

# OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

## REGULAR MEETING OF JULY 18, 2014

(Published July 26, 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 Kevin Reich, Cam Gordon, Jacob Frey, Blong Yang, Abdi Warsame, Lisa Goodman, Elizabeth Glidden, Alondra Cano, Lisa Bender, John Quincy, Andrew Johnson, Linea Palmisano, President Barbara Johnson.

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

On motion by Glidden, seconded, the minutes of the regular meeting of June 27, 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 July 18, 2014. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the office of the City Clerk.

### REPORTS OF STANDING COMMITTEES

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

**COW** – Your Committee recommends passage of Ordinance 2014-Or-034 amending Title 2, Chapter 17 of the Minneapolis Code of Ordinances relating to Administration: Finance Department, revising provisions relating to the City's audit function to clarify roles, responsibilities, and processes.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2014-Or-034**  
**By Palmisano**  
**Intro & 1st Reading: 6/27/2014**  
**Ref to: COW**  
**2nd Reading: 7/18/2014**

**Amending Title 2, Chapter 17 of the Minneapolis Code of Ordinances relating to Administration: Finance Department**

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

Section 1. That Section 17.80 of the above-entitled ordinance be amended to read as follows:

**17.80. Office of internal auditor.** (a) There shall be an independent office of internal audit which is charged with conducting financial, fiscal compliance, and financial procedure audits of all city departments, boards and commissions. The office of internal audit shall conduct audits of individual financial transactions, contracts and franchises of the city; and shall generally audit the financial and accounting systems and procedures administered by the finance department and other city departments, boards and commissions for compliance with generally accepted accounting principles, best financial management practices, and any applicable laws and regulations governing the financial practices of the city. The office of internal audit may, with approval from the audit committee, conduct audits of other matters. The office of internal audit shall be under the control and supervision of the internal auditor.

(b) The internal auditor shall organize and administer the auditor's office to operate without interference or other influence that might adversely affect an independent and objective judgment of the auditor.

(c) The office of internal audit shall ~~adhere to~~ be guided by the International Standards for the Professional Practice of Internal Auditing established by the Institute of Internal Auditors and such other standards set by other bodies that apply to internal audit practices of local governments to conduct the auditor's work and be independent as defined by the standards.

(d) The mayor and city council shall provide the office of internal audit with its own budget.

Section 2. That Section 17.90 of the above-entitled ordinance be amended to read as follows:

**17.90. Audit committee.** (a) To ensure independence of the audit function, there shall be an audit committee. The audit committee shall be made up of six (6) members, which shall include the chair of the ways and means/budget committee, two (2) members of the city council to be appointed by the city council president, one (1) Minneapolis Park and Recreation Board commissioner and three ~~(3)~~ two (2) citizen members.

(1) The two (2) council president appointments shall be for a two (2) year term and shall be made in January of each even-numbered year. The council president shall appoint the chairperson of the audit committee.

(2) The ~~three (3)~~ two (2) citizen members shall be residents of the city who are not ~~past or~~ current city employees, are not past or current elected officials of the city council or any of its boards or commissions, and who have expertise in auditing, preferably public sector internal or management auditing, or financial management. ~~The citizen members shall be appointed to a three-year term and no citizen member shall be appointed for more than two (2) terms.~~ The ~~three (3)~~ two (2) citizen members shall be appointed as follows: one (1) by the mayor; and one (1) by the city council through the open appointments process, ~~and one (1) by the Minneapolis Park and Recreation Board.~~ The term of the citizen member appointed by a Minneapolis Park and Recreation Board and expiring January 2, 2017 shall be converted to a mayoral appointment to expire January 2, 2017. A council appointment will be appointed for an initial term to expire on January 2, 2018. All subsequent citizen member appointments will be made for three-year terms and no citizen member shall be appointed for more than two (2) terms.

The audit committee shall meet a minimum of four (4) times per year.

~~(b) The audit committee shall: be responsible for the oversight of the city's internal audit function, financial reporting practices, internal controls, compliance with applicable law and regulation relating to financial controls and other related matters.~~

(1) be responsible for the oversight of the city's internal audit function.

(2) appoint and remove the internal auditor.

(3) on at least a yearly basis, conduct a performance review of the internal auditor's performance.

(4) review and approve the internal auditor's annual audit plan.

(5) review the audit reports directed to it and may make recommendations on any such audit reports to:

a. The city council on the appropriate course of action.

b. The mayor for consideration in the annual budget process on audit related budgetary recommendations.

(6) monitor the internal auditor's results and effectiveness of proposed corrective actions.

(7) review reports of the state auditor prepared for any of the city's departments, boards and commissions.

~~(c) The audit committee shall: may make recommendations to the city council relating to financial reporting practices, internal controls, compliance with applicable law and regulation relating to financial controls and other related matters contained within an audit.~~

~~(1) appoint and remove the internal auditor;~~

~~(2) review and approve the internal auditor's annual audit plan;~~

~~(3) review the audit reports directed to it and make recommendations to the city council on the appropriate course of action on any such audit reports;~~

~~(4) monitor the internal auditor's results and follow-up activity; and.~~

~~(5) review reports of the state auditor prepared for any of the city's departments, boards and commissions.~~

Section 3. That Section 17.100 of the above-entitled ordinance be amended to read as follows:

**17.100. Appointment and removal of internal auditor; organization of office.** (a) A majority of the audit committee shall appoint the internal auditor. The internal auditor shall serve at the will of the audit committee. A majority vote of the audit committee is required to remove the internal auditor.

(b) The internal auditor may appoint such other employees as may from time to time be authorized by the city council who shall be in the classified service.

(c) The internal auditor shall have the following qualifications:

(1) Knowledgeable in financial and performance auditing, public administration and public financial and fiscal practices; ~~and~~

(2) Licensed as a certified public accountant or certified internal auditor.

(d) For administrative purposes, the city coordinator shall provide administrative supervision for the internal auditor and support for the office of internal audit and shall assist the audit committee with the hiring and performance review process for the internal auditor.

Section 4. That Section 17.110 of the above-entitled ordinance be amended to read as follows:

**17.110. Powers and duties of internal auditor.**

(a) The internal auditor shall:

(1) Establish guidelines, policies, and procedures for the conduct of periodic internal audits.

(2) Develop an annual audit plan to be submitted to the audit committee for approval.

~~(3)~~ Conduct financial, fiscal compliance, and financial procedure audits of all city departments, boards and commissions, including, audits of individual financial transactions, contracts and franchises of the city, and the financial and accounting systems and procedures administered by the finance department and other city departments, boards and commissions. Such audits shall conform to the reporting standards for audits prescribed by government audit standards.

~~(3)~~ (4) In the event ~~Conduct investigations~~ of alleged or suspected impropriety, fraud, misappropriation, or other misuse of city funds, shall seek advice from the city attorney, and, as appropriate, conduct an investigation and report any suspected criminal activity to appropriate law enforcement authorities.

~~(4)~~ (5) Establish a follow-up process to monitor the disposition of results communicated to the audit committee and Appraise the audit committee on the adequacy of action taken by departments to correct report deficiencies effectiveness of corrective actions taken or the acceptance of the risk of not taking action.

~~(5)~~ (6) Implement a comprehensive audit plan to review and evaluate the adequacy and effectiveness of the city's internal system of financial controls to ensure:

a. The reliability and integrity of financial records and reports.

b. Compliance with policies, procedures, ordinances, rules and statutes related to expenditures and financial controls.

c. That assets are safeguarded from loss.

- (6) ~~(7)~~ Coordinate with external auditors and assist in the implementation of corrective actions recommended by external auditors as appropriate.
- (7) ~~(8)~~ Submit an annual report to the mayor and city council indicating audits completed, major findings, corrective actions taken by administrative managers, and significant findings which have not been fully addressed by management.
- (b) The internal auditor may, subject to the approval of the audit committee:
- (1) ~~Subject to the approval of the audit committee, conduct~~ Conduct special reviews and programmatic reviews at the request of the mayor, city council, finance officer, city departments, boards and commissions.
- (2) Provide assistance to city departments, boards and commissions for evaluation of financial controls and other audit related matters.

Section 5. That Section 17.120 of the above-entitled ordinance be amended to read as follows:

**17.120. Annual audit plan.** (a) The internal auditor shall submit an annual audit plan for review and approval by the audit committee.

(b) The annual audit plan shall include, at a minimum, the following information: the scope of each audit the office of internal audit intends to conduct, including a summary of the nature and scope of each audit to be conducted, identifying the department, board, commission, service, program, function, and/or policy to be audited; and each potential audit objective to be addressed.

(c) The annual audit plan may be amended, with approval of the audit committee. The internal auditor may request an amendment independently, or at the request of the audit committee.

(d) Notwithstanding subsection (c), the internal auditor may initiate, conduct, or expand the scope of an audit or investigation if the internal auditor determines that either:

(1) ~~f~~raud, abuse, or illegality may have or is occurring; ~~or,~~

(2) ~~a~~n audit finding requires expansion of the scope of an audit or investigation in progress.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

**COW** – Your Committee recommends approval of the appointment of election judges to serve in 125 precincts (polling places), health care facilities, and as members constituting the City's Absentee Ballot Board for the 2014 Gubernatorial Primary and General Election, as set forth in Petn No 277305 on file in the office of the City Clerk, in accordance with Minnesota Statutes 204B.21, Subd. 2, and Chapter 2, Section 6, of the Charter of the City of Minneapolis.

Your Committee further recommends that the Election Director be authorized to appoint additional election judges from the eligible list, as necessary.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

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

**CD&RS** - Your Committee recommends passage of Resolution 2014R-299 authorizing sale of the property at 3532 Chicago Ave for \$15,500 and 3545 Columbus Ave for \$1 plus reimbursement of City acquisition costs to the Greater Metropolitan Housing Corporation.

Your Committee further recommends approval for the granting a right of entry for each parcel to Greater Metropolitan Housing Corporation to accommodate the move being completed by the August 1, 2014 deadline.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

Approved by Mayor Betsy Hodges 7/18/2014.

(Published 7/22/2014)

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

**RESOLUTION 2014R-299**

**By Goodman**

**Authorizing sale of land Vacant Housing Disposition Parcel Nos. TF-784 and TF-828 at 3532 Chicago Ave and 3545 Columbus Ave.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcels TF-784 and TF-828 in the Central neighborhood, from Greater Metropolitan Housing Corporation, hereinafter known as the Redeveloper, the Parcels TF-784 and TF-828, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

**LEGAL DESCRIPTIONS:**

TF-784; 3532 Chicago Avenue: Lot 3, Block 1, French's Addition to Minneapolis;

TF-828; 3545 Columbus Avenue: The West 22 feet of Lot 9, Block 1, French's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$15,500 for Parcel TF-784 and \$1 plus reimbursement of City costs for Parcel TF-828 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

JULY 18, 2014

---

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

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on June 27, 2014, a public hearing on the proposed sale was duly held on July 8, 2014, at the regularly scheduled Community Development and Regulatory services Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Vacant Housing plan, as amended, is hereby estimated to be the sum of \$15,500 for Parcel TF-784, and \$20,000 for Parcel TF-828.

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

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

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

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

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

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

Approved by Mayor Betsy Hodges 7/18/2014.

**CD&RS** – Your Committee, to whom was referred an ordinance amending Title 13, Chapter 282 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations, adding a new Chapter 282 entitled, “Donation Collection Bins,” which will license and regulate donation collection bins and add an annual license fee to the License Fee Schedule, now recommends that Ordinance 2014-Or-035 be given its second reading for amendment and passage.

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

**ORDINANCE 2014-Or-035**  
**By Glidden**  
**Intro & 1st Reading: 6/13/2014**  
**Ref to: CD&RS**  
**2nd Reading: 7/18/2014**

**Amending Title 13 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations, by adding a new Chapter 282 relating to Donation Collection Bins.**

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

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 282 to read as follows:

**CHAPTER 282. DONATION COLLECTION BINS**

**282.10. “Donation collection bin” defined.**

A “donation collection bin” is a receptacle designed to allow the general public to donate unwanted but reusable items for purposes of recycling. Such bins shall meet all of the placement and design requirements established in this chapter.

**282.20. License required.** No person shall erect or maintain any donation collection bin without being licensed under this chapter for each bin.

**282.30. Application for license.** Every person desiring a license or licenses under this chapter shall apply to the licensing official, giving the location and specifications for each donation collection bin, the name and address of the applicant, and such other information as may be required in an application form to be prepared by the licensing official.

**282.40. License fee.** The annual license fee shall be established in the license fee schedule.

**282.50. When licenses expire.** Licenses issued under this chapter shall expire on January first of each year.

**282.60. Site location requirements.** Donation collection bins shall be subject to the following requirements:

(1) In the residence and OR1 zoning districts, donation collection bins shall be located on a religious institution place of assembly, or an educational facility site of not less than twenty thousand (20,000) square feet.

(2) Not more than one (1) bin shall be located on a zoning lot.



- (3) Items collected shall be limited to nonfood items that can be placed in the collection bin through the opening and shall not be left outside of the bin.
- (4) Bins shall be no more than six (6) feet in height, five (5) feet wide and four (4) feet deep, shall be installed on a hard, level surface and shall be locked or otherwise secured and maintained in good condition and appearance with no structural damage, holes, or visible rust, and shall be free of graffiti. The opening shall not exceed ten (10) square feet in area.
- (5) Bins shall be clearly marked to identify the specific items and materials requested to be left for donation and shall contain the following contact information in two (2) inch type visible from the front of each bin: the name, address, email, and phone number where the owner or operator may be reached. The bin shall also display a notice stating that no items or materials shall be left outside of the bin.
- (6) Bins shall be monitored daily and serviced and emptied as needed by the owner or operator, or the property owner, to prevent overflow of materials onto surrounding areas. All receipt, sorting and processing of goods collected shall occur within a completely enclosed building.
- (7) The bin shall be located no closer than twenty (20) feet from an adjacent permitted or conditional residential use.
- (8) The bin shall not be located in any required yards and shall not interfere with on-site circulation, landscaping, required off-street parking, accessible parking areas, walkways and any other requirements that may have been imposed as part of the site plan approval for the premises.
- (9) The use shall be located at least one thousand (1,000) feet from all existing donation collection bins unless it is located on the same zoning lot as the non-profit entity it serves.
- (10) The premises of all adjacent streets, sidewalks and alleys and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for the purpose of removing any litter found thereon.
- (11) Donation collection bins may not be located in any B4 zoning district.

**282.70. Separate license required for each donation collection bin.** A separate license shall be required for each donation collection bin at each location.

**282.80. Transfer of title or control.** Whenever a collection bin for which a license has been issued is sold or title or control thereof transferred or assigned, a new license shall be required and obtained for its maintenance.

**282.90. Consent of property owners required.** The consent of the property owners or lessees shall be required where the proposed location of a collection bin is to be located, and each application shall be accompanied by a written signed acknowledgment by the owners or lessees of the property.

**282.100. Issuance of license.** All applications for a donation collection bin license may be approved by the licensing official or by the city council.

**282.110. Revocation or denial authorized.** Any license may be revoked, or the application for renewal thereof denied, or other appropriate adverse license action taken, for failure to comply with the provision of this code, or for misrepresentation of any material facts in the application, or for any reason which would have been ground for denial of the original application, or where in the

judgment of the city council maintenance has become inappropriate. No revocation or denial shall be made arbitrarily or inequitably as between different applicants.

**282.120. Display of license number.** Each donation collection bin shall have displayed thereon, in a conspicuous place, the license number and decal issued by the license official.

**282.130. Maintenance of donation collection bins.** The licensee shall maintain each donation collection bin at all times in a safe condition at its proper location, and inspect each bin daily in order that it may be properly maintained and to prevent items from being abandoned on or near the exterior of the bin. Donation collection bins shall be kept at all times in a neat, clean, well painted, and usable condition. Ice and snow shall be removed from the vicinity thereof in such a manner that each bin shall be accessible at all times.

**282.140. Content of advertising.** No advertising matter or sign shall be displayed upon any donation collection bin except so as to identify the licensee, and as previously approved by the licensing official.

**282.150. Removal of donation collection bins by city.** Upon the revocation or expiration of any license without renewal, if the licensee fails promptly to remove a donation bin, the city may do so within ten (10) days after written notice given by mail directed to the address of the licensee on file, and if the licensee shall fail to pay the cost of removal and storage thereof within a period of sixty (60) days after the giving of such notice, the licensee's rights in said bin shall be forfeited, but such forfeiture shall not excuse the licensee from the payment of the cost of removal and storage of said collection bin.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

**CD&RS** – Your Committee, to whom was referred ordinances amending Title 13 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations, amending Chapter 341 related to Taxicabs, and adding a new Chapter 343 related to Transportation Network Companies to license and regulate Transportation Network Companies in Minneapolis; adding an annual license fee, a para-transit surcharge fee, and an inspection fee to the License Fee Schedule; and adding violation fines to the Administrative Fine Schedule, now recommends that Ordinance 2014-Or-036 and Ordinance 2014-Or-037 be given their second reading for amendment and passage.

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

**ORDINANCE 2014-Or-036**  
**By Warsame**  
**Intro & 1st Reading: 3/7/2014**  
**Ref to: CD&RS**  
**2nd Reading: 7/18/2014**

**Amending Title 13, Chapter 341 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Taxicabs.**

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

Section 1. That Section 341.10 of the above-entitled ordinance be amended to read as follows:

**341.10. Definitions.** Whenever used in this chapter the following words shall mean:

*Central business district:* The geographic area bounded by and including the Mississippi River southeasterly to Interstate 35; Interstate 35 southerly to Interstate 94; Interstate 94 westerly and northerly to Glenwood Avenue; Glenwood Avenue easterly to North Ninth Street; North Ninth Street northerly to Second Avenue North, and Second Avenue North to the Mississippi River.

*Committee:* The committee of the city council to which responsibility for licensing and consumer services may be assigned.

*Licensing official:* The licensing official designated by the director of community planning and economic development, who supervises the licensing and consumer services functions of the city.

*Limousine:* A luxury passenger automobile with a seating capacity for not more than twelve (12) people, excluding the driver, which does not have a meter, and has a chassis and wheelbase that has been stretched, or is a sedan that the manufacturer promotes as a luxury automobile. A limousine does not include a bus, a pickup truck, station wagon, taxicab, truck, van, multipurpose vehicle, or sport utility vehicle.

*Limousine service:* A service that is for-hire, is provided in a limousine, is not provided on a regular route, provides only prearranged pickup and charges more than a taxicab for a comparable trip.

*Motor carrier of passengers:* A person engaged in the for-hire transportation of passengers in vehicles designed to transport eight (8) or more persons, including the driver.

*Service company:* The company which, for each group of taxicab owners operating under a common color scheme, provides common services and facilities such as radio dispatching, color rights, advertising, telephone listings, maintenance, insurance, credit accounts, driver assignments, and record keeping.

*Seven-county metropolitan area:* The counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, within the State of Minnesota.

*Taxi driver's license:* A license granted in accordance with Article III of this chapter.

*Taxicab:* Any motor vehicle, except a limousine or motor carrier of passengers, or a transportation network company authorized vehicle as defined in Chapter 343 of this code, regularly engaged in the business of carrying passengers for hire, having a seating capacity of seven (7) or fewer persons including the driver and not operated on a fixed route or schedule.

*Taxicab license:* A license granted in accordance with Article IV of this chapter.

*Taximeter:* An instrument or device ~~attached to a vehicle and~~ designed to accurately measure ~~mechanically~~ the distance traveled by such vehicle, to record the time said vehicle travels or is in waiting and to indicate upon such record the fare to be charged. Such fare shall be visible to the passengers at all times.

*Wheelchair accessible taxicab:* A motor vehicle for hire of a distinctive color or colors operated at rates per mile or upon a waiting-time basis, or both, which is a minivan or similar vehicle specially adapted for wheelchair users, which is also equipped with a taximeter, and which prioritizes requests for service from wheelchair users for purposes of transportation over and along the public streets, not over a defined route but, as to the route and destination, in accordance with and under the direction of the passenger or person hiring such vehicle.

Section 2. That Section 341.140 of the above-entitled ordinance be amended to read as follows:

**341.140. Duty to inspect vehicle.** Every taxicab driver prior to the beginning of each shift and at the end of each shift shall inspect the taxi vehicle to make sure that all equipment on the vehicle is operating properly and that there is no major body damage to the cab. ~~An entry shall be made on the trip sheet or service company inspection form showing the date and times these inspections were conducted.~~ All equipment defects or body damage shall immediately be reported to the owner and service company. No driver shall knowingly operate any taxi vehicle which is unsafe or not in compliance with section 341.590.

Section 3. That Section 341.160 of the above-entitled ordinance be amended to read as follows:

**341.160. Lost articles.** Every taxicab driver shall inspect his or her vehicle after the departure of each passenger to ascertain that no article has been left behind. In the event that a passenger does leave an article in a cab, the driver shall immediately attempt to return it, and if unsuccessful, turn it in to the service company office within 24 hours. If the driver is unable to immediately return the article, the dispatcher shall be notified and the article shall be turned in to the service company office not later than the end of the driver's shift. A taxicab driver or service company may not require or request a charge in exchange for the return of the article, except a driver may charge the legal rate of fare when requested to deliver the article to its owner. The taxicab owner and service company shall make a diligent effort to locate the owner of any lost article and shall retain the article at the service company office for at least thirty (30) days ~~and shall maintain a log with a description of each lost article inclusive of any identifying information.~~

Section 4. That Section 341.170 of the above-entitled Ordinance be amended to read as follows:

**341.170. Duty to accept passengers.** No driver shall refuse or neglect to convey any orderly person or persons upon request anywhere in the city unless previously engaged, provided that such person agrees to pay the legal rate of fare. No taxicab driver shall refuse or fail to provide services to any person protected under the Minneapolis Code of Ordinances section 139.10. No taxicab driver shall carry any other passenger than the person first employing the taxicab, ~~except as provided in section 341.730, and then only with the~~ express consent of the first passenger or passengers.

Section 5. That Section 341.185 of the above-entitled Ordinance be amended to read as follows:

**341.185. Credit cards.** (a) Effective June 1, 2012, all taxicabs shall be equipped with electronic credit and debit card processing capability. Such equipment shall list fare, tolls, fees and tip separately for processing purposes. Such equipment shall have the ability to authorize the transaction in a timely manner.

(b) Taxi drivers shall accept credit and debit cards for payment of taxicab fares, provided the credit card company is likewise accepted as payment by the City of Minneapolis. No surcharge shall be imposed upon the passenger for the use of a credit or debit card to pay a fare. No

request for taxi service may be refused to any person desiring to use a credit or debit card on any grounds, including that a trip will not exceed a minimum length or generate a minimum fare. A taxi service company shall provide cashiering services to any taxi driver for credit and debit card transactions collected by the taxi driver as payment of taxi fare while that driver was operating a taxi vehicle under that taxi service company's color scheme. No taxicab vehicle licensee shall obtain cashiering services for credit and debit card transactions collected as payment of taxi fare from an entity other than the taxicab licensee's assigned taxi service company.

(c) Taxicab vehicles found not in compliance with this section may be placed out of service by the licensing official or their designees. Vehicles placed out of service may return to service upon inspection and approval by the licensing official or their designee.

Section 6. That Section 341.200 of the above-entitled Ordinance be amended to read as follows:

**341.200. Receipts for fares.** Every taxicab driver shall, upon request of the person paying for the taxicab ride, provide a ~~written~~ receipt to that person. The receipt shall contain in legible type or writing the name of the service company, the number of the meter in case of an automatic receipt, or the taxicab vehicle number in the case of a written receipt, the total amount paid and the date and time of payment. Every taxicab shall have displayed on the inside of the cab a printed card, in letters plainly visible to passengers seated in the taxicab, stating that such passengers, upon payment of the fare and upon request, shall be entitled to receive a receipt for the amount paid.

Section 7. That Section 341.230 of the above-entitled ordinance be and is hereby repealed.

~~**341.230. Map required.** Every taxicab driver shall carry in his or her taxicab at all times a current detailed street map of the seven-county metropolitan area and shall contact his or her dispatcher when in doubt of the most direct route. The map shall be required even if the vehicle is equipped with a global positioning system or similar electronic device.~~

Section 8. That Section 341.240 of the above-entitled ordinance be and is hereby repealed.

~~**341.240. Trip sheets.** At the start of each shift, each driver shall enter the following information onto the trip sheet required by this section: (1) date, (2) shift start time, (3) driver name, (4) vehicle number, (5) and a written affirmation that a vehicle inspection was completed in compliance with section 341.140. Every taxicab driver shall keep a trip sheet, current to the last run taken, upon which shall be noted the starting location and time, and the drop off location and time of each trip, the place of discharge of each passenger, the amount of the fare charged, whether upon the meter, flat rate or trip basis, the time reporting and going off duty. Every taxicab driver shall also indicate on the trip sheet which runs included wheelchair accessible fares and shall indicate such fares with the letters "WC" by that run on the trip sheet. Such sheet shall be filed with and as part of the records of the taxicab vehicle licensee, and at the office of the service company with which the taxicab vehicle is associated. Trip sheets shall be filed not later than seventy-two (72) hours after the completion of the driver's shift, or immediately on demand of a police officer, traffic control officer or license inspector. The trip sheets shall be open to inspection by the chief of police, licensing official, or their representatives at all times, and failure to so make and keep such trip sheets or the falsification of such trip sheets shall constitute a violation of this chapter and shall be cause for the revocation of the driver's taxicab license or, in the event such failure is by the vehicle licensee, shall be cause for the revocation of the taxicab license of such licensee. Each taxicab service company shall preserve trip sheets for a period of six (6) months, and submit upon request of the city council or licensing official, any information contained in the~~

~~driver's trip sheets, together with the true and correct information as to the orders or calls for taxicabs and the disposition of same. Service companies shall file trip sheets by cab number, chronologically.~~

Section 9. That Section 341.250 of the above-entitled Ordinance be amended to read as follows:

**341.250. Prohibited acts.** No taxicab driver shall:

- (1) Operate a taxicab in violation of state or local traffic regulations, or in any event without proper regard for the traffic, surface, and width of the street or highway and the hazards at intersections and any other conditions then existing, nor in such a manner or condition as to endanger or to be likely to endanger the safety of passengers, pedestrians, vehicles or the persons and property of others;
- (2) Interfere with, impede, obstruct the legal operation of, or intentionally damage any vehicle or its equipment;
- (3) Threaten, abuse, insult, provoke, interfere with, detain, impede or obstruct any other licensed driver, any passenger, prospective passenger or any other person in connection with operations under this chapter;
- (4) Operate a taxicab in violation of the Minnesota Clean Indoor Air Act;
- (5) Have in his or her possession while operating a taxicab, any firearm, knife with a blade length in excess of four (4) inches, or any assault weapon, as defined in section 393.85;
- (6) Provide any payment to any doorman, bellhop, taxicab starter, bartender or any other person within the City of Minneapolis in return for the referral of passengers;
- (7) Block the normal flow of traffic, except while parallel parking or actively and lawfully loading and unloading passengers;
- (8) Knowingly and with intent to disrupt communication on a two-way radio system, manipulate a microphone switch or other jamming device;
- (9) Provide false information to or refuse to obey or to comply with any lawful order or direction of the license inspector or any police officer, or traffic-control officer, nor shall any licensee use profane language or otherwise interfere with such officials while in the performance of their duties;
- (10) Report a false location for purposes of gaining an unfair advantage in bidding to provide service;
- (11) Fail to engage the taximeter when the taxicab is in motion and a passenger is present, unless a method of computing the fare without use of the meter is expressly authorized by a provision of this chapter;
- (12) Solicit passengers in the City of Minneapolis, or lay hands upon the person or baggage of any person without the express consent of that person, or obstruct the movement of any persons, or follow any person for the purpose of soliciting business. Display of a sign on the taxicab to indicate that it is not engaged shall not be considered solicitation;

- (13) Deceive any person as to destination, route, authorized taxicab rates, or fare;
- (14) Overcharge;
- (15) Take a circuitous route to a destination, or any route other than the most direct route, without the express consent of the passenger;
- (16) Drop a passenger at a location other than the location requested unless prohibited by law;
- (17) Refuse to convey an orderly passenger;
- (18) Report for another driver's order;
- (19) Fail to provide a receipt upon request;
- (20) Play a radio or tape player without the consent of the passengers, with the exception of the vehicle's two-way radio;
- (21) Engage in, or permit the use of a taxicab for, illegal gambling, prostitution, or trafficking in alcoholic beverages or controlled substances;
- (22) Be in possession of or consume any alcoholic beverage or controlled substance while on duty; consume any alcoholic beverage or controlled substance within four (4) hours before beginning a shift;
- (23) Drive a taxicab for more than twelve (12) hours in any twenty-four-hour period or for more than seventy-two (72) hours in any seven-day period;
- ~~(24) Park a taxicab in a residential area in violation of section 478.240 of this Code;~~
- (25~~4~~) Allow more passengers to occupy the vehicle than is provided for by its normal seating capacity, as indicated on the vehicle application. In no event shall more than two (2) persons in addition to the driver be permitted in the front seat of such vehicle;
- (26~~5~~) Lock, disable or refuse to unlock any taxicab door for the purpose of detaining or impeding a passenger;
- (27~~6~~) Operate a taxicab while using an electronic wireless communications device to write, send or read a text-based communication, unless such taxicab shall be lawfully standing or parked;
- (28~~7~~) Operate a taxicab while using a wireless telephone, including a wireless telephone equipped with hands-free technology, when a passenger is present, except for emergency purposes;
- (29~~8~~) Knowingly continue to operate a taxicab for hire when the condition of the vehicle is in violation of section 341.590, or otherwise detrimental to public safety;
- ~~(30-29)~~ Knowingly disable, alter, damage or otherwise render inoperable any mandatory safety equipment required pursuant to section 341.597.

Section 10. That Section 341.290 of the above-entitled Ordinance be amended to read as follows:

**341.290. Overall service required.** (a) Generally. Companies, associations and individuals licensed under this chapter shall render an overall service to the public desiring to use taxicabs. ~~They shall maintain a central place of business and keep the same open twenty-four (24) hours a day for the purpose of receiving calls and dispatching taxicabs by way of two-way radio. They shall answer all calls received by them for services within the City of Minneapolis within one-half of an hour of receiving such call and, if services cannot be rendered within such time, they shall then notify the prospective customer as to how long it will be before the call can be answered and give the reason thereof. In cases where a number of individual licensees are grouped in an association operating under a common color scheme, it shall not be necessary that every taxicab belonging to members of that association be in service twenty-four (24) hours a day so long as the association provides adequate overall service.~~

(b) *Additional conditions.* In order to maintain overall service to the public, every firm or individual holding a taxicab vehicle license shall be a member of a company, cooperative, or association which:

~~(1) C~~consists of at least ~~fifteen (15)~~ five (5) licensed taxicabs operated under a common color scheme with common radio dispatching facilities; ~~a company, cooperative, or association may begin operation in the first year of licensure with a minimum of eight (8) taxicabs licensed by the City of Minneapolis if, including taxicabs licensed by the City of Minneapolis, it consists of a total of at least fifteen (15) taxicabs operated under a common color scheme with common radio dispatching facilities, and if within one calendar year of issuance of the first eight (8) licenses, the company, cooperative, or association adds a sufficient number of taxicab licenses to reach and thereafter maintain a minimum of fifteen (15) taxicabs licensed by the City of Minneapolis in a common color scheme with common radio dispatching services;~~

~~(2) Maintains in its central place of business and each member taxicab vehicle two-way radios for the purpose of dispatching vehicles and receiving calls from the drivers of such vehicles;~~

~~(3) Lists its services in both the white pages and yellow pages of the Minneapolis telephone directory.~~

(c) [Exceptions.] Notwithstanding the other provisions of this section, a firm or individual holding a taxicab vehicle license or having applied for transfer of a taxicab vehicle license on or before January 21, 1985, which was not a member of a company, cooperative, or association of at least fifteen (15) taxicabs or which was not equipped with two-way radio dispatch equipment may continue to operate after the effective date of this subsection without complying with subsections 341.290(b)(1) and (2), provided the following conditions are met:

~~(1) E~~every such licensee shall maintain twenty-four-hour telephone or electronic communication services at its central place of business and mobile telephone service in each taxicab;

~~(2) Every such company, cooperative, or association shall maintain at least the number of licensed taxicabs operated under its common color scheme on January 21, 1985;~~

~~(3) No such taxicab license shall be transferred to or operated under a new color scheme not in existence on January 21, 1985, unless the new color scheme complies with subsection 341.290(b).~~



(d) [Failure to comply.] Failure of the taxicab licensees operating under a common color scheme to maintain the minimum number of licensed taxicabs, or comply with any of the other requirements for overall service set forth in this section, shall be grounds for suspension, revocation, or nonrenewal of all of the taxicab licenses operated under that common color scheme. However, if by reason of revocation or expiration of license, or death or incapacity of a licensee, or other substantial hardship not including a voluntary transfer, a group of taxicab licensees operating under a common color scheme fails to comply with the required minimum number of licenses in this section, the licensees shall be allowed a maximum of ninety (90) days to cure such noncompliance by obtaining the necessary number of additional licenses. Further extensions of time for compliance may be granted only by the city council upon a finding of special hardships or circumstances justifying an additional extension of time.

Section 11. That Section 341.300 of the above-entitled Ordinance be amended to read as follows:

**341.300. Authorized number of licenses.** An applicant or individual may apply for and receive service company licenseure concurrently with new taxicab vehicle licenses. ~~(a) Based upon the public record including the express findings of the city council, it is determined that the public convenience and necessity requires annual increases in the authorized number of taxicab licenses over a five year period and the eventual deregulation of the number of authorized taxicab licenses issued by the city. All existing or new licenses issued pursuant to this ordinance shall be issued in accordance with rules and regulations of the division of business licensing and consumer services.~~

~~(b) From the effective date of this ordinance until December 1, 2006, the number of licenses currently issued to existing licensed service companies shall not be increased. By December 31, 2007 all licensed service companies in operation in the city on or before November 1, 2006 shall provide documentation to the city that five (5) percent of their operational fleets are wheelchair accessible and an additional five (5) percent are fuel efficient, as determined by the city. By December 31, 2008 all licensed service companies in operation in the city on or before November 1, 2006 shall provide documentation to the city that ten (10) percent of their operational fleets are wheelchair accessible and ten (10) percent are fuel efficient, as determined by the city. By December 31, 2008 all licensed service companies in operation in the city on or before November 1, 2006 shall have a minimum of five (5) licensed taxicabs in their fleets. By December 31 of subsequent years, all licensed service companies in operation in the city on or before November 1 of that year shall provide documentation to the city that an additional ten (10) percent of their operational fleets are fuel efficient, as determined by the city. Wheelchair accessible vehicles are exempt from the fuel efficient standards.~~

~~(c) On December 1, 2006, up to forty five (45) new taxicab licenses shall be made available to be issued to new or existing licensed service companies as recommended by the division of business licensing and consumer services and approved by the city council. If any licenses are issued to new licensed service companies, ten (10) percent of the taxicabs must be wheelchair accessible and ten (10) percent must be fuel efficient, as determined by the city. Any new taxicab license issued after the effective date of this ordinance shall not be transferable to a third party.~~

~~(d) On June 1, 2007, up to forty five (45) new taxicab licenses shall be made available to be issued to new or existing licensed service companies as determined by the division of business licensing and consumer services. On June 1 of the years 2008, 2009 and 2010, up to forty five (45) new taxicab licenses shall be made available to be issued to new or existing licensed service companies as recommended by the division of business licensing and consumer services and~~

~~approved by the city council. If any licenses are issued to new licensed service companies, ten (10) percent of the taxicabs must be wheelchair accessible and ten (10) percent must be fuel efficient, as determined by the city. By December 31 of subsequent years, all licensed service companies in operation in the city on or before November 1 of that year shall provide documentation to the city that an additional ten (10) percent of their operational fleets are fuel efficient, as determined by the city. Any new taxicab license issued after the effective date of this ordinance shall not be transferable to a third party.~~

~~(e) On January 1, 2011, any new or existing licensed service company may apply for any number of new taxicab licenses. Such licenses shall be granted in any number upon the recommendation of the division of business licensing and consumer services to be approved by the city council. If any licenses are issued to new licensed service companies, ten (10) percent of the taxicabs must be wheelchair accessible and ten (10) percent must be fuel efficient, as determined by the city.~~

~~(f) The minimum number of licensed and operational taxicabs run by any new licensed service company shall be five (5). If the number of licensed and operational taxicabs for any licensed service company drops below five (5), the company shall submit documentation regarding the reduction in taxicabs and a business plan for returning to compliance with this section. All taxicab licenses granted pursuant to this ordinance must be operational and in service. If any licensed taxicab is not operational and in service for more than 30 days in any one year period, the company shall submit documentation regarding the taxicab license in question and a business plan for surrendering the license or returning the taxicab to operational service.~~

~~(g) Any recommendation to issue and any approval of the issuance of new taxicab licenses to new or existing licensed service companies (and any rule or regulation governing the issuance of new taxicab licenses to new or existing licensed service companies that is promulgated by the division of business licensing and consumer services of the department of regulatory services) shall be based on the determination that the applicant is fit, willing and able to meet the regulatory and service requirements set forth in Title 13, Chapter 341.~~

~~(h) An applicant may apply for and receive service company licensure concurrently with new taxicab license applications and in anticipation of receiving a sufficient number of new taxicab licenses (or associating with a sufficient number of new or existing taxicab licensees) to meet the regulatory and service requirements set forth in Title 13, Chapter 341 of the Minneapolis Code of Ordinances.~~

Section 12. That Section 341.310 of the above-entitled ordinance be and is hereby repealed.

~~**341.310. Seasonal licenses.**— New or existing licensed service companies may apply for seasonal licenses that are valid from October first of each year to April first of each year. The number of seasonal licenses granted on October 1, 2006 shall not exceed one (1) for every five (5) regular licenses held by the new or existing licensed service companies. The number of seasonal licenses granted on October 1, 2007 shall not exceed two (2) for every five (5) regular licenses held by the new or existing licensed service companies. The number of seasonal licenses granted on October 1, 2008 shall not exceed three (3) for every five (5) regular licenses held by the new or existing licensed service companies. The number of seasonal licenses granted on October 1, 2009 shall not exceed four (4) for every five (5) regular licenses held by the new or existing licensed service companies. There will be no limit on the number of seasonal licenses granted on October 1, 2010.~~

Section 13. That Chapter 341 of the above-entitled ordinance be amended by adding thereto a new Section 341.315 to read as follows:

**341.315. Wheelchair accessible taxicabs.** The licensing official shall establish an incentive system to provide taxicab services that accommodate passengers who use a wheelchair. The licensing official may seek City Council approval to amend the license fee schedule to require taxicab vehicle licensees, and transportation network companies licensed under chapter 343 of this code, to pay an annual surcharge in addition any other license fees required by the license fee schedule if they do not provide full service, full time wheelchair accessible taxicab service. This surcharge can be used to lower the annual license fees of those taxicab vehicle licensees and taxicab service company licensees that provide full service wheelchair accessible taxicab services twenty four hours a day, seven days a week. This surcharge may also be used to provide training to drivers assigned to operate wheelchair accessible taxicabs, and or to provide specialized equipment to better accommodate the needs of disabled taxicab passengers.

Section 14. That Section 341.330 of the above-entitled ordinance be amended to read as follows:

**341.330. Neighborhood taxicab stands.** (a) The city engineer and the licensing official shall recommend locations on public streets in the vicinity of retail stores, medical facilities and multi-family residential buildings outside of the central business district for the establishment of taxicab stands. The city engineer and the licensing official shall also work with the owners and operators of retail stores, medical facilities and multi-family residential buildings to identify appropriate locations for taxicab stands in the parking lots or driveways of such properties. Upon approval by the city council and the mayor, and with the concurrence of private property owners for taxicab stands to be located on private property, the city engineer shall install appropriate signs and street markings for taxicab stands at these locations.

~~(b) All taxicab operators licensed to operate in Minneapolis may wait for fares at taxicab stands outside of the central business district without first having obtained a downtown taxicab stand permit.~~

Section 15. That Section 341.360 of the above-entitled ordinance be amended to read as follows:

**341.360. Prerequisites to license.** Every taxicab driver shall meet and maintain the following requirements in order to hold a taxicab driver's license:

- (a) Possess a valid Minnesota or Wisconsin driver's license.
- (b) Be a minimum of eighteen (18) years old.
- (c) Have a demonstrated ability to read, write and speak the English language.
- (d) Be clean in dress and person and not addicted to the use of intoxicating liquors or drugs.
- ~~(e) Possess a current D.O.T. medical card.~~

~~(f)~~ Shall have no felony convictions in the last five (5) years; shall have no nontraffic gross misdemeanor or misdemeanor convictions in the last three (3) years involving the use or threat of use of force, possession or sale of a controlled substance, prostitution, or indecent conduct. The

issuing authority for the license may grant an exception to the above provisions upon evidence that the offense is not related to the occupation of taxicab driver.

(gf) Shall have a driving record meeting the following standards:

(1) No convictions in the last five (5) years for any of the following offenses involving injury or death; no convictions in the last three (3) years for any of the following offenses not involving injury or death:

- a. Hit and run;
- b. Driving under the influence of an alcoholic beverage or drug;
- c. Reckless or careless driving.

(2) For original licensure: No more than three (3) moving violations within the last three (3) years, and no more than two (2) moving violations in the last year. For renewal: No more than four (4) moving violations within the last three (3) years and no more than two (2) moving violations in the last year.

(3) Every new applicant shall have at least one year's driving experience as a licensed driver, meeting the standards of this subsection. Such prior driving experience shall be verified by an affidavit signed by a reputable person and submitted with the license application.

(hg) Have a demonstrated knowledge of the geography and street system of the City of Minneapolis and surrounding areas, as well as the location of major attractions within those areas.

(ih) Have a demonstrated knowledge of the provisions of the taxicab ordinance relating to the conduct of taxicab drivers and the operation of a taxicab.

(ji) Shall not have a physical or mental disability that would prevent the taxicab driver from safely operating a taxicab and performing the normal duties of a taxicab driver.

(kj) For any driver seeking original licensure, and any driver whose taxicab driver's license has lapsed for more than one year, shall have successfully completed the taxicab driver training course established in section 341.380.

Section 16. That Section 341.370 of the above-entitled ordinance be and is hereby repealed.

~~**341.370. Test required.** The licensing official shall test each applicant for a taxicab driver's license to determine that the applicant has a satisfactory knowledge of the provisions of this chapter, the traffic regulations, and the geography and street system of the City of Minneapolis, and a satisfactory ability to read, write, and speak the English language.~~

Section 17. That Section 341.380 of the above-entitled Ordinance be amended to read as follows:

**341.380. Taxicab driver training course.** (a) The licensing official shall establish a taxicab driver training course pursuant to the terms of this section. The course shall be designed to enhance the proficiency of drivers in all aspects of taxicab driving, and will include topics such as

geography of the metropolitan area, traffic laws, vehicle safety, taxicab licensing laws and driver code of conduct, radio communications, cab stand and call procedures, taxicab fares, vehicle cleanliness and maintenance, customer relations, courtesy, and the accommodation of patrons with disabilities.

(b) The course may consist of components taught by city employees, taxicab service company representatives or components taught by an educational institution under contract with the city, or by a combination of such components.

(c) Successful completion of the taxicab driver training course shall be a prerequisite for obtaining a license for all taxicab drivers not licensed on the effective date of this chapter, all taxicab drivers whose licenses have lapsed for more than one (1) year, and may be imposed as a requirement in any disciplinary action against a licensed driver, as a condition for renewal of a taxicab driver's license in the event of customer complaints, violations of taxicab regulations, or moving violations, and as a condition for reinstatement of any revoked or suspended taxicab driver's license.

~~(d) Each taxicab driver attending the course shall pay thirty-five dollars (\$35.00) towards the course tuition. The driver's service company shall pay fifteen dollars (\$15.00) toward the course tuition for each attending driver. Payment by each driver and service company shall be made to the licensing official prior to admittance to the course. No driver shall be admitted to the course without presenting a paid voucher bearing the stamp of the licensing official showing full payment by the driver and the service company.~~

~~(e) The city will match the total service company tuition payments, on an annual basis, in contributions to tuition costs or additional expenditures on curriculum development and instructional materials to improve the taxicab driver training course. In lieu of a matching contribution, the city in its discretion may reduce the service company tuition contribution for the next year by the amount not matched.~~

~~(f) The licensing official shall not enroll a driver in the course unless the driver has filed a complete taxicab driver license application and paid the fee as required in section 341.410.~~

~~(g) Upon successful completion of the course, the driver shall be issued a certificate of completion that shall make the driver eligible for a taxicab driver's license, upon payment of any remaining license fee and satisfaction of any remaining prerequisites.~~

Section 18. That Section 341.410 of the above-entitled ordinance be amended to read as follows:

**341.410. License fee.** (a) Each applicant for a taxi driver's license shall, at the time of filing his or her application, pay a nonrefundable license fee as specified in Appendix J, License Fee Schedule.

~~(b) For applicants who must complete the taxicab driver training course as a prerequisite to obtaining a license, the license fee and the course tuition fee may be combined and paid in two (2) installments, payable as specified in Appendix J, License Fee Schedule.~~

Section 19. That Section 341.415 of the above-entitled ordinance be and is hereby repealed.

~~**341.415. Advance of taxicab driver license and training fees.** A taxicab service company may advance to a prospective taxicab driver the cost of the taxicab driver license fee and the taxicab driver training course tuition. Failure of a driver to repay such an advance may be grounds for suspension of the taxicab driver's license.~~

Section 20. That Section 341.420 of the above-entitled ordinance be amended to read as follows:

**341.420. Issuance of license.** Each driver's license shall have upon it a number by which the license shall be designated and such other information as the licensing official may require. Each license shall indicate the name of the primary service company for which the driver works. No taxicab driver shall drive for a different service company without first notifying the licensing official and obtaining a new driver's license indicating the new primary service company. Any licensee who defaces, removes or obliterates any official entry made upon his or her license shall, in addition to any other punishment, have the license revoked.

Section 21. That Section 341.425 of the above-entitled ordinance be amended to read as follows:

**341.425. License to be coterminous with Minnesota or Wisconsin driver's license.** A taxicab driver's license issued under this chapter shall be coterminous with the licensee's Minnesota or Wisconsin driver's license. Any time that a licensee's Minnesota or Wisconsin driver's license is suspended, revoked, or cancelled, his or her taxicab driver's license shall likewise be immediately suspended, revoked, or cancelled. The licensee shall immediately surrender his or her taxicab driver's license to the licensing official. The taxicab driver's license shall be returned to the licensee upon reinstatement of the Minnesota or Wisconsin driver's license or issuance of a limited license authorizing operation of a taxicab. No person shall operate a taxicab without a valid Minnesota or Wisconsin driver's license.

Section 22. That Section 341.430 of the above-entitled ordinance be amended to read as follows:

**341.430. When license expires and fees.** All Drivers' licenses issued under this article shall expire on ~~July first~~ June 30th at 11:59 p.m. of each year. The license fee shall be as established in Appendix J, License Fee Schedule.

Section 23. That Section 341.460 of the above-entitled ordinance be amended to read as follows:

**341.460. Revocation, suspension and cancellation of Minnesota or Wisconsin driver's license; limited licenses; alcohol-related driving convictions.** (a) Any person holding a taxicab driver's license, whose Minnesota or Wisconsin driver's license is revoked, suspended or cancelled for any reason, shall immediately surrender his or her taxicab driver's license to the licensing official. The taxicab driver's license shall be returned to the licensee upon reinstatement of the Minnesota or Wisconsin driver's license or issuance of a limited license authorizing operation of a taxicab.

(b) Any licensed taxicab driver whose Minnesota or Wisconsin driver's license has been revoked, suspended or cancelled and who has been issued a limited license authorizing the operation of a taxicab shall immediately notify the licensing official of the same. The licensee shall furnish a copy of the limited license to the licensing official. The licensee shall also furnish a written statement containing a schedule of the days and hours of each day during which he or she will be driving a taxicab during the term of the limited license. No deviation from the schedule shall be permitted. The licensee shall personally furnish to the licensing official copies of all trip sheets for all shifts worked during the term of the limited license.

(c) Any person holding a taxicab driver's license shall notify the licensing official immediately whenever he or she is convicted of an alcohol-related driving offense, whether or not it involves the operation of a taxicab. Alcohol-related driving offenses shall include driving under the influence, driving with a blood alcohol concentration of .08 or greater, any lesser moving violation in which a blood alcohol concentration test was given and recorded .08 or greater, aggravated driving violations, and open bottle.

(d) Failure to comply with the provisions of this section shall be grounds for revocation of a taxicab driver's license.

Section 24. That Section 341.550 of the above-entitled ordinance be amended to read as follows:

**341.550. License suspension or revocation for lack of insurance.** (a) Any license issued under this article shall be immediately suspended by the licensing official whenever during the term of said license the owner, lessee, licensee or operator of said taxicab shall fail to keep in full force and effect such insurance in the full amount required. If the insurance is allowed to lapse, is canceled, or is otherwise not in effect for a continuous period of sixty (60) days or more, the taxicab vehicle license shall be revoked.

(b) ~~Because the city is concerned for the welfare of its citizens, and because the city desires to encourage its licensees to maintain adequate insurance coverage at all times, if the licensing official receives a cancellation notice prior to the annual of expiration of any insurance policy for purposes other than a person to person transfer, a car to car transfer, or a company to company transfer, or written notice that the vehicle is out of service prior to receiving an updated certificate of insurance information, the license holder shall pay a may be assessed a fine processing fee of ten fifty dollars (\$150.00) per vehicle affected. Insurance policies that are allowed to lapse less than sixty (60) days will result in a two hundred dollar (\$200.00) fine for the issuance of a citation to the license holder. All such fines shall be paid within fifteen (15) days of notification by the department. Failure to pay fines due may result in affected vehicles being ordered off the street.~~

Section 25. That Section 341.580 of the above-entitled ordinance be amended to read as follows:

**341.580. Requirements for license.** Each applicant for a taxicab license must comply with the following to the satisfaction of the licensing official:

(a) Be a citizen of the State of Minnesota or Wisconsin.

(b) Be of the age of eighteen (18) years or over in the case of an individual person or copartners or, in the case of a corporation, must be authorized to operate taxicabs and carry on business in accordance with the laws of the State of Minnesota.

(c) Must be a United States citizen, or an alien admitted for permanent residence, or who has otherwise obtained work authorization from the United States Immigration and Naturalization Service.

(d) Must fill out upon a blank form to be provided by the licensing official giving such information as required by the licensing official regarding the applicant and the vehicle to verify that the terms and conditions of this chapter have been met.

(e) Said application shall also include an accurate and detailed description of the color scheme of the taxicabs, including inscriptions or monograms thereon, proposed to be operated by the applicant, which shall be distinctly different from that of the taxicabs of any other licensed taxicab owner or operator, and from that of the taxicabs of the same owner or operator licensed in another jurisdiction, so that the ownership and identity may be readily ascertained by the police department and patrons of any taxicab, except that one (1) or more of the applicants who are members of the same taxicab organization or who subscribe for services to the same service company and who are authorized to use the color scheme of taxicabs, including the inscription or monograms thereon, of such organization or service company, may be licensed to do so when proper evidence of their right from such organization or service company to use such color scheme and inscriptions or monograms shall be filed with their application. The owner of any color right shall appoint the service company to be responsible for compliance and administration of the chapter with respect to licensees using the color scheme and shall notify the licensing official of that appointment. No owner of any taxicab or the operator or driver thereof, licensed under the terms of this article, shall make any change whatever in the color scheme of the taxicabs or the inscriptions or monograms thereon without first obtaining the approval of the licensing official.

(f) The applicant applying for a taxicab license shall, before being issued a license, pay into the city treasury an annual license fee as specified in Appendix J, License Fee Schedule, for each and every vehicle to be licensed; except that when application shall be made after the commencement of any license year, licenses shall be issued for the period from the day of application thereof to the beginning of the next license year, upon payment by the applicant of a proportionate amount of the annual license fee.

(g) The applicant(s) shall be the true beneficial owner(s) of the taxicab business to be licensed. The full legal names and addresses of all persons holding a beneficial interest in the business shall be provided on the application.

(h) The applicant shall hold legal title to the vehicle. In the case of a partnership, the title shall be in the name of the partnership or one (1) of the partners. In the case of a corporation, the title shall be in the name of the corporation. Exceptions to this provision may be granted for a vehicle held under a long-term lease from a reputable dealership or leasing company, in which case the applicant shall appear in the Minnesota or Wisconsin vehicle registration as lessee. Exceptions may also be granted for vehicles in which title is held for financing purposes by a financial institution.

(i) The applicant(s) shall have no felony convictions in the last five (5) years, nor any nontraffic gross misdemeanor or misdemeanor convictions in the last three (3) years involving the use of force, possession or sale of a controlled substance, prostitution, or indecent conduct. The licensing official may grant an exception to this provision upon evidence that the offense is not related to the taxicab business.



(j) [Reserved.]

Section 26. That Section 341.590 of the above-entitled ordinance be amended to read as follows:

**341.590. Condition of vehicle.** No taxicab shall be licensed, nor shall any person licensed under Article III of this chapter operate such vehicle, until it has been thoroughly and carefully examined and found to comply with the following:

(a) Every taxicab shall be in thoroughly safe condition for the transportation of passengers. Every taxicab shall be in full compliance with all state and federal regulations relating to vehicle equipment, maintenance and safety.

(b) To be well painted, and no taxicab shall be operated under its license until it has been painted in accordance with its authorized color scheme.

(c) Every taxicab shall have doors that can be easily opened from both the inside and outside, and the licensing official shall make or have made by competent inspectors such examination or inspection before a license is issued. No license shall be granted to any vehicle found to be unfit or unsuited for public patronage.

(d) Every taxicab shall be equipped with a taximeter in good working order, equipped with a light so placed as to enable the passenger at all times to see the fare registered when operating on the meter basis.

(e) All windows and windshields in each taxicab, whether in doors or side or rear windows, shall be of shatterproof or nonshatterable glass. Each taxicab shall be equipped with (4) wheel brakes.

~~(f) Every taxicab shall be equipped at all times the taxi is in operation with a drop safe or deposit safe in good working order for the purpose of securing fares collected by the taxicab driver. Such safe shall be accessible from the driver's seat.~~

~~(g)~~ The taxicab shall have windows in the rear and side of the taxicab sufficient in number and of such size, dimensions and clarity that passengers may be readily seen and identified through the windows.

~~(h)~~ Every taxicab shall be equipped with at least three (3) doors in addition to the driver's door which open into the passenger compartment.

~~(i)~~ Every taxicab shall be maintained in a clean condition both inside and outside at all times. Each vehicle exterior and interior shall be thoroughly cleaned at least once every seven (7) days. The licensing official may order a taxicab out of service at any time until such time as the vehicle has been cleaned.

~~(j)~~ All hood and trunk latches shall be in proper working order.

~~(k)~~ Each taxicab shall be substantially free from damage. The vehicle shall have no loose hanging metal, body molding or chrome stripping. The complete exhaust system shall be intact and in good working order. The taxicab shall not operate with large dents or major body damage, nor shall the taxicab operate with large areas of unpainted or rusted metal. Taxicabs shall have all required fenders, bumpers, doors, door handles and lights, all of which shall be in good

working order. No taxicab shall operate with tires considered unsafe according to the standard set forth in Minnesota Statute 169.723. Failure to meet all ~~above-listed~~ of the requirements of this chapter shall cause the taxicab to be found unfit or unsuited for public use, and such vehicle may be ordered off the streets of the City of Minneapolis.

(~~lk~~) All licensed taxicabs shall be equipped with seat belts openly displayed, readily available, and installed for use in the left front, right front, left rear, and right rear seats.

(~~ml~~) Every taxicab shall have a speedometer, odometer, gas gauge, oil pressure indicator, and gearshift indicator in good working order.

(~~nm~~) All mechanical systems and components, including the exhaust system, shall be intact, functional, and in good working condition.

(~~o~~) ~~Every taxicab shall be equipped with three (3) D.O.T. approved emergency triangles and a fully charged fire extinguisher with a minimum size of 5BC.~~

(~~pn~~) Each taxicab shall be equipped with a top light on the roof of the cab that shall be lighted when the cab is in service and available to receive passengers. Such light shall be visible from all directions.

(~~qq~~) Every taxicab licensee shall permanently affix to either the back of the front seat passenger side headrest, or the back of the front seat passenger side, beginning no lower than three (3) inches from the top of the front seat of the taxicab, an information card made of a laminated material at least three (3) inches by five (5) inches in size in Braille. This information card will contain the name of the taxicab company, the cab number and the telephone number of the licensing official or other city telephone number as directed by the licensing official. ~~Also affixed to the back of either the front driver or front passenger seat headrest, or other location easily accessible to passengers, shall be a pamphlet holder suitable to store and display informational materials, passenger survey cards, or other materials as designated by the licensing official. Such pamphlet holder shall be designed to hold pamphlets or cards with a maximum width of four (4) inches. Taxicab licensees must maintain a supply of customer information and comment cards for immediate passenger use at all times.~~

(~~r~~) ~~Every taxicab shall be equipped with the approved safety equipment in section 341.597 for its particular service company.~~

Section 27. That Section 341.595 of the above-entitled ordinance be amended to read as follows:

**341.595. Age of vehicle.** On and after June 1, 1988, no vehicle shall be licensed or operated as a taxicab unless the vehicle has a model year of ~~five (5)~~ ten (10) years or less, or ~~eight (8)~~ twelve (12) years or less for wheelchair accessible and fuel efficient vehicles; provided, however, that any vehicle which was licensed as a taxicab on the effective date of this section may continue to be licensed and operated until June 1, 1990 or has an actual odometer reading or less than 150,000 miles.

Waivers may be allowed to taxicabs over ~~five (5)~~ ten (10) years old, or ~~eight (8)~~ twelve (12) years or less for wheelchair accessible and fuel efficient vehicles, if the taxicab meets city yearly inspection and maintenance standards and subject to approval by the licensing official.

Section 28. That Section 341.597 of the above-entitled ordinance be amended to read as follows:

**341.597. Mandatory safety equipment.** (a) All licensed taxicabs shall be equipped with at least one (1) of the following safety products, chosen by the service company, in accordance with the submission and requirements of their particular service company in section 341.960(ml):

(1) Digital camera security system.

(2) Security shield.

(3) Global positioning system (GPS).

(b) The licensing official shall publish, maintain, and make available to the public a document that will outline the minimum standards and specifications required for each of these safety products and the taxicab licensees. This document shall be titled the taxicab safety book of standards. The city council shall approve the initial taxicab safety book of standards to be effective May 1, 2005 and all amendments thereto.

(c) Failure to comply with the terms of the taxicab safety book of standards may subject a taxicab licensee to revocation, suspension, or nonrenewal of their license.

(d) No taxicab licensee shall tamper, disable, or otherwise modify an approved digital camera security system, ~~security shield, or global positioning system after installation.~~

(e) An inoperable or defective digital camera security system, ~~security shield, or global positioning system~~ shall cause the taxicab to be found unfit or unsuited for public use, and such vehicle may be ordered off the streets of the City of Minneapolis until repaired.

(f) No person shall disseminate, sell, or otherwise profit from any image recorded by a digital camera security system.

(g) In the event a taxicab is sold or otherwise transferred from one (1) service company or one (1) driver-owner to another, the approved safety equipment in section 341.597 ~~for the current service company~~ must be properly installed before the vehicle will be inspected and approved.

Section 29. That Section 341.600 of the above-entitled ordinance be amended to read as follows:

**341.600. Issuance and form of license.** When an application for a taxicab license has been approved, the licensing official, upon satisfactory fulfillment of the foregoing requirements, shall issue a taxicab license which shall be in such form as to contain:

(a) Class and ~~passenger-carrying capacity~~ of license of the taxicab licensed.

(b) The make and model of the car, ~~and, if available, the engine number and/or serial~~ VIN number, and the state license plate number.

(c) Each successful applicant shall be issued a decal that shall be permanently attached to the rear of the taxicab vehicle. The placement of such decal shall be ~~to~~ in the immediate right or lower left corner of the rear ~~license number required by section 341.640 of this article~~ window.

The cost for replacement of a lost, damaged or destroyed decal shall be ~~thirty-five dollars (\$35.00)~~ the fee listed in the license fee schedule.

Section 30. That Section 341.605 of the above-entitled ordinance be and is hereby repealed.

~~**341.605. Taxicab stand permits.** (a) No taxicab vehicle shall wait at any taxicab stand in the central business district without having first obtained a permit therefor. At the time a permit is issued, the applicant shall be furnished with a decal. The applicant shall attach such decal on the lower right side of the rear windshield of the taxicab.~~

~~(b) Licensees not displaying a taxicab stand decal, may discharge passengers at taxicab stands, but may not collect passengers within one hundred (100) feet of the same unless:~~

~~(1) The licensee is operating under a contract or charge account previously signed and on file at the company; or~~

~~(2) The licensee is responding to a special call for service when such call has been documented by telephone records and such other evidence as the licensing official deems necessary.~~

~~(c) No licensee or service company may apply for taxicab stand permits in excess of fifty (50) percent of that licensee's or service company's total Minneapolis-licensed fleet.~~

~~(d) The downtown taxicab stand permit requirement shall not apply when the licensing official deems that special circumstances, including but not limited to special events, warrant the waiver thereof.~~

~~(e) Notwithstanding the other provisions of this section, an individual or company holding a taxicab vehicle license or having applied for transfer of a taxicab vehicle license on or before January 21, 1985, which was not a member of a company, cooperative, or association of at least fifteen (15) taxicabs or which was not equipped with two-way radio dispatch equipment may apply for taxi stand permits for all licensed taxicabs operating under their color scheme.~~

~~(f) The fee for the downtown taxicab stand permit shall be two hundred dollars (\$200.00) per year and due with the regular license fee each year.~~

Section 31. That Section 341.620 of the above-entitled ordinance be amended to read as follows:

**341.620. Inspections.** (a) The licensing official shall maintain a constant vigilance over all taxicabs to see that they are kept in a condition of fitness for public use, and to this end shall inspect, or cause to be inspected, all taxicabs from time to time, or on the complaint of any citizen as often as may be necessary. Reports in writing of all inspections shall be promptly made to the division.

(b) Prior to using any taxicab vehicle, and annually thereafter, a licensee shall have the vehicle inspected at a facility approved by the licensing official, and maintain complete documentation of such inspections at all times, and a written copy of such documentation shall be provided to the licensing official upon request. To pass such inspection, a taxicab vehicle shall, at a minimum, be rust-free and damage free, and shall pass an inspection of vehicle components outlined by the licensing official and identified on the official taxicab vehicle inspection sheet. The cost of the

vehicle inspection, if such inspection is conducted by a government operated facility, will be those fees listed in the license fee schedule.

(~~b~~c) The licensing official may adopt a taxicab inspection form to be used in the inspection of taxicabs, and may designate a category of equipment and body defects as "out of service" defects. Taxicabs with "out of service" defects shall be ordered out of service, and shall remain out of service until the next regularly scheduled inspection or until a special inspection arranged under section 341.625.

Section 32. That Section 341.625 of the above-entitled ordinance be amended to read as follows:

**341.625. Special inspection fee.** A taxi vehicle licensee may arrange for a special inspection of his or her vehicle outside the regularly scheduled inspection days and times upon application and payment of a fee as specified in ~~Appendix J,~~ the License Fee Schedule, for each vehicle to be inspected. Special inspections shall be scheduled during the normal working hours of the licensing official and all requests for special inspections must be filed by 9:00 a.m. on the day the inspection is to be conducted.

Section 33. That Section 341.660 of the above-entitled ordinance be amended to read as follows:

**341.660. Unauthorized acts.** (a) No taxicab license shall be sold or transferred except as provided for in subsection 341.655(a).

(b) No taxicab licensed under this chapter shall be operated by any person other than a taxicab driver licensed under this chapter.

(c) No person shall change the color scheme, inscription or monogram of any licensed taxicab without approval of the licensing official.

~~(d) No licensed taxicab shall be used as a private vehicle at any time.~~

(~~e~~d) No person or company or agent of a company shall make directly or indirectly any false claim stating or implying that any taxicab is licensed to operate in the City of Minneapolis when in fact such taxicab is not licensed in the City of Minneapolis.

(~~f~~e) No taxicab vehicle shall be equipped with a citizen's band radio transmitter or receiver or any device capable of intercepting police, emergency or other taxicab companies' transmissions.

(~~g~~f) No taxicab vehicle licensee shall lease its taxicab vehicle license to another, nor lease, contract out, assign, or delegate the responsibilities and beneficial interest of its taxicab business to another.

(~~h~~g) No taxicab vehicle licensee shall lease or contract out the use of any taxicab except to the limited degree permitted by section 341.695.

(~~i~~h) No taxicab vehicle licensee shall operate or allow operation of a vehicle after it has been ordered out of service.

(ji) No taxicab vehicle licensee shall allow a taxicab to be parked in a residential area in violation of section 478.240.

~~(k) No wheelchair accessible taxicab vehicle licensee shall wait at any taxicab stand in the central business district until after 8:00 p.m. Used metro mobility vehicles providing wheelchair accessible service are not permitted to use taxicab stands, except those taxicab stands which allow access to medical service centers.~~

Section 34. That Section 341.695 of the above-entitled ordinance be amended to read as follows:

**341.695. Contracts with taxicab drivers.** A taxicab vehicle licensee may enter into an agreement with a licensed taxicab driver to drive a licensed taxicab, and the agreement may provide for a per shift payment by the driver. Provided, however:

(1) No agreement may provide for services in excess of the shift limitations in subsection 341.250(23).

(2) No agreement shall exceed one (1) week in duration, nor require a driver to post any deposit or advance in an amount greater than one (1) week's shift payment.

(3) No agreement shall require a driver to pay any vehicle operating costs except for gas.

(4) No taxicab vehicle licensee shall enter an agreement allowing the use of his or her taxicab except directly with a driver who actually operates the vehicle; nor shall any licensee enter an agreement delegating to another the right to manage the vehicle and employ drivers.

(5) An owner or service company who leases a taxicab must make shift rates available to all qualified drivers without regard to race, creed, sex, age, sexual orientation, or religion. Owners who offer different lease rates during different times of the day must make those rates available to all drivers qualified by this chapter.

~~(6) An owner or service company shall not charge any driver more than eighty-five dollars (\$85.00) per twelve-hour shift for use of a vehicle.~~

Section 35. That Section 341.730 of the above-entitled ordinance be and is hereby repealed.

~~**341.730. Group loading.** In each load of five (5) passengers or less, a separate fare may be charged for each of such passengers, providing that such group does not have a common destination and provided further that no other cab is available at the point of loading and no delay is caused to any waiting passenger. Any waiting passenger may command the cab's immediate departure, and no such passenger shall be required to pay for any more circuitous route than the shortest distance between the point of loading and such passenger's destination. The rate of fare shall be eighty (80) per cent of the base legal rate, said discount to be in addition to any other discount authorized by this Code and offered by the carrier. A concise but legible notice of the provisions of sections 341.720 and 341.730 shall be clearly displayed in the cab so it may be easily read by any passenger.~~

Section 36. That Section 341.735 of the above-entitled ordinance be and is hereby repealed.

~~**341.735. Charges beyond certain distances.** Charges for a passenger trip which originates within the City of Minneapolis shall be made in accordance with the taximeter only, except in cases where the trip extends beyond the boundaries of Eighty-fifth Avenue North and Northeast on the north, County Road 42 on the south, State Highway 101 on the west and McKnight Road on the east. Charges for trips which extend beyond the abovementioned boundaries may be made on a flat rate basis for that portion of the trip which extends beyond the boundaries.~~

Section 37. That Section 341.740 of the above-entitled ordinance be and is hereby repealed.

~~**341.740. Airport Main Terminal departure area a common destination.** For purposes of the provisions of this chapter relating to fares and charges, the Minneapolis-St. Paul International Airport Main Terminal departure unloading area shall be considered a common destination. Separate fares shall not be charged to passengers dropped off at different locations within the departure unloading area. However, the fare may be computed based on the last drop off in the departure area.~~

Section 38. That Section 341.745 of the above-entitled ordinance be and is hereby repealed.

~~**341.745. Special discount rates.** The licensing official may authorize special rates lower than otherwise required in this chapter, upon written request from any licensed service company. Such special rates shall apply to all taxicabs of that particular color scheme. Special rates may include, but shall not be limited to:~~

- ~~(a) A discount applicable to all metered fares on all rides originating in the City of Minneapolis;~~
- ~~(b) Special flat rates from point to point;~~
- ~~(c) Special flat rates, or a discount from the metered fare, from any point within the City of Minneapolis to a particular destination.~~
- ~~(d) Special event rates. At all times when special event rates are in effect a sign which reads "Special Event Rate" and indicating the rate to be charged, in letters no smaller than two (2) inches in height and not less than one-fourth-inch stroke, shall be prominently displayed in every taxicab. Discontinuance of any discount shall require a seven-day written notice to the licensing official.~~

Section 39. That Section 341.760 of the above-entitled ordinance be and is hereby repealed.

~~**341.760. Computation of charges.** When the charge is to be paid for on the meter basis, the charge shall begin at the place where the passenger is received and shall continue until the taxicab arrives at the passenger's destination. When the charge is to be paid for on the hour basis, the time shall begin when the automobile is ready at the time and place requested by the passenger and shall continue until the taxicab has been released by the passenger; provided, that when any person shall engage or hire a taxicab equipped with a taximeter, unless otherwise agreed at the time of hiring, the fare for such taxicab shall be determined and fixed by the taximeter according to rates provided for in this article; and provided, further, that no driver of any taxicab shall charge more for the use of the taxicab than is shown to be due by the taximeter.~~

Section 40. That Section 341.770 of the above-entitled ordinance be and is hereby repealed.

~~**341.770. Agreed rates authorized.** Nothing herein contained shall prevent any person from making an agreement with the operator of a taxicab to furnish transportation at a rate to be agreed upon by them for an hour, day, week, month or longer period, but the person with whom the operator of a taxicab makes such agreement shall not be permitted to hire out the vehicle to any other person. Each licensee operating a taxicab under this section shall file with the licensing official a schedule of rates by time to be charged under such agreement. Such schedule of rates except as herein otherwise provided may be changed by filing an amended schedule. No licensee, driver or employee shall charge any other rate than that set forth in such schedule, and any deviation therefrom shall constitute a violation hereof.~~

Section 41. That Section 341.771 of the above-entitled ordinance be and is hereby repealed.

~~**341.771. Senior citizen discount authorized.** The rate of fare for any person who has attained the age of sixty-five (65) years, upon presentation of proof of age to the operator of a licensed taxicab, may be the applicable legal rate reduced by ten (10) per cent. This discount rate shall not be in effect between the hours of 2:00 p.m. and 6:00 p.m., Monday through Friday. Such discount shall be posted upon the exterior and interior of the taxicab. Any company, association or individuals operating under a common color scheme and monogram choosing to offer said discount must offer it uniformly by all taxicabs they operate, and said discount may be in addition to any other discount authorized by this Code and offered by the carrier.~~

Section 42. That Section 341.772 of the above-entitled ordinance be and is hereby repealed.

~~**341.772. Meter-based discounts authorized.** Any taxicab company or association of taxicab owners or individual duly licensed under this Code may provide percentage discounts from the meter rate. Such discounts shall be prominently posted upon the exterior and interior of each taxicab operated. Any company, association or individuals operating under a common color scheme and monogram choosing to offer said discount must offer it uniformly by all taxicabs they operate and said discount shall be in addition to any other discount authorized by this Code and offered by the carrier. Such discount rates may be initiated, changed or eliminated upon five (5) days' written notification to the taxicab license inspector.~~

Section 43. That Section 341.773 of the above-entitled ordinance be and is hereby repealed.

~~**341.773. Reduced fare share-ride program authorized.** Any taxicab company or association of taxicab owners or individual duly licensed under this Code may provide a reduced fare share-ride program. Such a program shall provide for the following:~~

~~(a) Persons wishing to use such a program shall telephone the participating company, association or individual taxicab operator prior to 12:00 midnight preceding the day on which the person wishes to use the program to arrange for pickup.~~

~~(b) The initial charge upon entering the taxicab shall be set by city council resolution, on a per-person basis.~~

~~(c) The charge for each zone crossed shall be set by city council resolution per person or associated group. A map delineating said zones, to be enacted by city council resolution, is to be posted in the interior of the taxicab.~~



~~(d) Zones shall be adopted by the Minneapolis City Council through resolution.~~

~~(e) The calculation of the charge shall be made on a straight line from point of pickup to point of destination for each person or associated group. The charge for an associated group shall be one charge as calculated in (c) above.~~

~~(f) The taxicab driver shall not be required to wait longer than five (5) minutes for each fare from the scheduled time of pickup.~~

~~(g) The city council may designate downtown group loading zones for this program at its discretion.~~

Section 44. That Section 341.774 of the above-entitled ordinance be and is hereby repealed.

~~**341.774. Contract rates.** Nothing contained herein shall prevent an operator of a taxicab licensed in Minneapolis from making a contractual agreement with a company, agency, or organization to furnish transportation for employees, associates, clients, customers, or members at a rate that is based on mileage, number of passengers, number of service hours, number of trips, number of passenger hours, weekly or monthly fees, or any other reasonable and calculable basis, irrespective of the mileage charges, minimum charges, and waiting charges contained in this article or the taxicab operator's filed rates for ordinary radio-dispatch, hail, and taxicab stand pick-up service. Such a contractual agreement that provides for rates that differ from the rates ordinarily charged by the taxicab operator must be a document that is legally executed by all parties and kept on file at the taxicab service company office subject to inspection at any reasonable time by the licensing official or his designees.~~

Section 45. That Section 341.775 of the above-entitled ordinance be amended to read as follows:

~~**341.775. Review of fares.** (a) Taxicab fare rates shall be reviewed by the licensing official annually. The maximum meter fare amounts for mileage charges herein established shall be subject to an automatic twelve-month adjustment effective each October first thereafter in a percentage equal to twelve-month changes in the Minneapolis Taxicab Cost Index, rounded to the nearest hundredth of one percent. The Minneapolis Taxicab Cost Index shall consist of a weighted combination of five (5) selected consumer price indexes as published by the United States Department of Labor, a total taxicab fleet size factor, and a license and inspection fee factor as calculated for the preceding twelve-month period ending on June thirtieth of that year. The composition of the Minneapolis Taxicab Cost Index shall be as specified in subsection (c) and the resulting calculation of any change to the maximum rate charge for each one-fifth (1/5) mile increment shall be rounded up to the next whole cent. Notification of the annual adjustment to the taxicab meter rate shall be made to all taxicab service companies at least thirty (30) days prior to taking effect.~~

~~(b) The initial maximum meter fare rates shall be equal to the rates that were in effect on February 28, 2009. The first automatic twelve-month adjustment to these rates as provided for pursuant to this section shall take effect October 1, 2010. The maximum percentage increase to the Minneapolis Taxicab Cost Index shall be capped at ten (10) percent for each twelve-month period unless the city council adopts a greater rate of increase by resolution. The maximum percentage decrease to the Minneapolis Taxicab Cost Index shall be capped at five (5) percent for each twelve-month period unless the city council adopts a greater rate of decrease by resolution.~~

(c) ~~The Minneapolis Taxicab Cost Index shall be comprised of the following indexes and factors, which shall be weighted as indicated:~~

| GPI and factors   | Weighting      |
|---|----------------|
| <del>Midwest Region CPI-U (Consumer Price Index-Urban) Transportation Expenditure Category; (Series ID CUURO200SAT)</del> | <del>30%</del> |
| <del>National CPI-U Motor Vehicle Maintenance and Repair (Series ID CUUROOOOSETD)</del>                                   | <del>10%</del> |
| <del>National CPI-U Motor Vehicle Parts and Equipment (Series ID CUUROOOOSETC)</del>                                      | <del>10%</del> |
| <del>National CPI-U Motor Vehicle Insurance (Series ID CUUROOOOSETE)</del>  | <del>10%</del> |
| <del>Midwest Region CPI-U All Consumers, all Items (Series ID CUUS0000SA0)</del>  | <del>30%</del> |
| <del>Minneapolis taxicab fleet size, percentage change to total licensed fleet</del>                                      | <del>8%</del>  |
| <del>Minneapolis taxicab license and inspection fees, average of percentage changes to each</del>                         | <del>2%</del>  |

Section 46. That Section 341.780 of the above-entitled Ordinance be amended to read as follows:

**341.780. Inspection of meters.** ~~The licensing official shall examine at least two (2) times each calendar year all taximeters used on taxicabs in the city and, if approved, shall have placed thereon or attached thereto a device or seal indicating that such inspection and approval has been made. The licensing official may stop at all reasonable times any taxicab operating on the meter basis and require the person in charge thereof to go to some convenient place for the purpose of making the examination herein required.~~

Section 47. That Section 341.790 of the above-entitled ordinance be amended to read as follows:

**341.790. Defective or unsealed meters.** ~~No person shall drive or permit to be driven a taxicab equipped with a taximeter that does not bear the seal placed thereon by the licensing official, or one (1) that does not register or that registers inaccurately, or one (1) on which the reading can be changed, altered or manipulated, except to clear the meter. No taxicab hired upon a meter basis shall be operated when a taximeter is broken, and out of order, or the seal has been broken or tampered with, defaced or otherwise mutilated, or for any reason does not currently register the fee charged.~~

Section 48. That Section 341.800 of the above-entitled ordinance be amended to read as follows:

**341.800. Complaints about meters.** ~~When complaint is made to the licensing official that any taximeter registers improperly or incorrectly, the licensing official shall immediately examine and inspect such taximeter and every wheel, tire, gear shaft and other part of the mechanism which may affect the operation or control of such taximeter. The licensing official shall seal all taximeters, when permitted, and date of examination and inspection thereof. In the event any taximeter becomes broken or has to be repaired or does not register correctly or the seal has been broken or tampered with, defaced or otherwise mutilated, the same shall be again~~

inspected by the licensing official and again sealed, when permitted, and a new record made of the subsequent inspection and sealing. A tolerance of two (2) percent shall be allowed in tests of such meters. When it is necessary to recheck a sealed taximeter, the checker shall not be charged a fare for any such trip of inspection.

Section 49. That Section 341.810 of the above-entitled ordinance be and is hereby repealed.

~~**341.810. Financial reports.** Upon request by the council any licensee, service corporation or owners' association shall furnish to the council the following information concerning the operation of said taxicab business:~~

~~(a) An operating statement showing the income and expenses with respect to the taxicab business of such applicant.~~

~~(b) A balance sheet showing the assets, reserves, if any, and liabilities applicable to the taxicab business of the applicant.~~

~~Such information shall cover the period of time requested and shall be furnished within not less than forty five (45) days after requested. Any such licensee who shall fail to furnish such information within the time herein stated shall have his licenses suspended for a period of not to exceed thirty (30) days after a hearing before said committee, upon five (5) days' written notice of such hearing.~~

Section 50. That Section 341.900 of the above-entitled Ordinance be amended to read as follows:

**341.900. License required.** No service company, as defined in this chapter, shall provide radio dispatching, color rights, advertising, record keeping, and other common services, to a group of taxicab owners or drivers licensed by the City of Minneapolis, without a service company license as required herein.

Section 51. That Section 341.960 of the above-entitled Ordinance be amended to read as follows:

**341.960. Conditions.** Every licensed service company shall:

(a) Take affirmative measures to insure that all of its taxicab owners and drivers comply with the terms of this chapter;

(b) Be responsible for the operation of an unlicensed taxicab and the operation of a taxicab by an unlicensed driver;

~~(c) Insure that all trip sheets are filed and maintained in accordance with section 341.240;~~

~~(d)~~ Insure that no taxicab vehicle is operated in unsafe mechanical condition, or with major body damage, or in any event after being ordered out of service by a license inspector; insure that all taxicabs are washed at least once a week pursuant to section 341.150;

~~(e)~~ Be responsible to provide overall taxicab service to the public as required by section 341.290. Each service company shall keep accurate records indicating which of its licensed taxicabs and drivers are operating on each day, portion of a day, or shift. These records shall be

filed and maintained for a minimum of one (1) year and shall be available for inspection in the same manner as trip sheets;

(fe) Institute policies and procedures requiring all drivers to respond to radio dispatch calls;

(gf) If a request for service has not been answered within fifteen (15) minutes, the service company dispatcher shall order a taxicab to respond to the request immediately;

(hg) Promptly respond to all complaints by passengers, and other members of the public. Also, every service company shall refer all significant complaints against individual taxicab owners and drivers to the licensing official;

(ih) Promptly respond to all requests for information from the licensing official;

(ji) Train and test all taxicab drivers regarding the traffic laws, ability to read and write the English language, the geography and street system of the areas serviced by its taxicabs, and the rules of conduct for taxicab drivers in this chapter;

(kj) In addition to the above conditions, every licensed wheelchair accessible taxicab service company shall maintain a computerized dispatch system to adequately respond to and maintain records of both on-demand and scheduled requests for service;

(lk) A licensee licensed to transport passengers in wheelchairs must provide training to each of its operators on the special needs of persons with disabilities. The operator shall also receive training on operating and maintaining vehicle accessible features. The training program is subject to approval by the city council. Every licensed service company shall provide drivers trained to transport handicapped individuals and to ensure that the licensee is providing the service required under this chapter;

(ml) Every licensed service company shall provide the licensing official with written documentation detailing the specific safety equipment in section 341.597 that is required on all taxicabs in its fleet by December 1, 2004. This documentation shall include sufficient information on the specifications, type, and brand of safety equipment chosen to insure compliance with the taxicab safety book of standards.

Section 52. That Section 341.970 of the above-entitled ordinance be and is hereby repealed.

~~**341.970. Annual performance review.** The licensing official shall annually review the overall performance of each licensed service company, including but not limited to, a review of the level of compliance with the conditions prescribed in section 341.960. The annual review shall be conducted at least thirty (30) days prior to the license renewal date. The annual review may include a meeting between the licensing official and the representatives of a licensed service company to discuss complaints and inspect records. The licensing official shall report the results of each review to the committee, which shall consider such reports in determining whether to renew each service company license.~~

Section 53. That Section 341.975 of the above-entitled ordinance be amended to read as follows:

**341.975. Service company reporting.** (a) Each licensed service company shall, ~~on a monthly basis as requested by the licensing official,~~ submit to the licensing official a daily service report for each day of the preceding month that shall contain the following data:

- (1) Number of taxicabs in service in each twelve-hour shift.
  - (2) The number of radio or telephone dispatched calls each taxicab took per shift.
  - (3) Number of total fares in each shift for each taxicab in service.
  - (4) The number of lost calls each day by time breakdown.
  - ~~(5) The total response time for each trip. This shall include and show a separate breakdown for the time the caller was on hold, the time between the call for service, and the time the order was bid on or assigned to a taxicab, the time between the dispatch of the call and the time of arrival of the taxicab, and the amount of the fare as well as the location of the service request call.~~
  - ~~(6) The average time each day by time period breakdown between the calls for service and the times of arrival of the taxicab by geographic areas to be determined by the licensing official in consultation with the taxicab committee.~~
  - ~~(7) In addition to the above information, taxicab service companies providing wheelchair accessible service shall provide data on the number of scheduled and unscheduled rides provided by each licensed vehicle, the start and end city locations of each trip, and the response to each request for wheelchair accessible service.~~
- (b) The form of the daily service records shall be in such format as is agreed upon by the licensing official ~~and the taxicab committee.~~ Within one (1) year, each taxicab service company shall provide the taxicab committee with a business plan that would detail the cost and time necessary to provide the data above in a computerized format. Daily service reports for each month shall be submitted by each service company to the licensing official ~~no later than the fifteenth (15th) day of the subsequent month~~ when requested. Any licensed service company that fails to furnish such a daily service report in a timely fashion shall have its license suspended for a period not to exceed thirty (30) days after a hearing before the committee responsible for dealing with licensing issues.
- (c) Taxicab service companies operating with less than fifteen (15) taxicabs shall supply the same information, but may do so in a non-computerized format.
- ~~(d) Beginning February 1, 2001, each taxicab service company shall report to the appropriate city council committee on an annual basis the progress it has made toward putting handicapped accessible vehicles into service as taxicabs in the city. Such report shall specify the steps taken~~

~~to properly review this option, when such vehicles will be part of the fleet, and what the anticipated costs of such operation will be.~~

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: Yang (1)

The ordinance was adopted.

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

**ORDINANCE 2014-Or-037**  
**By Frey**  
**Intro & 1st Reading: 3/7/2014**  
**Ref to: CD&RS**  
**2nd Reading: 7/18/2014**

**Amending Title 13 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations, by adding a new Chapter 343 relating to Transportation Network Companies.**

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

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 343 to read as follows:

**CHAPTER 343. TRANSPORTATION NETWORK COMPANIES**

**343.10. Definitions.** Whenever used in this chapter the following words shall mean:

*Active on the TNC dispatch system* includes but is not limited to: when the driver is logged onto the transportation network company (TNC) application dispatch system showing that the driver is available to pick up passengers; when a passenger is in the vehicle; or when the driver has accepted a ride request and is en route to provide transportation services to a passenger.

*Compensation:* Remuneration or anything of economic value that is provided, promised, or donated primarily in exchange for services rendered. This includes, but is not limited to voluntary donations, fee-sharing between a taxicab or transportation network company and an affiliated driver, and passenger, advertisement of a taxicab service company or transportation network company services.

*License:* A transportation network company license.

*Licensing official:* The official designated to supervise the licensing and consumer services functions provided by this Code pursuant to section 259.10.

*Licensee or transportation network licensee:* The holder of, or a person that is required to hold, a transportation network company license issued pursuant to this chapter.

*Operation of a transportation network vehicle or operating a transportation network vehicle:* Offering, making available, or using a transportation network vehicle to provide a transportation network service, including any time when a driver is logged onto the transportation network provider's

internet-enabled application or digital platform showing that the driver is available to pick up passengers; when a passenger is in the vehicle; when the provider's records show that the vehicle is en route; or when the driver has accepted a ride request and is in route to provide a transportation network service to a passenger.

*Passenger:* An individual being transported for compensation in an authorized TNC vehicle.

*Place of business in the City of Minneapolis:* A location within twelve (12) miles of Minneapolis City Hall where (1) the city may send, and the licensee shall accept, notices of hearing or other notices from the city; and (2) a place where records required by this chapter may be viewed and copied.

*Prearranged ride:* means a period of time that begins when a TNC driver accepts a requested ride through a digital network, continues while the driver transports the rider in a personal vehicle, and ends when the rider departs from the vehicle.

*Transportation network driver:* An individual affiliated with a transportation network company, authorized to transport passengers for compensation using an authorized transportation network company vehicle.

*Prearranged transportation service:* A transportation service that is offered and accepted through a licensee's internet-enabled application or digital platform before the transportation commences.

*Rideshare:* The traveling of two (2) or more persons by any mode of private passenger vehicle, including, but not limited to, carpooling, vanpooling, or bus pooling to any location incidental to another purpose of the driver for which compensation is neither accepted, collected, encouraged, promoted, or requested, and for which the primary purpose of the driver cannot be profit or revenue based.

*TNC:* Transportation network company.

*Trade dress:* The unique visual element associated with a transportation network company that is attached to a vehicle affiliated with a TNC so the public and passengers can identify the vehicle as being associated with that particular TNC. Trade dresses are mandatory and must be approved by the licensing official.

*Transportation network company (TNC):* A person or entities affiliated with TNC drivers that provide transportation application services via one (1) unique transportation application system to connect TNC endorsed drivers with passengers for the transport of passengers for compensation and meeting the licensing requirements of section 343.20 and any other requirements under this chapter.

*Transportation network company (TNC) endorsed driver:* A for-hire driver affiliated with and accepting trips requested through a licensed transportation network company, while operating a personal vehicle he or she owns with a TNC vehicle endorsement. A TNC endorsed driver is someone who has been screened and approved by a licensed TNC and meets the requirements of this chapter.

*Transportation network company (TNC) representative:* The person or persons that a transportation network company has authorized to:

- (1) File applications, rates and charges on behalf of the TNC;
- (2) Receive and accept all correspondence and notices from the city pertaining to the TNC, or to affiliated drivers operating within the TNC; and
- (3) Forward any correspondence, notices and/or legal process received by the TNC and intended for an affiliated driver operating within the TNC.

*Transportation network company (TNC) endorsed vehicle:* A privately owned vehicle endorsed by the affiliated TNC and authorized to provide for hire services within their network. A TNC endorsed vehicle has been inspected, and approved by a licensed TNC company representative, and meets the requirements of this chapter.

*Transportation network company (TNC) vehicle endorsement:* means an endorsement for a personal vehicle that allows a TNC endorsed driver to use the endorsed vehicle to affiliate with a transportation network company to provide for hire transportation to passengers via a transportation application system. The endorsement demonstrates that the vehicle has met the minimum operating requirements as set forth in this chapter.

*Transportation network service:* A prearranged transportation service offered or provided for compensation using an internet-enabled application or digital platform to connect potential passengers with transportation network drivers. The term transportation network service does not include a ridesharing arrangement as that term is defined in Minnesota Statute Chapter 169.011 subd.65.

*Wheelchair accessible transportation network vehicle:* A transportation network vehicle that a person in a wheelchair may enter and exit independently or with assistance while seated in a wheelchair. A wheelchair accessible transportation network vehicle shall safely secure and restrain the wheelchair, and shall comply with all applicable standards provided by law for wheelchair accessible vehicles.

**343.20. Transportation network company license required.** (a) No person shall engage in a transportation network service in the city without a transportation network company license issued pursuant to this chapter.

(b) No vehicle shall be used as a transportation network vehicle in the city except by an endorsed driver affiliated with a transportation network company licensed pursuant to this chapter. Said vehicle shall at all times be in compliance with this chapter when it is being used by a driver active on the TNC network.

(c) A transportation network vehicle operated by a driver affiliated with a TNC not licensed by the City of Minneapolis may come into the city to discharge passengers whose trip originated outside of the city.

**343.30. Transportation network company license fee and license term.** (a) The annual fee for the issuance or renewal of a transportation network company license shall be as is listed in the license fee schedule. The license fee shall be paid as a precondition to issuance or renewal of the license.

(b) Except for the initial license period, a transportation network provider license shall be issued or renewed for a one (1) year license term starting on February 1st of each year.

(c) A transportation network company license is non-transferable.



**343.40. Transportation network company license application.** Application for the issuance or renewal of a transportation network company license shall be made in writing to the licensing official on a form provided by the licensing official and signed and sworn to by the applicant or, if the applicant is a corporation, limited liability company, or partnership, by its authorized agent. Each application, in addition to any other information that the licensing official may reasonably require in connection with issuance or renewal of a license, shall contain at a minimum:

(1) If the license applicant is an individual:

- a. The individual's full name, social security number, residence address, business address, business e-mail address and business telephone number; and
- b. Proof that the applicant is at least eighteen (18) years of age.

(2) If the license applicant is a corporation:

- a. The corporate name, business address and telephone number of the applicant;
- b. The date and state of incorporation;
- c. The full names, titles, date of birth, residence addresses, e-mail addresses and residence telephone numbers of its corporate officers, and of those stockholders who own twenty-five (25) percent or more of its voting shares, and of its authorized agent;
- d. Proof that all corporate officers are at least eighteen (18) years of age; and
- e. Proof that the corporation is in good standing under the laws of the State of Minnesota.

(3) If the license applicant is a partnership or limited liability company:

- a. The name, business address or principal office address and telephone number of the applicant;
- b. The full names, date of birth, residence addresses, e-mail addresses and residence telephone numbers of the three (3) members who own the highest percentage interests in such partnership or limited liability company;
- c. The general partner of a partnership;
- d. The managing member of a limited liability company;
- e. The applicant's authorized agent;
- f. Any other member who owns a twenty-five (25) percent or more interest therein;
- g. The full name, address, e-mail address and telephone number of a person authorized to receive notices issued pursuant to this chapter; and
- h. Proof that all persons, partners, managers, managing members and members, as applicable, are at least eighteen (18) years of age.

**343.50. Transportation network provider license, qualifications for license.** (a) In order to qualify for a transportation network company license, whether upon initial application or upon application for renewal of a license:

- (1) An applicant shall be in compliance with all applicable city, State of Minnesota and federal laws;
- (2) An applicant shall have a place of business within twelve (12) miles of Minneapolis City Hall where records required by this chapter may be viewed and copied;
- (3) With respect to any corporate or limited liability company applicant, the company shall be organized, registered, or qualified to do business under the laws of the State of Minnesota;
- (4) The applicant(s) shall be the true beneficial owner(s) of the TNC business to be licensed. The full legal names and addresses of all persons holding a twenty-five (25) percent or greater beneficial interest in the business shall be provided on the application, and shall have no felony convictions in the past five (5) years, nor any gross misdemeanor or misdemeanor convictions involving the use of force, possession or sale of a controlled substance, prostitution, or indecent conduct. The licensing official may grant an exception to this provision upon evidence that the offense is not related to the operation of a TNC;
- (5) The applicant's ability to provide lawful, safe, suitable and comfortable service and the applicant's ability to engage qualified transportation network company drivers and eligible transportation network company vehicles;
- (6) The applicant's ability to maintain mandated insurance for the payment of personal injury, death, property damage, and other claims associated with the operation of a TNC; and
- (7) The applicant's financial ability to pay all judgments and awards which may be rendered for any cause arising out of the operation of a transportation network provider business.

(b) No applicant is eligible for a license if any transportation network provider license held by the applicant, or by any officer or director of a corporate applicant or partner of a partnership applicant, has been revoked within the previous five (5) years, or if the applicant, or any officer or director of a corporate applicant or partner in a partnership applicant, within the five (5) years immediately preceding the date of his application, has been either convicted, or in custody, under parole or under any other noncustodial supervision resulting from a conviction in a court of any jurisdiction for the commission of any felony or its equivalent under federal or other jurisdictional law.

**343.60. Transportation network provider license, investigation and issuance.** Upon receipt of an application for the issuance or renewal of a transportation network company license, the licensing official and the police chief may investigate the application for compliance with all applicable provisions of this Code, including but not limited to, the applicant's compliance or ability to comply with the license qualification requirements specified in this Code.

**343.70. Transportation network company license, insurance required.** (a) Every licensee and transportation network driver shall comply with all applicable insurance requirements mandated by federal, state of Minnesota, and city laws, including an obligation to cover no-fault personal injury protection (PIP) to the minimum required of a private passenger automobile in the state of Minnesota.

(b) A transportation network company shall file with the licensing official documentation evidencing that the transportation network company or the driver has secured primary liability insurance coverage for the driver for incidents involving the driver during a prearranged ride. Coverage for incidents involving a driver during a prearranged ride must be in the amount of at least one million dollars (\$1,000,000) per occurrence. The insurance policy must provide coverage at all times the driver is engaged in a prearranged ride.

(c) For the period of time when a driver is logged into a transportation network company's digital network but is not engaged in a prearranged ride, the following insurance requirements apply:

(1) A transportation network company or a driver shall maintain a primary automobile insurance policy that recognizes that the driver is a transportation network company driver and covers the driver's provision of transportation network company services while the driver is logged into the transportation network company's digital network;

(2) Meets at least the minimum coverage of at least fifty thousand dollars (\$50,000) to any one (1) person in any one (1) accident, one hundred thousand dollars (\$100,000) to all persons in any one (1) accident, and for property damage arising out of the use of the motor vehicle to a limit, exclusive of interest and costs, of thirty thousand dollars (\$30,000) in any one (1) accident; and, is one of the following:

a. Full-time coverage equal to the coverage required by section 341.510 of this Code, or

b. An insurance rider to, or endorsement of, the driver's personal automobile insurance policy that contains coverage equal to or greater than those specified in section 343.70(c)(2) of this Code, or

c. A commercial liability insurance policy purchased by the transportation network company that provides primary coverage for the period of time in which a driver is logged into the digital network.

d. If a transportation network company purchases an insurance policy under subsection (c) it shall provide documentation to the licensing official evidencing that the transportation network company has secured the policy. If the responsibility is placed on a driver to purchase insurance under this subsection (a), the transportation network company shall verify that the driver has purchased an insurance policy under this subsection (a).

e. An insurance policy required by this section may be placed with an insurer duly licensed to provide insurance in the State of Minnesota under Minnesota Statute 60A.07 or with a surplus lines insurer authorized under Minnesota Statute 60A.07 or 60A.196.

f. Nothing in this section requires a personal automobile insurance policy to provide coverage for the period of time in which a driver is logged into a transportation network company's digital network.

g. If more than one (1) insurance policy provides valid and collectible coverage for a loss arising out of an occurrence involving a motor vehicle operated by a driver, the responsibility for the claim must be divided on a pro rata basis among all of the applicable policies. This equal division of responsibility may only be modified by the written agreement of all of the insurers of the applicable policies and the owners of those policies.

- h. In a claims coverage investigation, a transportation network company shall cooperate with a liability insurer that also insures the driver's transportation network company vehicle, including the provision of relevant dates and times during which an incident occurred that involved the driver while the driver was logged into a transportation network company's digital network.
- i. Nothing in this section modifies or abrogates any otherwise applicable insurance requirements set forth in Minnesota Statute 65B.49.
- j. The existence of the insurance required by this section shall be disclosed on the transportation network company's website, and no contractual hold harmless required in the company's terms of service shall be used to evade the insurance requirements of this ordinance.
- k. No transportation network provider license shall be issued unless the applicant first provides certified copies of the insurance policies required in this section to the license official.
- l. Any TNC driver shall provide to any authorized law enforcement officer or official city inspector, in addition to any applicable insurance, proof of the insurance policies required by this section.
- m. Any TNC driver shall provide to any authorized law enforcement officer or official city inspector, in addition to any applicable insurance, proof of the insurance policies required by this section.
- n. The requirements of this subsection 343.70 (c) become effective on January 15, 2015.

**343.80. Transportation network vehicles ownership and standards.** (a) No licensee shall own, provide financing for the obtaining, leasing, or ownership of, or have a beneficial interest in transportation network vehicles unless approved by the licensing official.

(b) In addition to all other applicable legal requirements, it shall be unlawful for any person to operate or cause to be operated any transportation network vehicle unless such vehicle:

- (1) Has a manufacturer's rated seating capacity of seven (7) persons or less, including the transportation network driver;
- (2) Has at least four (4) doors and meets applicable Federal Motor Vehicle Safety Standards for vehicles of its size, type and proposed use;
- (3) Is a sedan, or light-duty vehicle. Including a minivan, sport utility vehicle, pickup truck, hatchback or convertible; and
- (4) At the time of annual inspection, is not more than ten (10) model years of age from the current model year (as measured from June 30 of the calendar year following the model year), or has an odometer reading of less than one hundred and fifty thousand (150,000) miles.
- (5) The licensee and the TNC driver may be jointly cited if the licensee permits the TNC driver to use a vehicle that does not meet the requirements for a transportation network vehicle.

**343.90. Transportation network vehicle inspections.** (a) Prior to using any transportation network vehicle, and annually thereafter, a licensee or a transportation network driver shall have the vehicle inspected at a facility approved by the licensing official, and maintain complete documentation of such inspections in the vehicle at all times, and a written copy of such documentation shall be provided to the licensing official upon request. To pass such inspection, a

transportation network vehicle shall, at a minimum, be rust-free and damage-free, and shall pass an inspection of vehicle components outlined by the licensing official and identified on the official TNC vehicle inspection sheet. The cost of the vehicle inspection, if such inspection is conducted by a government operated facility, will be those fees listed in the license fee schedule.

(b) The licensee and the TNC driver shall be jointly and severally liable for any violation of this section if the licensee knowingly permits the TNC driver to use a vehicle in violation of this section.

**343.100. Transportation network vehicles, distinctive trade dress.** A transportation network company vehicle shall display, as approved by the licensing official, a consistent and distinctive signage or emblem at all times while the driver is active on the TNC dispatch system. The distinctive signage or emblem shall be sufficiently large and color contrasted:

- (1) As to be readable during daylight hours at a distance of at least fifty (50) feet; and
- (2) Reflective, illuminated or otherwise patently visible so as to be seen in darkness, and to identify that a particular vehicle is associated with a particular licensee.

Acceptable forms of distinctive signage include, but are not limited to, symbols or signs on vehicle doors, roofs, or grilles. Magnetic or other removable distinctive signage is acceptable. Licensees shall file an illustration of their distinctive trade dress with the license official.

**343.110. Transportation network vehicles, commercial advertisements prohibited.**

No commercial advertisements, or lighting not installed by the original equipment manufacturer, shall be displayed on the exterior of any transportation network vehicle unless it is a component of the approved trade dress.

**343.120. Transportation network company driver requirements.** (a) No licensee shall engage any person as a transportation network driver unless the person:

- (1) Possess a valid Minnesota or Wisconsin driver's license.
- (2) Be a minimum of eighteen (18) years old.
- (3) Have a demonstrated ability to read, write and speak the English language.
- (4) Be clean in dress and person.
- (5) Shall have no felony convictions in the last five (5) years; shall have no non-traffic gross misdemeanor or misdemeanor convictions in the last three (3) years involving the use or threat of use of force, possession or sale of a controlled substance, prostitution, or indecent conduct. The licensing official may grant an exception to the above provisions upon evidence that the offense is not related to the occupation of a TNC driver.
- (6) Shall have a driving record meeting the following standards:
  - a. No convictions in the last five (5) years for any of the following offenses involving injury or death; no convictions in the last three (3) years for any of the following offenses not involving injury or death:

1. Hit and run; driving under the influence of an alcoholic beverage or drug; reckless or careless driving.
- b. For original endorsement: No more than three (3) moving violations within the last three (3) years, and no more than two (2) moving violations in the last year.
- c. For annual endorsement renewal: No more than four (4) moving violations within the last three (3) years and no more than two (2) moving violations in the last year.
- (7) Every new TNC driver applicant shall have at least one (1) year's driving experience as a licensed driver, meeting the standards of this subsection. Such prior driving experience shall be verified by the TNC prior to endorsement as a TNC driver.
- (8) Have a demonstrated knowledge of the geography and street system of the City of Minneapolis and surrounding areas, as well as the location of major attractions within those areas.
- (9) Have a demonstrated knowledge of the provisions of this chapter relating to the conduct of TNC endorsed drivers.
- (10) Shall not have a physical or mental disability that would prevent the TNC driver from safely operating a TNC vehicle and performing the normal duties of an endorsed TNC driver.
- (11) For any driver seeking original TNC endorsement shall have successfully completed the TNC driver training course approved by the licensing official.
- (12) Has not had a taxicab or commercial driver's license suspended, revoked or non-renewed by a city or state within the five (5) years immediately preceding their application to be a driver.
- (13) All licensees shall perform a criminal history record check pursuant to the procedures outlined in Minnesota Statute Chapter 299C.67 on each transportation network driver applicant before endorsing such applicant. All licensees shall also obtain and review each transportation network driver applicant's driving record in all states where the applicant driver has held a driver's license in the past five (5) years, before endorsing such driver.
- (14) One (1) year after the initial date of endorsement a driver, and annually thereafter, each licensee shall verify that the driver is still eligible to be a transportation network company driver by verifying that the driver meets all of the requirements specified in this section, including the driving and criminal background check requirements, and shall keep records of such verification for a period of three (3) years and shall allow such records to be reviewed by law enforcement personnel and the licensing official upon request.
- (15) If a licensee knowingly allows an ineligible driver access to its digital platform or network, or fails to annually ascertain the eligibility of each driver such licensee allows access, the licensee shall be liable for the violation of this section and shall also be jointly responsible with the ineligible driver for any violation of this chapter by the ineligible driver.

**343.130. Transportation network driver, intoxicating substance policy.** All licensees shall include on its website, mobile application and riders' receipts, a notice or information on the licensee's zero-tolerance policy for intoxicating substances and the methods to report a transportation network company driver whom the rider reasonably suspects was under the influence of drugs or alcohol during the ride. The website and mobile application shall include a phone number or mobile application call function and email address to report the zero-tolerance complaint.

**343.140. Driver identification card.** The licensee shall issue an identification card to drivers that such licensee engages. Such identification card shall have the first name of the driver and a photograph attached to the identification card. Any transportation network driver shall wear the identification card at all times while operating a transportation network vehicle and are active on the TNC dispatch system, or this card may be electronically displayed to the passengers mobile device during a TNC ride.

**343.150. Operating regulations.** (a) In addition to all other applicable requirements provided by law, it shall be unlawful for any person:

- (1) Who is under the age of eighteen (18) years to operate a transportation network vehicle;
  - (2) To operate a transportation network vehicle while under the influence of alcoholic beverages or controlled substances, other than medication prescribed by a physician, provided that such prescribed medication does not warn that the user not operate machinery while taking the medication;
  - (3) To operate, or cause to be operated, a transportation network vehicle in any area where the operation of such vehicle is prohibited by an applicable law;
  - (4) To operate a transportation network vehicle within the city while not in possession of a valid driver's license issued by the State of Minnesota or Wisconsin ~~and proof that the driver is the registered owner of the vehicle;~~
  - (5) To operate, or cause to be operated, a transportation network vehicle that does not meet the requirements of sections 343.80 and 343.90 of this chapter; or
  - (6) To transport or cause to be transported more than six (6) passengers on any given ride in a vehicle, or to exceed the designed capacity of the vehicle.
- (b) No transportation network company driver shall pick up or discharge a passenger on:
- (1) Designated taxicab stands, no stopping or standing zones, or other restricted areas as outlined in chapter 478 of this code.
- (c) No person may possess an open beverage alcohol container while such person is operating or being transported by a transportation network company vehicle, nor may any person transport, carry, possess or have any beverage alcohol while being transported by a transportation network company vehicle, except in the original package with the seal unbroken.
- (d) No licensee or transportation network company driver shall solicit potential passengers. Transportation network company vehicles may only be used to provide prearranged transportation service. For purposes of this subsection, the term "solicit" means an appeal by words or gestures for immediate patronage of a transportation network vehicle by a licensee or a transportation network driver upon the public way attempting to direct people to a transportation network vehicle that is parked, stopped, standing or moving upon the public way.
- (e) No transportation network company driver shall accept or respond to passengers' or potential passengers' requests for service via traditional street hail, including hand gestures and verbal statements.

(f) No transportation network company vehicle shall be unlawfully parked on any public way for a time longer than is reasonably necessary to accept passengers in answer to a prearranged transportation service and no passenger shall be accepted except as provided in subsection (d) of this section.

(g) The internet-enabled application or digital platform used by a licensee to connect drivers and passengers shall display for a passenger:

- (1) the identification card of the transportation network driver;
- (2) a picture of the transportation network vehicle the driver is approved to use, including the license plate number of the vehicle; and
- (3) the city's 311 service center number the passenger may use to report complaints. In addition, any licensee shall make any information displayed in the licensee's internet-enabled application or digital platform also available on such licensee's website.

(h) Any licensee shall clearly disclose, on the licensee's on-line enabled application or digital platform and website, that the licensee is a transportation network provider. Additionally, the disclosure shall state that each licensee is required to maintain insurance policies as specified in section 343.70 of this chapter.

(i) Any licensee shall provide proof of insurance documents required in section 343.70 to each transportation network driver before the driver begins providing service and for as long as the driver remains available to provide service.

(j) Any licensee shall provide passengers an opportunity to indicate whether they require a wheelchair-accessible transportation network vehicle. If a licensee cannot provide a wheelchair-accessible transportation network vehicle, it shall direct the request to a licensed provider of such service. A license fee surcharge may be charged to all TNC's that do not provide wheelchair accessible transportation services. This license fee surcharge will be indicated on the license fee schedule.

(k) Any licensee shall have an affirmative duty to respond to requests for service and shall be responsible for the actions of any of its employees, transportation network drivers, or other person that reports to, or acts as an agent of, the licensee, for any failure to respond to a request for service from an orderly passenger.

(l) Any transportation network driver shall all times carry in the TNC vehicle proof of the insurance policies required in section 343.70.

(m) Any terms or conditions in the agreement between the licensee and any customer, that would act as a waiver of the licensee's liability to the customer, or to the public, are declared to be contrary to public policy, null, void and unenforceable.

(n) TNC drivers shall not:

- (1) Provide false information to or refuse to obey or to comply with any lawful order or direction of the licensing official or any police officer, or traffic-control officer, nor shall any licensee use profane language or otherwise interfere with such officials while in the performance of their duties;



- (2) Take a circuitous route to a destination, or any route other than the most direct route, without the express consent of the passenger;
- (3) Drop a passenger at a location other than the location requested unless prohibited by law;
- (4) Refuse to convey an orderly passenger;
- (o) No TNC licensee shall disable, eliminate or otherwise prevent access to the TNC mobile application by the licensing official or designees of the licensing official for purposes of enforcing this chapter; and
- (p) No TNC licensee shall notify TNC drivers that a potential customer is or may be a licensing official or designee, or in any way otherwise interfere with or obstruct enforcement of this Code by the licensing official.

**343.160. Service charges and fare rates.** Compensation for service may be charged based on distance travelled and/or time elapsed during service, or a flat prearranged fare. If the rates vary from the normally posted rate on the website and in the application, the TNC application must require that the passenger positively acknowledge on the application device used to summons the TNC driver that they agree to the rate structure being charged for the trip requested. Upon completion of a prearranged ride, a TNC shall transmit to the rider an electronic receipt, either by electronic mail or via text message. The message shall document the point of origin and destination of the ride, the total distance and duration of the ride, the total fare paid including the base fare and any additional charges, and the driver's first name and a customer service telephone number and email address.

**343.170. Records and reports.** (a) Every licensee shall keep accurate books and records of account of the licensee's operations at the licensee's place of business in the city for a minimum of three (3) years. Such records shall be submitted for inspection upon the request of the licensing official.

(b) Each licensee shall provide the following data to licensing official, at such times and in a format and manner prescribed by the licensing official:

- (1) The number and percentage of the licensee's customers within the city who requested wheelchair accessible vehicles, and how often the licensee referred such customers to another service provider;
- (2) The number of rides requested and accepted by the licensee's drivers within each zip code within the city; and the number of rides that were requested but not accepted by the licensee within each zip code; Data provided pursuant to this subsection shall be deemed to be not public data to the extent permissible under the Minnesota Government Data Practices Act or other applicable law;
- (3) Information on any of the licensee's drivers who were alleged to have committed a violation of this chapter or their terms of service or who have been suspended or banned from driving for the licensee, including any zero-tolerance complaints and the outcome of the investigation into those complaints;
- (4) The average and mean number of hours and miles each of the TNC endorsed drivers spent driving for the licensee;

- (5) The licensee must provide upon the request of the licensing official, police chief, or their designees, factual information regarding the licensee's drivers and vehicles so as to determine whether or not a particular TNC driver was active on the TNC dispatch system application, in route to a passenger location, or engaged with a passenger at a specific time and date. Such information shall be provided within eight (8) hours of the request unless otherwise required by the licensing official; and
- (6) Evidence that the TNC has complied with the background check requirements for all endorsed TNC drivers.

**343.180. License suspension or revocation.** (a) The licensing official may seek all applicable penalties, including but not limited to fines, license conditions, license suspension, denial, and license revocation in addition to restitution or other equitable relief against any licensee that violates this chapter or any rules or regulations adopted pursuant to this chapter. Before any condition, suspension, revocation, or fine is imposed, or equitable relief is ordered, the licensee shall be notified of the specific charges against them and of their right to a hearing.

(b) Any person whose transportation network company license is revoked or denied under this chapter shall be ineligible to receive another transportation network company license under the same or a different name for a period of five (5) years following revocation or denial.

(c) In addition to the powers authorized in this section, the city council may suspend, revoke or non-renew a TNC license in accordance with other applicable sections of the Minneapolis Code of Ordinances, Minnesota Statutes, or Federal laws and rules.

**343.190. Violations and penalties.** (a) Any licensee who violates this chapter or any rule or regulation promulgated hereunder shall be subject to an administrative penalty as listed in the administrative fine schedule. Each day that any violation shall continue shall be deemed a separate and distinct offense.

(b) Any person other than a licensee who violates this chapter or any rule or regulation promulgated hereunder shall be subject to an administrative penalty as listed in the administrative fine schedule. Each day that any violation shall continue shall be deemed a separate and distinct offense.

**343.200. Enforcement, rules and regulations.** (a) Upon request, a driver shall display to law enforcement personnel or the licensing official, or other person authorized to enforce this chapter, a physical or electronic record of a ride in progress sufficient to establish that it was a prearranged transportation service. To the extent that trip records are contained on electronic devices, drivers are not required to relinquish custody of the devices in order to make the required display.

(b) If a passenger files a complaint against a licensee or driver with the city, in addition to all other powers and remedies provided under this Code, the licensing official or authorized staff shall have the right to inspect the licensee's records as necessary to investigate and resolve the complaint to the same extent the licensing official and law enforcement personnel are permitted to inspect all other public passenger vehicles.

(c) The licensing official is authorized to enforce this chapter, and to adopt rules and regulations for the proper administration and enforcement of this chapter.

(d) Any fees imposed pursuant to rules authorized by this chapter shall be reasonably related to the city's cost of administration and enforcement, and shall be effective upon approval of the license fee schedule.

**343.210. Effective date.** This chapter, except where otherwise specified, shall become effective on August 22, 2014.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: Yang (1)

The ordinance was adopted.

On motion by Frey, seconded, staff was directed to come back to the Community Development & Regulatory Services Committee one year from the effective dates for changes to Chapters 343 and 341 of the Minneapolis Code of Ordinances with a review and recommendation of both ordinances.

**CD&RS** - Your Committee, having under consideration the Rental Dwelling License for the property located at 1806 E 26th St, Minneapolis, and having received an acceptable management plan for the property and verification that said property is now in compliance with rental licensing standards, now recommends concurrence with the recommendation of the Director of Housing Inspections to approve the reinstatement of said license to be held by Hamza B. Adem.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

**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. 277308 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: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 7/18/2014.

(Published 7/22/2014)

**CD&RS** - Your Committee recommends passage of Resolution 2014R-300 approving License Settlement Conference recommendations relating to the Off Sale Liquor License held by Khosa Beverage Inc, d/b/a Greenway Liquors, 105 W Grant St, Minneapolis.

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

**RESOLUTION 2014R-300  
By Goodman**

**Approving License Settlement Conference recommendations relating to the Off Sale Liquor License held by Khosa Beverage Inc, d/b/a Greenway Liquors, 105 West Grant St, Minneapolis.**

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on May 28, 2014 with the licensee; and

Whereas, the Community Development and Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded that the licensee violated the Minneapolis Code of Ordinances;

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

That the following recommendations be adopted, as more fully set forth in said Findings on file in the office of the City Clerk and made a part of this report by reference:

1. In lieu of a three day suspension of the off sale liquor license or adding any additional conditions on the license, the City shall impose a \$1,500.00 sanction. \$1,000.00 will be stayed for a period of one year and \$500.00 will be due at the signing of the agreement.
2. Greenway Liquor agrees to start and maintain an alcohol compliance checking program using persons whom are underage to perform compliance checks. Staff cannot be alerted when a compliance checker comes into the store. A log of dates of compliance checks is to be maintained at the store along with the checkers identifying information and available to inspection at the request of City of Minneapolis Licensing or Police officials.
3. Greenway Liquor will require all staff to be alcohol server trained within 30 days of the signing of the agreement. All newly hired staff will be required to complete the training program within 30 days of hire. Verification of completion for each employee is to be maintained on site and available to inspection at the request of City of Minneapolis Licensing or Police officials.
4. Within 30 days of the date of the signing of the agreement, Greenway Liquor agrees to acquire and install an ID scanner and train all staff in its use. Greenway Liquor will develop a written policy regarding the ID scanners use and require each staff member to sign the policy stating they understand the requirements surrounding the ID scanners use. Copies of the signed policies are to be stored on site and available to inspection at the request of City of Minneapolis Licensing or Police officials.
5. Greenway Liquor agrees to pick up litter within 100 feet of their establishment twice a day, when open for business. The licensee will keep a litter and premises log for staff to record when they do these activities.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

**CD&RS** – Your Committee recommends that the proper City officers be authorized to release a Request for Proposals for Round 4 of Green Homes North, as described in the Department of Community Planning and Economic Development staff report.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

**CD&RS** – Your Committee recommends that the Mayor be authorized to sign the PY2014 Local Unified Plan for the Workforce Investment Act for the period July 1, 2014 to June 30, 2015.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

**CD&RS** – Your Committee recommends approval of the Green Deconstruction Pilot Project with Better Futures Minnesota to pursue deconstruction on two City-owned properties and that the proper City officers be authorized to develop and enter into a contract with Better Futures Minnesota for deconstruction and demolition services for up to \$30,000 per property.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

**The COMMUNITY DEVELOPMENT & REGULATORY SERVICES and WAYS & MEANS Committees submitted the following reports:**

**CD&RS & W&M** – Your Committee, having under consideration the Seward Community Co-op, Inc, proposed development for a 20,000 square foot cooperative grocery and deli facility at 3800 Clinton Ave S, now recommends passage of the accompanying resolutions –

- a) Resolution 2014R-301 approving the Seward Friendship Co-op Redevelopment Plan; and
- b) Resolution 2014R-302 Authorizing the sale of property at 3800 Clinton Ave S to Seward Community Co-op, Inc. or an affiliated entity, for \$20,000, subject to rezoning approval and the terms specified in the Department of Community Planning and Economic Development staff report.

Further, that the proper City officers be authorized to execute a land sale redevelopment agreement consistent with the terms specified in the staff report with Seward Community Co-op, Inc. or an affiliated entity, and any other necessary documents to implement the above recommendations.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolutions were adopted.

Approved by Mayor Betsy Hodges 7/18/2014.

(Published 7/22/2014)

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

**RESOLUTION 2014R-301  
By Goodman and Quincy**

**Approving the Seward Friendship Co-op Redevelopment Plan.**

Resolved by the City Council of the City of Minneapolis:

Section 1. Recitals

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

1.2. It has been proposed and the City has caused to be prepared, and this Council has investigated the facts with respect to, the Seward Friendship Co-op Redevelopment Plan (the "Plan"). The Plan identifies the boundary of a new redevelopment project area (the "Project Area"), states the City's objectives, indicates a description of proposed land uses and describes proposed development activity within the Project Area, all pursuant to and in accordance with the Project Laws.

1.3. The City has performed all actions required by law to be performed prior to the approval of the Plan, including, but not limited to, a review of the proposed Plan by the affected neighborhood groups and the City Planning Commission, and the holding of a public hearing after published notice as required by law.

Section 2. Findings

2.1. The Council hereby finds, determines and declares that the objectives and actions authorized by the Plan are all pursuant to and in accordance with the Project Laws.

2.2. The Council further finds, determines and declares that the land in the Project Area would not be redeveloped by private enterprise or made available for redevelopment without the potential methods of financial aid and public assistance identified in the Plan or to be sought after approval of the Plan.

2.3. The Council further finds, determines and declares that the Plan will afford maximum opportunity, consistent with the sound needs of the city as a whole, for the redevelopment of the Project Area by private enterprise.

2.4. The Council further finds, determines and declares that the Plan conforms to the general plan for the development or redevelopment of the city as a whole. Written comments of the City Planning Commission with respect to the Plan were issued on June 23, 2014, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.5. The Council further finds, determines and declares that the Seward Friendship Co-op Redevelopment Project is a redevelopment project pursuant to Minnesota Statutes, Section 469.002, Subdivision 14 and that the Project Area is a "blighted area" pursuant to Minnesota Statutes, Section 469.002, Subdivision 11.

2.6. The Council further finds, determines and declares that the reasons and facts supporting the findings in this Resolution are described in the Plan.

2.7. The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Plan.

### Section 3. Approval of the Plan

3.1. Based upon the findings set forth in Section 2 hereof, the Plan presented to the Council on this date is hereby approved and shall be placed on file in the office of the City Clerk.

### Section 4. Implementation of the Plan

4.1. After passage and publication of this Resolution, the officers and staff of the City and the City's consultants and counsel are authorized and directed to proceed with the implementation of the Plan, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further modifications, plans, resolutions, documents and contracts necessary for this purpose.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

Approved by Mayor Betsy Hodges 7/18/2014.

## **RESOLUTION 2014R-302 By Goodman and Quincy**

### **Authorizing sale of land Seward Friendship Co-op Redevelopment Plan Disposition Parcel No Bryant-Regina 1-1.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel Bryant-Regina 1-1, in the Bryant neighborhood, from Seward Community Co-op, Inc. or an affiliated entity, hereinafter known as the Redeveloper, the Parcel Bryant-Regina 1-1, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of Bryant-Regina 1-1; 3800 Clinton Avenue South: East 50 feet of Lots 1 & 2, Block 1, Wolverton's Second Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$20,000, for Parcel Bryant-Regina 1-1 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

JULY 18, 2014

---

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

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on June 27, 2014, a public hearing on the proposed sale was duly held on July 8, 2014, at the regularly scheduled Community Development and Regulatory Services Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Seward Friendship Co-op plan, as amended, is hereby estimated to be the sum of \$20,000 for Parcel Bryant-Regina 1-1.

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

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

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

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

Approved by Mayor Betsy Hodges 7/18/2014.

**CD&RS & W&M** - Your Committee recommends acceptance of the second low bid submitted to the Departments of Community Planning & Economic Development, Regulatory Services and Procurement on OP No. 7892, from Over The Top, Inc., in the amount of \$200,000, to furnish and deliver all labor, materials, equipment and incidentals necessary to accomplish cutting nuisance grass for Minneapolis Regulatory Services.



JULY 18, 2014

---

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

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

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

**HE&CE** - Your Committee recommends the following appointments and reappointments to the Neighborhood and Community Engagement Commission (NCEC) for two-year terms beginning July 2014 and expiring June 2016:

City Council Appointments:

- David Zaffrann, Ward 12 (replacing Saciido Shaie)
- Eric Gustafson, Ward 9 (replacing Henry Jimenez)
- Brittany Lewis, Ward 4 (reappointment)

Mayoral Appointment:

- Ishmael Israel, Ward 5 (reappointment).

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

**HE&CE** - Your Committee, to whom was referred an ordinance amending Title 4, Chapter 74 of the Minneapolis Code of Ordinances relating to Animals and Fowl: Miscellaneous Regulations, amending provisions related to the keeping of honeybees, and having held a public hearing thereon, now recommends that Ordinance 2014-Or-038 be given its second reading for amendment and passage.

On motion by Gordon, seconded, Section 74.80 (d) of the ordinance was amended by deleting the phrase "and/or annual notification".

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

**ORDINANCE 2014-Or-038**  
**By Bender**  
**Intro & 1st Reading: 4/25/2014**  
**Ref to: HE&CE**  
**2nd Reading: July 18, 2014**

**Amending Title 4, Chapter 74 of the Minneapolis Code of Ordinances relating to Animals and Fowl: Miscellaneous Regulations.**

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

Section 1. That Section 74.80 of the above-entitled ordinance be amended to read as follows:

**74.80. Keeping of honeybees.** (a) No person shall keep, maintain, or allow to be kept any hive or other facility for the housing of honeybees on or in any property in the City of Minneapolis without a permit.

(b) The number and location of hives, colonies and/or facilities for the housing of honeybees permitted by this section shall be determined by a permit issued by Minneapolis Animal Care and Control. The permit shall specify any restrictions, limitations, conditions or prohibitions required by Minneapolis Animal Care and Control as necessary to safeguard public health and the general welfare. Subject to a hearing to be held by a committee of the council or other designated hearing examiner, if requested within five (5) days of the notification, Minneapolis Animal Care and Control may deny, suspend, or revoke any permit applied for or granted pursuant to this section if any condition or requirement is violated or if the keeping of honeybees becomes a public nuisance.

(c) Minneapolis Animal Care and Control may grant a permit pursuant to this section only after the applicant has met any educational requirements as established and published by the manager and has provided evidence of notification to all immediately adjacent property owners, in a format supplied by or approved by and to the satisfaction of Minneapolis Animal Care and Control. ~~If the applicant is a renter, approval from the property owner will be required. Neighbor notification will be the responsibility of the property owner, though it may be carried out by the applicant, and received the written consent of at least eighty (80) percent of the occupants of the several descriptions of real estate situated within one hundred (100) feet of the applicant's real estate and one hundred (100) percent of the signatures of occupants of properties immediately adjacent to the applicant's real estate, when the proposed location of the hives, colonies and facilities is within a real estate parcel smaller than four (4) acres in size, the applicant must receive approval from eighty (80) percent of the occupants of the several descriptions of real estate situated within two hundred fifty (250) feet of the hives and one hundred (100) percent of the occupants of the several descriptions of real estate situated within one hundred fifty (150) feet of the hives. For the purposes of this subsection, the term "occupant" refers to any one (1) occupant for each of the real estate properties referenced. When the proposed location of the hives, colonies and facilities is located on a rooftop on a second or higher story of any building or structure and the proposed hives are at least five (5) feet from the nearest side of the building or structure and at least fifteen (15) feet from the nearest adjacent and occupied building or structure not owned or operated by the applicant, the written consent requirements imposed by this subsection shall not be required.~~

(d) Any person desiring a permit for the keeping of honeybees shall make application to Minneapolis Animal Care and Control. Approval of the application is subject to reasonable conditions prescribed by Minneapolis Animal Care and Control. All permits issued shall expire on January thirty-first of the year following issuance unless sooner revoked. The application fee for such permit shall be one hundred dollars (\$100.00) which shall be paid at the time of application. There shall be no fee for annual renewal but the permit must be renewed annually for administrative tracking and notification purposes in a format supplied by or approved by Minneapolis Animal Care and Control. Failure to provide such renewal may result in an inspection and penalties including citation and revocation of permit. Minneapolis Animal Care and Control shall inspect the premises as deemed necessary. Should the permit be refused,

denied or revoked, the fee paid with the application shall be retained by Minneapolis Animal Care and Control.

(e) Minneapolis Animal Care and Control shall enforce the provisions of this section.

(f) *Definitions.* As used in this section:

(1) *Apiary* means the assembly of one (1) or more colonies of honeybees at a single location.

(2) *Beekeeper* means a person who owns or has charge of one (1) or more colonies of honeybees.

(3) *Beekeeping* equipment means anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.

(4) *Colony* means an aggregate of honeybees consisting principally of workers, but having, when perfect, one (1) queen and at times drones, brood, combs, and honey.

(5) *Hive* means the receptacle inhabited by a colony that is manufactured for that purpose.

(6) *Honeybee* means all life stages of the common domestic honeybee, *Apis mellifera* species of European origin.

(7) *Lot* means a contiguous parcel of land under common ownership.

(8) *Nucleus colony* means a small quantity of honeybees with a queen housed in a smaller than usual hive box designed for a particular purpose.

(9) *Undeveloped property* means any idle land that is not improved or actually in the process of being improved with residential, commercial, industrial, church, park, school or governmental facilities or other structures or improvements intended for human occupancy and the grounds maintained in associations therewith. The term shall be deemed to include property developed exclusively as a street or highway or property used for commercial agricultural purposes.

(g) *Standards of practice.* Any person obtaining a permit pursuant to this section shall comply with the following standards of practice:

(1) Honeybee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.

(2) Each beekeeper shall ensure that a convenient source of water is available to the colony prior to and so long as colonies remain active outside of the hive.

(3) Each beekeeper shall ensure that no wax comb or other material that might encourage robbing by other bees are left upon the grounds of the apiary lot. Such materials once removed from the site shall be handled and stored in sealed containers, or placed within a building or other insect-proof container.

(4) For each colony permitted to be maintained under this article, there may also be maintained upon the same apiary lot, one (1) nucleus colony in a hive structure not to exceed one (1) standard nine and five-eighths-inch depth ten-frame hive body with no supers.

(5) Each beekeeper shall maintain his beekeeping equipment in good condition, including keeping the hives painted, and securing unused equipment from weather, potential theft or vandalism and occupancy by swarms. It shall be a violation of this section for any beekeeper's unused equipment to attract a swarm, even if the beekeeper is not intentionally keeping honeybees.

(6) Each beekeeper shall enclose their property and/or the apiary with a latching fence. A fence shall not be required if the hives are approved to be located on a rooftop ~~on a second or higher story~~ so as to be inaccessible to the general public so that bee movements to and from the hive do not interfere with the ordinary movements of persons on adjacent properties or the public right-of-way.

(7) Each beekeeper shall, if unable or unwilling to continue to maintain their permitted hives, promptly notify Minneapolis Animal Care and Control so that the hives may be made available to an approved honeybee rescue entity, or, if necessary, disposed of by Minneapolis Animal Care and Control. There shall be a fifty dollar (\$50.00) fee for disposal of hives.

(h) *Colony density.* Any person obtaining a permit pursuant to this section shall comply with the following restrictions on colony density:

(1) Except as otherwise provided in this chapter, in each instance where a colony is kept less than twenty-five (25) feet from a property line of the lot upon which the apiary is located, as measured from the nearest point on the hive to the property line, and any entrances to the hive faces that lot line, the beekeeper shall establish and maintain a flyway barrier at least six (6) feet in height. The flyway barrier may consist of a wall, fence, dense vegetation or a combination thereof, such that honeybees will fly over rather than through the material to reach the colony. If a flyway barrier of dense vegetation is used, the initial planting may be four (4) feet in height, so long as the vegetation normally reaches six (6) feet in height or higher. The flyway barrier must continue parallel to the apiary lot line for ten (10) feet in either direction from the hive. All other sides of the area encompassing the colonies shall consist of fencing, a wall, dense vegetation or combination of at least four (4) feet tall. The area encompassing the colonies need not entail the entire property. A flyway barrier is not required if the property adjoining the apiary lot line is undeveloped, or is zoned agricultural or industrial, or is a wildlife management area or naturalistic park land with no horse or foot trails located within twenty-five (25) feet of the apiary lot line. A flyway barrier is not required if the hives are located on the roof of a structure containing at least one (1) full story if all hives are located at least five (5) feet from the side of the structure and at least fifteen (15) feet from any adjacent and occupied structure.

(2) No person is permitted to keep more than the following numbers of colonies on any lot within the city, based upon the size or configuration of the apiary lot:

- a. One-half (1/2) acre or smaller lot: Two (2) colonies;
- b. Larger than one-half (1/2) acre but smaller than three-quarter (3/4) acre lot: Four (4) colonies;
- c. Larger than three-quarter (3/4) acre lot but smaller than one (1) acre lot: Six (6) colonies;
- d. One (1) acre but smaller than five (5) acres: Eight (8) colonies;
- e. Larger than five (5) acres: As determined by Minneapolis Animal Care and Control.

(3) Regardless of lot size, so long as all lots within a radius of at least two hundred (200) feet from any hive, measured from any point on the front of the hive, remain undeveloped, the maximum number of colonies may be increased by Minneapolis Animal Care and Control. No grandfathering rights shall accrue under this subsection.

(4) If a beekeeper serves the community by removing a swarm or swarms of honeybees from locations where they are not desired, a beekeeper shall not be considered in violation of the portion of this section limiting the number of colonies while temporarily housing the swarm on the apiary lot in compliance with the standards of practice established pursuant to this section if the swarm is so housed for no more than thirty (30) days from the date acquired.

(i) Pursuant to Section 244.2000(a) of this Code, any rental dwelling license holder notified by an immediately adjacent property owner of the intent to house beehives on the immediately adjacent owner's property shall post said notice in a common area of the rental property or, if a single family home, the rental license holder shall provide said notice to the tenant by means of mail, hand delivery, or posting. Said notice shall be provided by the rental license holder to each new tenant thereafter for as long as the adjacent property continues to house beehives.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

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

**HE&CE & W&M** - Your Committee recommends that the proper City officers be authorized to execute annual agreements for up to five years with Hamline University and Augsburg College for the purpose of providing work to students eligible to participate in the College Work-Study Program and authorizing the Commissioner of Health to approve programmatic adjustments to the agreements as needed. Students will be assigned to the School Based Clinic Program and the City will provide up to \$2,500 annual funding (from Fund/Org 01600-8600152) to the schools to support the programs.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

**HE&CE & W&M** - Your Committee recommends acceptance of the following list of Eligible Providers selected as a result of an RFP process for three tracks of Healthy Homes Services for a three-year period through May 2017 and authorizing execution of contracts with one or more of the Eligible Providers for Healthy Homes Services during the 2014-2017 period as needed based on needs, fund availability, and fund requirements.

Track A: Medical Service Providers

- Minnesota Visiting Nurse Agency

Track B: Recruitment, Client Enrollment, Training/Education

- CLEARCorps
- J. Miller & Associates

Track C: Housing Organizations, Non-Profits, and Community-Based Partners

- Twin Cities Habitat for Humanity
- Urban Homeworks, Inc.
- Tree Trust
- Community Action of Minneapolis
- Rebuilding Together Twin Cities
- Center for Energy and Environment
- Project for Pride in Living, Inc.
- Sustainable Resource Center, Inc.
- City of Lakes Community Land Trust.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

**The INTERGOVERNMENTAL RELATIONS Committee submitted the following report:**

**IGR** - Your Committee recommends passage of Resolution 2014R-303 approving Laws of Minnesota 2014 Legislative Session, Chapter 190, Sections 2 and 5, authorizing the City to charge a fee to scrap vehicle operators and scrap metal dealers for use of the Automated Property System in order to operate and maintain the system.

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

**RESOLUTION 2014R-303**  
**By Glidden**

**Approving Laws of Minnesota 2014 Legislative Session, Chapter 190, Sections 2 and 5.**

Whereas the Minnesota State Legislature has passed a law authorizing the City of Minneapolis to charge a fee to scrap vehicle operators and scrap metal dealers for use of the Automated Property System in order to operate and maintain the system; and

Whereas, said legislation, by its terms, requires an affirmative vote of a majority of the members of the City Council by the first day of the next regular session of the legislature before it may become effective;

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

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

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

**The PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT Committee submitted the following report:**

**PSCR&EM** – Your Committee recommends confirmation of Mayoral appointments/reappointments and approval of one City Council appointment to the Minneapolis Commission on Civil Rights, as well as approval of technical corrections to existing terms of office, as follows:

**Mayoral Appointments, for terms beginning immediately and expiring 12/31/2017:**

Amy Bergquist (Seat 1)

Thomas Gallagher (Seat 2)

Mitra Nelson (Seat 3)

Christine Peters (Seat 4)

Michael Pfarr (Seat 6)

Wendy Adler Robinson (Seat 5) (reappointment, for a term 9/1/2014-12/31/2017)

**City Council Appointment, for a term beginning immediately and expiring 12/31/2015:**

Elizabeth Loeb (Seat 14)

**Technical Corrections to Appointments:**

Arlene Santiago (Seat 8), for a City Council term 1/1/2013-12/31/2015

Liban Abdulkadir (Seat 15) and Laura Baldwin (Attorney-Seat 18), for City Council terms 1/1/2014-12/31/2016

Lonnie Nichols (Seat 11), for a Mayoral term 1/1/2013-12/31/2015

Iris Altamirano (Seat 17), Reanne Viken (Seat 10) and Donald Joseph (Seat 21), for Mayoral terms 1/1/2014-12/31/2016

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

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

**T&PW** - Your Committee, having under consideration a Special Boulevard Permit application from Nice Ride Minnesota requesting authorization to pave the boulevard at the northwest corner of 11th Ave S and 2nd St S at Gold Medal Park, as set forth in Petn No 277322, now recommends that said application be approved.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

**T&PW** - Your Committee, having under consideration a Special Boulevard Permit application from the property managers for the Mill Quarter Ramp requesting authorization to pave with pervious pavers a portion of the boulevard in front of the Mill Quarter Parking Ramp at 709 and 711 2nd St S, as set forth in Petn No 277322, now recommends that said application be approved.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

**T&PW** - Your Committee recommends that the proper City officers be authorized to execute Amendment No 1 to Contract C-37676 with Municipal Builders, Inc., increasing the contract by \$65,000, for a revised contract total of \$1,335,700, to allow for Change Order No 1 for the Sodium Hydroxide Storage and Feed System Construction Project at the Fridley Filtration Plant. No additional appropriation required.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

**T&PW** - Your Committee recommends passage of Resolution 2014R-304 supporting the development and implementation of the "Orange Line" Bus Rapid Transit (BRT) service on I-35W from Burnsville to downtown Minneapolis.

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

**RESOLUTION 2014R-304**

**By Reich**

**Supporting the development and implementation of the "Orange Line" Bus Rapid Transit (BRT) service on I-35W from Burnsville to downtown Minneapolis.**

Whereas, the City of Minneapolis supports the construction of a BRT station at Lake Street and I-35W as part of the *Transit-Access Project*, a cooperative effort between the City, Hennepin County, Minnesota Department of Transportation (MnDOT), and Metro Transit; and

Whereas, the highest priority for the City of Minneapolis on I-35W is to be a partner in regional efforts to increase the use of transit; and

Whereas, a BRT station has already been constructed at I-35W and 46th St and is currently being used by express buses; and

Whereas, the METRO Orange Line is a planned component of the regional transit network that includes currently operating services on the METRO Red Line BRT, Blue Line LRT, and the Green Line LRT; and



Whereas, METRO Orange Line BRT is planned to enhance transit service frequency and access to both I-35W transit routes and crosstown local routes; and

Whereas, the City is actively participating in the development of the Orange Line BRT through membership on the project's Technical Advisory Committee as well as the 35W Solutions Alliance, which is serving as the project's Policy Advisory Committee; and

Whereas, The 35W Solutions Alliance is a Joint Powers Agreement whose members include the cities of Bloomington, Burnsville, Elko New Market, Lakeville, Minneapolis, Richfield, Savage and Dakota, Hennepin and Scott Counties. Ex-Officio members include the Minnesota Department of Transportation, Metropolitan Council, and Minnesota Valley Transit Authority; and

Whereas, the Metropolitan Council has prepared the *Orange Line Bus Rapid Transit Project Plan Update* for public comments; and

Whereas, receiving public comments on the Orange Line Project Plan provides an opportunity for Metro Transit and Metropolitan Council to better understand the preferences and needs for BRT in our communities; and

Whereas, the finalized document will be used to support local and federal funding applications, help determine a path for environmental processes, and refine and update the Metropolitan Council's Regional Transportation Policy Plan;

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

That the Minneapolis City Council hereby supports the development and implementation of the Orange Line BRT project as outlined in the *Orange Line Bus Rapid Transit Project Plan Update*.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

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

**T&PW & W&M** - Your Committee, having under consideration the 2014 Alley Resurfacing Program, Special Improvement of Existing Alleys No AL014, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

a) Resolution 2014R-305 ordering the work to proceed and adopting the special assessments for the 2014 Alley Resurfacing Program; and

b) Resolution 2014R-306 requesting the Board of Estimate and Taxation to authorize the City's issuance and sale of assessment bonds for the program.

On motion by Reich, seconded, Resolution 2014R-307 amending Resolution 2014R-233 designating the improvement of 13 alleys in the 2014 Alley Resurfacing Program was amended to delete the alley located between 29th Ave S and 30th Ave S from 40th St E to 39th St E and

JULY 18, 2014

---

that the special assessments and bond sale be reduced accordingly to reflect the reduced number of alleys to be resurfaced in 2014.

The report and resolutions, as amended, were adopted.

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

**RESOLUTION 2014R-305  
By Reich and Quincy**

**2014 ALLEY RESURFACING PROGRAM  
SPECIAL IMPROVEMENT OF EXISTING ALLEYS NO AL014**

**Ordering the work to proceed and adopting the special assessments for the 2014 Alley Resurfacing Program.**

Whereas, a public hearing was held on July 8, 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 the proposed improvements as designated in Resolution 2014R-233 passed May 23, 2014, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2014R-233, passed May 23, 2014, and as amended by Resolution 2014R-307, passed July 18, 2014, to remove Alley No 12 between 29th Ave S and 30th Ave S, from 40th St E to 39th St E from the list of alleys designated for improvement.

Be It Further Resolved that the proposed special assessments in the total amount of \$119,079.15 for the 2014 Alley Resurfacing Program, as on file in the office of the City Clerk, be reduced to \$109,376.00 as a result of the above removal of Alley No 12, and are hereby adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2015 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2015 real estate tax statements.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

JULY 18, 2014

---

**RESOLUTION 2014R-306  
By Reich and Quincy**

**Requesting the Board of Estimate and Taxation to authorize the City's issuance and sale of assessment bonds in the amount of \$109,380 for the 2014 Alley Resurfacing Program.**

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of alley improvements in the 2014 Alley Resurfacing Program, Special Improvement of Existing Alleys No AL014, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in five (5) successive annual installments, payable in the same manner as real estate taxes.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

**RESOLUTION 2014R-307  
By Reich and Quincy**

**2014 ALLEY RESURFACING PROGRAM  
SPECIAL IMPROVEMENT OF EXISTING ALLEYS NO AL014**

**Amending Resolution 2014R-233 entitled "Designating the improvement of the 2014 Alley Resurfacing Program No AL014 (13 alleys located throughout the City of Minneapolis)", passed May 23, 2014.**

Resolved by The City Council of The City of Minneapolis:

That the above entitled resolution be amended as follows to remove the alley located between 29th Ave S and 30th Ave S, from 40th St E to 39th St E (Alley No 12), from the 2014 Alley Resurfacing Program list:

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

1. Between Lincoln St NE and Johnson St NE, from 23rd Ave NE to Lowry Ave (Ward 1)
2. Between 25th Ave SE and 26th Ave SE, from Talmage Ave SE to E Hennepin Ave (Ward 1)
3. Between Queen Ave N and Russell Ave N, from 42nd Ave N to 43rd Ave N (Ward 4)
4. Between Sheridan Ave N and Russell Ave N, from Oak Park Ave N to 12th Ave N (Ward 5)
5. Between 2nd Ave S and 3rd Ave S, from 22nd St E to Franklin Ave E (Ward 6)
6. Between 2nd Ave S and 3rd Ave S, from 18th St E to 17th St E (Ward 6)
7. Between 34th Ave S and 35th Ave S, from 34th St E to 33rd St E (Ward 9)
8. Between Irving Ave S and Humboldt Ave S, from 35th St W to 34th St W (Ward 10)
9. Between 18th Ave S and Cedar Ave S, from 47th St E to 46th St E (Ward 11)

10. Between Pleasant Ave S and Pillsbury Ave S, from 48th St W to 47th St W (Ward 11)
11. Between Harriet Ave and Gladstone Ave, from Minnehaha Pkwy W to Elmwood Pl W (Ward 11)
- ~~12. Between 29th Ave S and 30th Ave S, from 40th St E to 39th St E (Ward 12)~~
- ~~13~~ 12. Between Morgan Ave S and Logan Ave S, from 50th St W to 49th St (Ward 13).

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

**T&PW & W&M** - Your Committee, having under consideration the Cedar Ave Sidewalk Modifications Project, Special Improvement of Existing Street No 9930, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

- a) Resolution 2014R-308 ordering the work to proceed and adopting the special assessments for the project;
- b) Resolution 2014R-309 requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of street improvements in the project; and
- c) Resolution 2014R-310 ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the project.

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

**RESOLUTION 2014R-308  
By Reich and Quincy**

**CEDAR AVE SIDEWALK MODIFICATION PROJECT  
SPECIAL IMPROVEMENT OF EXISTING STREET NO 9930**

**Ordering the work to proceed and adopting the special assessments for the Cedar Ave Sidewalk Modification Project.**

Whereas, a public hearing was held on June 17, 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 the proposed improvements as designated in Resolution 2014R-146 passed April 11, 2014, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2014R-146 passed April 11, 2014.

Be It Further Resolved that the proposed special assessments in the total amount of \$148,000, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2015 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessment of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2015 real estate tax statements.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

**RESOLUTION 2014R-309  
By Reich and Quincy**

**Requesting the Board of Estimate and Taxation to authorize the City's issuance and sale of assessment bonds in the amount of \$148,000 for certain purposes other than the purchase of public utilities.**

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Cedar Ave Sidewalk Modification Project, Special Improvement of Existing Street No 9930, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

**RESOLUTION 2014R-310  
By Reich and Quincy**

**Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the reconstruction projects in the Cedar Ave Sidewalk Modification Project area.**

Whereas, the City of Minneapolis has scheduled the sidewalk and street lighting improvements starting in 2014 in the Cedar Ave area of Minneapolis; and

Whereas, there are areaways located in the public street right-of-way that are in conflict with said construction; and

Whereas, a public hearing was held on June 17, 2014 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Sections 24.180 and 95.90 of the Minneapolis Code of Ordinances to consider the proposed abandonment and removal of the above-mentioned areaways and to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

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

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street right-of-way adjoining the properties along both sides of Cedar Ave from 3rd St S to 7th St S.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

**T&PW & W&M** - Your Committee recommends that the proper City officers be authorized to execute a Detour Agreement with the Minnesota Department of Transportation to establish a detour route on a city road (Johnson St) during the proposed Trunk Highway No 65 (Central Ave) construction.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

**T&PW & W&M** - Your Committee recommends that the proper City officers be authorized to execute a contract with ZAN Associates to provide project management and public outreach professional services for the Nicollet-Central Modern Streetcar Project in an amount not to exceed \$125,000 for the period July 1, 2014 through June 30, 2015.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

**T&PW & W&M** - Your Committee recommends:

a) Acceptance of a Transportation Economic Development Program grant in the amount of \$6,790,000;

b) Passage of Resolution 2014R-311 amending the 2014 Capital Budget to establish the 7th St Ramp Project and increasing the appropriation for the project by \$6,790,000;

c) Authorizing the proper City officers to execute a contract with SRF Consulting Group, Inc. to provide professional services for project management, community outreach, and final design related to the 7th St Ramp Project in the amount of \$799,700; and

d) Approval of the 7th St Ramp Project layout.

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

**RESOLUTION 2014R-311  
By Reich and Quincy**

**Amending The 2014 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above entitled resolution, as amended, be further amended as follows:

- a) Establishing CBR130 7th St Ramp Project; and
- b) Increasing the appropriation and revenue source for CBR130 7th St Ramp Project (04100-9010938-321510) by \$6,790,000 to reflect Transportation and Economic Development Program grant funds.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

**T&PW & W&M** - Your Committee recommends that the proper City officers be authorized to enter into a Pilot Program Agreement with AssetWorks regarding the use of Automatic Vehicle Location telematics capability software and hardware in City vehicles, including an agreement to indemnify AssetWorks for any breach of their proprietary rights.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

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 7959 from Wetland Habitat Restoration, LLC, for an estimated expenditure of \$384,865.00, to furnish and deliver all labor, materials, and incidentals necessary for Stormwater Specialty Vegetation Management for the Minneapolis Public Works Department. 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: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 7/18/2014.

(Published 7/22/2014)

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

**W&M** - Your Committee recommends passage of Resolution 2014R-312 authorizing settlement of legal matters, as recommended by the City Attorney.

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

**RESOLUTION 2014R-312  
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) Christopher Thompson by payment of \$43,000 to Christopher Thompson and his attorneys, the Applebaum Law Firm, from Fund/Org 06900-1500100-145400.
- b) Claim of Jerry Green by payment of \$15,000 to Jerry Green and his attorney from Fund/Org 06900-1500100-145400.
- c) Steven Meldahl by cancellation of the following special assessments: RFS 13-0982876 in the amount of \$175; and RFS 12-0954566 in the amount of \$275.
- d) Dennis Melvin Hill by payment of \$7,000 to the Trepanier, MacGillis Battina, P.A. trust account from Fund/Org 069000-1500100-145400.
- e) Rodney Coulter by payment of \$25,000 to Rodney Coulter and his attorneys from Fund/Org. 06900-1500100-145630.
- f) Gregory Taylor by payment of \$65,000 to Gregory Taylor and his attorneys, Schaeffer Halleen, L.L.C., from Fund/Org. 06900-1500100-145675.
- g) Sahra Mohamed Ali by payment of \$3,500 to Sahra Mohamed Ali and her attorneys, Redlinger Law Firm, from Fund/Org. 06900-1500100-145400.
- h) Munir J. Abdalla by payment of \$4,500 to Munir J. Abdalla and his attorneys, Redlinger Law Firm and Palmer O'Dea, from Fund/Org. 06900-1500100-145400.
- i) Allstate Indemnity Company by payment of \$3,542.27 to Allstate Insurance Company and their attorney, Anthony U. Wacker, from Fund/Org. 06900-1500100-145675.
- j) Michael Seide by payment of \$90,000 to Michael Seide and his attorneys, Meuser & Associates, from Fund/Org. 06900-1500100-145280.
- k) Kokou Micosse by payment of \$197,500 to Kokou Micosse and his attorneys, Terry, Slane & Ruohonen, from Fund/Org. 0690-1500100-145676.

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

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.



**W&M** – Your Committee recommends acceptance of the low bid received on OP 7957 submitted by Ebert, Inc., for an estimated expenditure of \$1,375,888, to furnish and deliver all labor, materials and incidentals necessary for the Traffic Maintenance Building Renovation Project for the Minneapolis Finance/Property Services Department, all in accordance with City specifications.

Further, that the proper City officers be authorized to execute a contract for said project.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

**W&M** - Your Committee recommends acceptance of low bid received on OP #7832 submitted by Convergent Technologies, LLC, for an estimated annual expenditure of \$500,000, to furnish and deliver all labor, materials, equipment and incidentals necessary to accomplish the City Wide Camera System Surveillance System, service, and maintenance for the Minneapolis Information Technology Department, all in accordance with City specifications. Your Committee further recommends that the proper City officers be authorized to execute a contract for said service.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

**W&M** – Your Committee, having under consideration the implementation of the Maximo Asset Management Software application, now recommends that the proper City officers be authorized to:

a) Terminate Contract C-36374 with Starboard Consulting, as the City's understanding of the Starboard proposal was that the City would pay for time and materials, with a not to exceed amount for Starboard to complete the project from beginning to end, while the change request submitted by Starboard to the City would result in a re-scoped project and additional costs.

b) Execute a three-year contract with EMA, in an amount not to exceed \$3,100,000, for time and materials to implement the Maximo software application; said contract to include an option to renew one additional one-year term.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

**W&M** – Your Committee, having under consideration the provision of contractual services for the Human Resources Information System (HRIS) upgrade as part of the Enterprise Resource Planning (ERP) Program, now recommends that the proper City officers be authorized to amend Contract C-38180 with Sierra Systems Group, Inc. (now Sierra-Cedar, Inc.), as follows:

a) Provide professional services to include the below four replacement functional leads on the project:

JULY 18, 2014

---

- (1) Human Capital Management/Enterprise Learning Management (HCM/ELM);
- (2) Benefits Administration;

(3) Payroll; and

- (4) Time and Labor and a resource to provide for organizational readiness/change management/training.

b) Increase the contract by \$2,200,000 for a new not to exceed total amount of \$6,337,040.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 7/18/2014.

(Published 7/22/2014)

**W&M** – Your Committee, to whom was referred by the Executive Committee a recommendation to establish new appointed positions in the Human Resources Department, now recommends the following:

a) Finds that the below listed positions meet the criteria in Section 20.1010 of the Minneapolis Code of Ordinances, Council to Establish (Appointed) Positions, as set forth in Petn No 277327 on file in the Office of the City Clerk.

b) That the following positions be approved:

Director Human Resources Information System (HRIS) Administration, 603 points/Grade 13; FLSA – Exempt, effective July 1, 2014.

Manager Benefits Administration; 598 points/Grade 13; FLSA – Exempt, effective July 1, 2014.

c) Passage of Ordinance 2014-Or-039 establishing the salary for said appointed positions.

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

**ORDINANCE 2014-Or-039**  
**By Bender**  
**1st & 2nd Readings: 7/18/2014**

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

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

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

**Appointed Officials (CAP)**

Effective: July 1, 2014

| FLSA | OTC | CLASSIFICATION  | PTS | G  | P | Step A<br>Start<br>Rate | Step B<br>After 1<br>"A" Year | Step C<br>After 2<br>"B" Years | Step D<br>After 3<br>"C" Years |
|------|-----|---|-----|----|---|-------------------------|-------------------------------|--------------------------------|--------------------------------|
| E    | 1   | <u>Director Human<br/>Resources Information<br/>System Administration</u> | 603 | 13 | A | \$95,785                | \$100,826                     | \$103,851                      | \$105,867                      |
| E    | 1   | <u>Manager Benefits<br/>Administration</u>                                | 598 | 13 | A | \$94,973                | \$99,971                      | \$102,971                      | \$104,970                      |

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and ordinance were adopted.

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

**Z&P** – Your Committee, to whom was referred an ordinance amending Title 20, Chapter 537 of the Minneapolis Code of Ordinances relating to Zoning Code: Accessory Uses and Structures, to allow donation collection bins to be operated by for-profit entities as an accessory use, now recommends the ordinance be given its second reading for amendment and passage.

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

**ORDINANCE 2014-Or-040**  
**By Glidden**  
**Intro & 1st Reading: 2/21/2014**  
**Ref to: Z&P**  
**2nd Reading: 7/18/2014**

**Amending Title 20, Chapter 537 of the Minneapolis Code of Ordinances relating to Zoning Code: Accessory Uses and Structures.**

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

Section 1. That Section 537.110 of the above-entitled ordinance be amended to read as follows:

**537.110. Allowed accessory uses and structures.** The following accessory uses and structures shall be allowed, subject to the following development standards:

*Donation collection bin:* Donation collection bins shall be allowed in all zoning districts accessory to a commercial use, a religious institution place of assembly, or an educational facility, ~~subject to administrative review and approval by the zoning administrator, and subject to Title 13, Chapter 282, Donation Collection Bins, of the Minneapolis Code of Ordinances.~~ the following:

~~(1) The donation collection bin shall be fully owned and operated by a non-profit entity and all revenues from the sale of collections from the use must be returned to support the non-profit entity.~~

~~Hosting property owners or managers shall not receive compensation for hosting the use. A non-profit entity shall mean those partnerships, joint ventures, corporations and associations that:~~

~~a. Are established for a purpose not involving pecuniary gain to the members, partners or shareholders thereof;~~

~~b. Pay no dividends or other pecuniary remuneration, directly or indirectly, to members, partners or shareholders thereof; and~~

~~c. In the case of private, nonprofit corporations, are established under and pursuant to Minnesota Statutes, Chapter 317A, and are in compliance with all the provisions thereof. In no event shall a limited dividend entity be deemed a non-profit entity.~~

~~(2) In the residence and OR1 districts, donation collection bins shall be located on a religious institution place of assembly, or an educational facility site of not less than twenty thousand (20,000) square feet.~~

~~(3) Not more than one (1) bin shall be located on a zoning lot.~~

~~(4) Items collected shall be limited to nonfood items that can be placed in the collection bin through the opening and shall not be left outside of the bin.~~

~~(5) Bins shall be no more than six (6) feet in height, five (5) feet wide and four (4) feet deep, shall be installed on a hard, level surface and shall be locked or otherwise secured and maintained in good condition and appearance with no structural damage, holes, or visible rust, and shall be free of graffiti. The opening shall not exceed ten (10) square feet in area.~~

~~(6) Bins shall be clearly marked to identify the specific items and materials requested to be left for donation and shall contain the following contact information in two (2) inch type visible from the front of each bin: the name, address, email, and phone number where the owner or operator may be reached. The bin shall also display a notice stating that no items or materials shall be left outside of the bin.~~

~~(7) Bins shall be monitored daily and serviced and emptied as needed by the owner or operator, or the property owner, to prevent overflow of materials onto surrounding areas. All receipt, sorting and processing of goods collected shall occur within a completely enclosed building.~~

~~(8) The bin shall be located no closer than twenty (20) feet from an adjacent permitted or conditional residential use.~~

~~(9) The bin shall not be located in any required yards and shall not interfere with on-site circulation, landscaping, required off-street parking, accessible parking areas, walkways and any other requirements that may have been imposed as part of the site plan approval for the premises.~~

~~(10) The use shall be located at least one thousand (1,000) feet from all existing donation collection bins unless it is located on the same zoning lot as the non-profit entity it serves.~~

~~(11) The premises of all adjacent streets, sidewalks and alleys and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for the purpose of removing any litter found thereon.~~

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

**Z&P** – Your Committee concurs in the recommendations of the Planning Commission in granting the following petitions filed by Scott Nelson, DJR Architecture, Inc., on behalf of Omar Sabri and Eagle Management, for the Village Market properties located at 912 E 24th St, 2301 Elliot Ave S, 2218-20 10th Ave S, 1000 E 24th St, and 2321 10th Ave S, to allow for the expansion of an existing surface parking lot:

a) Rezoning to add TP Transitional Parking Overlay District to the existing R2B Two Family District zoning for the property located at 2218 10th Ave S; and

b) Vacating part of the alley partly dedicated in Block 2, Chicago Ave 2nd Addition, and partly deeded in said addition, bounded by 10th Ave S, Elliot Ave S, and 24th St E, subject to the retention of easements by CenturyLink, Xcel Energy, and Comcast.

Your Committee further recommends passage of Ordinance 2014-Or-041 amending the Zoning Code, and Resolution 2014R-313 vacating a portion of said alley.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report, ordinance, and resolution were adopted.

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

**ORDINANCE 2014-Or-041**  
**By Bender**  
**1st & 2nd Readings: 7/18/2014**

**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 of 521.30 of the above-entitled ordinance be amended by adding the TP Transitional Parking Overlay zoning district to the following parcel of land, pursuant to MS 462.357:

Lot 5, Block 2, Jones, Bell & Harris Addition to the City of Minneapolis, Hennepin County, Minnesota (2218 10th Avenue South - Plate #20).

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

JULY 18, 2014

---

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

**RESOLUTION 2014R-313**  
**By Bender**

**Vacating the southern portion of the alley that currently leads out to Elliot Avenue South and redirect it towards 10th Avenue South. (Vacation 1614).**

Resolved by The City Council of The City of Minneapolis:

That part of the 14 foot north and south alley as dedicated in Block 2, Chicago Avenue 2nd Addition to Minneapolis, Hennepin County, Minnesota, described as follows: Lying north of the extension east across said north and south alley of the south line of the north 22 feet of Lot 3 and lying south of a line drawn from the northeast corner of Lot 1 to the northwest corner of Lot 16, all in said Block 2.

And

Public alley being the same as created in Warranty Deed Book 1086, Page 424 as Document No. 1329117 as follows:

That part of Lot 3, Block 2, Chicago Avenue 2nd Addition to Minneapolis, Hennepin County, Minnesota, described as follows:

Beginning at the northwest corner of Lot 3, Block 2, Chicago Avenue 2nd Addition to Minneapolis, Hennepin County, Minnesota; thence easterly on the north line of said Lot 3 to the northeast corner of said Lot 3; thence south on the east line of Lot 3 a distance of 22 feet; thence northwesterly to a point 20 feet west of the east line and 14 feet south of the north line of said Lot 3; thence westerly parallel to the north line of said Lot 3 to the Easterly line of Elliot Avenue South; thence north to the point of beginning.

And

Rights and easement for public alley over, under and across part of Lot 2, Block 2, Chicago Avenue 2nd Addition to Minneapolis, Hennepin County, Minnesota, being the same as created in Easement Deed Document No. 9483980 and City of Minneapolis Resolution 2010R-141, described as follows:

Beginning at a point on the southerly line of said Lot 2, distant 10 feet west from the southeast corner of said Lot 2; thence east 10 feet to said southeast corner; thence north a distance of 10 feet along the east line of said Lot 2; then southwest to the point of beginning. is hereby vacated except that such vacation shall not affect the existing authority of CenturyLink, Xcel Energy and Comcast, their successors and assigns, to enter upon that portion of the aforescribed alley which is described in regard to each of said corporations as follows, to wit:

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

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

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

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings

or other structures, plant trees or perform any act which would interfere with or obstruct access to said easement upon or within the above-described areas without first obtaining the written approval of the corporation(s) having utility facilities located within the area involved authorizing them to do so.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

**Z&P** – Your Committee concurs in the recommendations of the Planning Commission in granting the following petitions filed by Cresa, on behalf of Seward Co-op, for an alley vacation and two rezonings to allow for a new two-story or 35-foot tall, approximately 21,295 square foot, grocery store, as follows:

a) Vacating a portion of the existing alley that runs north/south and provide a new outlet to 3rd Ave S for the properties located at 317 38th St E, 3800 and 3808 Clinton Ave S, and 3805, 3815, 3817, 3821, and 3825 3rd Ave S;

b) Changing the zoning classification of the property located at 317 38th St E, 3800 and 3808 Clinton Ave S, and 3805 and 3815 3rd Ave S from the R1A Single-family District to the C1 Neighborhood Commercial District; and

c) Changing the zoning classification of the property located at 3817, 3821 and 3825 3rd Ave S to add the TP Transitional Parking Overlay District, retaining the underlying R1A District

Your Committee further recommends passage of Resolution 2014R-314 vacating a portion of said alley and Ordinances 2014-Or-042 and 2014-Or-043 amending the Zoning Code.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report, resolution and ordinances were adopted.

Approved by Mayor Betsy Hodges 7/18/2014.

(Published 7/22/2014)

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

**RESOLUTION 2014R-314**

**By Bender**

**Vacating part of the alley in Block 1, Wolverton's Second Addition to Minneapolis (Vacation 1631).**

Resolved by The City Council of The City of Minneapolis:

That part of the dedicated alley in Block 1, Wolverton's Second Addition to Minneapolis, lying south of a line from the northeast corner of Lot 14, to the northwest corner of Lot 1, and lying north of a line from the southeast corner of Lot 12 to the southwest corner of Lot 3, all in Block 1, said Wolverton's

Second Addition to Minneapolis is hereby vacated except that such vacation shall not affect the existing easement right and authority of Xcel Energy, their successors and assigns, to enter upon that portion of the aforescribed alley, which is described in regard to said corporation as follows, to wit:

As to Xcel Energy: The entire described area to be vacated.

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

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

Approved by Mayor Betsy Hodges 7/18/2014.

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

**ORDINANCE 2014-Or-042**  
**By Bender**  
**1st & 2nd Readings: 7/18/2014**

**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 of 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 Lots 1-3, and 12-14, Block 1, together with the vacated alley adjoining these lots, Wolverton's Second Addition to Minneapolis, Hennepin County, Minnesota (317 38th Street East, 3800 & 3808 Clinton Avenue South, and 3805 and 3815 3rd Avenue South - Plate #31) to the C1 Neighborhood Commercial District.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

Approved by Mayor Betsy Hodges 7/18/2014.



JULY 18, 2014

---

**ORDINANCE 2014-Or-043**  
**By Bender**  
**1st & 2nd Readings: 7/18/2014**

**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 of 521.30 of the above-entitled ordinance be amended by adding TP Transitional Parking Overlay District to the existing zoning for the following parcel of land, pursuant to MS 462.357:

That part of Lots 8-11, Block 1, Wolverton's Second Addition to Minneapolis, Hennepin County, Minnesota (3817, 3821 & 3825 3rd Avenue South - Plate #31).

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

Approved by Mayor Betsy Hodges 7/18/2014.

**Z&P** – Your Committee concurs in the recommendations of the Planning Commission in granting the petition filed by West River Road Investments, LLC, to vacate part of Lot 20, Block 37, Bassett, Moore & Case's Addition, for the property located at 1977 West River Road, bounded by West Broadway, 1st St N, and West River Road, to allow for the construction of an office/warehouse addition.

Your Committee further recommends passage of Resolution 2014R-315 vacating a portion of said alley.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

Approved by Mayor Betsy Hodges 7/18/2014.

(Published 7/22/2014)

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

**RESOLUTION 2014R-315**  
**By Bender**

**Vacating part of Lot 20, Block 37, Bassett, Moore and Case's Addition to Minneapolis (Vacation 1632).**

Resolved by The City Council of The City of Minneapolis:

That part of Lot 20, Block 37, Bassett, Moore and Case's Addition to Minneapolis, lying west of the east line of North First Street as described in Quit Claim Deed filed November 29, 1882 in Book 95 of Deeds, Page 638, and as actually laid out.

Which lies easterly of a line drawn from a point on the south line of said Lot 20 distant 30.47 feet westerly of the southeast corner of said Lot 20 to a point on the northerly line of Lot 1, Block 4, North Minneapolis, distant 15.10 feet westerly of the northeast corner of the west half of said Lot 1, Hennepin County, Minnesota is hereby vacated.

On roll call, the result was:

Ayes: Reich, Frey, Gordon, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

Approved by Mayor Betsy Hodges 7/18/2014.

## RESOLUTIONS

Resolution 2014R-316 honoring Natasha Holtman for Taking First Place in the Senior Paper Category at the National History Day Competition was adopted.

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

### RESOLUTION 2014R-316

**By Gordon, Reich, Frey, Barbara Johnson, Yang, Warsame,  
Goodman, Glidden, Cano, Bender, Quincy, Andrew Johnson, and Palmisano**

#### **Honoring Natasha Holtman for Taking First Place in the Senior Paper Category at the National History Day Competition.**

Whereas, Prospect Park resident Natasha Holtman won the senior paper category at the National History Day competition for the research paper *A Covert from the Tempest: Responsibility, Love and Politics in Britain's Kindertransport*; and

Whereas, Ms. Holtman's research paper examines the British rescue effort of more than 10,000 Jewish children from Austria, Czechoslovakia and Germany in the lead up to the Second World War; and

Whereas, for her work Ms. Holtman was one of 28 students across the country named as a National Endowment for the Humanities Scholar; and

Whereas, Natasha Holtman is entering her senior year at South High School in Minneapolis; and

Whereas, Ms. Holtman has represented Minnesota in the national competition four times, previously receiving a silver medal in the Junior Division as a sixth grader and a bronze medal in the Senior Division as a ninth grader; and

Whereas, Laura Lanik, Social Studies teacher at South High School, was Ms. Holtman's project advisor; and

Whereas, South High social studies teacher Richard Nohel provided invaluable information about his father's experience as a part of the Kindertransport; and

JULY 18, 2014

---

Whereas, the National History Day competition features the best history projects from all 50 states, as well as competitors from American Samoa, Puerto Rico and Southeast Asia;

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

That the City of Minneapolis honors Natasha Holtman for her impressive academic achievement, and wishes her well in her future academic career.

Resolution 2014R-317 approving the month of September 2014 to be recognized as Ovarian Cancer Awareness Month in the City of Minneapolis was adopted.

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

**RESOLUTION 2014R-317**  
**By Glidden**

**Approving the month of September 2014 to be recognized as Ovarian Cancer Awareness Month in the City of Minneapolis.**

Whereas, ovarian cancer is the ninth most commonly diagnosed cancer among women, with an estimated 22,200 new cases this year; and

Whereas, in women ages 35-74, ovarian cancer is the fifth leading cause of cancer-related death; and

Whereas, every woman is at risk for ovarian cancer, regardless of age, heritage, or medical history; and

Whereas, diagnosis of ovarian cancer often does not occur until it has reached an advanced stage, making it the most deadly of all cancers of all gynecological cancers; and

Whereas, according to the American Cancer Society, nearly 400 women in Minnesota will be diagnosed this year with ovarian cancer and an estimated 260 women with the disease will die; and

Whereas, because of the late diagnosis, 45 percent of women diagnosed with ovarian cancer die within five years; and

Whereas, ovarian cancer is treatable when detected early. More than 92 percent of women survive longer than five years if the disease is detected and treated properly before it has spread beyond the ovaries; and

Whereas, relatively little is known about ovarian cancer and more research is needed to develop prevention strategies, early detection tools, better therapies, and cures; and

Whereas, women's lives will be saved by raising public awareness about ovarian cancer and educating doctors and women about the symptoms of the disease;

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

That the City officially recognizes the month of September as Ovarian Cancer Awareness Month.

JULY 18, 2014

---

Resolution 2014R-318 declaring July 28, 2014, as World Hepatitis Day in Minneapolis was adopted.

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

**RESOLUTION 2014R-318**  
**By Yang, Reich, Gordon, Frey, B. Johnson, Warsame,**  
**Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano**

**Declaring July 28, 2014, as World Hepatitis Day in Minneapolis.**

Whereas, World Hepatitis Day is an annual event on the 28th of July that provides international focus for people living with viral Hepatitis and is an opportunity to raise awareness, increase disease prevention efforts, and promote access to testing and treatment; and

Whereas, the aim of World Hepatitis Day is to continue to raise awareness of chronic Hepatitis B and to drive policy change for improvements in health outcomes for patients; and

Whereas, viral Hepatitis B is a potentially fatal liver infection that can slowly destroy the liver over many years, increasing the risk of serious diseases like cirrhosis (liver scarring), liver failure, and liver cancer; and

Whereas, around the world, in the United States, and in Minnesota, Asian and Pacific Islanders are disproportionately impacted by Hepatitis B, with 1 in 12 testing positive and most not aware that they are infected; and

Whereas, Hepatitis B can be diagnosed with a simple blood test, and asking your healthcare provider for a test is the first step towards preventing and treating Hepatitis B;

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

That the City Council does hereby declare July 28, 2014, World Hepatitis Day in Minneapolis and encourages our Asian American and Pacific Islander residents to talk to their healthcare providers on how to protect themselves and their families from Hepatitis B. Be it further noted that Hepatitis B screening and treatment is available at the Hennepin County Public Health Clinic by appointment at 612-596-1093.

**MOTIONS**

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

**UNFINISHED BUSINESS**

Pursuant to notice, on motion by Reich, seconded, the subject matter of the following ordinances were introduced, given their first reading, and referred to the Community Development & Regulatory Services Committee:

Amending Title 14 of the Minneapolis Code of Ordinances relating to Liquor and Beer (allowing micro distilleries to serve distilled spirits on the licensed premises):

- a) Chapter 360 relating to In General.
- b) Chapter 362 relating to Liquor Licenses.

Pursuant to notice, on motion by A. Johnson, seconded, the subject matter of the following ordinance was introduced, given their first reading, and referred to the Health, Environment & Community Engagement Committee:

Amending Title 4, Chapter 62 of the Minneapolis Code of Ordinances relating to Animals & Fowl: In General, amending existing provisions and adding new provisions related to the operations and administration of Minneapolis Animal Care and Control.

### NEW BUSINESS

On motion by Glidden, seconded, the transmittal letter from the Minneapolis Charter Committee recommending that an amendment to the Minneapolis City Charter, Plain Language Revision, be submitted to the qualified voters of the City of Minneapolis at the Gubernatorial General Election to be held November 4, 2014, was referred to the Intergovernmental Relations Committee.

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of the following ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code (amending requirement that signage be placed on the primary building wall):

- a) Chapter 520 relating to Introductory Provisions.
- b) Chapter 543 relating to On-Premises Signs.

A. Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 4, Chapter 70 of the Minneapolis Code of Ordinances relating to Animals and Fowl: Fowl, Pigeons, and Other Small Animals (repealing the requirement for written consent).

Frey gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 9, Chapter 174 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Minneapolis Fire Department; Fire Prevention Bureau (amending existing provisions related to commercial hood and exhaust cleaning).

On motion by Gordon, seconded, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Zoning & Planning Committee:

Amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Specific Development Standards (amending regulations for farmstands).

On motion by Glidden, seconded, the meeting was adjourned to Room 315, City Hall, for the purpose of discussing the *Joneja, Alicia v. Sterzinger, Bronson and City of Minneapolis* lawsuit.

JULY 18, 2014

---

**ADJOURNED SESSION**

Council President Johnson called the adjourned session to order at 11:00 a.m. in Room 315, a quorum being present.

Deputy City Attorney, Peter Ginder, stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the *Joneja, Alicia v. Sterzinger, Bronson and City of Minneapolis* lawsuit.

At 11:01 a.m., on motion by Glidden, seconded, the meeting was closed.

Present - Council Members Kevin Reich, Cam Gordon, Jacob Frey (In at 11:15 a.m.), Blong Yang (Out at 11:20 a.m.), Abdi Warsame (In at 11:03 a.m.), Lisa Goodman, Elizabeth Glidden, Alondra Cano, Lisa Bender, John Quincy, Andrew Johnson, Linea Palmisano, President Barbara Johnson.

Also Present - Susan Segal, City Attorney, Peter Ginder, Deputy City Attorney, Tim Skarda, Litigation Manager, Assistant City Attorney Tracey Fussy, City Attorney's Office; John Stiles, Mayor's Chief of Staff (In at 11:10 a.m.); Casey Joe Carl, City Clerk, and Diana Armstrong, City Clerk's Office.

Fussy summarized the *Joneja, Alicia v. Sterzinger, Bronson and City of Minneapolis* lawsuit from 11:01 a.m. to 11:25 a.m.

At 11:25 a.m., on motion by Quincy, seconded, the meeting was opened.

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

The meeting was adjourned.

Casey Joe Carl,  
City Clerk

**INDEX**

**COMMITTEE OF THE WHOLE:**

CITY CLERK (277304)

Forest Stewardship Council (FSC) Certification.

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

CITY CLERK (277305)

Approval of list of 2014 Gubernatorial Primary and General Election judges and authorization to appoint additional judges as necessary.

CITY COUNCIL (277306)

Ordinance amending Title 2, Chapter 17 of the Minneapolis Code of Ordinances relating to Administration: Finance Department, revising provisions relating to the City's audit function to clarify roles, responsibilities, and processes.

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277307)

Land Sale (3532 Chicago Ave & 3545 Columbus Ave): To Greater Metropolitan Housing Corporation; Approve granting a right of entry for each parcel.

Green Homes North Round 4: Release of a Request for Proposals.

Workforce Investment Act (WIA): Authorize the Mayor to sign the PY2014 Local Unified Plan for the WIA.

Green Deconstruction Pilot Project: Approve the Pilot Project with Better Futures Minnesota to pursue deconstruction on two City-owned properties.

LICENSES AND CONSUMER SERVICES (277308)

Donation Collection Bins: Passage of Ordinance amending Title 13 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations, adding a new Chapter 282 related to the licensing and regulation of Donation Collection Bins and adding an annual license fee to the License Fee Schedule.

Transportation Network Companies: Ordinances amending Title 13 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations, amending Chapter 341 related to Taxicabs; and adding a new Chapter 343 related to Transportation Network Companies to license and regulate Transportation Network Companies in Minneapolis.

Liquor, Business & Gambling License Applications: Department of Licenses & Consumer Services agenda recommendations.

REGULATORY SERVICES (277309)

Rental Dwelling License (1806 26th St E): Reinstatement of rental dwelling license to be held by Hamza B. Adem.

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

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (277310)

Seward Friendship Co-op Redevelopment Plan and Land Sale (3800 Clinton Ave S):

Approving the Seward Friendship Co-op Redevelopment Plan and authorizing sale of property to Seward Community Co-op, Inc. for \$20,000; and authorizing land sale redevelopment agreement.

PURCHASING (277311)

Bids for Cutting of Nuisance Grass: Accept second low bid submitted by Over The Top, Inc., for cutting of nuisance grass for Mpls Regulatory Services.

**HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT:**

COORDINATOR (277312)

Utility Agreement Negotiations: Update; Comments.

HEALTH DEPARTMENT (277313)

Minneapolis Youth Congress Tobacco Subcommittee: Final recommendations.

NEIGHBORHOOD AND COMMUNITY RELATIONS (277314)

Minneapolis for Lifetime Strategic Plan: Progress report.

City of Minneapolis Federal Accessibility Law Compliance: Staff directions.

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

NEIGHBORHOOD AND COMMUNITY RELATIONS (277315)

Neighborhood and Community Engagement Commission: Appointments.

REGULATORY SERVICES (277316)

Keeping of Honeybees: Ordinance amending Title 4, Chapter 74 of Code; Comments.

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

HEALTH DEPARTMENT (277317)

School Based Clinic College Work-Study Program: Agreements with Hamline University and Augsburg College.

Healthy Homes Services: List of eligible providers.

**INTERGOVERNMENTAL RELATIONS:**

INTERGOVERNMENTAL RELATIONS (277318)

Southwest Light Rail Transit (Metro Transit Equity Initiatives): Report by Metropolitan Council.

**INTERGOVERNMENTAL RELATIONS and WAYS & MEANS (See Rep):**

INTERGOVERNMENTAL RELATIONS (277319)

Automated Property System: Resolution approving Laws of Minnesota 2014 Legislative Session, Chapter 190, Sections 2 and 5, authorizing the City of Minneapolis to charge a fee to scrap vehicle operators and scrap metal dealers for use for the Automated Property System to cover costs of operating and maintaining the system.

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

CIVIL RIGHTS (277320)

Minneapolis Commission on Civil Rights: Mayoral appointments of Amy Bergquist, Thomas Gallagher, Mitra Nelson, Christine Peters, Michael Pfarr and reappointment of Wendy Adler Robinson; City Council appointment of Elizabeth Loeb; Technical corrections to term appointments for Arlene Santiago, Lonnie Nichols, Liban Abdulkadir, Iris Altamirano, Laura Baldwin, Reanne Viken and Donald Joseph.

**TRANSPORTATION AND PUBLIC WORKS:**

PUBLIC WORKS AND ENGINEERING (277321)

West Broadway Improvement Special Service District: Letter of objection (see Petn No 277200).

54th & Lyndale Ave Special Service District: Letters of objection (see Petn No 277200).

LaSalle Ave Street Reconstruction Project (12 St S to 8th St S): Continue project approval and assessment public hearing to October 21, 2014.

Excessive Solid Waste Clean Up: Set public hearing for July 22, 2014 to consider ordinance amending Title 11, Chapter 225 of Code.

Pass-Through Sale of Excess Minnesota Department of Transportation Land: Set public hearing for July 22, 2014.

Pedestrian Program: 2014 update.

Minneapolis Bike Week: 2014 update.



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

**PUBLIC WORKS AND ENGINEERING (277322)**

Special Boulevard Permit: Nice Ride Minnesota for northwest corner of 11th Ave S and 2nd St S.

Special Boulevard Permit: Mill Quarter Ramp at 711 2nd St S.

Sodium Hydroxide Storage and Feed System: Contract increase with Municipal Builders, Inc.

Orange Line Bus Rapid Transit (BRT) Service on I-35W from Burnsville to downtown Minneapolis: Resolution of support.

Southwest Light Rail Transit Project: a) PowerPoint; b) Memorandum of Understanding (MOU) regarding redesign of a portion of the project; and c) MOU regarding preservation of Kenilworth Corridor in Public Ownership and Control.

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

**PUBLIC WORKS AND ENGINEERING (277323)**

2014 Alley Resurfacing Program: Project approval and assessment public hearing; Comments.

Cedar Ave Sidewalk Modification Project: Project approval; Comments.

Detour Agreement with Minnesota Department of Transportation: regarding Trunk Highway No 65 (Central Ave).

Nicollet-Central Modern Streetcar Project: Contract with ZAN Associates.

7th St Ramp Project: a) Accept Transportation Economic Development Program grant;

b) Amend Capital Budget to establish project and increase appropriation; c) Contract with SRF Consulting Group, Inc.; and d) Project layout.

Automatic Vehicle Location Pilot Program: Agreement with AssetWorks.

Bid: OP 7959, Low bid of Wetland Habitat Restoration, LLC for Stormwater Specialty Vegetation Management.

**WAYS AND MEANS:**

**FINANCE DEPARTMENT (277324)**

Americans with Disabilities Act (ADA) Facilities Survey: Authorize execute a professional services agreement with Julee Quarve-Peterson, Inc. (JQP) for amount not-to-exceed \$100,000 for services to complete the ADA Facility Compliance Survey of City-owned buildings and associated sites in order to: Identify deficiencies, options for resolution, provide an estimated cost for each identified deficiency; and Create a compliance plan until needed improvements can be funded and implemented.

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

**ATTORNEY (277325)**

Legal Settlements: Approved the following settlements: Christopher Thompson v. City of Minneapolis, et al.; Claim of Jerry Green v. City of Minneapolis; Steven Meldahl v. City of Minneapolis (special assessment cancellation); Dennis Melvin Hill v. City of Minneapolis, Officer Matthew Kaminski and Officer Jason Schmitt; Rodney Coulter v. City of Minneapolis; Gregory Taylor v. City of Minneapolis; Sahra Mohamed Ali v. City of Minneapolis; Munir J. Abdalla v. City of Minneapolis; Allstate Insurance v. City of Minneapolis; Seide v. City of Minneapolis; Kokou Micosse v City of Minneapolis.

FINANCE DEPARTMENT (277326)

Traffic Maintenance Building Renovation Project Bid: OP 7957, accept low bid of Ebert, Inc. for an estimated expenditure of \$1,375,888.00 for the Traffic Maintenance Building Renovation Project for the Minneapolis Finance/Property Services Department.

HUMAN RESOURCES (277327)

New Appointed Positions - Human Resources Department: Find the proposed positions meet the criteria in Section 20.1010, Council to Establish (Appointed) Positions; Approve the proposed positions of Manager Benefits Administration and Director, Human Resources Information System (HRIS) Administration; and Approve the annual salary.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (277328)

City Wide Camera Surveillance System Bid: OP 7832, accept low bid of Convergent Technologies, LLC for an estimated expenditure of \$500,000 for City Wide Camera System Surveillance System, Service and Maintenance for the IT Department.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (277329)

Human Resources Information System (HRIS) Upgrade: Authorize amend contract C-38180 with Sierra Systems Group, Inc. (now Sierra-Cedar, Inc.) to: Provide professional services to include the following four replacement functional leads on the project: Human Capital Management/Enterprise Learning Management (HCM/ELM); Benefits Administration; Payroll; and Time and Labor and a resource to provide for organizational readiness/change management/training for the HRIS upgrade Project as part of the Enterprise Resource Planning (ERP) Program; and Increase the contract by \$2,200,000 for a new amount not to exceed \$6,337,040.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (277330)

Maximo Asset Management Software Implementation: Approve the termination of the Starboard Consulting contract, C-36374, for the Maximo application implementation services; Authorize execute a contract with EMA, in an amount not-to-exceed \$3,100,000, for a term of three years with an option to renew one additional year, to provide software implementation for managing capital assets for the Public Works Department.

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

CITY COUNCIL (277331)

Zoning Code Text Amendment: Donation Collection Bins.

PLANNING COMMISSION/DEPARTMENT (277332)

DC Group Expansion, 1977 West River Rd: Vacation application by West River Rd Investments.

PLANNING COMMISSION/DEPARTMENT (277333)

Friendship Store, 317 38th St E, 3800 and 3808 Clinton Ave S, and 3805, 3815, 3817, and 3821, and 3825 3rd Ave S: Vacation and Rezoning applications by Cresa on behalf of Seward Co-op.

PLANNING COMMISSION/DEPARTMENT (277334)

Village Market, 912 E 24th St, 2301 Elliot Ave S, 2218-20 10th Ave S, 1000 E 24th St, and 2321 10th Ave S: Rezoning and Vacation applications by DJR Architecture, Inc.

JULY 18, 2014

---

**NEW BUSINESS:**

CHARTER COMMISSION (277335)

City Charter, Filing Fees for Municipal Office: Transmittal letter from the Minneapolis Charter Committee recommending that an amendment to the Minneapolis City Charter, Plain Language Revision, be submitted to the qualified voters of the City of Minneapolis at the Gubernatorial General Election to be held November 4, 2014, and that said transmittal be referred to the Intergovernmental Relations Committee.

**FILED:**

CHARTER COMMISSION (277336)

Filing Fees for Municipal Office: a) Options; b) Letter of Transmittal to City Council; and c) Comments.

SPECIAL SCHOOL DISTRICT #1 (277337)

Vacate asphalt parking encroaches on the 3 foot strip of the public right-of-way at 1100, 1110, and 1112 Quincy St NE.

Official Posting: 7/25/2014