUE	SASHA
08/28/2013	\$50.00	FOURNIER	KATIE & RICK
07/21/2013	\$50.00	HAMMES-BUNNELL	KATHERINE
09/05/2013	\$50.00	WALSH	JODY
07/30/2013	\$50.00	LIASCHENKO	JOAN
08/03/2013	\$50.00	COX	ANDREW
09/11/2013	\$50.00	FOSSE	KARI
09/16/2013	\$50.00	ZANNER ROWE	JENNY
09/18/2013	\$50.00	NORTON	ANN
07/10/2013	\$65.00	BAKER	LANCE
09/20/2013	\$70.00	WINIECKI	JUDY
07/05/2013	\$90.00	SMITH	EDWARD
07/16/2013	\$100.00	NICOLAI	RUTH

## OCTOBER 18, 2013

08/03/2013	\$100.00	ROWAN	LINDA
07/16/2013	\$183.44	INGELHEIM	BOEHRINGER
08/21/2013	\$188.62	PEDERSON	MELISSA
09/19/2013	\$200.00	BECKER	CORINNE
09/20/2013	\$200.00	GAMMON	HOLLY
<b>TOTAL</b>	<b>\$4,205.06</b>		

### 2013 3rd Quarter Donations Under \$15,000

Name of Recipient Department	Name of Entity Making Donation	Description of Donation	Total
<i>HEALTH DEPARTMENT</i>	Kathryn Hall-Trujillo	Donated Book- Everyday Heroes 50 Americans Changing the World One Nonprofit at a Time Rec'd 8/1/2013 listed book price is \$45.00 The book was sent to the Healthy Start program because 1 of the heroes in the book, Ms. Hall-Trujillo, Founder & Director of the Birthing Project USA, has provided training on her program to the Healthy Start program.	N/A
<i>POLICE DEPARTMENT</i>	Defense Logistics Agency, part of the U.S. Military	Used Rifle Sights	N/A
<i>IT DEPARTMENT</i>	Independent Oracle User Group (IOUG)	Travel & conference expenses for Allan Hoof, City of MPLS IT Department employee to participate in the IOUG as a board member through May 2015.	N/A
<i>MINNEAPOLIS ANIMAL CARE &amp; CONTROL</i>	Various individuals see attached list	Money for animal shelter. No restrictions.	\$4,205.06
<b>TOTAL</b>			<b>\$ 4,205.06</b>

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 the purposes stated, 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 Minneapolis:

That the donations described above are accepted and shall be used for public purposes.

Adopted.

Absent – Reich.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to accept a grant award from United Against Illegal Guns, in the amount of \$60,000, to provide funds to hire a Regional Coordinator for 2013. Further, passage of the accompanying resolution appropriating \$60,000 to the Mayor's Office.

Adopted.

Absent – Reich.

**RESOLUTION 2013R-450**

**By Hodges**

**Amending The 2013 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation and revenue source for the Mayor's Office in the General Fund (01600-375-0100-513000) by \$60,000.

Adopted.

Absent – Reich.

**W&M/Budget** - Your Committee that the proper City officers be authorized to accept a grant award from The Minneapolis Foundation, in an amount up to \$25,000, to advance strategic direction of Minneapolis public school education and outreach efforts. Further, passage of the accompanying Resolution appropriating \$25,000 to the Mayor's Office.

Adopted.

Absent – Reich.

**RESOLUTION 2013R-451**

**By Hodges**

**Amending The 2013 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation and revenue source for the Mayor's Office in the General Fund (01600-375-0100-513000) by an amount up to \$25,000.

Adopted.

Absent – Reich.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute any documents necessary for the City to join with other cities in the filing of an amicus brief in the matter of McCullen v. Coakley, Case No. 12-1168, as recommended by the

City Attorney, regarding the constitutionality of laws creating buffer zones around reproductive health clinics where protests and other expressive activities are not permitted.

Adopted.

Absent – Reich.

**The ZONING & PLANNING Committee submitted the following reports:**

**Z&P** - Your Committee, having under consideration the Loring Park Neighborhood Master Plan, a long-range planning document providing greater detail for public and private land investment and development in the Loring Park neighborhood, and as an articulation of and amendment to the policies found in The Minneapolis Plan for Sustainable Growth, now recommends:

Concurrence in the recommendation of the Planning Commission that the findings prepared by the Department of Community Planning & Economic Development staff be adopted, and that said Plan be approved as a neighborhood master plan and as an articulation of and amendment to the policies found in the City's comprehensive plan, subject to the following changes:

- Add a sentence to the end of policy 2.14: Nightclubs, however, should continue to be prohibited along Nicollet Avenue south of Grant Street.
- Eliminate the yellow hatch marks on Yale Place, Spruce Street, and Hawthorne Avenue from the Land Use Plan map.
- Add language to the final sentence in policy 2.24 to clarify that all applicable policies for the Loring Hill Design Guidelines have been brought into the plan as follows: The wording of this master plan takes precedence and all applicable policies have been added to the plan without a requirement to refer back to the guidelines document itself.
- Clarify the paragraph on Foundation in policy 2.26: The appearance of future renovation or redevelopment in the Loring Hill district should be consistent with the Loring Hill Design Guidelines as included in this neighborhood plan.
- Clarify the paragraph on Relationship of Buildings to Street in policy 2.26: To enhance the walking environment, frontage design and the relationship of buildings to the public sidewalk and street should follow the principles established in this plan.
- Eliminate the paragraph on Architectural Standards in policy 2.26 as it requires the reader to seek reference from the Loring Hill Design Guidelines document when all applicable sections should be in the plan.
- In the Public Realm chapter on page 10, add this sentence to the introductory paragraph under the Street section: While these Loring Park Plan recommendations provide a certain level of specificity, the City may need to achieve the intent of the Plan's recommendations through alternative design solutions based on current best practices which are feasible and practical to implement and maintain.
- Because road functional classifications are set at the State level, eliminate policy 4.7 that requests a reclassification of Oak Grove Street in this plan.
- Change areas on Loring Hill with a three-story height recommendation to four stories.

Your Committee further recommends that the Plan be further amended to include an amendment to policy 2.11 (Chapter 2): 2.11 Zoning for the Activity Center: Conduct a study to amend the zoning regulations in the Activity Center to eliminate the C1 and C2 classifications in favor of a more intensive mixed use classification, other than C3A or C3S, that includes high-density housing, hotels, restaurants, arts and entertainment businesses, and retail and service businesses.

Adopted.

Absent – Reich.

**Z&P** - Your Committee, having under consideration the appeal filed by Bianca Fine on behalf of Currie Park Development, LLC, from the decision of the Heritage Preservation Commission denying an application for Demolition of Historic Resource of the Gluek Brewing Tied House located at 1500 6th Street South, now recommends that the appeal be granted, the Demolition of Historic Resource application be approved.

Your Committee further recommends that the Findings of Fact and Recommendation prepared by the City Attorney, as directed by your Committee and on file as FoF2013-38-Z&P in the Office of the City Clerk, be adopted and made a part of this report by reference.

Adopted.

Absent – Reich.

## RESOLUTIONS

Resolution 2013R-452, recognizing October 24, 2013 as Food Day in Minneapolis, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

### RESOLUTION 2013R-452

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

#### **Recognizing October 24, 2013 as Food Day in Minneapolis.**

Whereas, Food Day is a nationwide celebration and a movement for healthy, affordable, and sustainable food; and

Whereas, sharing meals as a family can help children improve academic achievement and language development and reduce risks of childhood obesity and substance abuse; and

Whereas, organizations across the City of Minneapolis are encouraging Minneapolis residents to pledge to share a meal with families or loved ones on October 24th; and

Whereas, Mayor R.T. Rybak will join Minneapolis Public School students for a meal at Howe School on October 24th to highlight the importance of healthy, affordable and sustainable food for Minneapolis residents, and to celebrate the healthy new food options at the Minneapolis Public Schools; and

Whereas, the University of Minnesota will be celebrating Food Day with an event in the Great Hall of Coffman Memorial Union, which will include exhibits, food demonstrations and tasting sessions, a “foodie” photo competition, local co-op and farmers market displays and a Real Food photo booth; and

Whereas, the City’s Homegrown Minneapolis initiative works to expand our community’s ability to grow, process, distribute, eat and compost more healthy, sustainable, locally grown foods; and

Whereas, in 2009 the City of Minneapolis established a Minneapolis Food Council to help the city develop policies and strategies to improve the growing, processing, promotion, distribution, consumption and composting of healthy, sustainable, locally grown foods in Minneapolis; and

Whereas, the City of Minneapolis has adopted goals to increase the proportion of adults at a healthy weight, and increase access to healthy foods;

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

That the City of Minneapolis recognizes October 24th, 2013, as Food Day in the City of Minneapolis.

Be It Further Resolved that the City of Minneapolis encourages all Minneapolis residents to sign the Pledge to Eat Together, and to share a meal with their families or loved ones on Food Day.

Adopted.

Absent – Reich.

### **UNFINISHED BUSINESS**

Pursuant to notice on October 4, 2013, Lilligren moved to introduce the subject matter of the following ordinances amending Title 3 of the Minneapolis Code of Ordinances relating to Air Pollution and Environment, for first reading and referral to the Committee of the Whole (updating provisions to reflect current organizational structure):

- a) Chapter 46 relating to Hazardous Waste Generation, Handling, Storage and Disposal.
- b) Chapter 47 relating to Energy and Air Pollution.
- c) Chapter 48 relating to Minneapolis Watershed Management Authority.
- d) Chapter 50 relating to Minneapolis Waste Control and Waste Discharge Rules.
- e) Chapter 51 relating to Fumigating.
- g) Chapter 52 relating to Erosion and Sediment Control and Drainage.
- h) Chapter 54 relating to Storm Water Management.
- i) Chapter 55 relating to Lawn Fertilizer.
- j) Chapter 56 relating to Prohibited Discharges to Sanitary or Combined Sewer.
- k) Chapter 57 relating to Mercury Reduction.
- l) Chapter 59 relating to Construction Activities. Seconded.

Adopted upon a voice vote.

Absent – Reich.

Pursuant to notice on October 4, 2013, Lilligren moved to introduce the subject matter of the following ordinances amending Title 4 of the Minneapolis Code of Ordinances relating to Animals and Fowl, for first reading and referral to the Committee of the Whole (updating provisions to reflect current organizational structure):

- a) Chapter 62 relating to In General.
- b) Chapter 64 relating to Dogs, Cats, Ferrets, and Rabbits.
- c) Chapter 65 relating to Ferrets.
- d) Chapter 66 relating to Rabies Control.
- e) Chapter 68 relating to Pet Shops, Kennels, etc.
- f) Chapter 70 relating to Fowl, Pigeons, and Other Small Animals.
- g) Chapter 72 relating to Diseased, Injured or Dead Animals.
- h) Chapter 74 relating to Miscellaneous Regulations.
- i) Chapter 76 relating to Stables. Seconded.

Adopted upon a voice vote.

Absent – Reich.

Pursuant to notice on October 4, 2013, Lilligren moved to introduce the subject matter of the following ordinances amending Title 5 of the Minneapolis Code of Ordinances relating to Building Code, for first reading and referral to the Committee of the Whole (updating provisions to reflect current organizational structure):

- a) Chapter 91 relating to Permit Fees.
- b) Chapter 93 relating to Safety Precautions: Protection of Public Property.
- c) Chapter 95 relating to Projections and Encroachments.
- d) Chapter 101 relating to Plumbing.
- e) Chapter 103 relating to Gas Piping.
- f) Chapter 105 relating to Heating, Air Conditioning and Refrigeration.
- g) Chapter 107 relating to Elevators, Escalators, Hoists and Lifts.
- h) Chapter 108 relating to Parking Ramps.
- i) Chapter 111 relating to Swimming Pools.
- j) Chapter 113 relating to Retaining Walls.
- k) Chapter 115 relating to Building Moving.
- l) Chapter 117 relating to Wrecking. Seconded.

Adopted upon a voice vote.

Absent – Reich.

Pursuant to notice on October 4, 2013, Lilligren moved to introduce the subject matter of the following ordinances amending Title 8 of the Minneapolis Code of Ordinances relating to Consumer Protection, for first reading and referral to the Committee of the Whole (updating provisions to reflect current organizational structure):

- a) Chapter 154 relating to Consumer Affairs Division.
- b) Chapter 160 relating to Weights and Measures. Seconded.

Adopted upon a voice vote.

Absent – Reich.

Pursuant to notice on October 4, 2013, Lilligren moved to introduce the subject matter of an ordinance amending Title 9, Chapter 176 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Burglar and Holdup Alarm Systems, for first reading and referral to the Committee of the Whole (updating provisions to reflect current organizational structure). Seconded.

Adopted upon a voice vote.

Absent – Reich.

Pursuant to notice on October 4, 2013, Lilligren moved to introduce the subject matter of the following ordinances amending Title 10 of the Minneapolis Code of Ordinances relating to the Food Code, for first reading and referral to the Committee of the Whole (updating provisions to reflect current organizational structure):

- a) Chapter 186 relating to In General.
- b) Chapter 188 relating to Administration and Licensing.
- c) Chapter 190 relating to Meat and Meat Products.
- d) Chapter 192 relating to Bread.
- e) Chapter 194 relating to Eggs.
- f) Chapter 196 relating to Water for Drinking and Domestic Purposes.
- g) Chapter 198 relating to Soft Drink Manufacture and Storage.
- h) Chapter 200 relating to Milk and Dairy Products.
- i) Chapter 201 relating to Public Markets.
- j) Chapter 202 relating to Municipal Market.
- k) Chapter 204 relating to Environment Preservation: Environmentally Acceptable Packaging. Seconded.

Adopted upon a voice vote.

Absent – Reich.

Pursuant to notice on October 4, 2013, Lilligren moved to introduce the subject matter of the following ordinances amending Title 11 of the Minneapolis Code of Ordinances relating to Health and Sanitation, for first reading and referral to the Committee of the Whole (updating provisions to reflect current organizational structure):

- a) Chapter 215 relating to Polluted Water Wells.
- b) Chapter 216 relating to Water Well Construction.
- c) Chapter 217 relating to Deaths and Burials.
- d) Chapter 219 relating to Contagious Diseases.
- e) Chapter 225 relating to Garbage and Refuse.
- f) Chapter 227 relating to Nuisances Generally.
- g) Chapter 229 relating to Pest and Vermin Control.
- h) Chapter 230 relating to Pesticide Control.
- i) Chapter 231 relating to Public Swimming Pool Code.
- j) Chapter 232 relating to Suntanning Facilities.
- k) Chapter 233 relating to Ozone-Depleting Compounds.
- l) Chapter 234 relating to Indoor Smoking.
- m) Chapter 235 relating to Dogs in Outdoor Food and Liquor Establishments.

Seconded.

Adopted upon a voice vote.

Absent – Reich.

Pursuant to notice on October 4, 2013, Lilligren moved to introduce the subject matter of the following ordinances amending Title 12 of the Minneapolis Code of Ordinances relating to Housing, for first reading and referral to the Committee of the Whole (updating provisions to reflect current organizational structure):

- a) Chapter 240 relating to Lead Poisoning Prevention and Control.
- b) Chapter 242 relating to Appeals.
- c) Chapter 244 relating to Maintenance Code.
- d) Chapter 246 relating to Residential Rehabilitation Grants.
- e) Chapter 247 relating to Housing Finance Program.

- f) Chapter 248 relating to Truth In Sale of Housing.
  - g) Chapter 249 relating to Vacant Dwelling or Building, Nuisance Condition. Seconded. Adopted upon a voice vote.
- Absent – Reich.

Pursuant to notice on October 4, 2013, Lilligren moved to introduce the subject matter of the following ordinances amending Title 13 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations, for first reading and referral to the Committee of the Whole (updating provisions to reflect current organizational structure):

- a) Chapter 259 relating to In General.
- b) Chapter 261 relating to License Fees Generally.
- c) Chapter 264 relating to Outdoor Pay Telephones.
- d) Chapter 265 relating to Special Permits for Specific Businesses and Uses.
- e) Chapter 266 relating to Rental Halls.
- f) Chapter 267 relating to Amusements.
- g) Chapter 268 relating to Lawful Gambling.
- h) Chapter 269 relating to Asphalt Shingle and Roofing Material Manufacture.
- i) Chapter 271 relating to Auctions and Auctioneers.
- j) Chapter 272 relating to Resin Manufacturing.
- k) Chapter 277 relating to Building Trades Licenses.
- l) Chapter 278 relating to Heating, Ventilating and Air Conditioning, Gasfitting, Oil, Plumber/Gas Fitter, Refrigeration and Steam and Hot Water Installers.
- m) Chapter 279 relating to Christmas Tree Dealers.
- n) Chapter 281 relating to Tobacco Dealers.
- o) Chapter 283 relating to Courtesy Benches.
- p) Chapter 285 relating to Dancing Schools.
- q) Chapter 287 relating to Filling Stations and Bulk Oil Plants.
- r) Chapter 289 relating to Fire Extinguisher Sales and Service.
- s) Chapter 291 relating to Fuel Dealers.
- t) Chapter 293 relating to Going Out of Business Sales.
- u) Chapter 295 relating to Groceterias and Portable Stores.
- v) Chapter 296 relating to Hospitals.
- w) Chapter 297 relating to Hotels.
- x) Chapter 297A relating to Bed and Breakfast Facilities.
- y) Chapter 299 relating to Ice Sale and Manufacture.
- z) Chapter 301 relating to Laundries and Dry Cleaning Establishments.
- aa) Chapter 303 relating to Horse and Carriage Livery Services.
- bb) Chapter 304 relating to Hoofed and/or Small Animal Service.
- cc) Chapter 305 relating to Pedicabs.
- dd) Chapter 306 relating to Commercial Pedal Car.
- ee) Chapter 307 relating to Valet Parking.
- ff) Chapter 309 relating to Extended Hours of Operation.
- gg) Chapter 311 relating to Motor Scooter Leasing.
- hh) Chapter 313 relating to Motor Vehicle Dealers.
- ii) Chapter 315 relating to Motor Vehicle Lubricant Dealers.
- jj) Chapter 317 relating to Motor Vehicle Repair Garages.
- kk) Chapter 319 relating to Open Air Motor Vehicle Parking Lots.
- ll) Chapter 320 relating to Vehicle Immobilization Service.
- mm) Chapter 321 relating to Secondhand Dealers.
- nn) Chapter 322 relating to Precious Metal Dealers.
- oo) Chapter 324 relating to Pawnbrokers.

- pp) Chapter 325 relating to Pest Control.
  - qq) Chapter 327 relating to Rental Automobile Odometer Inspection.
  - rr) Chapter 331 relating to Sidewalk Flower Cart Vendors.
  - ss) Chapter 332 relating to Solicitors, Peddlers and Transient Merchants.
  - tt) Chapter 335 relating to Street Photographers.
  - uu) Chapter 339 relating to Body Art Code.
  - vv) Chapter 341 relating to Taxicabs.
  - ww) Chapter 347 relating to Tree Servicing.
  - xx) Chapter 348 relating to Used Motor Vehicle Parts Dealer.
  - yy) Chapter 349 relating to Wreckers and Tow Trucks.
  - zz) Chapter 350 relating to Recycling Activities and Salvage Yards. Seconded.
- Adopted upon a voice vote.  
Absent – Reich.

Pursuant to notice on October 4, 2013, Lilligren moved to introduce the subject matter of the following ordinances amending Title 14 of the Minneapolis Code of Ordinances relating to Liquor and Beer, for first reading and referral to the Committee of the Whole (updating provisions to reflect current organizational structure):

- a) Chapter 360 relating to In General.
- b) Chapter 362 relating to Liquor Licenses.
- c) Chapter 363 relating to Wine Licenses.
- d) Chapter 366 relating to Beer Licenses. Seconded.

Adopted upon a voice vote.  
Absent – Reich.

Pursuant to notice on October 4, 2013, Lilligren moved to introduce the subject matter of the following ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, for first reading and referral to the Committee of the Whole (amending departmental and personnel references to reflect the departmental reorganization):

- a) Chapter 520 relating to Introductory Provisions.
- b) Chapter 525 relating to Administration and Enforcement.
- c) Chapter 543 relating to On-Premise Signs.
- d) Chapter 544 relating to Off-Premise Advertising Signs and Billboards. Seconded.

Adopted upon a voice vote.  
Absent – Reich.

Pursuant to notice on October 4, 2013, Lilligren moved to introduce the subject matter of an ordinance amending Title 22, Chapter 598 of the Minneapolis Code of Ordinances relating to Land Subdivision: Land Subdivision Regulations, for first reading and referral to the Committee of the Whole (amending department and personnel references to reflect the departmental reorganization). Seconded.

Adopted upon a voice vote.  
Absent – Reich.

Pursuant to notice on October 4, 2013, Lilligren moved to introduce the subject matter of an ordinance amending Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation: Heritage Preservation Regulations, for first reading and referral to the Committee of the Whole (amending department and personnel references to reflect the departmental reorganization). Seconded.

Adopted upon a voice vote.  
Absent – Reich.

## OCTOBER 18, 2013

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Pursuant to notice on October 4, 2013, Goodman moved to introduce the subject matter of the following ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, for first reading and referral to the Zoning & Planning Committee (amending regulations for signs located in the NM Nicollet Mall Overlay District):

- a) Chapter 520 relating to Introductory Provisions.
- b) Chapter 543 relating to On-Premise Signs.
- c) Chapter 551 relating to Overlay Districts. Seconded.

Adopted upon a voice vote.

Absent – Reich.

Lilligren moved to adjourn to Room 315 City Hall to consider the *City v. Lake and Knox LLC et al.* lawsuit. Seconded.

Adopted upon a voice vote.

Absent – Reich.

### ADJOURNED SESSION

Room 315 City Hall

Minneapolis, Minnesota

October 18, 2013 – 10:17 a.m.

The Council met pursuant to adjournment.

Council President Johnson in the Chair.

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

Absent - Council Member Reich.

Peter Ginder, Deputy City Attorney, stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the *City v. Lake and Knox LLC et al.* lawsuit.

At 10:18 a.m., Gordon moved that the meeting be closed. Seconded.

Adopted upon a voice vote.

Absent – Schiff, Lilligren, Colvin Roy.

Present - Council Members Gordon, Hofstede, Schiff (In at 10:21 a.m.), Lilligren (In at 10:19 a.m.), Colvin Roy (In at 10:19 a.m.; Out at 11:10 a.m.; In at 11:14 a.m.), Tuthill, Quincy, Glidden, Goodman, Hodges, Samuels, President Johnson (Out at 10:59 a.m.; In at 11:01 a.m.).

Absent - Council Member Reich.

Also present – Peter Ginder, Deputy City Attorney; Charles Nauen, Esq., Lockridge Grindal Nauen P.L.L.P.; Heidi Hamilton and Lisa Cerney, Department of Public Works; Casey Carl, City Clerk; and Jackie Hanson, City Clerk's Office.

Ginder and Nauen summarized the *City v. Lake and Knox LLC et al.* lawsuit from 10:18 a.m. to 11:26 a.m.

At 11:26 a.m., Quincy moved that the meeting be opened. Seconded.

Adopted upon a voice vote.

Absent – Reich.

OCTOBER 18, 2013

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Tuthill moved that the City Attorney's Office be authorized to initiate a lawsuit against Lake and Knox LLC., and any other necessary or related entities or individuals, to enforce all City, State and federal claims or actions against the unpermitted discharge of groundwater into the City storm sewer from the property located at 1800 W Lake Street. Seconded.

Adopted.

Absent – Reich.

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

Lilligren moved to adjourn. Seconded.

Adopted upon a voice vote.

Absent – Reich.

Casey Joe Carl  
City Clerk

Official Posting: 10/25/2013  
Corrections: 10/31/2013; 11/6/2013