

# OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

## REGULAR MEETING OF JANUARY 23, 2014

(Published February 1, 2014, in *Finance and Commerce*)

Council President Johnson called the meeting to order at 9:30 a.m. in the Council Chamber, a quorum being present.

Present - Council Members Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson.

Absent – Council Members Warsame, Goodman.

On motion by Glidden, seconded, the agenda was adopted.

On motion by Glidden, seconded, the minutes of the adjourned session held December 11, 2013; the regular meeting of December 13, 2013; and the organizational meeting of January 6, 2014 were adopted.

On motion by Glidden, seconded, the petitions, communications, and reports of the City officers were referred to the proper Council committees and departments.

The following reports were signed by Mayor Betsy Hodges on January 27, 2014, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

### REPORTS OF STANDING COMMITTEES

**The COMMITTEE OF THE WHOLE submitted the following report:**

**COW** – Your Committee recommends approval of the staff directive to continue coordination with the Minneapolis Park and Recreation Board over the development, ownership, and operation of the urban park connected to the Ryan Downtown East Development and that the Deputy Director of the Community Planning and Economic Department be directed to form a work group to facilitate this coordination with representatives of the Park Board.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**The COMMUNITY DEVELOPMENT & REGULATORY SERVICES Committee submitted the following reports:**

**CD&RS** – Your Committee recommends approval of the Department of Licenses and Consumer Services Agenda recommendations granting applications for Liquor, Business and Gambling licenses as set forth in Petition No. 276979 on file in the office of the City Clerk, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

Approved by Mayor Betsy Hodges 1/27/2014.

(Published 1/28/2014)

**CD&RS** – Your Committee recommends passage of Resolution 2014R-006, approving Business License Operating Conditions relating to the Food Grocery and Tobacco Dealer License held by M&M, Inc/Skyline Food, 1819 Glenwood Ave N, Minneapolis. 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 2014R-006**  
**By Goodman**

**Approving Business License Operating Conditions relating to the Food Grocery and Tobacco Dealer License held by M&M, Inc/Skyline Food, 1819 Glenwood Ave N, Minneapolis.**

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Food Grocery and Tobacco Dealer License held by M&M, Inc/Skyline Food, 1819 Glenwood Ave N, Minneapolis:

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)(1), 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. This policy will be submitted at the time of signing of this agreement.
3. The business will continue to maintain beautification efforts (i.e. plants and shrubs on property).
4. The business agrees to not sell single cigars.

5. 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.
6. 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.
7. The business agrees to follow all the laws and regulations associated with the use of Electronic Benefits Transfer (EBT) cards and Women, Infants and Children (WIC) Program vouchers.
8. All tobacco and tobacco-related products shall not be prominently displayed.
9. All windows shall be free of signs and other items that block the view in and out.
10. The owner agrees not to install temporary advertising banners or signs on the exterior of premises, including the fences, walls, or other fixtures of the property.
11. The business will stock a variety of common staple food items such as fresh produce, milk, bread, canned and frozen vegetables, soups, fruit juice, and cereals, etc. These items will be predominantly displayed in the front of the business. Food items shall be removed from stock when the printed shelf life date has expired or the fresh produce has gone bad.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The resolution was adopted.

Approved by Mayor Betsy Hodges 1/27/2014.

(Published 1/28/2014)

**CD&RS** – Your Committee recommends passage of Resolution 2014R-007, amending and supplementing Resolution 2012R-572 and Resolution 2013R-104 with respect to the issuance, sale, and delivery of Multifamily Housing Revenue Notes for the Hi-Lake Limited Partnership Project at 2230 E Lake St, Series 2014; approving the form of and authorizing the execution and delivery of such obligations and related documents; and providing for the security, rights, and remedies with respect to such obligations. 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 2014R-007**  
**By Goodman**

**Amending and supplementing Resolution 2012R-572 and Resolution 2013R-104 with respect to the issuance, sale, and delivery of Multifamily Housing Revenue Notes (Hi-Lake Limited Partnership Project), Series 2014; approving the form of and authorizing the execution and delivery of such obligations and related documents; and providing for the security, rights, and remedies with respect to such obligations.**

Resolved by The City Council of The City of Minneapolis:

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

2. **THE BORROWER AND THE PROJECT.** Hi-Lake Limited Partnership, a Minnesota limited partnership (the “Borrower”), and its general partner, Hi Lake Triangle LLC, a Minnesota limited liability company (the “General Partner”), have requested the participation of the City in the financing of the acquisition, construction, and equipping of a 64-unit multifamily rental housing development for seniors, and facilities functionally related and subordinate thereto, to be located at 2230 East Lake Street at the northwest corner of Lake Street and Hiawatha Avenue in the City (the “Project”).

3. **THE HOUSING PROGRAM.** A Program for a Multifamily Housing Development (the “Housing Program”) with respect to the Project and the proposed issuance of revenue bonds to finance the Housing Program and the Project was prepared in accordance with the requirements of Section 462C.03, subdivision 1a, of the Act, and is on file with the City. The Housing Program was submitted to the Metropolitan Council for its review and comments in accordance with the requirements of the Act. The City received a letter from the Metropolitan Council, dated May 12, 2011, providing its comments to the Housing Program and the Project.

4. **PUBLIC HEARING AND PRELIMINARY RESOLUTION.** The Community Development Committee of the Minneapolis City Council held a public hearing on July 12, 2011, with respect to the Housing Program and the proposed issuance of revenue bonds of the City to finance the Project. The public hearing was conducted at least fifteen (15) days after publication in the official newspaper of the City and in a newspaper of general circulation in the City of a notice of such public hearing. At a meeting held on July 26, 2011, the City Council of the City adopted Resolution 2011R-369 which approved and adopted the Housing Program, granted preliminary approval to the issuance of revenue bonds of the City in an aggregate principal amount of approximately \$6,500,000, and authorized the staff of the City, in cooperation with bond counsel, to take all steps necessary and desirable to proceed to develop the Housing Program and the financing therefor.

5. **APPROVAL OF SERIES 2012 BONDS AND RELATED BOND DOCUMENTS.** On November 16, 2012, the City Council adopted Resolution 2012R-572 authorizing the issuance of its Multifamily Housing Revenue Bonds (Hi-Lake Limited Partnership Project), Series 2012 (the “Series 2012 Bonds”), in an aggregate principal amount not to exceed \$6,500,000, for the benefit of the Borrower. The Series 2012 Bonds were authorized to be issued under the terms of an Indenture of Trust, to be dated on or after December 1, 2012 (the “Series 2012 Indenture”), between the City and a trustee to be selected by the Borrower. The proceeds derived from the sale of the Series 2012 Bonds were authorized to be loaned by the City to the Borrower under the terms of a Loan Agreement, dated on or after December 1, 2012 (the “Series 2012 Loan Agreement”), between the City and the Borrower. The proceeds of the loan to be made under the terms of the Series 2012 Loan Agreement (the “Series 2012 Loan”) were authorized to be applied to the payment of a portion of the costs of the acquisition, construction, and equipping of the Project and related costs.

6. SUBSEQUENT DETERMINATION NOT TO ISSUE SERIES 2012 BONDS. The Series 2012 Bonds were to be issued in calendar-year 2012 and were to be initially secured solely by the invested proceeds of the Series 2012 Bonds until definitive security documents were to be prepared and approved for execution and delivery in connection with a remarketing of the Series 2012 Bonds or in connection with a refunding of the Series 2012 Bonds. The remarketing of the Series 2012 Bonds or the refunding of the Series 2012 Bonds was expected to occur in the first quarter of calendar-year 2013. After the adoption and approval of Resolution 2012R-572, a decision was made not to issue the Series 2012 Bonds. The City and the Borrower agreed, instead, that the City would issue definitive bonds for the Project in calendar-year 2013.

7. APPROVAL OF SERIES 2013 BONDS AND RELATED BOND DOCUMENTS. On March 7, 2013, the City Council adopted Resolution 2013R-104 authorizing the issuance of its Multifamily Housing Revenue Bonds (Hi-Lake Limited Partnership Project), Series 2013 (the "Series 2013 Bonds"), in an aggregate principal amount not to exceed \$6,500,000, for the benefit of the Borrower. The Series 2013 Bonds were authorized to be issued under the terms of a Trust Indenture, to be dated on or after March 1, 2013 (the "Series 2013 Indenture"), between the City and a trustee to be selected by the Borrower (the "Series 2013 Trustee"). The proceeds derived from the sale of the Series 2013 Bonds were authorized to be loaned by the City to the Borrower under the terms of a Financing Agreement, dated on or after March 1, 2013 (the "Series 2013 Financing Agreement"), between the City and the Borrower. The proceeds of the loan made under the terms of the Series 2013 Financing Agreement (the "Series 2013 Loan") were authorized to be applied to the payment of a portion of the costs of the acquisition, construction, and equipping of the Project and related costs.

8. SUBSEQUENT DETERMINATION NOT TO ISSUE SERIES 2013 BONDS. The Series 2013 Bonds were to be issued in calendar-year 2013 and were to be initially secured by a direct-pay Credit Enhancement Agreement, to be dated on or after March 1, 2013, between the Federal Home Loan Mortgage Corporation ("Freddie Mac") and the Series 2013 Trustee and such other security documents as the Borrower, Freddie Mac, and the other parties to the financing would agree to be necessary or appropriate to ensure timely payment of the Series 2013 Loan and the Series 2013 Bonds. After the adoption and approval of Resolution 2013R-104, the Borrower concluded that the issuance of the Series 2013 Bonds under the circumstances described in Resolution 2013R-104 was not feasible and a determination was made to request that the City Council authorize the issuance of tax-exempt obligations in calendar-year 2014 to finance the acquisition, construction, and equipping of the Project.

9. APPROVAL OF SERIES 2014 NOTES AND RELATED FINANCING DOCUMENTS. For the purpose of financing a portion of the costs of the acquisition, construction, and equipping of the Project and related costs, there is hereby authorized the issuance, sale, and delivery of revenue obligations of the City, in an aggregate principal amount not to exceed \$6,500,000, for the benefit of the Borrower. The obligations are to be designated as Multifamily Housing Revenue Notes (Hi-Lake Limited Partnership Project), Series 2014 (the "Series 2014 Notes"). The Series 2014 Notes may be issued in any number of series, as determined in the discretion of the Finance Officer of the City (the Finance Officer). If issued in two series, the Series 2014 Notes shall be designated as: (i) Multifamily Housing Revenue Note (Hi-Lake Limited Partnership Project), Series 2014A (the "Series 2014A Note"); and (ii) Multifamily Housing Revenue Note (Hi-Lake Limited Partnership Project), Series 2014B (the "Series 2014B Note"). The Series 2014A Note is expected to be issued as a fixed-rate obligation, maturing in thirty (30) years, callable in sixteen (16) years and in a principal amount of up to approximately \$5,800,000. The Series 2014B Note is expected to be issued as a variable-rate obligation, maturing in eighteen (18) months, callable in twelve (12) months, and in a principal amount of up to approximately \$700,000. But the Finance Officer, in his discretion, may

adjust the terms of each Series 2014 Note, including the principal amount of each Series 2014 Note, as long as the aggregate principal amount of the Series 2014 Notes does not exceed \$6,500,000. The Series 2014 Notes are to be sold to one or more banks or other financial institutions (the "Lender") in a private placement under terms and conditions negotiated between the Borrower and the Lender (the Series 2014B Note may be sold to an affiliate of Borrower to be pledged as collateral to secure a loan from one or more banks or other financial institutions). The proceeds derived from the sale of the Series 2014 Notes are to be loaned by the City to the Borrower under the terms of a Loan Agreement, dated on or after January 1, 2014 (the "Loan Agreement"), between the City and the Borrower. The Loan Agreement is hereby approved and the Finance Officer is hereby authorized to execute and deliver the Loan Agreement on behalf of the City. All of the provisions of the Loan Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Loan Agreement shall be substantially in the form now on file with the City with such necessary and appropriate variations, omissions, and insertions as do not materially change the substance thereof, or as the Finance Officer, in his discretion, shall determine, and the execution and delivery thereof by the Finance Officer shall be conclusive evidence of such determination.

The proceeds of the loan to be made under the terms of the Series 2014 Loan Agreement (the "Series 2014 Loan") is hereby authorized to be applied to the payment of a portion of the costs of the acquisition, construction, and equipping of the Project and related costs.

10. LIMITED REVENUE OBLIGATIONS OF THE CITY. The City acknowledges, finds, determines, and declares that the issuance of the Series 2014 Notes is authorized by the Act and is consistent with the purposes of the Act and that the issuance of the Series 2014 Notes, and the other actions of the City under this resolution and the Loan Agreement constitute a public purpose and are in the interests of the City. In authorizing the issuance of the Series 2014 Notes for the financing of the Project and related costs, the City's purpose is and the effect thereof will be to promote the public welfare of the City and its residents by providing multifamily housing developments for low or moderate income senior residents of the City and otherwise furthering the purposes and policies of the Act. The Series 2014 Notes will be issued under the terms of this resolution. The Series 2014 Notes and the interest on the Series 2014 Notes: (i) shall be payable solely from the revenues pledged therefor under the terms of the Series 2014 Notes and the Loan Agreement; (ii) shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation; (iii) shall not constitute nor give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers; (iv) shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City other than the City's interest in the Loan Agreement; and (v) shall not constitute a general or moral obligation of the City.

11. TERMS OF THE SERIES 2014 NOTES. The City hereby authorizes the Series 2014 Notes to be issued as "tax-exempt bonds" the interest on which is not includable in gross income for federal and State of Minnesota income tax purposes. The City shall allocate a portion of the annual volume cap within the control of the City to the Series 2014 Notes in accordance with the provisions of Minnesota Statutes, Chapter 474A, as amended, and Section 146 of the Internal Revenue Code of 1986, as amended (the "Code"). The Series 2014 Notes, substantially in the forms now on file with the City, are hereby approved with the amendments referenced herein. All of the provisions of the Series 2014 Notes, when executed as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Series 2014 Notes shall bear interest at the fixed or variable rates, shall be designated, shall be numbered, shall be dated, shall mature, shall be issued in the aggregate principal amounts, shall be subject to redemption prior to

maturity, shall be in such forms, and shall have such other terms, details, and provisions as are prescribed in this resolution, the forms of the Series 2014 Notes, and the Loan Agreement, with such necessary and appropriate variations, omissions, and insertions (including changes to the aggregate principal amount of the Series 2014 Notes, the stated maturities of the Series 2014 Notes, the interest rates on the Series 2014 Notes, and the terms of redemption of the Series 2014 Notes) as the Finance Officer, in his discretion, shall determine.

The Series 2014 Notes shall not constitute general or moral obligations of the City but shall be special, limited obligations of the City payable solely from the revenues provided by the Borrower under the terms of the Loan Agreement and from the revenues and security pledged, assigned, and granted under the terms of this resolution, the forms of the Series 2014 Notes, the Loan Agreement, and any other security documents provided by the Borrower or any other party to secure the timely payment of the principal of, premium, if any, and interest on the Series 2014 Notes. As provided in the Loan Agreement, the Series 2014 Notes shall not be payable from nor charged upon any funds other than the revenue pledged to their payment, nor shall the City be subject to any liability thereon, except as otherwise provided in this paragraph. No holder of the Series 2014 Notes shall ever have the right to compel any exercise by the City of any taxing powers of the City to pay the Series 2014 Notes or the interest or premium thereon, or to enforce payment thereof against any property of the City except the interests of the City in the Loan Agreement and the revenues and assets thereunder, which will be assigned to the Lender under the terms of an Assignment of Loan Agreement, to be dated on or after January 1, 2014 (the "Assignment of Loan Agreement"), between the City, the Lender, and the Borrower. All of the provisions of the Assignment of Loan Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Assignment of Loan Agreement shall be substantially in the form now on file with the City with such necessary and appropriate variations, omissions, and insertions as do not materially change the substance thereof, or as the Finance Officer, in his discretion, shall determine, and the execution and delivery thereof by the Finance Officer shall be conclusive evidence of such determination.

The Series 2014 Notes shall recite that the Series 2014 Notes are issued under the Act, and that the Series 2014 Notes, including interest and premium, if any, thereon, are payable solely from the revenues and assets pledged to the payment thereof, and the Series 2014 Notes shall not constitute a debt of the City within the meaning of any constitutional or statutory limitations.

12. SECURITY. The City acknowledges and hereby approves the following to be provided as security for the payment of the obligations of the Borrower under the Loan Agreement, and the payment of the principal of, premium, if any, and interest on the Series 2014 Notes: (i) a Mortgage, Security Agreement, and Fixture Financing Statement, dated on or after January 1, 2014 (the "Mortgage"), executed and delivered by the Borrower to the City, which Mortgage will be assigned to the Lender under the terms of an Assignment of Mortgage, Security Agreement, and Fixture Financing Statement, dated on or after January 1, 2014 (the "Assignment of Mortgage"), executed and delivered by the City to the Lender; (ii) an Assignment of Leases and Rents, dated on or after January 1, 2014 (the "Assignment"), between the Borrower and the Lender; (iii) a Guaranty, dated on or after January 1, 2014 (the "Guaranty"), from Stephen B. Wellington, Jr. (as the sole member of the General Partner); (iv) a Disbursing Agreement, dated on or after January 1, 2014 (the "Disbursing Agreement"), between the Borrower and the Lender; (v) Assignment of Capital Contributions, dated on or after January 1, 2014, between the Borrower and the Lender; (vi) a Collateral Assignment of Architect Contract, dated on or after January 1, 2014, between the Borrower and the Lender; (vii) a Collateral Assignment of Construction Contract, dated on or after

January 1, 2014, between the Borrower and the Lender; and (viii) such other security documents as the Borrower, the Lender, and other parties agree are necessary or appropriate to ensure timely payment of the Loan and the Series 2014 Notes. All such security documents shall have such designations and terms, and shall be substantially in the forms, authorized and approved by the Lender and the Borrower.

13. THE REGULATORY AGREEMENT. To ensure continuing compliance with certain rental and occupancy restrictions imposed by the Act and Section 142(d) of the Code, and to ensure continuing compliance with certain restrictions imposed by the City, the Finance Officer is hereby authorized and directed to execute and deliver a Regulatory Agreement, dated on or after January 1, 2014 (the "Regulatory Agreement"), between the City, the Borrower, and the Lender. The Regulatory Agreement shall be substantially in the form now on file with the City which is hereby approved, with such omissions and insertions as do not materially change the substance thereof, or as the Finance Officer, in his discretion, shall determine, and the execution thereof by the Finance Officer shall be conclusive evidence of such determinations. All of the provisions of the Regulatory Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof.

14. OTHER CITY DOCUMENTS. The Finance Officer is hereby designated as the representative of the City with respect to the issuance of the Series 2014 Notes and the transactions related thereto. The Finance Officer is authorized upon request to furnish certified copies of all proceedings and records of the City relating to the Series 2014 Notes, and such other affidavits and certificates as may be required to show the facts relating to the Series 2014 Notes as such facts appear from the books and records in the custody and control of the City; and all such certified copies, certificates, and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein. The Finance Officer is hereby further authorized to execute and deliver, on behalf of the City, all other certificates, instruments, and other written documents that may be requested by bond counsel, the Lender, the Borrower, or other persons or entities in conjunction with the issuance of the Series 2014 Notes and the expenditure of the proceeds of the Series 2014 Notes. Without imposing any limitations on the scope of the preceding sentence, the Finance Officer is specifically authorized to execute and deliver such other documents and certificates as are necessary or appropriate in connection with the issuance, sale, and delivery of the Series 2014 Notes, including one or more consents to the assignment of a redevelopment agreement, tax increment revenues, and other funds made available to the Borrower and the Project by the City and Hennepin County; an Information Return for Tax-Exempt Private Activity Bond Issues, Form 8038, with respect to the Series 2014 Notes; an endorsement to each tax certificate as to arbitrage, rebate, and other federal tax matters executed and delivered in connection with the issuance of the Series 2014 Notes, appropriate amendments to the Housing Program, and all other documents and certificates as the Finance Officer shall deem to be necessary or appropriate in connection with the issuance, sale, and delivery of the Series 2014 Notes. The Finance Officer is hereby further authorized and directed to execute and deliver all other instruments and documents necessary to accomplish the purposes for which the Series 2014 Notes are to be issued and the Loan Agreement is to be executed and delivered. The preparation and filing of Uniform Commercial Code financing statements with respect to the assignment of the interests of the City in the Loan Agreement (excluding any unassigned rights as provided in the Loan Agreement), are hereby authorized. The City hereby authorizes Kennedy & Graven, Chartered, as bond counsel to the City ("Bond Counsel"), to prepare, execute, and deliver its approving legal opinions with respect to the Series 2014 Notes.

15. DISCLOSURE DOCUMENTS. It is not expected that any disclosure documents will be prepared in connection with the issuance and sale of the Series 2014 Notes. In the event that an official statement or other disclosure document is prepared relating to the offer and sale of the Series 2014 Notes (the "Disclosure Documents"), the City will not participate in the preparation or distribution of such Disclosure Documents and will make no independent investigation with respect to the information contained in the Disclosure Documents and the City assumes no responsibility for the sufficiency, accuracy, or completeness of such information.

16. SUBSEQUENT AMENDMENTS. On any date subsequent to the date of issuance of the Series 2014 Notes, the Finance Officer is hereby authorized to execute and deliver any amendments or supplements to any of the documents referred to in this resolution on behalf of the City if, after review by and consultation with the City Attorney and Bond Counsel, the Finance Officer determines that the execution and delivery of such amendment or supplement is in the interests of the City. The Finance Officer may impose any terms or conditions on his execution and delivery of any such amendment or supplement as the Finance Officer deems appropriate.

17. LIMITATIONS OF LIABILITY. No covenant, stipulation, obligation, or agreement herein contained or contained in the aforementioned documents shall be deemed to be a covenant, stipulation, obligation, or agreement of any member of the City Council of the City, or any officer, agent, or employee of the City in that person's individual capacity, and neither the City Council of the City nor any officer, agent, or employee executing the Series 2014 Notes shall be personally liable on the Series 2014 Notes or be subject to any personal liability or accountability by reason of the issuance thereof. No provision, covenant, or agreement contained in the aforementioned documents, the Series 2014 Notes, or in any other document relating to the Series 2014 Notes, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to a general or moral obligation of the City or any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants, and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the Loan Agreement, which are to be applied to the payment of the Series 2014 Notes, as provided therein.

Except as herein otherwise expressly provided, nothing in this resolution or in the aforementioned documents expressed or implied, is intended or shall be construed to confer upon any person or firm or corporation, other than the City, and any holders of the Series 2014 Notes issued under the provisions of this resolution, any right, remedy or claim, legal or equitable, under and by reason of this resolution or any provisions hereof, this resolution, the aforementioned documents, and all of their provisions being intended to be and being for the sole and exclusive benefit of the City, the Borrower, the Lender, and any beneficial owners from time to time of the Series 2014 Notes issued under the provisions of this resolution.

18. SEVERABILITY. In case any one or more of the provisions of this resolution, other than the provisions limiting the liability of the City, or of the aforementioned documents, or of the Series 2014 Notes issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, or of the aforementioned documents, or of the Series 2014 Notes, but this resolution, the aforementioned documents, and the Series 2014 Notes shall be construed and endorsed as if such illegal or invalid provisions had not been contained therein.

19. **VALIDITY OF THE SERIES 2014 NOTES.** The Series 2014 Notes, when executed and delivered, shall contain a recital that they are issued in accordance with the Act, and such recital shall be conclusive evidence of the validity of the Series 2014 Notes and the regularity of the issuance thereof, and that all acts, conditions, and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Series 2014 Notes, and to the execution of the aforementioned documents to happen, exist, and be performed precedent to the execution of the aforementioned documents have happened, exist, and have been performed as so required by law.

20. **ADDITIONAL ACTIONS.** The officers of the City, the City Attorney, Bond Counsel, other attorneys, and other agents or employees of the City are hereby authorized to do all acts and things required of them by or in connection with this resolution, the aforementioned documents, or the Series 2014 Notes, for the full, punctual, and complete performance of all the terms, covenants, and agreements contained in the Series 2014 Notes, the aforementioned documents, and this resolution.

21. **DESIGNATION AS PROGRAM BONDS.** The Series 2014 Notes are hereby designated "Program Bonds" and are determined to be within the "Housing Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 1997R-402 of the City adopted December 12, 1997.

22. **FEES AND INDEMNIFICATION.** The Borrower has agreed to pay the administrative fees of the City in accordance with the policy and procedures of the City. It is hereby determined that any and all costs incurred by the City in connection with the financing of the Project will be paid by the Borrower. It is understood and agreed by the Borrower that the Borrower shall indemnify the City against all liabilities, losses, damages, costs, and expenses (including attorney's fees and expenses incurred by the City) arising with respect to the Project and the Series 2014 Notes, as provided for and agreed to by and between the Borrower and the City in the Loan Agreement.

23. **CONFIRMATION.** Except as amended or altered by the terms of this resolution, Resolution 2012R-572 and Resolution 2013R-104 are hereby confirmed.

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

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The resolution was adopted.

**CD&RS & W&M** - Your Committee recommends passage of Resolution 2014R-008, authorizing applications to the Minnesota Department of Employment and Economic Development [DEED] Redevelopment Grant Program for the Brickhouse Lofts, Broadway Flats, The Cameron, MoZaic East, Seward Friendship Store, Inc., and Shapco Printing Redevelopment projects. 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 2014R-008  
By Goodman and Quincy**

**Authorizing applications to the Minnesota Department of Employment and Economic Development [DEED] Redevelopment Grant Program for the following projects: Brickhouse Lofts, Broadway Flats, The Cameron, MoZaic East, Seward Friendship Store, Inc., and Shapco Printing Redevelopment.**

Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis (City) has approved the following Redevelopment Grant applications to be submitted to the Minnesota Department of Employment and Economic Development (DEED) on or by February 3, 2014: Brickhouse Lofts, Broadway Flats, The Cameron, MoZaic East, Seward Friendship Store, Inc., and Shapco Printing Redevelopment.

Be It Further Resolved that the City act as the legal sponsor for the projects contained in the Redevelopment Grant applications to be submitted to DEED on or by February 3, 2014 and that the Director of the Department of Community Planning and Economic Development (or his designee) is hereby authorized to apply to DEED for funding of the aforementioned projects on behalf of the City.

Be It Further Resolved that the City has the legal authority to apply for financial assistance, and the institutional, managerial and financial capacity to ensure adequate project administration.

Be It Further Resolved that the sources and amounts of the local matches identified in the applications are committed to the identified projects.

Be It Further Resolved that the City has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

Be It Further Resolved that upon approval of its applications by the state and acceptance by the City Council, the City of Minneapolis may enter into agreements with the State of Minnesota for the above-referenced projects and the City certifies that it will comply with all applicable laws and regulations as stated in said agreements.

Be It Further Resolved that upon approval of its applications by the state and acceptance by the City Council, the Finance Officer or his designee will be authorized to execute any agreements that may be necessary to implement the projects.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The resolution was adopted.

**The ELECTIONS & RULES Committee submitted the following report:**

**E&R** - Your Committee recommends passage of Resolution 2014R-009, approving the 2014 revision of Council rules and adopting that revision as the definitive Minneapolis City Council *Rules of Order*. 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 2014R-009**  
**By Frey**

**Approving the 2014 revision of Council rules and adopting that revision as the definitive Minneapolis City Council *Rules of Order*.**

Whereas, pursuant to Minneapolis City Charter, § 1.2 and § 4.5, the legislative and policy-making powers of municipal government are vested in the City Council, except as otherwise provided by law, and such powers and authority are to be exercised in the common interests, safety, health, and general welfare of the City of Minneapolis; and

Whereas, the City Council is empowered to regulate its own procedures, as provided in Minneapolis City Charter, § 4.3, and to that end has adopted *Robert's Rules of Order, Newly Revised*, as its parliamentary authority, in addition to adopting a number of special rules which collectively define and govern its legislative process with respect to the consideration and transaction of municipal business; and

Whereas, the City Council desires to ensure that the business of the City of Minneapolis is conducted in an orderly and efficient manner which facilitates effective deliberative processes; and

Whereas, a comprehensive revision of the existing rules of the City Council has been prepared to align with the most current procedures and practices established in *Robert's Rules of Order, Newly Revised*, (11th edition), to eliminate duplicative and outdated provisions, and to re-organize the contents in a series of ten rules arranged by subject matter and supplemented with a table of contents, reference charts, annotations, and explanatory notes intended to facilitate use.

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

That the 2014 Rules Revision is hereby adopted and declared to be the definitive *Rules of Order* of the City Council of the City of Minneapolis and shall regulate the proceedings of the City Council and its committees.

Be It Further Resolved that the City Council hereby directs the City Clerk to produce sufficient copies of its *Rules of Order* and to maintain the same for ready reference and use by the City Council, its committees, staff, and the public.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The resolution was adopted.

**The HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT Committee submitted the following report:**

**HE&CE** - Your Committee, having under consideration appointments to the Homegrown Minneapolis Food Council, for terms beginning January, 2014 and expiring December, 2015, now recommends confirmation of the Mayoral appointment of Russ Henry (Co-Chair) (Ward 12) and approval of the City Council appointment of Jillia Bovino (Ward 3).

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**The HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and WAYS & MEANS Committees submitted the following report:**

**HE&CE & W&M** - Your Committee recommends that the proper City officers be authorized to execute a contract with Tubman, in the total amount of \$75,000, to provide case management services in 2014 for Minneapolis youth ages 12-17 who are at risk for involvement with violence.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**The PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT and WAYS & MEANS Committees submitted the following reports:**

**PSCR&EM & W&M** - Your Committee recommends that the proper City officers be authorized to accept grant funds from General Mills in the amount of \$30,000, to be used to support program costs related to Police Department community engagement, youth violence, education, and related policy. Further, passage of the accompanying resolution appropriating said funds to the Police Department.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**RESOLUTION 2014R-010  
By Yang and Quincy**

**Amending the 2014 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants-Other Fund (01600-4002740) by \$30,000 and increasing the revenue source (01600-4002740-372001) by \$30,000.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The resolution was adopted.

**PSCR&EM & W&M** - Your Committee recommends that the proper City officers be authorized to accept grant funds from Joyce Foundation in the amount of \$30,000 for the Police Department, to be used to support the position of Community Engagement Coordinator and other project costs. Further, passage of the accompanying resolution appropriating said funds to the Police Department.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**RESOLUTION 2014R-011**  
**By Yang and Quincy**

**Amending the 2014 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants-Other Fund (01600-4002740) by \$30,000 and increasing the revenue source (01600-4002740-372001) by \$30,000.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The resolution was adopted.

**PSCR&EM & W&M** – Your Committee recommends that the proper City officers be authorized to accept the proposal and execute a contract with Hennepin Technical College for training services for Police Cadet/Recruit Training to be conducted in the Spring of 2014 for up to 35 pre-selected candidates.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

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

**T&PW** - Your Committee recommends passage of Resolution 2014R-012, designating the improvement of certain existing streets in the 2014 Street Resurfacing Program, 51st Ave N Street Resurfacing Project, Special Improvement of Existing Street No 5257. 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 2014R-012**

**By Reich**

**2014 STREET RESURFACING PROGRAM  
FIFTY-FIRST AVE N STREET RESURFACING PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5257**

**Designating the improvement of certain existing streets in the 2014 Street Resurfacing Program, 51st Ave N Street Resurfacing Project, Special Improvement of Existing Street No 5257.**

Resolved by The City Council of The City of Minneapolis:

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

Fifty-first Ave N from Xerxes Ave N to Oliver Ave N.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The resolution was adopted.

**T&PW** - Your Committee, having received a cost estimate of \$174,408 for street resurfacing improvements and a list of benefited properties for certain locations in the 51st Ave N Street Resurfacing Project, Special Improvement of Existing Street No 5257, as designated by Resolution 2014R-012 passed January 23, 2014, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2014 Uniform Assessment Rates as per Resolution 2013R-509, passed November 12, 2013.

Your Committee further recommends that a public hearing be held on February 25, 2014 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the resurfacing of the above-designated street locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**T&PW** - Your Committee recommends passage of Resolution 2014R-013, designating the improvement of certain existing streets in the first phase of the Penn Ave S (Phase 2) Street Reconstruction Project, Special Improvement of Existing Street No 6748. 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 2014R-013**

**By Reich**

**PENN AVE S (PHASE 2) STREET RECONSTRUCTION PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6748**

**Designating the improvement of certain existing streets in the first phase of the Penn Ave S (Phase 2) Street Reconstruction Project, Special Improvement of Existing Street No 6748.**

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6 of the Minneapolis City Charter, by street paving with plant mix asphalt with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

Penn Ave S from 100 feet north of 54th St W to 50th St W.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The resolution was adopted.

**T&PW** - Your Committee, having received a cost estimate of \$5,100,000 for street construction improvements and a list of benefited properties for the second phase of the Penn Ave S Street Reconstruction Project (100 feet north of 54th St W to 50th St W), Special Improvement of Existing Street No 6748, as designated by Resolution 2014R-013 passed January 23, 2014, now recommends that the City Engineer be directed to prepare proposed assessments against the list of benefited properties.

Your Committee further recommends that a public hearing be held on March 18, 2014, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the above-designated street reconstruction project, to consider the abandonment and removal of areaways in conflict with the project, and to

consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**T&PW** - Your Committee recommends passage of Resolution 2014R-014, designating the improvement of certain existing streets in the Riverside Extension - 15th Ave S and 4th St S Street Reconstruction Project, Special Improvement of Existing Street No 9915. 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 2014R-014**

**By Reich**

**RIVERSIDE EXTENSION - 15TH AVE S AND 4TH ST S  
STREET RECONSTRUCTION PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO 9915**

**Designating the improvement of certain existing streets in the Riverside Extension - 15th Ave S and 4th St S Street Reconstruction Project, Special Improvement of Existing Street No 9915.**

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6 of the Minneapolis City Charter, by paving with plant mix asphalt and concrete, with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

15th Ave S from 6th St S to 4th St S;  
4th St S from 15th Ave S to Cedar Ave; and  
16th Ave S from 6th St S to dead-end.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The resolution was adopted.

**T&PW** - Your Committee, having received a cost estimate of \$2,875,000 for street construction improvements and a list of benefited properties for certain locations in the Riverside Extension - 15th Ave S and 4th St S Street Reconstruction Project, Special Improvement of Existing Street No 9915, as designated by Resolution 2014R-014, passed January 23, 2014, now recommends that the City Engineer be directed to prepare a proposed Street Construction Special Improvement Assessment

against the list of benefited properties by applying the 2014 Uniform Assessment Rates as per Resolution 2013R-509, passed November 12, 2013.

Your Committee further recommends that a public hearing be held on March 18, 2014, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above-designated street location, to consider the abandonment and removal of areaways in conflict with the project, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**T&PW** - Your Committee recommends that the proper City officers be authorized to negotiate and execute a contract with Hennepin County for the processing and disposal of municipal solid wastes collected in Minneapolis through December 31, 2015 at a rate of \$49.00 per ton.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**T&PW** - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for a one-year contract, with two additional one-year renewals, for management and operation services of the Minneapolis South Transfer Station.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

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

**T&PW & W&M** - Your Committee recommends that the proper City officers be authorized to extend the terms of the Vehicle Lease Agreement between Minneapolis Refuse Incorporated (MRI) and the City of Minneapolis to allow for City-owned packer truck rental to MRI at the rental rate of \$2,300 per month per truck.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**T&PW & W&M** - Your Committee recommends passage of Resolution 2014R-015, supporting and authorizing the proper City officers to submit a series of federal grant applications for the 2017 Transportation Alternatives Program (TAP) and the 2015/2016 Safe Routes to School (SRTS) Program; and to maintain these facilities for their useful life. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The resolution was adopted.

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

**RESOLUTION 2014R-015**  
**By Reich and Quincy**

**Supporting and authorizing the submission of federal grant applications for the 2017 Transportation Alternatives Program (TAP) and the 2015/2016 Safe Routes to School (SRTS) Program.**

Whereas, the goals of the City of Minneapolis support walking and bicycling as a vital transportation mode which provides active health benefits; and

Whereas, the City of Minneapolis includes policies and plans to ensure that walking and bicycling throughout the city is safe, comfortable, and pleasant; and

Whereas, the City of Minneapolis desires to continue to improve its walking and bicycling infrastructure; and

Whereas, the Federal, State and County governments have been and continue to be strong partners in helping to accomplish our walking and bicycling systems that make Minneapolis a walking and bicycle-friendly city; and

Whereas, the City of Minneapolis has previously applied for and received federal grants for bicycling and walking projects;

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

That the City of Minneapolis hereby supports and authorizes Minneapolis Public Works Department to:

a) Submit federal grant applications for the 2017 Transportation Alternatives Program (TAP) and the 2015/2016 Safe Routes to School (SRTS) Program that require matching funds, and

b) Maintain these facilities for their useful life.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The resolution was adopted.

**T&PW & W&M** - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7870 from ADS, LLC, for an estimated expenditure of \$1,430,735.96, to furnish and deliver all labor, materials, and incidentals necessary for closed circuit inspection of the City's storm drain sewer system for the Surface Water and Sewer Division. Further, that the proper City officers be authorized to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**T&PW & W&M** - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7880 from Veit and Company, Inc., for an estimated expenditure of \$1,948,625.00, for the disposal and hauling of fill and asphalt millings for the Transportation Division. Further, that the proper City officers be authorized to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**T&PW & W&M** - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No 7881 from Rachel Contracting, Inc., for an estimated expenditure of \$399,650.00, for the Bluewater Partnership Pond Dredging Project Phase 2. Further, that the proper City officers be authorized to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

Approved by Mayor Betsy Hodges 1/27/2014.

(Published 1/28/2014)

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

**W&M** - Your Committee recommends passage of Resolution 2014R-016, authorizing legal settlements. 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 2014R-016  
By Quincy**

**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) Lacie Brown v. City of Minneapolis (\$6,528)
- b) Goff Holdings, LLC v. City of Minneapolis (\$8,000)

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

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The resolution was adopted.

**W&M** - Your Committee recommends approval of a waiver of conflict of interest between the City of Minneapolis and clients of the law firm of Maslon Edelman Borman & Brand to allow the City to retain the Maslon firm for legal services in the matter of In re: Doug Mann v. Minneapolis City Council. (Petn No 279987)

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**W&M** - Your Committee recommends approval of the March 2014 utility billing insert, on behalf of the City Coordinator, providing information about the City Trees Program encouraging people to order a \$25 tree in March for their Minneapolis property.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**W&M** - Your Committee recommends passage of Resolution 2014R-017, accepting broadcast airtime from Comcast Cable. 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 2014R-017  
By Quincy**

**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

Whereas, all such donations have been contributed to assist the City in communicating 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 communicating public service announcements.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The resolution was adopted.

**W&M** - Your Committee recommends passage of Resolution 2014R-018, accepting digital billboard space from Clear Channel Outdoor. 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 2014R-018  
By Quincy**

**Accepting digital billboard space from Clear Channel Outdoor.**

## JANUARY 23, 2014

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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	Digital billboard space

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.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The resolution was adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to execute five one-year contracts with Northern Lights.mn, renewable at the City's request, for an estimated \$150,000 per year, for management and artistic programming services for the Creative City Challenge art competition.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**W&M** - Your Committee recommends that the proper City officers be authorized to accept a grant from the National Endowment for the Arts Our Town Program in the amount of \$150,000, and from the McKnight Foundation's Region and Communities Program in the amount of \$100,000, for the John Biggers Seed Project, a public art and collaborative design effort that engages renowned African American artists in mentoring young emerging artists.

Further, passage of the accompanying resolution appropriating \$250,000 to the Community Planning and Economic Development department.

**RESOLUTION 2014R-019**  
**By Quincy**

**Amending The 2014 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

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

- Increasing the appropriation for Community Planning and Economic Development agency Fund – Federal grants (01300 8900420 321003) by \$150,000 and increasing the revenue source (01300 8900420) by \$150,000; and by
- Increasing the appropriation for Community Planning and Economic Development agency Fund – Other Local grants (01600 8900420 372001) by \$100,000 and increasing the revenue source (01600 8900420) by \$100,000.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report and resolution were adopted.

**W&M** - Your Committee recommends that the proper City officers be authorized to accept a grant in the amount of \$8,000 from the Metropolitan Area Agency on Aging, to conduct research through the use of focus groups.

Further, passage of the accompanying resolution appropriating \$8,000 to the Neighborhood and Community Relations Department.

**RESOLUTION 2014R-020**  
**By Quincy**

**Amending The 2014 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Neighborhood & Community Relations agency – Other grants fund (01600-8450100) by \$8,000 and increasing the revenue source (01600-8450100-372001) by \$8,000.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report and resolution were adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to negotiate and execute a new two-year lease with Aggregate Industries, Inc., for barge mooring on City owned property located at 2710 Pacific Street North, with the annual rent being deposited into Fund 06200 Department 8201340.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to execute Amendment No. 1 (Final) to Contract No. C-35933, with Bloom Engineers & Associates, increasing the amount by \$10,000 for a total amount of \$60,000 for engineering services for the Fire Station No. 5 and Fire Station No. 7 remodeling project. No additional appropriation required.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**W&M** – Your Committee recommends that the proper City officers be authorized to execute all necessary contracts with Advance Digital Systems, for an upgrade to the Human Resources Information System (HRIS), for a one-year amount not to exceed \$350,000, and to include an option to renew for an additional year. No additional appropriation required.

Further, approval of the following staff direction:

- a) At the next cycle of the Committee of the Whole, the Information Technology (IT), Human Resources (HR) and Finance & Property Services (FPS) Departments are directed to present an overall program plan and update on the program to upgrade the City's Enterprise Resource Planning (ERP) system. This initial presentation should include a full resource plan as well as a timeline and program management structure, including a general description of the projects within the ERP program.
- b) A status update on the ERP program should be presented to the Committee of the Whole in six months.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

**W&M** - Your Committee recommends passage of:

Resolution 2014R-021 approving the terms of a collective bargaining agreement with the Trades Unit, Minneapolis Building and Construction Trades Council, and authorizing execution and implementation of said agreement.

Resolution 2014R-022 approving the terms of a collective bargaining agreement with AFSCME Local 9, Attorney Unit, and authorizing execution and implementation of said agreement. Petn No 276992

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

**RESOLUTION 2014R-021  
By Quincy**

**Approving the terms of a collective bargaining agreement with the Trades Unit, Minneapolis Building and Construction Trades Council, and authorizing execution and implementation of said agreement.**

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the Trades Unit, Minneapolis Building and Construction Trades Council, be approved.

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

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The resolution was adopted.

**RESOLUTION 2014R-022  
By Quincy**

**Approving the terms of a collective bargaining agreement with AFSCME Local 9, Attorney Unit, and authorizing execution and implementation of said agreement.**

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and AFSCME Local 9, Attorney Unit, be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the

Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The resolution was adopted.

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

**Z&P** – Your Committee concurs in the recommendation of the Planning Commission in granting the petition by ESG Architects, on behalf of France Development LLP, (BZZ-6286) to rezone the property located at 4525 France Avenue, from C1 Neighborhood Corridor Commercial District to R5 Multiple-family District, to allow for a 3-story multiple-family dwelling with 31 units and 41 parking spaces, and that the findings prepared by the Community Planning & Economic Development staff be adopted.

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

Ordinance 2014-Or-001 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally, to rezone the property at 4525 France Avenue from the C1 District to the R5 Multiple-family District. 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 2014-Or-001**  
**By Bender**  
**1st & 2nd Readings: 1/23/2014**

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

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

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

That part of Lot 17, Block 3, Sunrise Addition to Minneapolis (4525 France Avenue South – Plate #29), to the R5 Multiple-family District.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report and ordinance were adopted.

**Z&P** – Your Committee concurs in the recommendation of the Planning Commission in granting the petition filed by Donna Sanders, on behalf of AL Tigers, LLC, (BZZ 6336) to rezone the property located at 1529 1/2 and 1531 Monroe Street NE from R2B Two-family District to R2B Two-family District and TP Transitional Parking Overlay District, to allow for a new reception or meeting hall within an existing commercial building and a new accessory parking lot, and that the findings prepared by the Department of Community Planning & Economic Development staff be adopted.

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

Ordinance 2014-Or-002 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally, to rezone the property at 1529 1/2 and 1531 Monroe Street NE from the R2B Two-family District to the R2B Two-family District and TP Transitional Parking Overlay District. 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 2014-Or-002**  
**By Bender**  
**1st & 2nd Readings: 1/23/2014**

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

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

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

That part of Lot 1, North of a line parallel with/and 120 feet South of the North line of Lot 1, Block 1, Waltons Quincy Street Addition to Minneapolis including adjacent vacated alley running North and South and lying West of said Lot 1, Hennepin County, Minnesota (1529 ½ Monroe Street NE – Plate #9) and Lots 12 and 13 also that part of Lot 11 lying North of the South 20 feet thereof, Block 1, Lot 1, Waltons Quincy Street Addition to Minneapolis (1531 Monroe Street NE – Plate #9) to the R2B Two-family District and TP Transitional Parking Overlay District.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report and ordinance were adopted.

**Z&P** - Your Committee, having under consideration an appeal of the decision of the Planning Commission filed by Brandon Champeau with United Properties, associated with the approvals for a Conditional Use Permit to allow two wall signs that are over 120 square feet and located higher than 28 feet on the building wall located at 524 5th Street North, now recommends that said appeal be

denied and that the related findings prepared by the Community Planning & Economic Development staff be adopted.

On roll call, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The report was adopted.

## RESOLUTIONS

Resolution 2014R-023, declaring February 7, 2014, to be NATIONAL WEAR RED DAY in Minneapolis. 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 2014R-023

**By Glidden, Reich, Gordon, Frey, B. Johnson, Yang,  
Warsame, Goodman, Cano, Bender, Quincy, A. Johnson, and Palmisano**

#### **Declaring February 7, 2014, to be NATIONAL WEAR RED DAY in Minneapolis.**

Whereas, Currently some 8 million women in the U.S. are living with heart disease, yet only one in six American women believes that heart disease is her greatest health threat; and

Whereas, 90 percent of women have one or more risk factors for developing heart disease; and

Whereas, 26 percent of women die within a year of suffering a heart attack – compared with 19 percent of men; and

Whereas, While one in 30 American women dies from breast cancer each year, one in three dies of cardiovascular disease; and

Whereas, Cardiovascular disease claims the lives of over 419,000 American females each year, almost one death per minute; and

Whereas, Only 43 percent of African American women and 44 percent of Hispanic women know that heart disease is their greatest health risk, compared with 60 percent of white women; and

Whereas, Nearly as many women die of heart disease, stroke, and all other cardiovascular diseases than the next three leading causes of death combined, including all cancers; and

Whereas, Only 16 percent of women surveyed in 2009 identified cardiovascular disease as the greatest health problem facing them; and

Whereas, In women, heart disease is too often a silent killer – less than a third of women in a recent survey reported any early warning signs such as chest pain or discomfort before a heart attack, compared with most men; and

Whereas, Common symptoms for women included pain of the jaw, arm or back, but most reported a delay in seeking treatments after the symptoms began of anywhere from 15 minutes to two weeks; and

Whereas, Women are less likely to call 911 for themselves when experiencing symptoms of a heart attack than they are if someone else were having a heart attack; and

Whereas, Go Red For Women<sup>®</sup> is the American Heart Association's national call to increase awareness about heart disease—the leading cause of death for women—and to inspire women to take charge of their heart health; and

Whereas, All women should learn their own personal risk for heart disease, using tools such as the American Heart Association's My Life Check, Go Red For Women<sup>®</sup> Heart CheckUp, Go Red For Women<sup>®</sup> Better U - and by talking to their healthcare provider; and

Whereas, Making the right choices relating to proper nutrition, physical activity, and other healthy lifestyle choices are essential to living a heart healthy life; and

Whereas, The truth is, our lives are in our hands. We can stop our number one killer together by sharing the truth. We can be the difference between life and death.

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

That the Mayor and City Council, in recognition of the importance of the ongoing fight against heart disease and stroke, hereby declare Friday, February 7, 2014, to be:

**NATIONAL WEAR RED DAY**

in the City of Minneapolis and urge all citizens to show their support for women and the fight against heart disease by commemorating this day by the wearing of the color red. By increasing awareness, speaking up about heart disease, and empowering women to reduce their risk for cardiovascular disease, we can save thousands of lives each year.

Passed this the Twenty-third Day of January, in the Year 2014 A.D.  
Adopted.

**MOTIONS**

On motion by Quincy, seconded, the regular payrolls for all City employees under City Council jurisdiction for the month of February, 2014, were approved and ordered paid subject to audit by the Finance Officer.

On motion by B. Johnson, seconded, an Audit Workgroup was established for the purpose of considering Ordinance 2009-Or-190, which established the internal audit function and Audit Committee, codified as Title 2, Chapter 17.80 of the Minneapolis Code of Ordinances; examine industry best practices; and alternative structures or models; and to report to Council with a recommended course of action. The Audit Workgroup will be chaired by Council Member Palmisano, Chair of the Audit Committee. It will include Council President Barbara Johnson; Council Vice-President Elizabeth Glidden; Council Member John Quincy, Chair of the Ways & Means Committee; Council Member Alondra Cano, Audit Committee Member; Mark Oyaas, Audit

Committee Member; and a representative from the following: Mayor's Office, City Attorney's Office, City Coordinator's Office, and City Clerk's Office.

Adopted.

### **NEW BUSINESS**

B. Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code (amending requirements applicable to holders of rental dwelling licenses to include a duty to attend certain meetings).

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code (amending provisions related to tenant notification of environmental contamination and associated activities).

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Liquor Licenses (increasing maximum number of temporary expansion licenses a licensee is eligible to receive each year).

On motion by Glidden, seconded, the meeting was adjourned to Room 315 City Hall to consider the Leann Stearns & Siohban Mullen v. City of Minneapolis lawsuit.

### **ADJOURNED SESSION**

Council President Johnson called the adjourned session to order at 10:02 a.m. in Room 315, a quorum being present.

City Attorney Susan Segal stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the Leann Stearns & Siohban Mullen v. City of Minneapolis lawsuit.

At 10:05 a.m., on motion by Glidden, seconded, the meeting was closed.

Present – Council Members Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich (In at 10:06 a.m.), Bender, Glidden, President Johnson.

Absent – Council Members Warsame, Goodman.

Also Present - Susan Segal, City Attorney; Peter Ginder, Deputy City Attorney (In at 10:20 a.m.); Tim Skarda, Litigation Manager, City Attorney's Office; Assistant City Attorneys Burt Osborne and Andrea Naef; John Fruetel, Fire Chief; John Styles, Mayor's Chief of Staff; Casey Joe Carl, City Clerk; and Jackie Hanson, City Clerk's Office.

Osborne summarized the Stearns & Mullen v. The City of Minneapolis lawsuit from 10:05 a.m. to 10:26 a.m.

At 10:26 a.m., on motion by Quincy, seconded, the meeting was opened.

Glidden moved, seconded, that the case of Stearns & Mullen v. The City of Minneapolis, Hennepin County District Court, be settled upon the following terms and conditions: payment in the amount of \$58,000 to Leann Stearns, Siobhan Mullen, and their attorneys Culberth & Culberth, and the restoration of five (5) sick days to Siobhan Mullen's sick leave bank, and authorize the City Attorney to execute any documents necessary to effectuate the settlement payable from Fund/Org. 6900 150 1500 4000.

On roll call vote, the result was:

Ayes: Yang, A. Johnson, Quincy, Frey, Palmisano, Gordon, Cano, Reich, Bender, Glidden, President Johnson (11)

Noes: (0)

Absent: Warsame, Goodman (2)

The motion was adopted.

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

On motion by Glidden, seconded, the meeting was adjourned.

Casey Joe Carl,  
City Clerk

## INDEX

### **COMMUNITY DEVELOPMENT & REGULATORY SERVICES (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276978)

Hi-Lake Triangle Apartments ( 2230 E Lake St): Resolution approving a replacement of Federal Home Loan Mortgage Corp as credit enhancer with a private placement with Twin City Federal National Bank.

LICENSES AND CONSUMER SERVICES (276979)

Licenses & Consumer Services Agenda.

### **COMMUNITY DEVELOPMENT & REGULATORY SERVICES and WAYS & MEANS (See Rep):**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276980)

Minnesota Department of Employment & Economic Development Grant Program Applications.

### **ELECTIONS & RULES (See Rep):**

CITY CLERK (276981)

Minneapolis City Council Rules of Order: 2014 revision.

**HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT (See Rep):**

COORDINATOR (276982)

Homegrown Minneapolis Food Council: Mayoral appointment of Russ Henry and Council appointment of Jillia Bovino for terms expiring 12/2015.

HEALTH DEPARTMENT (276983)

Youth Violence Case Management Services: Contract with Tubman.

**PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT and WAYS & MEANS (See Rep):**

POLICE DEPARTMENT (276984)

General Mills Grant: Authorize acceptance of grant funds to support program costs related to community engagement, youth violence, education, and related policy.

Joyce Foundation: Authorize acceptance of grant funds to support the position of Community Engagement Coordinator.

Training Services for Cadet/Recruit Training: Contract with Hennepin Technical College for Cadet/Recruit Training.

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

PUBLIC WORKS AND ENGINEERING (276985)

51st Ave N Street Resurfacing Project No 5257 (Xerxes Ave N to Oliver Ave N): Project designation.

Penn Ave S Street Reconstruction Project No 6748, Phase 2: Project designation.

Riverside Extension Street Reconstruction Project No 9915 (15th Ave S and 4th St S): Project designation.

Waste Disposal Services: Renewal of contract with Hennepin County.

Minneapolis South Transfer Station: Request for Proposals (RFP) for management and operation services.

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

PUBLIC WORKS AND ENGINEERING (276986)

Minneapolis Refuse Incorporated (MRI): Amend contract for rental of City-owned packer trucks to MRI.

Transportation Alternatives Program (TAP) and Minnesota Department of Transportation (MnDOT)

Safe Routes To School Program: Submission of grant applications.

Bids: a) OP 7870, Low bid of ADS, LLC, for closed circuit inspection of storm drain sewer system;

b) OP 7880, Low bid of Veit and Company, Inc. for disposal and hauling of fill and asphalt millings;

and c) OP 7881, Low bid of Rachel Contracting, Inc. for Bluewater Partnership Pond Dredging Project, Phase 2.

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

ATTORNEY (276987)

Legal Settlements: Authorize the following legal settlements--Lacie Brown v. City of Minneapolis, \$6,528; Goff Holdings, LLC v. City of Minneapolis, \$8,000.

Conflict of Interest Waiver for Legal Services Contract: Approve waiver of conflict of interest between the City of Minneapolis and clients of the law firm of Maslon Edelman Borman & Brand to allow the City to retain the Maslon Firm to provide legal services in the matter of In re Doug Mann v. Minneapolis City Council.

COMMUNICATIONS (276988)

Donations: Accept donated broadcast airtime from Comcast Cable for public service announcements; and digital billboard space from Clear Channel Outdoor for communicating Snow Emergency information.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276989)

John Biggers Seed Project: Accept grant awards of \$150,000 from the National Endowment for the Arts Our Town Program and \$100,000 from the McKnight Foundation's Region and Communities Program for Project, a public art and collaborative design effort.

COORDINATOR (276990)

Utility Billing Insert - City Trees: Approve utility billing insert providing information about the City Trees program.

Creative City Challenge Art Competition Project: Authorize execute five one-year contracts with Northern Lights.mn, for management and artistic programming services.

FINANCE DEPARTMENT (276991)

Barge Mooring on Upper River: Authorize negotiate and execute a new two-year lease with Aggregate Industries, Inc. for barge mooring on City-owned property located at 2710 Pacific Street N.

Fire Stations 5 & 7 Remodeling Services: Amend contract with Bloom Engineers & Associates to increase the amount by \$10,000 to provide engineering services.

HUMAN RESOURCES (276992)

Collective Bargaining-Trades Unit: Approve collective bargaining agreements with the following labor units--Trades Unit, Minneapolis Building and Construction Trades Council; and AFSCME Local 9, Attorney Unit.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (276993)

Human Resources Information System: Execute contract documents with Advance Digital Systems for an upgrade to the HRIS System; and Approve staff direction to report to Committee of the Whole.

NEIGHBORHOOD AND COMMUNITY RELATIONS (276994)

Metropolitan Area Agency on Aging Mini-Grant: Accept grant award from the Metropolitan Area Agency on Aging to conduct research through the use of focus groups.

**ZONING AND PLANNING:**

PLANNING COMMISSION/DEPARTMENT (276995)

Vacation: National Marrow Donor Program Headquarters (524 5th Street North).

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

PLANNING COMMISSION/DEPARTMENT (276996)

Appeal associated with the approvals for a Conditional Use Permit: National Marrow Donor Program Headquarters (524 5th Street North).

PLANNING COMMISSION/DEPARTMENT (276997)

Rezoning: 4525 France Avenue; Solar Arts Building (1529 1/2 and 1531 Monroe Street NE).

**FILED:**

CHARTER COMMISSION (276998)

2013 Annual Report: Submittal to Chief Judge of Hennepin County District Court.

CHARTER COMMISSION (276999)

Election Filing Fees: Correspondence from City Clerk regarding City Council action on proposed amendment.