

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

APRIL 6, 2001

(Published April 14, 2001, in *Finance and Commerce*)

15th Floor, U.S. Federal Courts Bldg.
300 South 4th Street
Minneapolis, Minnesota
April 6, 2001 - 9:30 a.m.

Council President Cherryhomes in the Chair.

Present - Council Members Lane, Herron, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Goodman, Colvin Roy, McDonald, Mead, Council President Cherryhomes.

Campbell moved acceptance of the minutes of the regular meeting of March 23, 2001. Seconded.

Adopted upon a voice vote.

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

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266790)

Near Northside, Phase 1A: Resolution granting preliminary approval to issue bonds for new construction of 120 units of mixed-income rental housing at Olson Memorial Hwy & Lyndale Ave N.

East Bank Village Apartments: Resolution authorizing refunding of bonds for development at E Hennepin & University Ave.

MAYOR (266791)

Inactive Boards, Commissions & Task Forces: Recommendation to dissolve Mpls Affordable Housing Task Force; Mpls Indian Housing Authority & St Anthony Falls Corporation Bd.

COMMUNITY DEVELOPMENT & INTERGOVERNMENTAL RELATIONS & W&M/BUDGET

(See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266792)

Baseball Park: Recommendations of Staff Working Group's review of the Citizen's Advisory Committee (C-17) concerning a ballpark in Mpls & site considerations.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266793)

Senior Housing Update: Status of senior rental housing policy.

Living Wage: Report on 2001 standard for the City.

COMMUNITY DEVELOPMENT, TRANSPORTATION & PUBLIC WORKS & W&M/BUDGET

(See Rep):

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266794)

Service Availability Charge (SAC) Program: MCDA recommendation for use of Grain Belt property SAC credits, w/Attachment.

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

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266795)

Common Bond Funds: Resolutions granting final approval to issue bonds for Elmer Enterprises, 1000 Humboldt Ave N; Ronshare Properties/R&S Litho, 2600-26th Ave S; Stevens Square Nursing Home, 3231-1st Ave S; & BDC Properties/Augsburg Apartments, 2015 Riverside Ave.

COORDINATOR (266796)

FY2001 Consolidated Plan: Authorize submittal to Dept of Housing & Urban Development; Treat 2001 budget shortfalls, w/Attachments.

HEALTH AND HUMAN SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (266797)

Phillips Weed & Seed: Execute Amendment #1 to Contract with American Indian Business Development Corporation extending performance period through June 30, 2001 for creation and implementation of Franklin Avenue Community Safety Center.

Minority Health Assessment Project: Execute Amendment #1 to Contract with Hennepin County for additional funding and extend performance period through June 30, 2001 to assess health status of minorities in metropolitan area.

Domestic Violence Prevention: Issue Fund Availability Notice to Domestic Abuse Project.

Child Care and Primary Medical and Dental Care Services: Issue Fund Availability Notices with Greater Minneapolis Day Care Association and Fremont Community Health Services.

HEALTH AND FAMILY SUPPORT SERVICES (266798)

Training Program for Placing Women in Nontraditional Jobs (City Works Public Works): Modify Grant Agreement with State of Minnesota to reduce Temporary Assistance to Needy Families portion of Nontraditional Career Assistance and Training Grant and extend performance period to December 31, 2001 for Welfare-to-Work portion.

Welfare-to-Work Federal Formula Grants: Modify Grant Agreements to extend performance period to continue job placement services, transitional employment, and job retention and support services to welfare recipients.

HEALTH AND FAMILY SUPPORT SERVICES (266799)

Year Round School to Career: Issue Fund Availability Notices to nine vendors to provide case management services to at-risk youth.

Private Sector Initiative: Issue Fund Availability Notice to Resource Inc to place up to 50 youth in private sector summer jobs.

Sentence to Service Homes Program: Execute amendment to contract with Hennepin County Department of Community Corrections to provide additional funding for employment and training services for eligible Welfare-to-Work offenders to be trained in basic carpentry skills.

Employment and Training Services for Special Needs/Disabled Youth: Issue Fund Availability Notice to Minneapolis Public Schools to provide case management services to approximately 234 students.

HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):

LICENSES AND CONSUMER SERVICES (266800)

Lead Hazard Reduction Grant: Approve appropriation to reflect project income generated from training activities and property owner match requirements; and Solicit Request for Proposals for education and outreach services.

INTERGOVERNMENTAL RELATIONS:

COORDINATOR (266801)

Vikings Stadium: Recommend direct staff work with legislators & Vikings to include City appointees on task force to review proposals for stadium at University of Minnesota, re SF 2045/HF 2241.

INTERGOVERNMENTAL RELATIONS (See Rep):

COORDINATOR (266802)

Northeast Diagonal Land Use/Transit Study: Designate Council Member Paul Ostrow as City representative on policy advisory committee.

LIAISON/FEDERAL, LOCAL AND STATE (266803)

Minneapolis Firefighters Relief Association (MFRA): Re HF 1477 recodifying laws governing MFRA, opposing Section 3, Subdivision 1 re Board composition and elections.

PUBLIC SAFETY AND REGULATORY SERVICES:

LICENSES AND CONSUMER SERVICES (266804)

Precision Tune (3228 E Lake St): Consider action with respect to Motor Vehicle Repair Garage License for failure to complete site plan review process.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

INSPECTIONS DEPARTMENT (266805)

Rental Dwelling License at 3119 4th St N: Approve reinstatement of license at property to be held by Shirley Guevara, 1631 Xerxes Av N.

Property at 1073 12th Av SE: Raze property.

LICENSES AND CONSUMER SERVICES (266806)

Hoagie Kingdom (1600 W Broadway): Grant Provisional Food Manufacturer License, subject to conditions.

Bryn Mawr Tire and Bait Center (328 S Cedar Lake Rd): Revoke Motor Vehicle Repair Garage, Gas Station and Tobacco Licenses for failure to complete site plan review process.

Licenses: Applications.

POLICE DEPARTMENT (266807)

Automated Pawn System: Participate in Minnesota Multiple Data Base Integration Test Bed Project.

J.B. ENTERPRISES (266808)

NCAA Men's Basketball Tournament: Application for Special Permit to erect 40' x 90' tent at 301 Washington Av S sponsored by Christian Churches of the Twin Cities to give away free food, drink and entertainment from March 30 to April 3, 2001.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

ATTORNEY (266809)

Hennepin County Domestic Abuse Response Project: Execute Memorandum of Understanding with Hennepin County Attorney's Office to reflect City's partnership in Project.

FIRE DEPARTMENT (266810)

Emergency Medical Service Training: Issue Request for Proposals for specialized EMS training to all Fire Department EMS Technicians.

PURCHASING (266811)

Bid: OP #5587, accept low bid of Over the Top, Inc for weed cutting and related services for South District.

PUBLIC SAFETY AND REGULATORY SERVICES and ZONING AND PLANNING (See Rep):

LICENSES AND CONSUMER SERVICES (266812)

Northside Foods (3559 Lyndale Av N): Revoke Grocery License for failure to complete site plan review process.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (266813)

Quarterly Submittal of Changes to Traffic Zones, Restrictions & Controls.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

CITY CLERK AND MAYOR (266814)

Inactive Boards, Commissions and Task Forces: Dissolve Freeway Aesthetic & Landscape Review Task Force, I-35W EIS Community Task Force and Minneapolis Water Quality Education Advisory Committee.

DOWNTOWN COUNCIL (266815)

Nicollet Mall Advisory Board: Recommend appointment of Randy Bauernfeind as replacement for Winifred Smith.

PUBLIC WORKS AND ENGINEERING (266816)

Currie Maintenance Facility: Change Order #2 increasing contract with EnecoTech Midwest.

PUBLIC WORKS AND ENGINEERING (266817)

W 50th St & Bryant Av S Street Lighting Project: Designate location and improvements; Receive cost estimate and prepare special assessments.

W 50th St & Xerxes Av S Street Lighting Project: Designate location and improvements; Receive cost estimate and prepare special assessments.

Central Neighborhood Lighting Project, Phase II: Increase contract with Killmer Electric.

900 Nicollet Parking Facility: Approve change order #1 to contract with Ryan Companies.

TEA-21 STP Criteria: Request that the Metropolitan Council reverse the Transportation Advisory Board decision that removed the STP Bikeway/Walkway category for 2001 TEA-21 solicitation.

Yard Waste Composting Services: Extend contract with NRG.

1st St S Bridge Project: Increase contract with Edward Kraemer & Sons.

Municipal State Aid (MSA) System Revisions: Request MnDOT to add/delete certain roadways.

3rd Police Precinct: Commence discussions with All Weather Roofing and Leder Brothers Realty for possible property acquisition to expand police precinct facility.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET:

PUBLIC WORKS AND ENGINEERING (266818)

Walker Art Center Proposal: Report on feasibility and advisability of a Cultural Parking Facilities Plan for the Guthrie Theater and Walker Art Center.

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

PUBLIC WORKS AND ENGINEERING (266819)

Bridge Square & Cedar Lake Bike Trail Project: Receive payment from Federal Reserve Bank as settlement for public improvements.

High Occupancy Vehicle (HOV) Parking: Execute contract with MnDOT to receive funds for HOV stalls in Gateway and Leamington parking garages.

40th St Greenway Project: Appropriate funds for planning of roadway and streetscape changes.

Hiawatha Light Rail Transit- Lake St Bridge: City participation in the conversion of retained fill to open-pier bridge structure.

Primary Service Node #2/Hiawatha Campus: Report on site and potential facility needs; Begin negotiations with Roof Depot for possible property acquisition.

2001 Concrete Demonstration Partnership Program: Execute sole source agreement with Summit Academy for concrete services.

PUBLIC WORKS AND ENGINEERING (266820)

Hennepin Av Street Lighting Project: Proceed with project and adopt special assessments; Establish street lighting district; Request issuance of bonds.

Cedar Lake Rd S/Cedar Lake Parkway Reconstruction Project: Proceed with project and adopt special assessments; Request issuance of bonds.

Chicago Av St Reconstruction & Streetscape Project: Proceed with roadway and streetscape project and adopt special assessments; Request issuance of bonds; Remove areaways in conflict with project; Establish special service district.

Harrison Area Street Renovation project: Proceed with project and adopt special assessments; Request issuance of bonds; Remove areaways in conflict with project.

Sale of City Property at 47 N 11th St: Purchase of land from MnDOT for sale to University of St. Thomas.

Knox Av S Street Vacation. Waive application fee for Mount Olivet Lutheran Church.

Bassett Creek Tunnel Replacement: Amend capital improvement budget to allow project to be accomplished in 2001.

PURCHASING (266821)

Bids: Accept a) OP #5611, bid of Midwest Diesel Service, Inc. for an estimated annual expenditure of \$60,000 for parts and service for Crane Carrier model refuse vehicles; b) OP #5577, low bids of Standard Sidewalk (District #1 and #3) and Gunderson Brothers (District #2) for construction of sidewalks, alleys, curbs, gutters, etc; c) OP #5603, low bid of Twin City Tile and Marble Company for an estimated annual expenditure of \$50,000 to provide maintenance service for Nicollet Mall granite tile; d) OP #5328, increase bid of Western Lime Corporation to an estimated annual expenditure of \$740,000 (increase of \$40,000) for quick lime for the Water Works; e) OP #5595, low bid of Aloha Landscaping, Inc. in the amount of \$59,626.75 for the Hennepin Avenue Streetscape and Landscaping Project; f) OP #5602, bid of Dunlo Motors for an estimated annual expenditure of \$100,000 for furnishing pre-owned vehicles to the Public Works Equipment Division.

WAYS AND MEANS BUDGET:

CONVENTION CENTER (266822)

Convention Center Expansion Project: Receive & File change management actions.

COORDINATOR (266823)

Unified Grants Management Program: Receive & File update.

HUMAN RESOURCES (266824)

Executive Development Program: Receive and File report.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (266825)

Cable Television Franchise Negotiations: Receive and File report relating to request of Everest Connections Corporation to place negotiations on hold.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (266826)

Bond Counsel Services: Legal services agreements with Dorsey & Whitney and Kennedy & Graven.

Victim/Witness Liaison Services: Contract with Council on Crime and Justice.

Settlements: Authorize payment to Thomas Bovis; Cheryl Schullo; William J. Maddix; Francis Nelson.

Settlement: Accept payment from Tri-State Drilling, Inc.

Reimbursement of Legal Fees: Approve request of Officers Aaron Morrison and Scott Ramsdell; James Carlson; William Palmer and Sarah Saarela.

CONVENTION CENTER (266827)

Convention Center Expansion Project: Change Order to contract with Shaw-Lundquist Associates, Inc.

EMPOWERMENT ZONE OFFICE (266828)

Minneapolis Empowerment Zone: Grant amendment from the Department of Housing & Urban Development.

FINANCE DEPARTMENT (266829)

Space and Asset Management: Approve office & field space standards and Space & Asset Management Policy Principles.

Capital Long Range Improvement Committee Approve appointments & reappointments.

Utility Billing Insert: Approve insert on Blooming Boulevards Program for May, 2001.

Lease Agreement: Execute agreement with Bloomberg Services.

HUMAN RESOURCES (266830)

Medical Technologist I, Medical Technologist II, Public Health Chemist I Positions: Salary Ordinance.

Labor Agreement Settlement: Salary Ordinance for Plumbers Union, Local #15.

Labor Agreement Settlement: Salary Ordinance for International Union of Operating Engineers, Local 70.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (266831)

Minneapolis Telecommunications Network Board: Approve appointments and reappointments.

PURCHASING (266832)

Bid: OP #5583, accept low bid of Norstan Communications.

REGULATORY SERVICES (266833)

Housing Inspection Services: Approve Clean City Action Plan.

Executive Director, Convention Center Position: Start Anthony Lopez at Step B of salary schedule.

ZONING AND PLANNING:

INSPECTIONS/ZONING ADMINISTRATOR (266834)

Franklin Amoco, 2000 3rd Av S: Notice of hearing re possible revocation of Site Plan Review permit, forwarded to PS&RS for consideration of business license.

PLANNING COMMISSION/DEPARTMENT (266835)

Ryan Companies US, Inc, on behalf of Ronald McDonald House, 608 Ontario St SE: Delete from agenda an appeal from decision of Planning Commission for a conditional use permit requiring only one principal residential structure per zoning lot.

ZONING AND PLANNING (See Rep):

CITY CLERK/SPECIAL PERMITS (266836)

Ontario St SE, 608 (Ryan Companies) begin construction of Ronald McDonald House expansion pending Zoning Code text amendment.

PLANNING COMMISSION/DEPARTMENT (266837)

Hahne, Thomas, re Bob's Radio & TV Service, 2600 Johnson St NE: Grant rezoning application, Planning staff report with findings, recommendation, maps, photos, comments of Audubon Neighborhood Association; Planning Comsn report on actions of 3/19/01, with findings.

Minnehaha Academy, 3107 47th Av S: Approve alley vacation, Planning staff report with findings, recommendation.

Village Green Companies, 1301 Harmon Place: Approve alley vacation, Planning staff report with findings, recommendation.

Great Brakes, 3326 University Av: Planning Comsn: Deny appeal re variance and site plan conditions & re landscaping & parking; Planning Department staff report with findings & recommendation, Planning Commission minutes.

Prospect Park & East River Road Improvement Association; Comments opposing, photos.

Lieb, Ari B, & Deidre Arianne Kellogg: Comments opposing.

PLANNING COMMISSION/DEPARTMENT (266838)

Neighborhood Boundary Change Process: Approve.

PLANNING COMMISSION:

HOUSING PARTNERS III - LOFTS LLC/BROWNSTONES LLC (266839)

Permission is requested to vacate alley in block bounded by 1st & 2nd Avs NE; 2nd & Main Sts NE.

MOTIONS (See Rep):

ATTORNEY (266840)

Workers Compensation: Payments to City employees.

FILED:

CITY CLERK/SPECIAL PERMITS (266841)

6th St S from 1st to Hennepin Avs (Mpls Downtown Council) MN Timberwolves pep rally; 17th St N, 88 (Basilica Block Party) tents; 44th Av N, 2147 (Attracta Sign) sign; Hennepin Av from 7th St

to Washington Av (Mpls Downtown Council) Hennepin Av Block Party; Hennepin Av E, 2100 (Suburban Lighting) sign; Lyndale Av N, 4101 (Scenic Sign Corp) sign; Nicollet Av, 3416 (Sign A Rama) sign; Ritz Block located on Nicollet Mall from 3rd to 4th Sts (Mpls Downtown Council) Ribfest.
XCEL ENERGY (266842)
Utilities: Placement of poles in various locations.

FILED (See Rep):

COUNCIL MEMBER MEAD (266843)
Gallini, Mary, 1407 Washington Av S: Comments of Dan Prozinski re Conditional Use Permit for an overnight shelter at Children's Gospel Mission.

**REPORTS OF
STANDING COMMITTEES**

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

Comm Dev - Your Committee, having under consideration the proposed Near Northside Phase 1A development, consisting of new construction of 120 units of mixed-income rental housing located at Olson Memorial Hwy and Lyndale Aves N in the Near Northside redevelopment area, which will be developed, owned and operated by Bassett Associates, L.P., of which MBA Development Corporation is the managing general partner, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution giving preliminary approval to the issuance of up to \$10,000,000 in Multifamily Rental Housing Development Bonds for the Near Northside Phase 1A project, as set forth in Petn No 266790.

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-121, giving preliminary approval to the issuance of tax-exempt multifamily housing revenue bonds under Minnesota Statutes, Chapter 462C for the purpose of financing a housing program consisting of the acquisition and construction of a multifamily rental housing development in the vicinity of Olson Memorial Hwy and Lyndale Aves N (Near Northside Phase 1A), for the benefit of Bassett Associates, L.P. was passed April 6, 2001 by the City Council and approved April 11, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2001R-121

By Niland

Giving preliminary approval to the issuance of tax-exempt multifamily housing revenue bonds under Minnesota Statutes, Chapter 462C for the purpose of financing a housing program consisting of the acquisition and construction of a multifamily rental housing development for the benefit of Bassett Associates, L.P.

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

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

Whereas, representatives of Bassett Associates, L.P., a Missouri limited partnership (the "Developer"), has requested that the City adopt a multifamily housing development program (the

“Program”) to provide for the issuance of up to \$10,000,000 of its tax-exempt multifamily housing revenue bonds (the “Bonds”) for the purpose of loaning the proceeds thereof to the Developer to finance the acquisition and construction by the Developer of a 120-unit multifamily rental housing development to be located at the northwest quadrant of the intersection of Olson Memorial Highway and Interstate 94 in the City (the “Project”); and

Whereas, the Community Development Committee of the Minneapolis City Council, on behalf of the City held a public hearing on the Program and proposed issuance of the Bonds after at least 15 days published notice thereof and after submission of the Program to the Metropolitan Council for review and comment; and

Whereas, the Council has been advised by U.S. Bancorp Piper Jaffray Inc., representing the Developer, that on the basis of information available to them, the Project is economically feasible and the Bonds could be successfully issued and sold; and

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

Whereas, the City shall not be liable on the Bonds, and the Bonds shall not be a debt of the City within the meaning of any state constitutional provision or statutory limitation, and will not constitute or give rise to a charge against the general credit or taxing power of the City or a pecuniary liability of the City, nor shall the Bonds be payable out of any funds or properties other than those provided as security therefor;

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

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

Be It Further Resolved that the issuance of the Bonds (in one or more series) pursuant to the Program in a principal amount not to exceed \$10,000,000 is preliminarily approved.

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

Be It Further Resolved that the staff of the Minneapolis Community Development Agency is hereby authorized, in cooperation with Gray, Plant, Mooty, Mooty & Bennett, P.A., as bond counsel, to take all steps necessary and desirable to proceed to develop the Program and financing therefor.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee, having under consideration a report of the City Clerk's Office and Office of the Mayor relating to a review of active and inactive boards, commissions, advisory committees and task forces, now recommends that the following boards and advisory committees be dissolved:

Minneapolis Indian Housing Authority;

St. Anthony Falls Corporation Board.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee, having under consideration a proposal to issue refunding bonds on behalf of the East Bank Village Apartments, the three block, mixed use development at East Hennepin and University Aves, now recommends passage of the accompanying resolution granting approval of the issuance and sale of up to \$2,300,000 in Multi-family Housing Tax Exempt Revenue Refunding Bonds for the East Bank Village Apartments, as the bonds issued in December, 2000 were “parked” and now are being refunded as the project is prepared to move forward (Petn No 266790).

Your Committee further recommends summary publication of the above-described resolution.
Adopted. Yeas, 13; Nays none.
Passed April 6, 2001.
Approved April 11, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

Resolution 2001R-122, authorizing the issuance and sale of Multifamily Housing Revenue Refunding Bonds (GNMA Collateralized Loan - East Bank Village Apartments Project) Series 2001, for the mixed-use development at E Hennepin and University Aves was passed April 6, 2001 by the City Council and approved April 11, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2001R-122

By Niland

Authorizing the issuance and sale of Multifamily Housing Revenue Refunding Bonds (GNMA Collateralized Loan - East Bank Village Apartments Project) Series 2001.

1. Authority. The City of Minneapolis, Minnesota (the "City") is, by the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Section 462C, as amended (the "Act"), authorized to issue and sell its revenue refunding bonds for the purpose of financing or refinancing a multifamily rental housing development within the boundaries of the City and to enter into agreements necessary or convenient in the exercise of the powers granted by the Act.

2. Authorization of Project; Documents Presented. East Bank Village Apartments Limited Partnership, a Minnesota nonprofit corporation (the "Company") has proposed that the City issue and sell its Multifamily Housing Revenue Refunding Bonds (GNMA Collateralized Loan - East Bank Village Apartments Project) Series 2001 (the "Bonds") to be issued in one or more series, in an amount not to exceed \$2,300,000 for any tax exempt series and \$200,000 for any taxable series, in substantially the form set forth in the Indenture as hereafter described. The Bonds will be issued pursuant to the Act and the proceeds thereof loaned to the Company to refund the City's \$2,300,000 Multifamily Housing Revenue Bonds (East Bank Village Apartments Project) Series 2000 issued on December 28, 2000 (the "Prior Bonds") to finance the costs of the acquisition, construction and equipping of a 30-unit affordable multifamily rental housing facility located at 14 University Avenue NE in the City (the "Project") and to pay certain costs of issuance of the Bonds and Prior Bonds. Forms of the following documents relating to the Bonds have been submitted to the City:

(a) *Financing Agreement* (the "Financing Agreement") dated as of April 1, 2001 between the City and the Company, whereby the City agrees to make a loan to the Company of the gross proceeds of sale of the Bonds and the Company agrees to undertake and complete the Project and to pay amounts in repayment of the loan sufficient to provide for the full and prompt payment of the principal of, premium, if any, and interest on the Bonds; and

(b) *Indenture of Trust* (the "Indenture") dated as of April 1, 2001, between the City and Wells Fargo Bank Minnesota, National Association, as trustee (the "Trustee"), authorizing the issuance of and pledging certain revenues, including those to be derived from the Financing Agreement, as security for the Bonds, and setting forth proposed recitals, covenants and agreements relating thereto; and

(c) *Arbitrage Compliance Agreement* (the "Arbitrage Compliance Agreement") dated as of April 1, 2001, among the City, the Company and the Trustee; and

(d) *Bond Purchase Agreement* (the "Bond Purchase Agreement"), among Miller Johnson Steichen Kinnard, Inc. (the "Underwriter"), the Company and the City, providing for the purchase of the Bonds from the City by the Underwriter and setting the terms and conditions of purchase; and

(e) *Preliminary Official Statement*, including all Appendices thereto (together the "Official Statement"), describing the offering of the Bonds, and certain terms and provisions of the foregoing documents.

3. Findings. It is hereby found, determined and declared that:

(a) The Project constitutes a Project authorized by and described in the Act as multifamily rental housing.

(b) It is desirable that the Bonds be issued by the City upon the terms set forth in the Indenture, under the provisions of which the City's interest in the Financing Agreement will be pledged to the Trustee as security for the payment of principal of, premium, if any, and interest on the Bonds.

(c) Under the provisions of the Act, and as provided in the Financing Agreement and Indenture, the Bonds are not to be payable from nor charged upon any funds of the City, other than amounts payable pursuant to the Financing Agreement and moneys in the funds and accounts held by the Trustee which are pledged to the payment thereof; nor is the City subject to any liability thereon; no owners of the Bonds shall ever have the right to compel the exercise of the taxing power of the City to pay any of the Bonds or the interest thereon, nor to enforce payment thereof against any property of the City; the Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City (other than the interest of the City in the Loan Repayments to be made by the Company under the Financing Agreement); and each Bond issued under the Indenture shall recite that such Bond, including interest thereon, shall not constitute or give rise to a charge against the general credit or taxing powers of the City.

4. Approval of Forms; Execution. Subject to the approval of the City Attorney, and the provisions of paragraph 7 hereof, the forms of the documents and exhibits thereto and all other documents listed in paragraph 2 hereof (the "Financing Documents") are approved substantially in the form submitted. Subject to the provisions of paragraph 8 hereof, the Financing Documents, in substantially the forms submitted, are directed to be executed in the name and on behalf of the City by the Mayor, Finance Officer and Clerk (the "Officials"). Subject to the provisions of paragraph 10 hereof, the Bonds are to be executed in the name of and on behalf of the City by the Officials and are to be delivered to the Trustee for authentication and delivery to the Underwriter. Any other City documents and certificates necessary to the transaction described above may be executed by the appropriate City Officials. Copies of all of the documents necessary to the transaction herein described shall be delivered, filed and recorded as provided herein and in the Financing Agreement and Indenture.

5. Approval, Execution and Delivery of Bonds. The City shall proceed forthwith to issue the Bonds in the forms and upon the terms set forth in the Indenture, which terms are for this purpose incorporated in this resolution and made a part hereof; provided, however, that the initial aggregate principal amount of the Bonds shall not exceed \$2,300,000 for any tax exempt series and \$200,000 for any taxable series, the final maturity shall not be later than April 1, 2043, the net effective rate shall not be greater than 9% for the tax exempt bonds and 12% for the taxable bonds, and the underwriter's discount shall not exceed 3.00% of the principal amount of the Bonds. Subject to the foregoing, the principal amounts of the Bonds, the series designations, the maturities, the interest rates thereon, and any provisions for the optional or mandatory redemption thereof shall all be as set forth in the final form of the Indenture to be approved, executed and delivered by the City Officials. The Underwriter has agreed pursuant to the provisions of the Bond Purchase Agreement, and subject to the conditions therein set forth, to purchase the Bonds at the purchase price set forth in the Bond Purchase Agreement, and such purchase price is hereby accepted. The City Officials are authorized and directed to prepare and execute the Bonds as prescribed in the Indenture and to deliver them to the Trustee, together with a certified copy of this Resolution and the other documents required by the Indenture, for authentication, registration and delivery to the Underwriter.

6. Official Statement. The City hereby consents to the preparation and distribution of the Official Statement for the Bonds; provided that it is understood that the City has relied upon the Company and the Underwriter and legal counsel retained by them to assure the accuracy and completeness of the information set forth in the Official Statement and that therefore the City has not made, and will not make, any representations or warranties with respect to the information contained therein, except under the heading "The Issuer." The draft of the Official Statement on file with the City is hereby designated as a "near final" offering memorandum for purposes of Rule 15-c2-12 of the Securities Exchange Commission.

7. Changes in Forms Approved; Absent and Disabled Officers. The approval hereby given to the various documents referred to above includes approval of such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the City Attorney, the appropriate City staff person or by the Officials authorized herein to execute or accept, as the case may be, said documents prior to their execution; and the Officials or staff members are hereby authorized to approve said changes on behalf of the City. The execution of any instrument by the Officials of the City herein authorized shall be conclusive evidence of the approval of such document in accordance with the terms hereof. In the event of absence or disability of any of the Officials, any of the documents authorized by this Resolution to be executed may be executed without further act or authorization of the City Council by any duly designated acting official, or by such other officials or officials of the City Council, as, in the opinion of the City Attorney, may act in their behalf.

8. Program Bonds. The Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT, INTERGOVERNMENTAL RELATIONS** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

Comm Dev, IGR & W&M/Budget - Your Committee, having under consideration the Council directive of March 2, 2001 that a staff working group be formed (consisting of the Planning, Finance, Public Works Departments, Minneapolis Community Development Agency and other staff as required) to review the Citizens Advisory Committee's (C-17) report concerning a baseball park in Minneapolis and directing that the working group report back by March 26, 2001 on the feasibility of the report's recommendations, including site considerations, and having received the Staff Working Group's report (Petr No 266792), now recommends -

Comm Dev - Approval of the recommendations of the Staff Working Group report, as follows:

a) That City staff be directed to work directly with the Minnesota Twins & the C-17 citizens committee in a time frame relevant to the current development scenario to develop a participatory process for preliminary design of a ballpark facility on the Rapid Park site (west of Target Center in downtown Mpls). In conjunction with the ballpark development, it is recommended that an area plan for the vicinity around the ballpark site be developed. A meeting of the Twins, C-17 and City staff should occur no later than 4/20/01 and the City Staff Working Group will be responsible for convening the meeting;

b) That the Rapid Park site for in-depth analysis. Included, among other things, in the analysis should be: investigation of options for site control, the impact of the Basset Creek tunnel and the impact on transit;

c) That as ballpark development moves forward, efforts be made to recognize and track state, county and local initiatives and work within the parameters of those initiatives as designated by ordinance, regulation and statute and work with the Intergovernmental Relations office to track state legislation relating to professional sports venues;

d) That as potential ballpark development plans proceed, continued insistence that Major League Baseball's financing and organizational structures must change. Furthermore, before any efforts are put to the public sector to assist in building a ballpark, that Major League Baseball commit to change.

Your Committee further recommends deleting the following sentence on page seven of the Staff Working Group's report, Section "III Financial Overview" which reads "The citizens of Minneapolis (by City Charter, Chp 15, Sec 13) have given the City permission to use up to \$10 million of City resources for financing professional sports stadium costs" and inserting in lieu

thereof: "The citizens of Minneapolis (by City Charter, Chp 15, Sec 13) have required that any City assistance of \$10 million or more must be approved by the voters."

IGR - Concur with the Community Development Committee's recommendations, with the exception of recommendation "c," which is amended to read as follows:

c) That as ballpark development moves forward, efforts be made to recognize and track state, county and local initiatives and work within the parameters of those initiatives as designated by ordinance, regulation and statute. Intergovernmental Relations Department staff should work with authors of a baseball stadium proposal to ensure that elements of this plan are represented.

W&M/Budget - Concurrence with the Community Development recommendations "a-d."

Your Committee further recommends deleting the following sentence on page seven of the Staff Working Group's report, Section "III Financial Overview" which reads "The citizens of Minneapolis (by City Charter, Chp 15, Sec 13) have given the City permission to use up to \$10 million of City resources for financing professional sports stadium costs" and inserting in lieu thereof: "The citizens of Minneapolis (by City Charter, Chp 15, Sec 13) have required that any City assistance of more than \$10 million must be approved by the voters."

Your Committee further recommends adoption of the recommendations included in the C-17 report, as set forth in Petn No 266792.

Campbell moved to substitute the following report for the above report. Seconded.

Adopted upon a voice vote.

Comm Dev, IGR & W&M/Budget - Your Committee, having under consideration the Council directive of March 2, 2001 that a staff working group be formed (consisting of the Planning, Finance, Public Works Departments, Minneapolis Community Development Agency and other staff as required) to review the Citizens Advisory Committee's (C-17) report concerning a baseball park in Minneapolis and directing that the working group report back by March 26, 2001 on the feasibility of the report's recommendations, including site considerations, and having received the Staff Working Group's report (Petn No 266792), now recommends approval of the recommendations of the Staff Working Group report, as follows:

a) That City staff be directed to work directly with the Minnesota Twins & the C-17 citizens committee in a time frame relevant to the current development scenario to develop a participatory process for preliminary design of a ballpark facility on the Rapid Park site (west of Target Center in downtown Mpls). In conjunction with the ballpark development, it is recommended that an area plan for the vicinity around the ballpark site be developed. A meeting of the Twins, C-17 and City staff should occur no later than 4/20/01 and the City Staff Working Group will be responsible for convening the meeting;

b) That the Rapid Park site for in-depth analysis. Included, among other things, in the analysis should be: investigation of options for site control, the impact of the Basset Creek tunnel and the impact on transit;

c) That as ballpark development moves forward, efforts be made to recognize and track state, county and local initiatives and work within the parameters of those initiatives as designated by ordinance, regulation and statute and work with the Intergovernmental Relations Office to track state legislation relating to professional sports venues. Intergovernmental Relations staff should work with authors of a baseball stadium proposal to ensure that elements of this plan are represented;

d) That as potential ballpark development plans proceed, continued insistence that Major League Baseball's financing and organizational structures must change. Furthermore, before any efforts are put to the public sector to assist in building a ballpark, that Major League Baseball commit to change.

Your Committee further recommends adoption of the recommendations of the New Ballpark Citizens Committee (C-17) Report to the Mayor and City Council, as set forth in Petn No 266792.

Adopted. Yeas, 12; Nays none.

Declining to vote - Niland.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

Comm Dev, T&PW & W&M/Budget - Your Committee, having under consideration a recommendation of the Minneapolis Community Development Agency (MCDA) to approve a policy for use of Service Availability Charge (SAC) program credits that will become available as a result of the MCDA's investment in the Grain Belt property, as set forth in Petn No 266794, and to authorize City and MCDA staff to work with the Metropolitan Council to implement the policy, now recommends-

Comm Dev - Approval of the MCDA staff recommendation to approve a policy for use of the 2,734 Grain Belt property SAC credits as follows:

a) the first 325 units be used to support redevelopment of Grain Belt property (21 for Brewhouse and 304 reserved for other pending development);

b) the remaining 2,409 units (plus any of the 325 reserved for Grain Belt that are eventually determined to be unneeded) be handled as follows:

1) for non-MCDA projects, the City will retain the SAC fees;

2) for MCDA projects, the MCDA could recommend the SAC fees be waived (with up to 58 SAC units for the Landings at Sawmill run project designed as the first project to be waived) or the SAC fees will be charged to the developer and the resulting revenue transferred to the MCDA.

Your Committee further recommends that City and MCDA staff be authorized to work with the Metropolitan Council to implement said policy.

T&PW - Sending forward without recommendation the MCDA staff recommendation to approve a policy for use of the 2,734 Grain Belt property SAC credits, amended to read as follows:

That up to 1,525 of the Grain Belt property SAC credits be used as follows:

a) the first 325 units be used to support redevelopment of Grain Belt property (21 for Brewhouse and 304 reserved for other pending development);

b) the remaining 1,200 units (plus any of the 325 reserved for Grain Belt that are eventually determined to be unneeded) be handled as follows:

1) for non-MCDA projects, the City will retain the SAC fees;

2) for MCDA projects, the MCDA could recommend the SAC fees be waived (with up to 58 SAC units for the Landings at Sawmill run project designed as the first project to be waived) or the SAC fees will be charged to the developer and the resulting revenue transferred to the MCDA.

Your Committee further recommends that City and MCDA staff be authorized to work with the Metropolitan Council to implement said policy.

W&M/Budget - Denial of the MCDA staff recommendation.

Niland moved to amend the report to approve the Community Development Committee recommendation and to delete the Transportation & Public Works and Ways & Means/Budget Committees' recommendations. Seconded.

Campbell moved a substitute motion to substitute the following report for the above report. Seconded.

Adopted. Yeas, 9; Nays, 4 as follows:

Yeas - Lane, Herron, Johnson, Thurber, Ostrow, Campbell, Colvin Roy, Mead, Cherryhomes.

Nays - Biernat, Niland, Goodman, McDonald.

Comm Dev, T&PW & W&M/Budget - Your Committee, having under consideration a recommendation of the Minneapolis Community Development Agency (MCDA) staff to approve a policy for use of Service Availability Charge (SAC) program credits that will become available as a result of the MCDA's investment in the Grain Belt property, as set forth in Petn No 266794, and to authorize City and MCDA staff to work with the Metropolitan Council to implement the policy, now recommends that the 2,734 Grain Belt property SAC credits be used as follows:

a) 325 units be used to support redevelopment of Grain Belt property (21 for Brewhouse and 304 reserved for pending development);

b) 58 units be used to fulfill the City's obligation for the Landings at Sawmill Run project;

c) the remaining 2,351 be retained in the Sewer Rental Fund.

Niland moved to divide the report so as to consider separately that portion relating to item "c".
Seconded.

Adopted by unanimous consent.

Niland moved adoption of the balance of the report. Seconded.

Adopted. Yeas, 11; Nays, 2 as follows:

Yeas - Herron, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Goodman, Colvin Roy, Mead, Cherryhomes.

Nays - Lane, McDonald.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev, T&PW & W&M/Budget - Your Committee, having under consideration a recommendation of the Minneapolis Community Development Agency (MCDA) staff to approve a policy for use of Service Availability Charge (SAC) program credits that will become available as a result of the MCDA's investment in the Grain Belt property, as set forth in Petn No 266794, and to authorize City and MCDA staff to work with the Metropolitan Council to implement the policy, now recommends that the 2,734 Grain Belt property SAC credits be used as follows:

c) the remaining 2,351 be retained in the Sewer Rental Fund.

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas - Lane, Herron, Johnson, Thurber, Ostrow, Campbell, Biernat, Goodman, Colvin Roy, McDonald, Mead, Cherryhomes.

Nays - Niland.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

Comm Dev & W&M/Budget - Your Committee, having under consideration the draft Fiscal Year 2001 Consolidated Plan One-Year Action Plan, and having held a public hearing thereon, now recommends that the proper City officers be authorized to submit the 2001 Consolidated Plan to the Department of Housing & Urban Development (HUD) on April 16, 2001 with comments received at the public hearing.

Your Committee further recommends that staff be directed to forward comments received at the public hearing to the Minneapolis Park & Recreation Board and to Hennepin County for use in their public process.

Your Committee further recommends that the following entitlement awards be adjusted to reflect updated budget figures which have been received from HUD subsequent to the Council passing the 2001 Consolidated Plan budget in December of 2000, as reflected in the changes to 2001 CDBG Public Services Budget set forth in Petn No 266796:

a) Decrease the HOME Investment Partnerships Program (HOME) and Emergency Shelter Grant (ESG) entitlement awards to the Minneapolis Community Development Agency by \$8,000 and \$2,000 respectively;

b) Decrease Housing Opportunities for Persons with AIDS (HOPWA) award to the Minneapolis Housing Finance Agency by \$2,000; and

c) Decrease the Community Development Block Grant public services activities across the board by 1.38%.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration a proposal to issue revenue bonds in an amount up to a) \$1,200,000 for BDC Properties/Augsburg Apartments at 2015 Riverside Ave; b) \$1,250,000 for Ronshare Properties/R&S Litho at 2600 - 26th Ave S; c) \$2,500,000 for Elmer Enterprises, 1000 Humboldt Ave N; and d) \$2,750,000 for Stevens Square Nursing Home, 3231 - 1st Ave S, and the Council having given preliminary approval to issue said bonds in 1991 for BDC Properties, 1989 for Ronshare, 1989 for Elmer Enterprises and in 1990 for Stevens Square, now recommends passage of the accompanying resolutions giving final approval to the issuance of the above-described Limited Tax Supported Development Revenue Bonds, Common Bond Fund, Series 2001 to be issued through the Minneapolis Common Bond Fund and designating the bonds as bonds entitled to the security provided by Ordinance No 87-Or-084, Tax Reserve and Pledge Ordinance, as set forth in Petn No 266795.

Your Committee further recommends, pursuant to MCDA Resolution No 87-171M adopted by the Board of Commissioners of the MCDA on July 16, 1987, that these Common Fund Bonds be designated, if and when issued, as bonds entitled to the Security provided by said Ordinance No 87-Or-084.

Your Committee further recommends summary publication of the above-described resolutions.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (MCDA).

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-123, giving final approval to and authorizing the issuance of refunding bonds of the Minneapolis Community Development Agency on behalf of BDC Properties, LLC (the "Company"), for Augsburg Apartments at 2015 Riverside Ave and designating the bonds under Minneapolis Code of Ordinances, Title 16, Chapter 424, as amended, was passed April 6, 2001 by the City Council and approved April 11, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2001R-123
By Niland and Campbell**

Giving final approval to and authorizing the issuance of refunding bonds of the Minneapolis Community Development Agency on behalf of BDC Properties, LLC (the "Company"), and designating the bonds under Minneapolis Code of Ordinances, Title 16, Chapter 424, as amended.

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended ("Chapter 595"), the City Council of the City of Minneapolis, Minnesota (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue bonds for the purpose of providing financing for the acquisition, construction and installation of multifamily housing developments; and

Whereas, by Resolution No. 82-512, as amended, of the Agency, the Agency established a common bond fund and authorized the issuance from time to time by the Agency of bonds to be secured by such common bond fund (the "Common Fund Bonds"); and

Whereas, under the terms of Minneapolis Code of Ordinances, Title 16, Chapter 422, as amended ("Chapter 422"), adopted pursuant to Chapter 595, the City Council of the City authorized the Agency to issue Common Fund Bonds; and

Whereas, it has been proposed that the Agency issue refunding bonds, in one or more series, in the amount of not to exceed \$1,200,000 (the "Bonds") to refinance a 38-unit multifamily housing development owned by the Company or an affiliate thereof, and located at 2015 Riverside Avenue in the City (the "Project"); and

Whereas, the Agency expects to give final approval to the issuance of the Bonds by a resolution to be adopted on the date hereof; and

Whereas, the Bonds shall bear interest at an average weighted interest rate not to exceed eight and one-half percent (8.50%) per annum, shall have a final maturity date not later than December 1, 2016, and shall have such other terms as required or permitted by the Agency's resolution, which terms are to be incorporated herein by reference; and

Whereas, pursuant to Minneapolis Code of Ordinances, Chapter 424, as amended ("Chapter 424"), the City may from time to time designate a series of Common Fund Bonds to be secured by the limited pledge of tax revenues authorized by Chapter 424;

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

That the City Council hereby gives final approval to the issuance by the Agency of the Bonds in the aggregate principal amount of not to exceed \$1,200,000 for the purpose of refinancing the Project and paying the costs of issuance of the Bonds.

That the Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-042 of the City adopted December 12, 1997.

That the City Council hereby designates the Bonds under Chapter 424 as bonds which are and shall be entitled to the benefit of the pledge, agreements and provisions of Chapter 424.

That the Finance Officer of the City shall execute and deliver such certificates as may be necessary on the date of delivery of the Bonds in order to acknowledge the application of Chapter 424 to the Bonds and the designation of the Bonds thereunder.

That this approval of the City Council of the City is hereby given as required by Chapter 422. Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-124, giving final approval to and authorizing the issuance of refunding bonds of the Minneapolis Community Development Agency on behalf of Ronshar Properties (the "Company"), for R&S Litho at 2600-26th Ave S, and designating the bonds under Minneapolis Code of Ordinances, Title 16, Chapter 424, as amended, was passed April 6, 2001 by the City Council and approved April 11, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2001R-124
By Niland and Campbell**

Giving final approval to and authorizing the issuance of refunding bonds of the Minneapolis Community Development Agency on behalf of Ronshar Properties (the "Company"), and designating the bonds under Minneapolis Code of Ordinances, Title 16, Chapter 424, as amended.

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended ("Chapter 595"), the City Council of the City of Minneapolis, Minnesota (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue bonds for the purpose of providing financing for the acquisition, construction and installation of projects consisting of properties, real or personal, used or useful in connection with a revenue-producing enterprise, whether or not operated for profit; and

Whereas, by Resolution No. 82-512, as amended, of the Agency, the Agency established a common bond fund and authorized the issuance from time to time by the Agency of bonds to be secured by such common bond fund (the "Common Fund Bonds"); and

Whereas, under the terms of Minneapolis Code of Ordinances, Title 16, Chapter 422, as amended ("Chapter 422"), adopted pursuant to Chapter 595, the City Council of the City authorized the Agency to issue Common Fund Bonds; and

Whereas, it has been proposed that the Agency issue refunding bonds, in one or more series, in the amount of not to exceed \$1,250,000 (the "Bonds") to refinance a manufacturing facility owned by the Company or an affiliate thereof, and located at 2600 26th Avenue South in the City (the "Project"); and

Whereas, the Agency expects to give final approval to the issuance of the Bonds by a resolution to be adopted on the date hereof; and

Whereas, the Bonds shall bear interest at an average weighted interest rate not to exceed six and one-half percent (6.5%) per annum, shall have a final maturity date not later than December 1, 2009, and shall have such other terms as required or permitted by the Agency's resolution, which terms are to be incorporated herein by reference; and

Whereas, pursuant to Minneapolis Code of Ordinances, Chapter 424, as amended ("Chapter 424"), the City may from time to time designate a series of Common Fund Bonds to be secured by the limited pledge of tax revenues authorized by Chapter 424;

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

That the City Council hereby gives final approval to the issuance by the Agency of the Bonds in the aggregate principal amount of not to exceed \$1,250,000 for the purpose of refinancing the Project and paying the costs of issuance of the Bonds.

That the Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-042 of the City adopted December 12, 1997.

That the City Council hereby designates the Bonds under Chapter 424 as bonds which are and shall be entitled to the benefit of the pledge, agreements and provisions of Chapter 424.

That the Finance Officer of the City shall execute and deliver such certificates as may be necessary on the date of delivery of the Bonds in order to acknowledge the application of Chapter 424 to the Bonds and the designation of the Bonds thereunder.

That this approval of the City Council of the City is hereby given as required by Chapter 422. Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-125, giving final approval to and authorizing the issuance of refunding bonds of the Minneapolis Community Development Agency on behalf of Elmer Enterprises, L.L.C. (the "Company"), 1000 Humboldt Ave N, and designating the bonds under Minneapolis Code of Ordinances, Title 16, Chapter 424, as amended, was passed April 6, 2001 by the City Council and approved April 11, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

**RESOLUTION 2001R-125
By Niland and Campbell**

Giving final approval to and authorizing the issuance of refunding bonds of the Minneapolis Community Development Agency on behalf of Elmer Enterprises, L.L.C. (the "Company"), and designating the bonds under Minneapolis Code of Ordinances, Title 16, Chapter 424, as amended.

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended ("Chapter 595"), the City Council of the City of Minneapolis, Minnesota (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue bonds for the purpose of providing financing for the acquisition, construction and installation of projects consisting of properties, real or personal, used or useful in connection with a revenue-producing enterprise, whether or not operated for profit; and

Whereas, by Resolution No. 82-512, as amended, of the Agency, the Agency established a common bond fund and authorized the issuance from time to time by the Agency of bonds to be secured by such common bond fund (the "Common Fund Bonds"); and

Whereas, under the terms of Minneapolis Code of Ordinances, Title 16, Chapter 422, as amended ("Chapter 422"), adopted pursuant to Chapter 595, the City Council of the City authorized the Agency to issue Common Fund Bonds; and

Whereas, it has been proposed that the Agency issue refunding bonds, in one or more series, in the amount of not to exceed \$2,500,000 (the "Bonds") to refinance a food production facility owned by the Company or an affiliate thereof, and located at 1000 Humboldt Avenue North in the City (the "Project"); and

Whereas, the Agency expects to give final approval to the issuance of the Bonds by a resolution to be adopted on the date hereof; and

Whereas, the Bonds shall bear interest at an average weighted interest rate not to exceed six and one-half percent (6.5%) per annum, shall have a final maturity date not later than June 1, 2019, and shall have such other terms as required or permitted by the Agency's resolution, which terms are to be incorporated herein by reference; and

Whereas, pursuant to Minneapolis Code of Ordinances, Chapter 424, as amended ("Chapter 424"), the City may from time to time designate a series of Common Fund Bonds to be secured by the limited pledge of tax revenues authorized by Chapter 424;

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

That the City Council hereby gives final approval to the issuance by the Agency of the Bonds in the aggregate principal amount of not to exceed \$2,500,000 for the purpose of refinancing the Project and paying the costs of issuance of the Bonds.

That the Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-042 of the City adopted December 12, 1997.

That the City Council hereby designates the Bonds under Chapter 424 as bonds which are and shall be entitled to the benefit of the pledge, agreements and provisions of Chapter 424.

That the Finance Officer of the City shall execute and deliver such certificates as may be necessary on the date of delivery of the Bonds in order to acknowledge the application of Chapter 424 to the Bonds and the designation of the Bonds thereunder.

That this approval of the City Council of the City is hereby given as required by Chapter 422. Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-126, giving final approval to and authorizing a project on behalf of Stevens Square (the "Company"), for Stevens Square Nursing Home, 3231-1st Ave S, authorizing the issuance of revenue bonds of the Minneapolis Community Development Agency therefor, and designating the bonds under Minneapolis Code of Ordinances, Title 16, Chapter 424, as amended, was passed April 6, 2001 by the City Council and approved April 11, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2001R-126
By Niland and Campbell

Giving final approval to and authorizing a project on behalf of Stevens Square (the "Company"), authorizing the issuance of revenue bonds of the Minneapolis Community Development Agency therefor, and designating the bonds under Minneapolis Code of Ordinances, Title 16, Chapter 424, as amended.

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended ("Chapter 595"), the City Council of the City of Minneapolis, Minnesota (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue bonds for the purpose of providing financing for the acquisition, construction and installation of projects consisting of properties, real or personal, used or useful in connection with a revenue-producing enterprise, whether or not operated for profit; and

Whereas, by Resolution No. 92-815M, as amended, of the Agency, the Agency established a common bond fund and authorized the issuance from time to time by the Agency of bonds to be secured by such common bond fund (the "Common Fund Bonds"); and

Whereas, under the terms of Minneapolis Code of Ordinances, Title 16, Chapter 422, as amended ("Chapter 422"), adopted pursuant to Chapter 595, the City Council of the City authorized the Agency to issue Common Fund Bonds; and

Whereas, it has been proposed that the Agency issue refunding bonds, in one or more series, in the amount of not to exceed \$2,750,000 (the "Bonds") to refinance a nursing facility owned by the Company or an affiliate thereof, and located at 101 East 32nd Street in the City (the "Project"); and

Whereas, the Agency expects to give final approval to the issuance of the Bonds by a resolution to be adopted on the date hereof; and

Whereas, the Bonds shall bear interest at an average weighted interest rate not to exceed six and one-half percent (6.50%) per annum, shall have a final maturity date not later than December 1, 2019, and shall have such other terms as required or permitted by the Agency's resolution, which terms are to be incorporated herein by reference; and

Whereas, pursuant to Minneapolis Code of Ordinances, Chapter 424, as amended ("Chapter 424"), the City may from time to time designate a series of Common Fund Bonds to be secured by the limited pledge of tax revenues authorized by Chapter 424;

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

That the City Council hereby gives final approval to the issuance by the Agency of the Bonds in the aggregate principal amount of not to exceed \$2,750,000 for the purpose of refinancing the Project and paying the costs of issuance of the Bonds.

That the Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-042 of the City adopted December 12, 1997.

That the City Council hereby designates the Bonds under Chapter 424 as bonds which are and shall be entitled to the benefit of the pledge, agreements and provisions of Chapter 424.

That the Finance Officer of the City shall execute and deliver such certificates as may be necessary on the date of delivery of the Bonds in order to acknowledge the application of Chapter 424 to the Bonds and the designation of the Bonds thereunder.

That this approval of the City Council of the City is hereby given as required by Chapter 422.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** Committee submitted the following reports:

H&HS - Your Committee, having under consideration a recommendation from the Phillips Neighborhood Weed & Seed Steering Committee on funding activities, now recommends that the proper City Officers be authorized to execute Amendment #1 to Contract #16070 with the American Indian Business Development Corporation to extend the performance period through June 30, 2001 to utilize remaining fund balances dedicated to the creation and implementation of the Franklin Avenue Community Safety Center.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS - Your Committee, having under consideration the Minority Health Assessment Project and having received additional funding from the Minnesota Department of Health for the Project, now recommends that the proper City Officers be authorized to execute Amendment #1 to Contract #15276 with Hennepin County to increase the contract by \$1,300 for a new total amount of \$32,300, and extend the performance period through June 30, 2001 for continued research services to assess the health status of minorities in the metropolitan area, payable from Health & Family Support (060-860-8618).

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 6, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published April 10, 2001)

H&HS – Your Committee recommends that the proper City Officers be authorized to issue Fund Availability Notice #VO-1, under Master Contract #16239, to the Domestic Abuse Project, in the amount of \$38,463, for domestic violence prevention services for the period June 1 through December 31, 2001, payable from Health & Family Support (040-860-8605).

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee, having under consideration services provided under the Minneapolis Family Fund, now recommends that the proper City Officers be authorized to issue the following Fund Availability Notices (FANs) for the period January 1 through December 31, 2001, payable from Health & Family Support (060-860-8605):

a. FAN #09-5, under Master Contract #10017, to the Greater Minneapolis Day Care Association, in the amount of \$12,176, for child care services; and

b. FAN #09-2, under Master Contract #14427, to Fremont Community Health Services, Inc., in the amount of \$12,176, for primary medical and dental care.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee, having under consideration the provision of case management services to at-risk youth in the Year Round School-to-Career Program, now recommends that the proper City Officers be authorized to issue the following Fund Availability Notices (FANs) to vendors for services during the period April 1, 2001 through March 31, 2002, payable from Health & Family Support (030-860-8600):

- a. FAN #G5-1, under Master Contract #10009, to HIRED, in the amount of \$100,000;
- b. FAN #G5-2, under Master Contract #10009, to HIRED – Abe Lincoln, in the amount of \$50,000;
- c. FAN #G5-1, under Master Contract #10013, to RESOURCE, INC, in the amount of \$110,000;
- d. FAN #G5-1, under Master Contract #10008, to Loring Nicollet Bethlehem C.C., in the amount of \$40,000;
- e. FAN #G5-1, under Master Contract #10001, to the Minneapolis Urban League, in the amount of \$100,000;
- f. FAN #G5-1, under Master Contract #10007, to Pillsbury Neighborhood Services, in the amount of \$113,000;
- g. FAN #G5-1, under Master Contract #10021, to American Indian OIC, in the amount of \$62,000;
- h. FAN #G5-1, under Master Contract #10004, to Summit Academy OIC, in the amount of \$50,000;
- i. FAN #G5-1, under Master Contract #10018, to Hmong American Mutual Assistance Association, in the amount of \$40,000.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee, having under consideration the Private Sector Initiative, now recommends that the proper City Officers be authorized to issue Fund Availability Notice #G2-1, under Master Contract #10013, to Resource Inc, in the amount of \$50,000, for the placement of up to 50 youth, ages 14 to 21, in private sector summer jobs during the period April 1 through September 30, 2001, payable from Health & Family Support (040-860-8600).

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee, having under consideration the Sentence to Service Homes Program that trains eligible Welfare-to-Work offenders who will be returning to the community from State correctional facilities in basic carpentry skills, now recommends that the proper City Officers be authorized to execute Amendment #2 to Contract #014854 with the Hennepin County Department of Community Corrections to increase the contract by \$200,240 for a new total amount of \$311,240, and extend the performance period through March 31, 2002, to complete the current crew and serve two additional crews in the Program, payable from Health & Family Support (030-860-8600).

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished April 24, 2001)

H&HS – Your Committee, having under consideration the provision of Year Round employment and training services to special needs/disabled youth, now recommends that the proper City Officers be authorized to issue Fund Availability Notice #G5-1, under Master Contract #10019, to the

Minneapolis Public Schools, in the amount of \$20,000, to provide case management services to approximately 234 students during the period April 1, 2001 through March 31, 2002, payable from Health & Family Support (030-860-8600).

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee, having under consideration a training program (City Works Public Works) to prepare female Minnesota Family Investment Program recipients for nontraditional employment with the City of Minneapolis Public Works Department, now recommends that the proper City Officers be authorized to modify Grant Agreement #90721 with the State of Minnesota by reducing the Temporary Assistance to Needy Families (TANF) portion of the grant by \$11,532 and extending the time of performance for the Welfare-to-Work portion of the grant through December 31, 2001 to continue training women for employment in nontraditional jobs.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

H&HS – Your Committee, having under consideration the federal Welfare-to-Work formula grants that fund transitional employment assistance to move hard-to-employ Temporary Assistance to Needy Families (TANF) recipients with significant employment barriers and qualified noncustodial parents into unsubsidized jobs offering long-term employment opportunities, now recommends that the proper City Officers be authorized to modify Grant Agreement #8107700 by extending the time of performance through March 9, 2003, and to modify Grant Agreement #9107709 by extending the time of performance through June 30, 2004 for continued job placement services, transitional employment, and job retention and support services to welfare recipients.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

H&HS & W&M/Budget – Your Committee recommends passage of the accompanying Resolution appropriating \$270,000 to the Licenses & Consumer Services Agency to reflect project income generated from training activities and property owner match requirements for lead reduction services during the United States Department of Housing & Urban Development Round VIII Program activities.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-127

By Herron and Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Licenses & Consumer Services Agency in the Grants - Federal Fund (030-835-8393) by \$270,000.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.
Approved April 11, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

H&HS & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to solicit Requests for Proposals for the delivery of education and outreach services and coordination of the Comprehensive Lead Plan during the United States Department of Housing & Urban Development Round VIII Lead Hazard Reduction Grant Program.

Adopted. Yeas, 13; Nays none.
Passed April 6, 2001.
Approved April 11, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

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

IGR - Your Committee, having under consideration HF 1477 reorganizing the law governing the Minneapolis Firefighters Relief Association (MFRA), now recommends that the Council oppose Section 3, Subdivision 1 of that bill relating to Board composition and elections. The bill would reduce the number of City appointed representatives on the MFRA Board by one. (Petr No 266803)

Adopted. Yeas, 13; Nays none.
Passed April 6, 2001.
Approved April 11, 2001. S. Sayles Belton, Mayor
Attest: M. Keefe, City Clerk.

IGR - Your Committee recommends that Council Member Paul Ostrow be designated as the City of Minneapolis representative on the policy advisory committee of the Northeast Diagonal Land Use/Transit Study. (Petr No 266802)

Adopted. Yeas, 13; Nays none.
Passed April 6, 2001.
Approved April 11, 2001. S. Sayles Belton, Mayor
Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS - Your Committee, having under consideration the application of Johnson Cinema Inc, dba Suburban World Cinema Grill, 3022 Hennepin Av, for an On-Sale Wine Class B with Strong Beer License (upgrade from On-Sale Wine Class E with Strong Beer) to expire April 1, 2002, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.
Passed April 6, 2001.
Approved April 11, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of Sursumcorda Ltd, dba Sursumcorda, 319 1st Av N, for an On-Sale Liquor Class B with Sunday Sales License (new business) to expire April 1, 2002, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.
Passed April 6, 2001.
Approved April 6, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.
(Published April 10, 2001)

PS&RS - Your Committee, having under consideration the application of Lafayette Cafe LLC, dba Vincent, 1100 Nicollet Mall, for an On-Sale Liquor Class E with Sunday Sales License (new business) to expire April 1, 2002, and a Sidewalk Cafe License, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the application of Sarita & Gregory Williams, dba Hoagie Kingdom, 1600 W Broadway, for a Food Manufacturer License to expire April 1, 2001, now recommends that a provisional license be granted, subject to the following conditions:

- a. litter and debris will be removed from the business premises a minimum of twice daily.
 - b. no public telephones will be allowed on the business premises. A license will not be granted until the public telephone is removed.
 - c. security on the business property shall be adequate to prevent loitering and drug activity; all persons hanging on the property without the purpose to purchase food shall be asked to leave and the police will be notified if they fail to do so.
 - d. police "No Trespassing" signs shall be installed on the property; these signs allow the police to remove persons loitering.
 - e. all requirements of the site plan shall be completed as required by the final disposition of the Planning Commission.
 - f. graffiti will be removed from the building within one week of occurrence.
 - g. all landscaping, plants and materials will be maintained.
 - h. the windows shall be kept clear of all signs blocking the view of individuals working within the building.
 - i. the dumpster is to be closed at all times and emptied on an adequate basis.
 - j. on-site management shall be adequate to handle business activity as well as patron behavior.
 - k. zoning approval must be obtained before the license is granted.
 - l. final inspection and compliance with all provisions of applicable codes and ordinances.
- Biernat moved that the report be postponed. Seconded.
Adopted upon a voice vote.

PS&RS - Your Committee recommends granting the following applications for liquor, wine and beer licenses:

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2001

Banana Joe's of Minnesota Inc, dba Banana Joe's Island Bar & Grill, 15 S 5th St (new manager);

On-Sale Liquor Class A with Sunday Sales, to expire March 31, 2001

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises, March 31, 2001 - CBS 1:30 p.m. to 3:30 p.m.);

On-Sale Liquor Class A with Sunday Sales, to expire April 2, 2001

International Catering Inc, dba Atrium Cafe, 275 Market St (temporary expansion of premises, April 2, 2001 - CBS, 5:00 p.m. to 7:00 p.m.);

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2001

Seven Corners Hotel Partners L P, dba Holiday Inn Metrodome, 1500 Washington Av S;
International Catering Inc, dba Bill Moose Charit Foundation, 275 Market St (April 7, 2001, 8:00 p.m. to 1:00 a.m.);

International Catering Inc, dba VA Medical Center, 275 Market St (April 18, 2001, 4:30 p.m. to 9:30 p.m.);

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2001

Jax Cafe Inc, dba Jax Cafe, 1922 University Av NE (new shareholder/partner & corporate officer);

On-Sale Liquor Class B with Sunday Sales, to expire October 1, 2001

Campus Partners Inc, dba Sally's, 700 Washington Av SE (temporary expansion of premises, outdoor fest, April 28, 2001, 3:00 p.m. to 10:00 p.m.);

On-Sale Liquor Class C-2 with Sunday Sales, to expire October 1, 2001

Historic Theatre Group Ltd, dba Historic State Theatre, 805 Hennepin Av (temporary expansion of premises, Hollywood 14, March 25, 2001, 4:00 p.m. to 11:00 p.m.; location: LaSalle Plaza);

On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2002

Cintia's of Mexico Bar & Restaurant Inc, dba Cintia's of Mexico Bar & Restaurant, 6042 Nicollet Av (regular expansion of premises);

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2000

Fransen Inc, dba Gluek Brewing Co, 16 N 6th St (change in shareholder/new corporate officer);

Temporary On-Sale Liquor

DeLaSalle High School, 1 DeLaSalle Dr (April 28, 2001, 6:00 p.m. to 11:30 p.m., DeLaSalle's Florance Center, Christian Brothers' Gala);

On-Sale Wine Class A with Strong Beer, to expire April 1, 2002

CBC Downtown Tennis & Athletic Club, dba Regency Athletic Club & Spa, 1300 Nicollet Mall (downgrade from On-Sale Liquor Class A with Sunday Sales);

On-Sale Wine Class E with Strong Beer, to expire April 1, 2002

Fresh Wok Inc, dba Fresh Wok II, 5033 France Av S (upgrade from On-Sale Beer);

Off-Sale Beer, to expire April 1, 2002

Speedway Super America LLC, dba Super America #4388, 101 W Grant St;

Rahn William T, dba Oak Grove Grocery, 218 Oak Grove St;

Speedway Super America LLC, dba Super America #4056, 300 Broadway St NE;

Speedway Super America LLC, dba Super America #4404, 320 Lowry Av NE;

S-Mart Inc, dba S-Mart Grocery, 324 W 33rd St;

JPR Inc, dba Eighth St Market, 630 8th St SE;

Stop-N-Go Superette Inc, dba Stop-N-Go, 641 Broadway St NE;

Speedway Super America LLC, dba Super America #4060, 801 W Lake St;

Tekle-Ab Samuel, dba Sam's Food Mart, 901 W 36th St;

Speedway Super America LLC, dba Super America #4385, 1020 E Franklin Av;

Williams Stephen & Robert, dba Bobby & Steve's Autoworld II, 1221 Washington Av S;

Plaza Food Stores Inc, dba Plaza Foods, 1525 S 4th St;

Antoine Inc, dba Big Stop Foods, 1800 26th Av N;

Speedway Super America LLC, dba Super America #4185, 1816 37th Av NE;

Obeid Inc, dba Wally's Foods, 1840 Penn Av N;

Dave & Ron's Inc, dba Stop-N-Go, 1847 Johnson St NE;

Awaijane Assad E, dba B-Line Market, 1901 Fillmore St;

Penwood Market Inc, 2125 Glenwood Av;

Speedway Super America LLC, dba Super America #4034, 2200 Lyndale Av S;

Alfardos Corporation, dba Skyline Foods, 2400 10th Av S;

Pham Michael C, dba Duc Loi Super Market, 2515 Nicollet Av (1st floor);

Momin Mehboob H, dba Lyndale Country Boy, 2551 Lyndale Av S;

Easyway Food Inc, dba Easyway Foods, 2820 Johnson St NE;

Semere Nega, dba Canterbury Food Market, 3141 Chowen Av S;

Abboud Ossama S, dba Market Express, 3159 Chicago Av;

Elsharif Sami M, dba Fatina Foods, 3246 Nicollet Av;

Speedway Super America LLC, dba Super America #4173, 3357 University Av SE;

Speedway Super America LLC, dba Super America #4232, 3453 Nicollet Av;

Speedway Super America LLC, dba Super America #4379, 3501 Bloomington Av;

William's Food Market Inc, dba William's Market, 3653 Chicago Av;

Speedway Super America LLC, dba Super America #4382, 3744 Chicago Av;

Speedway Super America LLC, dba Super America #4172, 3806 W Lake St;

Reidy Company, dba Reidy's Country Boy, 3904 42nd Av S;

Speedway Super America LLC, dba Super America #4135, 4001 Lyndale Av S;

Speedway Super America LLC, dba Super America #4021, 4320 E Lake St;

Speedway Super America LLC, dba Super America #4161, 4740 Cedar Av;

Speedway Super America LLC, dba Super America #4165, 5101 34th Av S;
Speedway Super America LLC, dba Super America #4166, 6000 Portland Av;

On-Sale Beer Class E, to expire April 1, 2002

Estrada Pedro & Ut Thi Le, dba Lees Cuisine, 349 E Lake St (new business);
Lotus of Campus Inc, dba Lotus Restaurant, 313 Oak St;
Goal Line Cafe Inc, dba Goal Line Cafe, 1506 E Hennepin Av;
C & H Inc, dba U Garden Restaurant, 2725 University Av SE;

Temporary On-Sale Beer

Church of the Annunciation, 501 W 54th St (April 21, 2001, 6:00 p.m. to Midnight, school fundraiser).

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of April 6, 2001, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 266806):

Building Contractor Class B; Cement Finishing Contractor; Concrete Masonry Contractor Class A; Concrete Masonry Contractor Class B; Dance Hall; Dry Cleaning & Laundry Pickup Station; Drywall Contractor; All Night Special Food; Caterers; Confectionery; Grocery; Food Distributor; Food Manufacturer; Food Shelf; Milk Delivery Vehicle; Milk & Grocery Delivery Vehicle; Restaurant; Soft Drink; Short Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Wholesale Sausage Manufacturer & Distributor; Fuel Dealer; Gas Fitter Class A; Hotel/Motel; Lodging House with Boarding; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Commercial Parking Lot Class A; Peddler - Special Religious; Plumber; Steam & Hot Water Systems Installer; Tattooing; Taxicab - Neighborhood Rideshare; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Tobacco Dealer; Combined Trades; Transient Merchant; Tree Servicing; Wrecker of Buildings Class B.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling Lawful Exempt

Church of St. Anne, 2627 Queen Av N (Bingo & raffle April 1, 2001 at St. Anne's Hall, 2620 Russell Av N);

Trout Unlimited - Twin Cities Minnesota Chapter, 1736 Clair Av, St. Paul (Raffle April 6, 2001 at Sheraton Four Points, 1330 Industrial Blvd);

Church of the Annunciation, 509 W 54th St (Raffle April 21, 2001);

Lake Country School, 3755 Pleasant Av S (Raffle April 28, 2001);

Northeast Regional Catholic School, 1630 4th St NE (Bingo, raffle, paddlewheel & pulltabs April 29, 2001);

Down Syndrome Association of Minnesota, 668 Transfer Rd, St. Paul (Raffle May 19, 2001 at Stardust Lanes, 2520 26th Av S);

Pan Can Team Hope Minnesota, 4000 W 25th St (Raffle May 20, 2001 at Bravo, 900 Hennepin Av);

Basilica of St. Mary, 88 N 17th St (Raffle July 6 & 7, 2001);

St. Boniface Church, 629 2nd St NE (Raffle, paddlewheel & pulltabs April 3, 2001);

Academy of Holy Angels, 6600 Nicollet Av S (Raffle April 28, 2001 at Regal Minneapolis, 1313 Nicollet);

Church of St. Boniface, 629 2nd St NE (Bingo, raffle, paddlewheel & pulltabs June 10, 2001);
Corner House Child Abuse Evaluation, 2502 10th Av S (Raffle June 26, 2001 at HHH Metrodome).
Adopted. Yeas, 13; Nays none.
Passed April 6, 2001.
Approved April 11, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the On-Sale Liquor Class B with Sunday Sales License held by Valhalla Bar Inc, dba Blues Alley, 15 N Glenwood Av, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing for operating in violation of Minnesota Statutes and Rules by purchasing distilled spirits and wine while prohibited from doing so by the credit extension prohibitions (the wholesalers credit list) and by purchasing beverage alcohol from another retailer for resale, and for failure to adequately and properly manage the business operations, now recommends adoption of the following recommendations, 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:

a. that the On-Sale Liquor License for Valhalla Bar Inc be suspended for 14 days of which 10 days shall be stayed for a period of one year pending no further violations of the same or similar nature. The suspension shall begin at 8:00 a.m. April 1, 2001 and extend to 8:00 a.m. April 5, 2001.

b. that the licensee pay a \$2,000 administrative fine, with \$1,000 being due at the signing of said TAC Agreement and the remaining \$1,000 due within 30 days of said signing date.

c. that within 90 days of the signing of said TAC Agreement, the licensee shall hire a new on-site manager to properly and lawfully manage the business.

d. that all outstanding Environmental Health orders as of the date of the TAC meeting be remedied within 10 days, and that for a period of one year in any given inspection, the licensee shall have no more than one critical health related violation. Additional violations will result in an imposition of an administrative fine of \$100 per violation. More than three critical violations in any inspection shall result in the imposition of the stayed suspension. Further, the licensee shall establish and adhere to a regular cleaning schedule and checking of pertinent supplies and shall have the ventilation and hood examined by a licensed contractor and comply with any corrective orders issued by the Environmental Health Division.

e. that for a period of one year, the licensee shall not be placed on the Liquor Posting List or be placed on the Wholesaler's Credit List or cause the cancellation of the liquor liability insurance. All license fee payments shall be made to the License Division in a timely manner and shall be in the form of cash or cashier's check.

f. that prior to or at the time of the signing of said TAC Agreement, the licensee shall submit a written statement to the License Division declaring any and all financial interests in the business and continue to declare such as needed. Also, the licensee shall present all documents pertaining to the matter of the cosigned loan.

g. that the licensee understands, acknowledges and agrees that the beverage alcohol product taken from the licensed premises on July 21, 2000 will be disposed of in the following manner:

- all opened alcohol product shall be properly disposed of;
- all unopened alcohol product will be offered to the Minnesota State Patrol or Bureau of Criminal Apprehension for use in chemical testing programs, as set forth in Minnesota Statute Chapter 340A.904.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration Taxicab Driver's License #02347 held by Timothy Jan Skogmo, 940 W Summit, Fergus Falls, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing for violating the Taxicab Ordinance by dropping a passenger at a location other than the location

requested, now recommends adoption of the following recommendations, as more fully set forth in said Findings, which are on file in the Office of the City Clerk and made a part of this report by reference:

a. that the licensee will be called out-of-service (Red & White Taxicab) for one day beginning April 3, 2001 and ending April 4, 2001.

b. that Red & White Taxi will enact a company policy stating that if issues involving payment of fares, disorderly behavior, or uncertainty of destination ever develop with a fare from any medical facility, that the taxicab driver will notify the dispatcher and immediately return the fare to the medical facility.

c. that the call-taker's name shall be entered on all future orders.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration Taxicab Driver's License #04982 held by Adan Dirir, 2121 Minnehaha Av S, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing for violating the Minneapolis Code of Ordinances by parking his taxicab in a commercial truck parking zone; for fighting with another licensed taxicab driver; for parking in a posted bus stop; for not displaying his taxicab license; for refusing an orderly passenger; and for reckless driving at a downtown cabstand, now recommends adoption of the following recommendations, as more fully set forth in said Findings, which are on file in the Office of the City Clerk and made a part of this report by reference:

a. that the licensee will be called out-of-service for three days beginning April 2, 2001 and ending April 5, 2001.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the Automated Pawn System, now recommends that the proper City Officers be authorized to participate in the Minnesota Department of Administration, InterTechnologies Group, Database Integration Test Bed Project to explore, test and develop ways in which disparate criminal justice databases might be accessed through a single user logon using a browser-based interface.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the Rental Dwelling License for the property located at 3119 4th St N, and having received an acceptable management plan for the property and verification that said property is now in compliance with rental licensing standards and Housing Code violations have been corrected at the property, now recommends concurrence with the recommendation of the Director of Inspections to approve the reinstatement of said license to be held by Shirley Guevara, 1631 Xerxes Av N. (Petn No 266805)

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the property located at 1073 12th Av SE

which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City officers be authorized to raze said property legally described as Lot 12, Block 5, Elwells 2nd Addition (except part taken for alley) (PID #24-029-24-12-0069), as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS - Your Committee, having under consideration the Motor Vehicle Repair Garage, Gas Station and Tobacco Licenses held by Robert and Arlan Williams, dba Bryn Mawr Tire and Bait Center, 328 S Cedar Lake Rd, and having held a hearing to determine whether the licensee has met the requirements of Minneapolis Code of Ordinances, Chapter 259 relating to *Licenses and Business Regulations: In General*, now recommends that said licenses be revoked for failure to complete the site plan review process.

Biernat moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote.

PS&RS - Your Committee, having under consideration the application of J. B. Enterprises Inc. for a special permit to erect a 40' x 90' tent at 301 Washington Av S from March 30 to April 3, 2001 to be used as a hospitality tent sponsored by Christian Churches of the Twin Cities to give away free food, drink and entertainment during the National Collegiate Athletic Association (NCAA) Men's Basketball Tournament, now recommends that said application be granted as an administrative permit (#2001-023).

Adopted. Yeas, 11; Nays, 2 as follows:

Yeas - Lane, Herron, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Colvin Roy, McDonald, Cherryhomes.

Nays - Goodman, Mead.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee recommends acceptance of low bid received on OP #5587 (Petn No 266811) submitted by Over the Top, Inc., for an estimated annual expenditure of \$75,000, for furnishing all labor, materials, equipment and incidentals required to accomplish weed cutting and related services (South District) for the Inspections 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.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized

to solicit Request for Proposals for specialized Emergency Medical Service training for all Fire Department Emergency Medical Service Technicians, with training to be conducted for personnel while on duty and at designated Fire Department training facilities, contingent upon approval by the Permanent Review Committee.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget - Your Committee, having under consideration the Hennepin County Domestic Abuse Response Project, now recommends that the proper City Officers be authorized to execute a Memorandum of Understanding with the Hennepin County Attorney's Office to reflect the City's partnership in the Project through it's participation in the Implementation Advisory Group which assists in seeking and implementing grant funding for the Project.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **ZONING & PLANNING** Committees submitted the following report:

PS&RS & Z&P - Your Committee, having under consideration the Site Plan Review Permit SP-216 allowing a grocery store at 3559 Lyndale Av N, on file in the Zoning Office, and also having under consideration the Grocery License held by Idriss Alnabi, dba Northside Food Market, and having held hearings to determine whether the terms of said permit have been violated and whether the licensee has met the requirements of Minneapolis Code of Ordinances, Chapter 259 relating to *Licenses and Business Regulations: In General*, now recommends that SP-216 be revoked and that the Grocery License be revoked for failure to complete the site plan review process.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

T&PW – Your Committee recommends passage of the accompanying Resolution designating the location, streets, and improvements proposed to be made in the Bryant & 50th Area Street Lighting Project, Special Improvement of Existing Street No 2220.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-128

By Mead

**Bryant & 50th Area Street Lighting Project
Special Improvement Of Existing Street No 2220**

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

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by installing ornamental street lights together with all the necessary appurtenances and work related thereto:

- W 50th St from approximately 185 ft east of the easterly ROW line of Bryant Av S to approximately 130 ft west of the westerly ROW line of Bryant Av S.

- Bryant Av S from approximately 100 ft north of the northerly ROW line of W 50th St to approximately 70 ft south of the southerly ROW line of W 50th St.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a cost estimate of \$52,750 for street lighting improvements and a list of benefited properties for the Bryant & 50th Area Street Lighting Project, Special Improvement of Existing Street No 2220, as designated by Resolution 2001R-128 passed April 6, 2001, now recommends that the City Engineer be directed to prepare a proposed Street Lighting Special Improvement Assessment in the amount of \$13,375 against the list of benefited properties by applying the street influence zone area method.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on May 24, 2001, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated street lighting project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee reports that, in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to the establishment of street lighting districts (said Chapter 431 defining such street lighting district as an area wherein lighting in excess of minimum street lighting is provided and further providing that the City's costs over and above said minimum lighting shall be paid by the benefited property owners), the City Engineer has presented to your Committee the details required by said Chapter 431 in connection with proposed Street Lighting District No 1274 for assessment of the maintenance and operation costs on additional street lighting for the convenience and safety of the area delineated as Bryant & 50th Area (streets to receive lighting are as designated in the Bryant & 50th Area Street Lighting Project, Special Improvement of Existing Street No 2220).

A summary of the facts relative to this assessment is as follows:

Number of assessable parcels in said district	13
Total assessable frontage in feet	900
Annual cost per foot	\$0.50

Your Committee recommends that if there should be an increase in the cost of street lighting in the future that the increased cost be reflected in the assessment.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on May 24, 2001, in accordance with the provisions of Chapter 431 of the Minneapolis Code of Ordinances, to be considered the establishment of said proposed Street Lighting District No 1274.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution designating the location, streets, and improvements proposed to be made in the Xerxes & 50th Area Street Lighting Project, Special Improvement of Existing Street No 2219.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-129

By Mead

**Xerxes & 50th Area Street Lighting Project
Special Improvement Of Existing Street No 2219**

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

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by installing ornamental street lights together with all the necessary appurtenances and work related thereto:

- W 50th St from Vincent Av S to approximately 130 ft west of the westerly ROW line of Xerxes Av S.

- Xerxes Av S from approximately 120 ft north of the northerly ROW line of W 50th St to approximately 235 ft south of the southerly ROW line of W 50th St.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a cost estimate of \$86,500 for street lighting improvements and a list of benefited properties for the Xerxes & 50th Area Street Lighting Project, Special Improvement of Existing Street No 2219, as designated by Resolution 2001R-129 passed April 6, 2001, now recommends that the City Engineer be directed to prepare a proposed Street Lighting Special Improvement Assessment in the amount of \$20,500 against the list of benefited properties by applying the street influence zone area method.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on May 24, 2001, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated street lighting project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee reports that, in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to the establishment of street lighting districts (said Chapter 431 defining such street lighting district as an area wherein lighting in excess of minimum street lighting is provided and further providing that the City's costs over and above said minimum lighting shall be paid by the benefited property owners), the City Engineer has presented to your Committee the details required by said Chapter 431 in connection with proposed Street Lighting District No 1273 for assessment

of the maintenance and operation costs on additional street lighting for the convenience and safety of the area delineated as Xerxes & 50th Area (streets to receive lighting are as designated in the Xerxes & 50th Area Street Lighting Project, Special Improvement of Existing Street No 2219).

A summary of the facts relative to this assessment is as follows:

Number of assessable parcels in said district	20
Total assessable frontage in feet	2030
Annual cost per foot	\$0.33

Your Committee recommends that if there should be an increase in the cost of street lighting in the future that the increased cost be reflected in the assessment.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on May 24, 2001, in accordance with the provisions of Chapter 431 of the Minneapolis Code of Ordinances, to be considered the establishment of said proposed Street Lighting District No 1273.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the Central Neighborhood Lighting Project (Phase II), now recommends that the proper City officers be authorized to execute Supplemental Agreement No. 1 to Contract #14697 with Killmer Electric, Inc., increasing the contract by \$11,160.49, for a new total of \$351,160.49, and extending the term of the contract through May 31, 2001, to allow for additional required services. The contract increase is payable from the existing project appropriation (4100-943-9432).

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the 900 Nicollet Public Parking Garage project, now recommends that the proper City officers be authorized to execute Change Order #1 increasing the contract with Ryan Companies by \$82,006, for a new contract total of \$17,789,799, to provide for additional revenue control equipment. The contract increase is payable from the existing project contingency.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying resolution requesting that the Metropolitan Council reverse the March 21, 2001 Transportation Advisory Board (TAB) Funding and Programming Committee's decision that removed the Surface Transportation Program (STP) Bikeway/Walkway category for the 2001 TEA-21 solicitation.

Mead moved that the report be deleted. Seconded.

Adopted by unanimous consent.

T&PW – Your Committee, having been informed that the City's contract with NRG for yard waste composting services expired in March 2001, now recommends that the proper City officers be authorized to extend said contract for a period no later than July 31, 2001, allowing time to complete the request for proposals process for those services. The contract shall be extended under the current payment structure and shall include an option for the City to terminate the contract with 30 days notice.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration the First Street South Bridge project, now recommends that the proper City officers be authorized to execute an increase to the construction contract with Edward Kraemer & Sons Inc., increasing the contract by \$2,800, for a new contract total of \$783,207.09, to pay for additional services required for the project. The contract increase is payable from the existing project appropriation (4100-937-9386).

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having been informed that revisions to the City's system of Municipal State Aid (MSA) streets are required due to the loss of right-of-way and connection of certain areas to qualifying streets, now recommends passage of the accompanying Resolution requesting the deletion and addition of certain streets on the City's MSA System.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-130

By Mead

Requesting deletions from and additions to the "Municipal State-Aid Street System" within the City of Minneapolis.

Whereas, it appears to the City of Minneapolis that the streets hereinafter described should be deleted from, or added to the system of "Municipal State-Aid Streets" under the provisions of Minnesota Statutes of 1983, Chapter 162; and

Whereas, it is the desire of the City of Minneapolis that said streets be deleted from, or added to the system of "Municipal State-Aid Streets" as previously established;

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

That said streets described and numbered as follows and designated as "Municipal State-Aid Streets" as previously established be deleted from the system subject to the approval of the Commissioner of Transportation of the State of Minnesota:

No 178 – W Grant St from 3rd Av S to freeway entrance, 0.13 miles

No 216 – 3rd St N from 3rd Av N to 4th Av N, 0.07 miles

No 217 – 4th St N from 2nd Av N to 1st Av N, 0.08 miles

No 219 – 6th St N from 2nd Av N to 3rd Av N, 0.08 miles

No 224 – 11th St N from Glenwood Av to Currie Av, 0.07 miles

No 251 – 36th St E from 28th Av S to Hiawatha Av, 0.06 miles

No 302 – 24th St E from Cedar Av to Snelling Av, 0.17 miles

No 303 – Arthur St NE from 505 ft. South of 18th Av NE to 18th Av NE, 0.11 miles

No 339 – 4th St SE from Bedford St SE to E City Limits and Bedford St SE from University Av SE to 4th St SE, 0.14 miles

No 366 – 31st St E from 21st Av S to Hiawatha Av, 0.21 miles

No 411 – 4th Av N from Washington Av N to 3rd St N, 0.10 miles

No 432 – N Mississippi Dr from 505 ft. North of 47th Av N to 49th Av N, 0.17 miles

Be It Further Resolved that the streets described and numbered as follows be designated as "Municipal State-Aid Streets" of said City subject to the approval of the Commissioner of Transportation of the State of Minnesota:

No 318 - Snelling Av from 24th St E to 22nd St E, 0.13 miles

No 442 - 22nd St E from Snelling Av to Minnehaha Av, 0.07 miles

No 326 - 21st Av S from 31st St E to 32nd St E, 0.12 miles

No 244 - 32nd St E from Bloomington Av to Hiawatha Av, 0.82 miles

Be It Further Resolved that upon approval of the Commissioner of Transportation of the State of Minnesota of said streets, such approved streets shall comprise deletions from and additions to the "Municipal State-Aid Street System" of the City of Minneapolis and that the same be constructed, improved and maintained in accordance with the rules and regulations of the Commissioner of Transportation and the provisions of Minnesota Statutes of 1983, Section 162.09.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the 3rd Police Precinct and an evaluation that recommends expansion of that facility at its current location, now recommends that the proper City officers be authorized to begin discussions with All Weather Roofing, Inc. (owners of the property at 3023 Snelling Av) and Leder Brothers Realty (owners of the property at 3033 Snelling Av) for possible acquisition.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the Currie Maintenance Facility Project, now recommends that the proper City officers be authorized to execute Change Order #2 to the contract with EnecoTech Midwest, Inc. increasing the contract by \$22,723.42, for a new total of \$87,380.42, to provide for environmental investigation services for the project site. The contract increase is payable from the existing project appropriation (4100-923-9247).

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a recommendation from the Minneapolis Downtown Council regarding appointments to the Nicollet Mall Advisory Board, now recommends that Randy Bauernfeind, Assistant Vice President of ReliaStar, be authorized to fill the unexpired term of Winifred Smith, for a term to end January 1, 2003.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration a report of the City Clerk's Office and Office of the Mayor relating to a review of active and inactive boards, commissions, advisory committees and task forces, now recommends that the following boards and advisory committees be dissolved:

Freeway Aesthetic and Landscape Review Task Force (and incorporating its functions into the Committee on Urban Environment);

I-35W EIS Community Task Force;

Minneapolis Water Quality Education Advisory Committee.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying resolution affirming the City's support for expanding the current airport sound insulation program and urging the Metropolitan Airports Commission to work with affected cities in developing changes to the Part 150 Sound Insulation Program.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-131
By Lane, Mead & McDonald

Affirming the City's support for expanding the current airport sound insulation program and urging the Metropolitan Airports Commission to work with affected cities in developing changes to the Part 150 Sound Insulation Program.

Whereas, the Metropolitan Airports Commission (MAC) is developing a proposal to the Federal Aviation Administration (FAA) requesting FAA's approval of an expansion of the Part 150 Sound Insulation Program (Program) into the 60 to 64 DNL contour areas; and

Whereas, the existing Program was developed using an open public process that relied to a great degree on the input of the Metropolitan Airports Sound Abatement Council (MASAC), which included representatives of airlines and other business interests as well as citizens representing each affected community; and

Whereas, MAC's Policy Advisory Committee (PAC) for the Program, which included representatives of each affected community, was instrumental in resolving controversies that arose during the early implementation phases of the Program; and

Whereas, the Part 150 Program has now achieved public support and typically receives a very high approval rating (97% to 98%) among homeowners whose homes have been treated under the program; and

Whereas, MAC has discontinued the PAC for the Program and has not replaced MASAC after its industry representatives decided to stop participating; and

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

That the City reaffirms its support for expanding the current sound insulation program to the 60 to 64 DNL contour areas, subject to its comments previously submitted to MAC.

Be It Further Resolved that the City of Minneapolis urges MAC to work with the affected cities, not just the industry interests, in developing any changes to the Part 150 Program.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

T&PW & W&M/Budget - Your Committee, having under consideration the Hennepin (Franklin-Groveland) Street Lighting Project, Special Improvement of Existing Street No 2217, now recommends passage of the accompanying Resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the project;
- b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$16,760 for the project;
- c) Increasing the project appropriation by \$167,600 (4100-943-9432) for the project, to be reimbursed by special assessments and Neighborhood Revitalization Program (NRP) funds.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-132
By Mead & Campbell**

**Hennepin (Franklin-Groveland) Street Lighting Project
Special Improvement of Existing Street No 2217**

Ordering the work to proceed and adopting the special assessments for the Hennepin (Franklin-Groveland) Street Lighting Project.

Whereas, a public hearing was held on March 29, 2001 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 2001R-062 passed February 16, 2001, 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 2001R-062 passed February 16, 2001.

Be It Further Resolved that the proposed special assessments as on file in the Office of the City Clerk be \$16,760.00 and 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 interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2002 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 assessment bonds are sold for with collection of the special assessments on the 2002 real estate tax statements.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-133
By Mead & Campbell**

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$16,760 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 lighting improvements in the Hennepin (Franklin-Groveland) Street Lighting Project, Special Improvement of Existing Street No 2217, 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.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-134
By Mead & Campbell

Amending the 2001 Capital Improvement Appropriation Resolution

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the PW - Transportation Street Lighting Capital Appropriation in the Permanent Improvement Projects Fund (4100-943-9432) by \$167,600 for the Hennepin (Franklin-Groveland) Street Lighting Project, to be reimbursed by special assessments in the amount of \$16,760 (4100-943-9432-3880) and NRP in the amount of \$150,840 (4100-943-9432-3845).

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee reports that in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to street lighting districts, a public hearing was held on March 29, 2001 to consider the establishment of Street Lighting District No 1271 and to consider all written and oral objections and statements regarding this matter.

Your Committee now recommends that Street Lighting District No 1271 (streets to receive lighting are as designated in the Hennepin (Franklin-Groveland) Street Lighting Project, Special Improvement of Existing Street No 2217) as delineated in a report of the Transportation and Public Works Committee passed by the City Council on February 16, 2001 be and hereby is given preliminary approval.

Your Committee further recommends that Street Lighting District No 1271 not be considered for final approval until at least two weeks from now in accordance with the provisions of Chapter 431 of the Minneapolis Code of Ordinances.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration the Cedar Lake Road South/Cedar Lake Parkway Reconstruction Project designated as Special Improvement of Existing Street Number 9705, now recommends passage of the accompanying Resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the project;
- b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the project.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-135
By Mead & Campbell

Cedar Lake Road South/Cedar Lake Parkway Reconstruction
Special Improvement of Existing Street Number 9705

Ordering the work to proceed and adopting the special assessments for the Cedar Lake Road South/Cedar Lake Parkway Reconstruction Project.

Whereas, a public hearing was held on March 29, 2001 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2001R-084 passed March 2, 2001, 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 Resolution 2001R-084 passed March 2, 2001.

Be It Further Resolved that the proposed special assessments in the total amount of \$53,010.98 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 annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at 20 and that the interest be charged at the same rate as the assessment bonds are sold for with the collection of the special assessments to begin on the 2002 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 assessment bonds are sold for with collection of the special assessments on the 2002 real estate tax statements.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-136

By Mead & Campbell

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$53,000 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 Lake Road South/Cedar Lake Parkway Reconstruction Project, Special Improvement of Existing Street Number 9705, 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.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration the Chicago Avenue Street Reconstruction Project designated as Special Improvement of Existing Street Number 6635, now recommends passage of the accompanying Resolutions:

a) Ordering the work to proceed and adopting the special assessments for the project;

b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the project.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-137

By Mead & Campbell

**Chicago Avenue Street Reconstruction Project,
Special Improvement of Existing Street Number 6635**

**Ordering the work to proceed and adopting the special assessments for the Chicago Av
Street Reconstruction Project.**

Whereas, a public hearing was held on March 29, 2001 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2001R-081, passed March 2, 2001 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 2001R-081 passed March 2, 2001.

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 assessment bonds are sold for with collection of the special assessments to begin on the 2002 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 assessment bonds are sold for with collection of the special assessments on the 2002 real estate tax statements.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-138

By Mead & Campbell

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis
bonds in the amount of \$198,500 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 Chicago Avenue Street Reconstruction Project, Special Improvement of Existing Street No 6635, 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.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying Resolution ordering the work to proceed for the Chicago Avenue Streetscape Project, Special Improvement of Existing Street Number 6635.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-139

By Mead & Campbell

**Chicago Av Streetscape Project
Special Improvement of Existing Street No 6635**

Ordering the work to proceed for the Chicago Av Streetscape Project.

Whereas, a public hearing was held March 29, 2001 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2001R-082, passed March 2, 2001 and to consider all written and oral objections and statements regarding the proposed improvements;

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 Resolution 2001R-082 passed March 2, 2001.

Be It Further Resolved that an assessment public hearing will be held at a later date, if needed.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee recommends passage of the accompanying Resolution ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the Chicago Avenue Street Reconstruction and Streetscape projects.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-140

By Mead & Campbell

Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction and streetscape projects in the Chicago Av area.

Whereas, the City of Minneapolis has scheduled the reconstruction and streetscape improvements during 2001 in the Chicago Av area of Minneapolis; and

Whereas, there are areaways located in the public street r/w that are in conflict with said reconstruction and streetscape installation; and

Whereas, a public hearing was held on March 29, 2001 in accordance with Chapter 10, Section 6 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 Chicago Av (both sides) from 46th St E to 49th St E.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, to whom was referred an Ordinance amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks, adding a new Chapter 457 which establishes the 48th Street East and Chicago Avenue South Special Service District, and having held a public hearing thereon, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends summary publication of the above-described ordinance.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-047 amending Title 17 of the Minneapolis Code of Ordinances adding a new Chapter 457 entitled "48th Street East and Chicago Avenue South Special District", providing for the establishment of the 48th Street East and Chicago Avenue South Special Service District, was passed April 6, 2001 by the City Council and approved April 11, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2001-Or-047

By Mead and Herron

Intro & 1st Readings: 2/2/2001

Ref to: T&PW

2nd Reading: 4/6/2001

Amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks, by adding a new Chapter 457 relating to the 48th Street East and Chicago Avenue South Special Service District.

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 457 to read as follows:

**CHAPTER 457. 48th STREET EAST AND CHICAGO AVENUE SOUTH
SPECIAL SERVICE DISTRICT.**

457.10. Establishment. Pursuant to the authority granted by Laws of Minnesota, 1996, Chapter 471, Article 8, Section 44, there is hereby established a special service district (otherwise referred to herein as the "district") wherein the city may provide, or contract for public services to be provided, of a kind or to a degree not required or performed elsewhere in the city. Said special service district shall consist of the following area, except for those portions thereof within those zoning districts in which business, commercial and industrial uses are not permitted under the Minneapolis Zoning Code:

Beginning at a point at the centerline of 47th St E and the northerly extension of the centerline of the alley in Block 1, Belmont Park Addition, then East along said centerline to the northerly extension of the centerline of the alley in Block 6, Shenandoah Terrace;

Then South along said centerline of the alley to the South lot line of Lot 19, Block 7, Shenandoah Terrace;

Then West along said South lot line and it's westerly extension, to the South lot line of Lot 8 Block 1, Dunsmoor's Fifth Addition;

Then continuing West to the centerline of the alley in Block 1, Dunsmoor's Fifth Addition;

Then North along the centerline of said alley to the point of beginning.

457.20. Services to be performed. Within the special service district, the city may perform or contract for the performance of any of the following services to the extent that such services are not ordinarily provided throughout the city from ordinary revenues of the city:

- (a) Snow and ice removal and sanding of public areas.
- (b) Cleaning and scrubbing of sidewalks; cleaning of curbs, gutters, alleys, and streets.
- (c) Provision, installation, maintenance, removal, and replacement of banners and other decorative items for promotion of the commercial area of the district.
- (d) Poster and handbill removal.
- (e) Repair and maintenance of sidewalks.
- (f) Installation and maintenance of area-wide security systems.
- (g) Provision and coordination of security personnel to supplement regular city personnel.
- (h) Maintenance, repair, and cleaning of commercial area directories, kiosks, benches, bus shelters, newspaper stands, trash receptacles, information booths, bicycle racks and bicycle storage containers, sculptures, murals, and other public area art pieces.
- (i) Installation, maintenance, and removal of lighting on commercial area trees.
- (j) Cost of electrical service for pedestrian and tree lighting.
- (k) Repair of low-level pedestrian lights and poles.
- (l) Provision of comprehensive liability insurance for public space improvements.
- (m) Trash removal and recycling costs.
- (n) Provision, maintenance, and replacement of special signage relating to vehicle and bicycle parking, vehicle and pedestrian movement, and special events.
- (o) Watering, fertilizing, maintenance and replacement of trees and bushes on the public right-of-way.

457.30. Service charge. The city council hereby finds and determines that the annual costs of providing the services specified in section 457.20 hereof will provide benefits primarily to properties located within the district, rather than to the city as a whole, and that the costs of said services may be recovered by the city by the imposition of service charges to be assessed against properties located within the district pursuant to Laws of Minnesota, 1969, Chapter 499.

457.40. Imposition of service charge; levy. The service charges shall be levied annually prior to November thirtieth upon properties within the district, in an aggregate sum, which, combined with any property tax levied under section 457.60 hereof, will equal the estimated total costs of the city in providing the services referred to in section 457.20 for the next ensuing calendar year; provided, however, that service charges may be levied in the year 2001 for services rendered or to be rendered during the calendar years 2001 and 2002. Prior to imposing the service charges, a public hearing shall be held with respect thereto at which all interested persons may appear and be heard. Notice of the public hearing shall be given in two (2) separate publications of the city's official newspaper one week apart and the public hearing shall not be held less than three (3) days after the later publication. Not less than ten (10) days prior to the hearing, notice shall be mailed to the owner of each parcel of real estate within the district. For the purpose of giving such mailed notice, owners shall be those shown on the records of the county auditor. For properties which are tax exempt or subject to taxation on a gross earnings basis in lieu of property tax and are not listed on the records of the county auditor, the owners shall be ascertained by any practical means, and mailed notice given them.

The notice of public hearing shall include:

- (a) A statement that all interested persons will be given an opportunity to be heard at the hearing regarding the proposed service charge.
- (b) The proposed rate or amount of the proposed service charge to be imposed in the district during the calendar year and the nature and character of special services to be rendered in the district during the calendar year.
- (c) A statement that an owner may appeal an assessment of the service charge to district court including the procedure for appeal.

The service charge may be levied at any time not later than six (6) months after the public hearing by a vote of a majority of all of the members of the city council.

457.50. Assessment of service charges. Except as otherwise provided herein, the service charges imposed under sections 457.30 and 457.40 shall be assessed against parcels of real estate within the district in the manner and subject to the procedures provided in Minnesota Statutes, Sections 429.061, 429.071 and 429.081; provided that each assessment shall be payable in a single tax year. Within thirty (30) days after the adoption of the assessment, any person aggrieved may appeal to the district court by serving a notice of appeal upon the mayor or city clerk; provided that no appeal may be taken unless the person appealing shall have filed a signed, written, objection with the city clerk prior to the assessment hearing or shall have presented it to the presiding officer at the hearing, unless a reasonable cause shall exist for such person's failure to do so.

457.60. Ad valorem property tax. The city may, in each calendar year, levy a tax on taxable property in the district based upon the assessed value of the property and such tax shall be assessed and collected in the same manner as other property taxes on property located within the district. The tax shall be levied at a rate that will raise an aggregate sum, which, when combined with any service charges levied in the district, will equal the total costs of the city in providing the services specified in this ordinance [chapter] for the next ensuing calendar year; provided, however, that taxes may be levied in the year 2001 for services rendered and to be rendered in the calendar years 2001 and 2002. Prior to the levy of such a tax a public hearing shall be held. The requirements for the public hearing and the notice of public hearing shall be the same as specified in section 457.40 with respect to the levy of special service charges, and the tax may be levied not later than six (6) months after the public hearing by a majority vote of all of the members of the city council.

For purposes of determining the appropriate tax rate, taxable property or value shall be determined under Minnesota Statute. Property exempt from taxation by Minnesota Statute shall be exempt from such tax.

457.70. Revenue surplus or deficit. In the event that the cost of services rendered in the district in any calendar year exceed the total taxes and service charges levied and collected with respect to such calendar year, an amount necessary to recoup the excess costs shall be levied as taxes, service charges, or both in the next ensuing year; to the extent that the total taxes and service charges exceed the cost of services, the next ensuing year's levy of taxes and service charges shall be decreased by a corresponding amount.

457.80. Limitation. Taxes and service charges may be levied pursuant to this ordinance [chapter] to finance special services ordinarily provided by the city only if the services are provided in the district at an increased level and, then, only in an amount sufficient to pay for the increase.

457.90. Advisory board. (a) An advisory board to be known as the 48th Street East and Chicago Avenue South Special Service District Advisory Board consisting of five (5) members, who are residents of the district or owners of property within the district, shall be appointed by the city council for terms of two (2) years beginning on January first of each even-numbered year, the first term to commence January 1, 2002. All board members shall be appointed in conformance with the city's open appointments ordinance. Any vacancy in an unexpired term shall be filled in the same manner as the original appointment was made and shall be for the unexpired term. Board members shall serve until their successors are appointed.

(b) The advisory board shall advise the city council in connection with the construction, maintenance, and operation of improvements and the furnishing of special services in the district. It shall make recommendations to the city council on requests and complaints of owners, occupants, and users of property within the district and members of the public.

(c) Before the adoption of any proposal by the city council to provide services or impose taxes or service charges within the district, the advisory board of the district must have an opportunity to review and comment upon the proposal.

(d) Upon or after the effective date of this ordinance, the city council may appoint a temporary advisory board consisting of five (5) members who shall be required to have the qualifications specified in paragraph (a) of this section. Said temporary advisory board shall have all of the powers, duties and responsibilities of, and shall be known as, the 48th Street East and Chicago Avenue South Special Service District Advisory Board from its date of appointment through December 31, 2001. In appointing the temporary advisory board members, the city council shall not be bound by the provisions of Minneapolis Code of Ordinances, Section 14.180.

457.100. Definitions and construction. The terms used herein shall be defined as provided in Laws of Minnesota, 1985, Chapter 302, and this chapter shall be construed consistently therewith.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration the Harrison Area Street Renovation Project designated as Special Improvement of Existing Street Number 2947, now recommends passage of the accompanying Resolutions:

a) Ordering the work to proceed and adopting the special assessments for the project;

b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the project.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 6, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published April 10, 2001)

RESOLUTION 2001R-141

By Mead & Campbell

**Harrison Area Street Renovation Project
Special Improvement of Existing Street No 2947**

Ordering the work to proceed and adopting the special assessments for the Harrison Area Street Renovation Project.

Whereas, a public hearing was held on March 29, 2001 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2001R-083, passed March 2, 2001 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 2001R-083 passed March 2, 2001.

Be It Further Resolved that the proposed special assessments in the total amount of \$562,988.47 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 ten (10) and that the interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments to begin on the 2002 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 assessment bonds are sold for with collection of the special assessments on the 2002 real estate tax statements.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 6, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published April 10, 2001)

**RESOLUTION 2001R-142
By Mead & Campbell**

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$563,000 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 Harrison Area Street Renovation Project, Special Improvement of Existing Street No 2947, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 6, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published April 10, 2001)

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying Resolution ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the Harrison Area Street Renovation Project.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 6, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published April 10, 2001)

**RESOLUTION 2001R-143
By Mead & Campbell**

Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street renovation project in the Harrison Area.

Whereas, the City of Minneapolis has scheduled the renovation improvements during 2001 in the Harrison area of Minneapolis; and

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

Whereas, a public hearing was held on March 29, 2001 in accordance with Chapter 10, Section 6 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 r/w adjoining the properties along Glenwood Av from Russell Av N to Gramercy Av (both sides); and 3rd Av N at Logan Av N (both sides).

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 6, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published April 10, 2001)

T&PW & W&M/Budget – Your Committee, having been informed that the University of St. Thomas has requested that the City purchase and sell to them a parcel of Minnesota Department of Transportation (MnDOT) land at 47 N 11th St to allow for relocation of a business from the area planned for their law school development, now recommends:

1) That the proper City officers be authorized to execute the necessary documents to purchase 47 N 11th St (Parcel 5, S.P. 2789, 394=107, 901) from MnDOT;

2) Passage of the accompanying resolution authorizing the sale of excess City property at 47 N 11th St;

3) That the proper City officers be directed to purchase said land from MnDOT for its appraised value and that the sale of the property should ensure that the City is reimbursed for all costs related to the land purchase. Further that expenses and revenues related to this transaction shall be processed through the Parking Fund (7500-943-9464) and that appropriations shall be adjusted accordingly.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-144

By Mead & Campbell

Authorizing the sale of City-owned property at 47 North 11th Street.

Whereas, the City intends to buy land at 47 North 11th Street, and legally described below, from the Minnesota Department of Transportation (MNDOT) for the sole purpose of re-sale to the University of St. Thomas; and

Whereas, the City Engineer has determined that this parcel is not needed for City purpose; and

Whereas, MNDOT has determined the value of the land to be \$215,300 and the City Assessor has determined the fair market value of the land to be \$144,000 and has reported this to the City Council; and

Whereas, the University of St. Thomas has agreed to pay the City for the City's cost to acquire the land from MNDOT; and

Whereas, the Planning Commission approved the sale on April 2, 2001 as being in conformance with the Comprehensive Plan and a public hearing, notice of which was published in a newspaper of general circulation in Hennepin County at least ten days in advance of the hearing, was held by the Transportation and Public Works Committee on March 29, 2001, all in accordance with the Minneapolis Code of Ordinances, Section 14.120;

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

That the proper City officers be authorized to execute a land sale agreement and quit claim deed and related documents for the land legally described as:

That part of Lots 1, 2 and 3, Block 5, Harmon's Addition to Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, which lies easterly of Line 1 described below:

Line 1. Commencing at the most northerly corner of Lot 10, Block 5, Harmon's Addition to Minneapolis; thence run southwesterly on an azimuth of 239 degrees 33 minutes 48 seconds for 163.85 feet to a point on the northwesterly line of Lot 8, Block 5, said addition, which point is the point of beginning of Line 1 to be described; thence run northeasterly, 228.87 feet on a non-tangential curve, concave to the northwest having a radius of 843.44 feet, delta angle of 15 degrees 32 minutes 50 seconds and a chord azimuth of 15 degrees 25 minutes 12 seconds and there terminating; except that part of Lot 1, Block 5, said addition lying northerly of Line 2 described below:

Line 2. Commencing at the most easterly corner of Lot 1, Block 5, Harmon's Addition to Minneapolis; thence run northwesterly on an azimuth of 329 degrees 31 minutes 20 seconds for 126.58 feet to a point on the northeasterly line of Lot 1, Block 5, which is the point of beginning of Line 2 to be described; thence run westerly on an azimuth of 269 degrees 47 minutes 34 seconds to its intersection with Line 1 and there terminating;

That part of Lots 2 and 3 is registered Land as evidenced by Certificate of Title Number 594606. And more fully described in Petn No. 266820 on file in the Office of the City Clerk.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the request of Mount Olivet Lutheran Church (5025 Knox Av S) that the City waive the \$300 application fee for the vacation of Knox Av S from W 50th St to the portion already vacated and having been informed that the vacation will reduce City maintenance costs, now recommends that said waiver be granted.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having received a report outlining the need to review the storm tunnel rehabilitation budget so as to allow for replacement of the Bassett Creek Tunnel in conjunction with the Near Northside Redevelopment Project, now recommends that the City's 2001-2005 Capital Improvement Program be amended to reflect that \$2.1 million will be spent in 2001 (rather than 2002-2003) for the Bassett Creek Tunnel replacement project.

Your Committee further recommends passage of the accompanying resolution increasing the Sewer Rental Fund by \$2,100,000 for the Bassett Creek Tunnel project.

Your Committee further recommends passage of the accompanying resolution amending the Resolution 2001R-014 that designates the amount of bonds to be sold for the flood mitigation, sewer and storm drain/tunnel projects by increasing the amount for PS01a (Storm Tunnel Rehab) from \$1,000,000 to \$3,100,000.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished May 26, 2001)

RESOLUTION 2001R-145

By Mead & Campbell

Amending The 2001 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Sewer Construction Capital Agency in the Sewer Rental Fund (7300-932-9322) by \$2,100,000 and increasing the revenue source (7300-932-9322 - Source 3910) by \$2,100,000 for the Bassett Creek Tunnel project.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-146

By Mead & Campbell

Amending Resolution 2001R-014 entitled "Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$10,520,000 for certain purposes other than the purchase of public utilities", passed January 19, 2001.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended by increasing the amount of bonds to be sold for the Storm Tunnel Rehab Program (PS01a) by \$2,100,000 for a new total of \$3,100,000 and thereby increasing the total 2001 Bonded Storm Water, Sewer, Flood Mitigation Bond Program to \$12,620,000.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished May 26, 2001)

T&PW & W&M/Budget – Your Committee, having been notified that the City will receive a payment from the Federal Reserve Bank as settlement for the off-site public improvements that were provided for the Federal Reserve Bank Project Tax Increment Financing District, now recommends that the proper City officers be authorized to receive said payment in the amount of \$915,895.49, with the funds to be allocated as follows:

Bridge Square - \$615,895.49;

Cedar Lake Bike Trail - \$300,000.

Your Committee further recommends passage of the accompanying resolution appropriating the funds to those projects.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-147

By Mead & Campbell

Amending The 2001 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) By increasing the appropriation for the PW - Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9464) by \$915,896 and increasing the revenue source (4100-943-9464 - Source 3210) by \$915,896; and

b) By decreasing the appropriation for the PW - Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9464) by \$58,500, reversing an earlier appropriation.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a contract with the Minnesota Department of Transportation (MnDOT), Office of Transit, that will allow the City to collect \$416,000 in funding for the establishment of 36 High Occupancy Vehicle parking stalls in the Gateway and Leamington parking facilities. It is further recommended that the City designates the funds spent in construction of those parking facilities as the required twenty percent local contribution.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration plans for the 40th Street Greenway Project (between Lyndale Av S and I-35W) as submitted by the Public Works Department and the King Field Neighborhood and having been informed that the neighborhood will be utilizing

Neighborhood Revitalization Program (NRP) funds for the roadway project, now recommends passage of the accompanying resolution increasing the project appropriation by \$50,000 to support planning, testing, consultant costs and final engineering of roadway and streetscape elements.

Your Committee further recommends that the proper City officers be authorized to expend City funds for the project, to be reimbursed through the neighborhood's NRP program.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-148

By Mead & Campbell

Amending The 2001 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9440) by \$50,000 and increasing the revenue source (4100-943-9440 - Source 3845) by \$50,000 for the 40th Street Greenway Project.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee recommends acceptance of the following bids in accordance with City specifications (Petn No 266821):

a) OP #5611, bid submitted by Midwest Diesel Service, Inc. for an estimated annual expenditure of \$60,000 for furnishing and delivering OEM parts and service for Crane Carrier model refuse vehicles for the Sanitation Division;

b) OP #5577, low bids of Standard Sidewalk (\$1,301,119 for Districts 1, 3 and the Chicago Avenue Project) and Gunderson Brothers Cement Construction (\$743,475 for District 2) for furnishing and delivering all labor, materials, equipment and incidentals necessary to accomplish construction of sidewalks, alleys, curb and gutters and driveways for the Sidewalk Division;

c) OP #5603, low bid of Twin City Tile and Marble Company for an estimated annual expenditure of \$50,000 to provide maintenance service for Nicollet Mall granite tile;

d) OP #5328, an increase of \$40,000 to Contract No. 15216 with Western Lime Corporation, for a new estimated expenditure of \$740,000 for furnishing and delivering quick lime as needed through February 28, 2002 by the Water Works;

e) OP #5595, low bid of Aloha Landscaping, Inc. in the amount of \$59,626.75 for furnishing and delivering all labor, materials, equipment and incidentals necessary to accomplish the Hennepin Avenue Streetscape and Landscaping Project;

f) OP #5602, low bid of Dunlo Motors, Inc. for an estimated annual expenditure of \$100,000 for furnishing and delivering pre-owned vehicles for the Equipment Services Division.

Your Committee further recommends that the proper City Officers be authorized to execute contracts for the above projects and/or services, in accordance with City specifications.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having received an update on planning for Primary Service Node 2 located at 26th and Hiawatha Av (as identified in the Public Works Comprehensive Facility Master Plan), now recommends that the proper City officers be authorized to begin

discussions with Roof Depot, Inc., owners of the property at 1860 E 28th St, for possible acquisition of their property for the City facility.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration a proposal to relaunch the Concrete Demonstration Project, a program that allows City homeowners to request bids for concrete repair work on private property and pay for the repairs through property tax assessment, and having been informed that staff recommends the following:

a) that said program be offered through a partnership with the Summit Academy OIC (to provide concrete repair and construction services through their job training program) and the Neighborhood Revitalization Program (NRP), setting aside funds in the Webber-Camden, St. Anthony East, Fulton, Lynnhurst and Cooper neighborhoods;

b) that the proper City officers be authorized to execute a sole source contract with Summit Academy OIC for said services, with waiver of the City's policy requiring issuance of a request for proposals (contingent upon waiver approval by the Permanent Review Committee); and

c) that the Director of Regulatory Services be authorized to work with the Finance Department and the NRP to establish a mechanism for payment to the contractor (Summit Academy) by using dedicated NRP resources, to be reimbursed by homeowners using a voluntary property tax assessment, now recommends:

T&PW - Approval.

W&M/Budget - Approval. Your Committee further recommends that the proper City officers be authorized to solicit bids for one contractor to provide said concrete services for additional neighborhood(s), with the understanding that the mechanism for payment to the contractor (as established by the Director of Regulatory Services, the Finance Department and NRP) will be permitted, using dedicated NRP resources and providing for reimbursement by homeowners using said voluntary property tax assessment.

Mead moved to substitute the following report for the above report. Seconded.

Adopted upon a voice vote.

T&PW & W&M/Budget - Your Committee, having under consideration a proposal to relaunch the Concrete Demonstration Project, a program that allows City homeowners to request bids for concrete repair work on private property and pay for the repairs through property tax assessment, recommends approval of the following:

a) that said program be offered initially through a partnership with the Summit Academy OIC (to provide job training skills in the field of concrete repair and construction services through their job training program) and the Neighborhood Revitalization Program (NRP), setting aside funds in the Webber-Camden, St. Anthony East, Fulton, Lynnhurst and Cooper neighborhoods;

b) that the proper City officers be authorized to execute a contract with Summit Academy OIC for said job training services, with waiver of the City's policy requiring issuance of a request for proposals (contingent upon waiver approval by the Permanent Review Committee); and

c) that the Director of Regulatory Services be authorized to work with the Finance Department and the NRP to establish a mechanism for payment to the contractor (Summit Academy) by using dedicated NRP resources, to be reimbursed by homeowners using a voluntary property tax assessment;

d) that the direct of Regulatory Services and the proper City officers develop a program to permit at least one contractor to provide said concrete services for additional neighborhood(s) in conjunction with any proposed City concrete project, or project developed by the NRP or a neighborhood group, with the understanding that the mechanism for payment to the contractor (as established by the Director of Regulatory Services, the Finance Department and the NRP) will be permitted, using dedicated NRP resources and providing for reimbursement by homeowners using said voluntary property tax assessment; and

e) that appropriate staff be directed to return to the Transportation & Public Works Committee and Ways & Means/Budget Committees for acceptance of the low bid meeting specifications.

Mead moved to amend Section D of the report, following the language "...in conjunction with any proposed City concrete project," add the language "other than the annual sidewalk repair program".
Seconded.

Adopted upon a voice vote.

The substituted report, as amended, was adopted.

Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the Hiawatha Corridor Light Rail Transit (LRT) Project and having been informed that plans for elevated LRT trackage between Lake St and 28th St have been amended so as to replace the original plans for a pier and span with a retained fill section and having received input from the Hiawatha LRT Community Advisory Committee that strongly recommends that the retained fill section be replaced by an open, pier-supported structure as was originally planned, and having considered the following actions:

1) Approval for the City to participate in the conversion of the retained fill section of the LRT bridge between Lake St and 28th St to a bridge section;

2) That the proper City officers be authorized to enter into an agreement with the Minnesota Department of Transportation (MnDOT) and the Metropolitan Council to furnish the Hiawatha LRT Project with funding in the amount of \$2,740,000 in any combination of Municipal State Aid (MSA), net debt bond, project balances and/or other funding sources as may be appropriate to be applied against the City's share of the redesign of Minnehaha Avenue/54th Street, redesign of 46th Street/Hiawatha Av, conversion of the retained fill section to a bridge section and other items that may be subsequently directed by the City Council;

3) That the current MSA Five-Year Capital Improvement Plan (CIP) be reviewed in order to determine which projects, under a worst case scenario, would be deferred should MSA funding be used for all or part of said agreement on the Lake Street Bridge;

4) That the proper City officers be directed to convey to MnDOT, the Hiawatha Project Office and other interested parties the City's outrage that a substantial design change was made with no public hearing or input; and further that the City finds that this issue indicates that the design build method is inefficient;

now recommends:

T&PW - Approval.

W&M/Budget - That the matter be sent forward without recommendation with the following staff direction:

Direct the Public Works and Finance Department to work together to produce a report on the status of the current MSA Five-Year CIP including those items or projects which are not yet part of the plan but that are known to require MSA resources and provide options to adjust the plan to accommodate the proposed City share for the Lake Street LRT bridge project.

Mead moved to amend the report to approve the Transportation & Public Works Committee recommendation and to delete the Ways & Means/Budget Committee recommendation. Seconded.

Adopted by unanimous consent.

Mead moved to amend the report, as amended, by deleting Item 4 and inserting in lieu thereof the following language:

"4) That the City Council convey to MnDOT, the Hiawatha Project Office, and other interested parties that the process which led to the "bridge pier structure" approved by the City of Minneapolis being changed to a "retained fill wall," and now changed back to the pier structure, caused increased expense and community outrage that could have been avoided; and, further, that although the City is committed to helping to pay for the restoration of the preliminary design, the City must have a clarification of the confidentiality agreements that govern information-sharing in this complex planning process in order to prevent this from occurring again." Seconded.

Adopted upon a voice vote.

Lane, at his request, recorded as voting "No".

Ostrow moved to amend the report, as amended, as follows:

1) by deleting from Section 2 the figure "\$2,740,000" and inserting in lieu thereof the figure "\$2,090,000"; and

2) following the language "...conversion of the retained fill section to a bridge section", add the language "in an amount not to exceed \$800,000". Seconded.

Lost. Yeas, 3; Nays, 10 as follows:

Yeas - Ostrow, Goodman, McDonald.

Nays - Lane, Herron, Johnson, Thurber, Campbell, Biernat, Niland, Colvin Roy, Mead, Cherryhomes.

The report, as amended, was adopted.

Yeas, 12; Nays, 1 as follows:

Yeas - Herron, Johnson, Thurber, Ostrow, Campbell, Biernat, Niland, Goodman, Colvin Roy, McDonald, Mead, Cherryhomes.

Nays - Lane.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute three-year legal services agreements with the following law firms to provide bond counsel services to the City, with the understanding that having a primary and secondary bond counsel will most promptly meet the City's public finance needs over the three-year contractual period, commencing upon final signature date, with costs to be determined as services are rendered and to be payable from bond revenues:

a) Dorsey and Whitney, as primary bond counsel; and

b) Kennedy and Graven, as secondary bond counsel.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends concurrence with the recommendation of the City Council to appoint/reappoint the following persons to serve on the Minneapolis Telecommunications Network (MTN) Board for four-year terms to expire January 15, 2005:

a) Floyd Child II, 5513 Irving Avenue South, Ward 13 (new appointment); and

b) Vusumuzi Zulu, 1112 Newton Avenue N, Ward 5 (reappointment).

Your Committee further recommends amending Council action of December 30, 1997 to extend the term of the City Council appointment of Michael Rainville, 89 7th Avenue NE, Ward 3, for a full four-year term to expire January 15, 2002.

Your Committee further recommends concurrence with the recommendation of the Mayor to reappoint Julie Wallace, 135 Melbourne Avenue SE, Ward 2, for a four-year term to expire January 15, 2005.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval of the office and field space standards, as more fully set forth in Petn No 266829 on file in the Office of the City Clerk; and further recommends approval of the following three Space and Asset Management Policy Principles:

1) That City spaces and other physical assets shall be planned for and financed in a well-defined, systematic manner that serves to leverage the City's present and future resources efficiently and effectively to the overall benefit of the enterprise;

- 2) That the City shall provide for its office space needs through the use of leased space when:
 - a) department space needs exceed available City space;
 - b) department location needs cannot be met within City space;
 - c) it is more economically feasible.

And, the City shall serve as Landlord when leasing is more beneficial over property sale; and

- 3) That City field and office space allocation and furniture selections shall be guided by the use of standards. These standards shall support City departmental functions and business needs, promote equity and economical use of City financial resources across the enterprise, provide clear and consistent direction for City staff in providing and furnishing City facilities, and contribute to providing a safe and aesthetically pleasing work environment for all City employees.

Your Committee further recommends that staff be directed to return to the Ways and Means/Budget Committee with detailed policies and procedures by the second cycle in October, 2001.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval of the Clean City Action Plan, including appropriation of \$100,000 to Housing Inspections Services for the purpose of conducting an anti-litter public education program.

Your Committee further recommends passage of the accompanying Resolution increasing the Inspections Agency by \$100,000.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-149
By Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Inspections Agency in the General Fund (0100-850-8510) by \$100,000.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Amendment #2 to Contract #13412 with the Council on Crime and Justice to provide victim/witness liaison services, extending said contract through December 31, 2001, with all other terms and conditions to remain the same, and with the understanding that funds are available in the 2001 budget, payable from the City Attorney Agency in the General Fund (0100-140-1410).

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that certain lawsuits filed against the City be settled and be payable from the Self Insurance Fund (6900-150-1500-6850), as follows:

- a) Payment to Thomas Bovis and his attorney, Patrick M. Spott, in the amount of \$10,000; and

b) Payment to Cheryl Schullo and her attorney, Ronald Latz, in the amount of \$1,750, and that the City Attorney and the Director of Public Works be authorized to execute the necessary documents to effectuate the settlement and release of claims.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends settlement in the matter of Brydie vs. City of Minneapolis, et al, United States District Court File #01-484-DSD/JMM, and further recommends approval of a Rule 68 settlement offer, in the amount of \$2,610.17, payable to William J. Maddix, Interest On Lawyers Trust Account (IOLTA), from the Self Insurance Fund (6900-150-1500-4000).

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute the following:

a) a release of claims and settlement agreement;

b) all necessary documents to effectuate settlement; and

c) any and all actions, as deemed necessary, to settle the matter of Francis Nelson vs. City of Minneapolis, et al.

Your Committee further recommends approval to take the necessary steps to provide a hearing before the Minneapolis Civil Service Commission for Francis Nelson to contest employment termination.

Your Committee further authorizes payment of the settlement amount to Francis Nelson and his attorney, Marshall Tanick, in the amount of \$17,500, payable from the Self Insurance Fund (6900-150-1500-4000).

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers of the City Attorney's Office be authorized to accept \$7,279.30 as settlement of its claim against Tri-State Drilling, Inc. (the City's drilling contractor on a sewer construction project located in downtown Minneapolis).

Your Committee further recommends passage of the accompanying Resolution increasing the City Attorney Agency appropriation and revenue estimate by \$7,279.30.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-150

By Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the City Attorney Agency in the General Fund (0100-140-1440) by \$7,279.30, and increasing the City Attorney Agency revenue estimate in the General Fund (0100-140-1440-3455-01) by \$7,279.30.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.
Approved April 11, 2001. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee, having under consideration requests from the following police officers for reimbursement of attorneys' fees, now recommends approval of said requests, payable to Frederic Bruno and Associates from the Self Insurance Fund (6900-150-1500-4000):

- a) Officers Aaron Morrison and Scott Ramsdell, in the amount of \$4,638;
- b) Officer James Carlson, in the amount of \$972.75; and
- c) Officers William Palmer and Sarah Saarela, in the amount of \$4,869.02.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Change Order #3 to Contract #15023 with Shaw-Lundquist Associates, Inc., for additional work required on the Convention Center Expansion Project, increasing said contract by \$124,257, for a new contract total of \$6,446,897, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751).

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 6, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published April 10, 2001)

W&M/Budget - Your Committee recommends acceptance of an additional Fiscal Year 2001 grant amendment, in the amount of \$7,306,200, from the United States Department of Housing and Urban Development (HUD) for the Minneapolis Empowerment Zone.

Your Committee further recommends passage of the accompanying Resolution increasing the Coordinator Agency appropriation and revenue estimate by \$7,306,200.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-151
By Campbell

Amending The 2001 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the City Coordinator Agency in the Federal Grants Fund (0300-840-8460) by \$7,306,200, and increasing the City Coordinator Agency revenue estimate in the Federal Grants Fund (0300-840-8460-Source-3210) by \$7,306,200.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends concurrence with the recommendation of the City Council to appoint/reappoint the following persons to serve on the Capital Long-Range Improvement Committee (CLIC) for two-year terms commencing February 1, 2001 and expiring January 31, 2003:

- a) Douglas Davis, 2936 Johnson St NE, Ward 1 (new appointment);
- b) Virginia DeRosier, 2731 Garfield St NE, Ward 1;
- c) Thomas Youngblood, 1920 S 1st St, D-103, Ward 2;
- d) Rick Stackley, 1920 S 1st St, D-103, Ward 2;
- e) Jeffrey Strand, 5100 Thomas Avenue N, Ward 4;
- f) Jon Olson, 4234 Washburn Avenue N, Ward 4;
- g) Michael Paul Weber, 2120 Xerxes Avenue N, Ward 5;
- h) Dr. Judge King, 110 Bank St SE, #2403, Ward 5 (new appointment);
- i) Bengt Sohlan, 3525 W 24th St, Ward 7 (new appointment);
- j) Richard K. Anderson, 210 W Grant St, #110, Ward 7;
- k) Marie Hauser, 3307 Portland Avenue S, Ward 8 (new appointment);
- l) Cara Letofsky, 2517 30th Avenue S, Ward 9;
- m) Jeffrey Hayden, 3603 14th Avenue S, Ward 9 (new appointment);
- n) Gary Thaden, 2301 Aldrich Avenue S, Ward 10;
- o) William Gilbreath, 3105 Irving Avenue S, Ward 10;
- p) Thomas Streitz, 4531 Wentworth Avenue S, Ward 11;
- q) Cheri Hayne, 5302 Grand Avenue S, Ward 11;
- r) Jan Pearson, 4130 41st Avenue S, Ward 12 (new appointment);
- s) Robert Gustafson, 4941 Morgan Avenue S, Ward 13;
- t) Thomas Alagna, 5915 Russell Avenue S, Ward 13.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval of a request from the Planning Department to insert an informational message to inform residents of the Blooming Boulevards Program, for insertion in the May, 2001 utility bills, with the understanding that City departments are not charged an insertion fee.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a lease agreement with Bloomberg Services to provide financial information and services relating to a wide range of investment decisions, for a period of one year, commencing May 1, 2001 and expiring April 30, 2002, for an estimated amount not to exceed \$50,000, payable from the Investment Management System Agency in the Pooled Fund (Z990-IMS-INVS); and further recommends that the City Finance Officer be authorized to renew said annual lease agreement for up to an additional four years, at the sole discretion of the City, for a 5-year estimated total of \$160,000 (if renewals are recommended).

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends passage of the accompanying amendment to the Salary Ordinance, setting the salary for the following positions, effective January 1, 2001, based on studies conducted by the Department of Human Resources:

- a) Medical Technologist I; b) Medical Technologist II; and c) Public Health Chemist I.

Your Committee further recommends that summary publication of the above-described ordinance be authorized.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.
 Approved April 11, 2001. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-048, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the positions of Medical Technologist I, Medical Technologist II, and Public Health Chemist I, was passed April 6, 2001 by the City Council and approved April 11, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

**ORDINANCE 2001-Or-048
 By Campbell
 1st & 2nd Readings: 4/6/2001**

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

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

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Bi-Weekly Rates)

**Minneapolis Professional Employees (CPE)
 Effective: January 1, 2001**

Job Code	FLSA	OTC	CLASSIFICATION	G	P	6 Mos	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
07100C	E	1	Medical Technologist I	7.00	B	1395	1430	1506	1585	1668	1756	1848	1945
08470C	E	1	Public Health Chemist I	7.00	B	1395	1430	1506	1585	1668	1756	1848	1945
07110C	E	1	Medical Technologist II	8.00	B	1528	1567	1650	1736	1827	1924	2026	2132

Adopted. Yeas, 13; Nays none.
 Passed April 6, 2001. J. Cherryhomes, President of Council.
 Approved April 11, 2001. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval of the labor agreement with the Plumbers' Union, Local #15, AFL-CIO, as more fully set forth in Petn No 266830, which summarizes the terms of said agreement.

Your Committee further recommends that the proper City officers be authorized to execute a three-year contract to reflect negotiated terms.

Your Committee further recommends passage of the accompanying amendments to the Salary Ordinance providing for implementation of salary adjustments set forth in said labor agreements.

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

Adopted. Yeas, 13; Nays none.
 Passed April 6, 2001.
 Approved April 11, 2001. S. Sayles Belton, Mayor.
 Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-049, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, reflecting the terms of the agreement with the Plumbers' Union, Local #15, AFL-CIO, was passed April 6, 2001 by the City Council and approved April 11, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

**ORDINANCE 2001-Or-049
By Campbell
1st & 2nd Readings: 3/6/2001**

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 effective January 1, 2000:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective as of January 1, 2000, January 1, 2001 and January 1, 2002, except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee, but shall not apply to any employee heretofore separated from the service by voluntary resignation or through fault or delinquency on the part of such employee.

The rates stated herein shall be the biweekly salary rates unless stated otherwise.

**Plumbers Union Local No. 15
Effective January 1, 2000**

FLSA	OTC	CODE	CLASSIFICATION	P	4- Month Rate	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	2	02235C	Commercial Meter Srv Wkr	H	N/A	14.63	15.35	16.13	16.93	17.79	18.68	19.61
N	2	05030C	Foreman Water Svc Maint	H	N/A	18.05	18.40	18.82	19.02	20.78	21.77	22.81
N	2	08890C	Residential Meter Srv Wkr	H	N/A	14.10	14.79	15.54	16.31	17.12	17.97	18.87
N	2	10940C	Water Works Service Wrker I	H	N/A	16.11	17.12	17.59	18.22			
N	2	10950C	Water Works Service Wrker II	H	N/A	16.16	16.45	16.71	16.97	17.73	18.46	19.40

Provided that employees in this section shall receive the following longevity. These payments shall be based on a maximum of 80 hours bi-weekly.

- 21 cents per hour additional at the beginning of the 10th year of service.
- 29 cents per hour additional at the beginning of the 15th year of service.
- 35 cents per hour additional at the beginning of the 20th year of service.
- 41 cents per hour additional at the beginning of the 25th year of service.

Provided that employees who are required by the employer to wear safety shoes as a condition of employment shall be eligible to participate in the employer's Safety Shoe Expense Reimbursement Program. Such program shall provide a bi-annual (every two years) reimbursement of up to one hundred forty dollars (\$140) per purchase or repair.

Shift Differential

Employees who are scheduled to work a shift that begins between 12:00 p.m. and 6:00 a.m. shall be paid a shift differential of \$0.35 per hour for all hours worked on such shifts.

Section 2. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2001:

**Plumbers Union Local No. 15
Effective January 1, 2001**

FLSA	OTC	CODE	CLASSIFICATION	P	4month Rate	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	2	02235C	Commercial Meter Srv Wkr	H	14.67	15.28	16.03	16.85	17.68	18.58	19.51	20.48
N	2	05030C	Foreman Water Svc Maint	H	19.05	19.84	20.25	20.66	20.87	22.69	23.88	25.14
N	2	08890C	Residential Meter Srv Wkr	H	13.96	14.54	15.26	16.03	16.83	17.66	18.54	19.47
N	2	10940C	Water Works Service Wrker I	H	16.17	16.84	17.90	18.38	19.04			
N	2	10950C	Water Works Service Wrker II	H	16.21	16.89	17.19	17.44	17.72	18.52	19.28	20.26

Provided that starting January 1, 2001, new hires will be paid 96% of the approved step for a period of four (4) months and then placed at the approved step for the next eight (8) months. This reduction is to offset the cost of earlier access to health insurance.

Provided that employees in this section shall receive the following longevity.

These payments shall be based on a maximum of 80 hours bi-weekly.

21 cents per hour additional at the beginning of the 10th year of service.

30 cents per hour additional at the beginning of the 15th year of service.

36 cents per hour additional at the beginning of the 20th year of service.

42 cents per hour additional at the beginning of the 25th year of service.

Provided that employees who are required by the employer to wear safety shoes as a condition of employment shall be eligible to participate in the employer's Safety Shoe Expense Reimbursement Program. Such program shall provide a bi-annual (every two years) reimbursement of up to one hundred forty dollars (\$140) per purchase or repair.

Shift Differential

Employees who are scheduled to work a shift that begins between 12:00 noon and 2:59 p.m. shall be paid a shift differential of \$0.45 per hour for all hours worked on such shifts.

In addition, should that same employee be authorized to come in early or stay over, working immediately adjacent to such a shift, the \$0.45 per hour differential pay shall also be applied to those overtime hours.

Employees who are scheduled to work an 8-hour shift that begins between 3:00 p.m. and 5:59 a.m. shall be paid a shift differential of \$0.95 per hour for all hours worked on such shifts. In addition, should that same employee be authorized to come in early or stay over, working immediately adjacent to such a shift, the \$0.95 per hour differential pay shall also be applied to those overtime hours.

Limitations: Employees who work overtime, either by coming in early or staying over into another shift that qualifies for differential pay, their sole compensation shall be the payment of overtime or compensatory time, if applicable. Employees who voluntarily work a 10-hour shift are excluded from these provisions.

Effective 1/1/01, the following premiums will be paid for all hours worked in the eligible assignment
 \$0.250 per hour for all hours worked as a Water Works Service Worker II assigned to a Gate Truck.

- \$0.250 per hour for all hours worked as a Small Tapper.
- \$0.600 per hour for all hours worked as Leak Investigator or Locator.

Section 3. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2002:

**Plumbers Union Local No. 15
 Effective January 1, 2002**

FLSA	OTC	CODE	CLASSIFICATION	P	4Month Rate	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	2	02235C	Commercial Meter Srv Wkr	H	15.14	15.77	16.55	17.40	18.26	19.19	20.14	21.14
N	2	05030C	Foreman Water Svc Maint	H	19.67	20.49	20.91	21.33	21.55	23.42	24.66	25.95
N	2	08890C	Residential Meter Srv Wkr	H	14.41	15.02	15.76	16.55	17.37	18.24	19.14	20.10
N	2	10940C	Water Works Service Wrker I	H	16.69	17.39	18.48	18.98	19.66			
N	2	10950C	Water Works Service Wrker II	H	16.74	17.44	17.75	18.01	18.30	19.12	19.91	20.92

Provided that new hires will be paid 96% of the approved step for a period of four (4) months and then placed at the approved step for the next eight (8) months. This reduction is to offset the cost of earlier access to health insurance.

Provided that employees in this section shall receive the following longevity. These payments shall be based on a maximum of 80 hours bi-weekly.

- 22 cents per hour additional at the beginning of the 10th year of service.
- 31 cents per hour additional at the beginning of the 15th year of service.
- 37 cents per hour additional at the beginning of the 20th year of service.
- 44 cents per hour additional at the beginning of the 25th year of service.

Provided that employees who are required by the employer to wear safety shoes as a condition of employment shall be eligible to participate in the employer's Safety Shoe Expense Reimbursement Program. Such program shall provide a bi-annual (every two years) reimbursement of up to one hundred forty dollars (\$140) per purchase or repair.

Shift Differential

Employees who are scheduled to work a shift that begins between 12:00 noon and 2:59 p.m. shall be paid a shift differential of \$0.45 per hour for all hours worked on such shifts. In addition, should that same employee be authorized to come in early or stay over, working immediately adjacent to such a shift, the \$0.45 per hour differential pay shall also be applied to those overtime hours.

Employees who are scheduled to work an 8-hour shift that begins between 3:00 p.m. and 5:59 a.m. shall be paid a shift differential of \$0.95 per hour for all hours worked on such shifts. In addition, should that same employee be authorized to come in early or stay over, working immediately adjacent to such a shift, the \$0.95 per hour differential pay shall also be applied to those overtime hours.

Limitations: Employees who work overtime, either by coming in early or staying over into another shift that qualifies for differential pay, their sole compensation shall be the payment of overtime or compensatory time, if applicable. Employees who voluntarily work a 10-hour shift are excluded from these provisions.

The following premiums will be paid for all hours worked in the eligible assignment.

\$0.258 per hour for all hours worked as a Water Works Service Worker II assigned to a Gate Truck.

\$0.258 per hour for all hours worked as a Small Tapper.

\$0.620 per hour for all hours worked as Leak Investigator or Locator.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval of the labor agreement with the International Union of Operating Engineers, Local 70, AFL-CIO, as more fully set forth in Petn No 266830, which summarizes the terms of said agreement.

Your Committee further recommends that the proper City officers be authorized to execute a three-year contract to reflect negotiated terms.

Your Committee further recommends passage of the accompanying amendments to the Salary Ordinance providing for implementation of salary adjustments set forth in said labor agreements.

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-050, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, reflecting the terms of the agreement with the International Union of Operating Engineers, Local 70, AFL-CIO, was passed April 6, 2001 by the City Council and approved April 11, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2001-Or-050
By Campbell
1st & 2nd Readings: 4/6/2001

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 effective October 1, 2000:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective as of October 1, 2000, upon ratification, October 1, 2001, and October 1, 2002 except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee but shall not apply to any employee heretofore separated from the service by voluntary resignation or through fault or delinquency on the part of such employee.

The rates stated herein shall be the hourly wage rates unless stated otherwise.

**STATIONARY ENGINEERS: INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 70
Effective October 1, 2000**

FLSA	OTC	CODE	CLASSIFICATION	P	Initial Rate	Rate
N	2	00790C	Asst. Foreman, Stationary Engineers	H	N/A	22.52
N	2	00970C	Asst. Supv. Pumping Stations	H	N/A	23.58
N	2	02690C	Coordinator, Water Pumping	H	N/A	21.16
N	2	07300C	Operating Maintenance Engineer	H	N/A	19.98
N	2	08580C	Pumping Station Engineer I	H	N/A	19.13
N	2	08590C	Pumping Station Engineer II	H	N/A	19.98
N	2	09330C	Stationary Engineer I	H	N/A	19.13
N	2	09340C	Stationary Engineer II	H	N/A	19.98

Provided that an additional ninety-five (\$.95) cents per hour shall be paid, for all hours worked, to employees whose regularly scheduled shift begins between the hours of 11:00 a.m. and 6:00 a.m.

Provided that Stationary Engineers in the Lands and Buildings Division of Public Works who are licensed Maintenance Electricians shall receive an additional fifty (\$.50) cents per hour. This premium is limited to three Stationary Engineers who may be assigned on the day or middle shift.

Provided that where qualified and properly licensed bargaining unit employees perform duties within the scope of the City's Gas Fitters license, a premium of fifty (\$.50) cents per hour shall be paid.

Provided that employees will advance from the Pumping Station Engineer I to Pumping Station Engineer II after two years of experience and satisfactory service.

Provided that employees shall receive the following longevity:

These payments shall be based on a maximum of 80 hours bi-weekly:

- \$.15 cents per hour additional at the beginning of the 10th year of service.
- \$.21 cents per hour additional at the beginning of the 15th year of service.
- \$.27 cents per hour additional at the beginning of the 20th year of service.
- \$.33 cents per hour additional at the beginning of the 25th year of service.

Section 2. That the following classifications listed in section 20.10.01 of the above-entitled ordinance be amended to make the following changes EFFECTIVE UPON RATIFICATION:

FLSA	OTC	CODE	CLASSIFICATION	P	Initial Rate	Rate
N	2	00790C	Asst. Foreman, Stationary Engineers	H	21.39	22.52
N	2	00970C	Asst. Supv. Pumping Stations	H	22.40	23.58

N	2	02690C	Coordinator, Water Pumping	H	20.10	21.16
N	2	07300C	Operating Maintenance Engineer	H	18.98	19.98
N	2	08580C	Pumping Station Engineer I	H	18.17	19.13
N	2	08590C	Pumping Station Engineer II	H	18.98	19.98
N	2	09330C	Stationary Engineer I	H	18.17	19.13
N	2	09340C	Stationary Engineer II	H	18.98	19.98

** Effective upon ratification, new hires will start at the Initial Rate (95% of Regular Rate) and move to the Regular Rate at the beginning of the next payroll period following four (4) months of actual paid service. The Initial Rate shall not be taken into consideration for promotional increases.

Provided that Stationary Engineers in the Lands and Buildings Division of Public Works who are licensed Maintenance Electricians shall receive an additional sixty (\$.60) cents per hour. This premium is limited to three Stationary Engineers who may be assigned on the day or middle shift.

Provided that where qualified and properly licensed bargaining unit employees perform duties within the scope of the City's Gas Fitters license, a premium of sixty (\$.60) cents per hour shall be paid.

Provided that employees shall receive the following longevity:

These payments shall be based on a maximum of 80 hours bi-weekly:

- 0.217 hourly longevity beginning at the 10th year of service.
- 0.279 hourly longevity beginning at the 15th year of service.
- 0.341 hourly longevity beginning at the 20th year of service.
- 0.403 hourly longevity beginning at the 25th year of service.

Provided that employees properly assigned to perform duties associated with the Fire Extinguisher Certification Program shall receive a premium of twenty-five (\$.25) cents per hour for all hours worked that year.

Section 3. That the following classifications listed in section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective October 1, 2001:

**STATIONARY ENGINEERS: INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 70
Effective October 1, 2001**

FLSA	OTC	CODE	CLASSIFICATION	P	Initial Rate	Rate
N	2	00790C	Asst. Foreman, Stationary Engineers	H	22.07	23.23
N	2	00970C	Asst. Supv. Pumping Stations	H	23.10	24.32
N	2	02690C	Coordinator, Water Pumping	H	20.74	21.83
N	2	07300C	Operating Engineer	H	19.58	20.61
N	2	08580C	Pumping Station Engineer I	H	18.74	19.73
N	2	08590C	Pumping Station Engineer II	H	19.58	20.61
N	2	09330C	Stationary Engineer I	H	18.74	19.73
N	2	09340C	Stationary Engineer II	H	19.58	20.61

** New hires will start at the Initial Rate (95% of Regular Rate) and move to the Regular Rate at the beginning of the next payroll period following four (4) months of actual paid service. The Initial Rate shall not be taken into consideration for promotional increases.

Provided that an additional ninety-five (\$.95) cents per hour shall be paid, for all hours worked to employees whose regularly scheduled shift begins between the hours of 11:00 a.m. and 6:00 a.m.

Provided that Stationary Engineers in the Lands and Buildings Division of Public Works who are licensed Maintenance Electricians shall receive an additional sixty (\$.60) cents per hour. This premium is limited to three Stationary Engineers who may be assigned on the day or middle shift.

Provided that where qualified and properly licensed bargaining unit employees perform duties within the scope of the City's Gas Fitters license, a premium of sixty (\$.60) cents per hour shall be paid.

Provided that employees will advance from the Pumping Station Engineer I to Pumping Station Engineer II after two years of experience and satisfactory service.

Provided that employees shall receive the following longevity:
 These payments shall be based on a maximum of 80 hours bi-weekly:

- 0.224 hourly longevity beginning at the 10th year of service.
- 0.288 hourly longevity beginning at the 15th year of service.
- 0.352 hourly longevity beginning at the 20th year of service.
- 0.416 hourly longevity beginning at the 25th year of service.

Provided that employees properly assigned to perform duties associated with the Fire Extinguisher Certification Program shall receive a premium of twenty-five (\$.25) cents per hour for all hours worked that year.

Section 4. That the following classifications listed in section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective October 1, 2002:

**STATIONARY ENGINEERS: INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 70
 Effective October 1, 2002**

FLSA	OTC	CODE	CLASSIFICATION	P	Initial Rate	Rate
N	2	00790C	Asst. Foreman, Stationary Engineers	H	22.78	23.98
N	2	00970C	Asst. Supv. Pumping Stations	H	23.85	25.11
N	2	02690C	Coordinator, Water Pumping	H	21.41	22.54
N	2	07300C	Operating Maintenance Engineer	H	20.22	21.28
N	2	08580C	Pumping Station Engineer I	H	19.35	20.37
N	2	08590C	Pumping Station Engineer II	H	20.22	21.28
N	2	09330C	Stationary Engineer I	H	19.35	20.37
N	2	09340C	Stationary Engineer II	H	20.22	21.28

** New hires will start at the Initial Rate (95% of Regular Rate) and move to the Regular Rate at the beginning of the next payroll period following four (4) months of actual paid service. The Initial Rate shall not be taken into consideration for promotional increases.

Provided that an additional ninety-five (\$.95) cents per hour shall be paid, for all hours worked employees whose regularly scheduled shift begins between the hours of 11:00 a.m. and 6:00 a.m.

Provided that Stationary Engineers in the Lands and Buildings Division of Public Works who are licensed Maintenance Electricians shall receive an additional sixty (\$.60) cents per hour. This premium is limited to three Stationary Engineers who may be assigned on the day or middle shift.

Provided that where qualified and properly licensed bargaining unit employees perform duties within the scope of the City's Gas Fitters license, a premium of sixty (\$.60) cents per hour shall be paid.

Provided that employees will advance from the Pumping Station Engineer I to Pumping Station Engineer II after two years of experience and satisfactory service.

Provided that employees shall receive the following longevity:

These payments shall be based on a maximum of 80 hours bi-weekly:

0.231 hourly longevity beginning at the 10th year of service.

0.297 hourly longevity beginning at the 15th year of service.

0.363 hourly longevity beginning at the 20th year of service.

0.429 hourly longevity beginning at the 25th year of service.

Provided that employees properly assigned to perform duties associated with the Fire Extinguisher Certification Program shall receive a premium of twenty-five (\$.25) cents per hour for all hours worked that year.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends approval to start Anthony Lopez at Step B (after first year rate) of the salary schedule for the position of Executive Director, Convention Center, due to the previous 15 months of service as Acting General Manager.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends acceptance of the low bid meeting specifications received on OP #5583 (Petn No 266832), submitted by Norstan Communications, for an estimated annual expenditure of \$256,000 for furnishing Siemens Rolm equipment and installation for the Information and Technology Services Department, for the period from March 1, 2001 through December 31, 2002, all in accordance with City specifications.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

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

Z&P - Your Committee, having under consideration the petition of Village Green Companies (Vac #1347) to vacate part of the public alley bounded by Harmon Place, Yale Place, Spruce Place and 13th Av S to permit construction of a 153-unit apartment building and 9 townhomes at 1301 Harmon Place, now recommends that the findings set forth in Petn No 266837 be adopted and the vacation be granted.

Your Committee further recommends passage of the accompanying resolution vacating said alley, and summary publication of the resolution.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-152, entitled "Vacating part of the public alley bounded by Harmon Place and Yale Place and Spruce Place and 13th Avenue South (Vac #1347)," was passed April 6, 2001 by the City Council and approved April 11, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

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

RESOLUTION 2001R-152
By McDonald

Vacating part of the public alley bounded by Harmon Place and Yale Place and Spruce Place and 13th Avenue South (Vac #1347).

Resolved by The City Council of The City of Minneapolis:

That part of the 12 foot public alley opened by the City of Minneapolis through Lots 3 and 8, Block 20, Harmons Addition; except that part over the northwesterly 20 feet of Lot 3, Block 20 is hereby vacated.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the application of Thomas Hahne for Bob's Radio and TV Service (P-60) to rezone property at 2600 Johnson St NE from the R1A to the C1 District to permit an existing radio and television service and repair business, now concurs in the recommendation of the Planning Commission to approve said application notwithstanding the staff recommendation to deny, based upon findings 1, 3 and 4 set forth in the staff report of March 19, 2001 and findings 2 and 5 set forth in the Report of the City Planning Commission of March 19, 2001, both on file in Petn No 266837. (64244).

Your Committee further recommends passage of the accompanying amendment to the Zoning Ordinance and summary publication of the ordinance.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-051, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, was passed April 6, 2001 by the City Council and approved April 11, 2001 by the Mayor. The ordinance rezones the property at 2600 Johnson St NE to the C1 zoning district. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

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

ORDINANCE 2001-Or-051
By McDonald
1st & 2nd Readings: 4/6/2001

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

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

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

A. That part of Lot 5, Block 1, P.C. Demings Addition to Minneapolis (2600 Johnson St NE - Plate 10) to the C1 District.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee, having under consideration the petition of Minnehaha Academy (Vac #1343) to vacate the alley that lies South of 31st St E and between 47th and 48th Avs S to permit expansion of the Minnehaha Academy at 3107 47th Av S and modification of its parking lot, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 266836 and to grant said vacation.

Your Committee further recommends passage of the accompanying resolution vacating said alley, and summary publication of the resolution.

McDonald moved that the above report be referred back to the Zoning & Planning Committee. Seconded.

Adopted upon a voice vote.

Z&P - Your Committee concurs in the recommendation of the Planning Commission to approve the Neighborhood Boundary Change Process set forth in Petn No 266838.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee having under consideration the appeal of Jim Trapp (Mat Properties) from the decisions of the Planning Commission (a) denying his application for a variance of side yard setback and (b) imposing certain conditions on approval of his application for site plan review, both applications (V-338 and PR-531) having been made on behalf of Trapp's tenant, Great Brakes, at 3326 University Av SE; and Trapp having requested that additional landscaping not be required and that additional parking spaces within the required front yard setback be allowed; and your Committee having conducted a public hearing thereon, now recommends that the appeal be denied and the decision of the Planning Commission be upheld, and that the findings prepared by the Planning Department staff and set forth in Petn No 266837 be adopted.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P - Your Committee recommends granting the application of Ryan Companies for a special permit to pull construction permits for the Ronald McDonald House expansion at 608 Ontario St SE, on condition that if the pending Zoning Code text amendment to Title 20, Chapter 537 of the Minneapolis Code of Ordinances providing for caretaker's quarters is not passed by the Council, then the site will have to come into conformance with the Zoning Code. (#2000-031).

Adopted. Yeas, 11; Nays 1, as follows:

Yeas - Herron, Johnson, Thurber, Campbell, Biernat, Niland, Goodman, Colvin Roy, McDonald, Mead, Cherryhomes.

Nays - Lane.

Declining to Vote - Ostrow.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Motion

Ostrow, Chair of the Claims Committee, moved concurrence in the reports received from the City Attorney (Petn No 266840) recommending payment of workers' compensation to various employees and to the State Fund, and for payment of bills and professional services rendered claimants or employees injured on the job. Seconded.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution

Cherryhomes, Ostrow, Campbell, Biernat, Johnson, Niland, Goodman, Herron, Thurber, McDonald, Mead, Colvin Roy and Lane offered the following resolution:

RESOLUTION 2001R-153

Supporting full funding for Public Housing Capital Fund and Security Programs and opposing funding cuts proposed by the Bush administration that will be harmful to Minneapolis Public Housing Authority (MPHA), residents and our community.

Whereas, the City of Minneapolis believes that the City's quality, safe and very well managed public housing program is a valued community asset and a vital part of the City's overall affordable housing supply; and

Whereas, the City recognizes that the MPHA is one of the nation's best performing public housing authorities that has successfully collaborated with public housing residents as partners with the City in improving the quality of public housing while making it safer; and

Whereas, this partnership and these efforts succeeded in great part because of the invaluable funding support from the U. S. Department of Housing and Urban Development (HUD) through its Capital Fund and Public Housing Drug Elimination (PHDEP) programs, that when leveraged with City funds and other resources, helped transform public housing in Minneapolis; and

Whereas, that the proposed cut in HUD's Capital Fund Program and elimination of the PHDEP program would result in the annual loss of at least \$4.5 million to \$5 million in funding for Minneapolis public housing that will severely impair MPHA's ability to maintain quality, safe housing while also threatening the preservation of these valued housing resources - and will also threaten the future of the Minneapolis Police Department's Public Housing Unit, Project Lookout crime watch patrols and security guards in highrises;

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

That the City of Minneapolis stands in strong support of our community's nearly 9,000 public housing residents in vehemently opposing funding cuts or the elimination of these HUD programs.

Be It Further Resolved that the City of Minneapolis joins residents, our Senators and our Congressman in respectfully requesting that President George W. Bush, HUD Secretary Mel Martinez and Congress restore and maintain full funding for both the Capital Fund and PHDEP programs in order to help sustain quality, safe and well-preserved public housing in Minneapolis and in more than 3,100 other cities across the country.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Unfinished Business

Auto Care Inc (5000 34th Av S): Revoke Motor Vehicle Repair Garage License for failure to complete the site plan review process (Postponed 9/29/2000, PS&RS).

Minneapolis Professional Employees Association Strike Contingency Plan: Approval to set contingency vendors; Authorize execution of amendments to contracts with Labyrinth, Management Systems Solutions, and On-Demand Group, increasing each contract by \$250,000; Direction to Information & Technology Services Department to return to Committee for appropriation approval based on actual need (Postponed 1/19/2001, W&M/Budget).

Airbourne Service Center (2601 Central Av NE): Revoke Site Plan Permit SP-055 and revoke Motor Vehicle Repair Garage License. (Postponed 3/23/2001, PS&RS)

Campbell moved to continue postponement of the above three reports. Seconded.

Adopted upon a voice vote.

Ronald McDonald House Charities, 608 Ontario St SE: Passage of Resolution vacating alley to allow addition to hospitality residence, contingent upon receipt of signatures from adjoining property owners. (Postponed 3/23/2001, Z&P)

Z&P - Your Committee, having under consideration the petition of Ryan Companies US, Inc for Ronald McDonald House Charities, Upper Midwest (Vac #1342) to vacate a portion of the public alley between Fulton St and River Road E and Oak St and Ontario St to permit an addition to the existing hospitality residence, now recommends that the findings set forth in Petn No 266782 be adopted and the vacation be granted, subject to retention of easement rights by Xcel Energy and Qwest Communications, and contingent upon receipt of signatures from adjoining property owners.

Your Committee further recommends passage of the accompanying resolution vacating said alley and summary publication of the resolution.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-154

By McDonald

Vacating a portion of the public alley between Fulton Street and River Road East and Oak Street and Ontario Street (Vac #1342).

Resolved by The City Council of The City of Minneapolis:

That all that part of the public alley not heretofore vacated that lies south of the westerly extension of the north line of Lot 1, Block 14, Bakers Addition to St. Anthony and north of the westerly extension of a line drawn parallel to and 5.54 feet north of the north line of Lot 9, Block 8, Meeker Island Land and Power Company Addition to Minneapolis is hereby vacated except that such vacation shall not affect the existing easement right and authority of Xcel Energy and Qwest Communications 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:

As to Xcel Energy: All of the to-be vacated alley

As to Qwest Communications: All of the to-be-vacated alley 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 alley upon or within the above-described areas without first obtaining the written approval of the corporations having utility facilities located within the area involved authorizing them to do so.

Adopted. Yeas, 13; Nays none.

Passed April 6, 2001. J. Cherryhomes, President of Council.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

New Business

Biernat introduced an Ordinance repealing Chapter 167 of Title 8.5 of the Minneapolis Code of Ordinances relating to *Elections: Campaign Contribution Limitations*, which was given its first reading and referred to the Elections and Ways & Means/Budget Committees (Repealing due to statutory changes).

Biernat introduced the Madison High School students who are visitors to the Council today for the purpose of studying local government.

Campbell moved that the City Council recess to Room 259, Federal Courts Building, Minneapolis, Minnesota, immediately following the Minneapolis Community Development Agency Board of Commissioners meeting, for the purpose of considering the following:

- a) Martha Enlund vs. James Reynolds, et al., District Court File #00-CV-2239;
- b) Discussion of litigation strategy related to the Northside Economic Development Council's use and administration of certain program funds;
- c) Discussion of the City's involvement in the litigation captioned NSP vs. Federal Transit Administration, Minnesota Department of Transportation, Elwyn Tinklenberg, Commissioner of Transportation, the Metropolitan Council, and the State of Minnesota.

Seconded.

Adopted upon a voice vote.

The City Council recessed at 10:55 a.m.

The City Council reconvened at 11:05 a.m. in Room 259, Federal Courts Building.

President Cherryhomes in the Chair.

Present - Council Members Lane, Herron, Johnson (In at 11:12), Thurber, Ostrow (In at 11:10), Campbell, Biernat, Niland, Goodman, Colvin Roy (In at 11:12), McDonald, Mead, Cherryhomes.

Jay Heffern, City Attorney, summarized the discussion of the City's involvement in the litigation captioned NSP vs. Federal Transit Administration, Minnesota Department of Transportation, Elwyn Tinklenberg, Commissioner of Transportation, the Metropolitan Council, and the State of Minnesota, that was considered from 11:05 to 11:25 a.m.

Also present - Mike Norton, Deputy City Attorney; Tim Skarda and Susan Walgrave, Assistant City Attorneys; David Sonnenberg, City Engineer; Billy Binder, Cherryhomes' office; Merry Keefe, City Clerk; Jan Hrcir, City Clerk's office.

Tim Skarda, Assistant City Attorney, summarized the Martha Enlund vs. James Reynolds, et al., District Court File #00-CV-2239, that was considered from 11:25 - 11:54 a.m.

Also present - Jay Heffern, Mike Norton, Susan Walgrave, Billy Binder, Merry Keefe, Jan Hrcir.

Campbell moved that the meeting be opened for the purpose of taking action on the Martha Enlund vs. James Reynolds, et al. lawsuit. Seconded.

Adopted upon a voice vote.

Mead moved that the City Council authorize settlement in the amount of \$330,000.00 payable as directed by Martha Enlund, on behalf of her minor son, M.E., and her attorney, Robert Bennett, in full and final settlement in the matter of Martha Enlund vs. James Reynolds, et al., United States District Court No.: 00-2239 PAM/JGL, and that the City Attorney be authorized to execute any documents necessary to effectuate the settlement and release of claims. This amount is payable from Fund Org. 6900 150 1500 4000. Seconded.

Adopted. Yeas, 11; Nays, 2 as follows:

Yeas - Lane, Herron, Thurber, Ostrow, Campbell, Niland, Goodman, Colvin Roy, McDonald, Mead, Cherryhomes.

Nays - Johnson, Biernat.

Passed April 6, 2001.

Approved April 11, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Campbell moved that the meeting be closed for the purpose of considering litigation strategy related to the Northside Economic Development Council's use and administration of certain program funds. Seconded.

Adopted upon a voice vote.

APRIL 6, 2001

Jay Heffern, City Attorney, and Susan Walgrave, Assistant City Attorney, summarized the litigation strategy related to the Northside Economic Development Council's use and administration of certain program funds, that was considered from 11:56 a.m. to 12:28 p.m.

Also present - Mike Norton; Steve Cramer, Executive Director, Minneapolis Community Development Agency (MCDA); Terrell Towers, MCDA; Colleen Moriarty, Mayor's office; Billy Binder; Merry Keefe; Jan Hrcir.

Campbell moved that the meeting be opened. Seconded.
Adopted upon a voice vote.

The closed portion of the meeting was tape recorded with the tape on file in the office of the City Clerk.

Campbell moved that the meeting be adjourned. Seconded.
Adopted upon a voice vote.
Adjourned.

MERRY KEEFE,
City Clerk.

Created: 4/9/2001; Modified: 4/13/2000;
5/30/2001