

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

JUNE 8, 2001

(Published June 16, 2001, in *Finance and Commerce*)

Room 8-E, U.S. Federal Courts Bldg.
300 South 4th Street
Minneapolis, Minnesota
June 8, 2001 - 9:30 a.m.

Council President Cherryhomes in the Chair.

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

Campbell moved acceptance of the minutes of the regular meeting of May 18, 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) (266974)

180 Degrees Inc (236 Clifton Ave S) & Bell House Properties (300 Clifton Ave S): Resolution authorizing host approval to issue bonds by Wright County to refinance debt & acquire health care facilities.

Drug Forfeited Property: Authorize sale of 1215-21st St E to Robert Albee.

Home Improvement Lead Loan Program: Approve creation of program & reallocation of funds for program.

Low Income Housing Tax Credit Manual & Qualified Allocation Plan: Approve Plan & authorize staff to proceed with request for proposals.

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

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (266975)

Zip Sort, Inc: Resolution authorizing issuance of bonds to acquire, improve & equip a building at 63 St Anthony Pkwy.

Administrative Correction to MCDA Budget: Authorize amend appropriations in accounts to reapportion administrative costs.

Little Earth Neighborhood Early Learning Center: Request appropriation increase to provide extended operating expenses through July, 2001.

Transit-Oriented Development (TOD) Program: Authorize funds from TOD set-aside program for LRT Catalyst Station Development enhancements & Lake Street Station enhancements.

Near Northside Redevelopment Project: Approve business terms, authorize Phase 1 Redevelopment Agreement & Joint Powers Agreement.

ELECTIONS (See Rep):

ELECTIONS DEPARTMENT (266976)
2001 Elections: Designated polling places.

HEALTH AND HUMAN SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (266977)

Central Neighborhood Weed and Seed: Amend contract with State of Minnesota to extend contract period through December 31, 2001.

Master Contract with Minneapolis Public Schools: Amend report passed May 4, 2001 to reflect total contract amount not to exceed \$2,000,000.

Senior Drop-In Center: Amend report passed March 23, 2001 to change "lease agreement" to "license agreement" with Ryan Companies for lease of 2000 square feet of space on skyway level at downtown Target Store and Office Complex for months of October, November and December 2001; and Authorize Commissioner of Health to sign license agreement on behalf of City.

Federal Dislocated Worker Program: Issue amended Fund Availability Notice to HIRED for vocational counseling/job placement services.

MAYOR (266978)

Director of Department of Civil Rights: Approve appointment of Vanne Owens Hayes for period March 28, 2001 to January 2, 2002.

Latino Advisory Committee: Approve appointments of Maria Becera, 3040 Ashburn St, Roseville, and Alejandro Gazca, 2615 Park Av S; and Approve residency waiver for Maria Becerra.

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

CIVIL RIGHTS (266979)

Small and Underutilized Business Program: Request to increase staffing by one Program Technician position.

HEALTH AND FAMILY SUPPORT SERVICES (266980)

Tobacco Prevention and Control Activities: Accept \$20,000 in Tobacco Endowment Grant funds from Minnesota Department of Health; and Approve appropriation.

New Family Center: Authorize hiring 2.0 grant funded Interpreter positions, with applicants being informed that continuation of positions are subject to receipt of grant funding.

Health Alert Network: Accept \$14,200 grant award and execute grant agreement with Minnesota Department of Health to continue promotion of public health preparedness and response in event of bioterrorist or other public health threat; and Approve appropriation.

Weed and Seed: Transfer \$95,000 from Department of Health & Family Support to Police Department for project activities at 3rd & 4th Police Precincts.

INTERGOVERNMENTAL RELATIONS (See Rep):

COORDINATOR (266981)

New Central Library: Authorize submit State bonding application for Planetarium.

PUBLIC SAFETY AND REGULATORY SERVICES:

POLICE DEPARTMENT (266982)

Graffiti Initiative: Update.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET:

ATTORNEY (266983)

Uniform Fire Code Enforcement Plan.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

INSPECTIONS DEPARTMENT (266984)

Rental Dwelling License at 1008 26th Av SE: Concur with recommendation of Rental Dwelling License Board of Appeals to revoke license held by Daniel Busse.

Rental Dwelling License at 2901 Dupont Av N: Concur with recommendation of Rental Dwelling License Board of Appeals to revoke license held by Robert Jaglo.

LICENSES AND CONSUMER SERVICES (266985)

Bobino Cafe (210-22 E Hennepin): Site map of premises relating to application for On-Sale Liquor Class A with Sunday Sales License.

Licenses: Applications.

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

FIRE DEPARTMENT (266986)

Permits for Storage, Use and Handling of Hazardous Materials: Ordinance amending Title 9 of Code relating to Fire and Police Protection by adding new Chapter 174 entitled Minneapolis Fire Department. Fire Prevention Bureau.

POLICE DEPARTMENT (266987)

Bike Jam 2001: Authorize Police Department to participate in community event, and accept a donation of space by local business, and solicit, accept and redistribute donations of funds and/or gifts.

Minnesota Financial Crimes Strike Force: Accept \$50,000 and execute grant agreement with United States Department of Treasury, Treasury Enforcement Office of Asset Forfeiture through Secret Service, for authorized expenditures related to participation in Strike Force.

Training for Police Department Emergency Response and Bomb/Arson Units: Enter into agreements with owners of property about to be demolished to take advantage of training opportunities.

TRANSPORTATION AND PUBLIC WORKS:

I-35W SOLUTIONS ALLIANCE (266988)

Dan Patch Commuter Rail Line: Update.

PLANNING COMMISSION/DEPARTMENT (266989)

Airport: Part 150 Program Update.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET:

PURCHASING (266992)

Bid: OP 5639, bid of Gridor Construction for Pump Station #5 Discharge Header Project, withdrawn by staff.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

COUNCIL MEMBER CAMPBELL (266990)

2nd St SE Commercial Paving Project: Request of property owner at 700 University Av SE for a drive-over curb to allow parking.

PUBLIC WORKS AND ENGINEERING (266991)

Downtown Transportation Management Organization (TMO): Reappointment of membership.

W 43rd St & Upton Av S Revitalization Project: Submit request for roadway variance to the Commissioner of Transportation.

LaSalle Plaza Skyway: Memorandum of understanding with Minneapolis Community Development Agency regarding legal responsibilities and cost responsibilities.

Encroachment Request: Appeal of Wirth Companies regarding application for valet stand and loading zone curb cut for the Minneapolis Grand Hotel.

Radio Equipment Contract: Change Order #2 increasing contract with Vinco, Inc. for equipment shelter on the roof of 315 Lowry Av.

Water Main Reroute: Request of Apex Asset Management Corporation to reroute main to assist with Elliot Park Housing Development on assessment basis with waiver of assessment hearing.

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

PUBLIC WORKS AND ENGINEERING (266994)

Bryant Av & W 50th St Street Lighting Project: Order project to proceed, adopt special assessments, provide funding and request bond sale.

Xerxes Av & W 50th St Street Lighting Project: Order project to proceed, adopt special assessments, provide funding and request bond sale.

Nicollet Av Corridor Traffic & Parking Management Plan: Approve funding to pay for consultant for Neighborhood Revitalization Program project.

Water Main Work for Light Rail Transit: Approve funding.

Lane Use Oversight Task Force Recommendations and Right of Way Obstruction Permit Fee Structure.

Capital Improvement Budget: Options for coordination of programming of light rail transit related costs.

Avenue of the Arts: Request for preliminary design approval for 1st to 12th St segment and increase contract with SRF Consulting Group to provide final design documents.

PUBLIC WORKS AND ENGINEERING (266995)

Flood Mitigation Program: Update on status of program and request to move funds within program.

Downtown East Light Rail Transit Station Block Transit-Oriented Development Public Infrastructure Project (Parking Ramp): Project bid results, request for bonds through the Board of Estimate and Taxation, provision of project funding, agreement regarding City reimbursements, and finance plan.

Litter Container Placement and Servicing Policy: Options for enhanced services.

PURCHASING (266993)

Bids: Accept OP #5633, low bid of Benox Enterprises for janitorial services at the Public Service Center; OP #5643, low bid of Electric Service Company of Minneapolis to complete the Central Phase III Low Level Lighting Project; OP #5637, low bid of Thomas and Sons Construction, Inc. for the Main St SE roadway reconstruction project; OP #5568, low bid of Armor Tank Lining, Inc. for a PVC flexible membrane liner system.

WAYS AND MEANS BUDGET:

CONVENTION CENTER (266996)

Convention Center Expansion Project: Receive & File construction budget.

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

FINANCE DEPARTMENT (266997)

First Quarter 2001 Interim Financial Report: Received & Filed.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (266998)

Settlements: Authorize settle claims of Michael F. and Cynthia L. Sequia; Alisa R. Clemons.

Workers' Compensation: Approve receipt of \$5,000 for property damage to City vehicle.

CITY CLERK (266999)

Voting Equipment Warehouse Lease: Agreement with Mid-City Plaza Partnership.

CONVENTION CENTER (267000)

Convention Center Expansion Project: Contract with Kellington Construction, Inc.

Convention Center Expansion Project: Contract with Swanson & Youngdale, Inc.

Convention Center Expansion Project: Contract with Convention Center Design Group.

Convention Center Expansion Project: Contract with Mortenson/Thor.

COORDINATOR (267001)

New Central Library: Issue Request for Proposals for construction management.

Minneapolis Charitable Campaign: Approve participation of seven organizations.

Telephone Survey of Citizens of Minneapolis: Issue Request for Proposals.

Convention Center Expansion Project: Revise project budget.

COORDINATOR (267002)

New Central Library Project: Issue Request for Proposals for project management services for Planetarium component.

CULTURAL AFFAIRS (267003)

Donation: Accept funds from Leonard E. B. Andrews Foundation.

Mary Tyler Moore Sculpture: Accept funds from TV Land for City to provide services in support of sculpture.

FINANCE DEPARTMENT (267004)

Equipment Services Fund: Approve Workout Plan.

Equipment Fleet Purchases: Approve.

Public Safety Initiative: Issue bonds & increase 2001 Capital appropriation.

Certified Managed Care and Employment Services: Contract with CorVel Corporation.

Depository Status: Approve for TCF National Bank Minnesota.

HUMAN RESOURCES (267005)

Labor Agreement Settlement: Contract with Minneapolis Building Trades, Inspectors Unit and Salary Ordinance.

Fire Department Reclassification: Reclassify position and Salary Ordinance.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (267006)

Information Technology Equipment for Voice and Data Systems: Memorandum of Understanding with Municipal Building Commission and Hennepin County.

PARK BOARD (267007)

Park Improvement Projects: Transfer net debt bond balance from Armatage Building/Southwest Gym Project to Lynnhurst Park Improvement Project.

PLANNING COMMISSION/DEPARTMENT (267008)

Consultant Contract for Elliot Park Neighborhood: Receive Neighborhood Revitalization Program funds from MCDA.

PUBLIC WORKS AND ENGINEERING (267009)

Nicollet Mall 2002 Operating Budget: Approve.

ZONING AND PLANNING (See Rep):

HERITAGE PRESERVATION COMMISSION (267010)

Heritage Preservation Commission: Review Committee recommends appoint Judith Neiswander & Phillip Koski & reappoint L Kelley Lindquist.

INSPECTIONS/BOARD OF ADJUSTMENT (267011)

Pukal, Donnie L, 4950 Penn Av N: Appeal decision denying variation of fence height to 6 ft fence in front yard, rationale for appeal, drawing illustrating compromise fence; Application for variance with staff background report; Board of Adjustment Minutes.

PLANNING COMMISSION/DEPARTMENT (267012)

Ecopolitan (Alyson Ostenaar), 2409 Lyndale Av S: Grant appeal from decisions re parking layout & outdoor hours for site plan review, south side yard variance and parking variance, rationale for appeal, Planning Commission minutes; Application for site plan review & variances with staff report.

University of Minnesota: Grant vacation of utility easements in vacated 18th Av SE between 4th & 5th Sts SE; Application for vacation with staff report & findings.

Village Green Companies, 714 W Lake St: Pass ordinance rezoning property; Application for rezoning with staff report & findings.

Village Green Companies, 1220 W Lake St: Pass ordinance rezoning property; Application for rezoning with staff report & findings.

Planning Commission Report of actions taken May 14, 2001.

COMMITTEE OF THE WHOLE:

PUBLIC WORKS AND ENGINEERING (267013)

Lane Use and Right of Way Obstruction: Comparable fees report. (See T&PW Report)

PLANNING COMMISSION:

MATTSON, DON W DBA CAP'S GRILLE (267014)

Permission to vacate a portion of 50th St E along Hiawatha Av.

MT. OLIVET CHURCH (267015)

Permission to vacate a portion of Knox Av S between W 50th St & Minnehaha Creek.

FILED:

CITY CLERK/SPECIAL PERMITS (267016)

1st Av N, 330 (Urban Wildlife Bar & Grill) tents, etc for special event; 42nd Av S, 3809 (Holly Koehler) 4th annual Four Corners Fest; Blaisdell Av S, 2001 (Signart Inc) sign; France Av between 49th & 51st Sts (Karen Knudsen) Edina Art Fair; University Av NE, 2300 (German Restaurants Inc) tent; Washington Av parking lots near Milwaukee Depot (MN Vikings) tailgating.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (267017)

Documents related to the A.O.L./Time Warner transfer of ownership.

MINNESOTA STATE OFFICES (267018)

Letter & Library Board Management & Compliance Report for 12/31/2000.

**REPORTS OF
STANDING COMMITTEES**

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

Comm Dev - Your Committee, having under consideration a proposal to facilitate the use of up to \$1 million in tax-exempt bond financing by 180 Degrees, Inc, which provides services to persons and organizations involved in the criminal justice system, and Bell House Properties, Inc., to refinance some outstanding debt incurred to acquire equipment located at 236-300 Clifton Ave S and to acquire two buildings at 300 Clifton Ave S, to be issued by Wright County, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution giving approval to the issuance of Tax-exempt Revenue Bonds by Wright County for various health care facilities located in Minneapolis for 180 Degrees, Inc. and Bell House Properties, Inc., as set forth in Petn No 266974.

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

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Resolution 2001R-213, giving approval to a project by 180 Degrees, Inc., and Bell House Properties, Inc., to refinance outstanding debt incurred for equipment at 236-300 Clifton Ave S and to acquire property at 300 Clifton Ave S, under Minnesota Statutes, Sections 469.152 through 469.165; referring the proposal to the Minnesota Department of Trade and Economic Development for approval, and approving a Joint Powers Agreement, was passed June 8, 2001 by the City Council and approved June 13, 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-213

By Niland

Giving approval to a project by 180 Degrees, Inc., and Bell House Properties, Inc., under Minnesota Statutes, Sections 469.152 through 469.165; referring the proposal to the Minnesota Department of Trade and Economic Development for approval, and approving a Joint Powers Agreement.

Resolved by The City Council of the City of Minneapolis:

Section 1. General Recitals.

a. The purpose of Minnesota Statutes, Sections 469.152 through 469.165 as amended, relating to municipal industrial development (the "Act"), as found and determined by the legislature, is to promote the welfare of the State of Minnesota (the "State") by the active promotion, attraction,

encouragement and development of economically sound industry and commerce through governmental action to prevent, so far as possible, the emergence of blighted and marginal lands and areas of chronic unemployment.

b. Factors necessitating the active promotion and development of economically sound industry and commerce are the increasing concentration of population in the metropolitan areas and the rapidly rising increase in the amount and cost of governmental services required to meet the needs of the increased population and the need for access to employment opportunities for such population.

Section 2. Description of the Project. 180 Degrees, Inc. a Minnesota nonprofit corporation, organized and described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended ("180 Degrees") and Bell House Properties, Inc., a Minnesota nonprofit corporation, organized and described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended ("Bell House") have proposed the issuance of revenue obligations under the Act, in one or more series, in an amount not to exceed \$1,000,000 (the "Obligations") to finance the costs of the following project (the "Project"), which is located in the City and which will be owned and operated by 180 Degrees and Bell House (the "Corporations"):

Refinance outstanding debt incurred (a) to acquire equipment located at 236-300 Clifton Avenue South in the City and (b) to acquire two buildings, totaling 15,526 square feet located at 300 Clifton Avenue South in the City from which (1) 180 Degrees, Inc., provides services to persons and organizations involved in the criminal justice system, including a business office, day reporting and monitoring and (2) Community Care Corporation, a Minnesota nonprofit corporation, provides community support services to adults with serious and persistent mental illness.

Section 3. Recitals Relating to Joint Exercise of Powers.

a. Under the Act, the City and Wright County, Minnesota (the "Issuer") are each authorized and empowered to issue revenue bonds or a revenue note to finance or refinance all or any part of the costs of a project consisting of the refinancing of debt incurred with respect to, or acquisition and betterment of, health care facilities or facilities of organizations described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code") and to refund bonds previously issued under the Act.

b. The Corporation has requested that the City and the Issuer cooperate (as permitted by Minnesota Statutes, Section 471.59) through a joint powers agreement in authorizing the financing of the Project through the issuance of the Obligations by the Issuer pursuant to the Act.

c. A draft copy of the Joint Powers Agreement between the City and the Issuer (the "Joint Powers Agreement") has been submitted to the Council and is on file in the offices of the Minneapolis Community Development Agency.

Section 4. Recital of Representations Made by the Corporation.

a. The City has been advised by representatives of the Corporation that: (i) conventional financing is available only on a limited basis and at such high costs of borrowing that the economic feasibility of operating the Project would be significantly reduced; (ii) on the basis of information submitted to the Corporation and their discussions with representatives of area financial institutions and potential buyers of tax-exempt bonds, the Obligations could be issued and sold upon favorable rates and terms to finance the Project; and (iii) the Project would not be undertaken but for the availability of financing under the Act.

b. The Corporation has agreed to pay any and all costs incurred by the City in connection with the issuance of the Obligations, whether or not such issuance is carried to completion.

c. The Corporation has represented to the City that no public official of the City has either a direct or indirect financial interest in the Project nor will any public official either directly or indirectly benefit financially from the Project.

Section 5. Public Hearing.

a. As required by the Act and Section 147(f) of the Code a Notice of Public Hearing was published in *Finance & Commerce*, the City's official newspaper, and the *Minneapolis Star Tribune*, a newspaper of general circulation, calling a public hearing on the proposed issuance of the Obligations and the proposal to undertake and finance the Project.

b. As required by the Act and Section 147(f) of the Code:

i. the Issuer has held or will hold a public hearing on the issuance of the Obligations and the proposal to undertake and finance the Project; and

ii. the Community Development Committee of this Council has on May 21, 2001 held a public hearing on the issuance of the Obligations and the proposal to undertake and finance the portion of the Project located within the jurisdictional limits of the City, at which all those appearing who desired to speak were heard and written comments were accepted.

Section 6. Findings. It is hereby found, determined, and declared as follows:

a. The welfare of the State and the City requires the provision of facilities so that adequate residential and work release programs are available to residents of the State and the City at reasonable cost.

b. The City desires to facilitate the selective development of the community and help to provide the range of services and employment opportunities required by the population. The portion of the Project located in the City will assist the City in achieving those objectives; help to stabilize market valuation of the City; help maintain a positive relationship between assessed valuation and debt; and enhance the image and reputation of the community.

c. On the basis of information made available to this Council by the Corporation it appears, and this Council hereby finds, that: (1) the Project constitutes properties, real and personal, used or useful in connection with a revenue producing enterprise within the meaning of Subdivision 2 of Section 469.153 of the Act; (2) the Project furthers the purposes stated in Section 469.152 of the Act; (3) the Project would not be undertaken but for the availability of financing under the Act and the willingness of the Issuer to furnish such financing; and (4) the effect of the Project, if undertaken, will be to: (i) encourage the development of economically sound industry and commerce, (ii) assist in the prevention of the emergence of blighted and marginal land, (iii) help prevent chronic unemployment, (iv) provide the range of service and employment opportunities required by the population, (v) help prevent the movement of talented and educated persons out of the State and to areas within the State where their services may not be as effectively used, (vi) promote more intensive development and appropriate use of land within the City, eventually to increase the tax base of the community, and (vii) provide adequate residential and work release programs to residents of the City at a reasonable cost.

d. The City acknowledges, finds, determines and declares that the provision of necessary residential and work release programs so that such services are available to residents of the State at a reasonable cost is a public purpose.

Section 7. State Approval a Precondition.

a. The proposal to undertake and finance that portion of the Project located in the City but outside of the jurisdictional limits of the Issuer, and the issuance of the Obligations, are hereby given approval by the City subject to the approval of the Project by the Department of Trade and Economic Development of the State ("DTED").

b. In accordance with Subdivision 3 of Section 469.154 of the Act, the officers of the City or their designees, are authorized and directed to cooperate with the Issuer in submitting the proposal for the Project to DTED requesting approval, and other officers, employees and agents of the City are hereby authorized to provide DTED with such information as it may require.

Section 8. Limited Obligations. The Obligations, when and if issued for the Project, shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City. (There will, however, be a charge, lien or encumbrance on the Project, which is not an asset of the City.) The Obligations, when and if issued, shall recite in substance that the Obligations and the interest thereon, are payable solely from revenues received from the Project and property pledged for payment thereof, and shall not constitute a debt of the City.

Section 9. Approval and Execution of Joint Powers Agreement.

a. The Joint Powers Agreement is hereby made a part of this Resolution as though fully set forth herein and is hereby approved in substantially the form presented to the City Council. The Mayor, the Clerk and the Finance Officer, or the authorized designee of any of the foregoing, are authorized and directed to execute, acknowledge, and/or deliver the Joint Powers Agreement on behalf of the City with such changes, insertions, and omissions therein as the City Attorney may hereafter deem

appropriate, such execution to be conclusive evidence of approval of such document in accordance with the terms hereof.

b. The Mayor, the Clerk and the Finance Officer, or the authorized designee of any of the foregoing, are authorized and directed to execute and deliver such other documents or certificates needed from the City for the sale of the Obligations.

c. The approvals in this Section are specifically subject to approval of the Joint Powers Agreement by the Issuer and approval of the Project by DTED.

Section 10. Ratification. The actions of the Clerk taken with respect to causing the Notice of Public Hearing to be published in the official newspaper of the City and a newspaper of general circulation in the City not less than 14 days prior to the hearing are ratified and confirmed in all respects.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Comm Dev - Your Committee recommends that the proper City officers be authorized to enter into an agreement with Robert R. Albee for the purchase of drug forfeiture property at 1215 - 21st St E, which had been acquired by the Minneapolis Police Department, for the amount of \$45,000.

Your Committee further recommends passage of the accompanying resolution authorizing the sale of City-owned land at 1215 - 21st St E.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-214

By Niland

Authorizing sale of City-owned land at 1215 - 21st St E.

Whereas, the Minneapolis Community Development Agency, hereinafter known as the Agency, acting as agent for the Police Department for the City of Minneapolis, has received an offer to purchase and develop 1215 21st Street East in the Ventura Village neighborhood, from Robert R. Albee, hereinafter known as the Purchaser, the property being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota, legally described as follows: Lot 2, Block 5, Eliot's Addition to Minneapolis; and

Whereas, the Purchaser has offered to pay the sum of \$45,000, for this property; the offer includes a development plan and commitment to improve by rehabilitating the existing structure; and

Whereas, the Purchaser has submitted to the Agency a statement of financial responsibility and qualifications; and

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on May 11, 2001, a public hearing on the proposed sale was duly held on May 21, 2001, at the Minneapolis City Hall, 350 South 5th Street, Room 132, at 4:00 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota.

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

That the re-use value for this city-owned property is hereby estimated to be the sum of \$45,000.

Be It Further Resolved that the Purchaser possesses the qualifications and financial resources necessary to acquire and develop the parcel.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Mayor, City Clerk and Finance

Officer, or other appropriate officials of the City be and the same are hereby authorized to execute and deliver the contract to the Purchaser; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the appropriate officials of the City.

Be It Further Resolved that the Mayor, City Clerk and Finance Officer of the City, are hereby authorized to execute and deliver a conveyance of the land to the Purchaser in accordance with the provisions of the executed contract and upon payment to the City of the purchase price thereof.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Comm Dev - Your Committee, having under consideration new federal regulations imposed on activities involving the use of federal funds that require testing and abatement of lead hazards in homes and apartments, now recommends approval of the creation of a new Home Improvement Lead Loan program, as set forth in Petn No 266974.

Your Committee further recommends approval of the reallocation of \$50,273.24 of Community Development Block Grant Year 26 and \$85,000 of Year 27 funds from Report Category 2227 (Loan/Grants-Plex Loan) and the reallocation of \$315,000 of Year 25 program income from Report Category 2202 (Loans/Grants-Regular Deferred) to a new Report Category 2232 (Home Improvement Lead Loan) for a new balance in Report Category 2232 of \$450,273.24.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Comm Dev - Your Committee recommends approval of the 2002 Low Income Housing Tax Credit (LIHTC) Manual and Qualified Allocation Plan set forth in Petn No 266974, and that the proper City and/or Minneapolis Community Development Agency officers be authorized to proceed with a request for proposals for LIHTC.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

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

Comm Dev & W&M/Budget - Your Committee, having under consideration a proposal to issue revenue bonds on behalf of Zip Sort, Inc., a mail service business that sorts and distributes mail for companies in Minnesota and Wisconsin, to finance the purchase of an existing 150,000 square foot facility at 63 St Anthony Pkwy, now recommends passage of the accompanying resolution giving preliminary approval to the issuance of up to \$1,350,000 in Tax-exempt and \$4,150,000 in Taxable Minneapolis Community Development Agency (MCDA), Limited Tax Supported Development Revenue Bonds, Common Bond Fund Series 2001, for Zip Sort, Inc., 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 266975.

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 resolution.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Niland moved that the report be deleted. Seconded.

Adopted upon a voice vote.

Comm Dev & W&M/Budget - Your Committee, having under consideration a report from the Minneapolis Community Development Agency (MCDA) regarding the direction of legal and state auditor opinion that administrative costs for non-common project districts be charged within those districts, now recommends passage of the accompanying resolution decreasing the MCDA appropriation in Fund CAD0 (Tax Increment Administration) by \$349,663 and increasing the 25 other funds listed to reflect those administrative changes.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-215

By Niland and Campbell

Amending The 2001 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by decreasing the appropriation in Fund CAD0 - Tax Increment Administration by \$349,663 and reapportioning that total amount into the following funds:

- CBE0 - 9th & Hennepin by \$4,192;
- CEL0 - 2700 East Lake Street by \$217;
- CEV0 - East Village by \$3,840;
- CFF0 - 50th & France Renewal & Renovation by \$1,603;
- CFR0 - Former Federal Reserve by \$13,239;
- CGC0 - Graco Campus Expansion by \$17,593;
- CHD0 - Historic Milwaukee Depot by \$24,135;
- CHE0 - Hennepin & 7th Entertainment by \$67,689;
- CHG0 - Humboldt Greenway by \$54,152;
- CHL0 - Heritage Landing Housing by \$4,208;
- CHU0 - East Hennepin & University by \$65,151;
- CNF0 - Nicollet Franklin by \$24,096;
- CPD0 - Portland Place by \$4,489;
- CPW0 - 36th & Marshall by \$8,657;
- CS10 - SEMI Phase I by \$31,341;
- CS20 - SEMI Phase II by \$3,185;
- CS30 - SEMI Phase III by \$2,163;
- CS40 - SEMI Phase IV by \$1,634;
- CS50 - SEMI Phase V by \$530;
- CST0 - Stinson Technology Campus by \$4,074;
- CTE0 - Elliot Park Towers by \$6,619;
- CTP0 - 2nd Street North Hotel/Apartments by \$1,674;
- CTW0 - 10th & Washington by \$2,122;
- CW30 - Housing Replacement District (Watershed #3) by \$1,530;
- CWS0 - Housing Replacement District by \$1,530.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency appropriation in Fund GEN0 (MCDA General Fund) by \$45,000 and increasing the revenue estimate for Fund GEN0 by \$45,000 to provide operating expenses at the Little Earth Neighborhood Early Learning Center through July, 2001.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-216
By Niland and Campbell

Amending The 2001 Minneapolis Community Development Agency 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 in Fund GEN0 - MCDA General Fund by \$45,000 and increasing the Fund GEN0 revenue estimate (3715 Rental Income) by \$45,000.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration a report from the Minneapolis Community Development Agency (MCDA) on the status of project planning and expenditure priorities for the Transit Oriented Development (TOD) Program, now recommends that \$300,000 be authorized from the MCDA's TOD set-aside program for Light Rail Transit Catalyst Station development enhancements and \$100,000 for Lake Street Station enhancements, as set forth in Petn No 266975.

Your Committee further recommends passage of the accompanying resolution increasing the MCDA appropriation in Fund SDA0 (Development Account) by \$400,000 from available fund balance.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-217
By Niland and Campbell

Amending The 2001 Minneapolis Community Development Agency 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 in Fund SDA0 - Development Account by \$400,000 from available fund balance.

Adopted. Yeas, 13; Nays none.
Passed June 8, 2001. J. Cherryhomes, President of Council.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

Comm Dev & W&M/Budget - Your Committee, having under consideration the Phase 1 Development Agreement among the City of Minneapolis, Minneapolis Community Development Agency (MCDA), the Minneapolis Public Housing Authority (MPHA) and McCormack Baron & Associates relating to the Near Northside Redevelopment Project, and the staff recommendations to -

- a) Approve the business terms of the development agreement as outlined in Petn No 266975;
- b) Authorize the proper City officers to execute the Phase 1 Development Agreement (rental components) for the Near Northside Redevelopment among the City of Minneapolis, MCDA, MPHA and McCormack Baron and Associates, Inc (development agreement);
- c) Authorize the proper City officers to enter into a Joint Powers Agreement for Phase 1 with MCDA and MPHA;
- d) Transmitted to the Board of Commissioners of the MCDA, now recommends:

Comm Dev - Approval of the staff recommendations.

Your Committee further recommends that the subject matter of the infrastructure be referred to the Transportation & Public Works Committee for an understanding of staffing issues and the implementation piece of this issue as it relates to the summer of 2001 and that the proper City officers be directed to ask the Watershed District for input.

W&M/Budget - That the staff recommendations be sent forward without recommendation.

Your Committee further recommends that staff be directed to provide a list of all infrastructure improvements to which the City would be obligated if the proposed agreement is finalized.

Niland moved to amend the report to approve the Community Development Committee recommendation and to amend the recommendation to include the following paragraph: "Your Committee further recommends that staff be directed to provide a list of all infrastructure improvements to which the City would be obligated if the proposed agreement is finalized." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

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

Elections - Your Committee recommends approval of designation of polling places for all elections in the remainder of 2001 as set forth in Petn No. 266976 on file in the office of the City Clerk in accordance with Chapter 2, Section 6, of the Charter of the City of Minneapolis.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

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

H&HS - Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee to appoint Vanne Owens Hayes to serve as the Director of the Department of Civil Rights for the period March 28, 2001 to January 2, 2002, and having held a public hearing thereon, now recommends approval of said appointment.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

H&HS - Your Committee recommends concurrence with the recommendation of the Mayor to appoint the following persons to serve on the Latino Advisory Committee, to fill the unexpired terms of Rudolfo Trujillo and Carlos Velazquez for the remainder of a two-year term to expire December 31, 2001:

- a. Maria Becerra, 3040 Ashbury St, Roseville;
- b. Alejandro Gazca, 2615 Park Av S (Ward 8).

Your Committee further recommends that the residency requirement be waived for Maria Becerra, pursuant to Section 14.180(m)(3) of the Minneapolis Code of Ordinances, which allows a waiver for persons providing a unique and special benefit to the City.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

H&HS - Your Committee recommends that the proper City Officers be authorized to amend Contract #16192 with the State of Minnesota, Office of Drug Policy (State Contract #990194) to extend the contract period through December 31, 2001 for Central Weed & Seed activities; terms and conditions of said contract shall remain unchanged.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

H&HS - Your Committee, having under consideration a report passed May 4, 2001 authorizing a Master Contract with the Minneapolis Public Schools for the period September 1, 2001 through June 30, 2006, now recommends that said report be amended to reflect a total contract amount not to exceed \$2,000,000 to be allocated in specific Fund Availability Notices specific to each project.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

H&HS - Your Committee, having under consideration a report passed March 23, 2001 executing a lease agreement with Ryan Companies US Inc for 2000 square feet of space on the skyway level at the downtown Target Center and Office Complex for a Senior Drop-In Center (now called Skyway Senior Center) for the months of October, November and December of 2001, now recommends that said report be amended to change "lease agreement" to "license agreement", and that the Commissioner of Health & Family Support be authorized to sign the license agreement on behalf of the City of Minneapolis.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

H&HS - Your Committee, having under consideration the Federal Dislocated Worker Program, now recommends that the proper City Officers be authorized to issue amended Fund Availability Notice (FAN) #OF-1a, under Master Contract #10009, to HIRED, to add \$10,779 for an increased FAN amount of \$37,947, for vocational counseling/job placement services for the period July 1, 2000 through June 30, 2001, payable from Health & Family Support (030-860-8600).

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

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

H&HS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept a two-year Tobacco Endowment Base Grant award of \$20,000 from the Minnesota Department of Health to continue tobacco prevention and control activities initiated under the Tobacco-Free Communities for Children Project for the period July 1, 2001 through June 30, 2003.

Your Committee further recommends passage of the accompanying Resolution appropriating \$20,000 to the Health & Family Support Agency to reflect receipt of said grant funds.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-218

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 Health & Family Support Agency in the Grants - Other Fund (060-860-8615) by \$20,000 and increasing the Revenue Source (060-860-8615 - Source 3215) by \$20,000.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

H&HS & W&M/Budget - Your Committee recommends that the Department of Health & Family Support be authorized to hire 2.0 Full-Time Equivalent (FTE) grant funded Interpreter positions for the New Family Center, with applicants being informed that continuation of said positions are subject to receipt of grant funding.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

H&HS & W&M/Budget - Your Committee, having under consideration the development of a State-wide Health Alert Network, now recommends that the proper City Officers be authorized to accept a grant award of \$14,200 and execute a grant agreement with the Minnesota Department of Health to continue the promotion of public health preparedness and response in the event of a bioterrorist or other public health threat.

Your Committee further recommends passage of the accompanying Resolution appropriating \$14,200 to the Health & Family Support Agency to reflect receipt of said grant funds.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-219
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 Health & Family Support Agency in the Grants - Federal Fund (030-860-8623) by \$14,200 and increasing the Revenue Source (030-860-8623 - Source 3210) by \$14,200.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

H&HS & W&M/Budget - Your Committee recommends passage of the accompanying Resolution transferring \$95,000 in Year 2001 federal Weed & Seed funds from the Department of Health & Family Support to the Police Department for project activities at the following Police Precincts:

a. Phillips Neighborhood Weed & Seed Initiative approval of \$40,000 in funding for the 3rd Precinct for overtime/buy back hours, and to coordinate and implement the Special Emphasis Justice Innovation Project "Chronic Offenders" by hiring 1.0 Full-Time Equivalent Special Emphasis Coordinator with Maintenance Stage Enforcement (sweeps, warrants and raids);

b. Northside Weed & Seed Initiative approval of \$55,000 in funding for the 4th Precinct for overtime/buy back hours and community policing efforts, and to coordinate and implement the Special Emphasis Justice Innovation Project "Truancy Prevention and Anti Gang Crime Initiatives".

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-220
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 as follows:

a. decreasing the appropriation for the Health & Family Support Agency in the Grants - Federal Fund (030-860-8606) by \$95,000;

b. increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-P300) by \$40,000; and

c. increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-P400) by \$55,000.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

H&HS & W&M/Budget - Your Committee, having received a request by the Department of Civil Rights, Small and Underutilized Business Program, to increase staffing by one Full-Time Equivalent (FTE) position, now recommends:

H&HS - that the Department be authorized to add one FTE Program Technician position, and that the matter be referred for discussion in the 2002 Priorities process.

W&M/Budget - that the Department be authorized to add one FTE Program Technician position provided from the current Department budget through year-end 2001, and that the matter of continuation of the FTE position be included in the 2002 budget process.

Herron moved to amend the report to approve the Ways & Means/Budget Committee recommendation and to delete the Health & Human Services Committee recommendation. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

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

IGR - Your Committee, having under consideration the New Central Library Project, now recommends that staff be authorized to submit a request to the State for up to \$30 million to construct, furnish and equip the Planetarium, for consideration in the 2002 State Bonding Bill. (Petn No 266981)

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

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

PS&RS - Your Committee, having under consideration the application of Mindwalk Enterprises Inc, dba Bobino Cafe, 222 E Hennepin Av, for an On-Sale Liquor Class A with Sunday Sales License (new business - upgrade from On-Sale Wine Class E with Strong Beer and expansion of premises) 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 June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

PS&RS - Your Committee, having under consideration the application of Harrison, S & J; N Phonthavongxay, dba Sawatdee on the Mall, 1005 Nicollet Mall, for an On-Sale Wine Class E with Strong Beer License (new business) to expire April 1, 2001 and a Sidewalk Cafe License, now recommends that said licenses be sent forward without recommendation.

Biernat moved to amend the report by deleting the language "be sent forward without recommendation" and inserting in lieu thereof "be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances". Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

PS&RS - Your Committee, having under consideration the application of 3 Muses Inc, dba 3 Muses, 2817 Lyndale Av S, for an On-Sale Wine Class C-2 with Strong Beer License (new

business) to expire April 1, 2002 and a Sidewalk Cafe License, now recommends that said licenses be sent forward without recommendation.

Biernat moved to amend the report by deleting the language "be sent forward without recommendation" and inserting in lieu thereof "be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances". Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

PS&RS - Your Committee, having under consideration the application of On Tour Events LP, dba Bavariafest, 918 S 2nd St, for an On-Sale Liquor Class A with Sunday Sales License (new business June 29 through July 7, 2001) to expire July 1, 2002, now recommends that said license be sent forward without recommendation.

Biernat moved that the report be postponed. Seconded.

Adopted by unanimous consent.

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, 2002

Columbia Park Business Center Corporation, dba Minneapolis Grand Hotel, 615 2nd Av S;
AMPA Inc, dba Y'All Come Back Saloon, 830 Hennepin Av;

On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2002

80 S 8th St Hotel Operations Inc, dba Vista Marquette Hotel, 701 Nicollet Mall, 3rd floor;

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

Minnesota Orchestral Association, dba Minnesota Orchestral Association, 1111 Nicollet Mall (temporary expansion of premises with outdoor entertainment, June 2, 2001, 6:00 p.m. to 1:00 a.m., for Marshall Field's Symphony Ball, Peavy Plaza & 11th St);

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

Shaw's Bar & Grill Inc, dba Shaw's Bar & Grill, 1528 University Av NE;

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2002

Toonen Inc, dba Uptown Bar & Cafe, 3016 Hennepin Av (new manager);
Valhala Bar Inc, dba Blues Alley, 15 Glenwood Av;

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

Minneapolis Aerie #34 F O E, dba Minneapolis Aerie #34 F O E, 2507 E 25th St (temporary expansion of premises September 8, 2001, 1:00 p.m. to 7:00 p.m. for Pig Roast in parking lot);

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

J W M Investments Inc, dba Mayslacks, 1428 4th St NE (temporary expansion of premises with outdoor entertainment May 18, 2001, 5:00 p.m. to 10:00 p.m., May 19, 2001, 3:00 p.m. to 10:00 p.m., and May 20, 2001, 1:00 p.m. to 8:00 p.m.);

On-Sale Liquor Class C-1 with Sunday Sales, to expire July 1, 2002

Kilimanjaro Cafe Inc, dba Kilimanjaro Cafe, 324 Cedar Av;

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

Largo Enterprises Inc, dba Whitey's World Famous Saloon, 400 E Hennepin Av;
Woman's Club of Minneapolis, dba Woman's Club of Minneapolis, 410 Oak Grove St;
Chevy's Uno LLC, dba Chevy's Fresh-Mex, 701 Hennepin Av;

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

Haze 2 Corporation, dba Grumpys, 2200 4th St NE (temporary expansion of premises with outdoor entertainment May 19, 2001, 1:00 p.m. to 7:00 p.m.);

Temporary On-Sale Liquor

Camp Heartland Productions Inc, dba Camp Heartland Productions Inc, 701 N 3rd St (May 18, 2001, 6:30 p.m. to 11:00 p.m.; May 19 & 20, 2001, 2:00 p.m. to 10:30 p.m., at N 3rd St between 7th & 10th Avs N; Licensed Facilitator: Bunkers Music Bar & Grill);

Society of Eight Inc, dba Society of Eight Inc, 453 Oliver Av S (with entertainment, June 16, 2001, 7:00 p.m. to 3:00 a.m. at Hennepin County Public Safety Facility, 401 4th Av S; Licensed Facilitator: Fine Line Music Ventures Inc);

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

Borealis Caffe Inc, dba Borealis Caffe, 418 13th Av SE;

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

Vescio's Inc, dba Vescio's Italian Cafe, 406 14th Av SE;

Noodle Shop Company Minnesota Inc, dba Noodles & Company, 3040 Excelsior Blvd;

Deep Dish Inc, dba Bickos, 4501 France Av S;

Taqueria Don Blas Inc, dba Taco Blass, 3722 Chicago Av;

Temporary On-Sale Beer

St. Joseph Church, 1800 Dupont Av N (Annual Church Fair July 13, 2001, 5:00 p.m. to 10:00 p.m., July 14, 2001, 2:00 p.m. to 10:00 p.m., and July 15, 2001, 10:30 a.m. to 4:00 p.m.);

Church of St Bridget, 3801 Emerson Av N (Parish Summerfest June 4, 2001, Noon to 6:00 p.m.);

G L B T Pride Twin Cities, PO Box 2104 Loop Station (G L B T Pride Festival June 23, 2001, 10:00 a.m. to 9:30 p.m., June 24, 2001, Noon to 6:00 p.m.).

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

PS&RS - Your Committee recommends granting the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of June 8, 2001, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 266985):

Bowling Alley; Bowling, Pool & Billiard All Night Special; Building Contractor Class B; Carnival; Cement Finishing Contractor; Concrete Masonry Contractor Class A; Concrete Masonry Contractor Class B; Dancing School; Drywall Contractor; Caterers; Confectionery; Food Distributor; Farm Produce Permit Non-Profit; Grocery; Ice Producer - Dealer/Wholesale; Indoor Food Cart; Food Manufacturer; Meat Market; Restaurant; Food Shelf; Short Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Vending Machine; Gasoline Filling Station; Hotel/Motel; Motor Vehicle Dealer - Used Only; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Pet Shop; Plasterer; Tattooing; Taxicab Vehicle; Tobacco Dealer; Combined Trades; Tree Servicing; and Valet Parking.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst 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 Bridget, dba St Bridgets School, 3811 Emerson Av N (Bingo, raffle, paddlewheel & pulltabs June 3, 2001);

Church of St Joseph Hien, dba Church of St Joseph Hien, 1800 Dupont Av N (Bingo, raffle & pulltabs July 13, 14 & 15, 2001);

Church of SS Cyril & Thodius, dba St Cyril Catholic Church, 1315 2nd St NE (Bingo, raffle, paddlewheel, pulltabs & tipboards August 19, 2001);

Church of St Anne, dba Church of St Anne, 2627 Queen Av N (Bingo, raffle & Pulltabs August 12, 2001);

Church of St Anthony of Padua, dba Church of St Anthony of Padua, 804 2nd St NE (Bingo, raffle, paddlewheel, pulltabs & tipboards August 5, 2001).

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

PS&RS - Your Committee, having under consideration the Grocery and Tobacco Licenses held by Rising Star Foods, Inc., 1312 Glenwood Av, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing for failure to apply for a site plan as required by Section 259.132 of the Minneapolis Code of Ordinances, 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 provisional license for Rising Star Foods, Inc. be extended. Due to the pending Streetscape Plan for Glenwood Avenue, that Seng Vue, as principle for Rising Star Foods, agrees to file and complete an application for site plan review within twenty (20) days of the finalization of the streetscape design standards and their being made available to businesses.

b. that Seng Vue also agrees to complete the following improvements by May 31, 2001: Fix the parking area; enclose the dumpster with fencing; and keep the property clean of all trash and debris.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

PS&RS - Your Committee, to whom was referred back a report relating to the Valet Parking License held by Chris Clipper and Joshua Sparber, dba Cities Valet, 9940 Hamilton Rd, Eden Prairie, and having received Findings of Fact, Conclusions and Recommendations after the licensee agreed to forgo a Technical Advisory Committee (TAC) hearing thereon following an inspection that revealed that Cities Valet operated without a valet operator's license in violation of Section 307.30 of the Minneapolis Code of Ordinances, and having stipulated that the Findings of Fact, Conclusions and Recommendations are true and correct, and the licensee having agreed to an Addendum to the TAC Agreement, now recommends that Cities Valet pay an administrative fine, in the amount of \$200, 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.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

PS&RS - Your Committee, having under consideration the Rental Dwelling License held by Daniel Busse for the property located at 1008 26th Av SE, and having received Findings of Fact, Conclusions and Recommendations arising from a Rental Dwelling License Board of Appeals hearing held on April 10, 2001, now recommends concurrence with the recommendation of the Board of Appeals that said license be revoked for failure to meet the licensing standard of conduct on licensed premises, pursuant to Section 244.2020 of the Minneapolis Code of Ordinances, 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.

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 Rental Dwelling License held by Robert Jaglo for the property located at 2901 Dupont Av N, and having received Findings of Fact, Conclusions and Recommendations arising from a Rental Dwelling License Board of Appeals hearing held on April 10, 2001, now recommends concurrence with the recommendation of the Board of Appeals that said license be revoked for failure to meet the licensing standard of conduct on licensed premises, pursuant to Section 244.2020 of the Minneapolis Code of Ordinances, 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.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

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

PS&RS & W&M/Budget - Your Committee, to whom was referred an ordinance amending Title 9 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection* by adding a new Chapter 174 entitled *Minneapolis Fire Department. Fire Prevention Bureau* creating Article I "*Permits for the Storage, Use and Handling of Hazardous Materials*", 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.

Biernat moved to substitute a new Ordinance for the above-mentioned Ordinance. Seconded.

Adopted by unanimous consent.

The report was adopted.

Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Ordinance 2001-Or-069 amending Title 9 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection* by adding a new Chapter 174 entitled "*Permits for the Storage, Use and Handling of Hazardous Materials*" that requires permits for the storage, use and handling of hazardous materials as defined in SARA Title III and the Uniform Fire Code, and requires an annual inspection of all affected businesses and will provide for the revocation of hazardous materials permits in appropriate circumstances, was passed June 8, 2001 by the City Council and approved June 13, 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-069
By Biernat and Ostrow
Intro & 1st Reading: 5/4/2001
Ref to: PS&RS
2nd Reading: 6/8/2001

Amending Title 9 of the Minneapolis Code of Ordinances relating to Fire and Police Protection by adding a new Chapter 174 entitled "Minneapolis Fire Department. Fire Prevention Bureau."

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 174 to read as follows:

CHAPTER 174. MINNEAPOLIS FIRE DEPARTMENT. FIRE PREVENTION BUREAU

ARTICLE I. PERMITS FOR THE STORAGE, USE AND
HANDLING OF HAZARDOUS MATERIALS

174.10. Definitions.

Fire marshal is defined as the fire marshal of the City of Minneapolis, or any of the fire marshal's designees, from either the sworn or civilian service, charged with the administration or enforcement of the Uniform Fire Code for the City of Minneapolis. The fire marshal's designees may include any sworn member of the Minneapolis Fire Department, regardless of rank or assignment.

Hazardous materials are those materials defined in Article 2 and Article 80 of the Uniform Fire Code, and any materials mentioned in the Federal Emergency Planning and Community Right-to-Know Act ("SARA Title III"), that are above the exempt amounts mentioned.

174.20. Permits required. The Minneapolis Code of Ordinances requires that every commercial building or structure that stores, uses or handles hazardous materials have an annual renewable permit for the storage, use and handling of hazardous materials issued by the fire marshal posted in a conspicuous place on the premises.

No building that is required to have a permit shall continue to be occupied without such permit after a reasonable time, as fixed by written order from the fire marshal.

Before a building can be permitted, or re-permitted, it must be inspected by the fire marshal and found to conform to the requirements of the Uniform Fire Code at the time of construction or at the time of conversion to its present use.

174.30. Use or occupancy. No facility, building or structure in Group H (Hazardous) occupancies as defined in the Uniform Fire Code, nor any facility, building or structure regulated by SARA Title III, nor any other commercial structure that stores, handles or uses hazardous materials shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the fire marshal has issued a permit for the storage, use and handling of hazardous materials therefor as provided herein.

174.40. Change in use. Changes in the character or use of a facility, building or structure as those changes relate to the storage, use or handling of hazardous materials shall not be made without the approval of the fire marshal, and the building may be occupied for purposes in other groups provided the new or proposed use is less hazardous, based on risk to life and safety, and fire risk, than the existing use.

174.50. Permit issued. After final inspection by the fire marshal, when it is found that the facility, building or structure complies with the provisions of the Uniform Fire Code, the fire marshal shall issue a permit for the storage, use and handling of hazardous materials. After the fire marshal inspects the building or structure and finds no violations of the provisions of the Uniform Fire Code, the fire marshal shall issue a permit that shall contain the following:

1. The building permit number.
2. The address of the building.
3. The name and address of the owner.
4. A description of that portion of the building for which the permit is issued.
5. A statement that the described portion of the building has been inspected for compliance with the requirements of the Uniform Fire Code for the group and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building contact or official.

174.60. Existing buildings. Every commercial building that involves the storage, handling or use of hazardous materials shall have a permit for the storage, use and handling of hazardous materials issued by the fire marshal and posted on the premises. Before such a permit can be issued, such building shall be inspected by the fire marshal and found to conform to the requirements of the Uniform Fire Code at the time of construction or at the time of conversion to its present use, as such use relates to the storage, use or handling of hazardous materials. No building which is required to have a permit for the storage, use and handling of hazardous materials shall continue to be occupied without such permit.

174.70. Renewal required. For every building in the City of Minneapolis governed by this ordinance, an annual inspection shall be scheduled by the fire marshal on a one-year cycle. If it is found that such buildings do not conform to the applicable requirements, the permit for the storage, use and handling of hazardous materials may be revoked and the building shall not be occupied until such time as the building is again brought into compliance with such requirements.

Temporary permit. If the fire marshal finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, a temporary permit for the storage, use and handling of hazardous materials may be issued for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure.

Posting. The permit for the storage, use and handling of hazardous materials shall be posted in a conspicuous place on the premises and shall not be removed except by the fire marshal.

Revocation. The fire marshal may, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error, or on the basis of incorrect information supplied, or when it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

174.80. Emergency response plans. Any facility, building, structure or commercial entity required to draft and submit an emergency response plan pursuant to SARA Title III, shall submit the emergency response plan to the fire marshal. The fire marshal shall review the plan with the facility on an annual basis as part of the annual permit renewal process.

174.90. Annual fee schedule for permits for the storage, use and handling of hazardous materials. The fees for permits issued pursuant to this section are as follows:

		<u>Minimum</u>	<u>Maximum</u>
Commercial	\$7.00 per 1000 sq. ft.	\$100.00	\$370.00
Reinspections caused by occupant	Add 50%		
No entry fee	Add \$50		
Late fee	Add 10%		
Discounted fee for no violations	Subtract 25%		

Adopted. Yeas, 13; Nays none.
Passed June 8, 2001. J. Cherryhomes, President of Council.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

PS&RS & W&M/Budget - Your Committee, having under consideration a request by the Police Department to participate in Bike Jam 2001, a community event organized and designed to support positive community relations, now recommends that Police Department staff be authorized to participate in Bike Jam 2001, and be authorized to accept a donation of space by a local business, which participated in Bike Jam 2000. Further, approval for Department representatives to solicit, accept, and redistribute donations of funds and/or gifts, in accordance with applicable requirements.

Adopted. Yeas, 13; Nays none.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to accept a grant award of \$50,000 and execute a grant agreement with the United States Department of the Treasury, Treasury Enforcement Office of Asset Forfeiture through the Secret Service, for authorized expenditures related to the Police Department's participation on the Minnesota Financial Crimes Strike Force.

Your Committee further recommends passage of the accompanying Resolution appropriating \$50,000 to the Police Department Agency to reflect receipt of said grant funds.

Adopted. Yeas, 13; Nays none.
Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-221
By Biernat 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 Police Department Agency in the Grants - Federal Fund (030-400-C117) by \$50,000 and increasing the Revenue Source (030-400-C117 - Source 3615) by \$50,000.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to enter into agreements with owners of property that are about to be demolished to allow the Police Department's Emergency Response Unit and Bomb/Arson Unit to utilize said property for training purposes during calendar year 2001.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

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

T&PW – Your Committee, having received a recommendation from the Downtown Transportation Management Organization (TMO) for reappointment of its Executive Committee membership, now recommends approval of the following members for three-year terms:

Member	Sector
Robb Gruman, Target Corporation	Retail
Charles Ferrell, Faegre & Benson	Service
Richard Allendorf, LJ Melody, Inc.	Development
Kent Warden, BOMA	Office
Rollie Glessing, Firststar	Banking
John Hanson, Reliant Energy/Minnegasco	Utilities
Brian Pietsch, American Express Financial Advisors	Financial Services
Jim Jachymowski, Cushman & Wakefield	Insurance
Jerel Shapiro, Loop	Parking
Glenn Olson	Downtown Council
Greg Ortale	GMCVA & Downtown Resident
Paul Ostrow	City Council
Buck Humphrey	Mayor's Office
Pat Scott	Honorary ex officio

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

T&PW – Your Committee, having reviewed the situation affecting the completion of the W. 43rd Street and Upton Avenue South Roadway and Streetscape Revitalization Project using Municipal State Aid (MSA) funds, and having been informed that a small portion of this project, as built, does

not meet all MSA geometric clearance rules for curb reaction distance, now recommends passage of the accompanying resolution directing the City Engineer to submit to the Commissioner of Transportation a formal request for a variance from Minnesota Department of Transportation (MnDOT) State Aid Rules to permit the completion of this Project.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 2001R-222

By Mead

Directing the City Engineer to proceed with a variance request from State Aid Operation Rules, Chapter 8820 for reduction of the curb reaction distance to the Commissioner of Transportation so that the West 43rd Street and Upton Avenue South Roadway and Streetscape Revitalization Project can be completed.

Whereas, the City of Minneapolis wishes to complete the West 43rd Street and Upton Avenue South Roadway and Streetscape Revitalization Project ("Project"); and

Whereas, Minnesota Department of Transportation State Aid Rule 8820.9936 (Geometric Design Standards, Urban; New or Reconstruction Projects) requires that "New or reconstruction projects for urban roadways must meet or exceed the minimum metric dimensions indicated in the following design chart"; and

Whereas, the design chart has minimum traffic lane curb reaction distances and parking lane widths indicated for Collectors or Locals with ADT (Average Daily Traffic) equal to or greater than 10,000 vehicles; and

Whereas, physical constraints, traffic management, and urban landscaping limit some of the traffic lane curb reaction distances and parking lane widths of Sheridan Avenue South between the reconstructed Upton Avenue South and the northerly Project limits; and

Whereas, State Aid Rules provide that a political subdivision may request a variance from the Rules;

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

That the City Engineer is hereby directed to submit to the Commissioner of Transportation a formal request for a variance from MnDOT State Aid Rule 8820.9936 for Collectors and Locals with ADT equal to or greater than 10,000 vehicles to permit the completion of the West 43rd Street and Upton Avenue South Roadway and Streetscape Revitalization Project with the following traffic lane curb reaction distances.

Reduce the required travel lane curb reaction distance of the southbound Sheridan Avenue traffic lane from the intersection of Sheridan Avenue South with the reconstructed Upton Avenue South (approximately 150 feet north of the north curb line of W. 43rd Street) to the northerly Project limits (approximately 315 feet north of the north curb line of W. 43rd Street) to 0.7 meters (2.3 feet) from 1.2 meters (4 feet) as required by Rule 8820.9936.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends that the proper City officers be authorized to execute a Memorandum of Understanding between the Minneapolis Community Development Agency (MCDA) and the City outlining responsibilities related to the completion of legal documents necessary for the skyway between LaSalle Plaza and the University of St. Thomas/West Metro Education Project School/Hennepin at 10th Ramp and designating the City as responsible for all costs for services ordered by the City through the MCDA's consultants.

Adopted. Yeas, 13; Nays none.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

T&PW – Your Committee, having under consideration a request from the Wirth Companies for an encroachment permit to allow construction of a parking bay on the easterly side of 2nd Avenue S between 6th and 7th Streets adjacent to the Minneapolis Grand Hotel and a permit to construct a valet booth on 7th Street S and, having been informed that the Public Works Department has recommended denial of said requests, now recommends that the requested permits be granted for the parking bay and valet stand for one year, with the understanding that the City's permission can be withdrawn at any time and, if so, the valet stand will be immediately removed from the public right of way.

Adopted. Yeas, 13; Nays none.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

T&PW – Your Committee, having under consideration a request from a property owner within the Second Street SE Commercial Paving Project to allow a special parking condition adjacent to their property at 700 University Av SE (as outlined in Petn No 266990), now recommends that the proper City officers be authorized to amend the layout for said project to allow a drive-over curb on the east side of 7th Avenue SE in the approximate one-half block nearest to University Avenue. Further, that the sidewalk on that one-half block not be installed and the appropriate staff be directed to report back on the question of whether sidewalk will be installed on the remainder of that block.

Adopted. Yeas, 13; Nays none.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

T&PW – Your Committee, having under consideration the City's contract with Vinco Inc. to provide a radio equipment shelter building on the roof at 315 Lowry Av in association with the Digital Trunked 800 MHz Regional Radio System, now recommends that the proper City officers be authorized to execute Change Order #2 increasing the contract by \$3,011, for a new total of \$94,803, to accommodate a design change to the antenna system.

Adopted. Yeas, 13; Nays none.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

T&PW – Your Committee, having received a petition for water main relocation in conjunction with the Elliot Park Housing Development, now recommends granting the request of Apex Asset Management Corporation to relocate the 24 inch water main in 5th Av S (10th St S to Grant St S). The costs of such work shall be reimbursed to the City of Minneapolis by a special assessment to be collected over 10 years against the property and a waiver of the right to appeal the special assessment (all as contained in Petn No 266991, on file in the Office of the City Clerk).

Adopted. Yeas, 13; Nays none.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst 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 Bryant & 50th Area Street Lighting Project, Special Improvement of Existing Street No 2220, now recommends passage of the accompanying Resolutions:

- a. Ordering the work to proceed and adopting the special assessments for the Bryant & 50th Area Street Lighting Project;
- b. Increasing the appropriation for the project by \$52,750 to be reimbursed by the Neighborhood Revitalization Program (NRP) in the amount of \$39,375 and special assessments in the amount of \$13,375;
- c. Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$13,375.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-223

By Mead & Campbell

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

Ordering the work to proceed and adopting the special assessments for the Bryant & 50th Area Street Lighting Project.

Whereas, a public hearing was held 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 the proposed improvements as designated in Resolution 2001R-128 passed April 6, 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-128 passed April 6, 2001.

Be It Further Resolved that the proposed special assessments as on file in the Office of the City Clerk be \$13,375.00 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 June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-224

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 \$52,750 for the Bryant & 50th Area Street Lighting Project, to be reimbursed by special assessments in the amount of \$13,375 (4100-943-9432 - Source 3880) and NRP in the amount of \$39,375 (4100-943-9432 - Source 3845).

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-225

By Mead & Campbell

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$13,375 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 Bryant & 50th Area Street Lighting Project, Special Improvement of Existing Street No 2220, 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 June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst 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 May 24, 2001 to consider the establishment of Street Lighting District No 1274 and to consider all written and oral objections and statements regarding this matter.

Your Committee now recommends that Street Lighting District No 1274 (streets to receive lighting are as designated in the Bryant & 50th Area Street Lighting Project, Special Improvement of Existing Street No 2220) as delineated in a report of the Transportation and Public Works Committee passed by the City Council on April 6, 2001 be and hereby is given preliminary approval.

Your Committee further recommends that Street Lighting District No 1274 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 June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration the Xerxes & 50th Area Street Lighting Project, Special Improvement of Existing Street No 2219, now recommends passage of the accompanying Resolutions:

a. Ordering the work to proceed and adopting the special assessments for the Xerxes & 50th Area Street Lighting Project;

b. Increasing the appropriation for the project by \$86,500 to be reimbursed by the Neighborhood Revitalization Program (NRP) in the amount of \$66,000 and special assessments in the amount of \$20,500;

c. Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$20,500 for the project.

Adopted. Yeas, 13; Nays none.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-226
By Mead & Campbell

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

Ordering the work to proceed and adopting the special assessments for the Xerxes & 50th Area Street Lighting Project.

Whereas, a public hearing was held 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 the proposed improvements as designated in Resolution 2001R-129 passed April 6, 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-129 passed April 6, 2001.

Be It Further Resolved that the proposed special assessments as on file in the Office of the City Clerk be \$20,500.00 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 June 8, 2001. J. Cherryhomes, President of Council.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-227
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 \$86,500 for the Xerxes & 50th Area Street Lighting Project, to be reimbursed by special assessments in the amount of \$20,500 (4100-943-9432- Source 3880) and NRP in the amount of \$66,000 (4100-943-9432 - Source 3845).

Adopted. Yeas, 13; Nays none.
Passed June 8, 2001. J. Cherryhomes, President of Council.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-228

By Mead & Campbell

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$20,500 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 lighting improvements in the Xerxes & 50th Area Street Lighting Project, Special Improvement of Existing Street No 2219, 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 June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst 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 May 24, 2001 to consider the establishment of Street Lighting District No 1273 and to consider all written and oral objections and statements regarding this matter.

Your Committee now recommends that Street Lighting District No 1273 (streets to receive lighting are as designated in the Xerxes & 50th Area Street Lighting Project, Special Improvement of Existing Street No 2219) as delineated in a report of the Transportation and Public Works Committee passed by the City Council on April 6, 2001 be and hereby is given preliminary approval.

Your Committee further recommends that Street Lighting District No 1273 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 June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

T&PW & W&M/Budget – Your Committee, having been informed that a group of neighborhoods (Whittier, Stevens Square and Loring Park) are planning to hire a consultant to develop a Nicollet Corridor Traffic and Parking Management Plan (from Grant to Lake Street between Blaisdell and 1st Av) as part of their Neighborhood Revitalization Program (NRP) plans, now recommends passage of the accompanying resolution increasing the Transportation Agency appropriation by \$48,000 to fund said plan, to be fully reimbursed by NRP funds.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-229

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 \$48,000 and increasing the revenue source (4100-943-9440 - Source 3845) by \$48,000 to permit hiring of a consultant for the Nicollet Corridor Traffic Plan.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

T&PW & W&M/Budget – Your Committee, having received a request from the Director of the Water Works for appropriation of funds to be used to perform water main work associated with the Hiawatha Corridor Light Rail Transit (LRT) Project, now recommends passage of the accompanying resolution increasing the appropriation for the Public Works - Water Capital Agency by \$300,000 for said water main work, all to be reimbursed by the Minnesota Department of Transportation (MnDOT).

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-230

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 - Water Capital Agency in the Water Revenue Fund (7400-950-9535) by \$300,000 and increasing the revenue source (7400-950-9535 - Source 3755) by \$300,000.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

T&PW & W&M/Budget - Your Committee recommends acceptance of the following bids in accordance with City specifications (Petn No 266993):

a) OP #5633, low bid submitted by Benoz Enterprises for an estimated expenditure of \$85,000 to provide janitorial services at the Public Service Center;

b) OP #5643, low bid of Electric Service Company of Minneapolis, Inc. in the amount of \$274,850 for the Central Phase III Low Level Lighting Project;

c) OP #5637, low bid of Thomas and Sons Construction, Inc. in the amount of \$1,046,145.36 to accomplish the Main Street SE Roadway Reconstruction and Enhancement Project;

d) OP #5568, low bid of Armor Tank Lining, Inc. in the amount of \$47,268 to furnish and install a PVA flexible membrane liner system in a chemical storage tank.

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 June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

T&PW & W&M/Budget – Your Committee, having received the recommendations of the Lane Use Oversight Task Force and having under consideration the establishment of a fee schedule for right of way obstruction permits (as contained in Petn No 266994 on file in the Office of the City Clerk) as follows:

1) Establishment of the fee structure as recommended by the Public Works Department in their letter of May 10, 2001 (Petn No 266994) with the following changes:

- The fee structure shall be implemented as of August 1, 2001;
- Staff is directed to work with the 21 existing projects if they request City assistance in developing a transition plan, with staff authorized to waive fees up to 100% for those 21 projects if there has been substantial cooperation on their part;
- Relative to sides of buildings, the fee structure shall provide that the first block face of construction would be \$0.10 per curb foot per day less than the base fee for the parking lane and sidewalk/boulevard area and all other block faces would be the base fees as would apply; a construction site with only one block face with a driving lane only would be charged the parking lane fee.

2) Authorize an increase of seven Full Time Equivalent (FTE) positions to staff the program, as follows:

Regulatory Services Division

- One Traffic Control Agent II position
- Two Traffic Control Agent I positions
- One Clerk Typist II position

Public Works Department

- One Account Clerk II position (funds through 7500-820-8230)
- One Engineering Aide II position
- One Engineering Aide I position

3) Passage of the accompanying resolution increasing the departmental appropriations to provide funds for the newly established positions;

now recommends:

T&PW - Approval

W&M/Budget - Approval.

Your Committee further recommends that the revenue from said permit fees be processed through the General Fund.

Your Committee further recommends that appropriate City staff be directed to provide the Transportation and Public Works and Ways and Means/Budget Committees with a quarterly report, including revenues and expenditures for the Obstruction Fee Program.

Your Committee further recommends passage of the accompanying resolution increasing the Public Works - Engineering Services Agency revenue estimate by \$517,243.

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

Adopted by unanimous consent.

Mead moved to amend the Petition referred to in the report by adding to the Proposed Fee Basis for Construction Permits the following:

“Bicycle Lane:

- \$0.15 per lane foot per day on Trunk Highways, County State Aid, and Municipal State Aid roadways outside of downtown.
- \$0.25 per lane foot per day in the Downtown Area.” Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays, 1 as follows:

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

Nays - Campbell.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-231
By Mead & 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 as follows:

- a) Increasing the appropriation for the Licenses & Consumer Services Agency in the Municipal Parking Fund (7500-835-8370) by \$241,430 and four Full Time Equivalent positions;
- b) Increasing the appropriation for the Public Works - Transportation Agency in the Municipal Parking Fund (7500-685-6888) by \$275,813 and three Full Time Equivalent positions;
- c) Decreasing the appropriation for the Annual Parking Fund Transfer to the General Fund (7500-127-1270-9015) by \$517,000; and
- d) Decreasing the revenue for the Annual Parking Fund Transfer to the General Fund (0100-127-1270-3850) by \$517,000.

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

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

Nays - Campbell.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-232
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 revenue estimate in the General Fund (0100-600-6040-3120) by \$517,243 for Obstruction Fee Program.

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

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

Nays - Campbell.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration a report prepared by the City Engineer outlining the current status of the Public Works Department Capital Improvement Program (CIP) budget and presenting additional light rail transit (LRT) related projects that are in need of capital funding, now recommends:

Re-timing of Downtown Traffic Signals: Having been informed that the LRT Hiawatha Project Office (HPO) will only be providing funding to re-time signals on 5th Street and that the entire signal system downtown must be coordinated with those changes, now recommends that CIP funding in the amount of \$540,000 (available due to adjustments made as part of the Lake Street overpass decision) be approved for said project;

5th Street Streetscape Preliminary Engineering: That the required funding of \$500,000 in 2001 not be approved and staff be directed to not proceed with the project due to lack of funding;

Nicollet Mall LRT Station Redesign: That the matter of proceeding with funding agreements for the station redesign and construction costs be postponed until July when results are anticipated on the Council's previous direction to develop conceptual architectural designs for a revised station design;

TAD5 Ramp Exit/LRT Conflict: That the funding required in 2001 (\$329,000) and 2002 (\$221,000) be approved and provided by amending the current CIP by eliminating the Alley Resurfacing and Retaining Wall Program funding in 2001 (\$201,000) and reducing the 2001 Traffic Signal Controller Conversion Program by \$350,000.

Your Committee further recommends passage of the accompanying resolutions adjusting the Capital Improvement Budget and amending the request to the Board of Estimate and Taxation to reflect the amended use of bonds.

W&M/Budget - Your Committee further recommends that the appropriate City staff be directed to provide a list of Minneapolis Community Development Agency (MCDA) and Public Works funds that have been spent on light rail transit related improvements and to include funding sources, to be provided by July 15, 2001.

Mead moved to amend the report to include approval of the Ways & Means/Budget Committee staff direction. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-233

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 establishing an appropriation for the TAD5 Ramp Exit/LRT Conflict project (4100-943-9440) of \$148,500 (Net Debt Bonds) and \$302,500 (Permanent Improvement Tax) for a total of \$551,000 and increasing the revenue source (4100-943-9440 - Source 3910) by \$148,500;

b) By decreasing the appropriation for the 2001 Alley Resurfacing and Retaining Wall Program (4100-937-9372) by \$201,000 (Permanent Improvement Tax) and \$67,000 (assessment bonds) and by decreasing the appropriation for the 2001 Traffic Signal Controller Conversion Program (4100-943-9400) by \$148,500 (Net Debt Bonds) and \$201,500 (Permanent Improvement Tax) and decreasing the revenue source (4100-943-9440 - Source 3910) by 148,500;

c) By establishing an appropriation for the Downtown Traffic Signal Re-Timing Project (4100-943-9440) of \$540,000 (Municipal State Aid) and increasing the revenue source (4100-943-9440 - Source 3215) by \$540,000.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-234

By Mead & Campbell

Amending Resolution 2001R-013 entitled "Requesting the Board of Estimate and Taxation to incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$18,091,000 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 deleting T63 (Control Conversion) in the amount of \$148,500 and inserting TAD5 Ramp Exit/LRT Conflict project in the amount of \$148,500.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

T&PW & W&M/Budget – Your Committee, having been presented with a revised design plan for the Avenue of the Arts project (segment between 1st and 12th Streets), and having under consideration approval of the following staff recommendations:

1. Approve the revised preliminary design plan for the 1st to 12th Street segment of the Avenue of the Arts;

2. Rescind the previous Council direction to place physical barriers and pavement striping on 3rd Avenue, except on the southbound side between 9th and 12th Streets, to study traffic impacts;

3. Authorize the proper City officers to execute Amendment #5 to Contract #13551 with SRF Consulting Group, Inc. to provide final design documents for the segment between 1st Street and 12th Street, increasing said contract by \$378,000;

now recommends that the subject be forwarded without recommendation.

Campbell moved to amend the report by deleting “forwarded without recommendation” and inserting in lieu thereof “approved”. Seconded.

Adopted by unanimous consent.

Goodman moved to amend the report, as amended, by changing Item 2 to read as follows:

“2. Rescind the previous Council direction to place physical barriers and pavement striping on 3rd Avenue and direct staff to ensure that the final design provides two lanes of through traffic in each direction from the river to the Highway I-94 bridge.” Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 8; Nays, 5 as follows:

Yeas - Campbell, Biernat, Niland, Goodman, Herron, Johnson, Thurber, Cherryhomes.

Nays - Ostrow, Colvin Roy, McDonald, Mead, Lane.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the Downtown East Light Rail Transit (LRT) Station Block Transit -Oriented Development Public Infrastructure Project (Parking Ramp) and having received a proposed finance plan for the project (Petn No 266995), now recommends:

1. Acceptance of the low bid received on OP #5638 submitted by PennCo Construction, Inc., in the amount of \$13,899,000, for all labor, materials, equipment and incidentals necessary to complete parking ramp construction, all in accordance with City specifications, and that the proper City Officers be authorized to execute a contract for said project/service;

2. Passage of the accompanying resolution requesting the Board of Estimate and Taxation to issue and sell general obligation parking revenue bonds in an amount not to exceed \$15,000,000;

3. Passage of the accompanying resolution increasing the Public Works - Transportation Capital appropriation in the amount of \$18,684,500 (the total cost of the project) to be reimbursed by bond proceeds and other sources;

4. Passage of the accompanying resolution declaring the City’s intent to reimburse costs relating to acquisition of land and construction;

5. Approval of the finance plan for the project and authorization for the Finance Officer to take whatever actions are necessary to implement the intent of the finance plan relating to the construction of the municipal parking ramp of the Downtown East LRT Station Block, including the schedule of internal loans and authorization that all investment earnings derived from bond proceeds be retained for project debt service payments.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-235
By Mead & Campbell

Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis general obligation parking revenue bonds, in the amount of \$15,000,000, 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 general obligation parking revenue bonds, in the amount of \$15,000,000, the proceeds of which are to be used for the construction of the Downtown East Parking Ramp.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-236
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 Municipal Parking Fund (7500-943-9464 - A6292010) by \$18,684,500.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-237
By Mead & Campbell

Declaring the official intent of the City of Minneapolis, Minnesota, to reimburse with the proceeds of bonds or other obligations certain expenditures to be made with respect to the acquisition of land and the construction on such land of a parking ramp, a public plaza, and the infrastructure for a light rail transit station and an office development.

Whereas, the City of Minneapolis (the "City") and the Minneapolis Community Development Agency (the "MCDA") have undertaken the acquisition of land and the construction of a public parking ramp on land adjacent to the Hubert H. Humphrey Metrodome (the "Land") in conjunction with the development of a light rail transit line to the downtown area of the City; and

Whereas, the City and the MCDA also intend to construct a public plaza on the Land and to build the infrastructure for the construction of a light rail transit station and an office development on the Land (all such improvements for these individual projects are hereinafter referred to collectively as the "Project"); and

Whereas, the City and the MCDA expect to incur a total development cost of approximately \$28,000,000 to finance the Project; such costs of the Project being currently estimated to be allocated as follows: (i) public parking ramp project — approximately \$19,000,000; (ii) light rail transit station project — approximately \$2,500,000; (iii) public plaza project — approximately \$4,000,000; and (iv) office development project — approximately \$2,500,000; and

Whereas, the costs of each component of the Project may be reallocated among the individual components of the Project as the scope and costs of the four components of the Project are further defined and developed; and

Whereas, the City expects to finance a portion of the costs of the Project with the proceeds of one or more series of general obligation bonds to be issued by the City and/or, at the request of the City Council of the City, to be issued by the Board of Estimate and Taxation (the "Bonds"); and

Whereas, the proceeds derived from the sale of the Bonds will be allocated to expenditures made by the City and the MCDA prior to the issuance of the Bonds and will be applied to reimburse the City and the MCDA for such expenditures; and

Whereas, any portion of the proceeds of the Bonds not allocated to expenditures made by the City or the MCDA prior to the issuance of the Bonds will be applied to the payment or reimbursement of the costs of the Project paid after the issuance of the Bonds;

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

1. **Declaration of Official Intent.** Based on the facts and circumstances known to the City Council on the date hereof, the City Council declares that it is the expectation and the intent of the City to issue the Bonds in one or more series in the original aggregate principal amount presently estimated not to exceed \$28,000,000 to finance a portion of the costs of the Project and to reimburse the City and the MCDA for costs of the Project paid by the City and the MCDA on or after the date which is sixty days prior to the date of adoption of this resolution by the City Council.

2. **Reimbursement Allocation.** The allocation of the proceeds of the Bonds to reimburse for costs of the Project paid by the City and the MCDA prior to the issuance of the Bonds will be made only with respect to the following types of original expenditures: (i) capital expenditures; (ii) costs of issuance of the Bonds; (iii) extraordinary, nonrecurring items that are not customarily payable from current revenues (such as casualty losses or extraordinary legal judgments in amounts in excess of reasonable insurance coverage or in excess of available self-insurance reserves); or (iv) grants (transfers for a governmental purpose of money or property to a transferee that is not a related party to or an agent of the City).

3. **Reimbursement Regulations.** This resolution is adopted by the City Council pursuant to Treasury Regulations, Section 1.150-2, promulgated pursuant to Section 150 of the Internal Revenue Code of 1986, as amended, in order to establish the official intent of the City with respect to the reimbursement with the proceeds of the Bonds of original expenditures paid by the City and the MCDA with respect to the Project.

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

T&PW & W&M/Budget – Your Committee, having received an update on the status of the City's Flood Mitigation Program and options for adjusting the program based on possible changes to the schedule and finance plan, and having been informed that there is excess funding from 1999-2001 projects, now recommends:

1. Passage of the accompanying resolution transferring excess funds from the Holland Flood Basin and 60th St & 1st Av S Flood Pond projects to the Jefferson Elementary School, Lyndale Av S and 33rd Av N Storm Drain projects; and

2. That the proper City staff be directed to report back with rate and schedule options for completion of the Flood Mitigation Program (to include all areas identified in 1997 as well as the seven areas identified in the update as areas needing further investigation).

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

**RESOLUTION 2001R-238
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 decreasing the following capital project appropriations in the Sewer Rental Fund (7300):

Fund	Agency	Org	Project Description	FISCOL Project	Appropriation Amount
7300	932	9322	Pump Station SD to Minnehaha Creek	PMP29	\$2,160,000.00
7300	932	9322	Pond, Edison High/Jackson Square	PND09	\$1,000,000.00
7300	932	9322	Pond, E 60 th St & 1 st Ave So.	PND34	\$2,300,000.00
Total Fund 7300 Project Appropriation					
Closeouts					\$5,460,000.00

Be It Further Resolved that the 1999 bond balances in Fund 9S10 related to the projects above be redesignated to the following projects as indicated:

From FISCOL			To FISCOL	
Fund	Project	Project Description From/To	Project	Amount
9S10	PMP29	Pump Station SD to Minnehaha Creek/ Flood Area 16	FLA16	\$2,000,000.00
				\$1,900,000.00
9S10	PND09	Pond, Edison High/Jackson Square/ Lyndale Ave S Flood Relief - Storm Drain	99LYN	\$1,000,000.00
				\$1,300,000.00
9S10	PND34	Pond, E 60 th St & 1 st Ave So./ 33 rd Ave N (Humboldt -Miss River)	FLA06	\$85,000.00
				\$65,000.00

Note: The 1999 bonds for the Pump Station project are being abandoned due to the project not being able to be built as originally envisioned. The 1999 bonds related to the pond projects are being temporarily loaned to the Lyndale Ave S and 33rd Ave N projects with the expectation of the transfers becoming permanent if repayment is not necessary.

Be it further resolved that the 2001Bond Authorization Resolution 2001R-014 be amended by deleting PS52 Flood Area 34 and Substituting PS51 Flood Area 06 for the same amount \$1,300,000.

Be it further resolved that the Board of Estimate & Taxation be requested to concur with the above bond reallocations.

Be it further resolved that the following capital project appropriations in the Sewer Rental Fund (7300) be increased by the amount indicated and funding sources identified.

Fund	Agency	Org	FISCOL Project	Project Description	Appropriation Amount	Funding Source
7300	932	9322	FLA16	Flood Area 16-Jefferson Elementary School	\$2,000,000.00	\$1,900,000 Redesignated Bonds & \$100,000 Sewer Revenues
7300	932	9322	99LYN	Lyndale Ave So Flood Relief SD	\$1,400,000.00	\$1,300,000 Redesignated Bonds & \$100,000 Sewer Revenues
7300	932	9322	FLA06	33 rd Ave N (Humboldt-Miss River)	\$650,000.00	Redesignated Bonds above
7300	932	9322	FLA06	33 rd Ave N (Humboldt-Miss River)	\$1,300,000.00	2001 Bond substitution
7300	932	9322	FLA29	Flood Area 29 - 51 st & Chowen Storm Drain	\$11,000.00	Sewer Revenues
Total Fund 7300 Project Appropriation Increases					\$5,460,000.00	

Adopted. Yeas, 13; Nays none.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

T&PW & W&M/Budget - Your Committee, having under consideration a report outlining options for enhanced service in the area of litter containers (Petn No 266995), now recommends:

T&PW - That the subject be forwarded without recommendation.

W&M/Budget - Approval of the "Downtown and High Traffic Option" as follows:

- 140 containers (10 to each Council Member and the Mayor) to be serviced 2.5 times per week;
- 281 containers in business/commercial area (identified as the Convention Center Taxing District) to be serviced 1.5 times per week;
- 143 containers at bus stops (within commercial corridors) to be serviced 2.5 times per week;
- 580 containers already at bus shelters to receive increased service (2.5 times per week);
- Containers in Uptown and Nicollet Av/Eat Street Special Service Districts (60 containers) to be serviced 1.5 times per week at no additional charge to the districts.

The estimated cost of instituting the services is \$336,386 (\$169,200 capital and \$167,186 operating).

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

Adopted by unanimous consent.

Mead moved to delete from the report, as amended, the following item:

- "140 containers (10 to each Council Member and the Mayor) to be serviced 2.5 times per week;" Seconded.

Adopted. Yeas, 7; Nays, 6 as follows:

Yeas - Ostrow, Biernat, Niland, Goodman, McDonald, Mead, Lane.

Nays - Campbell, Colvin Roy, Herron, Johnson, Thurber, Cherryhomes.

Biernat moved to amend the report, as amended, by adding a direction to staff to report to the Transportation & Public Works Committee on the issue of weekend pick-up in the downtown area. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 10; Nays, 2 as follows:

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

Nays - Mead, Lane.

Declining to vote - McDonald.

Passed June 8, 2001.

Approved June 13 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

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

W&M/Budget - Your Committee recommends approval of the 2002 Nicollet Mall operating budget, in the amount of \$1,263,101.

Your Committee further recommends that the City Engineer prepare an assessment roll, setting forth the amounts to be partially assessed against properties in the district, as deemed appropriate by the City Council.

Your Committee further recommends passage of the accompanying Resolution, increasing the 2001 Streets and Malls - Nicollet Mall appropriation by \$435,066 (carryover from 2000), as an adjustment to the original 2001 Nicollet Mall Budget, resulting in the revised budget adopted by the Nicollet Mall Advisory Board.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-239

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 Streets and Malls - Nicollet Mall Agency in the General Fund (0100-607-6130) by \$435,066.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends approval of the following strategies to resolve the deficits within the Equipment Services Fund:

a) Convert existing variable rate debt to fixed rate and structure long-term debt to allow for a debt service structure that fits within estimated cash flows (as previously adopted by the Council in December, 2000);

b) Identify annual funding level and financing method for annual equipment/fleet purchases;

c) Transfer available General Fund reserves (potential annual reserves in excess of the 10% General Fund requirement) to the Equipment Services Fund and approve the transfer of \$5.2 million in cash from the General Fund to the Equipment Services Fund in year 2001 (as reflected in the adopted budget); and

d) Commit to raising annual revenue from base or ongoing sources to cover the full cost of providing equipment services.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends approval to sell City of Minneapolis bonds to be used to purchase a total of thirty-three fleet equipment units for the Public Works Department fleet, nine of which are attachments to existing equipment, in the amount of \$2,000,000.

Your Committee further recommends passage of the accompanying Resolution requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds, in the amount of \$2,000,000, to be used for certain purposes other than the purchase of public utilities.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-240

By Campbell

Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$2,000,000, 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 in the amount of \$2,000,000, the proceeds of which are to be used for the purchase of thirty-three fleet equipment units.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends approval to sell City of Minneapolis bonds, in the amount of \$1,700,000, and approval of the 2001 appropriation changes, in the amount of \$2,450,000, the proceeds of which will be used for various components of the Public Safety Capital Initiative, including the Third Police Precinct, the Downtown Fire Station, and the Downtown Police Precinct.

Your Committee further recommends passage of the accompanying Resolutions:

a) requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds, in the amount of \$1,700,000, for various components of the Public Safety Capital Initiative; and

b) increasing the Public Works - General Services - Capital Agency Appropriation by \$2,450,000 (\$750,000 for the Third Police Precinct, \$250,000 for the Downtown Fire Station, and \$1,450,000 for the Downtown Police Precinct).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-241

By Campbell

Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$1,700,000, 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 in the amount of \$1,700,000, the proceeds of which are to be used for various components of the Public Safety Capital Initiative.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-242

By 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 Public Works - General Services - Capital Agency Appropriation in the Permanent Improvement Projects Fund (4100-923-9242-8015) by \$2,450,000 for Public Safety Initiative projects (\$750,000 for the

Third Police Precinct, \$250,000 for the Downtown Fire Station, and \$1,450,000 for the Downtown Police Precinct).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends approval to revise the Convention Center Expansion Project Budget, transferring naming rights-related project costs to the Convention Center Expansion Project Contingency Fund, with no change to the total project budget amount.

Your Committee further recommends approval to revise the Convention Center Expansion Project Finance Plan to reflect the loss of naming rights revenue and to substitute sales and use tax revenue, as more fully set forth in Petn No 267001 on file in the Office of the City Clerk.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends that a lawsuit filed against the City be settled and be payable to Michael F. and Cynthia L. Sequia and their attorney, John D. Mariani, in the amount of \$20,000, and payable from the Self Insurance Fund (6900-150-1500-4000).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends that the City Attorney be authorized to execute a release of claims and settlement document and to execute any additional documents and actions necessary (including the purchase of a structured settlement) to settle the lawsuit entitled, *Alisa R. Clemons vs. City of Minneapolis*, and to settle any pending or unasserted workers' compensation claims.

Your Committee further recommends approval of the settlement amount of \$337,500, payable from the Self Insurance Fund (6900-150-1500-4000), as follows:

a) Payment of \$10,000 to Alisa R. Clemons;

b) Payment of \$200,000 to Canada Life Insurance Company of America, as a structured annuity; and

c) Payment of \$127,500 to Shirley Lerner and Donna Roback.

Adopted. Yeas, 8; Nays, 2 as follows:

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

Nays - Biernat, Johnson.

Declining to vote - Goodman, McDonald.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends acceptance of \$5,000 from Wrecker Services, as a workers' compensation payment and as payment for property damage to a City vehicle, as settlement of the lawsuit entitled *Gary R. Nelson vs. Wrecker Services vs. City of Minneapolis*.

Your Committee further recommends passage of the accompanying resolution increasing the City Attorney appropriation by \$5,000.

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-243
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 Self Insurance Fund (6900-140-1500-5070) by \$5,000, and increasing the City Attorney Agency revenue estimate in the Self Insurance Fund (6900-140-1500-Source 3725) by \$5,000.

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001. J. Cherryhomes, President of Council.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to exercise an option to renew the City's lease with Mid-City Plaza Partnership for voting equipment warehouse space at 771 Harding St NE, for the period from July 1, 2001 through June 30, 2002, at a cost of \$3.95 per square foot, plus operating expenses and taxes, for a total monthly payment of \$3,663.31 and an estimated annual cost of \$43,959.72, payable from the City Clerk Elections and Regulatory Agency in the General Fund (0100-264-2643); and further, that the proper City officers be authorized to negotiate and execute Amendment #2 to Contract #11654 with Mid-City Plaza Partnership to add a one-year option that would expire June 30, 2003, with an additional option to extend through June 30, 2004.

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Change Order #5 to Contract #15156 with Kellington Construction, Inc., for additional work required on the Convention Center Expansion Project, increasing said contract by \$110,604, for a new contract total of \$18,268,171, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751).

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001.
Approved June 8, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.
(Published June 12, 2001)

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Change Order #2 to Contract #15277 with Swanson & Youngdale, Inc., for additional work required on the Convention Center Expansion Project, increasing said contract by \$1,175, for a new contract total of \$884,046, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751).

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001.
Approved June 8, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.
(Published June 12, 2001)

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Amendment #4 to Contract #12662 with the Convention Center Design Group, for additional work required on the Convention Center Expansion Project, increasing said contract by \$680,000, for a new contract total of \$14,812,500, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751).

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001.
Approved June 8, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.
(Published June 12, 2001)

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Amendment #3 to Contract #13041 with Mortenson/Thor, for additional work required on the Convention Center Expansion Project, increasing Direct Personnel Expense by \$990,596 and adjusting said contract to reflect the Owner-Controlled Insurance Program credit, for a new contract total of \$10,362,181, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751).

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001.
Approved June 8, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.
(Published June 12, 2001)

W&M/Budget - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals for construction management services for the New Central Library Project.

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends approval for the following seven charitable fundraising organizations to participate in the 2001 City of Minneapolis Charitable Campaign:

- a) Community Solutions Fund;
- b) Community Health Charities (formerly known as the Health Fund of Minnesota);
- c) Open Your Heart to the Hungry and Homeless;
- d) United Negro College Fund;
- e) United Arts;
- f) Minnesota Environmental Fund; and
- g) United Way of Minneapolis Area.

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals for a professional research firm to develop and conduct a telephone survey of the citizens of Minneapolis (on a random basis) to measure citizen opinions, perceptions, and expectations about City government services and priorities, to be conducted in mid-November, 2001.

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends acceptance of \$2,250 from the Leonard E. B. Andrews Foundation to distribute to winners of the National Arts Program.

Your Committee further recommends passage of the accompanying Resolution increasing the City Coordinator Agency appropriation by \$2,250.

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

**RESOLUTION 2001R-244
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 Grants - Other Fund (0600-840-8450) by \$2,250, and increasing the City Coordinator Agency revenue estimate in the Grants - Other Fund (0600-840-8450-Source 3720) by \$2,250.

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001. J. Cherryhomes, President of Council.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a contract with TV Land to provide funds for City services in support of the Mary Tyler Moore Sculpture, in the amount of \$10,000, and to provide for a loan of said sculpture to the City for display on Nicollet Mall for no less than two years.

Your Committee further recommends acceptance of funds, in the amount of \$10,000, from TV Land to be used for said City services.

Your Committee further recommends passage of the accompanying Resolution increasing the Capital Improvement - Non-Departmental Agency appropriation by \$10,000.

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

**RESOLUTION 2001R-245
By 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 Capital Improvement - Non-Departmental Agency appropriation in the Permanent Improvement Projects Fund (4100-970-9707) by \$10,000, and increasing the Capital Improvement - Non-Departmental Agency revenue estimate in the Permanent Improvement Projects Fund (4100-970-9707) by \$10,000.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Amendment #1 to Contract #13050 with CorVel Corporation to provide certified managed care and employment services, extending said contract through December 31, 2002 and increasing the yearly administrative service fees based on the base rate multiplied by the annual Consumer Price Index for all urban consumers, plus 2%, as more fully set forth in Petn No 267004 on file in the Office of the City Clerk, to be payable from the Finance Department Agency in the Self-Insurance Fund (6900-820-8290).

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee, having reviewed the most recent Community Reinvestment Act Performance Evaluation, the Home Mortgage Disclosure Act Report, and eight Quarterly Consolidated Reports of Conditions and Income, now recommends approval to designate depository status to Twin City Federal National Bank Minnesota, with the understanding that TCF National Bank has met the required financial criteria, has a satisfactory CRA rating, and is an active community leader.

Adopted. Yeas, 10; Nays, 2 as follows:

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

Nays - Niland, Goodman.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends approval of the labor agreement with the Minneapolis Building Trades, Inspectors Unit, as more fully set forth in Petn No 267005, which summarizes the major proposed terms of said agreement.

Your Committee further recommends that the proper City officers be authorized to execute a one-year contract for the period from January 1, 2000 through December 31, 2000 and a three-year contract, for the period from January 1, 2001 through December 31, 2003, to reflect the terms of said agreement.

Your Committee further recommends passage of the accompanying amendments to the Salary Ordinance, providing for implementation of salary adjustments, as set forth in said labor agreement.

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

Ordinance 2001-Or-070, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, reflecting the terms of the labor agreement with the Minneapolis Building Trades, Inspectors Unit, was passed June 8, 2001 by the City Council and approved June 13, 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-070
By Campbell
1st & 2nd Readings: 6/8/2001

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.

BUILDING AND CONSTRUCTION TRADES INSPECTORS (CBI)
Effective January 1, 2000

FLSA	OTC	CLASSIFICATION	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	3	Building Trades Inspector	B	23.39	23.60	23.82	24.00	24.16	24.93	25.65

(A) Building (05470C); (B) Elevator (05490C); (C) Gas Heating (05540C); (D) Gas Processing (05550C); (E) Plumbing (05610C); (F) Heating-Refrigeration (05560C); (G) Refrigeration (05630C); (H) Steam & Hot Water (05650C); (I) Warm Air Heating-Air Conditioning (05770).

FLSA	OTC	CLASSIFICATION	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	3	Lead Inspector, Building Trades	B	24.77	25.03	25.26	25.53	25.77	26.42	27.11

(A) Plumbing (06000C); (B) Heating & Refrigeration (05990C); (C) Warm Air Heating (06010C)

Provided that employees in this section 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.
- \$.22 cents per hour additional at the beginning of the 15th year of service.
- \$.33 cents per hour additional at the beginning of the 20th year of service.
- \$.39 cents per hour additional at the beginning of the 25th year of service.

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:

BUILDING AND CONSTRUCTION TRADES INSPECTORS (CBI)
Effective January 1, 2001

FLSA	OTC	CLASSIFICATION	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	3	Building Trades Inspector	B	24.98	25.21	25.44	25.64	25.82	26.66	27.46

(A) Building (05470C); (B) Elevator (05490C); (C) Gas Heating (05540C); (D) Gas Processing (05550C); (E) Plumbing (05610C); (F) Heating-Refrigeration (05560C); (G) Refrigeration (05630C); (H) Steam & Hot Water (05650C); (I) Warm Air Heating-Air Conditioning (05770).

FLSA	OTC	CLASSIFICATION	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	3	Lead Inspector, Building Trades	B	26.47	26.75	26.99	27.29	27.54	28.23	28.83

(A) Plumbing (06000C); (B) Heating & Refrigeration (05990C); (C) Warm Air Heating (06010C)

Provided that employees in this section 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.
- \$.22 cents per hour additional at the beginning of the 15th year of service.
- \$.33 cents per hour additional at the beginning of the 20th year of service.
- \$.39 cents per hour additional at the beginning of the 25th year of service.

***EFFECTIVE June 1, 2001 longevity will be eliminated for all new hires.

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:

BUILDING AND CONSTRUCTION TRADES INSPECTORS (CBI)
Effective January 1, 2002

FLSA	OTC	CLASSIFICATION	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	3	Building Trades Inspector	B	26.23	26.48	26.72	26.93	27.11	28.00	28.84

(A) Building (05470C); (B) Elevator (05490C); (C) Gas Heating (05540C); (D) Gas Processing (05550C); (E) Plumbing (05610C); (F) Heating-Refrigeration (05560C); (G) Refrigeration (05630C); (H) Steam & Hot Water (05650C); (I) Warm Air Heating-Air Conditioning (05770).

FLSA	OTC	CLASSIFICATION	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	3	Lead Inspector, Building Trades	B	27.80	28.10	28.35	28.66	28.92	29.65	30.28

(A) Plumbing (06000C); (B) Heating & Refrigeration (05990C); (C) Warm Air Heating (06010C)

Provided that employees in this section 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.
- \$.22 cents per hour additional at the beginning of the 15th year of service.
- \$.33 cents per hour additional at the beginning of the 20th year of service.
- \$.39 cents per hour additional at the beginning of the 25th year of service.

***New Hires are not eligible for longevity.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends approval to reclassify the Fire Department position of Emergency Medical Services Coordinator, Grade 9, to the position of Director, Emergency Medical Services, Grade 11.

Your Committee further recommends approval to reclassify the incumbent along with the position, to be effective February 26, 2001.

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Ordinance 2001-Or-071, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, reclassifying the position of Emergency Medical Services Coordinator to the position of Director, Emergency Medical Services, Grade 11, was passed June 8, 2001 by the City Council and approved June 13, 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-071
By Campbell
1st & 2nd Readings: 6/8/2001

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: (Annual Rates)

Non-Represented (CNR)
Effective: February 26, 2001

FLSA	OTC	CLASSIFICATION	6-Month P Rate	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
E	1	Director, Emergency Medical Services	A 51,301	53,439	57,387	60,447	63,505	66,616	70,198	73,702

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes:
 (Annual Rates)

Non-Represented (CNR)
Effective: January 1, 2002

FLSA	OTC	CLASSIFICATION	6-Month P Rate	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
E	1	Director, Emergency Medical Services	A 52,968	55,176	59,252	62,412	65,569	68,781	72,479	76,097

Adopted. Yeas, 12; Nays none.
 Absent - Herron.
 Passed June 8, 2001. J. Cherryhomes, President of Council.
 Approved June 13, 2001. S. Sayles Belton, Mayor.
 Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends approval for the Information and Technology Services Department to execute a Memorandum of Understanding with the Municipal Building Commission and Hennepin County, outlining policy, roles and responsibilities for the Main Point of Presence Room (B59), which is located in Minneapolis City Hall (Courthouse building), 350 S 5th St, and which houses City and County equipment relating to voice and data systems.

Adopted. Yeas, 12; Nays none.
 Absent - Herron.
 Passed June 8, 2001.
 Approved June 13, 2001. S. Sayles Belton, Mayor.
 Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends approval to transfer the net debt bond balance, in the amount of \$30,466.20, from the completed Armatage Building/Southwest Gym Project to the Lynnhurst Park Improvement Project.

Your Committee further recommends passage of the accompanying Resolution requesting that the Board of Estimate and Taxation transfer said net debt bond balances from certain completed park project(s) to other park project(s).

Adopted. Yeas, 12; Nays none.
 Absent - Herron.
 Passed June 8, 2001.
 Approved June 13, 2001. S. Sayles Belton, Mayor.
 Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-246
By Campbell

Requesting that the Board of Estimate and Taxation transfer the net debt bond balance from certain completed park project(s) to other park project(s).

Whereas, the Minneapolis Park and Recreation Board has completed the Armatage Building/Southwest Gym Project;

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

That the Park and Recreation Board of the City of Minneapolis hereby requests that the total net debt bond balance, in the amount of \$30,466.20 be transferred to the Lynnhurst Park Improvement Project.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept Neighborhood Revitalization Program (NRP) funds, in the amount of \$72,340, from the Minneapolis Community Development Agency (MCDA) to manage a consultant contract for the Elliot Park Neighborhood.

Your Committee further recommends passage of the accompanying Resolution increasing the Planning Department Agency by \$72,340.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

RESOLUTION 2001R-247

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 Planning Department Agency in the Grants - Other Fund (0600-380-3820) by \$72,340, and increasing the Planning Department Agency revenue estimate in the Grants - Other Fund (0600-380-3820-Source 3840) by \$72,340 for the Elliot Park Neighborhood.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

W&M/Budget - Your Committee recommends approval to issue a Request for Proposals for project management services for the Planetarium component of the New Central Library.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

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

Z&P - Your Committee, having under consideration the application of the University of Minnesota (Vac #1348) to vacate the utility easements in the vacated 18th Av SE between 4th and 5th Sts SE to become part of site for a women's indoor hockey and tennis facility, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 267012

and to grant said vacation, subject to relocation of the utilities for the City Public Works Department and Xcel, to be paid by the applicant.

Your Committee further recommends passage of the accompanying resolution vacating said utility easements and summary publication of the resolution.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Resolution 2001R-248, entitled "Vacating all utility easement reserved in favor of the City of Minneapolis as set forth in City Council Resolution No. 99R-210 and recorded with the Hennepin County Recorder as Document No. 7150724 and the Hennepin County Registrar as Document No. 3174845. (Vac #1348)," was passed June 8, 2001 by the City Council and approved June 13, 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-248

By McDonald

Vacating all utility easement reserved in favor of the City of Minneapolis as set forth in City Council Resolution No. 99R-210 and recorded with the Hennepin County Recorder as Document No. 7150724 and the Hennepin County Registrar as Document No. 3174845. (Vac #1348).

Resolved by The City Council of The City of Minneapolis:

That all that part of all utility easement reserved in favor of the City of Minneapolis as set forth in City Council Resolution No. 99R-210 and recorded with the Hennepin County Recorder as Document No. 7150724 and the Hennepin County Registrar as Document No. 3174845 is hereby vacated.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Z&P – Your Committee, having under consideration the application of Village Green Companies (BZZ-56) to rezone property at 714 W Lake St from the C2 to the C3A district with the existing PO Pedestrian Oriented Overlay over a portion of the site to remain in place, to permit an 82 unit apartment building with ground level retail along Lake St, now concurs in the recommendation of the Planning Commission to adopt the related findings set forth in Petn No 267012 and to approve said application. (64325)

Your Committee further recommends passage of the accompanying amendment to the Zoning Code and summary publication of the ordinance amendment.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Ordinance 2001-Or-072, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 714 W Lake

St to the C3A district, with the existing PO Pedestrian Oriented Overlay over a portion of the site to remain in place, was passed June 8, 2001 by the City Council and approved June 13, 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-072
By McDonald
1st & 2nd Readings: 6/8/2001

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. All of Lots 7, 9, 10 and 11; Lot 8, except the North 40 feet of the East 12.5 feet of the West 78.5 feet thereof; and Lot 12, except the North 20 feet thereof; All in Block 32, Windom's Addition to Minneapolis, Hennepin County, Minnesota; and that part of the North 20 feet of Lot 12, Block 32 and that part of Lot 7, Block 17, Windom's Addition to Minneapolis, Hennepin County, Minnesota described as follows: Beginning at the southeast corner of the North 20 feet of said Lot 12; thence westerly along the southerly line of said North 20 feet of Lot 12 a distance of 62.23 feet; thence northerly to a point on the East line of said Lot 7, said point being 51.90 feet North of the point of beginning, as measured along the easterly lines of said Lots 7 and 12; thence southerly along said easterly lines to the point of beginning (714 W Lake St - Plate 24) to the C3A District, with the existing PO Pedestrian Oriented Overlay over a portion of the site to remain in place.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Z&P – Your Committee, having under consideration the application of Village Green Companies (BZZ-57) to rezone property at 1220 W Lake St from the C2 to the C3A district, with the existing PO Pedestrian Oriented Overlay over a portion of the site to remain in place, to permit a 76 unit apartment building with ground level retail along Lake St, now concurs in the recommendation of the Planning Commission to adopt the related findings set forth in Petn No 267012 and to approve said application. (64326)

Your Committee further recommends passage of the accompanying amendment to the Zoning Code and summary publication of the ordinance amendment.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Ordinance 2001-Or-073, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 1220 W Lake St to the C3A district, with the existing PO Pedestrian Oriented Overlay over a portion of the site to remain in place, was passed June 8, 2001 by the City Council and approved June 13, 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-073
By McDonald
1st & 2nd Readings: 6/8/2001

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 Lots 7, 8, 9, 10 and 11, Block 27, Windom's Addition to Minneapolis, according to the recorded plat there of, and situate in Hennepin County, Minnesota (1220 W Lake St - Plate 24) to the C3A District, with the existing PO Pedestrian Oriented Overlay over a portion of the site to remain in place.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001. J. Cherryhomes, President of Council.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Z&P - Your Committee, having under consideration vacancies on the Heritage Preservation Commission (HPC), now concurs in the recommendations of the review committee established pursuant to Section 599.120 of the Minneapolis Code of Ordinances, as follows:

a. reappoint L Kelley Lindquist, 38 Park Lane (Ward 7), to serve on the HPC for a 3 year term beginning June 1, 2001 and ending June 1, 2004;

b. appoint Judith A Neiswander, 2412 33rd Av S (Ward 2), to serve on the HPC for a term beginning June 16, 2001 and ending June 1, 2004, replacing Thomas Holman; and

c. appoint Phillip G Koski, 2400 Fremont Av S (Ward 7), to serve on the HPC for a term beginning June 16, 2001 and ending June 1, 2003, completing the unexpired term of Joe Metzler. (Petn No 267010)

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Z&P - Your Committee, having under consideration the appeal of Donnie L Pukal from the decision of the Board of Adjustment denying a variance for an increase in permitted fence height from 3 ft to 6 ft in the front yard at 4950 Penn Av N (V-0412), and having conducted a public hearing thereon, now recommends that the appeal be granted notwithstanding the decision of the Board of Adjustment, on condition that the fence will have scallops cut away from its upper edge such that the lowest point of the scallops will be 4 ft high and the highest point will be 6 ft high, in accordance with the drawing set forth in Petn No 267011.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Z&P - Your Committee, having under consideration the appeal of Alyson Ostenaar (BZZ-53), proprietor of Ecopolitan Restaurant, from the decision of the Planning Commission granting a site

plan review with conditions relating to parking layout and limited hours for outdoor seating at 2409 Lyndale Av S (SP-268), granting a south side yard variance from 5 ft to 4 ft rather than to the 2 ft requested, and denying a variance to allow parking to remain in the front yard setback, and having conducted a public hearing thereon, now recommends:

That the appeal be granted upon the following conditions:

1. The cars in the parking lot will point north so that their lights do not shine into residential windows to the south;
2. The outdoor seating area will not be immediately adjacent to the residential area;
3. The outdoor hours of operation will be from 8 a.m. to 10 p.m. on Sundays through Thursdays and from 9 a.m. to 11 p.m. on Fridays and Saturdays;
4. There will be no curb cut on to Lyndale Av;
5. Snow will be stored in the formerly fenced in area on the northeast corner of the site next to the garage at the rear of 2409 Lyndale; and
6. The fence along the south side of the property is to be set back 2 ft from the property line and at least 4 ft from the house to the south. (Petr No 267012)

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Motions

McDonald moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Jayn Lindquist for a residential block event to be held June 9, 2001, between the hours of 3:00 and 9:00 p.m. on West 33rd Street between Garfield and Harriet Avenues South, having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Thurber moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Cyndi Butler for a residential block event to be held June 1, 2001, between the hours of 5:00 and 8:00 p.m. on East 36th Street between 20th and 21st Avenues, having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Campbell moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Michelle Zwicky for Marcy Open School for a residential block event to be held June 11, 2001, between the hours of 10:00 a.m. and 2:00 p.m. on 6th Street SE between 7th and 8th Avenues SE, having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Ostrow moved to waive the 14-day filing time and time of event (No earlier than 10:00 a.m.) as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant SiriAnna Strommen Campbell for Mt. Carmel Lutheran Church for a residential block event to be held June 10, 2001, between the hours of 9:30 a.m. and 12 noon on Ulysses Street NE between St. Anthony Pkwy NE and 31st Street NE, having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

Ostrow moved to waive the 30-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Kelly Cochrane for James Page Brewing Company for a business district block event to be held June 16, 2001, between the hours of 3:00 and 6:00 p.m. on Quincy Street NE between 1200 and 1320 Quincy Street, having approval granted by Public Works and the Police departments to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

Niland moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Carol Pass for a residential block event to be held Saturday, June 9, 2001, between 3:00 and 6:30 p.m. on 17th Avenue South between 24th Street (midblock) to 25th Street, having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

Thurber moved to waive the 30-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Adam Wolkoff for Team Strange for a business district block event to be held Sunday, June 24, 2001, between the hours of 10:00 a.m. and 3:00 p.m. on East Snelling Avenue between 31st and 32nd Streets, having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001.
Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

Niland moved to waive the 30-day filing time and time of event (Weekdays-No earlier than 6:00 p.m.) as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Karen Anderson for Easyriders of Minneapolis for a business district block event to be held Friday, June 22 at 10:00 a.m. through Saturday, June 23, at 10:30 p.m., on 19th Avenue between 9th Street and Franklin Avenue, having approval granted by Public Works and the Police departments to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.
Absent - Herron.
Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.
Attest: S. Griffin, Asst City Clerk.

Niland moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Adam Wolkoff for a residential block event to be held Saturday, June 23, 2001, between 10:00 a.m. and 3:00 p.m. on 27th Street between Lyndale and Harriet Avenues, having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed June 8, 2001.

Approved June 13, 2001. S. Sayles Belton, Mayor.

Attest: S. Griffin, Asst City Clerk.

Biernat introduced the subject matter of an ordinance amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: In General*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (Adding sections relating to business standards, responsibilities and practices of business license holders and the declaration of problem businesses and the means to deal with them).

Cherryhomes introduced the subject matter of an ordinance amending Title 21, Chapter 575 of the Minneapolis Code of Ordinances relating to *Interim Ordinances: Providing for a Moratorium on the Establishment or Expansion of any Commercial or Industrial Use of Development in the I1, I2, or I3 Zoning Districts in the Basset Creek Valley Area*, which was given its first reading and referred to the Zoning & Planning Committee (Extending the moratorium to March 31, 2002)

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 Community Development Agency (Guthrie Theater): Passage of Resolution vacating part of 20th Av S between 2nd St S & Mississippi River; Authorize summary publication. (Postponed 5/18/2001, Z&P)

By unanimous consent, the above two reports continued to be postponed.

New Business

Biernat and Cherryhomes introduced an ordinance amending Title 13, Chapter 319 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Open Air Motor Vehicle Parking Lots*, which was given its first reading and referred to the Public Safety & Regulatory Services for a public hearing on June 13, 2001, at 1:00 p.m. (Amending sections to require additional litter control, security measures).

Biernat introduced an ordinance amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Liquor Licenses*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (Amending to be in compliance with State Statutes).

Biernat introduced an ordinance amending Title 14, Chapter 366 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Beer Licenses*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (Adding subdivision to allow for the Director of Licenses and Consumer Services to grant temporary on-sale beer license in certain instances).

Ostrow introduced an ordinance amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Liquor Licenses*, which was given its first reading and

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referred to the Public Safety & Regulatory Services Committee (Adding a new Section 362.30(g)(6) relating to off-street parking requirements for on-sale liquor establishments located within the Crime Prevention Through Environmental Design project area).

Campbell moved to adjourn. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

SUSANNE GRIFFIN,
Assistant City Clerk.

Created 6/11/01; Modified 6/14/01; 6/15/01;
7/30/01.