

OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

REGULAR MEETING OF NOVEMBER 12, 2013

(Published November 20, 2013, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
November 12, 2013 - 9:30 a.m.

Council President Johnson in the Chair.

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

Absent – Council Members Colvin Roy, Gordon, Reich.

Lilligren moved adoption of the agenda. Seconded.

Lilligren assumed the Chair.

Johnson moved to amend the agenda to add under New Business a notice of intent to amend the Minneapolis Code of Ordinances relating to exercise of port authority powers. Seconded.

Adopted upon a voice vote.

Absent – Colvin Roy, Gordon, Reich.

Johnson resumed the Chair.

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

Absent – Colvin Roy, Gordon, Reich.

Lilligren moved acceptance of the minutes of the regular meeting of November 1, 2013 and the adjourned session held November 1, 2013. Seconded.

Adopted upon a voice vote.

Absent – Colvin Roy, Gordon, Reich.

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

Adopted upon a voice vote.

Absent – Colvin Roy, Gordon, Reich.

PETITIONS AND COMMUNICATIONS

CANVASSING BOARD:

CITY CLERK (276846)

2013 Municipal Election-Canvass of Returns: Adopt order which certified the official results of the election; declares official winners in each race on the ballot; declares the official results for each question on the ballot; and directs the City Clerk to submit a certified copy of the

results to Hennepin County Auditor and to file and preserve the original returns and all election records in accordance with Minnesota Election Law.

COMMITTEE OF THE WHOLE:

INTERGOVERNMENTAL RELATIONS (276847)
Federal, State, Local Legislative Update.

COMMITTEE OF THE WHOLE (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276848)

Target Center Renovation Project: Approve the Arena Renovation Project Term Sheet; Execute renovation agreement among the City of Minneapolis, the Minnesota Timberwolves Basketball Limited Partnership and AEG Management TWN, LLC, and related future amendments to the operating and playing agreements; Execute rent amendment to the playing agreement; Appoint Jeff Johnson, Minneapolis Convention Center Executive Director; Chris Larson, Minneapolis Convention Center Facilities Operations; and Steve Mattson, AEG's Target Center General Manager to the "Design Group" for the renovation project; Designate the Minneapolis Convention Center Executive Director to serve as the City's project manager for the renovation project; and Direct City staff to ensure certain provisions are included in contracts for professional services and for construction during the Target Center Renovation Project to address employment disparities.

COORDINATOR (276849)

Power Plants: Authorize submit comments to the Minnesota Public Utilities Commission (PUC) urging approval of the petition (Docket No. E-999/CI-93-583 and CI-00-1036) to begin work on updating environmental costs associated with power plants.

Community Solar Garden Program: Authorize submit comments to the Minnesota Public Utilities Commission (PUC) regarding Xcel Energy's plan for a Community Solar Garden Program (Docket No. E-002/M-13-867)

INTERGOVERNMENTAL RELATIONS (276850)

Local Approval of Special Legislation - Target Center Construction Manager:

Approve Laws of Minnesota 2013, Chapter 143, Article 4, Section 43 permitting the City of Minneapolis to enter into an agreement with a construction manager at risk for Target Center improvements; and Direct the City Clerk to file the required forms with the Secretary of State.

REGULATORY, ENERGY AND ENVIRONMENT:

LICENSES AND CONSUMER SERVICES (276851)

Massage Establishment Regulations: Public hearing set for November 18, 2013 to consider amendments to Title 13 of Code, adding a new Chapter 286 entitled Massage Establishments.

REGULATORY, ENERGY AND ENVIRONMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276852)

Wine License Regulations: Ordinance amending Title 14, Chapter 363 of Code relating to Liquor and Beer: Wine Licenses, changing the definition of restaurant to allow up to three (3) musicians; Comments.

LICENSES AND CONSUMER SERVICE (276853)

Full Stop, 1818 Lowry Ave N: Business License Operating Conditions relating to Grocery, Gasoline Filling Station, Food Manufacturer, and Tobacco Dealer Licenses.

Rolling Along Bike Taxi, PO Box 580061, Minneapolis: Business License Operating Conditions relating to Pedicab Driver License.

LICENSES AND CONSUMER SERVICES (276854)

Licenses: Grant licenses recommended for approval.

Sonora Grill Longfellow LLC, 3300 E Lake St: On-Sale Liquor Class D with Sunday Sales License:

DiNokos Bar Zia, 420 4th St S: On-Sale Liquor Class E with Sunday Sales License and 2:00 a.m. License issued by the State.

JL Beers, 24 University Ave NE: On-Sale Wine Class E with Strong Beer License; Comments.

Mac's Fish, Chips and Strips, 612 W 54th St: On-Sale Wine Class E with Strong Beer License; Comments.

Tiny Diner, 1024 E 38th St: On-Sale Wine Class E with Strong Beer License; Comments.

La Fresca, 4750 Grand Ave S: On-Sale Wine Class E with Strong Beer License; Comments.

REGULATORY SERVICES (276855)

Rental Dwelling License at 1515 22nd Ave N: Recommendation to revoke license held by Thomas G. Pautz.

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

REGULATORY SERVICES (276856)

Inspections Division 2013 Special Assessment Levies.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (276857)

2014 Uniform Assessment Rates: Street Construction, Street Renovation, Street Resurfacing, and Alley Resurfacing.

2013 Public Works Special Assessments: Adopt and levy assessments.

Sale of City-Owned Land Parcel: 521 5th St N.

Non-Motorized Transportation Pilot (NTP) Project: Grant agreement amendments.

Railway Bridge Over Central Ave NE/Trunk Highway 65: Municipal Consent layout approval.

Air Rights: Airspace lease over Ramp A (TAD 7th St Ramp) with Minnesota Department of Transportation.

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

PUBLIC WORKS AND ENGINEERING (276858)

Road Maintenance: Agreement with Hennepin County.

2014 to 2017 Public Works Consulting Pool: Master Service Agreement.

Capital Project Close-Outs: Reallocate excess revenue and bonds.

Car Sharing Pilot Program: Agreement with Neighborhood Energy Connection, dba HOURCAR.

Organized Collection: Five-year contract with Minneapolis Refuse, Inc. (MRI).

Alley Construction: Assessment policy and 2014 Alley Construction Rate.

City-Owned Skyway: Cooperative Development Agreement with M.A. Mortenson relating to 19 8th St N.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (276859)

Legal Settlements: Lori Olson v. City of Minneapolis; Travelers Indemnity Company v. City of Minneapolis; Brian Arradondo v. City of Minneapolis; Darryl Robinson v. Mark Lanasa; Xcel Energy payment to the City of Minneapolis; Steven Meldahl v. City of Minneapolis.

COMMUNICATIONS (276860)

Billboard Display Time Donation, Clear Channel Outdoor; Public Service Announcement Broadcast Time Donation, Comcast Cable.

CONVENTION CENTER (276861)

Window Washing Services: Columbia Building Services; Escalator Modernization: Kone, Inc.

FINANCE DEPARTMENT (276862)

Property Tax Special Assessment of Delinquent Utility Charges.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (276863)

City of Minneapolis 311 System, KANA Software Inc; City of Minneapolis Roaming WiFi System, Novarum Inc; Unisys Managed Services; RFP for Managed Information Technology Services.

REGULATORY SERVICES (276864)

Grass, Weeds and Plants Nuisance Abatement, Over the Top; Hazardous Tree Removal, Wilson Custom Tree.

ZONING AND PLANNING:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276865)

Megabus USA, LLC, 247 Chicago Avenue South: Appeal of the Zoning Administrator's Decision.

ZONING AND PLANNING (See Rep):

HERITAGE PRESERVATION COMMISSION (276866)

4291 Queen Avenue South: Historic Variance application by the Minnesota Streetcar Museum.

PLANNING COMMISSION/DEPARTMENT (276867)

2924 Grand Avenue South: Denial of Certificate of Nonconforming Use.

PLANNING COMMISSION/DEPARTMENT (276868)

Hennepin County Interchange Project (Target Field Station): Hennepin County Vacation 1626, Hennepin County Vacation 1627.

PLANNING COMMISSION/DEPARTMENT (276869)

Zoning Code Text Amendment, Sports and Health Facilities: Chapter 520, 547, 548, 549, 550, and 551.

FILED:

CHARTER COMMISSION (276870)

Filing Fees for Municipal Elections: Minnesota Statute 205.13.

FILED:

CHARTER COMMISSION (276871)

Plain Language Charter: Email from Brian Melendez citing Charter referendum statistics.

The following reports were signed by Mayor Rybak on November 15, 2013, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The COMMITTEE OF THE WHOLE submitted the following reports:

Comm of the Whole – Your Committee recommends that the proper City officers be authorized to submit comments to the Minnesota Public Utilities Commission (PUC) urging approval of the petition (Docket No. E-999/CI-93-583 and CI-00-1036) to begin work on updating environmental costs associated with power plants, as set forth in Petn No 276849 on file in the Office of the City Clerk.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

Comm of the Whole – Your Committee recommends that the proper City officers be authorized to submit comments to the Minnesota Public Utilities Commission (PUC) regarding Xcel Energy's plan for a Community Solar Garden Program (Docket No. E-002/M-13-867), as set forth in Petn No 276849 on file in the Office of the City Clerk.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

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 November 8, 2013 regarding the Target Center Renovation Project at this meeting. Seconded.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

Comm of the Whole – Your Committee, having under consideration the Target Center Arena Renovation Project, now recommends the following:

a) Approval of the Arena Renovation Project Term Sheet as set forth in the staff report on file in the Office of the City Clerk.

b) That the proper City officers be authorized to execute a renovation agreement among the City of Minneapolis, the Minnesota Timberwolves Basketball Limited Partnership and AEG Management TWN, LLC, and related future amendments to the operating and playing agreements, consistent with the term sheet, in connection with the renovation project.

c) That the proper City officers be authorized to execute a rent amendment to the playing agreement, as further described in the term sheet, irrespective of the renovation project.

d) Approve the appointment of Jeff Johnson, Minneapolis Convention Center Executive Director; Chris Larson, Minneapolis Convention Center Facilities Operations; and Steve Mattson, AEG's Target Center General Manager to the "Design Group" for the renovation project.

e) Designate the Minneapolis Convention Center Executive Director to serve as the City's project manager for the renovation project.

f) Direct City staff to ensure the following provisions are included in contracts for professional services and for construction during the Target Center renovation project:

- Inclusion of percentage goals for professional services contracts and construction contracts to be awarded *to women and minority owned businesses* to be based on the scope of work for each contract resulting from this project;
- Inclusion of construction *workforce* goals at least equal to current city goals;
- Inclusion of goals for workers from city zip codes in Minneapolis that have high rates of poverty and unemployment;
- Inclusion of trade apprenticeships and professional interns;
- Creation of a joint oversight committee staffed by the Department of Civil Rights whose purpose will be to facilitate communication with the community regarding the equity and inclusion activities;
- Timeline and procedure for regular public reports, to be at least quarterly by developers, and contractors showing compliance with *women and minority business* inclusion goals;
- Timeline and procedure for regular public reports, to be at least quarterly by developers and contractors showing compliance with *workforce* goals.

Further direct staff to make regular reports to the City Council regarding the status and progress of the equity and inclusion activities.

Regarding workforce development, job training and placement, appropriate staff from the Departments of Community Planning & Economic Development, Civil Rights and Finance are directed to engage community partners to include representatives from construction trades training organizations, labor, contractors and others and to identify options for funding workplace development, job training and placement to address employment disparities. Options may include use of fines, fees, and other funding identified by contract compliance efforts as part of an Equity Plan and development of a program proposal.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

Lilligren moved to find under Council Rule V, Section 2 that the regular Council cycle is not adequate, and to consider the action of the Committee of the Whole from November 8, 2013 regarding Local Approval of Special Legislation-Target Center Construction Manager at this meeting. Seconded.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

Comm of the Whole/IGR – Your Committee recommends passage of the accompanying resolution approving Laws of Minnesota 2013 Chapter 143, Article 4, Section 43 that authorizes the City to use a contractor at risk process for Target Center improvements. Further, that the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval and required documents.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

Resolution 2013R-482, approving Laws of Minnesota 2013 Chapter 143, Article 4, Section 43 that authorizes the City to use a contractor at risk process for Target Center improvements, 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-482

By Glidden

Approving Laws of Minnesota 2013 Chapter 143, Article 4, Section 43.

Whereas, the Minnesota legislature has passed a law (Laws of Minnesota 2013 Chapter 143 Article 4 Section 43) that authorized the city to use a contractor at risk process for Target Center improvements; and

Whereas, the said law requires an affirmative vote of the majority of the members of the City Council before it may become effective;

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

That the said law now be approved and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval and required documents.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

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

RE&E - Your Committee, to whom was referred an ordinance amending Title 14, Chapter 363 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Wine Licenses*, changing the definition of restaurant to allow for up to three musicians, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

Ordinance 2013-Or-092 amending Title 14, Chapter 363 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Wine Licenses*, amending Section 363.42(a) changing the definition of restaurant to allow for up to three musicians, was adopted by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2013-Or-092
By Schiff
Intro & 1st Reading: 8/30/2013
Ref to: RE&E
2nd Reading: 11/12/2013

Amending Title 14, Chapter 363 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Wine Licenses.

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

Section 1. That Section 363.42(a) of the above-entitled ordinance be amended to read as follows:

363.42. Wine license issued pursuant to Charter Amendment Number 144. Restaurants located in certain zoning districts may obtain an on-sale wine license notwithstanding the seven (7) acre commercial zoning requirement of Chapter 4, Section 5 of the Minneapolis Charter, subject to the following provisions:

- (a) *Definitions.* As used in this section, unless some other meaning is clearly required by the context, the following words and phrases shall mean:

Restaurant: An establishment, under the control of a single proprietor or manager, having appropriate facilities for the preparation and serving of a variety of at least four (4) complete meals, having not fewer than twenty-five (25) seats at tables and the application is for a Class C-2, Class E or Class D wine license, and where, in consideration of payment therefore, meals are regularly served at tables to the general public, and which employs an adequate staff to provide the usual and suitable service to its guests, and which has gross sales revenue during each fiscal year from the sale of food and beverages not containing alcohol in an amount of not less than seventy (70) percent of its total gross revenue from the sale of food and beverages.

Bar or bar area: Structures, furniture other than freestanding tables and booths, or waiting areas, where consumption of alcoholic beverages is the primary activity.

Meal: A variety and combination of food items which may contain entrees, sandwiches, combination salads, pizza, soup, breads, vegetables or fruits, contained in a menu as approved by the director.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

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

- a) Sonora Grill Longfellow, 3300 E Lake S (New Business);
- b) DiNokos Bar Zia, 420 S 4th St (New Business);
- c) JL Beers, 24 University Ave NE (New Business);
- d) Macs Fish, Chips and Strips, 612 W 54th St (New Business);

- e) Tiny Diner, 1024 E 38th St (New Business); and
- f) La Fresca, 4750 Grand Ave S (New Business).

Adopted.

Absent - Colvin Roy, Gordon, Reich.

Approved by Mayor Rybak 11/13/2013.

(Published 11/14/2013)

Resolution 2013R-483, granting licenses to Sonora Grill Longfellow LLC, 3300 E Lake S; DiNokos Bar Zia, 420 S 4th St; JL Beers, 24 University Ave NE; Macs Fish, Chips and Strips, 612 W 54th St; Tiny Diner, 1024 E 38th St; and La Fresca, 4750 Grand 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-483

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:

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

Sonora Grill Longfellow LLC, dba Sonora Grill Longfellow, 3300 E Lake St (New Business)

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

Keep It Real LLC, dba DiNokos Bar Zia, 420 S 4th St (New Business, to include 2:00 a.m. License issued by the State of Minnesota)

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

Fabab NE Inc, dba JL Beers, 24 University Ave NE (New Business)

Macs 1330 LLC, dba Macs Fish, Chips and Strips, 612 W 54th St (New Business)

Tiny Diner LLC, dba Tiny Diner, 1024 E 38th St (New Business)

Kike Y Shamu Inc, dba La Fresca, 4750 Grand Ave S (New Business).

Adopted.

Absent - Colvin Roy, Gordon, Reich.

Approved by Mayor Rybak 11/13/2013.

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Food Grocery, Gasoline Filling Station, Food Manufacturer, and Tobacco Dealer Licenses held by Full Stop, 1818 Lowry Ave N.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

Resolution 2013R-484, approving Business License Operating Conditions relating to the Food Grocery, Gasoline Filling Station, Food Manufacturer, and Tobacco Dealer Licenses held by Full Stop, 1818 Lowry 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-484
By Glidden

Approving Business License Operating Conditions relating to the Food Grocery, Gasoline Filling Station, Food Manufacturer, and Tobacco Dealer Licenses held by Full Stop, 1818 Lowry 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, Gasoline Filling Station, Food Manufacturer, and Tobacco Dealer Licenses held by Full Stop Corp, dba Full Stop, 1818 Lowry 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. (Mpls Ord 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 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 to schedule monthly meetings with the 4th Precinct MPD to discuss expectations for six (6) months after full Council approval of these conditions.

5. 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.

6. The business will have a minimum of two (2) employees working during the day and a minimum of three (3) employees working during the night on a daily basis. The business will hire off-duty police officers as negotiated with the 4th Precinct police staff for a period of one (1) year after full Council approval of these conditions.

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

8. The business agrees to clean the property, and all areas within 100 feet of the property line, of litter and trash twice daily. The business shall maintain a litter receptacle in front of the business that is convenient for customer use.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Pedicab Driver License held by Rolling Along Bike Taxi, PO Box 580061, Minneapolis, MN 55458.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

Resolution 2013R-485, approving Business License Operating Conditions relating to the Pedicab Driver License held by Rolling Along Bike Taxi, PO Box 580061, Minneapolis, MN 55458, 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-485
By Glidden

Approving Business License Operating Conditions relating to the Pedicab Driver License held by Rolling Along Bike Taxi, PO Box 580061, Minneapolis, MN 55458.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Pedicab Driver License held by Paul F. Rickmyer, dba Rolling Along Bike Taxi, PO Box 580061, Minneapolis, MN 55458:

1. Mr. Rickmyer agrees not to drive a pedicab with headphones of any type in both ears. A non-music headphone to receive phone calls may be used in one ear.

2. Mr. Rickmyer agrees that he will operate his pedicab while in an alert state.

3. Mr. Rickmyer agrees to continue with anger management counseling.

4. Mr. Rickmyer agrees that he will possess a DOT medical card because of medical and physical limitations.

5. Mr. Rickmyer agrees to not take medications where the manufacturer or prescribing physician recommends that persons should not operate a motor vehicle while taking the medication.

6. Mr. Rickmyer agrees to take preventive measures to ensure that he at all times has his medications for his diabetic condition.

7. Mr. Rickmyer will strive to operate a pedicab only when he feels that he is not only medicated, but that he is also in control of his diabetic conditions.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

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

Adopted.

Absent - Colvin Roy, Gordon, Reich.

Resolution 2013R-486, 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-486

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 276854):

Off-Sale Liquor, to expire October 1, 2014

The Bottle House Inc, dba Bottle House, 150 2nd Ave S

Skyway Wine & Spirits LLC, dba Skyway Wine & Spirits, 601 Marquette Ave

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

612Brew LLC, dba 612Brew, 945 Broadway St NE (Growler)

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

GWS Partners LLC, dba Whisky Park, 15 S 5th St

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

Mahalo LLC, dba Belmore, 25 N 4th St

On-Sale Liquor Class E, to expire October 25, 2013

612Brew LLC, dba 612Brew, 945 Broadway St NE (Live Music 6:00 p.m. - 10:00 p.m.)

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

612Brew LLC, dba 612Brew, 945 Broadway St NE (Taproom)

Temporary On-Sale Liquor, to expire October 30, 2013

Calhoun Area Residents Action Group, dba CARAG, 3001 Hennepin Ave (Fundraiser 6:00 p.m. - 9:00 p.m.)

Temporary On-Sale Liquor, to expire November 10, 2013

Kingfield Farmers Market, dba Kingfield Farmers Market, 3754 Pleasant Ave (Indoor Holiday Farmers Market 9:00 a.m. - 2:00 p.m.)

Temporary On-Sale Liquor, to expire November 16, 2013

Washburn Arts Council, dba Washburn Arts Council, 201 W 49th St (Fundraiser 7:00 - 10:00 p.m.)

Liquor Catering Services, to expire August 1, 2014

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

Off-Sale Beer, to expire April 1, 2014

Sophies Mart, dba Sophies Mart, 3652 Cedar Ave S

Temporary On-Sale Beer, to expire November 24, 2013

Boundary Waters Advisory Committee, dba Boundary Waters Advisory Committee, 309 Cedar Ave S (Outdoor Adventure Expo November 22, 2013 2:00 p.m. - 9:30 p.m.; November 23, 2013 9:00 a.m. - 6:30 p.m.; and November 24, 2013 10:00 a.m. - 5:00 p.m.).

Adopted.

Absent - Colvin Roy, Gordon, Reich.

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

Adopted.

Absent - Colvin Roy, Gordon, Reich.

Resolution 2013R-487, 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-487

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 November 12, 2013 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 276854):

Amusement Devices; Place of Amusement Class B-2; Christmas Tree; Food Caterers; Food Grocery; Institutional Food Service; Food Manufacturer; Food Restaurant; Short-Term Food Permit; Fuel Dealer, Gasoline Filling Station; Hospital; Hotel/Motel; Juke Box - Musical; Motor Vehicle Repair Garage; Parking Lot Commercial Class A; Recycling/Salvage Yard; Residential Specialty Contractor; Sign Hanger; Skating Rink - Ice, Roller; Solicitor - Individual; Solid Waste Hauler; Suntanning Facility; Swimming Pool - Public; Taxicab Vehicle Non-Transferable; Theater Zone 1; and Theater Zone 3.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

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

Adopted.

Absent - Colvin Roy, Gordon, Reich.

Resolution 2013R-488, 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-488

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 276854):

Gambling Exempt

Church of St. Bridget, dba Church of St. Bridget, 3811 Emerson Ave N (Raffles November 2, 2013, Sojourner Truth Academy)

Bridges to Learning Inc, dba Bridges to Learning, 1633 Cedar Lake Pkwy (Raffle November 4, 2013, U Garden)

IFP Minnesota, dba IFP Minnesota, 2446 University Ave W, St. Paul (Raffle November 7, 2013, Hotel Ivy)

University of St. Thomas, dba University of St. Thomas, 2115 Summit Ave (Raffles November 14, 2013)

St Mary's Orthodox Cathedral, dba St. Mary's Orthodox Cathedral, 1701 5th St NE (Raffles, Paddlewheels, Pull-Tabs November 19, 2013)

Church of St Hedwig, dba Church of St Hedwig, 129 29th Ave NE (Raffle December 1, 2013)

Center for Earth, Energy & Democracy, dba Center for Earth, Energy & Democracy, 216 Cecil St SE (Raffle November 2, 2013, Parkway Theater)

Feed My Starving Children, dba Feed My Starving Children, 901 93rd Ave NW, Coon Rapids (Raffle November 8, 2013, Convention Center)

Cystic Fibrosis Foundation, dba Cystic Fibrosis Foundation, 8011 34th Ave S, Bloomington (Raffle November 16, 2013, Hyatt Minneapolis).

Adopted.

Absent - Colvin Roy, Gordon, Reich.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Thomas G. Pautz for the property located at 1515 - 22nd 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-2013-41)

Adopted.

Absent - Colvin Roy, Gordon, Reich.

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

RE&E & W&M/Budget - Your Committee recommends that the following levies be approved and that the Director of the Hennepin County Property Taxation Department be directed to place assessments against the specified properties to defray costs of work performed under authorization of the Inspections Division to correct nuisance or hazardous conditions on these properties (Petn No 276856):

- Levy 1080 – Removal of Offensive Matter (rubbish), payable in one year - \$365,257.45
- Levy 1081 – Removal of Offensive Matter (weeds), payable in one year - \$239,821.50
- Levy 1084 – Removal of Offensive Matter (hazardous trees), payable in five years - \$66,366.00
- Levy 1085 – Removal of Offensive Matter (brush and plant growth), payable in one year \$126,977.75
- Levy 1086 – Inoperable Vehicle Tow Administrative Fees, payable in one year - \$4,500.00
- Levy 1089 – Unpaid Administrative Citations - Housing, payable in one year - \$310,140.00
- Levy 1090 – Unpaid Administrative Citations – Lead, payable in one year - \$5,060.00
- Levy 1092 – Emergency Demolition of the property, payable in one year - \$45,226.00
- Levy 1095 – Chapter 249 Building Demolition, payable in one year - \$202,140.96
- Levy 1096 – Vacant/Boarded Housing Registrations, payable in one year - \$2,438,748.00
- Levy 1097 – Re-Inspection Fee Housing, payable in one year - \$60,750.00
- Levy 1098 – Securing of Buildings - Police Board Up, payable in one year - \$121,415.44
- Levy 1099 – Securing Abandoned Buildings, payable in one year - \$44,638.00
- Levy 1120 – Sewer Overflow, payable in one year - \$192,500.00
- Levy 1121 – Unpaid Administrative Citations – Const. Code Services, Un-permit Work payable in one year - \$15,540.00
- Levy 1122 – Unpaid Administrative Citations – Housing, payable in five years - \$10,950.00
- Levy 1124 – Unpaid Administrative Citations – Environmental, payable in one year - \$1,320.00
- Levy 1125 – Unpaid Administrative Citations – Const. Code Services, payable in one year - \$55,520.00
- Levy 1126 – Unpaid Administrative Citations – Fire Inspection Services, payable in one year - \$24,585.00
- Levy 1160 – Nuisance Abatement, payable in five years - \$25,455.64
- Levy 1162 – Unpaid Administrative Citations – Nuisance Housing, payable in one year - \$384,125.00
- Levy 1163 – Unpaid Administrative Citations – High Occupancy Dwelling, payable in one year - \$2,420.00
- Levy 1165 – Unpaid Administrative Citations – Zoning, payable in one year - \$39,360.00

- Levy 1176 – Re-Inspection Fee – Zoning, payable in one year - \$14,950.00.

Your Committee further recommends that the Department of Regulatory Services be authorized to continue receiving pre-payments until November 30, 2013, as allowable by law, at which point the final levy list will be sent to the Director of the Hennepin County Property Taxation Department.

Your Committee further recommends passage of the accompanying resolutions directing the Director of the Hennepin County Taxation Department to place assessments against certain properties to defray the cost of work performed under authorization of the Department of Regulatory Services to correct nuisance or hazardous conditions on certain properties.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

Resolutions 2013R-489 to 2013R-508, directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of: Removal of Offensive Matter (rubbish, weeds, hazardous trees, and brush and plant growth); Inoperable Vehicle Tow Administrative Fees; Unpaid Administrative Citations (Housing, Lead, Environmental, Construction Code Services, Fire Inspection Services, Nuisance Abatement, Nuisance Housing, High Occupancy Dwelling, and Zoning); Emergency Demolition of Property; Chapter 249 Building Demolition; Vacant/Boarded Housing Registrations; Re-Inspection Fee Housing; Securing of Buildings, including Police Board Up and securing abandoned buildings; Sewer Overflow; Nuisance Abatement; and Re-Inspection Fee - Zoning, were adopted by the City Council. A complete copy of each resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2013R-489
By Glidden and Hodges**

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of abating nuisance conditions in accordance with Chapter 227 of the Minneapolis Code of Ordinances.

Whereas, the Director of Inspections is authorized under Chapter 227 of the Minneapolis Code of Ordinances to abate nuisances relating to offensive matter on private premises including rubbish, long grass and weeds, brush and plant growth and dead trees; and

Whereas, the City Charter of the City of Minneapolis provides that costs incurred in the removal of nuisance conditions shall be levied and collected as a special assessment against the properties;

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

That the costs incurred in the removal of offensive matter are hereby approved and that such costs are assessed against the properties.

Be It Further Resolved that Levy Numbers 1080 (Rubbish Removal), 1081 (Weed Removal), 1084 (Offensive Tree Removal), 1085 (Shrub, Brush Removal), and 1086 (Inoperable Vehicle Tow Administrative Fees) be approved and transmitted to the Hennepin

County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to defray the costs of work performed under authorization of the Inspections Division to abate nuisances on private properties.

Be It Further Resolved that Levy Numbers 1080, 1081, 1085, and 1086 be payable in a single installment with interest thereon at eight percent (8%) and that Levy Number 1084 be paid in five (5) equal annual installments with interest thereon at eight percent (8%) per annum, as set forth in Petn No. 276856 on file at the office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

**RESOLUTION 2013R-490
By Glidden and Hodges**

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1089 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

**RESOLUTION 2013R-491
By Glidden and Hodges**

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to

have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1090 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

**RESOLUTION 2013R-492
By Glidden and Hodges**

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for Building Demolition properties in accordance with Chapter 249 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain buildings met the criteria stated in Chapter 87.100 that defines a vacant property and were authorized by the Director of Inspections to have the fee levied against the property in cases where property owners failed to pay the required yearly fee; and

Whereas, Chapter 87 provides that the cost of building demolition property as defined by Chapter 87.110 shall be levied and collected as a special assessment against the property as provided for in Chapter 87 of the Minneapolis Code of Ordinances when the property owner fails to meet the requirement for fee payment;

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

That the costs incurred for Building Demolition properties are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1092 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

NOVEMBER 12, 2013

**RESOLUTION 2013R-493
By Glidden and Hodges**

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for Building Demolition properties in accordance with Chapter 249 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain buildings met the criteria stated in Chapter 249.80 that defines a vacant property and were authorized by the Director of Inspections to have the fee levied against the property in cases where property owners failed to pay the required yearly fee; and

Whereas, Chapter 249 provides that the cost of building demolition property as defined by Chapter 249.80 shall be levied and collected as a special assessment against the property as provided for in Chapter 227 of the Minneapolis Code of Ordinances when the property owner fails to meet the requirement for fee payment;

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

That the costs incurred for Building Demolition properties are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1095 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

**RESOLUTION 2013R-494
By Glidden and Hodges**

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for registering vacant properties in accordance with Chapter 249 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain buildings met the criteria stated in Chapter 249.80 that defines a vacant property and were authorized by the Director of Inspections to have the fee levied against the property in cases where property owners failed to pay the required yearly fee; and

Whereas, Chapter 249 provides that the cost of registering a vacant property as defined by Chapter 249.80 shall be levied and collected as a special assessment against the property as provided for in Chapter 227 of the Minneapolis Code of Ordinances when the property owner fails to meet the requirement for fee payment;

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

That the costs incurred for registering vacant properties are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1096 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

RESOLUTION 2013R-495

By Glidden and Hodges

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost relating to Re-inspection Fees in accordance with Chapter 244 Section 190 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain buildings met the criteria stated in Chapter 244.190 that determine Re-inspection Fees and were authorized by the Director of Inspections to have the fees levied against the property in cases where property owners failed to pay the required fee; and

Whereas, Chapter 244.190 provides that the cost of Re-inspections to gain compliance with housing maintenance orders as defined by Chapter 244.190 shall be levied and collected as a special assessment against the property as provided for in Chapter 227 of the Minneapolis Code of Ordinances and Chapter 429.101 sub. Sec.(9) of Minn. State Statutes when the property owner fails to meet the requirement for fee payment;

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

That the costs incurred for Re-inspection Fees are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1097 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

RESOLUTION 2013R-496

By Glidden and Hodges

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of securing any building or structure rendered uninhabitable or unoccupied and open to trespass as a result of lawful police action in accordance with Chapter 171 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis is empowered to secure uninhabitable or unoccupied buildings in accordance with Minnesota Statutes Section 463.251; and

Whereas, the Chief of Police did secure such buildings under the authority of the City Council of the City of Minneapolis; and

Whereas, this law provides that the cost of securing such buildings shall be charged against the real estate as provided in Minnesota Statutes, Section 463.21;

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

That the costs of securing unoccupied or uninhabitable buildings open to trespass under the authority of the Chief of Police are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1098 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

**RESOLUTION 2013R-497
By Glidden and Hodges**

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of securing abandoned buildings in accordance with Chapter 227 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis is empowered to secure vacant buildings in accordance with Minnesota Statutes Section 463.251; and

Whereas, the Director of Inspections did secure such buildings under the authority of the City Council of the City of Minneapolis; and

Whereas, this law provides that the cost of securing such buildings shall be charged against the real estate as provided in Minnesota Statutes, Section 463.21;

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

That the costs of securing abandoned buildings under the authority of the Director of Inspections are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1099 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

**RESOLUTION 2013R-498
By Glidden and Hodges**

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1120 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be payable in a single installment with interest thereon at eight percent (8%) per annum, as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

**RESOLUTION 2013R-499
By Glidden and Hodges**

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1121 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

RESOLUTION 2013R-500
By Glidden and Hodges

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1122 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in five (5) equal annual installments with interest thereon at eight percent (8%), as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

RESOLUTION 2013R-501
By Glidden and Hodges

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to

have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1124 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be payable in a single installment with interest thereon at eight percent (8%) per annum, as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

**RESOLUTION 2013R-502
By Glidden and Hodges**

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1125 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

NOVEMBER 12, 2013

**RESOLUTION 2013R-503
By Glidden and Hodges**

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1126 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

**RESOLUTION 2013R-504
By Glidden and Hodges**

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of abating nuisance conditions in accordance with Chapter 227 of the Minneapolis Code of Ordinances.

Whereas, the Director of Inspections is authorized under Chapter 227 of the Minneapolis Code of Ordinances to abate nuisances relating to offensive matter on private premises including rubbish, long grass and weeds, brush and plant growth and dead trees; and

Whereas, the City Charter of the City of Minneapolis provides that costs incurred in the removal of nuisance conditions shall be levied and collected as a special assessment against the properties;

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

That the costs incurred in the removal of offensive matter are hereby approved and that such costs are assessed against the properties.

Be It Further Resolved that Levy Number 1160 – Nuisance Abatement be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to defray the costs of work performed under authorization of the Inspections Division to abate nuisances on private properties.

Be It Further Resolved that Levy Number 1160 be paid in five (5) equal annual installments with interest thereon at eight percent (8%) per annum, as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

**RESOLUTION 2013R-505
By Glidden and Hodges**

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1162 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be payable in a single installment with interest thereon at eight percent (8%) per annum, as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

**RESOLUTION 2013R-506
By Glidden and Hodges**

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to

have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1163 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be payable in a single installment with interest thereon at eight percent (8%) per annum, as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

RESOLUTION 2013R-507
By Glidden and Hodges

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1165 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

**RESOLUTION 2013R-508
By Glidden and Hodges**

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost relating to Re-inspection Fees in accordance with Chapter 244 Section 190 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain buildings met the criteria stated in Chapter 244.190 that determine Re-inspection Fees and were authorized by the Director of Inspections to have the fees levied against the property in cases where property owners failed to pay the required fee; and

Whereas, Chapter 244.190 provides that the cost of Re-inspections to gain compliance with housing maintenance orders as defined by Chapter 244.190 shall be levied and collected as a special assessment against the property as provided for in Chapter 227 of the Minneapolis Code of Ordinances and Chapter 429.101 sub. Sec.(9) of Minn. State Statutes when the property owner fails to meet the requirement for fee payment;

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

That the costs incurred for Re-inspection Fees are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1176 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Petn No 276856 on file at the Office of the City Clerk.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee recommends passage of the accompanying resolution establishing Uniform Assessment Rates for street construction, street renovation, street resurfacing, and alley resurfacing improvements for the 2014 calendar year.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

Resolution 2013R-509, establishing Uniform Assessment Rates for street construction, street renovation, street resurfacing, and alley resurfacing improvements for the 2014 calendar year, 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-509
By Colvin Roy**

Establishing Uniform Assessment Rates for street construction, street renovation, street resurfacing, and alley resurfacing improvements for the 2014 calendar year.

Whereas, the City Council adopted a policy on October 31, 1980 establishing yearly uniform assessment rates for similar improvements at various locations; and

NOVEMBER 12, 2013

Whereas, the City Council adopted assessment policies on May 22, 1998, June 12, 1998, and December 12, 2008 relating to residential and non-residential properties and relating to Local and Other streets; and

Whereas, the City Council adopted a policy on February 15, 2008 establishing the street resurfacing program and assessment policy relating to residential and non-residential properties; and

Whereas, the City Engineer has submitted the recommended 2014 Uniform Assessment Rates, all as contained in Petn No 276857 on file in the office of the City Clerk;

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

That the following rates are hereby established as the 2014 Uniform Assessment Rates and are to be applied in determining the assessments for the benefited parcels for certain types of work to be constructed in the 2014 calendar year:

Construction (street paving, curb and gutter, and other street paving related improvements) - appropriate rate is applied to the land area of benefited parcels located within the street influence zone along the improved street:

\$2.39/sq ft - Non-Residential;

\$0.80/sq ft - Residential;

Renovation (mill and overlay of street surface and selected curb and gutter and street construction as needed) - appropriate rate is applied to the land area of benefited parcels located within the street influence zone along the improved street:

\$1.20/sq ft - Non-Residential;

\$0.40/sq ft - Residential;

Resurfacing (mill and overlay of street surface only) - appropriate rate is applied to the land area of benefited parcels located within the street influence zone along the improved street:

\$0.60 - Non-Residential;

\$0.20 - Residential;

Alley Resurfacing (overlay concrete alleys with bituminous materials) - appropriate rate is applied to the land area of benefited parcels abutting the alley being improved:

\$0.065 - Non-Residential and Residential.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

T&PW - Your Committee recommends passage of the accompanying resolution levying various 2013 Public Works Department special assessments and adopting the assessment rolls.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

Resolution 2013R-510, levying various 2013 Public Works Department special assessments and adopting the assessment rolls, 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-510
By Colvin Roy

Levying various 2013 Public Works Department special assessments and adopting the assessment rolls.

Resolved by The City Council of The City of Minneapolis:

That the special assessments for the projects and charges listed below be levied upon the benefited properties for the listed number of successive equal annual installments and the interest be charged at the same rate as the City pays in interest for selling assessment bonds (except as otherwise noted hereinafter), that the assessment rolls as prepared by the City Engineer be adopted and that the City Clerk be directed to transmit certified copies of the assessment rolls to the Hennepin County Auditor for collection to begin on the 2014 real estate tax statements.

1. Uptown (Hennepin-Lake Area) Streetscape Revitalization Project (including Supplemental), Special Improvement of Existing Street No 2897; 15% of cost category adjusted annually for land and building valuation and certified annually for 20 years; 5.3% interest; \$12,326.96 principal and interest for payable 2014 - Levy 01026 - Project 2897S.

2. Winter St NE Street Reconstruction Project, Special Improvement of Existing Street No 2226; \$1,775,857.71 principal; 20 installments for assessments of more than \$150 – Levy 01026 - Project 2226C.

3. Penn Ave S Street Reconstruction Project Phase I, Special Improvement of Existing Street No 6748; \$913,068.16 principal; 20 installments for assessments of more than \$150 – Levy 01026 - Project 6748C.

4. Forty-Sixth St W Street Reconstruction Project, Special Improvement of Existing Street No 6751; \$160,459.19 principal; 20 installments for assessments of more than \$150 – Levy 01026 - Project 6751C; 1 installment for assessments of \$150 or less – Levy 01026 – Project C6751.

5. Thirty-First St E (Minnehaha Ave to 28th Ave S) Street Reconstruction Project, Special Improvement of Existing Street No 9920; \$138,260.55 principal; 20 installments for assessments of more than \$150 – Levy 01026 - Project 9920C.

6. Nicollet Ave S (Lake St to 40th St) Street Reconstruction Project, Special Improvement of Existing Street No 6713; \$1,695,433.90 principal; 20 installments for assessments of more than \$150 – Levy 01026 - Project 6713C; 1 installment of \$150 or less – Levy 01026 – Project C6713.

7. Fourteenth Ave SE Sanitary Sewer Project No 4518; \$91,843.69 principal; 20 installments for assessments of more than \$150 – Levy 01021 - Project 4518S.

8. Areaway removal at 3022 Hennepin Ave S in conjunction with Storm Sewer Construction/Rainleader Disconnect Project No 4459; \$97,741.75 principal; 20 installments for assessments of more than \$150 - Levy 01021 - Project 4459A.

NOVEMBER 12, 2013

9. Linden Hills Street Resurfacing Project, Special Improvement of Existing Street No 5226; \$2,421,910.63 principal; 5 installments for assessments of more than \$150 – Levy 01027 - Project 5226-3; 1 installment for assessments of \$150 or less – Levy 01027 - Project 3-5226.

10. Thirty-Ninth St W Street Resurfacing Project, Special Improvement of Existing Street No 5227; \$60,341.88 principal; 5 installments for assessments of more than \$150 – Levy 01027 - Project 5227-3; 1 installment for assessments of \$150 or less – Levy 01027 - Project 3-5227.

11. Upton Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5230; \$165,221.17 principal; 5 installments for assessments of more than \$150 – Levy 01027 - Project 5230-3; 1 installment for assessments of \$150 or less – Levy 01027 - Project 3-5230.

12. Thirty-First St W Street Resurfacing Project, Special Improvement of Existing Street No 5247; \$189,295.15 principal; 5 installments for assessments of more than \$150 – Levy 01027 - Project 5247-3; 1 installment for assessments of \$150 or less – Levy 01027 - Project 3-5247.

13. Thirty-Fifth St E Street Resurfacing Project, Special Improvement of Existing Street No 5244; \$80,305.74 principal; 5 installments for assessments of more than \$150 – Levy 01027 - Project 5244-3; 1 installment for assessments of \$150 or less – Levy 01027 – Project 3-5244.

14. Thirty-Eighth St W Street Resurfacing Project, Special Improvement of Existing Street No 5245; \$108,656.30 principal; 7 installments for PID 03-028-24-33-0125 – Levy 01027 – Project 7-5245; 5 installments for assessments of more than \$150 – Levy 01027 - Project 5245-3; 1 installment for assessments of \$150 or less – Levy 01027 - Project 3-5245.

15. Fifty-Fourth St E Street Resurfacing Project, Special Improvement of Existing Street No 5249; \$107,600.30 principal; 5 installments for assessments of more than \$150 – Levy 01027 - Project 5249-3; 1 installment for assessments of \$150 or less – Levy 01027 - Project 3-5249.

16. Page Area Street Resurfacing Project, Special Improvement of Existing Street No 5248; \$624,285.33 principal; 5 installments for assessments of more than \$150 – Levy 01027 - Project 5248-3; 1 installment for assessments of \$150 or less – Levy 01027 - Project 3-5248.

17. Oak Lake Ave N and 10th Ave N Street Resurfacing Project, Special Improvement of Existing Street No 5246; \$170,986.67 principal; 5 installments for assessments of more than \$150 – Levy 01027 - Project 5246-3; 1 installment for assessments of \$150 or less – Levy 01027 - Project 3-5246.

18. Cooper Area, 42nd and 46th Avenues S Street Resurfacing Project, Special Improvement of Existing Street No 5250; \$1,617,488.43 principal; 7 installments for certain parcels – Levy 01027 – Project 7-5250; 5 installments for assessments of more than \$150 – Levy 01027 - Project 5250-3; 1 installment for assessments of \$150 or less – Levy 01027 - Project 3-5250.

19. Lyndale Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5253; \$239,284.58 principal; 7 installments for certain parcels – Levy 01027 – Project 7-5253; 5 installments for assessments of more than \$150 – Levy 01027 - Project 5253-3.

NOVEMBER 12, 2013

20. Twenty-Eighth Ave S Street Resurfacing Project Phase II, Special Improvement of Existing Street No 5242; \$291,144.01 principal; 7 installments for PID 12-028-24-44-0027 – Levy 010527 – Project 7-5242; 5 installments for assessments of more than \$150 – Levy 01027 - Project 5242-3; 1 installment for assessments of \$150 or less – Levy 01027 - Project 3-5242.

21. North Dorman Area, 25th St E and 31st Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5252; \$1,099,266.86 principal; 7 installments for certain parcels – Levy 01027 – Project 7-5252; 5 installments for assessments of more than \$150 – Levy 01027 - Project 5252-3; 1 installment for assessments of \$150 or less – Levy 01027 - Project 3-5252.

22. Stevens Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5255; \$57,918.04 principal; 5 installments for assessments of more than \$150 – Levy 01027 - Project 5255-3.

23. Eleventh St S, Grant St E, 14th St E and 5th Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5254; \$165,163.35 principal; 5 installments for assessments of more than \$150 – Levy 01027 - Project 5254-3; 1 installment for assessments of \$150 or less – Levy 01027 - Project 3-5254.

24. Tyler St NE Street Resurfacing Project, Special Improvement of Existing Street No 5256; \$100,099.08 principal; 7 installments for assessments of more than \$150 – Levy 01027 - Project 5256-3.

25. Fiftieth St W Street Resurfacing Project, Special Improvement of Existing Street No 5251; \$193,655.30 principal; 5 installments for assessments of more than \$150 – Levy 01027 - Project 5251-3; 1 installment for assessments of \$150 or less – Levy 01027 - Project 3-5251.

26. Thirty-Ninth Ave S Speed Hump Installation, Project No 943W3003; \$7,000 principal; 5 installments for assessments of more than \$150 – Levy 01044 - Project W3003.

27. 2013 Alley Resurfacing Program, Special Improvement of Existing Alleys No AL013; \$81,872.47 principal; 5 installments for assessments of more than \$150 – Levy 01013 - Project AL013; 1 installment for assessments of \$150 or less – Levy 01013 - Project 013AL.

28. Project No 2014, Snow and Ice Removals from Public Sidewalks; \$87,989.65 principal (reduced from \$88,293.25 due to prepayments); 1 installment - Levy 01057 - Project 14SI1.

29. Project No 2014, Public Sidewalk Repair and Construction; \$1,336,397.04 principal (reduced from \$1,348,423.41 due to prepayments); 10 installments for assessments of more than \$1,500 – Levy 01052 - Project 14S10; 5 installments for assessments of more than \$150 up to \$1,500 – Levy 01052 - Project 14S05; 1 installment for assessments \$150 or less – Levy 01052 - Project 14S01.

30. Project No 2014 Water Service Line Repairs; \$400,923.33 principal; 5 installments – 5% interest – Levy 01028 – Project 14WTR.

31. Project No 2014 Sewer Service Line Repairs; \$118,144.29 principal; 10 installments – 5% interest – Levy 01083 – Project 14S10; 5 installments – 5% interest – Levy 01083 – Project 14SWR.

32. Street Maintenance annual assessments against non-governmental real property exempt from ad valorem taxes; \$0.01957 per square foot for a total assessment roll in the amount of \$545,901. There is no interest charge applied – Levy 01031 – Project 1337M.

33. Street Lighting Operation and Maintenance annual assessment against non-governmental real property exempt from ad valorem taxes; \$0.00392 per square foot for a total assessment roll in the amount of \$109,345. There is no interest charge applied – Levy 01023 – Project 1337L.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

T&PW - Your Committee, having under consideration the City Engineer's declaration of the parcel located at 521 5th St N (PID 22-029-24-31-0040) 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 convey said land parcel to Hennepin County for the price of one dollar (\$1.00) to be incorporated into the surface level plaza being created in conjunction with The Interchange Project.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

T&PW - Your Committee, having under consideration the Non-Motorized Transportation Pilot Project (NTP), now recommends that the proper City officers be authorized to execute amendments to MnDOT Agreement No 89757 (City Agreement C-23888) and to City Agreement C-23887 with Transit for Livable Communities (TLC) to perform specific work efforts as outlined in and in accordance with MnDOT Agreement No 89757 that:

- a) Extends the end date from December 31, 2013 to December 31, 2014; and
- b) Changes the retainage (holdback) percentage from 5% to either 2% or 1% based on the amount of remaining audited invoices.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

T&PW - Your Committee recommends passage of the accompanying resolution granting Municipal Consent and approving the layout of the Minnesota Department of Transportation's State Trunk Highway 65 Project S.P. 2710-42 for the reconstruction of the railroad bridge on Central Ave between 14th Ave NE and 18th Ave NE.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

Resolution 2013R-511, granting Municipal Consent for the State of Minnesota Department of Transportation's reconstruction of the railroad bridge over State Trunk Highway 65 Project S.P. 2710-42, 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-511
By Colvin Roy

Granting Municipal Consent for the State of Minnesota Department of Transportation's reconstruction of the railroad bridge over State Trunk Highway 65 Project S.P. 2710-42.

Whereas, the Commissioner of Transportation has prepared a final layout for the improvement of State Trunk Highway 65 (Central Avenue) within the City of Minneapolis which

includes the reconstruction of a railroad bridge and resurfacing of the roadway and seeks the approval thereof; and

Whereas, said final layouts are on file with the Minnesota Department of Transportation, being marked, labeled and identified as Layout No. 1B S.P. 2710-42 from R.P. 14th Avenue NE to 18th Avenue NE; and

Whereas, improvements to City streets and appurtenances have been included in the said final layouts;

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

That said final layouts for the improvement of said Trunk Highway within the corporate limits be and are hereby approved.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

T&PW - Your Committee recommends passage of the accompanying resolution authorizing Community Planning and Economic Development (CPED) and Public Works staff to submit a request to the Minnesota Department of Transportation (MnDOT) for exclusive rights for up to two years to negotiate a long-term airspace lease over Ramp A (TAD 7th Street Ramp).

Adopted.

Absent - Colvin Roy, Gordon, Reich.

Resolution 2013R-512, authorizing Community Planning and Economic Development (CPED) and Public Works staff to submit a request to MnDOT for exclusive rights for up to two years to negotiate a long-term airspace lease over Ramp A (TAD 7th Street Ramp), 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-512

By Colvin Roy

Authorizing Community Planning and Economic Development (CPED) and Public Works staff to submit a request to MnDOT for exclusive rights for up to two years to negotiate a long-term airspace lease over Ramp A (TAD 7th Street Ramp).

Whereas, the City of Minneapolis considered a proposal for development of an indoor golf facility in downtown Minneapolis from St. Andrew's Golf Academy and the Minneapolis City Council passed and approved Resolution 99R-269 on July 30, 1999; and

Whereas, MnDOT has established an airspace lease policy dated October 10, 2006; and

Whereas, the Minneapolis City Council approved Resolution 2007R-562 recommending that MnDOT give full consideration to the application of Downtown Golf Partners, LLC to obtain an air rights lease for an indoor golf facility over the 7th Street TAD Garage on November 2, 2007;

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

That a proposed development initiative for an indoor golf facility and other related activities atop the Ramp A (7th Street TAD) and Hawthorne Transportation Center parking ramps in downtown Minneapolis would be a welcome addition to the mix of downtown Minneapolis entertainment amenities available to residents, visitors, and workers.

Be It Further Resolved that a proposed development would be consistent with the goal of marketing downtown as a place to live, work, play, and do business through the strengthening of downtown retail and leisure sectors (including entertainment, recreational, and cultural uses).

Be It Further Resolved that the City of Minneapolis authorizes CPED and Public Works staff to submit a request to MnDOT for exclusive rights for up to two years to negotiate a long-term airspace lease over the Ramp A (TAD 7th Street Ramp).

Adopted.

Absent - Colvin Roy, Gordon, Reich.

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

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing the proper City officers to negotiate and enter into a Road Maintenance Agreement between Hennepin County and the City of Minneapolis providing reimbursement for routine maintenance on certain County State Aid routes and bridges in the City of Minneapolis through December 31, 2015.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

Resolution 2013R-513, entering into an agreement between Hennepin County and the City of Minneapolis reimbursing the City for providing routine maintenance on certain County State Aid routes and bridges in the City of Minneapolis through December 31, 2015, 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-513
By Colvin Roy and Hodges**

Entering into an agreement between Hennepin County and the City of Minneapolis reimbursing the City for providing routine maintenance on certain County State Aid routes and bridges in the City of Minneapolis effective January 1, 2013 through December 31, 2015.

Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis enter into Proposed Road Maintenance Agreement No PW 23-20-12 with Hennepin County to provide reimbursement to the City for the costs of providing the necessary maintenance services for the roadway system including snow and ice control on downtown roadways, patching and minor repair of downtown streets, street sweeping, rubbish removal, and turf maintenance; maintenance of bridges including surface flushing, street sweeping, snow/ice control on bridge sidewalks, rubbish removal, and bridge roadway and

waterway navigation lights; maintenance of traffic signal systems including poles, heads, loops, cabinets, controllers, and associated crash or vandalism damage; and maintenance of traffic signs and markings except for linear lane pavement striping; and other activities.

Be It Further Resolved that the total amount of this agreement for 2013 is estimated at \$1,124,164.

Be It Further Resolved that the amount of reimbursement for the years 2014 and 2015 be determined by the three year moving average method.

Be It Further Resolved that the Mayor and the Finance Officer are authorized to execute the Agreement.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to negotiate and execute a Master Service Agreement with each of the 32 successful firms for the Public Works Consulting Pool. The length of the agreement will be three years, from February 15, 2014 to February 14, 2017, and limited to a maximum of \$2,500,000 with the maximum fee per scope of services (project) of \$500,000.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

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

- a) Receiving and accepting the final costs of projects/programs within Fund 04100, Fund 07100, Fund 07300, and Fund 07400 and reallocating excess revenue, Net Debt Bonds, and Assessment Bonds to other capital projects and programs; and
- b) Requesting concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds and Assessment Bonds, and in the cancelation of authorization of unissued Net Debt Bonds for 04100-9010943-CTR1013.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

Resolution 2013R-514, receiving and accepting the final costs of projects/programs within Fund 04100, Fund 07100, Fund 07300, and Fund 07400 and reallocating excess revenue, Net Debt Bonds, and Assessment Bonds to other capital projects and programs, 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-514
By Colvin Roy and Hodges**

Receiving and accepting the final costs of projects/programs within Fund 04100, Fund 07100, Fund 07300, and Fund 07400 and reallocating excess revenue, Net Debt Bonds, and Assessment Bonds to other capital projects and programs.

Resolved by The City Council of The City of Minneapolis:

NOVEMBER 12, 2013

That the final costs of all work in the Fund 04100, Fund 07100, Fund 07300, and Fund 07400 projects described in Schedule A and B below be received and accepted, and that the capital appropriations be adjusted as specified thereby closing the projects and programs, and reallocating excess revenue and already issued Net Debt Bonds and Assessment Bonds to other capital projects and programs. The 07300 and 07400 fund balances should be designated to projects requiring additional revenue.

SCHEDULE A Capital Programs/Projects to be CLOSED			Revenue		Assessment/Net	Reallocated	
Description	Fund/Dept	Project	Available	Reallocate	Debt Available	Assessment or	Appropriation
			for Reallocation	Revenue	for Reallocation	Net Debt Bonds	Adjustment
Camden Ave Bridge	04100-9010938	CBR109	1,087,671.88				(3,838,343.65)
Univ Research Park Strt Ltg	04100-9010943	CPV007SL		(1,053.12)			(177,946.88)
Chicago Ave 25th-26th St E	04100-9010937	CPV029	392,332.86				(2,438,220.77)
35W Frontage Roads paving	04100-9010937	CPV037		(3,374.13)			(193,625.87)
Mpls Transportation Action Plan	04100-9010937	CPV045	295,911.60				(473,653.22)
Central Corridor Lt Rail Transit Study	04100-9010937	CPV060	60,704.06				(60,704.06)
35W Bridge Detour Route Resurfacing	04100-9010937	CPV065			725,177.59		(1,010,993.33)
I35W Crosstown Interchange	04100-9010937	CPV609		(34,044.59)			560,439.07
Stone Arch Bridge Lighting Project	04100-9010943	CLT005					262,604.74
Hiawatha Trail Connection	04100-9010943	CBIK08	5,312.36				(126,585.44)
Safe Routes to School	04100-9010943	CTR1015		(5,569.52)			5,569.52
Accessible Pedestrian Signals	04100-9010943	CTRAPS	56,826.12				54,169.01
2011 Alley Renovation	04100-9010937	CPV1106		(8,441.77)			8,441.77
Major Pavement Maintenance	04100-9010937	CPV1259		(132,350.20)			146,170.20
Major Bike Maintenance	04100-9010943	CBIK24					0.00
Interchange Project	04100-9010937	CPV088					0.00
RR Crossing Safety Improvements	04100-9010943	CTR1013			2,498.49		(372,498.49)
2010 Facilities Repairs & Improvements	04100-9010923	PSD0110					43,711.21
Facilities Space Improvements	04100-9010923	PSD0310					(210,684.57)
Security Enhancements	04100-9010923	PSDI07					0.00
San Tunnel & Sewer Rehab Prog	07100-9010932	CSA1101					0.00
Chicago Ave 25th-26th St E Sewer	07300-9010932	CPV029ST2009					169,494.91
2012 Water Distribution Improvements	07400-9010950	CWT1212					601,869.45
Total All Funds- Programs to be Closed			\$1,898,758.88	(\$184,833.33)	\$727,676.08	\$0.00	(\$7,050,786.40)

Capital Programs/Projects to remain OPEN			Revenue		Assessment/Net	Reallocated	
Description	Fund/Dept	Project	Available	Reallocate	Debt Available	Assessment or	Appropriation
			for Reallocation	Revenue	for Reallocation	Net Debt Bonds	Adjustment
SEMI 2	04100-9010937	CPV007		(88,752.16)		(725,177.59)	
Northtown Rail	04100-9010937	CBR110		(1,087,671.88)			1,087,671.88
Franklin/Cedar/Minnehaha	04100-9010937	CPV028		(237,501.51)		(2,498.49)	240,000.00
3rd Avenue Bridge	04100-9010938	CBR128		(300,000.00)			300,000.00
Total Programs to remain OPEN				(1,713,925.55)		(727,676.08)	1,627,671.88

Be It Further Resolved that as a result of the project closeouts as described in Schedule A, excess Net Debt Bonds, Assessment Bonds, and revenue become available for re-allocation as described in Schedules A and B.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

Resolution 2013R-515, requesting concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds and Assessment Bonds, and canceling authorization of unissued Net Debt Bonds for 04100-9010943-CTR1013, 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-515
By Colvin Roy and Hodges

Requesting concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds and Assessment Bonds, and canceling authorization of unissued Net Debt Bonds for 04100-9010943-CTR1013.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to concur with the reallocation of already issued Net Debt Bonds and Assessment Bonds, as set forth in Resolution 2013R-514, adopted November 12, 2013, as follows:

- a) Reallocate unspent Net Debt Bonds of \$2,498.49 from 04100-9010943-CTR1013 to 04100-9010937-CPV028; and
- b) Reallocate unspent Assessment Bonds of \$725,177.59 from 04100-9010937-CPV065 to 04100-9010937-CPV007.

Be It Further Resolved that the Board of Estimate and Taxation cancel authorization of unissued Net Debt Bonds for 04100-9010943-CTR1013.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

T&PW & W&M/Budget - Your Committee, having under consideration the implementation of a City-wide Car Sharing Pilot Program, now recommends that the proper City officers be authorized to execute a two-year agreement with Neighborhood Energy Connection, dba HOURCAR, for the Car Sharing Pilot Program.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

Approved by Mayor Rybak 11/13/2013.

(Published 11/14/2013)

T&PW & W&M/Budget - Your Committee, having under consideration the contract for the collection of garbage, recyclables, problem materials, mattresses, and seasonal yard waste for approximately one-half of the City's dwelling units and the staff recommendation that the proper City officers be authorized to negotiate and execute a contract with Minneapolis Refuse, Inc. (MRI) for a five-year term, from February 1, 2014 through January 31, 2019, now recommends:

T&PW - Approval.

W&M/Budget - Sent forward without recommendation.

Glidden moved that the report be amended to approve the Transportation & Public Works Committee recommendation and to delete the Ways & Means/Budget Committee recommendation. Seconded.

Adopted by unanimous consent.

Absent - Colvin Roy, Gordon, Reich.

The report, as amended, was adopted.

Absent - Colvin Roy, Gordon, Reich.

T&PW & W&M/Budget - Your Committee, having under consideration the construction and reconstruction of alleys in the City of Minneapolis, now recommends:

- a) Adoption of a policy to assess alley construction and reconstruction against all benefiting property owners, using an annual Uniform Alley Construction Rate equaling 25% of the estimated cost to reconstruct an average alley, with all costs above that to be paid for with Net Debt Bonds or other local sources;
- b) Amending the Unpaved Residential Alley Paving Program (Petn No 273300) to reflect the new policy; and
- c) Establishing the 2014 Alley Construction Rate at \$0.26/sq. ft.

Adopted.

Absent - Colvin Roy, Gordon, Reich.

T&PW & W&M/Budget - Your Committee, having under consideration an agreement for a City-owned skyway which was constructed on private property connecting the building at 800 Hennepin Ave across a privately owned surface parking lot located at 19 8th St N to Ramp A (7th St Parking Garage), now recommends:

- a) That the proper City officers be authorized to negotiate and execute a Cooperative Development Agreement with M.A. Mortenson Company for professional design services, demolition, and construction related to the City-owned skyway and re-connection to the proposed Hampton Inn & Suites Hotel site located at 19 8th St N. The City shall pay for said work in an amount not to exceed \$425,000 from the Parking Fund (07500-685-HAWT); and
- b) That the proper City officers be authorized to negotiate and execute an amendment to a 1992 Skyway Easement Agreement for purposes of memorializing termination of the original skyway contemplated therein and restating and revising the 1992 terms to reflect a new skyway schematic.

Adopted.

Absent - Colvin Roy, Gordon, 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 – Colvin Roy, Gordon, Reich.

Resolution 2013R-516, 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-516

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) Lori Olson v. City of Minneapolis (\$25,000);
- b) Travelers Indemnity Company v. City of Minneapolis (\$10,350);
- c) Brian Arradondo v. City of Minneapolis (\$163,000);
- d) Darryl Robinson v. Mark Lanasa, et. al. (\$15,000) along with some non-monetary consideration;
- e) Xcel Energy by payment from Xcel Energy to the City of Minneapolis (\$137,747.96);
- f) Steven Meldahl v. City of Minneapolis by adjustment of the following special assessments:
 - 1) Cancellation of Assessment No. 10-0761439, 2500 Humboldt Ave N (\$6,948.00);
 - 2) Cancellation of Assessment No. 11-0873675, 3743 Bryant Ave N (\$694.75);
 - 3) Cancellation of Assessment No. 11-0874827, 3723 Fremont Ave N (\$150.00);
 - 4) Cancellation of Assessment No. 11-0873932, 3103 Logan Ave N (\$150.00);
 - 5) Cancellation of Assessment No. 1211442304, 723 Newton Ave N (\$513.23);
 - 6) Cancellation of Assessment No. 310863311, 2946 Colfax Ave N (\$159.77);
 - 7) Reduction of Assessment No. 1211447318, 810 Newton Ave N (\$343.96 reduced by \$84 resulting in an assessment of \$259.96)

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

Adopted.

Absent – Colvin Roy, Gordon, Reich.

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing acceptance of the donation of digital billboard space from Clear Channel Outdoor for the purpose of communicating Snow Emergency information.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

Resolution 2013R-517, accepting billboard display time donation from Clear Channel Outdoor, 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-517

By Hodges

Accepting billboard display time donation from Clear Channel Outdoor.

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

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

<u>Name of Donor</u>	<u>Gift</u>
Clear Channel Outdoor	Billboard display time

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 communicating snow emergency information, as allowed by law; and

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

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

That the donations described above are accepted and shall be used for communicating snow emergency information.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing acceptance of the donation of broadcast airtime from Comcast Cable for public service announcements.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

Resolution 2013R-518, accepting broadcast airtime from Comcast Cable, 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-518
By Hodges**

Accepting broadcast airtime from Comcast Cable.

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

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

<u>Name of Donor</u>	<u>Gift</u>
Comcast Cable	Broadcast airtime

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

NOVEMBER 12, 2013

Whereas, all such donations have been contributed to assist the City with public service announcements, as allowed by law; and

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

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

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

Adopted.

Absent – Colvin Roy, Gordon, Reich.

W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Departments of Convention Center and Procurement on OP No. 7850 from Columbia Building Services, for a total estimated annual expenditure of \$90,000, to furnish and deliver all labor and materials for window washing for the Minneapolis Convention Center through 12/31/2014.

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

Adopted.

Absent – Colvin Roy, Gordon, Reich.

W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Departments of Convention Center and Procurement on OP No. 7858 from Kone, Inc, for a total estimated annual expenditure of \$1,809,000, to furnish and deliver all labor and materials for escalator modernization for the Minneapolis Convention Center.

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

Adopted.

Absent – Colvin Roy, Gordon, Reich.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a new three-year contract with KANA Software Inc., for support, maintenance and hosting services for the 311 Lagan system, in an amount not to exceed \$1,200,000 for three years, and to include two one-year options to extend the contract.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to extend contract C-28422 with Novarum Inc. for an additional three years, through October 2016, for the City of Minneapolis roaming WiFi system, and increase the contract by \$50,000 for a new total not to exceed \$410,000.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to increase contract C-25200 with Unisys by \$750,000 for additional change orders anticipated for managed services in 2014.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals for managed Information Technology services for 2015 and beyond, pending Permanent Review Committee review and approval.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute an amendment to contract C-35923 with Over the Top, extending the contract to December 31, 2013, and extending the service to the north district for grass, weeds and plant nuisance abatement services under the same terms and conditions as currently in place for the south district.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to increase contract C-36408 with Wilson Custom Tree, by \$100,000 for a new contract total of \$200,000, for hazardous tree removal and disposal services.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

W&M/Budget - Your Committee recommends that the 2013 Property Tax Special Assessments for Delinquent Utility Charges be approved, as indicated in the assessment roll adopted as part of this action and set forth in Petn No 276862 on file in the Office of the City Clerk.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

The ZONING & PLANNING Committee submitted the following reports:

Z&P - Your Committee concurs in the recommendation of the Heritage Preservation Commission to grant the petition of the Minnesota Streetcar Museum for historic variances for the property located at 4291 Queen Avenue South, allowing for the following:

1) Expansion of a nonconforming use beyond the boundaries of the existing zoning lot, subject to the following conditions:

- a) Approvals for this historic variance shall expire if they are not acted upon within two years of approval, unless extended by the planning director.
- b) By ordinance, all approvals granted in this historic variance shall remain in effect as long as all of the conditions and guarantees of such approvals are observed. Failure to comply with such conditions and guarantees shall constitute a violation of this Historic Variance and may result in termination of the approval.

2) Development on a steep slope in the shoreland overlay district, subject to the following conditions;

- a) Approvals for this Historic Variance shall expire if they are not acted upon within two years of approval, unless extended by the planning director.
- b) By ordinance, all approvals granted in this Historic Variance shall remain in effect as long as all of the conditions and guarantees of such approvals are observed. Failure to comply with such conditions and guarantees shall constitute a violation of this Historic Variance and may result in termination of the approval.
- c) Final plans shall show that the foundation and underlying material are adequate for the slope condition and soil type.

- d) Final plans shall show that precautionary measures are in place to prevent falling rock, mud, uprooted trees or other materials.
- e) The applicant shall work with the Minneapolis Park Board to evaluate on whether additional trees are required to shield the building from Lake Harriet and West Lake Harriet Parkway to an existing level.

3) The proposed addition to be built within the side yard setback (development would be built to the property line and extend onto Minneapolis Park Board land), subject to the following conditions:

- a) Approvals for this Historic Variance shall expire if they are not acted upon within two years of approval, unless extended by the planning director.
- b) By ordinance, all approvals granted in this historic variance shall remain in effect as long as all of the conditions and guarantees of such approvals are observed. Failure to comply with such conditions and guarantees shall constitute a violation of this Historic Variance and may result in termination of the approval.

Your Committee further recommends that the findings prepared by the Department of Community Planning & Economic Development staff be adopted.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Hennepin County re: the Interchange Project (Target Field Station), to vacate part of 6th Avenue North, south of and adjacent to Block 6, Bradford & Lewis Addition, and part of 5th Street North between 6th Avenue North and Hoag's Addition (Vac #1626), for the purpose of utilization for roadway improvements as well as future development, subject to the provision of a sanitary easement to the City of Minneapolis, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying resolution vacating said portions of 6th Avenue North and 5th Street North.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

Resolution 2013R-519, vacating part of 6th Ave. N. at its intersection of 5th St. N. as part of the Interchange project (Vacation 1626), 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-519
By Schiff

Vacating part of 6th Ave. N. at its intersection of 5th St. N. as part of the Interchange project (Vacation 1626).

Resolved by The City Council of The City of Minneapolis:

That all that part of the 6th Ave. N. at its intersection of 5th St. N is hereby vacated subject to the retention of an easement to the City of Minneapolis for utility access and maintenance purposes over, under and through the entire area being vacated described as follows:

Block 6, Bradford and Lewis's Addition to Minneapolis

Also:

That portion of Block 6, Hoag's Addition to Minneapolis, lying Northerly of the Northerly boundary of that certain parcel of land described in deed dated September 29, 1972 from Burlington Northern Inc. to Jefferson Lines, Inc., recorded in the records of said county on October 12, 1972 as Instrument 3974306, said Northerly boundary being described in said deed as "the South line of 6th Avenue N. as now constructed and traveled".

Also:

All that part of:

(i) Block 6 of Hoag's Addition to Minneapolis; and also

(ii) Lot 5 of Clarke's 2 Acres Minneapolis M.T. Said Land is in Hoag's Addition; and also

(iii) Vacated 6th Avenue North;

Which lie southwesterly and southerly of 5th Street North and 6th Avenue North and also which lie northerly of the following described compound curved line:

Beginning at a point on the southerly line of 6th Avenue North that is distant 194 feet westerly from the point of intersect with the southerly line of 6th Avenue. North and the southwesterly line of 5th Street North, said point of beginning being the point of tangency of a tangential compound curve; thence southeasterly a distance of 127.93 feet along the first segment of said tangential compound curve deflecting southerly and having a central angle of 07 degrees 17 minutes 17 seconds and a radius of 1005.78 feet to the point of common tangency with the second segment of the compound curve; thence continuing southeasterly on the second segment of the said compound curve a distance of 139.75 feet deflecting southerly and having a central angle of 30 degrees 16 minutes 00 seconds and a radius of 264.56 feet to a point on said southwesterly line of 5th Street North which is distant 85.5 feet southeasterly from the above described point of intersect, and there terminating.

Together with a strip of land lying southwesterly and southerly of the above described compound curved line and northwesterly and northerly of the following described compound curved line:

Commencing at the most northerly corner of Lot 8, Block 5, Hoag's Addition to Minneapolis; thence on an assumed bearing of North 44 degrees 57 minutes 44 seconds West, along the northeasterly line of said Block 5 and along the northeasterly line of Lots 1, 2 and 3, Clarke's 2 Acres, a distance of 246.66 feet; thence North 49 degrees 11 minutes 29 seconds West a distance of 29.10 feet; thence westerly on a tangential curve concave to the south, having a radius of 384.25 feet and a central angle of 32 degrees 05 minutes 00 seconds, a distance of 215.16 feet; thence South 2 degrees 46 minutes 01 seconds West a distance of 29.44 feet; thence North 87 degrees 13 minutes 59 seconds West a distance of 141.00 feet; thence North 2 degrees 46 minutes 01 seconds East a distance of 26.96 feet; thence North 89 degrees 45 minutes 49 seconds West a distance of 225.00 feet; thence North 0 degrees 14 minutes 11 seconds East a distance of 43.00 feet to the southerly line of 6th Avenue North; thence South 89 degrees 45 minutes 49 seconds East, along said southerly line, a distance of 232.00 feet to the actual point of beginning of the land to be described; thence easterly on a tangential curve concave to the south, having a radius of 1005.78 feet and a central

angle of 7 degrees 17 minutes 17 seconds, a distance of 127.93 feet to a point of compound curve, thence easterly and southeasterly on a compound curve, having a radius of 264.56 feet and a central angle of 30 degrees 12 minutes 49 seconds, a distance of 139.51 feet to the intersection with the northeasterly line of Lot 5, Clarke's 2 Acres, and there terminating.

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

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this utility easement had not been vacated.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Hennepin County re: the Interchange Project (Target Field Station), to vacate part of the southwest half of 5th Street North between 6th Avenue North and the Burlington Northern Railroad bridge (Vac #1627), for the purpose of utilization for roadway improvements as well as future development, subject to the provision of a sanitary easement to the City of Minneapolis, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying resolution vacating said portion of 5th Street North.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

Resolution 2013R-520, vacating part of 5th St. N. at its intersection of 6th Ave. N. as part of the Interchange project (Vacation 1627), 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-520

By Schiff

Vacating part of 5th St. N. at its intersection of 6th Ave. N. as part of the Interchange project (Vacation 1627).

Resolved by The City Council of The City of Minneapolis:

That all that part of 5th St. N. at its intersection of 6th Ave. N is hereby vacated subject to the retention of an easement to the City of Minneapolis for utility access and maintenance purposes over, under and through the entire area being vacated described as follows:

That part of 5th St. N. as dedicated in Hoag's Addition to Minneapolis, beginning at the most easterly corner of Lot 8, Block 5, said Hoag's Addition; thence running North 44 degrees, 57 minutes, 44 seconds West for a distance of 667.75 feet; thence running North 45 degrees, 02 minutes, 16 seconds East for a distance of 21.65 feet; thence running South 44 degrees, 57 minutes, 44 seconds East for a distance of 379.03 feet; thence running North 45 degrees, 02 minutes, 16 seconds East for a distance of 8.35 feet; thence running South 44 degrees, 57 minutes, 44 seconds East for a distance of 228.68 feet; thence on a non-tangential curve concave to the southwest having a central angle of 13 degrees, 45 minutes, 45 seconds, a length of 44.44 feet and a radius of 185.00 feet; thence running South 44 degrees, 58 minutes, 40 seconds East for a distance of 8.80 feet; thence running South 45 degrees, 02 minutes, 16 seconds West for a distance of 35.33 feet to the Point of Beginning.

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

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this utility easement had not been vacated.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

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

- a. Amending Chapter 520 relating to Administration and Enforcement;
- b. Amending Chapter 547 relating to Off-Street Parking and Loading;
- c. Amending Chapter 548, relating to Overlay Districts;
- d. Amending Chapter 549, relating to Downtown Districts;
- e. Amending Chapter 550, relating to Industrial Districts; and
- f. Amending Chapter 551, relating to Overlay Districts.

Your Committee further recommends that Chapter 536, relating to Specific Development Standards, be returned to the author.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

Ordinance 2013-Or-093 amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances relating to Zoning Code: Introductory Provisions, amending Section 520.160 to revise regulations related to sports and health facilities, was adopted by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

NOVEMBER 12, 2013

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

ORDINANCE 2013-Or-093
By Reich
Intro & 1st Reading: 6/28/2013
Ref to: Z&P
2nd Reading: 11/12/2013

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

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

Section 1. That Section 520.160 of the above-entitled ordinance be amended to read as follows:

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

~~*Sports and health facility, major.* A facility, for profit or nonprofit, where members or nonmembers pay a fee to use equipment or space for the purpose of physical exercise. A major sports and health facility may include all activities conducted in a minor sports and health facility, and swimming, court games, jogging, and which includes locker rooms. A major sports and health facility may include as an accessory use personal services to patrons, including but not limited to therapeutic massage, tanning, saunas and whirlpools. An establishment for the conduct of indoor sports and exercise activities, which may include related locker and shower rooms, offices and classrooms. A sports and health facility shall not include any use which could be defined as an indoor recreation area.~~

~~*Sports and health facility, minor.* A facility, for profit or nonprofit, where members or nonmembers pay a fee to use equipment or space for the purpose of physical exercise. A minor sports and health facility may include aerobics, weight training, muscular exercise programs, yoga, pilates or other similar activities. A minor sports and health facility shall not include shower facilities.~~

Adopted.

Absent – Colvin Roy, Gordon, Reich.

Ordinance 2013-Or-094 amending Title 20, Chapter 547 of the Minneapolis Code of Ordinances relating to Zoning Code: Office Residence Districts, amending Section 547.30 to revise regulations related to sports and health facilities, was adopted by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2013-Or-094
By Reich
Intro & 1st Reading: 9/20/2013
Ref to: Z&P
2nd Reading: 11/12/2013

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

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

Section 1. That Section 547.30 of the above-entitled ordinance be amended to read as follows:

547.30. Principal uses for the office residence districts. (a) *In general.* Table 547-1 Principal Uses in the Office Residence Districts, lists all permitted and conditional uses in the office residence districts.

(b) *Permitted uses.* Uses specified with a "P" are permitted as of right in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish a permitted use shall obtain a zoning certificate for such use as specified in Chapter 525, Administration and Enforcement.

(c) *Conditional uses.* Uses specified with a "C" are allowed as a conditional use in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish or expand a conditional use shall obtain a conditional use permit for such use, as specified in Chapter 525, Administration and Enforcement.

(d) *Prohibited uses.* Any use not listed as either "P" (permitted) or "C" (conditional) in a particular district or any use not determined by the zoning administrator to be substantially similar to a use listed as permitted or conditional shall be prohibited in that district.

(e) *Specific development standards.* Permitted and conditional uses specified with an "/" under the Specific Development Standards column shall be subject to the specific development standards of Chapter 536, Specific Development Standards.

(f) *Neighborhood serving retail sales and services.* Neighborhood serving retail sales and services include activities that serve the surrounding neighborhood by offering basic goods and services often needed on a day to day basis. The limited nature and scale of the uses minimizes their impact on surrounding properties. Neighborhood serving retail sales and services shall be subject to the following standards:

- (1) Neighborhood serving retail sales and services shall be limited to the following uses:
 - a. Barber shop/beauty salon.
 - b. Bookstore, new or used.
 - c. Coffee shop, with limited entertainment, maximum thirty (30) seats.
 - d. Drug store.
 - e. Dry cleaning pickup station.
 - f. Florist.
 - g. Grocery store.
 - h. Hardware store.

- i. Performing, visual or martial arts school.
- j. Restaurant, sit down or delicatessen, with limited entertainment, provided no alcoholic beverages, maximum thirty (30) seats.
- k. Self service laundry.
- l. Sports and health facility, ~~minor~~.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

Ordinance 2013-Or-095 amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to Zoning Code: Commercial Districts, amending Table 548-1 to revise regulations related to sports and health facilities, was adopted by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2013-Or-095
By Reich
Intro & 1st Reading: 6/28/2013
Ref to: Z&P
2nd Reading: 11/12/2013

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

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

Section 1. That Table 548-1 of the above-entitled ordinance be amended to read as follows:

Table 548-1 Principal Uses in the Commercial Districts

<i>Use</i>	<i>C1</i>	<i>C2</i>	<i>C3A</i>	<i>C3S</i>	<i>C4</i>	<i>Specific Development Standards</i>
Commercial Recreation, Entertainment and Lodging						
Sports and health facility, major	<u>P</u>	G <u>P</u>	G <u>P</u>	G <u>P</u>	G <u>P</u>	
Sports and health facility, minor	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

Adopted.

Absent – Colvin Roy, Gordon, Reich.

NOVEMBER 12, 2013

Ordinance 2013-Or-096 amending Title 20, Chapter 549 of the Minneapolis Code of Ordinances relating to Zoning Code: Downtown Districts, amending Table 549-1 to revise regulations related to sports and health facilities, was adopted by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2013-Or-096
By Reich
Intro & 1st Reading: 9/20/2013
Ref to: Z&P
2nd Reading: 11/12/2013

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

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

Section 1. That Table 549-1 of the above-entitled ordinance be amended to read as follows:

Table 549-1 Principal Uses in the Downtown Districts

<i>Use</i>	<i>B4</i>	<i>B4S</i>	<i>B4C</i>	<i>B4N</i>	<i>Specific Development Standards</i>
Commercial Recreation, Entertainment and Lodging					
Sports and health facility, major	P	P	P	P	
Sports and health facility, minor	P	P	P	P	

Adopted.

Absent – Colvin Roy, Gordon, Reich.

Ordinance 2013-Or-097 amending Title 20, Chapter 550 of the Minneapolis Code of Ordinances relating to Zoning Code: Industrial Districts, amending Table 550-1 and Section 550.255 to revise regulations related to sports and health facilities, was adopted by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2013-Or-097
By Reich
Intro & 1st Reading: 6/28/2013
Ref to: Z&P
2nd Reading: 11/12/2013

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

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

Section 1. That Table 550-1 of the above-entitled ordinance be amended to read as follows:

Table 550-1 Principal Uses in the Industrial Districts

<i>Use</i>	<i>I1</i>	<i>I2</i>	<i>I3</i>	<i>Specific Development Standards</i>
Commercial Recreation, Entertainment and Lodging				
<u>Sports and health facility</u>	<u>P</u>			

Section 2. That Chapter 550 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 550.255 to read as follows:

550.255. Maximum size of sports and health facilities. Sports and health facilities shall be limited to a maximum gross floor area of five thousand (5,000) square feet.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

Ordinance 2013-Or-098 amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to Zoning Code: Overlay Districts, amending Section 551.360 to revise regulations related to sports and health facilities, was adopted by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2013-Or-098
By Reich
Intro & 1st Reading: 6/28/2013
Ref to: Z&P
2nd Reading: 11/12/2013

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

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

Section 1. That Section 551.360 of the above-entitled ordinance be amended to read as follows:

551.360. Permitted uses. (a) Uses. In addition to the uses permitted in the primary zoning district, the following uses shall be permitted in the Industrial Living Overlay District, provided such uses shall be located in buildings existing on the effective date of this ordinance:

- (1) General retail sales and services uses.
- (2) Antiques and collectibles.
- (3) Banks and financial institutions.
- (4) Bookstore, new or used.

- (5) Grocery store.
 - (6) Laundry, self service.
 - (7) Performing, visual or martial arts school.
 - (8) Reception or meeting hall.
 - (9) Sports and health facility, ~~minor~~.
 - (10) Theater, indoor, provided live performance only.
 - (11) Video stores up to four thousand (4,000) square feet.
- Adopted.
Absent – Colvin Roy, Gordon, Reich.

Z&P - Your Committee, having under consideration the appeal filed by Dana Avery on behalf of Mazel Properties, LLC, from the decision of the Board of Adjustment which denied the application for a Certificate of Nonconforming Use to establish legal nonconforming rights to a three-unit, multiple-family residence in an existing structure located at 2924 Grand Avenue South, now recommends that said appeal be Denied, the decision of the Board of Adjustment be upheld, and that the Findings of Fact prepared by the Department of Community Planning & Economic Development staff be adopted.

Adopted.

Absent – Colvin Roy, Gordon, Reich.

NEW BUSINESS

The Charter Commission's transmittal recommending an amendment to the Minneapolis City Charter, for passage by Ordinance, relating to the filing fees for municipal elections was referred to the Intergovernmental Relations Subcommittee of the Committee of the Whole for a public hearing to be held on December 5, 2013 upon a voice vote.

Absent – Colvin Roy, Reich, Gordon.

Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 16, Chapter 417 of the Minneapolis Code of Ordinances relating to Planning and Development: Port Authority (regarding exercise of port authority powers).

Lilligren moved to adjourn to Room 315 City Hall to consider the Nguyen, et al. v. City of Minneapolis and Brad Charles Carlson v. City of Minneapolis, et al. lawsuits. Seconded.

Adopted upon a voice vote.

Absent – Colvin Roy, Reich, Gordon.

ADJOURNED SESSION

Room 315 City Hall

Minneapolis, Minnesota

November 12, 2013 – 10:24 a.m.

The Council met pursuant to adjournment.

Council President Johnson in the Chair.

NOVEMBER 12, 2013

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

Absent - Council Members Hofstede, Colvin Roy, Gordon, Reich.

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

At 10:25 a.m., Lilligren moved that the meeting be closed. Seconded.

Adopted upon a voice vote.

Absent – Hofstede, Colvin Roy, Gordon, Reich.

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

Absent - Council Members Hofstede, Colvin Roy, Gordon, Reich.

Also present – Susan Segal, City Attorney; Peter Ginder, Deputy City Attorney; Tracey Fussy, Andrea Naef, Kristen Sarff, and Sandy Mykleby, City Attorney's Office; Kevin Carpenter, Chief Financial Officer; Deputy Chief Ed Frizell, Police Department; Casey Carl, City Clerk; and Jackie Hanson, City Clerk's Office.

Assistant City Attorney Naef summarized the Nguyen, et al. v. City of Minneapolis lawsuit from 10:26 a.m. to 10:35 a.m.

Assistant City Attorney Sarff summarized the Brad Charles Carlson v. City of Minneapolis, et al. lawsuit from 10:35 a.m. to 10:50 a.m.

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

Adopted upon a voice vote.

Absent – Hofstede, Colvin Roy, Gordon, Reich.

Schiff moved that all claims, including claims for attorney's fees and costs, asserted in *Trang Nguyen, et al. v. City of Minneapolis*, Court File No. 11-cv-3225 (PJS/SER), be settled for the sum total amount of \$91,000, payable to Plaintiffs and their attorney from Fund/Org. 6900 150 1500 145400, as follows: \$21,872.84 to Trang Nguyen; \$21,872.84 to Siyha Xiong; \$14,581.90 to Jany Phratsachack; and \$32,692.42 to The Law Offices of Zorislav R. Leyderman.

The City Attorney's Office is authorized to execute any documents necessary to effectuate this settlement. Seconded.

Adopted.

Absent – Hofstede, Colvin Roy, Gordon, Reich.

Schiff moved that all claims, including claims for attorneys' fees and costs, asserted in *Brad Charles Carlson v. City of Minneapolis, et al.*, Court File No. 12-CV-02499 (JNE/FLN), be settled in the amount of \$99,000, payable to Brad Charles Carlson and his attorneys, James R. Behrenbrinker and Karin Ciano, from Fund/Org. 6900 150 1500 145400. The City Attorney's Office is authorized to execute any documents necessary to effectuate this settlement. Seconded.

Adopted.

Absent – Hofstede, Colvin Roy, Gordon, Reich.

NOVEMBER 12, 2013

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 to November 19, 2013 at 6:05 p.m. in the Council Chamber for the purpose of receiving public comment on the proposed 2014 budget and tax levy, and to conduct any other business deemed necessary at that time, and that such meeting be and is hereby declared to be an adjourned session of the regular meeting of November 12, 2013. Seconded.

Adopted upon a voice vote.

Absent – Hofstede, Colvin Roy, Gordon, Reich.

Casey Joe Carl,
City Clerk

Official Posting: 11/20/2013